

From: Lois Laczko April 20, 2009 11:47:15 AM  
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To: SimsburyCT\_EconMin  
Cc:

ADOPTED

ECONOMIC DEVELOPMENT COMMISSION MINUTES  
April 2, 2009  
SPECIAL MEETING

I. Call to Order

Chairman Frank called the special meeting of the Economic Development Commission to order at 7:33 AM in the Main Meeting Room of the Simsbury Town Offices. Commission members Mark Deming, Nancy Haase, Alan Levesque, Chuck Minor, Kevin Crimmins, Derek Peterson, and Lou George were present.

II. Election of Chair of EDC

Commissioner Haase made a motion to elect Mark Deming as the Economic Development Commission's new Chairman. Commissioner Minor seconded the motion, which was unanimously approved.

Commissioner Minor made a motion to elect Nancy Haase as the Economic Development Commission's new Vice Chairman. Commissioner George seconded the motion, which was unanimously approved.

Chairman Deming stated that he would like to change the agenda to add new business. Commissioner Frank stated that they are not permitted to alter the agenda for a special meeting. The new business could be discussed at the next regular meeting, which will be held on April 16th.

III. Discussion and possible action regarding the draft PAD zoning regulation

Mr. Peck stated that several more comments have been submitted to him since the EDC's last meeting. He will be forwarding all of the comments to the Town Attorney for his consideration. No changes have been made to the draft thus far.

Mr. Peck stated that the Chamber of Commerce has asked for another meeting

with the Town Attorney and himself in order to discuss this regulation further. He stated that he is hopeful that they will have a public meeting in early May and a public hearing by the end of May. He stated that some people would like to see more details in this regulation, and some people would like to see less. He feels that they need to come up with a compromise that the Zoning Commission can adopt.

Commissioner Peterson suggested going through the draft PAD regulation line by line.

Commissioner Haase stated that she supports the word, "large" being removed from Section One. There was also concern regarding Section One, (b) and would like the word "scrutiny" to be added. This would read, "...this regulation is subject to greater scrutiny...". Also the addition of, " or pre-development costs" to the end of paragraph (b).

Commissioner Minor stated that Section Two (b) talks about standards. He questioned which standards these are; he feels that this should be more specific. He questioned if those standards were the standards that are in this regulation or the POCD. Mr. Peck stated that this is intended to reflect all standards. Commissioner Frank stated that the POCD is a very important document for the Town. He questioned if the POCD has standards in it or if the POCD was a series of recommendations. Mr. Peck stated that it is a document that the Planning Commission uses to make referrals and recommendations back to the Zoning Commission; it is used as a standard to establish policies and guidelines for making referrals.

Chairman Deming questioned if people wanted detailed metrics in this regulation. Mr. Peck stated that one of the main components of this regulation is that the Zoning Commission, based upon the standards in this regulation, has the ability to waive various standards; the other Boards and Commissions have their own guidelines and standards upon which they make recommendations to the Zoning Commission. He feels that if there are too many standards in this regulation, it will be a totally different document.

Commissioner George feels that this will be an issue among people. Mr. Peck stated that it is up to the Zoning Commission as to how many standards they take to the public hearing. He feels that if they keep this regulation balanced, it should be successful.

Regarding Section Three, Eligible Zones and Minimum Tract Size, Commissioner George questioned if the blanks would be filled in with minimum acreage based on zones so the Town has one document that can be laid in different areas of Town. Mr. Peck stated that this would not be difficult to do in many zones in Town. He stated that the acreage for the Center Zone would be much smaller. He stated that these blanks would be

filled in prior to the next revision. Commissioner George stated that the Center Zone needs to be determined prior to the acreage being filled in also. Mr. Peck stated that this can be put in for the existing Center Zone, but also further delineate where the Center Zone is. Commissioner George stated that if this is not done now, there are probably some areas that are industrial that will not be able to get a small minimum acre because people will be concerned about other areas in Town that are industrial. He stated that an example of this would be the Ensign Bickford area.

Regarding Section Four (f), Commissioner George questioned if this blank would be filled in with one number that would apply to all of the zones or if this number would be altered for different zones. Mr. Peck believes that the Center Zone will be different from the rest of the zones.

Commissioner George stated that another concern of his was in Section Four (i) regarding open space. He feels that this should be omitted and the term, "transfer of public benefit rights" should be used. He stated that the language in this paragraph needs to be worked on.

Commissioner Crimmins stated that all of the examples that Commissioner George gave regarding transfer of public benefit rights was regarding financial transfers to the Town or to another parcel. He questioned if Commissioner George felt that enhancing another parcel or part of Town would fit into his definition of "transfer of public benefit rights". Commissioner George agreed that enhancements could also be made this way. Chairman Deming stated that the tradeoff would be a benefit to the public or the Town; it would have this flexibility. Commissioner George stated that he is a big advocate of this concept.

