

AGENDA
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting, Monday, November 7th 2011, 7:10 p.m.
Or upon completion of Inland Wetlands Agency Meeting
Council Chambers, Audrey P. Beck Municipal Building

Minutes

10/17/11; 10/25/11 Field Trip

Scheduled Business

Zoning Agent's Report

- A. Monthly Activity Report
- B. Enforcement Update
- C. Cease and Desist Order-Freedom Green
(The Town attorney recommends that this matter be discussed in executive session).
- D. Other

7:30 p.m. Public Hearing

**New Special Permit Application, Building Replacement & Expansion, 173 Storrs Rd,
Natchaug Hospital o/a. PZC File #1305**

Memos from Director of Planning and Development & Assistant Town Engineer

Old Business

1. **Request for Scenic Road Designation, Gurleyville Road (from Route 195 to Codfish Falls Rd)
PZC File # 1010-8**
2. **Special Permit Application for wedding venue, 552 Bassetts Bridge Road, J. & J. Bell o/a, PZC
File #1217-2**
(to be tabled pending 11/21/11 Continued Public Hearing)
3. **Approval Request: Revised Plans for exhibit building Paideia Greek Theater Project, 28 Dog
Lane, File #1049-7**
(to be tabled-awaiting information from the applicant)
4. **Other**

New Business

1. **Other**

Reports from Officers and Committees

1. Chairman's Report
2. Regional Planning Commission
3. Regulatory Review Committee
4. Other

Communications and Bills

1. Fall 2011 Planning Commissioners Journal
2. Public Act #11-89 Re: New Procedure for notifying WINCOG of Zoning Changes
3. CT Siting Council Meeting Minutes: 44 Weaver Road, UCONN
4. Chaplin Regulation Amendment Notification
5. Other

Executive Session

Strategy and negotiations with respect to pending claim and litigation, Connecticut General Statutes section 1-200(6)(B).

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DRAFT MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION
Regular Meeting
Monday, October 17, 2011
Council Chamber, Audrey P. Beck Municipal Building

Members present: R. Favretti (Chairman), M. Beal, J. Goodwin, R. Hall, K. Holt, G. Lewis, B. Ryan, P. Plante, B. Pociask
Alternates present: K. Rawn
Alternates absent: F. Loxsom, V. Ward
Staff Present: Linda M. Painter, Director of Planning and Development
Curt Hirsch, Zoning Agent

Chairman Favretti called the meeting to order at 7:00 p.m., appointing Rawn to act in case of member disqualification.

Favretti MOVED, Holt seconded, to add to the agenda under Old Business: Modification Request: Building Area Envelope Revision, 87 Jonathan Lane, PZC File #1113-3. MOTION PASSED UNANIMOUSLY.

Minutes:

10-03-11- Hall MOVED, Ryan seconded, to approve the 10/3/11 minutes as written. MOTION PASSED with all in favor except Plante and Pociask who disqualified themselves.

10-11-11 Field Trip- Goodwin MOVED, Holt seconded, to approve the 10/3/11 Field Trip minutes with the correction that Ryan was not present. MOTION PASSED with Holt, Rawn, Favretti and Goodwin in favor and all others disqualified.

Zoning Agent's Report:

Hirsch updated the Commission that all plantings have been installed, with a few minor revisions to be made, at the Paideia site. Also, he and the Chairman signed off on a modification at the Montessori school.

Public Hearing:

Live Music Permit Renewals, Huskies, King Hill Rd; Pub 32, Rt. 32; Ted's Restaurant, King Hill Rd. PZC File #895

Chairman Favretti opened the Public Hearing for the Live Music Permit renewals at 7:05 p.m. Members present were: Favretti, Beal, Goodwin, Hall, Holt, Lewis, Ryan, Plante, Pociask, and alternate Rawn. Linda Painter, Director of Planning and Development, read the legal notice as it appeared in the Chronicle on 10/4/11 and 10/12/11 and noted a 9/21/11 memo from C. Hirsch, Zoning Agent.

Hirsch stated that no complaints or concerns have been received regarding any of the restaurants concerned. Chairman Favretti noted for the record that there were no questions or comments from the Commission or the public. Beal MOVED, Holt seconded, to close the public hearing at 7:10 p.m. MOTION PASSED UNANIMOUSLY.

Plante MOVED, Holt seconded, to approve the Live Music Permit renewals through November 1, 2012 for the following restaurants: Huskies Restaurant, file # 780-2; Pub 32, file # 595; and Ted's Restaurant, file # 1107. These renewals are conditioned upon compliance with the current mandated conditions for each, which shall be attached to this motion. Condition #2 of the Pub 32 approval is hereby revised as follows: 2. A restaurant employee shall be utilized on Thursday, Friday and Saturday nights for the aforementioned purpose between the hours of 9:30 p.m. and closing, to monitor the parking lot for noise and traffic safety. MOTION PASSED UNANIMOUSLY.

Zoning Agent's Report Continued:

Cease and Desist Order-Freedom Green

Hirsch reviewed the materials and pictures that members received in the packet and stated that the buildings currently being built are substantially different than the 1995 approved plans originally submitted to the Town. He suggested the Commission visit the site to make a determination.

Thomas Weinland, 2 Nutmeg Court, President of Freedom Green Condo Association, distributed photos that he took that show that the buildings are not consistent with other buildings in the project, noting that they are much larger and unsightly. He stated that this is not the design plan that was originally approved. He encouraged the Commission to visit the site.

Robert Mitteau, Design Development Group, and Gene Beaudoin, explained that the buildings in question are the same units approved for and built on Samuel Lane; the only difference is topography.

After extensive discussion, it was the consensus of the Commission to schedule a field trip for 10/25/11 at 1:30 p.m. Copies of the grading plan and building design, as originally approved, were requested by the Commission.

Pociask MOVED, Plante seconded, to allow the owner to complete the roof on the building, as a modification to the cease and desist order in place. MOTION PASSED with all in favor except Hall, Favretti and Ryan.

Old Business:

1. **Request for Scenic Road Designation, Gurleyville Road (from Route 195 to Codfish Falls Rd) PZC File # 1010-8**

Plante and Pociask disqualified themselves. Alternate Rawn was appointed to act. Discussion was held regarding the testimony from the Public Hearing concerning the safety on Gurleyville Road. Favretti felt that the very nature of the road is what contributes to its scenic quality. Several members stated that designating it as a scenic road would not prevent future safety improvements. Lewis expressed concern over the safety of pedestrians on the road and because of this he would not vote in favor of this application. Noting no further discussion, Favretti and Holt volunteered to work with staff to draft a motion for the next meeting.

