

From: Lois Laczko July 19, 2010 9:24:22 AM  
Subject: Planning Commission Minutes 06/22/2010 ADOPTED  
To: SimsburyCT\_PlanMin  
Cc:

ADOPTED

PLANNING COMMISSION MEETING  
June 22, 2010  
REGULAR MEETING

I. CALL TO ORDER

Chairman John Loomis called the regular meeting of the Planning Commission to order at 7:10 p.m. in the Main Meeting Room at the Simsbury Town Offices. The following members were present: Ferg Jansen, Gerry Post, Tina Hallenbeck and Michael Paine. Commissioner Houlihan arrived at 7:30 p.m. Also in attendance were Hiram Peck, Director of Planning, as well as other interested parties.

II. SEATING OF ALTERNATES

No alternates were needed.

III. INFORMAL PRESENTATION by Ron Janeczko, Land Works Development, on potential PAD development at 75 – 77 West Street, and Lots 19 & 24 on Grist Mill Road.

Mr. Peck stated that this is a pre-application informal discussion. There is no application pending at this time.

Mr. Janeczko, Land Works Development, stated that from a planning standpoint, he has reviewed the POCD, the PAD Regulation, the Charrette processes and Incentive Housing Zone study. With these as guides, he stated that they have preliminary ideas, which have been presented to the Zoning Commission in February, 2010. He stated that since then, several changes have been made.

Mr. Janeczko stated that the POCD suggests this area as a growth area. It is also on the Special References map; mixed use zoning would be appropriate in this area.

Mr. Janeczko showed the Commission members the plans of the

development including the Mill building, townhomes and multi-unit buildings. The Mill building will have redesigned parking and the building will be renovated. There is a tunnel that goes through the Mill building for pedestrian traffic, which will flow to the Town center. At the entrance of the development, there will be a mail center. Regarding the townhomes, they will look over the linear park and pond. The larger multi-unit buildings will have twelve units; each unit has private entrances and garages.

Mr. Janeczko stated that the streetscape is created throughout the spine road. There is parallel parking on either side of this road with sidewalks on both sides. There are Tower buildings in several of the open spaces near the multi-unit buildings, which are single dwellings.

Mr. Janeczko stated that the drainage on the site is working well. The sewers on the site are adequate. The traffic is in line with what was anticipated; no traffic improvements are needed.

Mr. Janeczko stated that he would like to have a community room for the residential units in the Mill building. The uses in the Mill building are subject to review, although they would like to have a restaurant in that building.

Mr. Kemper, Kemper Associates, stated that the Mill building will not have many changes except for the pedestrian pass through. Regarding the townhouses, they have designed them to be aesthetically pleasing from both the front and back views. The townhouses will be 1900 s.f. to 2300 s.f.; they are two bedroom units with a loft. The façade of the building will use elements from the Mill building.

Regarding the larger multi-unit buildings, Mr. Kemper stated that these buildings have 12 garages; one garage for each unit. They would like to keep the garages off of the street side. They would also like to put cars in a courtyard area between the buildings. Two units will be handicapped accessible on the first floor of the buildings. The second floor will be 10 two-story units. Mr. Kemper stated that the materials used on this building will also match the Mill building. The Tower buildings will have metal roofs. The Tower buildings are single family dwellings; they hide some of the parked cars.

Mr. Janeczko stated that this has been a year long process; they are close to submitting this as an application. The PAD process has informal presentations in order to get input from the Boards and Commissions, which is why they are here tonight.

Mr. DiFatta stated that Land Works Development have won a lot of

awards and are very sensitive regarding what is going on in the Farmington Valley. He feels that this is a project that people are looking for in Simsbury. He stated that Ensign Bickford is excited about this project as well.

Chairman Loomis questioned how many acres this site is. Mr. Janeczko stated that all of the sites total approximately 18 acres. He stated that open space will be approximately 9.9 acres.

In response to a question from Commissioner Hallenbeck regarding lighting, Mr. Janeczko stated that there will be ornamental street lighting that will be carried throughout this development. They will submit a lighting plan with the full application.

Commissioner Post questioned what the target market and price ranges will be for the residential units. Mr. Janeczko stated that he cannot quote prices at this time; it is still too early. He stated that he has been a workforce housing advocate for many years; this development will not be in the low income range. It will be market driven housing. The size of the units will drive the price. The multi-family units will be much smaller in size than the townhouses. The townhomes will be ownership and the multi-family units will be rentals.