The Commission discussed several examples and possibilities of transfer of public benefit rights.

Regarding the draft PAD regulation, Chairman Deming stated that the EDC is concerned with the following: a better defined Center Zone boundaries as reflected on the Zoning map as recommended by the POCD; that the concept of transfer of public benefit rights be included; that Section Four (c) should read, "...the distance from existing business or village centers, the relationship to dedicated public benefit rights and/or ..."; and that the term open space should also change.

Regarding Section Two, (c), Commissioner Peterson questioned why there had to be three or more significant revenue-producing uses and not two or more. Mr. Peck stated that the idea was to try and generate some sort of synergy between the uses, although this number may get changed to two.

Regarding Section Four (j), Parking, Commissioner George stated that there would need to be different standards for the Center Zone. Mr. Peck stated that instead of imposing strict standards, some of the Center Zone may not have parking standards at all. He stated that the applicant would need to come in with a plan to show that they can provide parking that will satisfy the uses that they are proposing.

Under Section Five, Preliminary Development Plan Review, Number 7, Commissioner Minor questioned if the public meeting that will take place would be a public hearing. Mr. Peck stated that this would be a preliminary meeting where the Commission could make comments, but that they would not be held to those comments if the applicant came in with a different plan. The developer could expect the same opinions if the plans were the same.

In this same section, on Page 9, paragraph 2, Commissioner Minor stated that this seems like this is a critical step. Mr. Peck stated that the Zoning Commission needs to find that the plan meets the standards in this regulation. The idea is to try and leave the Zoning Commission enough latitude to make decisions with the applicant's information and public comments. When a decision is made on the final site plan, this is when the plan becomes accepted.

Regarding Section Six (f), Commissioner Haase stated that Mr. Loomis had suggested adding, "...and the adopted Plan of Conservation and Development" to the end of that paragraph.

Regarding Section Eight, Bonding, Commissioner George questioned if there was any part of this process where the Town could look at the financial ability to complete a project. Mr. Peck stated that this would be called Fiscal Zoning, which is not legally allowed. The Zoning Commission cannot base their decision on this, although questions could be asked of the applicant. Commissioner Crimmins stated that one way to solve this is that there can be an approval for the zone change that is tied to the completion of the proposed project; if the developer does not complete the project then that zone change would not take place and would stay in the old zone.

Mr. Peck stated that the zone changes when the approval is made, but this is the reason for this bonding section.

Mr. Peck stated that he will get these comments into the next revision.

IV. Report on next steps regarding possible Town purchase of Simsbury's airport

Commissioner Crimmins recused himself from the Commission during this

discussion.

Commissioner George stated that he spoke with Bill Thomas regarding a development plans to get caught up and see where they are. Mr. Thomas will be contacting someone from the FAA to set up a meeting to discuss the financials and things that need to be done. They will also meet with Town staff to get their understanding of what the consult did, what people have raised as questions and if they were taken into account and also to get Town staff's perspective. Commissioner George stated that the third step would be to sit down with the owners.

Commissioner George stated that he is not sure of what the definition of going to Phase II means. Mr. Peck stated that Phase I will be looked at in more detail and to cost out the various things including what the purchase would be, the improvements that need to be made and who would be responsible for the various costs.

Commissioner George feels that there should be a Phase 1 ½. He stated that the consultants did their work to a point; there are issues with that point and there are still a number of options and it is not clear which way to go. He feels that further work needs to be done so that the Town can go to Phase II, which is the plan that is being recommended and do the environmental studies and do the due diligence as if the Town were going to buy the airport.

Commissioner Peterson questioned if there was any decision to move forward based on the study. He stated that the study is still in draft form and the consultants are not willing to make any changes. He questioned how it makes sense to move forward onto Phase II when the recommendation is that the study is not financially viable based on things that should be changed.

Mr. Peck stated that the Town needs to look into the fact that the consultants came up with an answer. If people disagree with that answer, that is fine, but the consultant may be unwilling to go back and restudy this to come up with a different answer. If there are questions that still need to be answered, then those questions need to be posed to the consultant.

Commissioner Haase stated that they would need to get back to the consultant prior to discussing this any further based on the comments that are given to the consultants from the FAA and Town staff.

Chairman Deming stated that this item will be on the agenda for the next regular meeting.

V. ADJOURNMENT

Commissioner George motioned to adjourn the meeting at 9:00 am.  
Commissioner Haase seconded the motion, which was unanimously approved.