

RTM Meeting
October 22, 2013

The call

1. To take such action as the meeting may determine upon the request of the Westport Housing Authority to approve an amendment to the definition of "owner" in Section 59-194 of the Code of Ordinances regarding Tax Abatement for Low or Moderate Income Housing. (First reading. Full text available in the Town Clerk's Office.)
2. To take such action as the meeting may determine, upon the recommendation of at least 20 electors, to reverse the September 19, 2013 negative 8-24 report by the Planning & Zoning Commission and approve the relocation of the Kemper-Gunn House from 35 Church Lane to 35 Elm Street in the Baldwin parking lot.
3. To take such action as the meeting may determine upon the recommendation of the Board of Finance and a request by the First Selectman, to approve an appropriation of \$139,000 to the Miscellaneous Account (Downtown 2020) for consulting services with RBA Group of Connecticut, LLC for the Downtown 2020 master plan.

Minutes

Moderator Eileen Flug:

Good evening. This meeting of Westport's Representative Town Meeting is now called to order. We welcome those who are joining us tonight in the Town Hall auditorium, as well as those watching us streaming live on westportct.gov, and those watching on Cable Channel 79 or AT&T channel 99. My name is Eileen Lavigne Flug and I am the RTM Moderator. On my right is RTM Secretary Jackie Fuchs. Tonight's invocation will be delivered by RTM member Bill Meyer.

Invocation, Bill Meyer, district 3:

My favorite poem from Corinthians, "Characteristics of Love":

Love is patient, love is kind. It does not envy. It does not boast, it is not proud.

It is not rude. It is not self-seeking. It is not easily angered. It keeps no record of wrongs.

Love does not delight in evil but rejoices with the truth.

It always protects, always trusts, always hopes, always perseveres.

Love never fails. But where there are prophecies, they will cease; where there are tongues, they will be stilled; where there is knowledge, it will pass away.

There were 34 members present. Ms. Cady and Mr. Lebowitz notified the Moderator that they would be absent. Mr. Mandell notified the Moderator that he would be late and Mr. Klinge was also late.

Announcements

Ms. Flug:

We will approve the minutes of the Oct. 1 meeting at the upcoming RTM meeting which will be Nov. 12 at 7:30, here in the auditorium.

Upcoming Committee meetings:

There is an Environment Committee meeting about the proposed bamboo ordinance on Nov. 4, 7:30.

There is a Finance and Education Committee meeting on Nov. 7.

There is a joint Parks and Rec. and Finance Committee meeting on Nov. 7.

RTM announcements

Chris Urist, district 6:

I am on the Compo Beach Site Improvement Committee and I wanted to give everybody an update since last month we approved \$50,000 to do the Compo Beach master plan. Next month, Nov. 23, we are going to have the public charette at Bedford Middle School and we'd like to invite all members of the RTM and all members of the public to come participate, give any ideas and inputs on how we can make Compo Beach the best, the safest beach in Connecticut. Please come out Nov. 23, Bedford Middle School.

Clarissa Moore, district 4:

October as you probably know is National Breast Cancer Awareness. I wanted to commend the Staples students this weekend who had their "Get your pink on". I don't know if you guys saw this where the members of the football team, I was so touched and amazed by this because these children could have said, 'I don't want to wear pink. Ugh.'" Instead, they raised money, sold logoware, had a bake sale and donated the proceeds to Pink Aid which is the amazing foundation founded by the Mitchell family supporting those in our community who have breast cancer. I was particularly touched, as a breast cancer survivor, and I also thought we have nine days left in October. If everyone in the room, I know everyone in this room is concerned about the community and if you haven't done something this month, I'd like to ask you to do something. Something small, buy something pink if you see something for sale, an egg, a water. They are all doing fundraisers for this. Big thanks. Big commendations for the Staples students who make you believe that they will change the future. I hope that you guys will work, as well, toward this.

Mr. Meyer:

Where are all of you going to be on 6:30 this Friday? The wine tasting. We raise money on this. The money goes to all the non-profits around. We have a silent auction with a hundred different items. We have a lot of surprises. We don't have food. We have mouth watering morsels, culinary delicacies. We have a few tickets left. I'll stand right here when it 's over. I'll sell some. It's at Christ and Holy Trinity Church. By the way, Lois, there are two Rotaries in Town. There are 150 members between the two Rotary Clubs. That's the highest per capita in Connecticut. We raise the most money for foundations. That's another Westport success story. Everything is the best in Westport.

The secretary read item #1 of the call - To approve an amendment to the definition of “owner” in Section 59-194 of the Code of Ordinances regarding Tax Abatement for Low or Moderate Income Housing. (First reading. Full text available in the Town Clerk’s Office.)

Presentation

David Newberg, Chairman of the Board of Commissioners of the Westport Housing Authority:

I am here with our redoubtable Executive Director, Carol Martin. I’ll only take a minute or two of your time as this is the first reading of the proposed ordinance. First, a thank you to the Moderator and members of the RTM for permitting us to be on the Special Meeting agenda for what we regard as important, though in our view, mostly administrative act by the RTM to amend the statute currently in effect to include our organization as being eligible to apply for tax abatement here in Town. Just a few seconds of background. Although, I know many of you are familiar with what the Westport Housing Authority is and does, for those of you who aren’t, the Westport Housing Authority is not a Town board. It is not part of Westport Town Government. We are separately formed by State Statute authority. Our purpose is to provide affordable housing here in Town and to serve the needs of those who are in need of affordable housing within our community and the surrounding areas. We have been in existence for about 70 years now. We are, in fact, a non-profit, not for profit organization. We now own and manage four properties with which most of you are familiar: One is a minute or so from here, Canal Park, which is for low income elderly; Hales Court; Sasco Creek, which is otherwise known as “the trailers”, which I’m pleased to report we are hopeful will not be trailers for much longer, and behind it, Hidden Brook, which is for moderate income residents, as well. The proposal here is simply to amend the statute to permit us as a non-profit provider of moderate housing to residents here to apply to the Town for tax abatement. Typically, by statute, just so you know, we are not required to pay real property taxes and sometimes we do; sometimes we pay in lieu of taxes pursuant to an agreement with the Town and sometimes we don’t pay at all, again, pursuant to agreement. It’s our view that it is sensible for both the Town and the Housing Authority, to amend the statute to permit us to come in a regular and ordinary way and we do this now in the hope that by your next meeting you can approve the change so that we can make appropriate application for this year by the end of this calendar year. You will have, undoubtedly, during the course of the committee meetings, we will prepare some written materials with greater detail for your information and, of course will make ourselves available to answer any questions you may have. In the meantime, that’s the nature of what our application is and our hope is that, within the next few weeks, we satisfy and answer any of your questions and will favorably act on our request.

Ms. Flug

We will have committee reports at our next meeting. The second reading and the vote for this item will be at our meeting on Nov. 12. The public is welcome to comment on this item but, since it is a first reading, we typically don’t have any discussion.

Members of the Westport electorate – no comments

The secretary read item #2 of the call - Upon the recommendation of at least 20 electors, to reverse the September 19, 2013 negative 8-24 report by the Planning & Zoning Commission and approve the relocation of the Kemper-Gunn House from 35 Church Lane to 35 Elm Street in the Baldwin parking lot. By roll call vote, the motion passes unanimously 34-0.

Presentation

Morley Boyd, Lead Petitioner, 6 Violet Lane:

Thank you very much for your time this evening. I am particularly grateful to the members of the RTM P&Z Committee. I would really be remiss if I didn't acknowledge the hard work of Matt Mandell, Don Bergmann and the Historic District Commission for all their efforts this past year to preserve this important historic resource. I asked the RTM to overturn the P&Z's decision in this case because I felt the reasons stated were without merit. Of course, I was quite gratified that the RTM P&Z Committee last week reviewed the decision and unanimously agreed with that assessment. To be fair to the Planning and Zoning Commission, I think that there were two pieces of information that it probably should have had and probably did not have. This issue was raised at the RTM P&Z Committee meeting last week and I'd just like to briefly outline them tonight for you. The first is, it relates to the matter of alternate sites for the Kemper-Gunn House. This was a subject of some discussion at the Planning and Zoning hearing. It is a well recognized principal of historic preservation is the best way to preserve a historic resource is to preserve it on its original location. If you can't do that, the next best thing is to move it as short as distance as you possibly can. The reason is, the further you move a historic resource from its original location, the more damage you do to its historic significance. That's because so much of the interpretive value of that resource is tied up in its relationship to its original setting. In this instance, the Kemper-Gunn House can't be conserved in its original setting; however, a short move from one side of Elm Street to the other will result in its preservation. Because the move is so short, it also preserves its historic significance. Unfortunately, Planning and Zoning did not hear that piece of information. The second piece is this: This 44 page document located in the Town records. It was compiled by architectural historians, paid for by the Town of Westport and it documents the formation of the Myrtle Avenue Historic District in 1985 complete with map, detailed boundaries, lengthy statements of significance, justification for the boundaries and a list of three dozen properties within the boundaries of this district that were added to the State Register of Historic Places in 1985. It is interesting that on that list is 35 church Lane, the Kemper-Gunn House. This report was created as a preservation document. It was intended to be a framework for planning decisions in the downtown area where historic resources were considered. P & Z never saw this. The boundaries of the district were established to document the development of Saugatuck and the report goes on to specifically highlight the concentration of Federal and Victorian resources within the boundaries. It discusses, at length, the social value of these buildings and the contextual value of them as a group. What struck me most about the report, though, was that without any regulations or any control over this district, 28 years after its founding, we've only lost one building. It's almost perfect. The

other thing that is interesting is that the authors made special mention of the fact that many of the buildings have been moved short distances so their historic value was conserved. One of them caught my attention and that was the building that used to stand at 35 Church Lane until 1889 when the Kempers showed up and moved it across the street to another property that they had bought. They didn't tear the house down. As a matter of fact, they moved it across the street, removed the remodeling effort that had been done by the previous owner, restored it back to more appropriate colonial appearance; then they went and built their house on the hill at 35 Church Lane, the house we're talking about tonight. The Kempers were preservationists, too. The interesting bit is, that house that was moved down the hill still stands today and many of us think of it as the Red Cross building. The broader point is, back in the day, in Westport and many other towns, moving buildings was a cottage industry. We're fortunate that our forbearers often found ways to accommodate change while still making allowances for the conservation of our historic heritage. Getting back to the report and looking at the boundaries, again, something the P&Z didn't see, what I can see is if we permitted the move of the Kemper-Gunn House from one side of Elm Street to the other, it still stays within the boundaries of that district that was drawn out in 1985. We preserve the integrity of the district without causing any difficulty, without causing any harm. On the other hand, allowing the building to be lost to demolition, and let's be clear, that is the only other option on the agenda here tonight, we would be damaging the integrity of the district as a whole. We would damage the historic district and reduce the interpretive value of the collection of structures as a whole. Typically speaking, districts like this lose buildings one at a time. Often, people don't think about the broader consequences. It's kind of like removing words from a sentence. You keep doing it and eventually, the whole paragraph doesn't make any sense. Luckily, thanks to our charter, tonight we have a rare second chance. You have the opportunity to overturn the P&Z's decision. When we talk about the preservation of historic streetscapes as we do in the Town Plan, I think what we're really talking about is preserving the evidence of where we came from. Let's not lose sight of that.

