

From: Lois Laczko May 18, 2010 12:19:15 PM
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To: SimsburyCT_PlanMin
Cc:

ADOPTED

PLANNING COMMISSION MEETING
April 27, 2010
REGULAR MEETING

I. CALL TO ORDER

Chairman John Loomis called the regular meeting of the Planning Commission to order at 7:02 p.m. in the Main Meeting Room at the Simsbury Town Offices. The following members were present: Ferg Jansen, Charles Houlihan, Tina Hallenbeck, and Michael Paine. Also in attendance were Howard Beach, Zoning Enforcement Officer, as well as other interested parties.

II. SEATING OF ALTERNATES

No alternates were needed.

III. POSSIBLE APPROVAL OF MINUTES from the April 13, 2010 meeting

Several edits were made to the minutes.

Commissioner Jansen made a motion to table the minutes until the next regularly scheduled meeting because of the lack of a quorum. The motion was seconded, which was unanimously approved.

IV. UPDATES

PLANNED AREA DEVELOPMENT (PAD)

Chairman Loomis stated that there is a Zoning Commission meeting scheduled for May 3rd, which is a continuation of their public hearing. The meeting will hopefully result in a conclusion to the public hearing activity, although there is no time limit regarding the public hearing; there is no a statutory timeframe. Chairman Loomis stated that, at the last public hearing, there was a vote of 4-2 by the Zoning Commission in favor of having another meeting to engage in some consideration of some of the

content from the Plan of Conservation and Development and what Plan content, if any, should be included as standards within the PAD Regulation. Chairman Loomis stated that people who wish to comment regarding the PAD Regulation may do so again at this meeting. There is no commitment from the Zoning Commission to do anything with the PAD draft at this time.

Chairman Loomis stated that he has looked at the Plan of Conservation and Development with respect to, what, if any of the content of the Plan could be a candidate for consideration, discussion or possible inclusion in the proposed regulation. This would possibly include the few hard metrics that are in the Special Areas Section of the Plan; most of these are in the southern and northern gateways.

Commissioner Jansen stated that the Planning Commission endorsed the draft PAD Regulation. He stated his concerns regarding the delay of adopting this Regulation. He does not want to keep developers waiting any longer.

Commissioner Paine stated that he felt there were a lot of points raised at the last Zoning Commission meeting; some of these same points were raised at the original public hearing. He does not feel that there are substantive suggestions and edits like the Planning Commission gave to change the document to make it better. He also does not feel that metrics within this document would improve the document.

Commissioner Hallenbeck stated that many people have had questions and misunderstandings about the metrics. She suggested putting visuals in the document to support the metrics in order to clear the minds of people who do not understand the metrics or who may possibly have a different visual interpretation of what certain metrics mean.

Chairman Loomis stated that the metrics would occur under the Zoning Commission's purview. The Plan of Conservation and Development is entirely a recommendation. The Zoning Commission is only obligated to consider the Plan. On Page 114-115 of the Plan of Conservation and Development regarding "How We Want to Grow Economic Development", Chairman Loomis read Policy 6 and Objective A and B to the Commission members. He stated that there is also a great deal of material prior to this about appropriateness to each area.

Commissioner Houlihan stated that the standards in the PAD Regulation set the agenda for what the developer needs to discuss with the Zoning Commission; the developer needs to be responsive to each of those items. Chairman Loomis stated that the difference is, with the PAD Regulation as it is, it is the applicant who defines the particular standards that will apply to the area for which he is applying for the PAD. Those who want to see more in the PAD Regulation itself are looking for the Town to provide

more specific guidance at the front end of the process. Commissioner Jansen stated that this is a significant difference.

Commissioner Jansen stated that if the Regulation is too specific, developers will not want to work with Simsbury. Secondly, in Section One, Number Two, it states, "provide prompt, non-binding feedback". He feels that this sets the tone for the whole document; this is very important. Lastly, he stated that the Zoning Commission always has the right to turn a project down.

Chairman Loomis stated that the Town Attorney is still looking for direction from the Zoning Commission. When the public hearing closes, the Zoning Commission will have a discussion and then vote on the PAD Regulation, either as it is or there may possibly be certain elements for inclusion.

Commissioner Hallenbeck questioned how the second public hearing went last week. Commissioner Houlihan stated that Mr. Peck started the meeting by answering some of the more frequently asked questions and common concerns of the residents. Commissioner Houlihan stated that he felt this was an effective way to start the meeting. Chairman Loomis stated that some residents are fearful, and others feel that the PAD Regulation will serve the Town well over time.

Chairman Loomis encouraged the Commission members to go to the Zoning Commission meeting on May 3rd.

INCENTIVE HOUSING ZONE (IHZ)

Mr. Beach stated that the Legislature has reduced the funding for the Incentive Housing program, although they have not taken the funding away altogether. The Town of Wallingford submitted their regulation several months ago, but OPM did not act on it because of the lack of funding at that time. The Town of Wallingford has reapplied to the State and has asked that their regulation be approved without the funding. OPM has not weighed in on this request as of yet.

CHARRETTE

Mr. Beach stated that Code Studio will be back tomorrow night at the Simsbury High School at 7 p.m. The Town continues to try to get additional funding for the consultant to come back again. After tomorrow's meeting, Code Studio may make changes to the Code. There were also discussions regarding the consultant coming back for a workshop regarding how the Regulation will work.

Chairman Loomis stated that, after Code Studio submits the final document to the Town, the Zoning Commission will hold a public hearing and the Planning Commission will get a referral.

OTHER BUSINESS

Mr. Beach stated that the DEP has come up with another round of open space grants that are available. The deadline for this grant is this coming Monday, May 3rd. Town staff is currently finishing up an application for \$2 million for the next phase of the Ethel Walker property. One of the requirements of this grant is that DEP is looking for support from the Town's Boards and Commissions stating that they agree that the acquisition of open space for the Ethel Walker property and that it is beneficial to the Town for whatever reason. The letter should also state that they support the Town's asking for this grant. Because of the deadline, Mr. Beach asked that the Planning Commission discuss this and write a letter in favor of this grant. Mr. Beach distributed a copy of several pages of the Plan of Conservation and Development that specifically discusses the Ethel Walker property.

Commissioner Houlihan stated that the Planning Commission could authorize the Chairman to write a letter in support of the application, specifically the references to Ethel Walker and related topics. He suggested that they could enclose a copy of the pages of the POCD along with their endorsement of the grant.

Chairman Loomis stated that there is a question as to whether or not all of the phases that are before the Town should be fully funded. Mr. Beach stated that the Town is required to get two new appraisals for this property.

Chairman Loomis stated that he would be willing to sign a letter reiterating what is in the Plan of Conservation and Development.

Commissioner Jansen stated that this letter would be reaffirming what is in the Plan of Conservation and Development. The Commission members agreed.

Mr. Beach stated that he would draft a letter and email this draft to Chairman Loomis for his review.

Commissioner Houlihan made a motion that the Planning Commission authorize the Chairman, or in his absence the Secretary, to sign a letter endorsing the application of the Town for the grant opportunity that is present and to provide, attached to that letter, a portion of the Plan of Conservation and Development that endorses the acquisition of the Ethel Walker Woods. Commissioner Jansen seconded the motion, which was unanimously approved.

V. ADJOURNMENT

Commissioner Jansen made a motion to adjourn the meeting at 8:22 p.m.
Commissioner Paine seconded the motion, which was unanimously approved.

Gerry Post, Secretary