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Cc:

ADOPTED

PLANNING COMMISSION MEETING
January 25, 2011
REGULAR MEETING

I. CALL TO ORDER (Secretary to be Acting Chairman)

Acting Chairman Paine called the regular meeting of the Planning Commission to order at 7:01 p.m. in the Main Meeting Room at the Simsbury Town Offices. The following members were present: Mark Drake, Ferg Jansen, Sean Askham, Chip Houlihan, Tina Hallenbeck and Alan Needham. Also in attendance were Hiram Peck, Director of Planning, as well as other interested parties.

II. SEATING OF ALTERNATES

No alternates were needed.

Acting Chairman Paine congratulated Commissioner Askham on becoming a full member of the Planning Commission.

A motion was made to amend the agenda to include Mr. Toner's presentations regarding the Simsbury Farms Main Building renovation project and the Memorial Park renovation project.

Mr. Peck distributed handouts regarding the Simsbury Farm Complex and Memorial Park projects.

Mr. Toner stated that the Board of Selectmen had a Special Meeting to discuss these projects; they are considering sending these forward. Both projects have been part of the Capital Improvement Projects for several years.

Regarding the main building renovations at Simsbury Farms, Mr. Toner stated that this building is approximately 40 years old. At that time, it was built as a seasonal building. Over the years the community's needs and program needs have changed. In 1998 the Town retained a consultant to do a

master plan of the Complex. At that time, the main building was a priority, as well as the most expensive. Other improvements on the site have already been done. He stated that the main building is the last project.

Mr. Toner stated that two years ago, the Board of Selectmen funded the preliminary design for the main building in the budget. The Public Building Committee oversaw the preliminary design and retained a consultant for the design development phase. He stated that they conducted public hearings as well as worked with consultants.

Mr. Toner stated that the main building is not an insulated building, which is very costly to heat. He stated that this cost has become a drain on the Town's resources and tax dollars. He feels that it is time for this building to be replaced. Many parts of this project should have been done about 20 years ago.

Mr. Toner stated that if this project is not approved, the building will not be accessible to all people including the handicapped. There will also be no family locker rooms, which he feels are needed, as well as other issues.

Mr. Toner stated that they are also proposing to replace the decking in the pool area. He stated that the concrete is 40 years old. This is for safety reasons and better visibility.

Commissioner Houlihan questioned how much the project will cost. Mr. Toner stated that the project cost is \$3.1 million; this is not just the construction cost. He stated that the base project is \$2.7 million. The pool decking is approximately \$370,000. He stated that the Public Building Committee felt that it would be best to do both of these projects at one time instead of in phases. Mr. Toner stated that originally, the project cost was \$4.2 million.

Commissioner Jansen questioned when the project would begin. Mr. Toner stated that they would like to begin the project at the end of the summer. There should be no interference with summer programs. He is hopeful to be up and operational for the following season.

Commissioner Drake questioned if they would be renovating the existing building. Mr. Toner stated that they did look at demolishing the building versus new construction. Because there are so many levels to the building, new construction was the more efficient way to do the project.

Commissioner Houlihan questioned if this project would expand the main building. Mr. Toner stated that there is approximately 7,000 square feet of renovation and approximately 1,000-3,000 square feet of new

construction.

Commissioner Hallenbeck questioned what type of heating changes would be made. Mr. Toner stated that the south roof of the rink is ideal for solar heating. The Public Building Committee is looking into this option.

Mr. Toner stated that the design includes one concession stand that can operate year round to service both the pool and the rink. He stated that the architect did a good job bridging the two levels of the pool and rink. There will also be a separate entrance to the pool.

Mr. Jansen made a motion to approve the Simsbury Farms Main building Renovation project. Mr. Askham seconded the motion.

Commissioner Houlihan stated that he feels this project is consistent with the 2007 Plan of Conservation and Development.

Acting Chairman Paine stated that the Simsbury Farms Complex is utilized greatly by residents and is a great asset to the Town.

The motion was unanimously approved.

Regarding Memorial Park, Mr. Toner stated that there are two parts to this project. The first improvement is the parking lot drainage project. Within the last year, parking at Memorial Park has been made available to Center School. He stated that 25-35 vehicles per day park in this location; it has worked well.

Regarding the second part of this project, Mr. Toner stated that in 2008, the high school had a civil rights compliance review done. It was primarily on the high school building although it did extent to the fields. There were concerns from this study regarding accessing the fields from the parking.