David Waldman, 16 Minuteman Hill:

I have lived in Westport since I was one. I thank everyone for being here tonight. I'm very pleased with the turnout that the RTM put together and I appreciate the opportunity to be in front of you to talk about this house. Clearly, I have had my hand in the shaping of the downtown area over the last 20 years. I moved my company here in 1996. In doing so, I began to understand the cultural value of the assets that this Town has and I have, fortunately, had my hand in on various projects over the years. Bedford Square was the project which was precipitous to the Gunn House being relocated. I am a Principal of Bedford Square. Myself and my partners came up with a scenario as to not demolish the Gunn house was to donate it to the Town of Westport. The Town of Westport through the efforts of Don Bergmann and Matt Mandell came up with an RFP which DC Kemper-Gunn, of which I'm also a principal, bid on the RFP and was the winning bidder. They are two separate entities. Obviously, there are various aspects that are similar, clearly. That said, the goal of Kemper-Gunn was to follow through on the efforts that the Bedford Group put together to preserve this house in the context of the downtown area. I've had history of doing this in the past and one of the first

significant projects I got involved in was the renovation and restoration of 87 Post Road East which, ironically was the location that the Spotted Horse used to sit in until the bank that eventually built 87 Post Road East decided they needed to move from across the bridge after being robbed and built the current building that sits in its place and moved the spotted Horse to the location that the Spotted Horse was in prior to my buying it in 2010 or 09. At that point in time, we picked that house up and moved it a little closer so it would relate a little better to the streetscape and started to incorporate it to what I envisioned to be the future of Church Lane through the restoration and renovation of Bedford Square. As Morley had said, there is a history of relocating historic structures within the context of the neighborhoods that they are part of to still relate to those areas. The idea of moving the Gunn House came about as a result of the history that the area had gone through. We thought it was an excellent example of how we could front what was a pretty large void, an assemblage of residential lots that the Town had put together to create the Baldwin Parking Lot and really front it with something that had character and charm and a reason for people to round that corner and head from, at this point now, Elm Street to Main Street. There was an old study done by the DMA which presented a similar option to front this void of a parking lot and really allow Main Street to continue around the corner. I understand some of the arguments of not allowing this to occur, are really based on parking. Having had my company based downtown for many years and having a hand in understanding where the Town is moving to, I appreciate that and can respect it but I don't believe the loss of 20 spaces in any way impacts substantially the greater good of saving this home. The benefit of Bedford Square is generating for the Town is roughly a positive 66 spaces in total. Of the 100 spaces that we are building at Bedford Square underground associated with Bedford Square, 26 are for the apartments and the rest will be floating for anyone to use. They are not going to be policed. They are going to be used by shoppers and the merchants and customers that shop Bedford Square and shop the Town as a whole. The uses associated with the Gunn House, assuming the RTM allows us to go forward, at the end of the day are going to be dictated by what the ZBA and the P&Z feels is an appropriate use for the house. Those customers are already there to shop in the downtown area. This is just another example of what they can do. By adding the Gunn House in the parking lot, it's not like you are adding a use that is specific for what they are doing there, like the Y, you are adding a use that is beneficial to the downtown and allows whoever is shopping the downtown to have a greater experience with what they are doing. Much like the Spotted Horse and other restaurants that have come to Town, utilize this pool of parking, there are mixed use aspects to that allowing it to be nighttime use and morning use and afternoon use. The removal of the Y is a significant piece of the puzzle of downtown. The Y itself at one point had roughly 9,000 members. At that point in time, those members would use the downtown area to park directly in the Town lots because the Y had no onsite parking and use the Y's facilities or drive downtown to drop their children off to whatever event they were going to and then be on their way. There was very little correlation from the studies we've done to people that would go to the Y and after leaving the Y be part of the downtown experience, would go to a restaurant, go shopping or go somewhere else. They would shower come back home and come back afterwards but they would never just go for a use other than the Y. Bedford Square, which as much a repurposing of those historic structures and the

addition that we're adding is a mixed use project which allows for a spreading out of the uses that would come in at one point in time. My offices are above the Spotted Horse and there is not a day that goes by that five o'clock without honking on Church Lane because everyone is trying to pick their kids up. That is a specific use for the Y. When the Y leaves, the uses associated with Bedford Square, which are more in concert with shopping in the downtown area, are going to be collectively used by the people who are already shopping in the downtown area. The residences that are there, the residents who come home from work and utilize their homes on an evening basis or a weekend basis. I believe the loss of the Y, as much as we would have liked to see it remain downtown, in the end, is going to alleviate some of the pressures on our public parking lots and spread that burden out over a period of time as opposed to it being specific to the events associated with the Y. The cultural value and the historic significance of the house, having restored the Spotted Horse and other properties in Town and seen a lot of the pictures that Morley and the group have floated through the blogs and the emails lately, I am excited to renovate it. I am comfortable, as my partners are, that investing roughly the \$1.5 million to two million dollars in the structure will yield a really spectacular example of what that house used to look like in the olden days. The adaptive reuse of the uses within it are easy to do. One can look at the Spotted Horse, and if they ever went through the Sherwood's house prior to it, it was a maze of little rooms and hallways and now it's this open almost modern type internal structure but the history from the outside is still preserved and when you drive down Church Lane it doesn't feel like much has changed. I know that can be achieved on Elm street with the Gunn House. Some recent renderings we did, showed it, not on the sweeping lawn that it is sitting on today but a nicely landscaped area that allowed for its porch and its presence to be viewed and part of the Elm Street experience. There has been concern that the options of where it could go weren't fully explored, having of course done this for many years, it wasn't willy nilly, 'Hey here's a great space across the street. Let's throw the house there.' There was a clear thought as to where it would best fit and how would it best be suited for the neighborhood that it was part of and will be part of. The potential for a deck in the future if the Town wanted it in the future is not precluded as a result of the Gunn House being there and the ultimate loss of 20 current and active parking spaces in the long run is a worthy endeavor and will allow us to continue to experience the great heritage and history that our Town has enjoyed over the years. I have only become a preservationist by accident in many ways. That said, I had the pleasure of dealing with Maggie Feczko who really was one of the key people who convinced me that preserving the Spotted Horse or the Sherwood House in creating the Spotted Horse would make a better project. She was 100 percent right. My original view and plan for that site had nothing to do with that. It had to remove that house and put parking there to support what is now Urban Outfitters. In hindsight what a mistake that would have been. The Spotted Horse created life on Church Lane which was once just a place where you would drop your kids off or that kind of back road off Main Street. I believe when we're completed and when we're done, not only Church Lane but Elm Street will be an extension of Main Street and contribute to the resources of the Town has available to it and will be a revenue stream in perpetuity for the Town if you would approve this concept. Thank you very much. I could go on for hours but I will try to be brief. I'm here for any questions and thank you again for your time.

Cathy Walsh, Chair, Planning and Zoning Commission:

I will very quickly just tell you how the vote went. There were four against the Gunn House: Mr. Corwin, Mr. Lathrop, Mr. Wetmore and Ms. Janishian. Two voted in favor: Mr. Whittle and Mr. Stephens and I abstained. There was a lot more information presented at the RTM meeting the other night and I want to thank you Mr. Boyd. Much more was made clear to all of us. The one thing that I thought was interesting was we were all surprised that the vote did go this way. The reason I abstained was we did a roll call vote and, at that point, nothing I could do or say would make a difference so I abstained. Having said that, what I would like to do, very briefly, is ask Mr. Corwin to speak for those who voted against it to come up and then the other three commissioners will also speak to the issue. Mr. Gratix was out of town and not sitting that night. So, I would like you to hear what we have to say.

Ron Corwin, 20 Grove Point Road:

I'd like to begin by differing a bit with my chair by noting that the vote at the Planning and Zoning Commission was not for or against the Gunn House. It was for a report on an application to move the Gunn House to Baldwin Parking Lot at a specific location. I know of no sitting commissioner on the commission now or for that matter any person who is running for the commission who favors destroying the Gunn House. That's important to note. I voted not to accept the 8-24. I did so because I had questions about whether this is the best use of public land, about the role that Baldwin can play going forward in helping to beautify the river front, in particular, and downtown, in general, about whether there might be a better location for Kemper-Gunn and, for a later day, the financial terms to me seemed exceedingly generous. For me the whole thing had a feel of a rush to judgment. I did not and do not favor tearing down Gunn House, nor do I know any sitting commissioner who did and, as I said, anyone I know who is running for the commission who favors it. I was not alone in the questions I asked. Three other votes on the commission including the only two architects also voted against the application. During the hearing, several speakers had questions. One, a member of the Downtown 2020 Committee noted that initially some members had questions: "Is this the right place to put it? What effect does it have on downtown? Are we locking ourselves into something we can't change at a later point? How does this fit into an overall plan?" Another speaker, who owns property downtown, asked a series of questions about the implications for an already stressed downtown parking when demand for parking will increase while spaces will be eliminated. The point is there can be legitimate questions raised about this project. All of them may be answerable in whole or in part but, and this is important, I believe, it is the task of the commission to ask questions, to poke and to prod. There is much value in the Town for such a process. Preserving historic resources is one of the many purposes the commission has. There are others: preserving the residential integrity of neighborhoods; understanding the needs of commercial evolution to preserve our tax base; providing adequate parking for non-residential Town needs, retail, schools, churches, synagogues; protecting the environment. It's a very long list. But, hopefully, it is a list that will allow some to understand that there are questions that could and should be legitimately raised by any major project including the one in front of you tonight without

the person who raises the questions being branded an enemy of preservation, or worse, without being criticized and attacked for asking questions. It is to this I now turn. In an email last Sunday that all the RTM members in this room saw, sent by John McCarthy to Michael Nayer, who has been involved in some communication to RTM members regarding Gunn House, copied not only to the RTM but to selected others as well as the media, said: "Your efforts to spread fear, uncertainty and doubt prior to our vote is noted, exactly as expected from Mr. Corwin and Mr. Lathrop." Let's leave present company aside. For those of you who might not be familiar with Mr. Lathrop, let me share some information. Howard Lathrop is an architect who has been on the Planning and Zoning Commission for eight years. Prior to that, he chaired two of the Town's School Building Committees constructing the new Bedford Middle School and reconstructing the Saugatuck Elementary School. By all reports, he did a sensational job,. While on the commission, here are some of the text amendments Mr. Lathrop supported.

Ms. Flug:

I understand where you are going with this but could you please reorient to the Gunn House. Please keep this portion of your talk brief.

Mr. Corwin:

Here are some of the things Mr. Lathrop supported:

- Changing the restaurant patron bar regulation that resulted in so many new restaurants in Town;
- Regulations that resulted in more than doubling of outdoor dining in Westport;
- Athletic field lights at Staples and Saugatuck;
- The Town's request for senior housing at Baron's;
- Redevelopment of the Downtown Historic District on the west side;
- The redevelopment of Saugatuck;
- He voted, ironically, to allow the Y to move to Mahackeno.

Ms. Flug:

Mr. Corwin, I ask you to please reorient this back to decision making and the Gunn House. You have made your point with the examples of Mr. Lathrop's character.

Ms. Corwin:

I have a longer list but, in response to the Moderator, I will truncate the list and point out that all of the votes that Mr. Lathrop participated in were bipartisan. I don't think he is purveyor of fear, uncertainty and doubt. I worry about the quality of the dialog in Westport with respect to this matter about public policy discussions in which reasonable people can reasonably disagree has deteriorated because those who ask questions are labeled, villainized, demonized and figuratively tarred and feathered. It doesn't lead to a high quality discussion and truly doesn't lead to high quality decision making which, I hope we all agree, our Town deserves.

Jack Whittle, 26 Calumet Lane, Planning and Zoning Commission:

As Ms. Walsh mentioned, by the way, thank you for being here and taking up this issue.

I respect the process we have in Town even if it means that the RTM is overseeing and perhaps overturning a decision of the Planning and Zoning Commission because it's provided by the charter and we like to give honor to that. I was one of the three that did not vote in favor of the negative report that will result in the demolition of the Gunn House. I'm pleased that Mr. Corwin is now in favor of preserving the Gunn House. I'm not sure that some of the stuff he was talking about relates to the Gunn House but I understand where he is coming from. I submitted a letter to the RTM Planning and Zoning Committee meeting because I could not be there. I'm not going to read through that entire letter tonight but I will cover the points I raised there with regard to the reasons why I voted in favor of the First Selectman's request for a positive report.

The proposal which was fully supported by the Historic District Commission would result in the preservation of an historic structure which is characteristic of the charm and attractive streetscape of Westport's downtown area. The proposal would also have preserved a small retail space in the downtown area which retains and supports these mom and pop sort of arrangements in the downtown area that so many of us strive to accommodate. This proposal would not generate any additional traffic or parking demands in the downtown area since we are taking an existing used structure and moving it around the corner so it's already generating traffic and parking demands not creating new ones. The proposed location was demonstrated to preserve the parking deck in the Baldwin lot if that comes to fruition. It's not necessarily so but it was located in such an area that it could still accommodate a parking deck which was demonstrated in some conceptual plans that were presented to us. I also mentioned that relocating the Gunn House to that area would greatly enhance the appearance of Elm Street streetscape and would act as an attractive buffer should there be a parking deck behind it. I have to respectfully disagree with Mr. Corwin. I'm not villainizing him but when you vote against the request to relocate the Gunn House, that is, in fact, a demolition of the Gunn House. No two ways about it. Mr. Waldman has been gracious with his involvement in the project as well as his patience as the owner of the lot to be cleared so he can proceed with a project that he has already received approval for.