Commissioner Post questioned if the Tower buildings would be marketable. Mr. Janeczko stated that this is part of their concept, although the development is not the Tower buildings. More discussions still need to be had regarding the Towers.

Regarding future development, Mr. DiFatta stated that he does not envision this project getting any bigger in the near future. Dyno Nobel is currently actively using the adjacent property. Mr. Janeczko stated that the Town Engineer has asked them to make a cul-de-sac at the end of the main road for snow removal, which they will incorporate. It is a Town road and they have no future plans to continue this road.

Chairman Loomis questioned what has been the most challenging and most rewarding issues throughout this development. Mr. Janeczko stated that engineering wise, everything is turning out perfectly. Regarding the challenges, he stated that each challenge has been resolved. The pedestrian flow to the Town Center has been a challenge because of the pond. The bridge resolved that issue. Mr. Janeczko stated that their biggest challenge now is to fine tune the project.

Commissioner Paine stated that it is important to make sure the cul-de-sac has a large enough radius for emergency vehicles to turn around. He stated that he sees a lot of potential in this development and he also

likes how the surrounding areas are tied into this development as well.

In response to a question from Commissioner Hallenbeck, Mr. Janeczko stated that he and Mr. Nelson will own and maintain this property. They will also be using best management practices. The townhomes will have their own association that will have strict guidelines and rules as to how things will be maintained.

Mr. Peck stated that the walking potential from this development is a good aspect of this development.

IV. POSSIBLE APPROVAL OF MINUTES from May 11, 2010, May 25, 2010 and June 8, 2010

Several edits were made to the May 11, 2010; May 25, 2010 and June 8, 2010 minutes.

Commissioner Post made a motion to approve the May 11, 2010 minutes as amended. Commissioner Hallenbeck seconded the motion, which was approved. Commissioner Houlihan abstained.

A motion was made to approve the May 25, 2010 minutes as amended. Commissioner Jansen seconded the motion, which was approved. Commissioner Post abstained.

The June 8, 2010 minutes were tabled until the next regularly scheduled meeting due to a lack of a quorum.

V. DISCUSSION AND POSSIBLE ACTION REGARDING ADDING ILLUSTRATIVE PLAN TO POCD.

Mr. Peck distributed a memo regarding requested information on the Illustrative Plan. He stated that it is the recommendation of Town staff that the Commission adopt this plan. The current plan is more general; this plan provides a more detail plan of the Town Center. The Illustrative Plan would assist this Commission in implementing the goals that are cited in the adopted Plan. The Regulating Plan will become part of the zoning map; it is what will guide the Zoning Commission. Finally, Mr. Peck stated that Attorney DeCrescenzo and Attorney Sitkowski have advised that the Planning Commission adopt the Illustrative Plan because it will add support to the Town Center Code that is being considered by the Zoning Commission.

Mr. Peck stated that Code Studio needs to have several questions answered prior to finishing the final draft of the Code. He believes that they will take that draft and add what Connecticut Law requires. The Town Attorney and Attorney Sitkowski will make sure the Code fits within Connecticut's framework. The final draft will be distributed to Boards and

Commissions and will be posted on the Town website.

Commissioner Houlihan questioned what the term adopt means. Chairman Loomis stated that the Commission is not ready to adopt; a public hearing is still needed. Commissioner Houlihan stated that this Commission could say that this Plan looks good to them, although there is another sense that this Plan would become part of the POCD and then they would need to have the public hearing. They would be looking to amend the POCD in order to include this Plan. Mr. Peck stated that he is recommending this because it will give the POCD more viability; it gives the Commission more ability to rely on it when they make referrals.

Commissioner Houlihan stated that he feels the Planning Commission already has the basis, when a referral comes to them, that they can say something is consistent or not consistent with the POCD.

Mr. Peck stated that there is no need to rush to adopt this Plan. He stated that this Commission can wait until they get the final draft of the Code in order to make any decision to make sure this complies with the Code. The timing is flexible.

Commissioner Post stated that the Illustrative Plan is a guide. He does not see it as binding. He stated that there is time to further discuss and revisit this issue when they have more information. He feels that it would be a nice addition to the POCD in order to give people a vision.

Commissioner Paine stated his concerns that this may be viewed as restrictive. If the Planning Commission adopts the Illustrative Plan into the POCD, he feels it is prudent to see the Code prior to adopting it. He stated that there is no harm in waiting.

