

From: Lois Laczko June 28, 2010 11:29:23 AM
Subject: Planning Commission Minutes 05/25/2010 ADOPTED
To: SimsburyCT_PlanMin
Cc:

ADOPTED

PLANNING COMMISSION MEETING
May 25, 2010
REGULAR MEETING

I. CALL TO ORDER

Chairman John Loomis called the regular meeting of the Planning Commission to order at 7:10 p.m. in the Main Meeting Room at the Simsbury Town Offices. The following members were present: Ferg Jansen, Charles Houlihan, and Michael Paine. Also in attendance were Hiram Peck, Director of Planning, as well as other interested parties.

II. SEATING OF ALTERNATES

No alternates were needed.

III. POSSIBLE APPROVAL OF MINUTES from May 11, 2010

The May 11, 2010 minutes were tabled to the next regularly scheduled meeting because of a lack of a quorum.

IV. DISCUSSION AND POSSIBLE ACTION REGARDING ADDING ILLUSTRATIVE PLAN TO POCD.

Mr. Peck stated that last September, the Town went through a Charrette process. The results of that process were the Illustrative Plan. During the Charrette, the Town Center was studied in order to determine what the Town and residents wanted the Center to look like in the years to come.

Mr. Peck stated that, at this time, it is his recommendation that the Planning Commission consider adding the Illustrative Plan of the Town Center to the Plan of Conservation of Development. He stated that there are nine policies in the POCD that support this recommendation. Mr. Peck reviewed these policies with the Commission members, which included:

1. Establish a broad, conceptual master plan for Simsbury Center.
2. Expand the Simsbury Center Zone.
3. Encourage the Zoning Commission to designate Simsbury Center as a "village district".
4. Encourage greater density in Simsbury Center.
5. Increase the residential component of the Simsbury Center.
6. Continue efforts to make Simsbury Center even more pedestrian friendly.
7. Ensure the provision of "green space" within the Simsbury Center Zone.
8. Strive to reduce or minimize the impact of less attractive features (such as utility wires).
9. Promote municipal ownership and management of parking areas currently owned by the State.

Mr. Peck stated that this Illustrative Plan represents these nine policies. He stated that there are also performance objectives that are contained in the Simsbury Center Zone, which include: statement of intent; permitted uses; design requirements; and parking requirements. Mr. Peck stated that he believes that the Illustrative Plan supports the performance objectives that are stated in the Plan as well. Based upon this and upon the policies that are in existence, it was Mr. Peck's recommendation that the Planning Commission consider adopting the Illustrative Plan as an amendment to the Plan of Conservation and Development. He feels that this furthers the goals and policies and intent of the Plan of Conservation and Development as it is drafted today.

Mr. Peck stated that the Illustrative Plan is in keeping with the degree of detail in the Plan of Conservation of Development. The regulating plan is a zoning map for the Town center. As part of the Regulating Plan, there will be five maps associated with it. Chairman Loomis stated that one of the differences between what is in the Plan and the Illustrative Plan is what happens on the west side of Hopmeadow. The Planning Commission, through the Plan, had recommended that the west side of Hopmeadow Street be more open to mixed use, including retail. Mr. Peck stated that there is a tone in the POCD for preserving the existing character of the Town. He stated that there was a lot of discussion during the Charrette process regarding what people wanted to see along Hopmeadow Street.

Commissioner Houlihan stated that he agrees with Mr. Peck. There is no question that the Plan of Conservation of Development is consistent with the Illustrative Plan, although he questioned why the Commission should make this a part of the POCD. He feels that this plan is a middle step between the POCD and the zoning regulations. He feels that the Planning Commission's job ended with the POCD. He does not see any benefit to putting this Illustrative Plan into the POCD.

Commissioner Jansen stated that he does not believe that the Illustrative Plan should be adopted until the Zoning Commission holds a public hearing and finalizes everything. He feels that this Plan could be put into the POCD after that.