Ms. Walsh: Can we have a few more minutes? We'll be quick.

Mr. Stephens:

Madame Chairman, if time is a problem, I'll come back and speak when the public speaks.

Ms. Walsh:

I just want to summarize. We believe the RTM review process is a good process. If you do choose to overturn the decision, this is the majority of the commission going forward. We are the Republicans endorsed by Save Westport Now. We will be remaining on the commission going forward. We have two or three more steps to do to accomplish the goal. I know all four of us will assist in accomplishing the goal as quickly as possible because there is a timeline. If you do overturn, we will assist you in every way we can.

Francis Henkels, Chair, Historic District Commission:

The Historic District Commission at its monthly meeting on Oct. 8 voted unanimously to recommend that the Representative Town Meeting vote to overturn the negative 8-24 report issued by the Planning and Zoning Commission regarding the proposed relocation of the Kemper-Gunn House. In its official advisory role on matters of historic preservation, the HDC has consistently advocated for saving the 1885 Queen Anne house located at 35 Church Lane in the face of development pressure from Bedford Square. I'm not going to go into great detail. I sent a personal letter to the RTM and official judgment of the HDC to the RTM summarizing our positions. Fundamentally, I personally spent the last year with the people mentioned tonight already seeking ways to find the preservation of this house. We investigated a number of options. With preservation of an historic structure, it often requires innovative solutions. I think this represents that. It's not a simple solution. I think there are questions and to have questions raised on a matter such as this are appropriate. I think with most of the people speaking here tonight and in our previous comments to the P&Z Committee, I think we've answered most of the questions. This has not been a hasty process. We spent a great deal of time on it. I think relocation to Elm Street is the best possible location for this house. As Morley mentioned, it remains in the neighborhood. It helps to repair the character of Elm Street which has been more damaged in its original residential nature. It has been scarred by the Baldwin lot. Relocating the house on this site begins the repair process of that site. The house is listed on the State Registry as a consequence of a study for a Historic District in the Myrtle Avenue area. It remains on that registry and, as a condition of the RFP to a potential developer, they have agreed that when the house has relocated, it will be nominated as a Local Historic Property which will place it under our jurisdiction for review of any future changes to that house. In general, I think it is a well thought out concept and I urge the RTM members to support the 8-24 report.

Ms. Flug:

We now have the Town Attorney, Ira Bloom, who will explain to us the nature of the RTM's appeal procedure.

Town Attorney Ira Bloom:

I guess I haven't been here for a while because these are very lovely curtains.

The RTM here has been asked to review what we call a negative report regarding the Gunn House from the Planning and Zoning Commission. This is pursuant to a Statutory Section, section 8-24, of the Connecticut General Statutes. That statute requires a referral to the Planning and Zoning Commission when the Town does certain things such as purchasing land, selling land, leasing land, substantially improving property or relocating property. So, that's why it started with the Planning and Zoning Commission because of that statute. What the Planning and Zoning Commission does is what we call a "conceptual review" at that stage so they look at it to see whether the proposal to relocate, to sell, whatever it is, is consistent with the Town Plan of Conservation and Development. That is the standard for the conceptual review. They have to issue either a positive report, yes it is, or negative report, no it's not. You have their negative report from the P&Z which means that at that stage the proposal to move this house, to relocate it, can't move forward yet; however, the statute does say that it can go forward

if the legislative body, the RTM in our case, by a 2/3 vote overturns that. It's important and interesting to note that this derives first from the State Statute so this applies to every municipality in the State of Connecticut. An 8-24 report which results in a negative report from the Planning and Zoning Commission can go to the legislative body in the Town RTM, Town Council or even a Town Meeting. We also have our charter which has sections C51f and C10n 4 also authorize the RTM to review a negative 8-24 report just as the statute does. The charter references the statute. The charter says the review can be reversed by a 2/3 vote of the total number of RTM members which is 24. It would require 24 members of the RTM to overturn that negative report from the Planning and Zoning Commission. In this case, our charter really has a more stringent requirement than the state statute in mandating 24 of the total number of members of the RTM. That's how we view it. There is precedent for what you are doing. Some of you will remember there was a review of a negative 8-24 report in 2005. This had to do with a sewer extension to a property near the Longshore property. The RTM did not overturn that particular vote. Twelve people sought to have it reversed. Nineteen said no. It didn't succeed in overturning the P&Z at that time in 2005. I'm told that there was a later 8-24 review that did let sewers in, eventually. So, what standards should you apply? First, unlike previous discussions we have had regarding RTM review of Planning and Zoning regulation changes, which is another charter provision which allows the RTM to review P&Z regulation changes and map changes, that is a very unique privilege the RTM has under the charter, unlike that standard, in my opinion here, you can conduct your own independent review of the Gunn House proposal. You are not limited to the Planning and Zoning record. I would think you would want to consider what they looked at and what they said and what they did but you can undertake your own de novo review from the beginning based on evidence you see here at this proceeding. I do think, however, as with the P&Z, the standard and your focus should be the question of whether moving this house is consistent with the Town's Plan of Conservation and Development. That is the standard under this section of the statute. That is the underlying standard of the 8-24 review and I would hope that would also form the basis for your analysis tonight. That's the legal framework.

Committee report

Planning and Zoning Committee, Matt Mandell, Chair, Planning and Zoning Committee: This is a long report. I will try and truncate it as I go along for what has already been said but bear with me if I pause and kind of look at it. We do read it into the record because members of the public haven't had the chance to see the report.

We met on Oct. 16. There were eight members there. One was absent. There were other RTM members present. The background is the Committee met to address the appeal by electors to request the RTM overturn the negative 8-24 Report concerning the relocation of the Kemper-Gunn House. The First Selectman had requested this on August 26th. It is pursuant to Section 8-24. Prior to this request, the First Selectman twice brought this issue to the Board of Finance, who twice supported the concept and moving the process on to the P&Z. The Board of Finance will address the lease and overall finances further on in the process. The Planning and Zoning Commission held a public meeting on the matter on Sept. 12th and on Sept. 19th. As you know, it was a 4-

2-1 vote. The appeal to the RTM is authorized under State Statute 8-24 and the Westport Town Code, C-10. The former allows the RTM to issue a favorable 8-24 Report on the original request and the latter allows us to overturn the vote to issue a negative 8-24 Report. So, there are two ways for us to see this, as Ira just said. To achieve such a result under C-10, it takes 24 votes, two thirds of the body, not just those attending. Morley Boyd spoke first to the Committee. Mr. Boyd was the lead petitioner for the review and submitted a petition with 89 resident signatures, thus exceeding the minimum of 20 required to initiate a review. Mr. Boyd focused first on the P&Z's negative 8-24 Report and explained how many of the "findings" in that report were not backed up by the Plan of Conservation and Development. (In an effort to avoid repetition, specific discussion of sections of the Plan of Conservation and Development will be addressed later in the report as the analysis of the Committee is presented.) Mr. Boyd described the historic significance of the Kemper-Gunn house as he did tonight and I'm not going to go any further. He did a wonderful job. David Waldman, spoke for Bedford Square and also as DC Kemper-Gunn and essentially is undertaking the project on Church Lane. Essentially, he gave the same speech here; although, he did an even better job tonight. They were both on their game.

So, we can move on. Planning and Zoning Commission which is different because Mr. Lathrop did show up for that one and he spoke on behalf of the negative voting so I will take my time with this. The P&Z Commission was offered an opportunity to defend its negative 8-24 Report. The Chair of the Commission, Cathy Walsh, represented the Commission as a body. Ms. Walsh said she accepted the review process and was pleased with it. She observed that more information had become available since the Commission vote and this provided some clarification. Ms. Walsh read into the record a letter from Commissioner Jack Whittle, setting forth the reasons why Mr. Whittle had supported a positive 8-24 Report and the relocation of the house to the Baldwin lot. Mr. Whittle included a number of specific references to the POCD in support of his position. His letter was an addendum to this report when we submitted it to the RTM and to the Town Clerk. Howard Lathrop, one of four Commissioners who voted to issue a negative 8-24 Report, said this is the kind of matter that should be in the hands of the RTM. He said his reasoning for his vote was two-fold. First, he believed that the house was not architecturally significant; however, Mr. Lathrop also acknowledged that the legitimate sentiment and concern for the preservation of the structure could outweigh his architectural judgment. Mr. Lathrop's second reason was that an insufficient number of alternative locations had been proposed. Mr. Lathrop then presented some slides, including two alternative sites in and next to the Baldwin lot. Mr. Lathrop's slides also sought to show that Victorian type houses should be placed in a large lawn setting. However, one house shown, on Jesup Road, had a large lawn in the back, but a rather small lawn in front with simple plantings along Jesup Road. It was also subsequently commented upon by a member of the public that the Jessup Road house obscured a parking lot in the rear. That fact seemed to support an aesthetic benefit of the relocated Kemper-Gunn House in that the house would serve as a positive visual feature to Elm Street reducing the view of the unattractive parking lot behind the house. The first alternate location for the house suggested by Mr. Lathrop was the parking area of Christ and Holy Trinity Church abutting the Baldwin lot. This site most likely would require a

land swap for parking between the Town and the Church.. The second location suggested was in the far, rear portion of the Baldwin lot. That suggestion generated many negative comments from others later during the meeting. In closing, Mr. Lathrop expressed the view that he was surprised with the vote of the P&Z Commissioners in issuing a negative 8-24 Report . He also added that he was quite certain the matter would end up with the RTM. Ms. Walsh summed up, saying she too was surprised by the Commission vote and that she abstained on the vote due to the fact that four Commissioners had already voted to issue a negative 8-24 Report, hence her vote did not matter. It is now noted that, at several subsequent times during the meeting, members of the public and the RTM voiced concern that it appeared that at least some of the P&Z Commissioners may have abdicated their responsibility to make a sound and well-reasoned decision and, rather, may have acted as they did by reason of the role legally available to the RTM to overturn the Commission's judgment. In addition, concern was expressed that the Commission may have been wasting the time of many people, including the RTM, as well as generating unnecessary, resulting expense. A comment of RTM member Lois Schine captured the mood when she said: "It seems to me that the P&Z is asking the RTM to overturn them." Chip Stevens, a P&Z Commissioner who voted to issue a positive 8-24 Report, spoke about the need to preserve our past and move forward with a sense of that past and a commitment to build and expand upon all that is so wonderful about Westport's historic appeal. He said he campaigned and was elected under the banner of preservation and he and the RTM should do just that. Mr. Stephens commented that he believed the Church location alternative was not workable since the congregation there had just completed a major project of their own initiation.

HDC and other comments: There were comments about the alternate location in the rear of the Baldwin lot. It was noted that such a location evidenced support for the concept of relocating the Kemper-Gunn house to the lot, but also that at least two major problems would arise. One would be that retail shops, particularly of the "mom and pop" variety could not survive without being on a street front with foot traffic. The second was that the placement of the house other than on Elm St. would eliminate all the benefits that would have been and could be achieved for the Elm St. streetscape by placing the Kemper-Gunn house on Elm St. I will note one thing here, the 2020 Committee did support the move of the house. They submitted two memos. Mr. Corwin spoke of the first. There was a clarifying memo submitted to the RTM which said that they wholeheartedly support this now knowing that would be future negotiations and things. There was a month and half difference in time between the two memos. Also, Mr. Gagliano texted me at the meeting and said make sure that you say that the 2020 Committee is in full support it. I want to make sure to put that in the record. Frances "Randy" Henkels, Chair of the Westport Historic District Commission (HDC) then spoke. He spoke about the same things he spoke about tonight, that it's relevant; it's significant and it's architecturally sound. He also noted that the Town Charter establishes the HDC and that the Plan of Conservation and Development charges the HDC with the protection of historic structures in Town. He also pointed out that one of the goals of the POCD:

Preserve historic structures and other significant amenities

in order to retain Westport history over time.

