

Draft-- Planning, Zoning and Housing Committee

Meeting Minutes

September 28, 2010

7:30 pm Room 116



In attendance: Adelman, Bacon, Bayne, Cleary, Conologue, Fead, Guimond, Hennessy, Magida, Marston, Miller, Olvany, Sini, van der Kieft

Absent: Bishko, Ness, Young

The meeting was called to order by Chairman, John van der Kieft at 7:33 pm. Van der Kieft opened the meeting with comments that the sole topic of the meeting was the abandonment of the Town owned road named Allen O'Neill Drive. No other aspects of the Allen O'Neill project will be discussed.

Members of the public will be allowed to speak after the presentation by the representative from the Darien Housing Authority (DHA).

Jennifer Schwartz, Chairwoman of the Darien Housing Authority, made the presentation included here as Exhibit A. Bruce Hill, attorney for the DHA, also provided information during the discussion.

Additional comments were as follows:

- The entire Allen O'Neill project will cost \$30M. DHA is not the trustee of the funds – the funds are committed and held by Chafa. DHA must requisition the funds for their release.
- The reason for turning the street into a private road is to provide visitor parking along the perimeter which would maximize green space. The design will reduce impervious surfaces.
- From the Town's perspective, Allen O'Neill Drive already acts like a private drive. All other multi-family projects in town have private drives.
- The installation of drainage and infrastructure will require digging up the existing road.
- The sequence of events requires that the road become private prior to commitment of the funds and issuance of the building permit.
- Traffic calming measures are not part of the current plan because studies indicate they aren't necessary at this point.
- The Town would have less liability if the road is private.
- The Darien Housing Authority is not a town authority – it is a State authority.
- All town safety issues were addressed – police, fire and ambulance access are appropriate in the design of the road and the project.
- The plan approved by Planning and Zoning is the plan that must be built. The special permit does not allow for changes in the plan.

The public was invited to speak:

Peter Rogers – Expressed concern that the design of the road is in conflict with town code requirements. For example, the town requires road width to be 26 ft and the Allen O’Neill design shows road widths of 22 ft.

Sandy Stolar—Expressed that it is reckless to be making decisions about the road without knowing all the issues and problems with the Allen O’Neill development project. He urged the committee to open up the discussion. He stated that there is no reason to abandon the road and that they (DHA) should get the funding first before the road is abandoned.

Jan Perrot—Asked audience members to raise their hands if they were in opposition to the redevelopment project (6 people raised their hands). She urged committee members to vote “no” to abandoning the town’s road. She said that the DHA needs the road to accommodate parking because the density of the project is too high. If they don’t have the road, then they’ll need to reduce the density. The density is needed for a moratorium. Abandonment will symbolize differentiating this road from the rest of the neighborhood. The proposed plan will scream “housing project”.

Catherine Beckmann – Expressed concern that the DHA has not identified and planned for ongoing maintenance costs for the private road. She also expressed concern that there will be policing of the area if the road is private.

Allison Hanson—Stated that it seems like the decision has already been made and that our home values will go down as a result of the project. She mentioned that there will be a future increase in town taxes to pay for the increase in school enrollments and road maintenance.

A motion was made to adjourn the meeting. Van der Kieft mentioned that the vote on the road would take place at the next meeting on October 13, 2010.

Respectfully submitted by Dana Fead, committee member.

**Presentation to PZ&H by the DHA
Concerning discontinuance of Allen-O'Neill Drive as a public road
September 28, 2010**

Good Evening Mr. Chairman and Members of the PZ&H Committee,

On behalf of the Commissioners for the Darien Housing Authority, I want to thank you for inviting us here tonight to discuss the topic of the discontinuance of Allen-O'Neill Drive as a public road. Allen-O'Neill Drive is a Town-owned road that goes through the middle of our 12-acre property. As you are well aware, the AON property has been a site dedicated to providing affordable housing since 1950, and actually has been the location of some form of public housing for war veterans since 1864.

In March 2009, the Town granted the DHA a Special Permit and Site Plan approval to redevelop the property. One of the conditions of the Planning & Zoning Commission approval was that the Town owned Allen-O'Neill Drive would be discontinued as a public road and become a private road. The private road achieves three major design criteria by: (i) minimizing impervious surface, (ii) maximizing open and green space, and (iii) complying with parking regulations. P&Z approved the on-street parking spaces under the zoning regulations. The parking approved along the new AON private road is primarily for visitor parking.

There is a precedent for the Town discontinuing a public road and the conveyance of that road to the contiguous private owner. In 1979 Lewis Lane, then located between a Head of Time and Matsuri Restaurant on the Boston Post Road, was discontinued as a public road to allow a property owner to build an office building at the end of that road. While the abandonment of a Town-owned road occurs infrequently, P&Z recognized that it make sense for AON, because it would be consistent with other multi-family developments within Darien. There are no other multi-family developments that have a Town-owned road going through them. The benefit to the Town includes both improved infrastructure at no cost to the Town and a reduction in Town maintenance costs. The benefit to the DHA is improved oversight and regulation of the private road and those who use it.

The DHA will be applying for funding in April 2011, and we expect to have commitments from the State and other lenders by August 2011. The DHA would like to be shovel ready at that time, and would request to take delivery of AON Drive upon issuance of building permits. The DHA will only apply for a building permit upon obtaining financing and the conveyance of the road. The DHA expects to pay approximately \$200,000 in building permit fees, and thus would not pull the building permits until we have funding in place for the development and are ready to commence construction.

The Darien Planning & Zoning Commission issued a favorable mandatory referral report to the Board of Selectmen on June 15, 2010. The Board of Selectmen referred

the matter to the RTM on July 12, 2010. Both reports have been forwarded to your committee members by the DHA. The Darien Housing Authority requests that the PZ&H Committee of the RTM recommend the approval of the discontinuance of Allen-O'Neill Drive as a public road in accordance with the Planning and Zoning Commission's Special Permit, Site Plan and favorable mandatory referral report, and the conveyance of the road to the DHA in conjunction with the redevelopment of the AON property.

Thank you,

Jennifer A. Schwartz
Chairman
Darien Housing Authority