2. **Request for consideration of Payment in Lieu of Conservation Easement, Listro Property, PZC File #1296**

Goodwin MOVED, Holt seconded, that the Planning and Zoning Commission, pursuant to Section 13.6 of the Mansfield Subdivision Regulations, modify the 2011 approval of the Listro Subdivision (File #1296), located at Stearns Road and Candide Lane, to eliminate the Conservation Easements on Parcels A and B only, and accept a fee in lieu of dedication in the amount of \$5,470.50. Said fee shall be paid to the Town of Mansfield as an expense of closing at such time as the new lot is sold or otherwise transferred. Additionally, a second ninety day extension for filing final subdivision plans is granted pursuant to Section 6.15 of the Mansfield Subdivision Regulations. Final subdivision plans must be submitted on or before January 25, 2012. A copy of this Motion shall be recorded on the Mansfield Land Record as security for this payment.

In support of this motion, the Commission states:

1. It is recognized that this subdivision presents a unique situation in that, although it is technically a new subdivision, it is in actuality a carving out of one lot from two existing and previously developed lots;
2. It has been demonstrated to the Commission's satisfaction that the Conservation Easements on Parcels A and B are unintentionally encumbering the new lot with a mortgage because the lender will not release the new lot from its existing mortgage so long as Conservation Easements remain on the land that the lender will retain as security;
3. Without a Release of Mortgage for the new lot, said lot cannot in fact be carved from the original parcels, thereby negating the Commission's previously granted subdivision approval;
4. The areas of the Conservation Easements are steeply sloped and largely wetlands, making development of this land or deliberate encroachment onto this land highly unlikely. Moreover, any development in the area of the Conservation Easement, if ever contemplated by its owner(s), will require additional approvals from the Inland Wetlands Agency and or Planning and Zoning Commission;
5. The calculation of the amount to be paid in lieu of dedication is based on the entirety of the original 9.65 acre parcel to be subdivided, using assessor's values for raw land with frontage. This calculation is made based on

the uniqueness of this parcel and the circumstances as described and may not necessarily be the methodology used in more traditional subdivision applications. Further, this motion shall not be used to imply that payments in lieu of dedications are the preferred choice of this Commission.

MOTION PASSED UNANIMOUSLY.

3. **New Special Permit Application for wedding venue, 552 Bassetts Bridge Road, J. & J. Bell o/a, PZC File #1217-2**
Item tabled pending 11/7/11 continued public hearing.
4. **New Special Permit Application, Building Replacement & Expansion, 173 Storrs Rd, Natchaug Hospital o/a. PZC File #1305**
Item tabled pending 11/7/11 Public Hearing.
5. **Approval Request: Revised Plans for exhibit building Paideia Greek Theater Project, 28 Dog Lane, File #1049-7**
Item tabled-awaiting information from the applicant.
6. **Modification Request: Building Area Envelope Revision, 87 Jonathan Lane, PZC File #1113-3**
Following extensive discussion regarding the possible relocation of Mr. LeClaire's shed within the BAE, it was agreed that LeClaire work with the Zoning Agent to find a suitable location.

New Business:

1. **Football Field Lighting at E.O. Smith**
Plante MOVED, Pociask seconded, that the Planning and Zoning Commission hereby authorizes the use of temporary lights by E.O. Smith High School for a football game to be held the evening of Wednesday, November 23, 2011 pursuant to the details provided in the letter from Superintendent Bruce Silva dated October 13, 2011. MOTION PASSED with all in favor except Hall and Beal who abstained.
2. **Request for Extension Whispering Glen**
Plante MOVED, Holt seconded, that the Planning and Zoning Commission approve an extension of the special permit approval until September 21, 2012, to Whispering Glen LLC, as authorized pursuant to Article V, Section B.7.e. MOTION PASSED UNANIMOUSLY.
3. **2012 Draft PZC/IWA Meeting Schedule**
Holt MOVED, Plante seconded, that the Planning & Zoning Commission approve the 2012 meeting schedules for the Planning and Zoning Commission and Inland Wetlands Agency. MOTION PASSED UNANIMOUSLY.

Reports from Officers and Committees:

Chairman Favretti noted an email resignation from alternate Loxsom and it was the consensus of the Commission that the Chairman send a letter to him expressing the Commission's gratitude for his service and to wish him well. Chairman Beal of Regulatory Review stated that the next meeting will be October 26th at 1:30 p.m. in Conference Room B. Linda Painter said the Commission should soon be receiving information from the Hussey's attorney and asked the Commission if they would be willing to have a special executive session to discuss their proposal. The Commission unanimously agreed not to hold a special meeting on October 31, the date suggested by the Hussey's attorney.

Communications: Noted.

Adjournment:

Chairman Favretti noted the Field Trip set for 10-25-11 at 1:30 p.m., and adjourned the meeting at 8:40 p.m.

Respectfully submitted,
Katherine Holt, Secretary

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MINUTES

MANSFIELD PLANNING AND ZONING COMMISSION FIELD TRIP

Special Meeting
Tuesday, October 25, 2011

Members present: R. Favretti, M. Beal, J. Goodwin, K. Holt, G. Lewis,
B. Ryan, P. Plante, B. Pociask, K. Rawn, V. Ward

Staff present: L. Painter, Director of Planning and Development
C. Hirsch, Zoning Agent
M. Nintean, Director of Building and Housing Inspection
B. Freeman, Assistant Building Official
D. O'Brien, Town Attorney

Others present: T. Weinland, President, Freedom Green Condo Association
Anthony Rash, Resident
M. Coster, Westford Management Company

The field trip began at 1:30 p.m.

1. Freedom Green, Cease and Desist, 29-32 Liberty Drive, PZC File #636-4
Members were met by site project developers J. and B. Beaudoin. Members observed current construction and site characteristics. No decisions were made.

The field trip ended at approximately 2:20 p.m.

