

October 2, 2012

Special Meeting

7:30 pm., Upper Level Mtg Room

Members Present: Ms. Roberts, Mr. Frank, Mr. Rimsky, Ms. Jahnke, Ms. Gager

Alternates Present: Mr. Carey, Ms. Bishop Wrabel, Mr. Osborne

Staff Present: Ms. White

Also Present: Mr. Harrall, Consultant, Mr. Looney, Consultant, Mr. Talbot, Mr. Charles, Mr. Mr. Picton, Mr. Fitzherbert, Mr. Werkhoven, Mr. Abella, Mr. Reich, Mr. Solley, Dr. Craparo, Mr. Dutton,

Ms. Roberts called the Meeting to order at 7:35 pm.

Seated: Roberts, Frank, Rimsky, Jahnke, Carey, Alt.

Consideration of the Minutes:

Regular Meeting 9-4-12:

Corrections:

Page 3: 2nd to last paragraph, 1st sentence should read: The Commission had a lengthy discussion regarding the respective roles of the Planning Commission and the Consultants during this process of revising the POCD.

Motion:

to approve the minutes of the Regular Planning Commission Meeting of September 4, 2012 as amended,

by Mr. Frank, seconded by Ms. Jahnke, passed by 5-0 vote.

Special Meeting 9-13-12:

Corrections:

The name Walin should be: Whelan throughout the document

Page 1: 2nd paragraph, 8th sentence should read: She stated that it is important to recognize the things that are valued and focus on how change can be influenced...

Page 7: last paragraph, 1st sentence should read: Mr. Harrall read the list of items that he would look into more in depth as a result of what he has heard from tonight's meeting.

The name Torge should be: Torti throughout the document

Motion:

to approve the minutes of the Special Planning Commission Meeting of September 13, 2012 as amended,

by Mr. Frank, seconded by Mr. Rimsky, passed by 5-0 vote.

OTHER BUSINESS

Plan of Conservation and Development, Discussion with Zoning Commission:

Ms. Roberts welcomed the Zoning Commissioners and read a statement expressing the need for the Planning Commission to work with the other Land Use Commissions to develop the revised

POCD. She stated that based on the POCD Subcommittee meetings the four critical issues to be addressed in the 2013 POCD are: Housing, Economic Development, Vitality of the Village Centers and Sustainability. Ms. Roberts introduced the consultants from Milone & MacBroom, Mr. Looney and Mr. Harrall.

Mr. Looney, Senior Planner at Milone & MacBroom, stated that it is important to involve the Zoning Commission at this early stage of the revision process for several reasons; 1) The Zoning Commission needs to be aware of the ideas, concepts and issues that the Planning Commission is considering since so many of them tie into zoning 2) Issues such as housing density, the development patterns of the village districts and any proposed new uses are under the Zoning Commission's jurisdiction. He stated that a town's POCD is a tool that is only as powerful as the actions taken to implement it so it is important Zoning and Planning are on the same page on the key issues. 3) Both Commissions need to understand the perspective and thinking of the other Commission and their approach to examining key issues and the conclusions that they arrive at.

7:50 pm, Ms. Gager arrives and is seated

Mr. Harrall discussed different town plans that Milone & MacBroom have worked on and how some towns had both combined planning and zoning commissions and some towns with separate commissions. He suggested that the Zoning Commission identify their main areas of concern at this meeting and this, as well as other information gathering meetings, will allow them to create the implementation section of the POCD.

Ms. Roberts suggested that the discussion with the Zoning Commissioners could start with the issue of Housing regarding affordability and lack of options in housing, which are reasons that have been given to why young people and families do not move to Washington and the elderly cannot afford to stay in Town. She asked if the Zoning Commission agrees that Housing is a main concern that needs to be addressed, how can the commissions work together on the housing issue and do they have any recommendations on where it should begin?

Mr. Fitzherbert stated that as commissioners they have individual views on the four areas of concentration and that the Zoning Commission would like the term "sustainability" defined.

Ms. Roberts stated that the Planning Commission has asked the Conservation Commission to work on the sustainability aspect of the revision and would like to hear what they have to say regarding this issue.

Mr. Fitzherbert stated that the Commissioners on the Zoning Commission agree that Housing should be the number 1 priority. He stated that the revised POCD should be more specific because the current POCD has conflicting priorities and the plan has been used more to stop things than to promote things. Mr. Fitzherbert asked that the Planning Commission tell the Zoning Commission what the most important issue is.

Ms. Roberts asked Mr. Fitzherbert to confirm that what he is asking is that the final POCD document not have those inconsistencies and that it be more specific in terms of how the recommendations are written. Mr. Fitzherbert confirmed that an easy to read, easy to follow document would be best.

Mr. Rimsky stated that the public outreach sessions, when creating the current POCD, emphasized

“Rural Character” as being a main area of concern and the sentiment has shifted to Housing.