Statements of the public: The public was then offered the opportunity to comment. Both candidates for First Selectman, Helen Garten and Jim Marpe, expressed their support for the relocation, Ms. Garten in her words before the Committee, Mr. Marpe through a letter read by Chris Tait. Each also committed that, if elected, she or he would work hard to cause the process to move ahead to fruition. By way of summary, the overwhelming consensus of those of the public that spoke was strongly supportive of the relocation. This, in addition to the also overwhelming number of emails received by the RTM and a petition with now almost 600 signatures in support of the move, almost 100 of them after the P&Z came to their decision. There were some expressions of refinements or expansions to earlier comments. There also was discussion of the importance of this relocation to other possible changes arising from expected future planning efforts and of the fact that many important hurdles remained to be addressed. As was the case in the P&Z Commission public hearing, there was only one speaker expressing a concern, that being Roger Leifer speaking through Gloria Gouveia, land use consultant. Ms. Gouveia focused upon the issue of the spaces in the Baldwin lot that would be lost by the relocation of the house to that lot. Larry Bradley, Director of the Planning and Zoning Department stated that a parking analysis of the likely projected uses for the BSA Church Lane development suggested the development would need more parking than the uses being replaced, but that it was also true that development conformed to Town parking regulations and provided for more parking than that which those regulations mandated. Mr. Waldman's response, similar to what he said tonight, essentially that the YMCA's number were different and that once it moves, pressure from the YMCA's use of parking will decrease. It becomes a wash.

Committee analysis: The RTM P&Z Committee then analyzed the written 8-24 Report of the P&Z Commission. This is what Ira Bloom said. We should look at their things , check on the Plan of Conservation and Development and then move on to the rest of our deliberations. This was done on a point by point basis, as follows:

II Findings:

F. " The Planning and Zoning commission finds the application is inconsistent with the 2007 Town Plan of Conservation and Development because:

1. "It will introduce commercial uses into a residential zone." The RTM P&Z Committee rejected this finding. The Committee made the following points:

- (i) While the Baldwin lot is zoned residential "A," it is a parking lot, a commercial use;
- (ii) That the lot is still zoned residential is vestigial and not what is occurring on the ground;
- (iii) That Elm Street and the entire parking lot were once actually residential shows that moving the house to the lot makes sense;
- (iv) That the language of the POCD refers almost entirely to not bringing commercial activities into residential neighborhoods. Hence, the POCD language is irrelevant since the lot is not now a residential neighborhood;

- (v) That the Kemper-Gunn House is residential in appearance and feel and should be a benefit to its new locale across the street because of its appearance and as an important aspect of the transitional nature of that locale;
- (vi) The POCD seeks to keep commercial activities in commercial areas. The relocation is doing just that; and
- (vii) That the P&Z Report is in contradiction with itself in Finding J of the Report which alludes to an even greater commercial use, a parking deck.

2. "It will cause a loss of parking spaces." The RTM P&Z Committee rejected this finding. The Committee made the following points:

- (i) That there will be a net increase in the number of parking spaces when the BSA Church Lane development plan is completed;
- (ii) That the POCD does not cite the loss of parking spaces as an issue and that several of the references to parking in the POCD refer to results from a public survey; hence this Commission finding does not have support in the POCD;
- (iii) That the existence of parking issues reflects more the attitude of drivers, than the availability of spaces;
- (iv) That spaces usually exist, they just need to be found, though sometimes further away than preferred by some drivers; and
- (v) That parking is not such a significant issue in Town as should be permitted to outweigh the goal to preserve historic structures as expressed throughout the POCD.

3. "It will result in the use of Town owned land for something other than public facilities." The RTM Committee rejected this finding. The Committee made the following points:

- (i) That the favorable 8-24 Report by the P&Z Commission for the lease of property on Baron's South to a private developer to build and operate a senior living facility is a precedent for the Kemper-Gunn house proposal. The P&Z should be consistent in its analysis of the POCD for 8-24 Reports; and
- (ii) That public/private partnerships reflect the kinds of imaginative and sensible vehicles to achieve the many goals of the POCD, including to preserve historic structures and to create a "sense of place" downtown.

G. "The Commission finds that there are too many unanswered zoning questions for this request to be approved at this time." The RTM Committee rejected this finding. The Committee understands that an 8-24 Report is only a first step in the regulatory process and concluded that whatever unanswered zoning questions exist would be addressed as subsequent steps. It was also suggested by some that the P&Z should have asked more questions since the Town and materials submitted to the P&Z Commission referenced all the issues and several of the likely answers. Overall, the RTM Committee believed this finding of the Commission was premature and inappropriate.

H. "The proposed structure will result in the loss of 17 parking spaces within the Baldwin parking lot and the Commission finds that a loss of parking spaces in Westport Center to be unacceptable." The RTM Committee rejected this finding. It is a repeat of the above referenced parking Finding F, dot 2, and is subject to the same analysis there provided by the Committee.

I. "The Commission finds that the relocation of this structure has the potential to create adverse traffic impacts on a narrow street in downtown Westport." The RTM Committee rejected this finding. The Committee made the following points:

- (i) That there was no evidence presented that this would occur;
- (ii) That "potential" was not an acceptable regulatory test for the issuance of a negative 8-24 Report, including the inherent speculative nature of the word;
- (iii) That the Kemper-Gunn house already exists there and the traffic impacts, if any, have already been accounted for; and
- (iv) That the house will be situated in such a way as to allow Elm Street to be widened in the future if that need arises.

J. "The Commission finds that this project could impact the future use of the Baldwin parking lot for Town needs such as a parking structure or some other public facility."

The RTM Committee rejected this finding. The Committee made the following points:

- (i) That the relocation of the house would not prevent the future construction of a parking deck in the Baldwin lot;
- (ii) That the relocated house would serve to obscure such a structure, a positive, just as does the house on Jessup Road;
- (iii) That the relocation and continuing use of the Kemper-Gunn house provided numerous benefits to the Town, nearly all of which were specifically addressed in the POCD;
- (iv) That this finding of the Commission was a contradiction to the Commission's earlier discussed finding, F dot 1, as to a parking lot being residential.

Committee deliberations: Having reviewed the reasons the P&Z Commission cited for its issuance of a negative 8-24 Report and having rejected those reasons as lacking in substantive support, weak, inconsistent and even sometimes irrelevant to the POCD, the RTM P&Z Committee moved on with its deliberations. Additional committee analysis: The RTM P&Z Committee believes the relocation of the Kemper-Gunn house to be completely consistent with the 2007 Town Plan of Conservation and Development. In an analysis assigned to RTM member Don Bergmann, Mr. Bergmann prepared a memorandum setting forth the textual portions of the POCD relevant to this proposal. That effort reflects a 23 to eight positive margin of POCD statements that are consistent with the relocation. Of course, any numerical compilation is un-weighted as to importance. Also, a judgment was made that POCD statements as to protecting "residential neighborhoods" were not relevant, a judgment confirmed by the RTM P&Z Committee. Also, some statements were not assessed one way or the other. However,

taking the POCD as the key, legally applicable guide, the thrust of the POCD was clear to the Committee.

The following quote from the Town Plan seems convincingly to document that the relocation of the Kemper-Gunn house proposal meets the POCD, pp. 4-8, 4-9. This quote was also in the P&Z Department Staff Report to the Commission:

Westport is committed to preserving its unique historic character and beauty. In so doing it fosters community pride, conserves the personality and architecture of its historic residential neighborhoods and commercial areas, enables citizens and visitors to enjoy and learn about local history, and provides a framework for making appropriate preservation decisions."

The plan continues:

Westport must protect its inventory of significant historic properties from destruction or architectural degradation by employing a full range of methods available to protect and enhance Westport's historic and cultural resources."

The Kemper-Gunn house is a significant historic property. The property is on the Town and State historic listings, and holds a special place in downtown Westport. A relocation of the house to Town owned land across the street from its present location, followed by being renovated and leased to locally owned businesses, is an excellent example of one of those "full range of methods" which the Town Plan declares we must employ. Mr. Bergmann's memorandum is attached to this report. Also attached is the letter from P&Z Commissioner Jack Whittle since it too references portions of the POCD. The RTM P&Z Committee discussed health, safety and general welfare issues. The Committee found that relocating the house was proper planning, preserved Town character and offered a revenue stream for the Town. For many, the relocation was viewed as an important step to create a pedestrian friendly, charming and revitalized Elm Street. Finally, the Committee thanks all those involved in the Kemper-Gunn house relocation and also urges them to continue. The Committee also thanks all for the many imaginative and worthy ideas that this effort has and continues to spawn. A great deal of difficult and challenging work lies ahead. A positive 8-24 is only an early step.

Resolution: The following resolution was moved by Don Bergmann and seconded by Lois Schine: "The RTM Planning and Zoning Committee recommends to the full RTM to issue a positive 8-24 report for the relocation of the Kemper-Gunn house to the Baldwin parking lot, which overturns the P&Z Commission's negative 8-24 Report." There was no further RTM or public discussion. The Committee vote was unanimous, 8-0 to approve.

As always I want to thank the diligence and patience of the RTM P&Z Committee. Submitted by: Matthew Mandell, P&Z Committee Chair, with the assistance of Don Bergmann

Ms. Flug:

Before we begin, I'd like to remind all of you who have come tonight that all Westport electors are entitled, under our Town Charter, to speak at RTM meetings. When you

come up, please state your name and address for the record, and spell your name. We ask you to please limit your remarks to three minutes and try not to repeat what has already been said before. We also ask that people in the audience not applaud or otherwise show support of, or disagreement with, any speaker. As part of the democratic process, it is very important that RTM members hear all points of view, and comments or applause from the audience may discourage those with opposing viewpoints from making statements. Thank you in advance for that.

Members of the Westport electorate

Chip Stevens, 3 Black Birch Road:

Thank you Madam Chairman, thank you RTM for having me tonight. I guess I've bought myself two extra minutes by doing this. I was one of the dissenting votes for keeping the Kemper-Gunn House, moving across the street along with Jack Whittle. We were all surprised at the vote. It was a very strange evening but that's what it is. We weren't passing the buck. We were part of the democratic process. I am very happy here because I think we have been given what they call in golf a "Mulligan", a second chance. To me, to Jack, to others, there is not question that this is clearly in the spirit of the POCD. It's quite awakening to see, everybody that is a standing member has said in one way or another that they are in favor of keeping the Kemper-Gunn House. The way to keep it, it's a generous option by Mr. Waldman, to move it across the street. We are not going to move it to a historic property on the Town green. We are not going to move it to Baron's South, we are not going to put it on Compo Beach as a snack shack. It's not going to happen. As I said before when I was talking to the subcommittee, it strikes me, and I appreciate when Mr. Waldman said he's been here since he was one year old. I beat you. I've been here since 1960. Some things that we reviewed at the subcommittee meeting will strike those of us that have been here for a while. We have a chance to save a historic property. I remember when Collin Gunn used to practice at that house. I think fondly of that house. I was scared when the Y was expanded. It stopped right on the edge of that property. The house was saved then. We can do it again. We have to save our historic inventory. We lost Gorham Avenue over night. One night it was knocked down. When it was knocked down, the Town, the RTM and its committees said 'What happened?' But it was gone, a beautiful Victorian, Federal house, I'm not sure. Playhouse square, same thing, a beautiful house back there. It was knocked down for a paved parking lot and a shopping center. Some say it's beautiful. Some say it's ugly. But we lost a beautiful property there. You know what, you are sitting in a property that was saved. I was one of the first people that wrote the "Westport News" a while ago and said 'Please don't knock down my elementary school. It would make a good Town Hall.' And you're sitting in it. We've saved that. We have the chance to save another historic property. I'm sorry we didn't do it as the P&Z. Everybody now says they are in favor of it. Thank God we have a second way of doing this. Let's not throw blame around. Let's do what we've got to do to save this house. We've been through a lot in this Town, those of us who have been here for a while. I'm not against development. I'm for preservation and smart development. Anybody that moves to this Town, if you ask them why they came to Westport. They say, because it's Westport, you have a downtown that people would kill for. We've got National Hall that was saved. I don't know if you guys remember it, but Arthur Tauck saved National Hall

when it was falling into the river. We can do this again. This applies the POCD. You've got the support of the Town. You've got the support of the majority of the P&Z. Sorry, this is on your shoulders. Please make every effort you can. Look in your souls. Try to save this house.

Ms. Flug:

As a matter of protocol, the first five rows are reserved for RTM members so if you are not a member of the RTM, please move back.