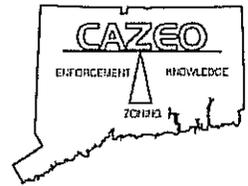
Respectfully submitted,

K. Holt, Secretary

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Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

Memo to: Planning and Zoning Commission
From: Curt Hirsch, Zoning Agent
Date: November 2, 2011

MONTHLY ACTIVITY for October, 2011

ZONING PERMITS

<u>Name</u>	<u>Address</u>	<u>Purpose</u>
Kingsbury	9 Hillpond Rd.	8 x 10 shed
Wright	878 Mansfield City Rd.	14 x 62 deck
John	847 Stafford Rd.	enlarge wood walkway
Mansfield Village LLC	91 Chaffeeville Rd., Lot 13	replace mobile home
Gerent	197 Pleasant Valley Rd.	3 sheds
D.W. Investments	266 Stafford Rd.	veterinary hospital
Mt. Hope Montessori	48 Bassett's Bridge Rd.	rear porch
Chen	36 Hunters Run	three-season room
Woodland	169 N. Eagleville Rd.	house add. & garage
Kelley	57 Marybell Dr.	10 x 12 shed
Crepeau	244 S. Eagleville Rd.	12 x 30 horse barn
Rossi	818 Storrs Rd.	house addition
Lacy	Lot 4 Crane Hill Rd.	1 fm dw
Jambeck	57 Ellise Rd.	3-seasons room
Kouatly	98 Fern Rd.	1 fm dw

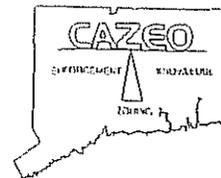
CERTIFICATES OF COMPLIANCE

Smith	1768 Storrs Rd.	tenant change
Kielbania	483 Browns Rd.	permanent farm stand
Mongeau	131 Bassett's Bridge Rd.	shed
Francois	259/267 Maple Rd.	lot line revision
Mansfield Village LLC	91 Chaffeeville Rd., Lot 13	replacement home

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Town of Mansfield



CURT B. HIRSCH
ZONING AGENT
HIRSCHCB@MANSFIELDCT.ORG

AUDREY P. BECK BUILDING
4 SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(860) 429-3341

To: Planning & Zoning Commission
Form: Curt Hirsch, Zoning Agent
Date: November 3, 2011

Re: Update - Freedom Green, Cease & Desist, PZC file # 636-4

This memo updates my 10/12/11 memo to the PZC concerning the current building construction under way in phase IV-C of Freedom Green. The Commission also conducted a well-attended field trip to the site on 10/25/11 to observe the existing conditions. Your packet contains additional information regarding past PZC actions on Phase IV architectural authorizations. I came across this while researching the file for information requested by Commission members at the 10/17/11 meeting. The new information includes:

- 10/12/00 Request for site/building modifications; list of modifications (specifically note #2)
- Revised architectural plans submitted with 10/12/00 request (I also created a limited composite of how the units under construction may look when completed.)
- Portion of Director of Planning's 11/3/00 memo to PZC with review comments about the proposed revisions (specifically item #5)
- 10/13/00 letter from the Villages of Freedom Green Association Board expressing approval of the requested modifications
- 11/20/00 PZC approval of modification request (partial)
- 2/13/01 revised Construction Agreement
- 6/18/07 PZC approved grading & landscape plans for Phase IV-C; 1/29/81 phasing plan (these three plans show proposed driveway locations)

As my 10/12/11 memo stated, I am not providing a recommendation to the PZC on whether or not the current building construction is consistent with PZC authorizations. There are inconsistencies with the approved plans and the building exceeds the maximum height permitted under the zoning regulations. The Commission does not have the authority to grant a waiver on the height but may determine whether the buildings are consistent with previous PZC approvals.

The Town Attorney recommends that the Commission discuss this matter in Executive Session.

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REQUEST FOR SITE/BUILDING MODIFICATIONS
{SEE ARTICLE XI SECTION D OF THE MANSFIELD ZONING REGULATIONS}

APPLICANT/OWNER SECTION

- (1) J. R. J. Associates / 100 Research Parkway, Meriden, CT 06450 203-238-4820
OWNER(S) NAME ADDRESS TELEPHONE
- (2) Beaudoin Const. Co., Inc. / 100 Research Parkway, Meriden, CT 203-238-4820
APPLICANT(S) NAME ADDRESS TELEPHONE
- (3) Freedom Green Condominiums (4) 636-4
SITE LOCATION PZC FILE # (WHERE APPLICABLE)

(5) REFERENCE ANY APPROVED MAP(S) THAT WOULD BE SUPERSEDED IF THIS REQUEST IS APPROVED:

(6) REFERENCE ANY NEW MAP(S) SUBMITTED AS PART OF THIS REQUEST:
SD-1, SD-2, SD-3, SD-4, ED-1, ED-2

(7) ITEMIZE AND DESCRIBE THE MODIFICATION(S) BEING REQUESTED USING SEPARATE SHEET WHERE NECESSARY. THE DESCRIPTION MUST BE ADEQUATE TO DETERMINE COMPLIANCE WITH ALL APPLICABLE LAND USE REGULATIONS
See attached sheet. -

SEE REVERSE SIDE

(8) [Signature]
APPLICANT'S SIGNATURE

10/12/00
DATE

(over)

10/12/00

ZONING NOTES

FREEDOM GREEN PHASE FOUR

MODIFICATIONS TO PREVIOUSLY APPROVED PLANS:

1. Market conditions dictate that units have attached garages wherever possible. Previous plans had all units with detached garages, and some units with no garages.
- (2) Existing landforms created the need to establish garage-under variations to the units to minimize grading. Elevations of these variations are included for review.
3. Overall unit count will not exceed the approved total, however, the units have been redistributed to allow a greater distance from the wetlands area than was previously approved.
4. Site plans show various unit configurations, which may vary based upon market response, as in previous phases.
5. There were 57 structures on the previously approved plans, (33 residential, 24 garages). The new plans contain 29 structures, with no free-standing garages.
6. Path network has been revised, relocating paths out of wetland areas, removing cross-wetland route, and connecting to parking area adjacent to Independence Drive, to maintain privacy for existing residents.
7. Planting buffer along property line has been maintained.
8. The road network is substantially as approved, with only minor modifications to allow for building placement.
9. The proposed sewer system ties into the existing manhole as previously approved.
10. The location of portions of the storm drainage system has been modified to accommodate the new building locations.
11. There is an increased number of five-unit buildings, most of which are L-shaped, to consolidate site construction.
12. Project is operating under original wetlands permit issued in 1979.