Mr. Toner stated that another part of this project pertains to Memorial Pool. He stated that the pool is 55 years old. They have redone the mechanicals and repairs over the years. He stated that a lot of water is lost out of the pool and has become more costly to operate. They put the replacement of the pool into the Capital Improvement Projects. He stated that the pool has become an important part of their program. Last year programs regarding the pool grossed approximately \$97,000, with net revenues of \$24,000 - \$26,000. Mr. Toner stated that this is the biggest and most profitable program in terms of the pool. He stated that they do not want to close the pool down.

Mr. Toner stated that they are proposing to sandblast the vessel and paint

as well as doing concrete work in order for the pool to function. This will allow the Town to get approximately 8-10 more years out of the pool.

Commissioner Houlihan questioned if the leaking was from the pool or the plumbing. Mr. Toner stated that they believe it is primarily from the pool itself. The lines to the pool were reconstructed approximately 15 years ago.

Commissioner Askham asked what property the parking lot is located. Mr. Toner stated that the parking lot is on Memorial Park property.

Commissioner Hallenbeck made a motion to approve the Memorial Park improvements. Commissioner Houlihan seconded the motion.

The Commission discussed if these two projects, parking and pool improvements, should be voted on separately. Commissioner Askham stated that it would depend on how the Board of Selectmen referred the projects to the Planning Commission; it is not up to this Commission to interpret that. He stated that on the new CIP, these projects were listed separately. He stated that on last year's CIP, these projects are listed as Memorial Park Improvements. He stated that, technically, a project has to be in the prior year before they can approve it in a subsequent year. After more discussion, the Commission agreed to vote on these projects together.

The motion was unanimously approved.

III. APPROVAL OF MINUTES December 14, 2010 and December 21, 2010

Several edits were made to the December 14, 2010 minutes.

Commissioner Hallenbeck made a motion to approve the December 14, 2010 minutes as amended. Commissioner Jansen seconded the motion, which was unanimously approved.

Several edits were made to the December 21, 2010 minutes.

Commissioner Askham made a motion to approve the December 21, 2010 minutes as amended. Commissioner Hallenbeck seconded the motion, which was approved. Commissioners Jansen and Hallenbeck abstained.

IV. SECOND NOTICE AND POSSIBLE ELECTION OF PLANNING COMMISSION CHAIRMAN IN ACCORDANCE WITH ADOPTED PLANNING COMMISSION RULES AND PROCEDURES TO FILL POSITION VACATED BY JOHN LOOMIS.

Acting Chairman Paine suggested that the Commission have a general discussion and then go into a recess to talk among individual groups. He stated that he and Commissioner Houlihan are interested in becoming

Chairman.

Commissioner Askham stated that he likes Commissioner Paine's leadership. Additionally, he stated that Commissioners Paine and Hallenbeck are guaranteed to continue on the Commission after the November election until 2013. All other Commission members are up for re-election. He feels that continuity is important.

Commissioner Needham stated that Commissioners Paine and Houlihan are both qualified candidates. He stated that Commissioner Houlihan has more experience, although there is nothing negative to say about Commissioner Paine. He also feels that Commissioner Houlihan's experience as an attorney is important as well.

Commissioner Jansen stated that both candidates are good, although Commissioner Houlihan's seniority and legal experience are important.

Commissioner Drake questioned how a Commissioner becomes elected as a Chairman. Commissioner Needham stated that the position of the Chairman can be challenged at any time, although this needs to be put on the agenda. Commissioner Drake stated that there is a basic philosophy in terms of Parties.

The Commission members discussed several compromises, including having the Democrat as the Chairman and the Republican as the Secretary of the Commission or having the Republican as the Chairman and the Democrat as the Secretary. They discussed that one of these options would only be for a period of time to be determined; the Commission members would have to trust each other.

Commissioner Houlihan agreed that there should be elections of Officers after each Town election. Commissioner Drake stated that he disagrees; new members, initially, do not have a clear understanding of what is going on. Mr. Peck stated that the Commission could revise the bylaws to hold an election on an annual basis.

Acting Chairman Paine called a recess at 8:10 p.m. The Commission reconvened at 8:28 p.m.

Commissioner Askham made a motion to nominate Commissioner Paine as Chairman of the Planning Commission with the understanding that he will support Commissioner Houlihan for Secretary after properly noticed as well as amending the bylaws. Commissioner Drake seconded the motion.

The Commission members discussed the process of nominations and elections.

Commissioner Askham withdrew his motion. Commissioner Drake withdrew his second.

Commissioner Askham stated that he would like to nominate Commissioner Paine as Chairman of the Planning Commission with the understanding that he will support Commissioner Houlihan for Secretary of the Planning Commission after properly noticed. He would also suggest that the bylaws of the Planning Commission be amended regarding election of officers.