Al Gratix, Planning and Zoning Commissioner, 17 Partrick Lane:

I was not seated at this meeting. I was out of this country. My position would have been to save the Kemper-Gunn House. We do need to preserve the Town of Westport. I have only been here for 25 years, not since I was one. I just wanted my opinion on the record. If I was seated I would have voted to save the Kemper-Gunn House.

Betsy Wacker, 269 Main Street, Vice chair of Westport District Commission:

I'll be very brief. If the RTM needs to hang its hat on something, it's the Plan of Conservation and Development. The key sentence there is:

Westport must protect its inventory of significant historic properties from destruction or architectural degradation by applying the full range of methods available to protect and enhance Westport's historic and cultural resources.

That full range has been provided to us, that is Mr. Waldman's plan to move the property and preserve it. I'd like to point out that the Historic District Commission regularly receives grants to update our historic resources inventory. This house was once again identified in 2011 on a historic resources inventory update by Pal, LLC. They are architectural historians and, with due respect to any architects in the room, including our Chair, Mr. Henkels, I do believe that the training and lifetime experience of an architectural historian is the advice that I would follow in deciding whether a structure is significant. This one is. Cultural resources are finite in this Town. Once they are gone, they are gone forever. There's no replication. There's no replacing. We keep them or they're gone. This house is worth keeping. It is a proud house. It is something we have all driven by, I don't know how many times. I'm so glad there is a solution, so glad our process allows the RTM to approve this. I encourage you to save the Gunn House.

Cornelia Olsen, 128 Cross Highway:

On behalf of the League of Women Voters

Oct. 16, 2013:

Good evening. The League of women Voters is here tonight to speak in favor of saving the Kemper-Gunn House. Our position on Planning and Zoning, revised in 2012, calls for planning that among other things takes into consideration the input of the citizens of Westport and provides for an appropriate mix of commercial and retail property. The position also calls for zoning that preserves the community character of Westport both in residential and commercial areas with attention to coverage, setback, streetscape, landscaping and historic preservation. We believe that saving and moving the Kemper-Gunn House will meet all these

goals. Please vote to save this historic house. Action Committee, League of Women Voters, Westport.

Martha Constable, 37 Evergreen Avenue:

I know you'll be shocked but I'm here in support of the Kemper-Gunn House, too. I can't possibly talk as fast as Matt Mandell. I'm a resident of the downtown area and the chance to save this house is such a thrill to me because I'm one of those people who live in that very delicate transition zone or near to it. It is something that we all in our neighborhood all pay a lot of attention to that there is this beauty before it transitions into the more intense downtown location of the Post Road. I can see how much Church Lane has been vitalized by the very imaginative approach to preservation that we've seen what is now the Spotted Horse. I was thrilled to hear Mr. Waldman say that he has become a preservationist and I'm going to hold him to that. People stay on Church Lane. They linger. They enjoy and it's not just because there is convenient parking. Westport is more than just a great place to park. I think that our parking situation can be dealt with with assiduous imaginative and flexible ideas. We can deal with that but, as Betsy said, once Kempner Gunn is gone, that's it. You are behaving absolutely correctly for the residents, for the merchants in preserving this as an effective commercial use that also keeps our streetscape and keeps the character of Westport. Thank you for your time and I hope you will find it in your hearts to preserve this wonderful house.

Helen Garten, 4 River Lane:

I also enthusiastically support the move of the Gunn House. Others can speak more authoritatively and eloquently about the role the Gunn House has played in its past. I'd like to focus on the role that it may play in Westport's future. The Gunn House, restored to its original glory, sitting proudly on Elm Street, filled with mom and pop shops and small businesses can be the first step in revitalizing our downtown and making our downtown once again a destination for Westporters. The 2007 Town Plan of Conservation and Development does have a chapter on downtown and it's title is "Maintain Distinctive Centers With a Strong Sense of Place." One of the suggested strategies is to commit to a major effort to develop Westport's center as the community focal point. So, what will make our downtown a focal point for the community? What will make Westporters want to visit and want to linger? I have spoken to a lot of Westporters and all of them mention the same things: interesting and vibrant streetscapes rather than streets that are lined with parking lots; a diverse mix of shops and restaurants rather than the familiar chain stores; a downtown that retains our distinctive character and reflects our history rather than looking like every place else. This is exactly what the Gunn House proposal will accomplish and I think this is exactly why this proposal has captured the imagination of so many Westporters. You can take the first step tonight but it is going to be a long journey. There are many decisions to be made including negotiating a lease with a revenue stream that benefits the Town and insures that the Gunn House is always a home to small business. There are many approvals that must be obtained and many long, long meetings to attend but I promise, if I am lucky enough to get the chance, I will champion this proposal through the various land use and other boards because I truly believe in it and the Westport community truly believes in it. I can't think of a better way to begin our planning process for downtown than with proof

that our community's vision and our community's voice can be heard and that the Town government and the business community and our residents can work together to change the face of our downtown for the better.

Wendy Crowther, 38 East Main Street:

We have heard a lot of talk tonight about the benefits of preserving the structure but I'd like to put a human face in the structure and that's the Kemper in Kemper-Gunn. Why I think it's important to mention him, Frederick Kemper, it's not like Washington slept there. You don't need that to consider a house historic but he was a significant citizen in Town but actually a meat and potatoes kind of citizen. He was born in Westport 1848, the oldest of five children. His father, Frederick Sr. and his mother were not born here but lived a lot of their lives here and they are both were buried in Willowbrook Cemetery just down the street. Frederick Sr. and Frederick Jr. worked as grocers and butchers here in Town, hence the meat and potatoes kind of citizen. That means a citizen who is just an ordinary citizen like many of us going about living working class sort of lives. When Frederick Sr., died, Frederick Jr. took over the business and got married to a woman named Imogene Weed from New Canaan. Her father was also a butcher in Stamford. Frederic Jr. began to collect some properties here in Westport. Some of us who are into the history of all this wonder where he came up with the money but he somehow did and I have a theory about this. In addition to his grocery and butchery business, he also began to get involved in serving the public as a civil servant much like many of the people in this room. In a biographical record of Fairfield County written in 1899, they described Fred Kemper Jr. as the efficient Deputy Sheriff of this county for 25 years and also constable and also a popular business man of this locality. So, he was doing work for the Town and for the county. He was also a member of the hook and ladder company from its inception until he died. He served as Westport's First Selectman in 1907. Frederick Kemper died in Westport in 1926 and his wife died in 1930. He had three children and at least two are buried in Willowbrook. I want to read one quote that appeared in the 1899 book because I think it captured him as an ordinary man. The book said:

He is an honorable and upright man and one of the esteemed citizens of Westport. He has been careful and judicious in his transactions and is numbered among the successful businessmen of his place. His long service to the public and his official relations is an evidence of his ability and the confidence of his fellow citizens that they have in his honesty and integrity.

So, this was an important guy in an ordinary way. I think that makes the Kemper-Gunn House particularly poignant. The last thing I'll mention is that his uncle was the Kemper Tannery which is known as the Westport Country Playhouse. ..Relatives in the area who are also important.

Lou Gagliano, 230 North Avenue and former Chair of Downtown 2020:

I can think of no better community planning topic than the movement of this building. On our committee we tracked this building for over a year. What you are voting tonight will affirm the Importance of this to what this means to this downtown community. It is an important vote.

Jennifer Tooker, 56 Sylvan Road North:

I am reading for the record exact written comments from Jim Marpe, 57 Morningside Drive South:

I apologize for not being able to appear before you in person because of a prior commitment, but I appreciate the opportunity to present my view on the proposed relocation of the Kemper-Gunn House for the record. I respectfully urge the RTM to approve the use of Town property to allow the relocation of the Kemper-Gunn House. This is a house that helps define the unique New England character of Westport. The character of a Town is not diminished in one bold stroke; but rather it is lost in small increments. This is an opportunity to prevent one of those small, incremental attacks on our Town's character. The relocated house will provide a great transition from the downtown Main Street area to the historic and beautiful residential district to the north and east. And it contributes to the Town's character in another dimension; it will provide affordable space for locally owned mom and pop stores that will compliment the national chains on Main Street by adding to the downtown shopping variety. I also support appropriate changes to the traffic patterns on Elm Street and into the Baldwin Parking Lot in order to improve the traffic flow around the proposed new location. Thanks to David Waldman, Matt Mandell, the Westport Historic District Commission and everyone who has helped make this opportunity to preserve a piece of Westport's historic character come to pass.

Sal Liccione, 14 Post Road East:

I am a strong supporter of moving the Gunn House and I think we have to preserve stuff like this and the firehouse in Saugatuck. I think we need to keep moving downtown and Saugatuck the way we do this.

Alan Hodge, 38 Hillspoint Road:

I have four points that I wanted to make. I think this should be the easiest decision that you'd have to make all year. I think it should be unanimous. It is an opportunity to remedy what the commission seems to recognize as a mistake and a reversal is appropriate. I think that we heard earlier that at least one of the commissioners who voted against the application appears to have had what I would call an epiphany, a realization that the decision was wrong. On that basis, it seems unlikely that if you do reverse that the commission will vote to sue you for doing that which has to be a good thing. Your review of this decision is an appropriate exercise of the RTM's roll of providing checks and balances against overreaching by other parts of government or, in this instance, an error. You represent the whole Town and this is a Town issue not a political issue. On the campaign trail, I've heard people talk about how much they want the house to be saved. This is your opportunity to give the Town what it wants. Mr. Bloom talked about the standard of review and part of review criteria includes being guided by the Town Plan. Chapter four of the Town Plan sets forth two goals that the RTM should be cognizant of. One of those is preserving historic structures and other significant amenities in order to retain Westport history of the time. Another is to insure that Westport retains a sense of community, beauty and history and I'll emphasize the word *history*. Chapter five speaks of maintaining the small Town feeling of Westport and

I think the house helps to typify that . Chapter seven says that we should improve the appearance and functioning of all commercial areas. How better to improve that than retaining this beautiful house. Chapter nine speaks of providing community facilities. The Gunn House could become a community resource. You could imagine elementary school kids going on trips there with their teachers but not just kids. Anyone in the Town would benefit from the history lesson we heard a few minutes ago. Finally, what I call the feel good factor because if you overturn the P&Z decision, the house will be saved; it will be resited and when it is sitting there in all its glory, you can say, I was part of that. Just another thing you can say to your electors when it comes to being re-elected, you can say, 'Look what I did for the Town'. I have another statement from David Lessing who is running for P&Z. I don't think I mentioned that I am running for the P&Z Commission.

Statement of David Lessing, 7 Sycamore Dr.:

As we engage in a dialog about the future of our Town through the Downtown 2020 effort, I believe the Gunn House debate represents an important first test of our principles. Will we stand up for the long term character and attractiveness of our Town or will we make short-term decisions that have lasting and irreversible negative consequences. If we can't come together to make what should be a relatively easy decision to preserve the Gunn House, it should make us very concerned about our ability to make larger decisions on issues such as building heights downtown. We need to preserve the Gunn House and create the right precedent as we enter an important stage for planning for our future.

Helen Martin Block, 67 Partrick Road:

I think I was going to say a lot of other things. I'm not going to repeat what others have said. I was inspired by Wendy Crowther actually so my statement will be based on that. Earlier today, after leaving the Westport writer's workshop with two writers who don't know the Town very well, I had a glass of wine at the Spotted Horse. I said, 'do you see that house across the street?' They replied, 'that's really a nice house.' I said that I would be there this evening to speak. Anyway, Wendy Crowther has allowed me to write this:

If the house could speak, the Kemper-Gunn House would say:

Let me keep standing.

Let me be used.

Let me serve your human needs.

Let me be the incubator for new young uses like my father Kemper, butcher, baker and candle stick maker.

Let me help you retain your humanity.

Andra Vebell, 5 Quentin Road, native Westporter, Candidate for Planning and Zoning:

If there was sound reason for some of the members of the Planning and Zoning Commission to vote to demolish the Gunn House, I have not heard it. All the surrounding evidence and arguments I have heard point to the only rational decision we must make to save a valuable and beautiful piece of Westport's history and that, if saved, will continue to enhance the character of the Town. The fact that we have had to

waste the Town's time and resources to hopefully the prior decision, is unfortunately and underscores how critical it is to elect individuals with a sensitivity that better reflects who we are as a Town. Please vote to preserve the Kemper-Gunn House.

