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Subject: Planning Commission Minutes 11/09/2010 ADOPTED
To: SimsburyCT_PlanMin
Cc:

ADOPTED

PLANNING COMMISSION MEETING
November 9, 2010
REGULAR MEETING

I. CALL TO ORDER

Chairman Loomis called the regular meeting of the Planning Commission to order at 7:00 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, Alan Needham, Michael Paine. Also in attendance were Hiram Peck, Director of Planning, as well as other interested parties.

II. SEATING OF ALTERNATES

Chairman Loomis stated that Mark Drake has been appointed as a regular member of the Planning Commission.

III. POSSIBLE APPROVAL OF MINUTES October 26, 2010

Several edits were made to the minutes.

Commissioner Paine made a motion to approve the October 26, 2010 minutes as amended. Commissioner Jansen seconded the motion, which was approved. Commissioner Hallenbeck abstained.

IV. SET PUBLIC HEARING DATE FOR FEE IN LIEU OF OPEN SPACE SUBDIVISION REGULATION.

Mr. Peck stated that the Commission previously held a public hearing regarding the Fee In Lieu of Open Space regulation. He stated that those changes have been made and are incorporated in bold type in the revised draft, which he distributed to the Commission members. Mr. Peck reviewed these changes. Regarding the payment per subdivided lot in lieu of open space, Mr. Peck stated that this figure was decided upon by taking 10 percent of the pre-subdivided value of lots in Town. He feels that

\$2,500, for regulatory purposes, is a good number. This money would go into a dedicated fund for open space or agricultural land.

Chairman Loomis stated his concerns regarding when a lot would be worth more than \$2,500 based on the fair market value and appraisal. Commissioner Houlihan stated that the Regulation is clear; the \$2,500 is given to the Town only if the applicant and the Commission agree. The Commission would have the option of accepting or not accepting a fee in lieu of open space; the applicant has this same option.

Commissioner Jansen questioned if \$2,500 would be enough for the Town. He suggested possibly having a payment for each acre instead of each lot. Commissioner Askham stated that if the Commission determines that it is not in the best interest of the Town, the Commission can ask for an appraisal.

Commissioner Houlihan suggested that, in the last revised paragraph, "final plans" be replaced with "record mylar". Mr. Peck agreed.

Mr. Peck stated that he feels this regulation has advantages for both the Town and the developer. Commissioner Needham stated that he feels that this regulation is also a tool to get more building on a site. This would be an interest for a developer.

Chairman Loomis read from the Subdivision Regulations. He suggested the following technical changes to the Regulation: Page 6 and 7, Items 16; 18; and 21: "Plan of Development" should be changed to "Plan of Conservation of Development" and the adopted date should be updated to November 3, 2007.

In summary, the changes that the Planning Commission would like to make to this revised document are: remove the (a) from all of the inserted paragraphs; and replace "final plans" with "record mylar".

Mr. Peck stated that the Planning Commission can decide to send this draft to a public hearing on December 14th with the changes that have been made tonight. If there are only minor changes to be made after that public hearing, those can be made to the document. If there are major changes, another public hearing would need to be scheduled.

Commissioner Houlihan made a motion to send the Draft Amendment to the Simsbury Subdivision Regulation, Fees in Lieu of Open Space, to a public hearing on December 14, 2010. Commissioner Paine seconded the motion, which was unanimously approved.

V. UPDATES

Planned Area Development (PAD)

Mr. Peck stated that the application for the PAD on West Street was approved by the Zoning Commission, which means that the zone was changed to PAD1. Now that the appeal period has run, the Zoning Commission will wait for the final site plan from the developer. The developer would like to move forward and begin construction in the spring.

There was a discussion by the Commission regarding the Water Pollution Control Authority and the connection fees.

Town Center Zoning Regulation

Mr. Peck stated that the revisions and comments have been forwarded to Code Studio. The revisions are now being put into the Code by the consultant. The revised document will be posted on the Town website as soon as the Town receives it. The consultant will be back to Simsbury the week of December 6th.

Mr. Peck stated that the alternative compliance section of the Code is an important section. This section will provide avenues for people to do things that the regulation does not currently contemplate.

DOT Traffic Study

Mr. Peck stated that he believes this study will begin in November. There will be a small Charrette as part of this process. The study will take into account what has already been done in the Town Center. Regarding funding, Mr. Peck stated that the \$20,000 local share will be paid to CRCOG incrementally.

VI. STAFF REPORT(s)

Mr. Peck stated that the developer of Meadowood has asked the Town to place additional deed restrictions on the open space that was purchased from them. He stated that Meadowood is in the process of getting their State and Federal Environmental permits. As part of this process, the Town has had ongoing meetings with the developer. There are still several questions that need to be answered prior to moving forward. Before making any recommendations, the implications need to be determined.

Mr. Peck stated that the Board of Selectmen did discuss this matter at their last meeting. They will be sending this request to the Planning Commission as a referral. He recommended that this be placed on the agenda for the next regularly scheduled meeting.

VII. COMMUNICATIONS AND ADMINISTRATIVE BUSINESS

There were none.

VIII. ADJOURNMENT

Commissioner Drake made a motion to adjourn the meeting at 8:35 p.m. Commissioner Hallenbeck seconded the motion, which was unanimously approved.

Michael Paine, Secretary