

From: Carrie Vibert June 19, 2012 11:36:25 AM
Subject: Zoning Commission Minutes 06/04/2012 ADOPTED
To: SimsburyCT_ZoningMin
Cc:

ZONING COMMISSION - REGULAR MEETING
ADOPTED MINUTES
JUNE 4, 2012

I. CALL TO ORDER

Robert Pomeroy, Chairman, called the regular meeting for the Zoning Commission to order at 7:05PM on Monday, June 4, 2012 in the Main Meeting Room of the Simsbury Town Offices. The following members and alternates were present: Amy Salls, Dave Ryan, Ed Pabich, Gerald Post, Edward Cosgrove and Vaughn Marecki. Others in attendance included Hiram Peck, Director of Planning and other interested parties.

II. ALTERNATES

Commissioner Pomeroy appointed Commissioner Cosgrove as the alternate for Commissioner Fiske.

III. APPROVAL OF MINUTES of the May 21, 2012 Regular Meeting

This minutes were accepted as presented by Commissioner Pomeroy.

IV. CONSENT AGENDA ITEMS:

a. Signs for the Mill at Hop Brook

Commissioner Pomeroy moved to approve the signs for the Mill at Hop Brook, and it was unanimously approved.

V. PUBLIC HEARING(s)

a. To hear public comment and to consider adoption of the proposed amendments to the Town of Simsbury's Zoning Regulations for IHZ (Incentive Housing Zones) Zoning.

Commissioner Pomeroy explained that this public hearing was still open from the last Regular Zoning meeting (May 21, 2012) and asked if there were any audience members that would like to speak with regards to this matter.

Jim Gallagher, 27 White Oak Lane, addressed the Commission asking a question regarding how the Zone can be applied to various properties/developments, separate from the current properties under consideration. Mr. Peck explained that the Town has control over where this can be applied, and said not all areas are appropriate. Mr. Gallagher also mentioned there

is no sewer available for the Plank Hill site that is currently being considered. Mr. Peck said the site is not required to have sewer. When Mr. Gallagher asked who controls the density on each site, Mr. Peck said as long as it is within the IHZ guidelines, it is the Owner who ultimately decides. The topic of Spot Zoning was also briefly discussed between Mr. Gallagher and Mr. Peck. The maximum level of income allowed for eligibility (approximately \$80K/year) was also discussed briefly. Income levels and housing cost was discussed further.

Sue Bednarczyk, 119 East Weatogue Street, said it was her understanding that if the parcel was designated as IHZ and the developer wanted six (6) dwellings on that Plank Hill property, he could build six (6). Mr. Peck confirmed that is correct.

Steven Stang, 2 Old Stone Crossing & Owner of the Tariffville site under consideration for IHZ, said he thinks the IHZ is an excellent idea, but he is nervous he will get locked-in if his property is designated IHZ, losing the opportunity for alternative uses for his property. That being said, Mr. Stang said he was concerned that if none of these three (3) sites commit now, the option for affordable housing will disappear. Mr. Peck said there are alternatives and they can draft another regulation, similar to the IHZ, if they find that is the best option. Commissioner Pabich asked Mr. Stang if he is prepared to accept an IHZ overlay on his property now. Mr. Stang said no, he is not because he doesn't want to extinguish the existing zoning of the property.

Commissioner Cosgrove asked if new properties could be added into consideration for the re-zoning to IHZ. Mr. Peck commented that if they craft their own regulation, alternative sites can be added for consideration.

Commissioner Pomeroy said, at this point, he does not see any of these three (3) sites as ready to be designation IHZ. He continued by saying, while there is substantial interest in the idea of creating more affordable housing in Town, this method doesn't seem to work at this time and he thinks alternative solutions should be considered. Commissioner Pomeroy said he thinks the regulation needs to be designed/crafted and then allow property owners to come in and ask to be considered as a candidate for this newly created zone.

Commissioner Post asked about the allowance for mixed-use on these IHZ properties at future dates. Mr. Peck said it is site-dependent, as it is not appropriate for Plank Hill, but it would for the Northeast Utilities site.

Mr. Peck suggested the Commission close the hearing and consider a re-

crafting of the regulation in order to reach the goal of creating more affordable housing. Commissioner Salls said she thinks this is an important issue and that she wants to see it done right as opposed to rushing the process. Commissioner Pabich said he would be happy to work with Mr. Peck in crafting the language for a new regulation.