David Royce, 387 Main St.

I am familiar with the concept of using an old building to help the Town. I originated and won approval for the idea to build this Town hall in an old school .that was a good idea. This project tonight is a bad idea. A private owner keeps a building constantly repaired and constantly rented. Then he raises the rent until he forces a 10 percent vacancy. This shows him the true market rate. David Waldman knows all this. The Town official s know none of it. Real estate is a skill. How do I know? My mother was in real estate. Most of the time, she was my ditsy little old sweet mother. Every few years I got to watch her do real estate. She was like a jungle cat. Our Town officials have passed a few college courses in their specialties but they don't have the real estate skill set. This is demonstrated by the sad history of the Longshore houses and the Longshore club house. You are giving them a building way beyond its prime that David Waldman was wise enough to dump. After you drag it across the road, imagine how easy it will be to rent offices that have a panoramic view of 500 cars. Twenty years from now, this building will be terminally sick despite the \$500,000 we will now spend reconditioning it. Only when we tear it down will we get back the parking spaces taken by the people who work there, the parking spaces of their clients, the parking spaces hidden by a lawn and the parking spaces under the building itself. Your predecessors in government worked hard to give us the parking spaces and you are going to throw them away.

Roger Leifer, 36 Church Lane:

I was the lone dissenter at the P & Z Commission meeting. I guess I'm not the lone dissenter after Mr. Royce. I do believe the majority of the P&Z had good reasons for their votes and I believe they still stand by their reasons. I am a real estate developer in Town. I have won six historic preservation awards and two Post Road beautification awards. I own properties downtown and I am a friend of David Waldman's. I am opposed to this because I believe it is not in the best interest of Westport. That's what I think is most important. Westport is suffering from its own success. We are choking because we do not have enough parking downtown, not necessarily for shoppers but for downtown employees. Every one of these shops that you go into has people who work there. There are only 75 all day spaces of the 250 spaces presently existing in the Baldwin lot. There are no all day spaces in Parker Harding Plaza. There are some all day spaces behind the police station. The DMA, Downtown Merchant's Association, spent \$60,000 of our own money in 2007 to do a study downtown and the Board of Finance has just approved \$220,000 to do another downtown study and parking study and we are making this decision without the benefit of that second study. I'll read the study from 2007 that says:

It is apparent that the success of the downtown business district has resulted in demand for more user friendly parking. What may not be as readily apparent as the immediate parking deficit is the need to plan for the continued and future success of the downtown business area and the associated parking demands.

It goes on to say:

If improvements are made in the Parker Harding lot for handicap accessibility and general aesthetics, you would sacrifice approximately 30 to 40 parking spaces. The loss of 30 to 40 existing parking spaces is unacceptable and would lead to an expanded traffic and congestion problem. Any proposed improvements need to consider the immediate and long range impacts of traffic and the need for more downtown parking.

Let me give you an example of what happens. Those 75 spaces in the Baldwin lot are filled by 9:15 in the morning. If you look at one building, the Gap building on Main Street, which has the Gap, French Hair Salon upstairs and Cru Restaurant downstairs, there are over 60 people who work in that building. Sixty people represents 80 percent of the all day Baldwin spaces just for that building. I own other buildings in Town including the area where Specs is. All the people who work in these shops, at Nike, at the Gap, all the shops up and down Main Street drive to Westport for the most part and need a place to park all day. All the offices in the BCD, Business Central District, need a place to park. The zoning regulations for a BCD building do not require any onsite parking. I have buildings which do have private parking lots and that's valuable. I am constantly having to police those lots from people who are looking to poach those spaces because downtown is choking. Our success is choking us. If you vote for this, I believe in preservation. I have proven this with my deeds. I have won more awards than everyone in this room together for this very thing but this, in my opinion, is the wrong way to go for Westport's future. We need, Baldwin lot is our gem. It is in the center of Town. It should be at least a double decker lot and we have been discussing that for 35 years. It could be totally hidden from Elm Street by a row of trees and greenery and the first level sunk down a few feet and the second level just a few feet above the existing Elm Street. That is the future. But if you put this house there, you will eliminate the 20 parking spaces which is the footprint. You will then, if there is a future lot, eliminate a second 20 spaces for the second level. You will then have to provide the 20 spaces for the people who work in that building. That is 60 spaces which is 16 percent of the entire Baldwin lot for one house. When you go shopping, you can hunt around for one space. But if you are trying to park all day, which the thousand employees who work downtown are doing, you are in trouble. The idea, for the future vibrancy of the Town and Westport is doing quite well which we all see these days. It's a lot better than four or five years ago.

Ms. Flug: Mr. Leifer could you please begin to wrap up.

Mr. Leifer:

I am for preservation. For the one and a half to two million dollars that David Waldman says it will cost to move this house over there, it could be easily taken apart and put together somewhere else. I know he's not willing to do that because this is a golden opportunity... have free Town land and have a commercial building. It's great but it is the wrong thing for Westport. I urge you to think about it. I know the tide is far against me but I'm giving you the facts and as a business owner and someone who loves this Town dearly and this Town has been great to me and I think this is the wrong move for Westport because all those parking spaces are valuable for our continued success and our continued future growth. Thank you.

Ms. Flug:

Our State Representative Gail Lavielle is here. She is not a member of the Westport electorate but represents members of the Westport electorate. Without objection she would like to make a few statements.

Gail Lavielle, State Representative, 143rd district which includes part of Westport and part of two other towns:

I live in one of the other towns. I don't live here. So, it's important for me to say that I respect the exclusive right of the people who live in Westport to exercise total and sole discretion over any votes that happen on the local level. I am not here to advocate or oppose anything. I simply wanted to say that I know this is important to you. I do strongly support any efforts to preserve the charm and historic character of Westport and if you do vote to move ahead with the project and if you need any assistance from me on the state level, you can count on me. I'm here to provide it. Thank you Madam Moderator.

Gracyn Braun, 3 Gorham Avenue, Historic District Commission:

I want to thank the members of the RTM for coming out for a second time in the month of October. I'd like to thank David Waldman for what is an incredible and generous proposal for the Town to be considering. There are two quick things I wanted to say. One is I've lived here since 1997 and I've never once had a problem parking on Main Street almost exactly where I wanted to go. Second thing is that I do hope you vote to support this proposal. There is no alternative. There is no other deal on the table so voting against this is insuring the destruction of the Kemper-Gunn House. I respectfully urge you to support this. My husband Jamie Walsh couldn't be here this evening. He also would support this.

Mr. Whittle:

My time to speak before was unfortunately eroded by someone who might have attacked the RTM, of all things. Let's talk about the POCD. Town attorney Ira Bloom counseled you that you have to consider the Town Plan of Conservation of Development, the POCD. We've all been through it. I live with it as a P&Z Commissioner. My letter that I submitted to the Planning and Zoning Committee of the RTM cited nine reasons why I voted as I did and each of the nine reasons was well supported by the POCD. Let's be honest, approving of the move of the Kemper-Gunn House, is absolutely consistent with a variety of sections of the POCD as well as in keeping with the spirit and intent of the POCD. Let me get to me as a citizen of this Town. It's a funny thing about the topic of downtown Westport. Everybody has a view. I don't doubt that everybody thinks their view is well substantiated and the correct one. The downtown area is either in great shape and the envy of surrounding Towns or it desperately needs help. We have a serious parking problem or we have a utilization of ample parking problem. The layout of downtown is fine or we should definitely reconfigure public spaces. I get that. I have conversations with everyone I meet in Town. I was elected to represent the interests of the people in Town so I always chat people up about what they think should happen downtown and I hear a wide range of

well thought out and well supported views but there is one thing that the Town residents, aside from the two speakers tonight, do seem to agree on about the downtown area including the side streets like Church Lane, Myrtle Avenue, Avery Place and Elm Street; that our Town possesses a very attractive charm and character which only gets chipped away over time rather than preserved or, in some very rare cases, enhanced. This proposal is squarely within the planning function of the P&Z Commission as I understood it and it represents an opportunity to preserve a lovely Queen Anne Victorian house which is undeniably historic and has historic significance to Westport and in so doing you would maintain that charm and character of our downtown area which seems to be the one thing we all agree on about the downtown area.

Connie Greenfield:

I won't repeat anything I wrote in my letter to the RTM but I feel I must respond to something Mr. Leifer said. He raised the specter of hundreds and hundreds of all day parking by people who work in these buildings and he's right. But we have to be clever about this. People who come to our beautiful downtown store, they want to park and leave and all day leave they park and someone else leaves and someone parks and someone leaves. That's normal. What do we do with the all day parkers who work in these buildings? Let's be clever. We have a little bus that goes around early in the morning and we have a little bus that takes them back to a parking lot further away from downtown in the evening. It works or it can work. Let's be clever. Let's solve it and let's save this beautiful house.

Ms. Flug:

Are there any other members of the Westport electorate who would like to address this item? Are there any other candidates who would like to address this item?

Dr. Heller read the resolution and it was seconded by Mr. Rubin

RESOLVED: That the September 19, 2013 negative 8-24 report by the Planning & Zoning Commission, regarding the relocation of the Kemper-Gunn House from 35 Church Lane to 35 Elm Street in the Baldwin parking lot, is hereby reversed.

Members of the RTM

Dewey Loselle, district 5:

I am also your representative from the Long Range Planning Committee to the 20/20 Downtown Committee and I also serve as your representative to the Plan Implementation Committee along with Lois. I would like to correct something that Mr. Corwin had to say with regard to the record. I did speak at the Planning and Zoning meeting and I did raise some questions. The part he left out was that I was absolutely, positively in favor of the positive 8-24 report in saving the house. The questions I raised were in the context of wouldn't it be nice if we had a downtown 2020 plan already because some of the issues and concerns we were talking about, if we had a downtown plan, they would contextually be much easier to deal with. Since that time, I've had all my questions answered positively. I was always in favor of it and I'm still in favor of it. But I'm also in favor of a downtown plan because that will make many of these type

things in the future so much easier to deal with when we know how to deal with the parking, when we know how we want our roads to look, when we know how we want our streets to look. That's also the part I want to positively emphasize. We do need a downtown plan. We do need to save this house.

Lois Schine, district 8:

I am a member of the Long Range Planning Committee, the Planning and Zoning Committee, the Plan Implementation Committee, the Finance Committee and the Rules Committee. The reason I say that is I heard this story about our planning and saving the Gunn House and what else is going on in Town over and over again. We had a three and a half hour meeting of the Planning and Zoning Committee about the Gunn House. It was a really exciting meeting and I would sit there again. People there had so much to say about how important it was to preserve this house. One of the most exciting things that happened, and maybe Velma could say it better than I can because she said it at the meeting, all of a sudden, a new vision for Elm Street arrived. What if we had other buildings like the Gunn House along Elm Street, double deck the parking lot behind it and you wouldn't see the parking lot. We all got kind of thrilled about that and the prospect for the future. Maybe the Downtown 2020 will deal with this. I'm sure they probably will. There's a second thing I'd like to say. I served for 16 years as the President of the Westport Chamber of Commerce. I want to tell you about the phone calls. We used to get phone calls from out of Town, many from Westchester, some from New York City because we're so quaint. Heaven knows, we have the same chain stores on Main Street as they have where they live but just the atmosphere of shopping in our downtown area entices a lot of people. Tiffany does an amazing business here. People come from all over the state to shop at Tiffany. The other thing is, I think, as far as the parking is concerned, I think the downtown merchants could really solve it. Yes, they have a lot of employees who work there who need to park all day. They currently park and when their two hours are up, they move to another two hour space. We have a huge empty lot over on Imperial Avenue. All they would have to do would be to shuttle their employees at the beginning of the day and the end of the day to the empty parking lot and leave downtown for people who are coming and going during the day.

Mr. Meyer:

In my nine terms of the RTM, whenever there is an 8-0 vote that shows unanimous. Those eight people would be one-third the votes tonight. Also, I have 37 emails for moving the house and only one against it. We have overturned the P&Z at least twice so we would not be starting a precedent. If this house was a person it would be an icon, it would be the eighth wonder of the world. Both candidates for First Selectman are in favor of it. Let's go for it.