Mr. Fitzherbert emphasized the need for specificity in the revised POCD. He stated that the Zoning Commission could not change regulations based on general recommendations. Mr. Fitzherbert noted that the term “Rural Character” has been used negatively and that it is understandable to want this as a characteristic of the Town but it should not be the main priority.

Ms. Roberts stated that she feels that the emphasis on Rural Character was used to reflect the uniqueness of the Town and preserving it was a priority for the residents. She stated that she feels that this issue has been addressed for the most part but it would not save the Town from the problems it faces today and she would like to discuss how the Town is going to make the change.

Mr. Solley stated that a series of surveys were taken six or seven years ago and identified Open Space being the first priority and Housing the second. He discussed Mr. Hileman’s recommendation for housing and stated that the land surrounding the village centers is steep and New Preston and the Depot are centered on rivers. Mr. Solley stated that to allow for some percentage discount of land required, so long as a septic, well and house can be provided for, parcels of land are dictated by real estate values, and that would be tough to do. He stated that a 1-acre parcel for sale today, maybe non conforming, is going to bring more on a per acre basis than a 2 to 3-acre parcel. Mr. Solley stated that he feels Mr. Hileman’s plan was somewhat sound but this type of housing should be spread through out the Town and not concentrated in one area. He suggested that the Commissions look at what other towns are doing and that the Zoning Commission may be able to do something about this but he feels that the market may dictate how these parcels are going to be priced. Mr. Solley asked if they would just be defeating their own allowances when someone may have 4 acres and they donate it to an entity for the potential for sale in two 2-acre parcels. He stated that a land owner based situation is one thing but somebody else that is selling their land just because they need the money or moving out of town are going to let the real estate market predict or command what the market will bare. He feels we have to head in this direction, maybe see what other towns have done. Mr. Solley stated that there are still some situations that are unresolved in Washington Depot such as the Old Town Garage property. He believes that the Town needs to implement a regulation that is across the Town in the residential districts unless a zone within a zone is created for a specific use.

Mr. Dutton stated that he remembers that issue of preserving rural character was a reaction to the real estate market at the time. He stated that as a result of wanting to preserve rural character, the Town established a municipal Open Space program, which does not have a line item in the budget anymore and feels that maybe the Town is being reactive right now. Mr. Dutton stated that he circulated the article titled *Some Planning Ideas for Northwest Corner Towns* by Mac Gordon, Landscape Architect, to Ms. Hill and she distributed it to the Zoning Commission. He stated that this article expressed concrete ways to address the issues. He asked why the available, potentially affordable houses are not being bought and what if the Town or a private group with the Town would build ten more units? He asked, “What if no one buys them?” Mr. Dutton feels that the Economic Development of the Town is a really critical component and the Town should consider promoting businesses figuring out what kind of businesses would do well in Washington and what could be done on the regulatory part to foster economic development. He stated that he hopes the revision of the POCD is more “actionable.”

Ms. Roberts stated that there are many reasons why projects get shelved.

Mr. Fitzherbert stated that the POCD is not a strategic plan and something needs to be measurable to be a goal. He feels that the Zoning Commission needs to be able to fall back on numbers in order to implement the goals of the plan.

Mr. Rimsky stated that the goal of 30% Open Space is measurable and it is close to being achieved. He explained that the Planning Commission is not a regulatory commission so they have used advisory language in the POCD but he feels this plan cannot have that ambiguity and the Planning Commissioners are looking to the other commissions to provide them with some clear ideas of things they could do.

Ms. Roberts stated that she feels the full time residents want a community where people can interact together and weekenders are generally interested in spending time in a quiet country setting but the Town should not leave the part-time residents however, it must move forward.

Mr. Reich stated that he feels that housing needs to be addressed with specifics and rural character does not allow for neighborhoods. He stated that soil-based zoning also does not allow for neighborhoods that would attract young families.

Mr. Fitzherbert discussed open space cluster development and stated that there have been advances in septic system design but the soil-based zoning still makes them difficult to design. He stated that someone that has a good idea should bring it to the Zoning Commission and tell them what all the stops are. Mr. Fitzherbert stated that no one has come before Zoning to petition for a change in the regulations regarding this issue.

Mr. Frank stated that he feels that the Zoning Commission is emphasizing two areas of importance with the first being that the POCD is as specific as possible and the second is that the other Town commissions are involved in this revision process so the Planning Commission knows that the POCD's recommendations, at least in concept, are acceptable to the other Town commissions because otherwise it will not be implemented.

Ms. Roberts stated that she is frustrated with the communication between the Town and the residents and feels that the Town website is not visited by the residents.

Dr. Craparo feels that the Town meetings should be more specific, presenting concrete plans and requesting feedback from the public.

