

From: Lois Laczko May 21, 2009 11:10:56 AM  
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To: SimsburyCT\_ZoningMin  
Cc:

ADOPTED

ZONING COMMISSION MINUTES  
WORKSHOP  
APRIL 20, 2009

I. CALL TO ORDER

Chairman Barney called the Workshop of the Zoning Commission to order at 6:35 p.m. in the Main Meeting Room at the Simsbury Town Offices. The following members were present: Alan Needham, Garrett Delehanty, James Gallagher, Ed Pabich and Madeline Gilkey. Also in attendance were Director of Planning Hiram Peck, Commission Clerk Alison Sturgeon and other interested parties.

II. WORKSHOP TO DISCUSS TOWN OF SIMSBURY'S ZONING REGULATION REVISIONS  
(continued from meeting held on 4/6/2009)

Chairman Barney stated that Mr. Peck will be making a presentation regarding the various grant efforts that have been awarded to the Town, which are in support of the Charrette.

Mr. Peck stated that each of the grants that the Town has received have specific requirements. The Town has set aside \$40,000 to do the Town Center study, although they were unable to get this done last year. This money will be available until the end of June of this fiscal year, or as long as a contract has been signed by June 30th.

Mr. Peck stated that Concord Square came to Simsbury and gave a presentation regarding the Incentive Housing Zone. He stated that this grant is specifically related to housing. They will be studying sites in and around the Center as well as other sites in Town. This grant, from OPM, gave the Town \$49,900, although there will be \$12,300 left over from this grant. This additional money can be used to study other housing related issues in the Center.

Simsbury was awarded a grant for \$25,000 from the Connecticut Trust for Historic Preservation, which has a great deal of flexibility. This grant

is to create places in Town Centers that are worthy of not only historic preservation, but create cultural activities, parks and tourism. This grant is for destination locations. Mr. Peck stated that this grant can also be used for the Charrette process.

Most recently, the Town was awarded a grant from the Connecticut DEP that is a Farmington River Enhancement Grant, which has to do with environmental activities, although it can be used for significant increase in density in the Center of Town. Creating this density will produce excess runoff that will need to be treated. In order to figure out how to treat this, this grant can be used to study the regulations and to study low impact development activities, which is the focus of this grant. The engineer will be studying the low impact development activities, based on the increased density and based on what the Charrette says that the Town should create regarding infill development is how this fits into this process as well. The engineer that they use will have specific experience with low impact development, as well as be local.

Mr. Peck stated that the Town currently has \$102,300 for the Charrette process.

Mr. Peck stated that the Incentive Housing Zone regulation will be the output from the Concord Square study. This regulation will be different because it will have a design component with it. He stated that approximately 20 property owners are interested in this study. The consultant has analyzed all of these properties and compared them with the Statutes. The results should be in by the end of this week.

The outcome of the Connecticut Trust Grant will have historic preservation and destination of tourism, but it will also be part of the Charrette work. The regulation revision regarding storm water runoff and water quality impact is what DEP is interested in, although it will plug into the regulation by stating how much density can be tolerated; how much storm water runoff can be tolerated; and how it needs to be treated before it gets back to the River.

Mr. Peck stated that the coordination of timing regarding all of the different grants and aspects of the Charrette process will be critical. The end result will be the final set of Zoning regulation and a code regulating plan that will come out of the Charrette, which is a form-based code.

Mr. Peck stated that this Commission is currently working on revising the existing regulations, which is a process that started in 2003. He is hopeful that this will be finished this year. At the same time, the Town is working on the Planned Area Development Regulation (PAD). The initial

draft has already been completed. After receiving all comments from Boards and Commissions, Mr. Peck stated that he and the Town Attorney will be working on the second draft of this regulation. He stated that the Charrette consultants will be fitting this regulation in with what comes out of the Charrette process. The end result will be a completely integrated set of regulations, with code, for the Center area with design guidelines.

Mr. Peck stated that the Town will end up with zoning documents consisting of the Town Center documents, Master Plan; Regulating Plan, a form based code and a specific area on the Zoning map that shows that this area is eligible for the overlay zone. He recommends that the overlay zones be north of the Town Center, just south of the Westminster Drive and south to include part of the Dyno Nobel property. The Commission had a discussion regarding what the overlay zone should include on both sides of Hopmeadow Street. Mr. Peck also suggested that the Center area go all the way to the River because of the destination location and DEP grants. He stated that there is a possibility to have another road like Iron Horse Boulevard on the other side of the Performing Arts Center, although there are some environmental and floodplain issues with this. The ability to get more circulation in a much broader area rather than just a long narrow Center area, which is what the Town currently has, may give a lot more flexibility in the future.

There was some discussion regarding the Incentive Housing Zone. Mr. Peck stated that not all of the 20 properties will qualify. He is hopeful that the consultant to study 6 of those 20 properties. This study is to look at what is possible and what the Town currently needs regarding housing. He stated that live-work units and apartments would be possibilities, which are fundable under the IHZ. Mr. Peck stated that once the regulations are adopted, the applicant will not have to go through a big public hearing process if they come in with a site plan and they meet the requirements and guidelines for density.

Mr. Peck stated that there is an upcoming workshop regarding density on May 15th; he encouraged the Commission members to attend. He stated that this workshop will show what the different types of density will look like and how they can be made more acceptable.

Regarding revisions to the regulations, Mr. Peck stated that in the current regulations there are professional offices and home occupations, which, from time to time, have caused issues. He suggested that professional office and home occupations be split apart because there is a clear difference between them. He also suggested that each have their own standards to state whether or not they are acceptable. Chairman Barney stated that landscaping businesses should be considered as a home

occupation; there have been several issues regarding these businesses. Mr. Peck asked the Commission members to consider the ability to allow the person to rent out the residential part of the dwelling and live somewhere else as long as they still have their business in the dwelling. Chairman Barney stated that his preference would be to write the regulation to the inverse; the original intent was that the two uses could not be split.

Regarding accessory dwelling units, Mr. Peck questioned if there were any issues that the Commission members feel should be address. The Commission discussed several examples where this has been an issue.

### III. ADJOURNMENT

Mr. Delehanty made a motion to adjourn the meeting at 7:30 p.m. Mr. Gallagher seconded the motion, which was unanimously approved.