BRICK PANEL
CHIMNEY ENCLOSURE

ING -
R CAP

STRIP ASPHALT SHINGLES
COLOR TO BE HARMONIOUS
WITH SIDING COLOR

VINYL WINDOWS W/
INSULATED GLAZING
MUNTINS WITHIN GL
CAVITY, 2x4 CASING

4" VINYL CLAPBOARDS

1/2 PANEL
DOOR WITH
COLONIAL TRIM

1x4 VINYL
CORNER TRIM

OVERHEAD
DOOR

DEVON

10-12-00

PZC-approved
plan

11



MANSFIELD (2)

PZC-approved Plan

10-12-00



TOWN OF MANSFIELD
OFFICE OF PLANNING AND DEVELOPMENT

GREGORY J. PADICK, TOWN PLANNER

AUDREY P. BECK BUILDING
FOUR SOUTH EAGLEVILLE ROAD
MANSFIELD, CT 06268-2599
(203) 429-3330

Memo to: Planning and Zoning Commission
From: Gregory J. Padick, Town Planner
Date: 11/3/00

Re: Proposed site and phasing modifications, Freedom Green, file 636-4

I have reviewed the proposed modifications to the approved Freedom Green site plans as identified in 10/12/00 and 11/2/00 submissions from the applicant, Beaudoin Construction Co., Inc. and as depicted on a six-page set of site and architectural plans prepared by Atelier Associates and Design Development Group, revised to 10/10/00. I also have discussed the proposed modifications with other staff members and have reviewed the extensive Freedom Green file. It is also noted that notice of the pending modifications and the scheduled discussion of these plans at the 11/6/00 meeting has been sent to the two separate Freedom Green homeowner associations. Based on my review of information received to date, the following comments and recommendations are presented for the PZC's consideration.

Applicant's Proposal

The submitted modification requests include the following revisions:

1. Designation of three specific phases for the remaining 116 dwelling units proposed. The former Huntington Commons area has been incorporated into the phasing plan. The phases, which are labeled 4A, 4B and 4C, would range in size from 35 to 45 units.
2. Minor shifting of roadways, storm drainage and other utility lines -- but the original infrastructure layout remains essentially the same as previously approved.
3. A reduction in the number of buildings due to an elimination of free-standing garages and an overall increase in the number of dwelling units per building. A total of twenty-nine new buildings are proposed, with an average of 4 dwelling units per building. Many of the new buildings would contain 5 dwelling units.
4. A shifting of some units, particularly those previously approved in close proximity to inland wetland areas. Some of the units have been shifted to the easterly side of Liberty Drive and Liberty Square.
5. Introduction of an alternative architectural style with garage units below living quarters. This layout is designed to reduce site grading in areas with steeper slopes.
6. A shifting of the phase 4B and 4C trails away from wetland areas and a proposal to start some trails at the edge of parking areas rather than at the edge of streets. An 11/2/00 modification request received after the last PZC meeting seeks a similar approach for two areas in phases II and III.

It also is noted that the proposed phasing plans appropriately reference that the originally approved erosion and sedimentation control plans will remain in effect and that all erosion and sediment control measures shall be constructed in accordance with the latest guidelines prior to land disturbance. The submittal also notes that building configurations are schematic and may be adjusted due to buyer demands and site specific features such as specimen trees and rock outcroppings. The plans also note that detailed grading and landscape plans will be submitted prior to the start of construction in each phase and that no building shall be built closer to wetland lines than as shown.

Analysis

In general, the proposed phasing plan and site modifications are considered to be consistent with original approvals and current regulatory requirements for the subject Design Multiple Residence zone. Subject to the

Villages of Freedom Green

TO: Mansfield Town Planning & Zoning Committee
FROM: Villages of Freedom Green Association Board
RE: Phase IV Plans of Jean Beaudoin
DATE: October 13, 2000

The members of the Association Board of the Villages of Freedom Green heard at its regular meeting, the plans for Phase IV development of this community. Mr. Beaudoin, the builder, wishes to build units in this new phase with the same architectural design that has been used in Phases II and III. Due to the contemporary appearance and features of the present units in these two phases, the board voted to support his request for the change in the originally approved plans.

Alexinia Y. Baldwin, President 
Kathy White, Secretary
Helen Gallagher, Treasurer
Michael Orenstein, At-Large member
Daniel Civco, At-Large Member
Gary Antosh, At-Large Member
Josephine Saternow, At-Large-Member

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MINUTES
MANSFIELD PLANNING AND ZONING COMMISSION

Regular Meeting, Monday, November 20, 2000
Mansfield Middle School Cafeteria

- Members present: A. Barberet (Chairman), R. Favretti, B. Gardner, J. Goodwin, R. Hall, K. Holt, P. Kochenburger, L. Seretny, G. Zimmer
- Alternates present: E. Mann, N. Mutch
- Alternates absent: A. Gilligan
- Staff present: C. Hirsch (Zoning Agent), G. Padick (Town Planner)

Chairman Barberet called the meeting to order at 7:25 p.m., appointing Alternates Mutch and Mann, in that order, to act in case of member disqualifications.

Minutes, 11/16/00 – Favretti MOVED, Seretny seconded to approve the Minutes as presented; MOTION PASSED unanimously.

Zoning Agent's Report – Mr. Hirsch reported that there are a number of new SNET utility boxes at various locations in town, and members discussed this briefly. Mr. Padick informed members that the Charter Communications site at Rt. 195 at Four Corners still needs a soundproofing plan for the generator; a fence is still to be installed, and bonding may be required.

Old Business

Freedom Green modification/phasing plan, file 636-4 – The Town Planner's 11/20/00 memo and D. Nelson's undated list of items to be repaired/completed submitted by D. Nelson at the 11/6/00 meeting were noted. Gardner MOVED, Holt seconded that the PZC officers and the Zoning Agent be authorized to approve the 10/12/00 and 11/2/00 modification requests of Beaudoin Construction Co., Inc., subject to the following conditions:

