

**Planning & Zoning Commission
Regulations Committee - Village District Sub-Committee
Minutes – April 20, 2011**

Present: Nancy Fischbach, Janet Edgerton, Cathie Jefferson, Jane Samuels

Absent: Torrance Downes

Guests from Design Advisory Board: Peter Howard, Alan Paradis, Pamela Potter

(Note: Although Peter Howard is a member of the Village District Sub-Committee, he attended this meeting in his capacity as Chairman of the Design Advisory Board.)

The Village District Sub-Committee convened at 3:36 pm in the small meeting room at Town Hall to discuss with representatives of the Design Advisory Board the latest draft, Draft 6, of the Village District Regulations, dated 4/18/11.

7A.8.2(3) Definition of Substantial Alternation. Peter noted there was no reference in the definition to character of historic character of a structure. It was noted the definition was kept more general, with the specifics in the pertinent section of the regulations. "Character or period of a structure" is specified in 7A.8.6.B. for both residential and commercial structures.

Alan noted there was no design review trigger for site changes, such as lighting and landscaping. The Committee noted its concern with imposing too much regulation and oversight, making the Village District less palatable to property owners. Furthermore, it noted its communications to the public to date did not include site design elements as being proposed for design review.

7A.8.6.B. Alan expressed a concern that a numeric threshold is used to trigger design review; he would prefer no criteria be specified. The Committee noted it attempted to use phrasing to outline a guideline for review and that the percentage noted was a guide, not an absolute. Peter gave an example of a house where the columns might have been changed from typical turned column appropriate to the Victorian house; the Committee responded that it was not the intent of P&Z to require such a relatively small change to require design review.

Peter distributed a list of DAB's recommendations for changes to the regulations. For 7A.8.6.B., DAB suggested additional language specifying the P&Z and/or the ZEO "will seek the advice of the Consultant as appropriate". The DAB members were advised the ZEO and/or the P&Z always seeks the advice of its consultants, whether the Town Engineer, Attorney, Planning Agency, etc., when appropriate, thus making it unnecessary to so specify in this section.

Pam noted her own recent experience where she would have welcomed design assistance. It was pointed out the voluntary consultation with the DAB is different than a required design review. A required design review would result in the application having to be considered by the Planning & Zoning Commission, even if the work would otherwise have required action by only the ZEO. The application process could be prolonged. Cathie noted the Committee's understanding that for design professionals, any change could make a difference, but that it was not the P&Z's intent to review design, especially residential, for small projects with little visual impact. She pointed out the modifications made over the years to the "factory" homes on Bridge Street; the changes may have been significant on a single structure, but combined, they have not changed the character of the streetscape.

It was agreed that the DAB's suggested "or is not in harmony with the surroundings" will be added to 7A.8.6.B.(1)b. and 7A.8.6.b(2)b to convey the effect a change has on the neighborhood is to be considered.

7A.8.7.A. Submission of photographs with the existing structures and the neighboring structures (to provide context) will be added to the requirements of the Preliminary Design Review.

7A.8.7.B. Submission of photographs with the existing structures and the neighboring structures (to provide context) will be added to the requirements for the Formal Application. In addition, Perspective drawings and a Streetscape illustration will be moved from the required submissions to the potential requirements.

7A.8.9.B (2)a. Delete from "Facades shall be articulated" to "... most times of the day."

7A.8.14 Variances. The DAB members raised a question as to course of action for an applicant if no variances were permitted. The Committee clarified that any applicant would as now be able to appeal a decision to the courts.

A general discussion ensued, with all understanding that Village Districts are more concerned with harmony than with individual structures. Planning & Zoning considers design in context, whereas DAB needs to focus only on design. The availability of the Design Advisory Board to offer guidance, whether voluntary or required, would by itself lessen the odds of there being a structure which is strikingly incompatible with its surroundings.

The meeting adjourned at 4:45.

Respectfully submitted,
Nancy Fischbach

04/21/11