Commissioner Ryan moved to close the public hearing regarding the consideration of adoption of the proposed amendments to the Town of Simsbury's Zoning Regulations for IHZ (Incentive Housing Zones) Zoning. The motion was seconded by Commissioner Pabich and passed unanimously.

VI. PRESENTATIONS:

a. Informal discussion to renovations at Powder Forest Single Family Cluster Zone (CZ)

Andy Difatta, Ensign-Bickford Realty Corporation, addressed the Commission and started with an overview of the home sales they have experienced over the past few years at Powder Forest. He then spoke of the planned evolution of the project and how their plans have changed due to the current economic environment and real estate market conditions. Looking towards what will work in the future, Mr. Difatta said, they are trying to come up with something that will absorb more quickly than what they currently have available. At this point, Mr. Difatta handed the presentation over to Ron Janeczko, Landworks Development, LLC.

Mr. Janeczko said they see a demand for lifestyle housing, with minimal maintenance, and no age restriction. Mr. Janeczko said they see these units as a chance to bring diversity of housing in Simsbury that will compliment the existing housing stock in Town. He explained how they will create a separate entrance point for this section of the development, giving the new sub-community its own identity. Mr. Janeczko showed a site plan illustrating the connectivity of the new community and the lots of the projected 74 homes. He continued by showing boards that illustrated an enlarged view of a few lots/units and provided some more specifications of the individual properties. Mr. Janeczko said he would like this to be considered a site plan modification, since the specifications are similar to the previously approved site plan. Mr. Janeczko said they have been working with Jack Kemper on the design of the homes and he showed six (6) renderings, providing specifications on each of the layouts. When Commissioner Pabich asked about square footage, Mr. Janeczko said the current unit designs range from 1,624 SF - 2,056 SF). In response to a question posed by Commissioner Marecki, Mr. Janeczko said the plan is to enable any plan to fit on any lot. Speaking of price, Mr. Janeczko said their price point is high-\$300K to mid-\$400K, along with a monthly maintenance fee. He spoke of the consistency, regarding look and feel, with the existing Powder Forest homes. The likely potential buyers for this type of unit was discussed by Mr. Janeczko and the Commission members.

Commissioner Post asked if the units must be owner occupied or if renting was allowed. Mr. Janeczko said yes, people can rent out, although in their experience, it doesn't happen often.

Mr. Janeczko closed by asking the Commission if this is really that significant of a change from their originally approved site plan. He stated this is a site plan modification and let the Commission know that they have submitted a formal site plan modification request to Mr. Peck.

Commissioner Pomeroy asked Mr. Peck if there is a legal issue with the fact that the developer has changed and Mr. Peck responded by saying that was not an issue. Mr. Peck did say he spoke to the Town Attorney and he indicated that he is researching to see whether or not this needs a public hearing. He continued by stating if there were no change in the age restriction or development, there would be no required public hearing, but these things were changed. Mr. Peck said these questions would be answered prior to the next regular meeting. He closed by stating there are a lot of good things presented here, but the process needs to be executed properly. Commissioner Cosgrove asked if the original project was approved taking into consideration the fact that there would be no school children and if that would affect this modification. Mr. Peck said the Town Attorney is looking into that question as well.

VII. DISCUSSION AND POSSIBLE ACTION ON ANY AGENDA ITEM

a. Septemberfest activity and serving of wine and beer

Mr. Peck spoke of a letter to the Commission from Gerry Toner, Director of Culture, Parks and Recreation, regarding the request to allow the serving of beer and wine at the Septemberfest activities (weekend of September 14-16). It was stated they would have trained volunteers as servers. Mr. Peck said it would be staff's recommendation to approve, as there have been no issues in previous years. The topic of servers was discussed further.

Commissioner Ryan moved to approve the application to allow the serving of beer and wine at the Septemberfest activities, with the condition that they have certified servers. The motion was seconded by Commissioner Cosgrove and passed unanimously.

b. Sign approval process in general

Mr. Peck said a lot of the questions he had regarding this matter were answered already within the joint DRB & Zoning meeting. Mr. Peck then spoke briefly about the process of getting signs approved.

VIII. OTHER MATTERS AS MAY PROPERTY BE BROUGHT BEFORE THE COMMISSION

There were none.

IX. ADJOURNMENT

Commissioner Cosgrove moved to adjourn the Regular Meeting of the Zoning

Commission at 8:25PM. The motion was seconded by Commissioner Ryan and passed unanimously.

Respectfully submitted,

Robert Pomeroy, Secretary