Commissioner Jansen stated that he would like the Commission to consider Commissioner Houlihan as Chairman of the Planning Commission and Commissioner Paine as Secretary of the Planning Commission until July 2012. At that point, the Commission would elect Commissioner Paine as Chairman and Commissioner Houlihan as Secretary, if he was interested. Commissioner Jansen stated that he believes continuity is important.

Commissioner Askham made a motion to close nominations. Commissioner Houlihan seconded the motion, which was unanimously approved.

Acting Commissioner Paine called for a vote on the nominations.

Commissioners Houlihan, Jansen and Hallenbeck voted in favor of Commissioner Houlihan as Chairman of the Planning Commission. Commissioners Paine, Drake and Askham voted in opposition. Commissioner Paine, Drake and Askham voted in favor of Commissioner Paine as Chairman of the Planning Commission. Commissioners Houlihan, Jansen and Hallenbeck voted in opposition. The vote resulted in a tie and the issue would be continued on the next agenda.

V. DISCUSSION AND POSSIBLE ACTION

Fee In Lieu of Open Space (FILO) Regulation

Mr. Peck stated that the Planning Commission approved the Fee in Lieu of Open Space Regulation several months ago. He stated that an effective date now needs to be set for this Regulation. Also, there were some changes in wording regarding when a person pays a fee for lots in a subdivision. The Town Attorney's wording states that the fee is paid when the Certificate of Occupancy is received. Mr. Peck stated that he feels this timing is problematic. He suggests that the fee be paid at the time of application for a permit at the latest.

Mr. Peck stated that he is also recommending taking the term, "passive recreation" out of the Regulation. He stated that this would eliminate canoes launches, etc. The term, "passive" limits what the money

is used for. If money is put in a fund, this Commission would have a say regarding what the money is used for.

Commissioner Houlihan stated that there was a discussion regarding passive recreation, which this Commission struggled with. He feels that the term, "passive recreation" captured their sense of what they did not want.

Commissioner Jansen stated that he feels strongly that he does not want soccer fields being built from this money. This money is for preserving land and for connectivity. He feels the term, "passive" should be left in the Regulation.

Commissioner Drake stated that this Commission should consider the fact that the intent of this Regulation is to acquire open space. He cautioned the Commission about removing this wording, if that is their intent.

Mr. Peck stated that he would look into if this Commission could limit withdrawals from the fund and that an approval by this Commission would be needed for any withdrawal. He stated that the change of wording for when the money is paid is a significant change, which will require a public hearing.

VI. DISCUSSION

Route 10 Corridor Study

Mr. Peck distributed a copy of the Charrette schedule to the Commission members. He stated that the Charrette study will take place on February 7-10. There will be a public presentation made on February 7th. The second day of the Charrette is a Planning Commission meeting day, although this is an early pin up session for the Charrette, which should not interfere with this meeting. Mr. Peck stated that the third night is another public presentation. On the second and third days, the consultants will meet with the stakeholder groups and will also refine the plans. The fourth day of the Charrette will be the final presentation.

Town Center Code Status

Mr. Peck stated that the revised Code is now available on the Town website.

Low Impact Development (LID) and Incentive Housing Zone (IHZ) Grant Status

Mr. Peck stated that the LID Grant, which helped fund the grant, was extended by the Board of Selectmen. He stated that this was held up

because the final Code was not in place. In order to dovetail the Low Impact Development Storm Water Regulations, the Code was needed. He stated that the State DEP agreed to extend this until September 2011.

Mr. Peck stated that the IHZ Grant is for \$12,500. This will be finished now that the Town Center Code is almost finalized. This grant also helped pay for the Charrette.

Discussion of revisions to Zoning Regulations

Mr. Peck distributed a flowchart that shows the process that someone would go through for a Town Center Code application. He reviewed the informal and formal process as well as the timeframes with the Commission members. He stated that the Town Center Code uses the same special exception process that the Town currently has and it allows an application that meets the regulation to be placed on the Consent Agenda. If the Design Review Board approves the application and the Zoning Commission agrees, there is no discussion regarding applications on the Consent Agenda. If one person on the Zoning Commission would like to discuss an item, it would come off the Consent Agenda and would be discussed by the Commission. Mr. Peck stated that this would be for buildings up to 25,000 square feet. Buildings over this size would need to go to the Commission as a Site Plan. Mr. Peck stated that this will help shorten the process.

VII. STAFF REPORT(s)

There were none.

VIII. COMMUNICATIONS AND ADMINISTRATIVE BUSINESS

There were none.

IX. ADJOURNMENT

Commissioner Jansen made a motion to adjourn the meeting at 9:17 p.m. Commissioner Askham seconded the motion, which was unanimously approved.