Commissioner Paine stated that if the Planning Commission approves the Illustrative Plan, he feels that this Commission would be getting ahead of Zoning. He feels it would make sense to endorse this Plan and then send it on to the Zoning Commission.

Chairman Loomis stated that he feels this Commission should move forward to a formal adoption as an amendment to the POCD. He also stated that the Commission could send an endorsement to the Zoning Commission.

Mr. Peck stated that the Zoning Commission will be looking at the regulating plan along with the code for this plan. He stated that this Commission should consider adopting the Illustrative Plan because when a referral comes to this Commission, they need to have a basis for that referral. He stated that this Commission can determine if the policies and the performance objectives that he reviewed comply. He feels that the timing is important because in order for the Zoning Commission to move forward with the draft regulation, there needs to be a basis for those referrals to be made. By adopting this picture as an Illustrative Plan, the timing is right and will assist the Zoning Commission as they go forward. Mr. Peck stated that the Town Attorney, Robert DeCrescenzo, and Attorney Sitkowski will also be recommending that the Planning Commission adopt the Illustrative Plan.

Regarding Commissioner Paine's suggestion in terms of an endorsement, Mr. Peck stated that the Commission could do this, although it is not necessary. He stated that Code Studio will be in Simsbury to make a public presentation on the final draft on June 9th. After this presentation, it will be up to the Commissions to decide if any changes should be made. The Zoning Commission will send over a referral to the Planning Commission and then the Zoning Commission will make their determination.

Commissioner Houlihan stated that there is a level of detail in the Illustrative Plan. He questioned what this Commission would be saying about what it represents. Mr. Peck stated that the Planning Commission should consider, if they decide to attach this as an amendment to the POCD, writing an informational introduction defining the Illustrative Plan, where it came from and how it is intended to be used. He stated that this should not be perceived as a zoning map.

Chairman Loomis stated that there was a consensus on the Commission

to endorse this, although nothing more than that.

V. DISCUSSION AND POSSIBLE ACTION ON CONSIDERATION OF A FEE IN LIEU OF OPEN SPACE SECTION TO BE ADDED TO THE SUBDIVISION REGULATIONS.

Chairman Loomis stated that there is no viable fund that exists into which funds designated for open space or agriculture can go. Although the idea of fee in lieu of may be a good one, he stated that the Finance Board and the First Selectmen need to agree to establish and administer the fund appropriately.

Mr. Peck stated that this money would come from the developers, not the public coffers. Also, the Statutes are clear; they allow the Town to do this. He also feels that it makes sense to decide where the money should be spent. Mr. Peck stated that a certain limitation on the Statute states that the Town is only allowed to ask for a fee of 10% of the property prior to its subdivision value. This 10% is based upon the pre-development value of the property.

Mr. Peck asked the Commission members to review the draft regulation in order to discuss this issue at their next meeting. Regarding the timeline, Mr. Peck stated that if the Commission would like to move forward, they would need to schedule a public hearing and can then adopt this into their regulations after that.

There was a consensus on the Commission that this regulation would not hurt the Town. Chairman Loomis stated that he would like to get input from the other Commission members at their next meeting.

Commissioner Paine questioned if language should be added into this regulation that this is a dedicated fund. Commissioner Houlihan stated that this is already included in the language, although it may not be clear enough.

VI. UPDATES

TOWN CENTER CODE STATUS

Mr. Peck stated that Code Studio will be back in Simsbury on June 9th and will hold a public presentation on the final draft of the code.

INCENTIVE HOUSING ZONE (IHZ) REGULATION STATUS

Mr. Peck distributed the draft Incentive Housing Zone regulation to the Commission members, which included the recommended revisions by the Design Review Board. The Town will be submitting this to OPM very soon.

VII. STAFF REPORT(s)

There were none.

VIII. COMMUNICATIONS AND ADMINISTRATIVE BUSINESS

There were none.

IX. ADJOURNMENT

Commissioner Jansen made a motion to adjourn the meeting at 8:25.
Commissioner Houlihan seconded the motion, which was unanimously approved.

Gerry Post, Secretary