Melissa Kane, district 3:

I'm the lucky candidate who gets to vote for this and I'm going to be voting to reverse the decision, obviously. I really think it's a no brainer for all the reasons that people have said tonight. Even if it didn't have historic merit, even if it wasn't lovely, even if we weren't going to be getting a net gain of 50 spaces from the Bedford Square project and even if we weren't going to be addressing the issue of employee parking dealing with mass

transit, I would think it was a no brainer. I think what we should do is make a real statement tonight and hopefully have, as Bill said and Allen said earlier, a unanimous decision. I hope we can accomplish that. I hope we vote unanimously to reverse this decision.

Catherine Calise, district 2;

I would just like to say that this is a very important preservation issue that really maintains the character of our Town. As many people have mentioned, it will enhance the streetscape on Elm Street, it will enhance the foot traffic and will raise the possibility of small businesses much like what is happening on Church Lane. I am absolutely in favor of overturning the negative 8-24 report. I will be voting for the relocation of the Kemper-Gunn House and would urge all my fellow RTMers to do the same.

Mr. Mandell:

I want you to join me on a journey that I'm taking for preservation. It's not a journey I'm taking alone. I joined Maggie Feczko on her journey. Maggie didn't make it to the end of the journey. The interesting thing is if you join me, none of us will either. We don't preserve historic things for us. We do it for future generations. The Kemper-Gunn House was built before my grandparents were born. It will still be here if we vote tonight and work through the process after my grandchildren are gone. One hundred twenty years from now when they are celebrating the 250th anniversary of the Kemper-Gunn House being there, those people will say, 'Wow, Westport had a vision. The RTM understood. The elected officials at that time knew it was important to do.' Let's save this house. Let's do the right thing. Let's protect our character. Let's bring some revenue to our Town. Let's create a new streetscape. This is a great idea for the Town. Let's move forward. Thank you very much. I want to thank Dewey and I want to thank Don for doing some amazing work along the way to make things happen.

Carla Rea, district 8:

I wasn't going to talk tonight. I was just coming in to vote in favor. But listening to all of you talk, something came to mind. I was born in Rome and in the same restaurant where I have pizza when I go home, there used to be Caesar, Mark Anthony. By the Trevi Fountain, the Parthenon, now there is a McDonald's. I'm not too proud of it but it's there. You can have progress without changing anything. It's so wonderful when I go back home to the place where I was born every place, every corner is still the same. We have no history here. I've been here since 1969. The diner downtown is gone. Ships downtown is gone. There is nothing for us to bring our kids downtown and tell them some history about this Town. It's time for us to stop destroying our history even if it very young and it's time for us to incorporate whatever we have in old buildings with use of modern things we'd like to have. They've done it all over the world. Why can't we have it? Please vote in favor of preserving the Gunn House.

Velma Heller, district 9:

Who knew we were going to have such an emotional issue? I'm saying district 9 because this is happening in my district. This is important to me. I really have appreciated hearing from everyone tonight. I particularly appreciate all of the hard work

that went into the Planning and Zoning Committee's decision, Don and Matt and all of the rest of you and all of the people who have shared their thoughts. In particular tonight, I appreciated the opportunity to reflect on our past. This is us that we're talking about. This is what brings us together as a community so thank you for telling our story. I started thinking last week at the Planning and Zoning Committee meeting when someone said they said they have been here most of their lives. They are much younger than I am. I have to tell you, so have I. I have been here most of my life. I have seen a lot of change in Westport. Some of it is wonderful and some of it, I haven't loved quite as much but change is inevitable. While we can't control all of it to the good, there are some things we can control. Tonight we have an opportunity to set the direction for change for the future. I think we are looking at the opportunity to preserve a historic house which could in fact become smaller retail stores but mostly preserve the transition from the old to the new, preserving what is a charming neighborhood that is right on the outskirts of our downtown shopping, that helps to maintain the character of the Town and helps us to remember who we are. I think that in preserving the past this evening, we can plan for our future and that's why I will support overturning this.

John Suggs, district 5:

First of all, I want to thank Matt, Dewey, and Don and Morley, for an excellent presentation he has given, Randy, for all the work you have done; it has been phenomenal. I salute all of you. I am struck by the whole concept of our history, our heritage, our pride versus a parking lot. I remember that old song from the sixties, "They Paved Paradise and Put In a Parking Lot." Our Town, our families, our future are much more important than a parking lot. I would urge all of us unanimously stand up as one. We are the last line of defense to stand up and say this a mistake and we're happy and proud to correct it.

Arthur Ashman, district 7:

Ladies and gentlemen of the RTM, we have set a record and you are not even aware of it. We have received more emails than any time in the past that I can remember and this is a positive thing. It was in no small part due to the marketing efforts of some of the people here and I applaud them. You have heard their names. This is the first time where I have been part of the RTM where people got together and really persuaded people and talked over the facts between RTM members. I'm very proud of that. This group has moved forward in a big way. The one big issue I hear and I'm not going to repeat everything you've heard already but the one big issue is parking. As a member of the Finance Committee, we have just okayed over \$200,000 for a firm and the Downtown Committee to get together and come up with parking solutions as well as road solutions. I say we should leave it to them and they'll come up with a solution. By the way, if you recall the Baldwin Parking lot, you remember it has a 20 degree angle going down so if there was eventually, and I hope they do this, voted on to build a decked parking lot, the first two decks will be lost down there, but I think it will solve the problems that we do have. I also take a hat off to Roger because it is something I was going to talk about, that is the employees, which a member of my family was. They complained they could not get parking and were always late to work. This is a real

problem but is this problem more important than saving something so important to the Town? I think not. I will vote for this.

Stephen Rubin, district 7

I'm debating whether I'm a candidate tonight or not because I am running unopposed in my district. So I wish everybody else that is running luck. I would like to do two things. I would like to, number one, call the question which is a non-debatable issue. I want to because I'm selfish. I'm one of the senior members. Indulge me. If we call the question now, I'll be first to start a roll call vote which I also request. So, I call the question. Thank you.

Ms. Flug:

As Mr. Rubin said, this is a non-debatable motion which must be seconded. Mr. Nathan seconds it. It requires a 2/3 vote of the members present. We need 23 votes.

By show of hands, the motion to call the question passes 32 – 2 with Bomes and Mandell opposed.

Ms. Flug:

The question has been called so we will go immediately to a vote with no further debate. The vote requires 2/3 of the RTM membership. We will be looking for 24 votes to overturn the negative 8-24.

By roll call vote, the motion passes unanimously 34- 0.

Ms. Flug:

I'd like to especially thank all the members of the Westport electorate who came out to speak tonight. It's great to participate in the democratic process, so, I thank you.

We need 18 members to continue after break. There are 22 members here.

The secretary read item #3 of the call - To approve an appropriation of \$139,000 to the Miscellaneous Account (Downtown 2020) for consulting services with RBA Group of Connecticut, LLC for the Downtown 2020 master plan. By show of hands, the motion passes unanimously.

Presentation

Moderator Gordon Joseloff:

In line with the previous comments, I'm not a candidate. I've been here since 1945 so that makes me very ancient. You heard tonight the importance of planning for downtown when you discussed the Kemper-Gunn so you are all familiar with the request and I won't belabor the details and I'll introduce Ken Bernhard but this is phase two of the project. I just want to say that in the interim period since P&Z met and the Board of Finance met, I've seen increased cooperation and collaboration between members of the P&Z and Downtown 2020 Committee so I'm very pleased and happy to report that.

Planning is very important because of all the obvious reasons. Downtown 2020 has endorsed the Kemper-Gunn House move. What's going on now, I think the traffic study is about to begin. That was part one, as you remember. Also, you heard, part one doesn't do much if you don't do part two. So, part two is the planning and use of the information gathered by the traffic study. So, I'll turn this over to Ken Bernhard. He'll give you some more details.

Ken Bernhard, Interim Chairman of the Downtown 2020 Committee, 11 Woods Grove: Obviously, we've had a lot of history. Nothing I'm going to say here is particularly new to those of us and you who have followed this odyssey. But I am so very pleased to be here tonight at a time in Westport's history which I'm convinced will prove to be a pivotal moment in our community's evolution. We are beginning a long journey of collective wisdom gathering to insure that Westport remains one of the most desirable communities in the world in which to live and raise a family. We are beginning the planning on how the Town will grow and prosper. I want to extend my gratitude to First Selectman Gordon Joseloff and Lou Gagliano for having the vision to start this process. I want to also thank my fellow 2020 Committee members who have met over 50 times in the last 18 months mostly in the early morning hours taking time from work and family to get us here tonight: Craig Schiavone, Gerry Kagan, Robert Jacobs, who but for the happenstance of serving on the 2020 Committee, we wouldn't have found out that we might be cousins, Jessica Newshel and Dan Kail. Tonight it is my expectation that you the Town's legislative body will endorse and pass the recommendations of the Planning and Zoning Commission, the Board of Finance and the RTM subcommittees to finance the drafting of a master plan for Westport's downtown area and other relevant studies. RBA, the consultants who the 2020 Committee and the Planning and Zoning Commission have met with, is ready, willing and able to embark on this planning process with us. So, tonight I'm asking you to pass the resolution to authorize the expenditure of \$139,000 for a master plan. Throughout this process, there has been reference to the State Grant to the Historic District Commission of \$50,000 and private donations of another possible \$65,000 to reduce the Town's expense. I'm going to be a broken record as I have been at the last few meetings but I don't believe you should count on either of those sources of funding to reduce the Town's obligation. Here's why. First of all, with respect to the Historic District Commission's grant of \$50,000, they have their own process that they have to follow. They have to put out an RFP and they need their own consultant. At some point along their process, I expect there may be some overlapping with what RBA will be doing for us and the two consultants can confer. So there may be some savings but it is not certain. It's nothing we can count on and who knows. There has been a reference to private funding of \$65,000. First of all, those are only pledges. Also, in the odyssey of the last few weeks, it's not certain that all of those funds are still going to be available. The donors may have conditions that they may impose. If you recall, with the \$65,000, we expanded the endeavors of the traffic studies outside the downtown area. None of the private funds was pledged with the expectation that our study would go beyond the downtown area. Most importantly, why you should not count on those funds, is we already have cost overruns. As you might expect, now that people have gotten wind of this project, understand its importance, it's expanded beyond what we initially proposed when we thought we would have 25 intersections we

would study, with information we got from the Police Chief and from the Public Works Director, we want to have six more that we are going to count. That is going to cost \$6,000 more. We also understand the importance of reaching out to the community. We don't want to see the same 40 people or 100 people that we see at meetings. We want to make certain that what we do in this endeavor expands to a great many more people than those you customarily see at meetings like tonight. That's going to require a communications and marketing endeavor. There's going to be a cost. We've already asked RBA to give us another bid with what it might do to have a Facebook page and other efforts to make certain that when we gather our information we are getting it from all sides of the community. So, there is another cost unknown at this point. So, it's fortunate that we have private donations that, hopefully, we can rely on. But that money, I fully expect will be gobbled up as this project goes along. Let's face it, none of us wants to go through what we've done in the last few months to get to this point. If we can count on private donations, I can say with some certainty that we won't be asking the Town tax dollars to be paying more than the total of \$204,000. I want you to fully expect, when you vote tonight, that you will be spending \$204,000 so there's not some expectation that you won't be spending it, that there's cost savings to be had. If we can save money, we will. You have to rely to a certain extent that I'm a taxpayer. The others who will be actively involved in the process and certainly the new administration that comes in will be interested in saving your tax dollars but there is uncertainty of that amount, if at all. The first phase will start on Nov. 5 or 6. We paid for a study to be done on a weekday which will be Nov. 6 and a weekend which will be the following Saturday assuming there is no extraordinary events which will cause increase in traffic, a festival or an accident which will distort the figures. Those will be the two dates that will be going. RBA has graciously proposed putting in a second weekday so we may get more than we bargained for. I have to thank David again for coming tonight. In my private persona, I could say I think David's company has already earned the \$65,000 and they haven't even started because of the number of meetings he has attended and the number of times we have called upon him. I think we've definitely picked the right consulting company because of the personal commitment that David has made and his crew has made to making this project successful. With that, I'll close. Thank you Madam Moderator. If you have any questions, of course, I'll be here. Mr. Lapping is in the audience. With that, I'll close.