1. No Zoning Permits shall be issued for Phase 4A until the following information is incorporated onto the phasing plans and, where appropriate, addressed in a revised Construction Agreement:
 - A. All recommended map revisions cited in the 11/3/00 reports from the Town Planner and Ass't. Town Engineer
 - B. Notes 4 and 5 on Sheet ED-1 shall reference Zoning Permits, not Building Permits, and shall specify that the grading and landscaping plans for each sub-phase shall be consistent with previously-approved plans and shall be approved by the PZC officers, with staff assistance.
 - C. The plans shall note that existing mature trees shall be preserved wherever possible and that particular attention shall be given to developing a landscape plan that maintains tree buffers adjacent to wetland areas between existing and proposed dwellings and between distinct courtyard neighborhoods.
 - D. The plans shall note: "When installing drainage and other infrastructure improvements, the smallest area possible shall be disturbed. As part of Phase 4A, land-clearing along Mohegan Square shall be limited to the approved roadway and drainage improvements and shall not include future building sites."
 - E. The plans shall note: No more than seventy-five percent of future units shall be one-storey units.
2. Unless subsequent approval is granted by the PZC, all roads, utilities and other site work shall be in accordance with plans approved pursuant to this action and previous PZC approval actions. All sediment and erosion control measures shall be installed in a timely fashion, pursuant to previously approved plans, and all measures shall be monitored and maintained on a daily basis;

FREEDOM GREEN CONSTRUCTION AGREEMENT MODIFICATION

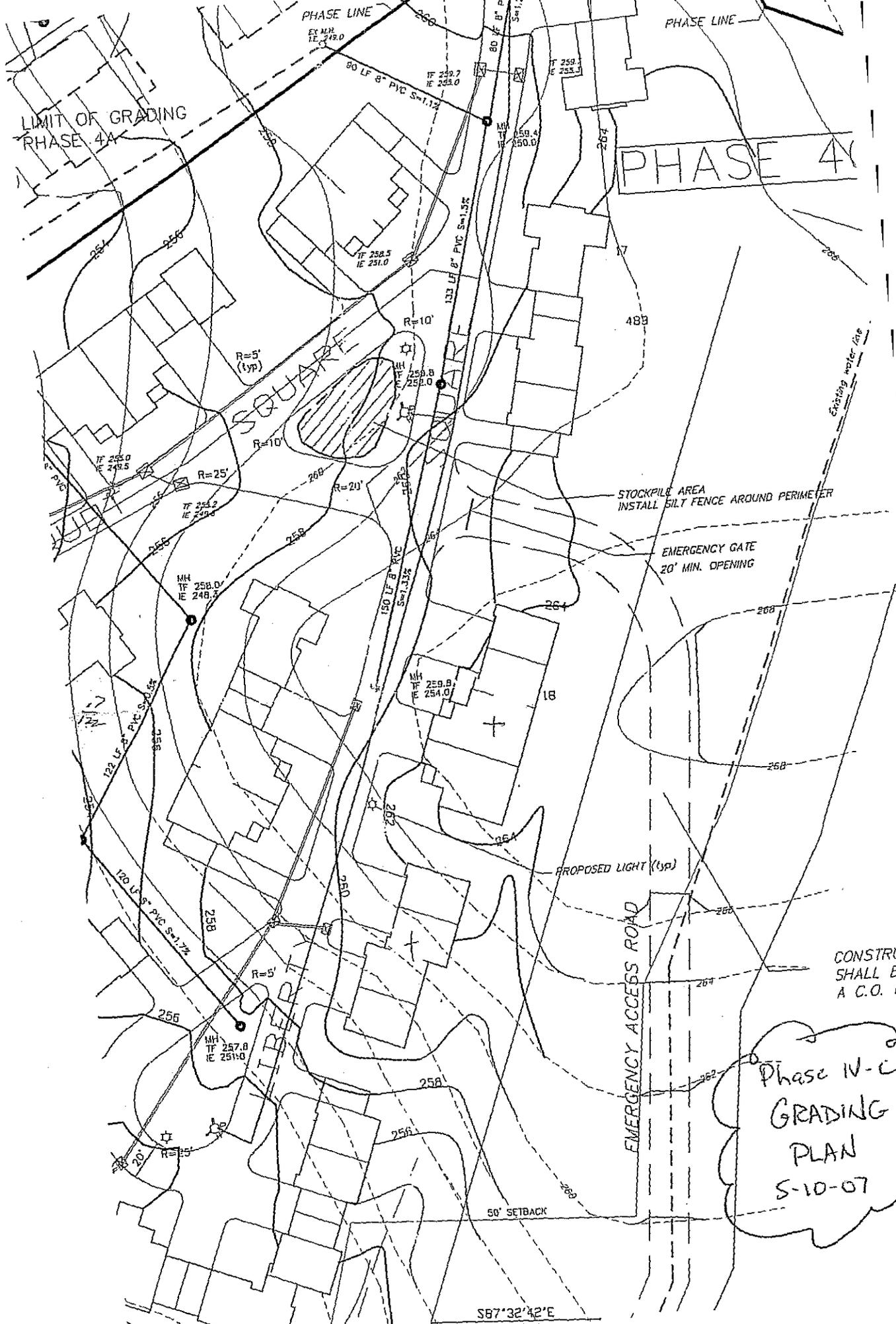
2/13/01

This document constitutes a modification of the terms of an April 30, 1991 Agreement (as subsequently varied July 27, 1992, July 26, 1994, March 1, 1995, October 5, 1995, January 24, 1997, June 15, 1999 and January 11, 2001) between the Town of Mansfield, acting through its Inland Wetland Agency and its Planning and Zoning Commission, and Beaudoin Construction Company, Inc. (successor in interest to JRJ Associates), of Meriden, Connecticut, developer of the Freedom Green development off Mansfield City Road, Mansfield, Connecticut:

Pursuant to Section 1 of the aforementioned April 30, 1991 Agreement and PZC action on November 20, 2000, the following modifications of terms have been agreed upon by the subject parties:

