

Planning, Zoning and Housing Committee
of the Darien, Connecticut RTM

Special Meeting Minutes – Revised 5/22/09

Date: Thursday, April 23, 2009

Place: Darien Town Hall, Room 119

Present: Adelman, Bayne, Bishko, Conologue, Fead, Hennessy, Miller, van der Kieft,
Young

Absent: Bacon, Cleary, Jones, Magida, Marston, Olvany, Sini

Guests: None

Meeting was called to order at 8:12 PM.

A. Discussion and Action on RTM Resolution Authorizing Acceptance of a FEMA Grant and Approval of Funding for Darien's Portion of the Mitigation (09-7)

Resolution encompasses remedying flooding problems at two properties on Cherry Street where the majority of expense (75%) would be funded through approved FEMA Grants.

Chairman advised Committee that he had met with Jeremy Ginsberg, Director Planning & Zoning Dept. and Andrea Sangrey, Manager - Community Development Services, to review questions he and Committee members had prepared prior to meeting as neither would be unable to attend.

Chairman advised approval of proposals for the two properties are not contingent upon one another thus he would like to treat each separately, as 25 Cherry Street does not include a possible appropriation of Town funds while 33 Cherry Street does.

25 Cherry Street

There was no discussion other than confirmation that FEMA Funds (\$61,500) would be combined with homeowner funds (\$ 29,500) to elevate house for protection from future flooding. Committee vote was: 8 in favor, none opposed and one abstention (Young).

33 Cherry Street

Considerable time was spent discussing whether proposed appropriation of Town funds of \$100,500 is justified in view the fact once the house is demolished the land would become open land and there are no plans for implementation of water mitigation or flood control measures, while recognizing the Town would take ownership of the land.

Primary points in favor were: Town will take ownership of land at a highly favorable discount (25% of total cost); relative to property costs in Darien an expenditure of \$100,500 is extremely modest; through ownership the land will be at the Town's disposal for future water mitigation/water control projects should they be decided upon; purchase

for open land is consistent with objectives of the Town Plan of Conservation and Development.

Primary points against were: Unease that the price of the property was set in January 2008 and concern that the total \$402,000 cost is overvalued in today's market; \$100,500 is a significant sum for .16 of an acre with no future plans for construction of water mitigation/flood controls, such as a detention pond or dike; it would be better to spend the \$100,500 on projects that would benefit more of the community; disagreement with a speculation that the property could be used as an alternate access to Town Hall property in view of the highly developed neighborhood and the property's proximity to Stony Brook River; concern that this action would be precedent setting; the lack of specificity provided by town officials surrounding any previous insurance payments to the homeowners and if contributions could be made by the homeowners for the FEMA grant; uncertainty on how long the house had been abandoned and whether or not the property was condemned; questions whether the homeowners had considered to sell the property or raise the house with their own contributions and then sell it.

Committee vote was: 5 not in favor (Bishko, Conologue, Hennessy, Miller, Young), 4 in favor (Adelman, Bayne, Fead, van der Kieft) and no abstentions.

Open Space Ordinance PA490

Chairman advised the Rules Committee has designated PZ&H as the Primary Committee for consideration of classification of Land as Open Space Land. Chairman to provide explanation of issue and plan for determining recommendation.

Rescheduling of April 28 Regular Meeting

It was agreed that in view of the back-to-back scheduling resulting from the Special RTM meeting called for Monday, April 27, which is only one working-day from this meeting, that the April 28 meeting would be rescheduled. Chairman to advise of substitute date.

The meeting was adjourned at approximately 9:35 PM.

Respectfully submitted: John van der Kieft, Chairman, revisions made by for John Sini, Clerk