Ms. Gager stated that the Town did this with the Depot Study and a large population of the residents did not receive it well.

Mr. Dutton stated that the Town of Washington has different ideals and this is a major factor of why they move to this town.

Mr. Rimsky stated that there were more children living on and around the Green, there were kids on bicycles in the Depot and families around Town. He stated that he feels that the issue that should be discussed "is when a community has a sense of itself, those families and the people and the children do interact and act as a community." Mr. Rimsky stated that something has shifted in the last 20 years and part of what has shifted is that the availability of housing has become more fragmented and there was more of a fabric in the community in terms of its sociability and how they interacted and the current problem is that there is a lack of community based communication and

interaction. The issues are not being communicated to the public and they are not getting involved to the solution to those issues.

Mr. Fitzherbert stated that the same people come to the Town meetings and the same people from the public speak. He stated that websites are not a communication device and suggested that the Town consider sites like Facebook and Twitter, which can be effective.

Ms. Bishop Wrabel stated that if she understood Dr. Craparo's comments correctly she was suggesting that the Town meetings should run ideas on a point-by-point basis. She asked if Dr. Craparo was suggesting that the Town concoct certain concepts, publish an agenda beforehand with points of discussion as concepts only.

Dr. Craparo stated that it needs to be a concrete concept and a suggestion would not be concrete enough.

Ms. Bishop Wrabel asked who would come up with these concepts.

Mr. Werkhoven stated that he feels that anything in the Zoning Regulations should be up for discussion and feels that the soil-based zoning has done what it was supposed to do but is prohibitive and does not allow neighborhoods. He feels that it is important to have a concrete idea of who would buy these neighborhood homes before they are built and be specific about how many need to be built.

Mr. Dutton stated that he feels that people would not want to spend their tax dollars creating these neighborhoods and that it would most likely have to be a developer.

Mr. Rimsky responded that the Town of Washington has enormous resources and when put to the task this municipality has been able to fund projects they feel strongly about. He feels that the commissions of the Town need to emphasize this need for housing together.

Mr. Fitzherbert said that if the needed number of houses turns out to be more than ten or twelve, most likely it would be a private endeavor and these people are in business to make money. He stated that soil-based zoning is the biggest restriction for a developer proposing to build a neighborhood and the only way this Town would allow it is through the State Affordable Housing Act.

Mr. Werkhoven stated that he feels the Town needs to address housing for the elderly people that would like to stay in Town but would like to downsize.

Ms. Roberts asked if sometimes the assumption is that the elderly would prefer to live together. She feels that this is not necessarily true and thinks that living in an area where there are young children and families make the elderly feel connected to the community. Ms. Roberts feels that a mix of people is important and she worries that this Town will end up with only wealthy retired residents.

Mr. Dutton stated that Kent has had success with its recent project with affordable and senior housing and suggested that this could be an example that our Town could look at.

Mr. Carey asked if the revised POCD should include cartography in which a piece of property is identified as meeting the planning criteria for a family oriented neighborhood and how this should

be addressed in the revised plan.

Mr. Fitzherbert stated that something like that should be in the revised POCD and Zoning has to follow it. He stated that the parts of the POCD have been used in filing appeals. He noted that Mr. Solley mentioned a zone within a zone in which a developer goes to Zoning with a proposal, pays a fee and if the Zoning Commission agrees with the proposal then it is zoned.

Mr. Carey stated that this is called "spot zoning."

Mr. Fitzherbert disagreed with Mr. Carey and stated that towns have designations in their books to allow for when a proposal is presented to zoning the commission could change the designation for that district which would allow a development to occur and some of these towns have identified tracts of land for these zones where there would be very little impact to neighbors, views, etc.

Mr. Harrall stated that some zoning regulations have what is called a "Floating Zone" that meets certain criteria. He asked if soil-based zoning is up for discussion.

Mr. Dutton stated that the Town should be careful before considering throwing out soil-based zoning. He feels that the Town has made decisions on a reactive basis.

Mr. Rimsky does not think that anyone wants to throw out soil-based zoning but feels the Town can't move forward with plan for the community until the available regulatory and sociological tools are identified. He suggested the Town keep the tools that it has been using and use new ones to help reach the new goals that are set. Mr. Rimsky feels that the idea of a liaison would be helpful moving forward.

The Commissioners and the Consultants discussed the schedule regarding the revision process. Mr. Harrall stated that they should have all of the information gathered by February 2013 and have the revised POCD completed around May-June 2013.

Mr. Fitzherbert stated that if, from a zoning point of view, there are regulation changes they need to be made in a public hearing. He stated that he does not want it perceived that the Zoning Commissioners are biased going in. Mr. Fitzherbert feels that the Zoning Commission supports the concepts of the four main issues that the Planning Commission has identified and encouraged them to be specific in the revised plan. He stated that the POCD is based on the community and it is the Zoning Commission's job to make regulation changes if the Plan recommends them.

