

From: Lois Laczko March 7, 2011 12:28:43 PM
Subject: Zoning Commission Minutes 02/07/2011 ADOPTED
To: SimsburyCT_ZoningMin
Cc:

ADOPTED

ZONING COMMISSION MINUTES
February 7, 2011
SPECIAL MEETING

I. CALL TO ORDER

Chairman Gallagher called the Special Meeting of the Zoning Commission to order at 6:00 p.m. in the Main Meeting Room of the Simsbury Town Offices. The following members were present: Bruce Elliott, Edward Pabich, Tom Doran, Amy Salls, Robert Pomeroy and Madeleine Gilkey. Dave Ryan arrived at 6:10 p.m. Also in attendance were Director of Planning Hiram Peck, Commission Clerk Alison Sturgeon and other interested parties.

II. APPOINTMENT OF ALTERNATES

Chairman Gallagher appointed Mr. Doran to serve in the absence of Mr. Vaughn.

III. PRESENTATION BY LEE D. EINSWEILER, PRINCIPAL, CODE STUDIO, ON THE TOWN CENTER CODE AND POSSIBLE SETTING OF PUBLIC HEARING DATE.

Mr. Peck stated that this meeting is to go through questions the Commission may have regarding the final draft of the Town Center Code. He stated that there will be a full public hearing in the near future; questions are welcome prior to and during the public hearing. The Commission will set the public hearing date tonight. He stated that Mr. Einsweiler is in Town tonight for the Route 10 Charrette and was able to attend this meeting in order to discuss the Code with the Commission tonight.

Mr. Pabich asked that Mr. Einsweiler use a certain property as an example as a way to start this discussion.

Mr. Einsweiler started with the Post Office site as his example. He stated that if he owned this site and wanted to figure out what could be done on this property, he would go to the Town Center Code. He stated that once the Code gets adopted, the regulating plan will be the zoning map for the

Town Center area. He stated that the importance of the regulating plan is the colors of the lines that go past the property onto the roads themselves. He stated that the rules associated with the Post Office site will come from those certain standards from that particular zone.

Mr. Einsweiler stated that the Town has a vision for the Town Center. The keeper buildings are the buildings that the Town would like to keep.

Mr. Einsweiler explained the street setbacks, which vary throughout the Code. He stated that the parking setback is the blue line on the regulating plan. Regarding heights, he stated that this would depend on the zone. The stories are written in the Code, although the stories can be taller stories because the older, original buildings along Hopmeadow Street have very tall ground floors with a limited number of stories.

Mr. Einsweiler discussed the standards within the Post Office site. In order to be buildable, a lot must be 5,000 square feet in area and 50 feet wide. This is to make sure that the Town gets individual buildings of the right scale for the Town Center area. He stated that at least 50% of the width of the lot has to have a building between zero and fifteen feet from the property line. He stated that this is different for the retail frontage. He stated that 90% of the width of the lot has to have a building in it. This is because they are trying to create a street wall going down Wilcox Road.

Mr. Einsweiler also discussed the 15% open space requirement. This means that the lot cannot be totally covered. On the frontage of the buildings, there also has to be a pitched roof. This is because the historical pattern of the Town Center. Mr. Einsweiler also discussed floor heights with the Commission members.

Mr. Einsweiler stated that, even on the non-retail streets, the Town wants the Town Center to relate well to the street. He stated that the walkability does not come from just the sidewalks, but the building relating nicely to those sidewalks. He stated that if there is a big gap between spaces, the walkability will not be there. Mr. Einsweiler stated that mostly along Hopmeadow Street, there is an obligation for façade articulation. The front wall offset is required in order to get buildings that are fundamentally in scale with the original buildings that were there. He stated that there is nothing that states there cannot be a big building in the Town Center, although if a developer wants to bring this to Hopmeadow Street, it needs to act like a collection of smaller buildings.

Mr. Einsweiler stated that, regarding the example of the Post Office, Chapter 4 is what would need to be looked at next. He stated that different things are allowed on the ground floor than other floors. The

ground floor could have a daycare or indoor recreation or retail sales. The upper floors could include public and civic uses; residential; lodging; and personal services.

Mr. Einsweiler discussed the Site Development Standards with the Commission members, which are regulated in the Code. The biggest issue that the Zoning Commission will see is whether people feel they can afford structured parking.

In response to a question by Mr. Pabich regarding grocery store sites, Mr. Einsweiler stated that there are ways to add onto the grocery store buildings under this Code, although it will not be possible to add on to the front of the buildings. He stated that Fitzgerald's has a project underway in which they are adding an end cap onto their building. Mr. Einsweiler stated that the right answer may be to construct a new building out at the street; move some of the activity from the current building to the new building; and take the back building down. This can be done in phases at any pace the owner wants. Also, the owner could take the entire building down and rebuild, which is also an option. He stated that the Code has many options. Mr. Peck stated that one benefit of the Code is that it helps abutting property owners cooperate with each other.

Mr. Pomeroy asked that the Commission be walked through the Code regarding the process of someone coming in with an application in the Town Center. Mr. Peck stated that the process is not significantly different than what the Town currently has in place. The application would initially talk to Town staff. If the applicant wants to move forward, they would submit an application. Once the application is complete and meets the requirements of the Code, it would be placed on the Design Review Board's agenda. If the Design Review Board finds the application compliant with the Code, then they would submit a positive recommendation to the Zoning Commission. If the Design Review Board wanted changes to be made and the applicant agrees to those changes, the Zoning Commission would get that information. The Zoning Commission could approve that application on the Consent Agenda or it could come to the Commission for a full discussion through the regular hearing process. Mr. Einsweiler stated that if the Design Review Board and applicant are not in full agreement, the application would come before the Zoning Commission for a full discussion. He stated that there is also an option of the PAD as a way to consider how to bend the rules of the Code in order to have an alternative compliance model. This states that the intent of the Town Center Code needs to be met in a different way rather than through these rules. Mr. Peck stated that this would be subject to a full public hearing. He stated that this process is written in Section 7.1.3.

Commissioner Elliott stated that he would like to see a description of the Consent Agenda and how it would work in the Code. Mr. Einsweiler stated

that there is no discussion of the Consent Agenda currently in the Code, although it is a clear practice. He stated that the Commission may need to have an internal policy on this issue, although this would not be a Code requirement. Commissioner Elliott stated that he feels this is important because a description of the Consent Agenda advises the reader. One thing he would like to advise the reader of is that they have the responsibility to make sure all of their material has been submitted to the Town Planner within a certain time period. Mr. Einsweiler stated that he recommends there be a policy or rules on this issue.

Mr. Peck stated that there will be plenty of time for the public to ask questions at the public hearing. He urged the Commission to set the public hearing date.

Mr. Pabich made a motion to schedule the public hearing date for the Town Center Code on March 21, 2011. Mr. Pomeroy seconded the motion.

Mr. Elliott stated that it is his impression that the definitions were supposed to be integrated into the Code, although this has not been done. Mr. Peck stated that these definitions will go into the existing Zoning Regulations.

The motion was unanimously approved.

IV. DISCUSSION AND POSSIBLE VOTE ON ANY AGENDA ITEM

There were none.

V. OTHER MATTERS AS MAY PROPERLY COME BEFORE THE COMMISSION

There were none.

VI. ADJOURNMENT

Mr. Pabich made a motion to adjourn the meeting at 6:55 p.m. Mr. Doran seconded the motion, which was unanimously approved.

Ed Pabich, Secretary

