

**LEGAL NOTICE
TOWN OF CLINTON
ENACTMENT OF AN ORDINANCE**

The Board of Selectmen of the Town of Clinton, Connecticut, at their meeting on Wednesday, January 11, 2012, enacted the following Ordinance;

**ORDINANCE DESIGNATING AND ENABLING THE DESIGN REVIEW BOARD TO ACT AS THE VILLAGE
DISTRICT CONSULTANT / ARCHITECTURAL REVIEW BOARD**

1. History: Pursuant to the provision of section 5-5 of the Charter of the Town of Clinton, the Design Advisory Board was established by ordinance January 19 2000, the name changed to the Design Review Board (DRB) by the 2002 Charter, and on April 21, 2004 modifications were made to the original ordinance. This ordinance provides the authority necessary to enable the DRB to be designated the Village District Consultant and act as the Architectural Review Board under Connecticut General Statutes (CGS) Section 8-2j, Village Districts. It shall supersede the preceding ordinances.
2. Purpose: The purpose of the Design Review Board is: 1) to provide an advisory group that will evaluate applications that are required to go before the Planning and Zoning Commission or Zoning Board of Appeals from an architectural and aesthetic perspective, which involve site, building and sign development or redevelopment and construction, with the goal of preserving the quality of our heritage and environment; 2) work with owners, builders and developers to foster the improvement of the town's appearance seeking to avoid both excessive uniformity and excessive variety in architectural styles and, instead, strive to promote harmony between the various elements and surroundings in order to preserve and enhance property values; 3) develop guidance materials that will assist applicants in understanding what design features, materials and components are considered to be acceptable for developments in the town; 4) draft general design standards applicable to all zones and specific design standards for each zone for which there are such requirements in the Zoning Regulations, to be recommended to the Planning and Zoning Commission for their action; 5) submit to the Planning and Zoning Commission for their action, proposals for zoning regulations governing signs, plans, new building construction and building renovations, in order to further the DRB's goal of improving the appearance and aesthetic quality of the town. Such proposed regulations may require that applications be evaluated in terms of overall quality, ability to harmonize with the surroundings and attainment of the goals of the design standards in the Zoning Regulations.
3. Scope: All permit and regulation recommendations of the Design Review Board shall be advisory. The Board's review shall pertain to all applications in Village Districts established pursuant to CGS section 8-2j, as may be amended, Business, Industrial, Marine and the Village Zones, excluding the Liberty Green Historic District as described in documents on file in the office of the Town Clerk. The Board shall be designated as the Village District Consultant and perform the function of Architectural Review Board for the Town with regards to all Village Districts. With respect to applications in zones in which they have been adopted, the Design Review Board shall take into consideration the specific design criteria and standards set forth in the Clinton Zoning Regulations.

4. Members: The Design Review Board shall consist of five (5) members and two (2) alternates, appointed in accordance with the Town Charter, Chapter 2, Section 2-3, with due consideration given to candidates nominated by the Planning and Zoning Commission. Members of the Planning and Zoning Commission are eligible for membership on the Design Review Board. There shall be no more than two (2) members from the Planning and Zoning Commission. Three (3) of said members and one (1) of said alternates members shall be appointed for an initial term of two (2) years, and one (1) of said alternate members shall be appointed for an initial term of one (1) year. Following the expiration of the initial terms in office, all subsequent appointments shall be for terms of three (3) years. Any vacancy on the Board shall be filled by the Board of Selectmen for the un-expired portion of the term.

5. Qualifications: In appointing members of the Design Review Board, the Board of Selectmen shall seek and appoint a mix of knowledgeable experts and laymen. The experts shall have knowledge of such fields as architecture, urban planning, landscape architecture, site planning, professional engineering, graphic design, interior design and other related fields. The laymen shall be drawn from individuals demonstrating a high level of interest and commitment to the work of the Board. All members shall be electors of Clinton. The Board of Selectmen shall appoint to the Board at least one (1) member who is an architect, landscape architect or planner who is a member of the American Institute of Certified Planners.

If at any time there is not a member on the Board who is an architect, landscape architect or planner who is a member of the American Institute of Certified Planners, the DRB shall be provided with access to a budget for professional services from which it shall pay for the services of an architect, or architectural firm, landscape architect, or planner who is a member of the American Institute of Certified Planners, to review all applications for Village districts, whom the DBA shall be authorized to designate as their Village District Consultant under Section 8-2j of the Connecticut General Statutes.

6. Reviews: The Planning and Zoning Commission and the Zoning Board of Appeals shall submit any matter within the scope of the Design Review Board for review, evaluation and recommendation to the developer by the Board. The above Board and Commission shall also have the option of directing any matter to the Design Review Board for a preliminary review, evaluation and recommendation to the developer prior to their consideration. Owners, developers and builders are encouraged as early as possible to seek advice from the Design Review Board separate from any direction by the Planning and Zoning Commission or the Zoning Board of Appeals.

No review of an application by the Design Review Board shall affect the timeliness of decision for any application by the Planning and Zoning Commission or Zoning Board of Appeals. Therefore, the review is to be conducted within the first month after the official receipt of a Planning and Zoning application; within twenty-one (21) days of submission of a Zoning Board of Appeals application; and when submitted to the Design Review Board for a preliminary review prior to application to the Commission or Board, within thirty-five (35) days of receipt; whichever occurs first. These timeframes should assure that the Board will submit its review before the first meeting at which the Commission, or Board, might

render its decision on an application. Failure of the Board to report within the specified time shall not alter or delay any other time limit imposed by the zoning regulations.

As the Design Review Board's role is advisory, its report to the Planning and Zoning Commission or Zoning Board of Appeals shall state the reasons behind and cite the specific regulations under which the evaluation and recommendations, which it has made, are based. No recommendation shall be made which is contrary to any specific standards or design criteria as set forth in the Clinton Zoning Regulations. Reports of the Design Review Board shall be entered into the public hearing record, or if there is no public hearing, the report shall be entered into the record, and considered by the Planning and Zoning Commission or Zoning Board of Appeals in making its decision. If the Planning and Zoning Commission or Zoning Board of Appeals grants or denies an application under the Village District section 8-2j of the Connecticut General Statutes, it shall state upon the record the reasons for its decision. If it denies an application, the reason for the denial shall cite the specific regulations under which the application was denied. No approval of the Commission or Board shall be effective until a copy thereof, certified by the Commission or Board, containing the name of the owner of record, a description of the premises to which it relates and specifying the reason for its decision, is recorded in the land records of the town. The town clerk shall index the same in the grantor's index under the name of the then record owner and the record owner shall pay for such recording.

7. Meeting Schedule: There shall be two (2) meetings of the Design Review Board scheduled each month. Meetings may be canceled if there is no project to review.

EFFECTIVE: This Ordinance will take effect thirty (30) days after publication.
Dated at Clinton, Connecticut the 12th day of January 2012.

William W. Fritz, Jr., Dolly G. Mezzetti, Thomas Vicino, Carol Walter and John Giannotti (Selectmen)

EFFECTIVE DATE: FEBRUARY 24, 2012