

From: Lois Laczko November 1, 2010 4:17:33 PM  
Subject: Planning Commission Minutes 10/12/2010 ADOPTED  
To: SimsburyCT\_PlanMin  
Cc:

ADOPTED

PLANNING COMMISSION MEETING  
October 12, 2010  
REGULAR MEETING

I. CALL TO ORDER

Chairman Loomis called the regular meeting of the Planning Commission to order at 7:03 p.m. in the Main Meeting Room at the Simsbury Town Offices. The following members were present: Ferg Jansen, Sean Askham, Tina Hallenbeck, and Alan Needham. Also in attendance were Hiram Peck, Director of Planning, as well as other interested parties.

II. SEATING OF ALTERNATES

Chairman Loomis appointed Commissioner Needham to serve in the absence of Commissioner Houlihan and Commissioner Askham to serve in the vacated regular Planning Commission seat.

III. FIRST NOTICE OF ELECTION OF PLANNING COMMISSION SECRETARY IN ACCORDANCE WITH ADOPTED PLANNING COMMISSION RULES AND PROCEDURES TO FILL POSITION VACATED BY GERALD POST.

IV. DISCUSSION AND POSSIBLE ACTION

Amendment to Section III, Subsection 9 of the Town of Simsbury's Subdivision Regulations:

Addition of Subsection d: (NEW) Fee In Lieu Of Open Space  
Addition Subsection e: (NEW) Procedure

Mr. Peck stated that the issue was discussed at the last meeting regarding possibly adopting the Fee In Lieu of Open Space regulation. He distributed a revised draft of the regulation to the Commission. He stated that the regulation in regular type is what went to public hearing; the new revised sections are in bold. Mr. Peck reviewed the three recommended changes to the draft.

Mr. Peck stated that if the Commission wanted to incorporate these changes into the revision, this document will need to go to another public hearing. He stated that the Commission can adopt the regulation that was before the public or could notice another public hearing. He feels that the changes have a lot of merit; they simplify the process.

Commissioner Jansen stated that he is in favor of going back to public hearing with these revisions.

#### V. POSSIBLE APPROVAL OF MINUTES September 28, 2010

Several edits were made to the minutes.

Commissioner Jansen made a motion to approve the September 28, 2010 minutes as amended. Commissioner Askham seconded the motion, which was unanimously approved.

#### VI. UPDATES

##### Planned Area Development (PAD)

Mr. Peck stated that the PAD hearing with the Zoning Commission to determine whether the PAD is appropriately located in terms of its zone will be held on October 18th. They will decide if a PAD should be landed on the site at the Grist Mill and whether they also approve the master development plan that they have in front of them. These will be considered as separate items at the same hearing. The Commission discussed where the Grist Mill project was in the process. Mr. Peck stated that the applicant did submit a lot of information early on in this process, prior to the regulation being adopted.

Chairman Loomis stated that the PAD Regulation flowchart is very helpful, although this may raise questions if there are changes that should be made regarding how the process works. Mr. Peck stated that he feels the wording of the flowchart may need to be made clearer. Several of the steps may need to be more accurate.

Commissioner Jansen suggested, on point two of the flowchart, to include that this is preferably a joint meeting. Mr. Peck stated that this could be an option; it depends on what the Commissions would like to see. Chairman Loomis stated that this could be offered to the applicant as an option. Mr. Peck stated that the Grist Mill applicant wanted to have separate meetings in order to deal with separate issues that related to each Commission.

## Meadowood

Mr. Peck stated that the maps have been filed; remediation has to be done prior to permits being granted.

In response to a question from Commissioner Needham regarding who is overseeing the remediation process, Mr. Peck stated that there are environmental experts that are in place throughout this process.

## Town Center Zoning Regulation

Mr. Peck distributed a document regarding an overview of form-based codes. He stated that the Town Center Code is a street based code. The implementation options are also important, which include integrated; optional parallel; and floating zone. He stated that for Simsbury, the Town Center Code will be, in fact, the zone. Mr. Peck stated that he is still waiting for the Town Attorney's comments regarding the draft code.

Regarding the draft code, which is on the Town's website, Mr. Peck stated that there is an administration section that was added, that was not in the previous code.

Mr. Peck stated that he would like to get the Code to a public hearing by November. He stated that he will get final comments from Boards and Commissions back to the consultant within the next ten days.

## Incentive Housing Zone (IHZ)

Mr. Peck stated that he is still working on this regulation. He is hoping to get it to OPM as soon as possible.

## DOT Traffic Study

Mr. Peck stated that CRCOG is ready to sign the contract. There will be a lot of public involvement in this process. The scope of this study is from the Avon town line to north of the Route 315 intersection.

## VII. STAFF REPORT(s)

There were none.

## VIII. COMMUNICATIONS AND ADMINISTRATIVE BUSINESS

Chairman Loomis questioned if the FOIA workshop was held. Commissioner Hallenbeck stated that she attended this workshop. She stated that it was very informative; they explained the rules relating to what can and cannot

be discussed in a public format and standard procedures on how things are done. There was also a question and answer period.

There was a discussion by the Commission members regarding FOI in terms of emails. Mr. Peck stated that he advises Commission members to bring a copy of any emails sent to them to meetings regarding items undergoing public hearings. Chairman Loomis stated that sharing of information is fine if it does not involve decision making.

Regarding the Connecticut Land Use Academy, Mr. Peck encouraged Commission members to attend if they have never been before or if a Commission member has not been in recent years.

#### IX. ADJOURNMENT

Commissioner Jansen made a motion to adjourn the meeting at 7:55. Commissioner Hallenbeck seconded the motion, which was unanimously approved.

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John Loomis, Chairman