Commissioner Hallenbeck stated that waiting for the final draft of the Code would be beneficial. She feels that the Plan would be helpful to have as a visual aid as long as it is not interpreted as prescriptive. Chairman Loomis stated that no action will be taken on this issue tonight.

#### VI. DISCUSSION AND POSSIBLE ACTION ON CONSIDERATION OF A FEE IN LIEU OF OPEN SPACE SECTION TO BE ADDED TO THE SUBDIVISION REGULATIONS.

Mr. Peck distributed a draft of the amendment to the Simsbury Subdivision Regulations regarding fees in lieu of open space. He stated that Town staff recommends integrating this into the Subdivision Regulations. He feels that this would be an appropriate vehicle for the conservation of natural resources when a subdivision comes in. State Statutes allow this Regulation to be used for purchases of open space and

recreation areas and for the preservation of agricultural land. He stated that he has discussed this regulation with other Towns who routinely use this tool. The creation of this regulation would also allow the Commission to set specific funding for accumulation of funds in a designated account for this purpose.

Mr. Peck stated that the wording for the Regulation that has been distributed is the same wording that Avon and other Towns are using.

Commissioner Post stated that he agrees with Mr. Peck. Avon has used fee in lieu of open space 25 times; they have not had any negative outcomes. He feels that this Regulation would be a very valuable tool for Simsbury to have. In Avon's fund, there is approximately \$425,000, which the Town is using to buy open space in order to tie it in with other open space that they currently own. Commissioner Post stated that he would recommend adopting this into the Subdivision regulations.

Chairman Loomis stated that this would become part of the Subdivision Regulations, if adopted. He suggested having a public hearing on this issue prior to adopting.

Commissioner Houlihan stated that he would make several changes to the wording if adopted, including adding the wording: "Upon a request by a Subdivider or on its own initiative, the Planning Commission may approve a fee payable to the Town of Simsbury or a transfer of land". The other changes would be in the last paragraph regarding the funds, which could state, "Any fees collected shall be deposited in a segregated fund which shall be used exclusively for the purpose..."

Commissioner Post questioned if there should be language in this Regulation regarding how the money should be expended. He stated that the final vote for the expenditure should come from the Board of Selectmen.

Commissioner Hallenbeck stated that she is in support of this Regulation.

Commissioner Paine stated that he would like to see this Commission move this Regulation forward. He feels that it will be a benefit to the Town.

Mr. Peck stated that he will get the word changes drafted and will e-mail them to the Commission members by the end of the week.

The Commission members discussed the timing of the public hearing. Commissioner Post suggested that the public hearing be noticed pending approval of the edited language at the next meeting. Mr. Peck stated that

the correct wording needs to be available for a minimum of ten days prior to the public hearing. Mr. Peck stated that the public hearing date could be set for July 27, 2010. Information will go out in accordance with the requirements of the Statutes with those changes that the Commission will review.

## VII. UPDATES

### PAD ZONING REGULATION PROCEDURE

Mr. Peck stated that the developers regarding the West Street site will be coming in with their application in the near future.

### TOWN CENTER CODE STATUS

Mr. Peck stated that the final draft of the Town Center Code should be available next week. He stated that it will be distributed as soon as he receives it.

Mr. Peck stated that work continues on the GIS mapping that will go with the Code.

### INCENTIVE HOUSING ZONE (IHZ) REGULATION STATUS

Mr. Peck stated that there is no change on the status of the Incentive Housing Zone Regulation. The Regulation is ready to be submitted for review by OPM. He stated that he will be checking with the owners of these various sites to make sure they are still interested in going forward prior to the Regulation going to the State.

### RTE 10 CORRIDOR STUDY STATUS

Mr. Peck stated that the consultant has been selected by CRCOG for the Route 10 Corridor Study. He stated that it will take 12-18 months to complete this study. There will also be a public process as a part of this study. The public will have an opportunity to comment and work with the consultant throughout this process. The scope of this study is from the Avon town line north to Route 315.

## VIII. STAFF REPORT(s)

There were none.

## IX. COMMUNICATIONS AND ADMINISTRATIVE BUSINESS

There were none.

CRCOG REPORT

There was no report.

X. ADJOURNMENT

Commissioner Jansen made a motion to adjourn the meeting at 9:15 p.m.  
Commissioner Houlihan seconded the motion, which was unanimously approved.

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Gerry Post, Secretary