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ADOPTED

ECONOMIC DEVELOPMENT COMMISSION MINUTES
March 19, 2009
SPECIAL MEETING

I. CALL TO ORDER

Chairman Frank called the special meeting of the Economic Development Commission to order at 7:30 AM in the Board of Education Conference Room of the Simsbury Town Offices. Commission members Mark Deming, Nancy Haase, Alan Needham, Derek Peterson, and Lou George were present.

II. Discussion regarding the draft Planned Area Development (PAD) zoning regulation

Chairman Frank stated that the PAD draft regulation has been under consideration for some time. This regulation has been extensively presented in the community by the Town Attorney and Mr. Peck. They have made presentations to the Board of Selectmen, to the Land Use Commissions and at a joint meeting of the EDC and Chamber. Town residents are able to view the Board of Selectmen meeting presentation on SCTV, which is still being televised.

Chairman Frank stated that the EDC, at their last meeting, decided to hold a special meeting to discuss the PAD draft. He asked Mr. Peck what the purpose of this regulation is and how it changes zoning in Simsbury.

Mr. Peck stated that the PAD regulation was drafted in response to a request from the Board of Selectmen. Although the regulation speaks specifically to large sites, his recommendation is to remove the designation of the "large" site term so it can be used for infill development as well. The applicant will have a choice to come in under the current zone or a PAD, although the PAD would not apply to all zones in Town. Residential zones would not apply to the PAD. He stated that this regulation gives the Zoning Commission a great deal of flexibility. An applicant could come in to apply for a PAD and then that development could

become the regulation for that area.

Mr. Peck stated that he would like to get comments and concerns from Commission members as soon as possible in order for him to get them to the Zoning Commission in April. He stated that he would like to also have a public meeting for discussion in April. They would then take it to the statutorily required public hearing by the Zoning Commission in May. Mr. Peck stated that there has been a suggestion to have a working group. He stated his concerns with having smaller groups; he would like to keep this process as open as possible with as large a group as possible. He stated that it will be difficult to have everyone's point of view satisfied. He feels that it is important that this document be a compromise.

Chairman Frank stated that the EDC would need to decide if they would like to take a position as a Commission regarding the PAD regulation. He asked that each Commission member ask any question they may have.

Commissioner Haase questioned if there would be several versions of the PAD and that one would fit appropriately to one area. Mr. Peck stated that they could be very different. If something conforms to the regulation, the Zoning Commission could land a certain zone there, PAD1, which would have a specific character. Another area in Town could use the same regulation and propose something different.

In response to Commissioner Haase's question regarding the PAD and the Incentive Housing Zone (IHZ), Mr. Peck stated that the current zone and the underlying zone could be developed under a PAD. He stated that the IHZ is specifically designed to promote higher density housing. He stated that this is just a different tool that people can choose from.

John Loomis, Chairman of the Planning Commission, stated that the IHZ has great benefits to the Town regarding revenue.

Commissioner Deming questioned how the PAD is different from the PDD. Mr. Peck stated that they are both similar with what they do; they are both mixed use regulations that provide flexibility to Boards and Commissions.

Commissioner Deming questioned how the outcome of a Charrette might impact the PAD. Mr. Peck stated that there is a lot of wording in the PAD that discusses form-base. He stated that the Charrette and PAD regulation will integrate well. All of the consultants for the Charrette are willing to work with this regulation. He stated that they can all fit within a form-based product.

Commissioner Peterson stated that, regarding the public meeting, he feels that there needs to be notification to the public as soon as possible. He

feels that a public meeting will help move this process along. Mr. Peck stated that adequate notice will be given to the public so people can comment on the regulation. He stated that input from the Boards and Commissions is necessary so that the draft is close to what they may approve prior to the public meeting.

Commissioner George stated that he feels the PAD regulation is a good idea. He stated that the Town needs to decide if this regulation will have the specifics of a form-based regulation in terms of the design and size of buildings or if it will be flexible. He feels that there should be flexibility and that the decision making should be left up to the Boards and Commissions. Mr. Peck stated that an applicant will come in with a preliminary plan to get feedback from the Boards and Commissions at a joint meeting. He stated that there is a tremendous amount of flexibility in this regulation to let someone bring in plans for whatever they want to do. If the Commission feels this is something that would be good for Simsbury, then the applicant can come back with a specific plan.

Commissioner George stated that he feels that the combined meetings with the Commissions are a good idea. He also stated his concern that there may be too much detail in this regulation. He would like the developer to decide what ideas they want to bring in. He also stated that he feels people need to understand that this regulation is more flexible than the PDD was.