1. Unless subsequent approval is granted by the PZC, all roads, drainage improvements, utilities and other site work in Phase IV (includes a portion of sub-phase 4-B) shall be in accordance with a six-page set of site and architectural plans prepared by Atelier Associates and Design Development Group revised to February 1, 2001 and construction details included on plans previously approved by the PZC.
2. Unless subsequent approval is granted by the PZC, all grading, landscaping and site work in sub-phase 4-A shall be in accordance with a grading and utilities plan dated December 11, 2000, as revised to February 1, 2001, as prepared by Design Development Group and a landscape plan dated December 8, 2000, as revised to January 20, 2001, as prepared by Atelier Associates. No Zoning Permits for units in sub-phases 4-B and 4-C shall be issued until specific grading and landscape plans for these sub-phases are approved by the PZC officers, with staff assistance.
3. No work, including tree-cutting, shall be allowed in phases 4-B or 4-C except as specifically authorized as part of phase 4-A.
4. All sediment and erosion control measures shall be installed in a timely fashion, pursuant to the above-referenced plans and previously-approved plans, and all measures shall be monitored and maintained on a daily basis. Particular attention shall be given to catch basin and yard inlet areas, storm drainage outlet areas and areas with steep slopes.
5. The drainage system serving buildings 4 through 8 in phase 4-A shall be completed before Certificates of Compliance are issued for these units.
6. No Zoning Permits for units in phase 4-B shall be issued until infrastructure improvements in phase 4-A are completed and accepted by the PZC. Similarly, no Zoning Permits in 4-C shall be issued until infrastructure improvements in 4-B are completed and accepted.
7. Existing mature trees shall be preserved wherever possible and particular attention shall be given to developing, for each sub-phase, landscape plans that maintain tree buffers adjacent to wetland areas, between existing and proposed dwellings, between distinct courtyard neighborhoods, and along perimeter boundary lines. Buffer plantings north of buildings 1, 5, 7 and 8 shall be installed before Certificates of Compliance are issued for the first units in each of these buildings.
8. Beaudoin Construction Co., Inc. is advised to work with both the Villages of Freedom Green Condominium Association and the Freedom Green Condominium Association with respect to issues of mutual interest, including recreational improvements and vehicular and pedestrian safety.
9. Except as modified by this action and previous modifications, all other terms and conditions of the original Freedom Green and Huntington Commons approvals and the April 30, 1991 Construction Agreement shall remain in effect.

(continued)



LIMIT OF GRADING
PHASE 4A

PHASE 4A

SQUARE

TRAIL

STOCKPILE AREA
INSTALL SILT FENCE AROUND PERIMETER

EMERGENCY GATE
20' MIN. OPENING

PROPOSED LIGHT (typ)