Committees report

Finance and Long Range Planning, Jonathan Cunitz, district 4:

There was a meeting of the RTM Long Range Planning Committee jointly with the RTM Finance Committee on Oct.17. The purpose of which was to review the proposed \$139,000 appropriation for consulting services with the RBA Group of Connecticut, LLC for the Downtown 2020 Master Plan. Ken Bernhard, Interim Chairman of the Downtown 2020 Committee, presented the plans for the consulting services to be provided by the RBA Group. David Lapping of the RBA Group was present and answered numerous questions about the conduct and expected results of the study. Phase one of the study, previously approved at a cost of \$65,000, would involve a traffic and pedestrian count at 25 locations as well as counts of vehicles in various parking lots. Weather permitting, the study would be conducted on Wednesday, November 6th, Thursday, November 7th

and Saturday, November 9th. Several department heads, as you have heard, have suggested four additional locations for counts that would cost \$1,500 each. That's \$6,000. David can correct me whether it is four or six. No decision has been made on those requests. Phase two of the study involves "charettes" (discussion sessions) with a broad representation of stakeholders to determine what the community wants for its downtown area. Phase two would commence in December and be completed by about June 2014. The output of the study would be a Master Plan for the downtown reflecting the community desires and suggestions on how to fund changes. It was pointed out that the Master Plan will be a framework for bringing together ongoing as well as suggested new plans. Votes were taken recommending approval of the \$139,000 appropriation, 7 to 0 by the Long Range Planning Committee and 6 to 0 by the Finance Committee.

P&Z Committee, Mr. Mandell:

I'll try not to repeat things. We met and discussed the same things with Ken Bernhard.

The only issues that would be different, I'll just read this section:

As the whole 2020 had been discussed in prior RTM P&Z Committee meetings there was little discussion. Cathy Walsh, Chair of the P&Z Commission, gave her support to the money for the study and said the P&Z, RBA, the planner and the 2020 committee would all be working together. There were questions though about savings from synergies in the HDC's study of a Village District. Both studies are about downtown at the same time and some savings would be found. Another discussion was of the money to be gifted from Downtown organizations promised to Lou Gagliano, then chair of 2020. It is not clear this money will now be given. Some said they don't want it. Another wanted it to offset the cost as was initially envisioned by the Board of Finance. Mr. Bernhard said some of it should be held in an account in case there were overages or more streets needed to be study for traffic. This discussion could not be resolved as the monies are now an unknown.

A resolution was moved by Don Bergmann and seconded by Lois Schine, the RTM Planning and Zoning Committee recommended to the full RTM to approve the \$139,000 appropriation for phase two of the Downtown Master Plan. There was no further discussion. The committee voted unanimously 8-0. The meeting took place Oct. 16.

Members of the Westport electorate

Mr. Gagliano:

First I would like to thank you for the unanimous vote on the Gunn property. That is a really important move in our downtown area to preserve for the future that wonderful building. Madam Moderator, members of the RTM, I am here tonight to support the request for the \$139,000 of Town funds which is needed to complete the remaining unfunded portion of the Master Plan Study as proposed by the Downtown 2020 Committee. As former chairman of the committee, I want to thank First Selectman Gordon Joseloff who, two years ago, heard my vision and thoughts about why this was important and why we needed to do it now and we are here tonight to realize that vision. I also want to thank Dewey Loselle and also Don Bergmann who spent many hours with us as observers but really as participants in our process. The need for the study has

been well documented and long hours have been spent building support with the public and elected bodies. We are fortunate to have found and chosen the RBA Group of Norwalk with offices in Norwalk Connecticut to help guide us through this important process of identifying community priorities through the charretting process and creating a master plan to implement those priorities. That is an important difference between studies in the past and what will happen here. We are not paying \$204,000 to do a binded book that goes on the library shelf. We were very clear in talking about implementation throughout this process. The Gunn House is an implementation that happened out of this planning process. Make no mistake about it. It is important also to note that both Selectman candidates who are running for office have endorsed this effort and this study. The future of our downtown and the broader community will be enhanced by this study for decades to come. I strongly support this funding request and ask that you vote for it.

Ms. Walsh:

As far as the Westport Planning and Zoning Commission is concerned, we are also going to use this funding for the POCD updating which needs to be done every 10 years. By statute, we have to have it completed by 2017 so we will be working with RBA in formatting the charettes and the studies so we can be using them for POCD updating. The last time around, the cost for the update alone was \$125,000. If we finalize the POCD update by 2015, it will be good for another 10 years. We do support the full funding. I also want to say that the traffic study is well on its way. We are having some meetings next week on the scope. As far as the HDC is concerned and their study, they have already written their RFP. There are a lot of things going on at the same time so we ask you to support the full funding.

Ms. Tooker:

Once again, I am reading into the record exact written comments on behalf of Jim Marpe:

Madam Moderator and members of the RTM:

Again, I apologize for not being able to appear before you in person. I support the appropriation request before you tonight for consulting services with the RBA Group and urge you to pass it so we can complete the entire planning process that has been outlined. It is clearly up to the next Selectman to take ownership of the downtown planning process along with the P&Z. As I have noted in previous statements, my entire career was spent planning and, more importantly, implementing complex projects such as this one. As First Selectman, I would be prepared to champion this project from the initial planning process through the actual realization of those plans---ones that will maintain the unique character of our Town and assure that any future developments enhance the quality of life and not detract from what Westporters have long associated with living in this community. I am committed to work with P&Z to make this happen. My experience tells me that it will be important to retain some level of continuity from the existing Downtown 2020 Committee and I hope many of them will volunteer to continue. But I will also look to broaden the participation in the next phases of the planning process to assure that all stakeholder voices are heard, in particular,

the Westport citizens who use downtown in so many different ways and whose lives will be directly affected by the outcome of this process.

Dr. Heller read the resolution and it was seconded.

RESOLVED: That upon the recommendation of the Board of Finance and a request by the First Selectman, the sum of \$139,000 to Miscellaneous Account (Downtown 2020) to contract with the RBA Group of Connecticut LLC for the Downtown Master Plan for Development and Implementation is hereby appropriated.

Members of the RTM

Don Bergmann, district 1:

This has been a fine evening but there is something bittersweet about it and that has to do with Lou Gagliano not being up here as the chair of the 2020 Committee. I totally respect the reasons why he decided to do what he did but I want you all to know that nothing involving this would have happened without Lou's involvement and hard work and, frankly, integrity. I just want that to be on the record. I also want to be on the record moving the process ahead. I assume we are going to approve this; this is going to go ahead. I'd like to start off by giving you my quick vision as I see this process going ahead and as I see downtown coming to a more wonderful place. Here's my vision:

- Redesigning of Parker Harding Plaza to eliminate some parking spaces and create a pedestrian friendly, beautiful river front;
- Building a pedestrian bridge from Gorham Island to the boardwalk near the former site of Save the Children;
- Creating an "emerald necklace" walkway encircling the river;
- Making Church Lane for pedestrians only;
- Actually saving and relocating, which we've done so far, the Kemper-Gunn House to Elm Street; with mom and pop and Town artist shops both in that house and in a second modest building to be added to Elm;
- Charming sidewalks, lighting, trees, plantings and signage that transforms the now, rather tired look of Main Street, Avery Place, Elm Street and Jesup Green;
- Combining all public and private parking lots under Town control for parking benefits and beautification. Just imagine...no chain link fences.
- Relocating our police and converting the present Police Station to a series of small shops and to house the Westport Arts Center. If more parking is needed, add a deck to the lot used by EMS next to the Police Station;
- Bring change to the Imperial Avenue Parking lot by converting some or all of it to open park land along the river, or as an alternative home for the Westport Arts Center or for other Town uses.

That is my vision. There are also a couple of changes that now would violate my vision.

- Buildings on Main Street that exceed the present zoning limits on height;
- Any new buildings constructed along the Saugatuck River.

So, those are some reasons why I support this funding request as well as two that I hope do not cause me to regret that support. I have presented those reasons of support in the form of a vision of one person, me. Our affirmative vote tonight will provide the light for the visions of many, many others.

Lou Mall, district 2:

My wife is going to thank you for cutting off debate, Steve Rubin, and keeping me from vilifying anyone. I would have kept you here for a while if I had gotten to speak. So, she thanks you. I'd also like to stick up for John McCarthy. I'm always sticking up for John McCarthy. He gets himself into a little tiff but he is always speaking the truth but that's the think I love about John and I'll miss him. What I wanted to talk about this Downtown 2020 is when I originally heard about 2020, I was interested because in District 2, how close we are to all of the activity that is going on what is called the west bank of the river. So, I invited Lou Gagliano to my neighborhood to take a walk. He came out and spent two hours with me. We stood there and looked at the traffic and its impact on a residential neighborhood. Lou said, 'I get it.' That's when I bought into what he was trying to do with Downtown 2020 so I've waited until this point to offer my support of funding whatever they need to do this. I don't look at this as an expense. I look at it as an investment. So I am in favor of approving this and moving quickly.

Mr. Mandell:

Nice job RTM. I really love you guys. You did a good thing for this Town. In terms of the 2020, I am one of those people who believes there is money to be saved between the synergies between the Historic District Commission's study and what we're doing downtown. Mr. Bernhard, you scared me a little when you said you are going for things that will cost more money for things that we can do. \$204,000 is sufficient. A Facebook page, we've got an IT staff that is really good. We can use them. Let's not look for other things we can spend money on. Mr. Lapping, you came all the way down here; you've been sitting here all night; you listened to the Gunn House which is really cool. You are going to be dealing with it. I have a question about the synergies between you and the HDC. As a reference, Gordon Joseloff appointed me to the Downtown Village District Steering Committee. So, I'm on that and we had a meeting this morning and I've got the RFP and we were talking about what we will be doing. What I'm finding is that there are things that will cross. Come on down to answer my question: A visual reference survey is being done by the Village District. It's also going to be done by you. I just want to know if we can find savings somewhere. If there is extra money, we're not asking for it back, I'm not going to be not voting for \$139,000 but could you do more things then with the savings or something along those lines?

David Lapping, 148 Newtown Turnpike, RBA:

I wish I could answer but I haven't seen that proposal yet so I haven't seen exactly what their scope of work is and how it will relate to us but I have said in the past, we will sit down and work with that. If there is savings between the two plans, we will try to do that and then things that Ken is talking about like the extra traffic study and things like that requested by the Chief of Police, we can utilize that money in that savings. But I can't answer that because I haven't been privy yet.

Mr. Mandell:

Just to let my committee know what our job is going to be, we are going to be oversight on this as well to make sure if there are savings, there will be money to do other things or savings some other way so, committee, we've still got a job to do.

By show of hands, the motion passes unanimously.

The meeting adjourned at 10:40 p.m.

Respectfully submitted,
Patricia H. Strauss
Town Clerk

A handwritten signature in cursive script that reads "Jacquelyn Fuchs". The signature is written in black ink and is positioned above the typed name of the signatory.

by Jacquelyn Fuchs
Secretary

Attendance: September 3, 2013

DIST.	NAME	PRESENT	ABSENT	NOTIFIED MODERATOR	LATE/ LEFT EARLY
1	Don Bergmann	X			
	Diane Cady		X	X	
	Matthew Mandell	X			
	Cornelia Olsen	X			
2	Catherine Calise	X			
	Jay Keenan	X		X	7:44 p.m.
	Louis Mall	X			
	Sean Timmins	X			
3	Lyn Hogan	X			
	Jimmy Izzo	X			
	Melissa Kane	X			
	Bill Meyer	X			Left 10:07
4	Jonathan Cunitz, DBA	X			
	David Floyd	X			
	Clarissa Moore	X			
	Jeffrey Wieser	X			
5	Dewey Loselle	X			
	Richard Lowenstein	X			
	Paul Rossi	X			Left 10:07
	John Suggs				
6	Hope Feller		X	X	
	Paul Lebowitz	X			
	Catherine Talmadge	X			
	Christopher Urist	X			
7	Arthur Ashman, D.D.S.	X			
	Allen Bomes	X			
	Jack Klinge	X			7:42
	Stephen Rubin	X			
8	Lee Arthurs	X			
	Wendy Batteau	X			
	Carla L. Rea	X			
	Lois Schine	X			
9	Eileen Flug	X			
	Velma Heller, Ed. D.	X			
	John McCarthy	X			
	Gilbert Nathan	X			
Total		34	2		