Mr. Harrall stated that by State Statute the POCD guides zoning and a liaison would not have a vote but would be a formalized link between the commissions while the process of the revision is underway. He stated the State Statutes give and encourage more communication between the commissions.

A discussion regarding a liaison ensued. Ms. Roberts stated that she is in favor of increased communication between the commissions.

Mr. Rimsky stated that the employment factor needs to be considered and the Town of Washington has to look at that component of commercial activity that does employ people who thereby live in the community and can be employed by the community. He feels that Planning needs to give clear ideas.

Mr. Fitzherbert suggested that being specific in numbers. He stated 650-700 people come to work in the Town of Washington. He feels that one of the factors in buying a home in Washington is timing for these people.

Ms. Roberts stated that she feels the term “affordable” needs to be defined better.

Mr. Frank thinks of the definition of the term “affordable” as: “is it economically possible for a person to buy a house or rent.”

Mr. Fitzherbert stated that the general public has a stigmatized definition of the term “affordable.”

Ms. Bishop Wrabel stated that she is a member of the Washington Community Housing Trust and that they grapple with the term “affordable” and that she suggests terms such as “diversely priced housing” or “appropriately priced housing for all levels” be used.

Mr. Fitzherbert stated that the Zoning Regulations could promote this type of housing if it was recommended by the POCD with specificity and then the Town would not have to go to the State under the Affordable Housing Act.

Mr. Reich feels that Housing is the main topic of concern and the other areas would have to be addressed through addressing the housing issue.

Mr. Frank asked the consultants what the legal obligation is in the terms of completing the POCD.

Mr. Harrall stated that the Town has until July 2014 because of the State POCD and to be eligible for discretionary funding and various programs from the State the Town POCD needs to be done by June 2014.

There was a brief discussion regarding the liaison subject.

Ms. Roberts stated that she feels that this meeting has been very productive and that meeting with Zoning Commission should take place more often.

Mr. Fitzherbert asked for an explanation of the term “sustainability.”

Mr. Picton stated that “sustainability” is to meet the needs of the present without compromising the ability of the future generations to meet their own needs. He stated that if this is not specific enough it is because of all of the issues being interrelated.

Ms. Roberts stated that the Planning Commission has asked the Conservation Commission to take this issue on. Mr. Werkhoven stated that the Conservation Commission could address land-based sustainability but he did not think they would address community sustainability.

Mr. Harrall stated that sustainability includes much more today because everything is interrelated. He stated that he is hearing that the Zoning Commission clearly wants specific direction from the Planning Commission and they plan to look at the Zoning Regulations and pick out things and discuss concrete changes that could be made.

Mr. Talbot stated that the deadline for public comment for the State POCD would be October 6, 2012 and he asked if the Planning and Zoning Commission would be supplying a joint comment.

He asked if any comment was going to be made regarding the village center map that does not include Marbledale or Woodville.

Mr. Harrall stated that there would be another opportunity for public comment in February. Mr. Looney stated that the draft plan goes to the State Legislature in December 2012 and then there is the public comment period.

Ms. Roberts read comments submitted by Ms. Hill to Mr. Morley, Office of Policy and Management, from the Town of Washington regarding the State Plan of Conservation and Development (on file in the Land Use Office).

Mr. Talbot asked if the Zoning and Planning Commissions have discussed or considered using Transfer of Development Rights as a tool where the Town is not increasing the total population but reallocating to the town centers.

Mr. Rimsky stated that he thinks this would be a functional tool and that the Planning Commission would need to talk to the Consultants in order to develop specifics to present to Zoning.

Mr. Harrall stated that Transfer of Development Rights is a way to direct development to a specific area of town. He stated that very few towns in Connecticut have adopted this.

9:50 pm Zoning Commissioners leave.

Mr. Harrall stated that they would now authorize that the draft be published on the website. The Commissioners stated that they would like more time to look over it before publishing to the website.

The Commissioner and the Consultants discussed points of interest as a result of this evenings meeting with Zoning.

Mr. Charles stated that in some cases the people who are involved in affordable housing do not have the background in construction and development and there is a way to develop housing and have it pay for itself.

There was a brief discussion regarding meeting with the Conservation Commission in November.

There was a brief discussion regarding meeting with villages and meeting with the educational institutions.

Ms. Gager stated that stronger facilitating at these meetings would help move things forward more efficiently.

Communications:

Ms. Roberts reminded the Commissioners of the Land Use Advanced Training on Saturday, November 10, 2012.

Motion: to adjourn by Mr. Frank, seconded by Mr. Rimsky, passed by 5-0 vote.

Ms. Roberts adjourned the meeting at 10:20 pm.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Shelley White, Land Use Clerk