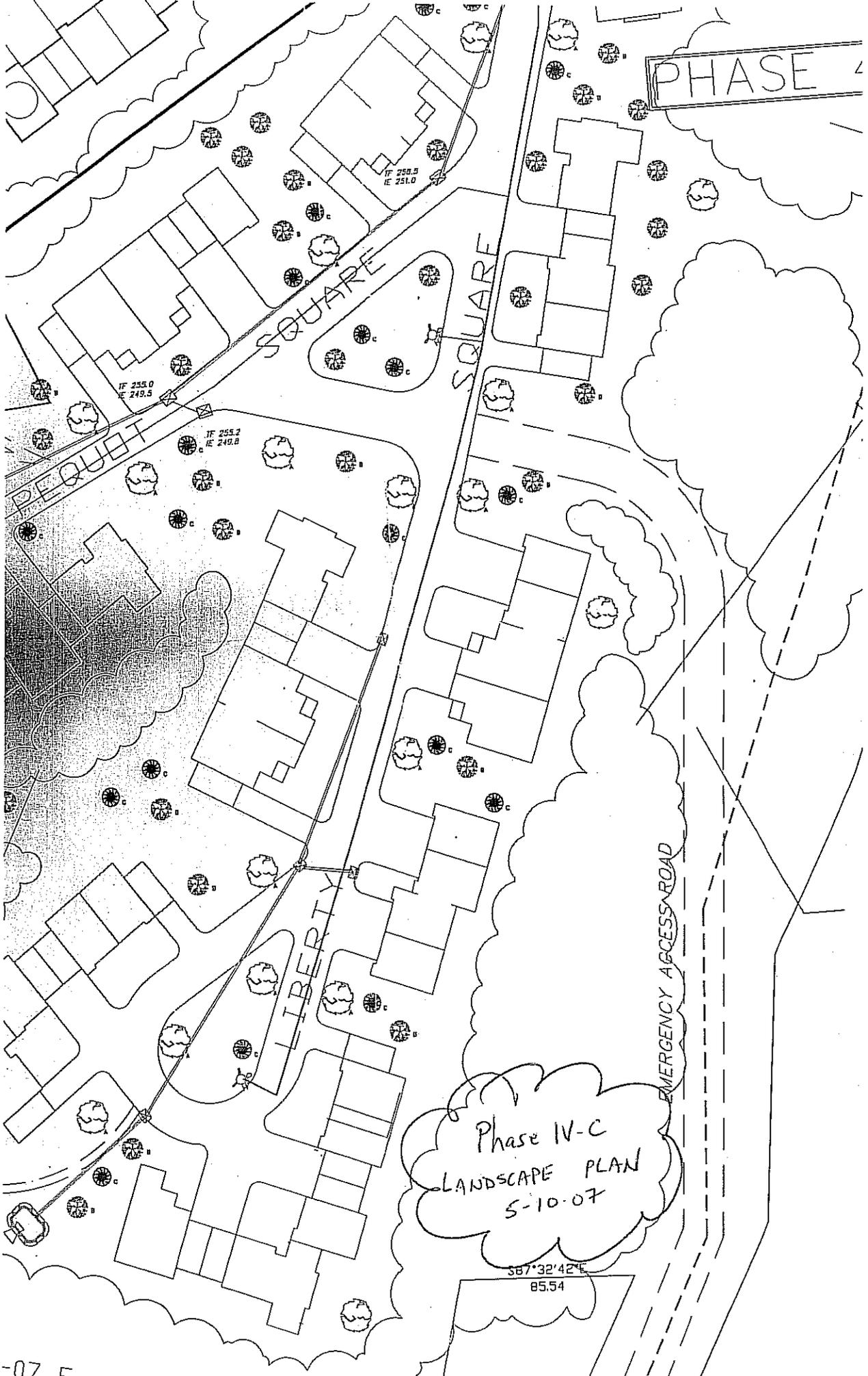
EMERGENCY ACCESS ROAD

CONSTRUCT
SHALL BE
A C.O. IN

Phase IV-C
GRADING
PLAN
S-10-07

S87°32'42"E

PHASE



Phase IV-C
 LANDSCAPE PLAN
 5-10-07

387°32'42"E
 85.54

-07 E

2620

PHASE 4-B
45 UNITS

PHASE 4-
36 UNITS

LOCATE TRAIL
ON TOP OF UTILITIES
WHERE POSSIBLE

APPROXIMATE
EDGE OF
WETLANDS
REFER TO
SURVEY

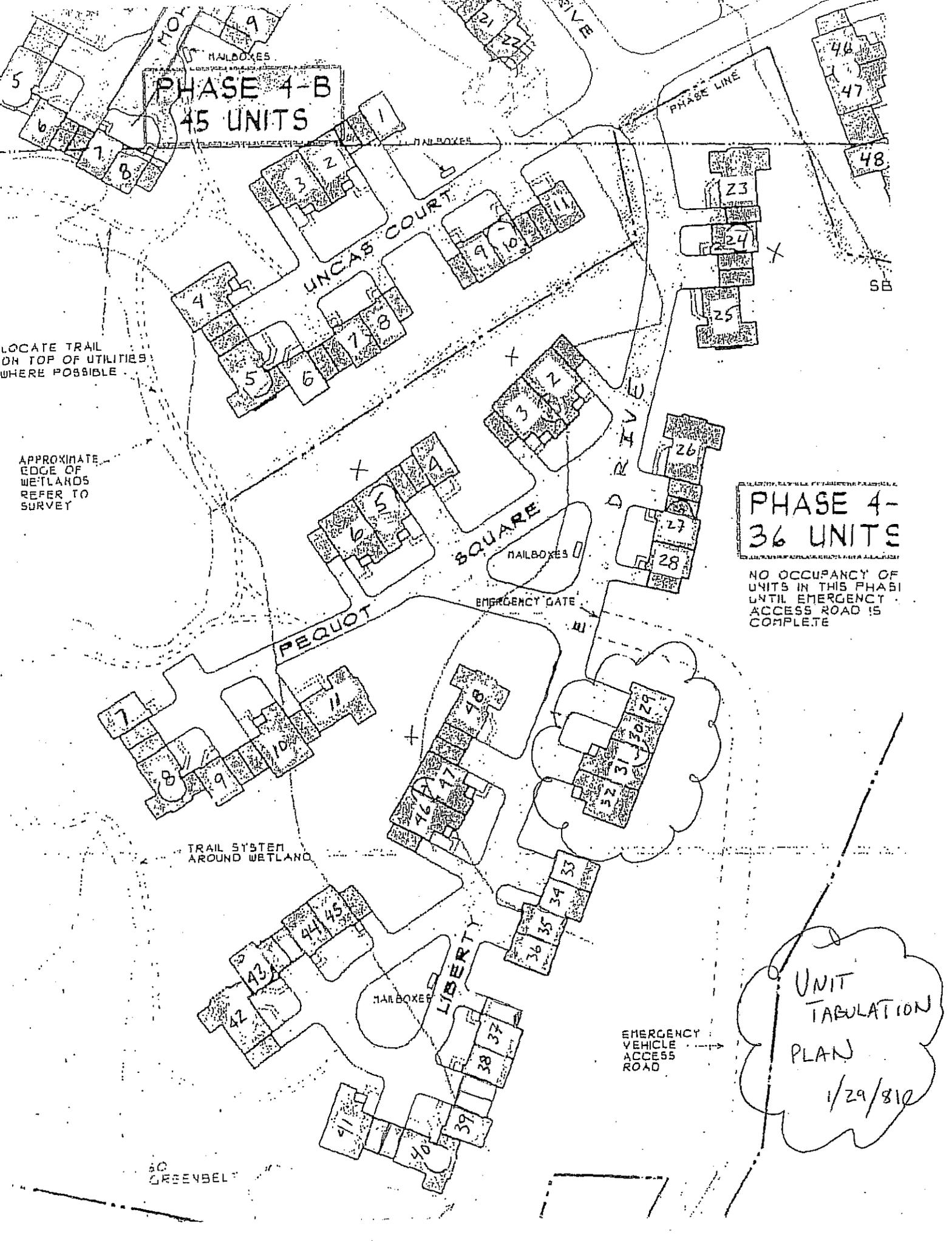
TRAIL SYSTEM
AROUND WETLAND

NO OCCUPANCY OF
UNITS IN THIS PHASE
UNTIL EMERGENCY
ACCESS ROAD IS
COMPLETE

EMERGENCY
VEHICLE
ACCESS
ROAD

UNIT
TABULATION
PLAN
1/29/81

SC GREENBELT





MANSFIELD (2)
Units 29 + 30

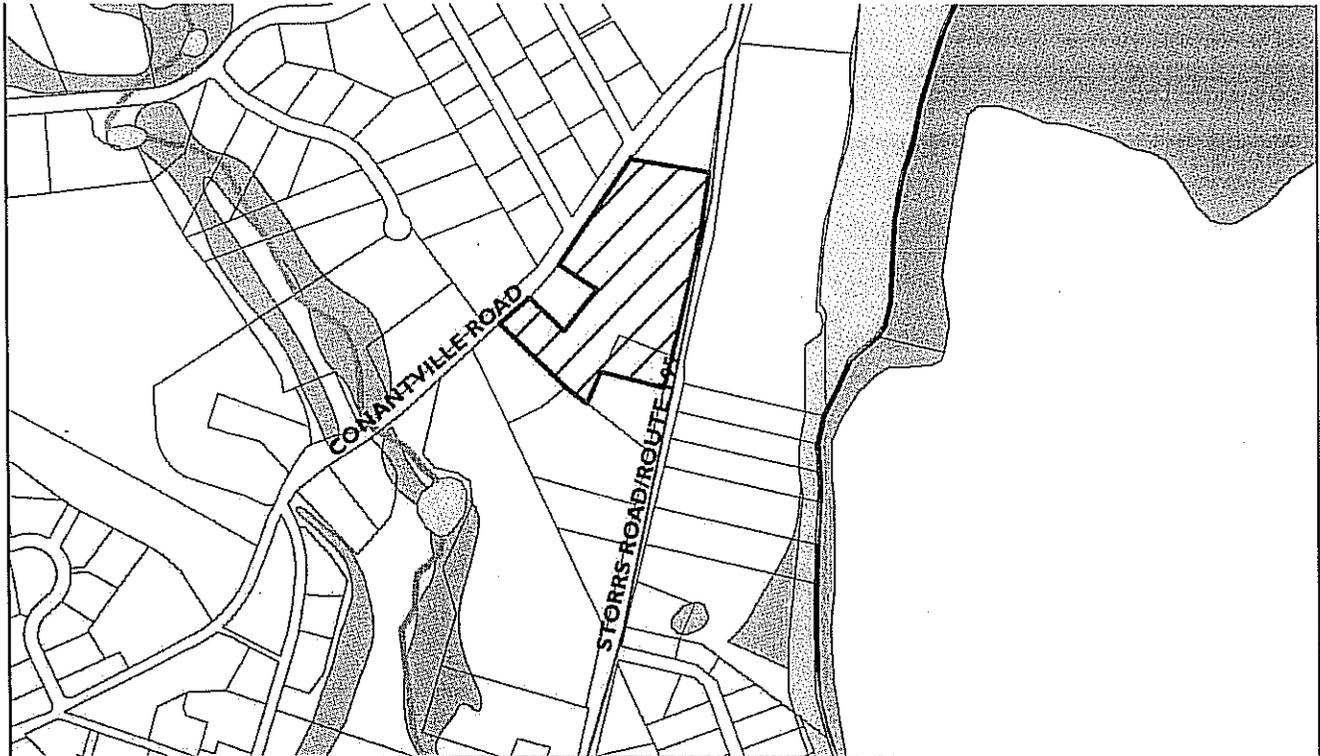
DEVON (2)
Units 31 + 32

Composite by Zoning Agent of Building (4 Units) under construction. This composite made using PZC-approved elevations - The stairways are not now proposed and the garages on the 'Mansfield' units are now on the outside of each unit - under the lower roof line. 11-2-11

Mansfield Planning and Zoning Commission

File 937-5: Natchaug Hospital. (Special Permit Application)

Report from Director of Planning and Development ■ November 3, 2011



Legend

-  Subject Property: Natchaug Hospital
-  Wetlands_Town
-  water



PROJECT OVERVIEW

PZC File Number: 937-5

Applicant: Natchaug Hospital

Property Location: 173-189 Storrs Road

Zoning: PB-1/Design Development District

Property Size 7.19 acres

Project Description: The applicant is requesting Special Permit Approval to construct a new 4,066 square foot facilities management building on the southern portion of the property, fronting on Storrs Road. The new building will replace the existing building at 173 Storrs Road.

PROJECT BACKGROUND & DESCRIPTION

Background

The following summarizes the history of major approvals related to Natchaug Hospital. Modifications have not been identified in detail due to the number and type.

1954 ▪ Building constructed as a skilled nursing facility which was later expanded in 1968. A total of 90 beds were approved at one time.

1970s ▪ Facility converted to psychiatric hospital

1983 ▪ Parking lot expansion approved by PZC and ZBA.

1984 ▪ Zoning Regulation amendment eliminating hospitals as a permitted use, making Natchaug Hospital a legal non-conforming use.

1988 ▪ Expansion of Non-Conforming Use. Commission approved 5,000 square foot expansion for dining and classroom facilities to better serve existing programs. An extension was granted to the approval in 1990. (File 937-3)

1998 ▪ Expansion of Non-Conforming Use. Commission approved significant renovations and expansions to facility, for a net increase of 6,333 square feet. (File 937-3)

1998-2002 ▪ Various modifications approved, including construction of a garage/storage building to the rear of 173 Storrs Road (File 937-3)