Regarding Section Four, Standards, in the PAD draft, Commissioner George stated that he feels this paragraph regarding open space needs additional work. He feels that the Town can use this to their advantage with regard to transfer of development rights.

In response to Commissioner Haase's question regarding the blanks in the draft regulation, Mr. Peck stated that he is encouraging people to make suggestions and give feedback that what the numbers might be. The Zoning Commission will have to put the numbers in, hopefully, based on this feedback. He stated that these blanks will be filled in prior to the public meeting.

Ferg Jansen, member of the Planning Commission, stated that he feels the most important aspect of this regulation is the preliminary review. He does not want to squash the creativity of a developer. He feels that this draft regulation is not too far off from what should be approved.

Chairman Frank stated that the Commission has a process decision to make. He stated that there will be a variety of views regarding this draft regulation. He asked the Commission members if they should give their input as a Commission or individually. Commissioner Deming felt that they

should respond to the regulation as a Commission. Commissioner Haase stated her concerns regarding the timeliness of the process. She feels that the Commission should first make a general statement. Commissioner George also felt that they should respond as a Commission. He stated that the EDC should lead and develop a consensus, although he feels that individual comments should be discussed. This Commission should get a consensus on the important issues, although present both sides of issues that they are not able to reach a consensus on.

Chairman Frank stated that the EDC could draft a statement that represents the views of this Commission. He stated that they could hold a special meeting or several members of the Commission could draft this letter.

Commissioner Deming suggested that each member of the Commission write their comments so that they can be discussed at the next meeting.

Commissioner Haase suggested that the Commission members share their comments in advance of the next meeting so issues could be discussed and they could agree, at the next meeting, on the content of the letter.

Commissioner George disagreed. He stated that the Commission should discuss the regulation now. He stated that the EDC should lead by example.

Commissioner Haase made a motion that this issue would be discussed at a special meeting on April 2nd. Commissioner Deming seconded the motion, which was approved. Commissioner George voted in opposition.

III. Discussion regarding the concept and definition of Simsbury's Center Zone

Commissioner George stated that he wants to make sure that the Center Zone Regulation continues to move forward independently from the PAD regulation. He stated that if there are changes to the Center Zone Regulations, they should be implemented prior to the PAD regulation. He stated, also, that the boundary of the Center Zone should be made clear in the PAD. There may be areas that are outside of the Center Zone that should be included. He stated that the underlying zones also need to be well defined.

In response to a question by Commissioner Deming regarding how the Town looks at the Center Zone regarding expansion, Mr. Peck stated that the objective needs to be determined. He stated that if the purpose is to change the underlying zone to the Center Zone, then the zone change would be necessary. If the purpose is to allow different types of development to occur, this could be done under the PAD regulation. If the purpose is to set specific standards for a development, this could be done through the Charrette process, the PAD process, etc. Changing a zone needs to have a rational.

Regarding long term planning, Commissioner Deming questioned if the Town

wants to identify the current Center Zone and potential add-on's, being proactive, or be reactive when someone comes in with a request. Mr. Loomis stated that the POCD states that separation is valuable between areas. He stated that West Street has its own identity; certain things are appropriate for certain areas, such as walkability.

Mr. Peck stated that a Charrette will define the Center. He stated that it will be a collaborative process with a lot of input.

Commissioner Haase questioned if the EDC was responsible for some of the implementation of the POCD. Mr. Loomis stated that some of the initiatives have taken time; there is no system regarding implementation. The EDC has specific implementation policies. Commissioner Haase suggested having a Subcommittee to work with the Chamber to identify the properties that should go before the Zoning Commission to be included in the Center Zone.

Commissioner George asked what the status of the Charrette process was. Mr. Peck stated that he has sent revised proposals back to the three consultants. They are asking the consultants what can be done for a certain amount of money in a certain amount of time. Their responses are due back by March 31st. He stated that the total amount of money allotted for the Charrette is currently \$52,300, with several grants pending.

IV. Possible action on any agenda item

Commissioner George stated that the EDC could help focus, identify and move the Center Zone Regulation. He stated that the Commission could draft a letter to suggest that the Town Center Charrette move along so that the Center Zone could be well defined with the proper regulation for development. He suggested putting together a draft letter to discuss at the next meeting. Mr. Loomis suggested that the letter be directed to the Zoning Commission with copies to the Board of Selectmen, the Planning Commission and the Design Review Board.

V. Adjournment

Commissioner Haase made a motion to adjourn the meeting at 9:20 am. Commissioner George seconded the motion, which was unanimously approved.