2003 ▪ Expansion of Non-Conforming Use. Commission approved construction of a 16-bed, two-story, 13,307 square foot addition to the existing facility. The addition is located south of the original building and connected via a covered walk. Setback waivers for buildings and parking granted. Total number of beds increased from 54 to 70. (File 937-4)

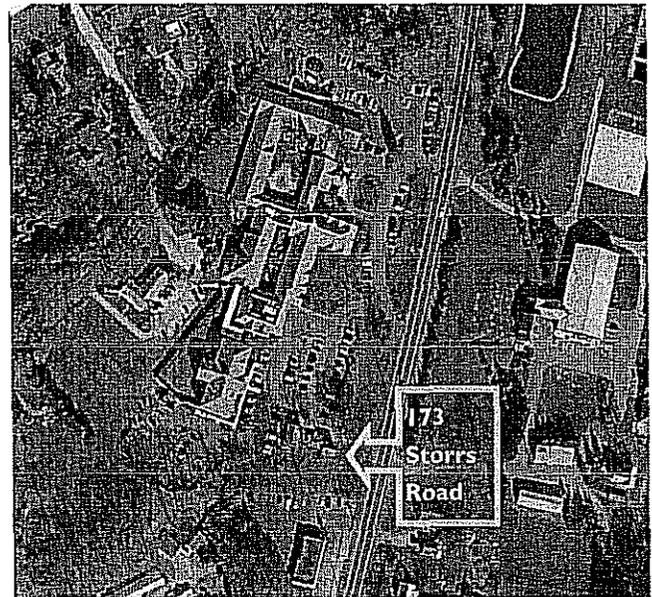
2007 ▪ Modification. Commission approved modification to allow minor additions to older portion of hospital at 189 Storrs Road and parking lot revisions. (File 937-4)

2011 ▪ Variances. Zoning Board of Appeals approves variances to setbacks and parking location for proposed facilities management building.

Description of Use and Operations

Natchaug Hospital is a non-profit regional behavioral health facility that provides in-patient and out-patient programs for children and adults. Currently, the building located at 173 Storrs road is used by the facility management staff and is in poor condition. The applicant is requesting approval to demolish the existing structure and replace it with a 4,066 square foot building, of which ±1,600 square feet would be used for facility management office space and the balance used for maintenance crew vehicles and storage of vendor deliveries. No staffing increase is proposed or anticipated due to the proposed project.

As noted previously, the elimination of hospitals as a permitted use in the PB-I zone in 1984 made Natchaug a legal non-conforming use. As such, Article IX, Section D(3)(b) requires that any expansion of a non-conforming use obtain special permit approval.



ANALYSIS

Article V, Section B(5) of the Mansfield Zoning Regulations requires that the proposed project will not detrimentally affect the public's health, welfare and safety, and that the approval criteria shown in **bold text** below have been met.

All approval criteria cited in Article V, Section A(5), Site Plan Approval Criteria, of the regulations have been met.

▪ Compliance with Zoning Regulations

Design Development District. The property is located within the Planned Business I Design Development District. Pursuant to Article X, Section (A)(4)(d), building setbacks are determined by the Planning and Zoning Commission.

Architectural and Design Standards. The Design Development District requires that all new development conform to the architectural and design standards contained in Article X, Section R. The new building is a pre-engineered steel building that includes details along the front façade to coordinate with the existing campus buildings, including :

- Simulated stone foundation, clapboard siding and shingles.
- Rooftop Cupola.
- Use of the same color scheme as the two-story building approved in 2003.

The following changes/additional information should be reviewed by the Director of Planning and Development prior to approval of final plans:

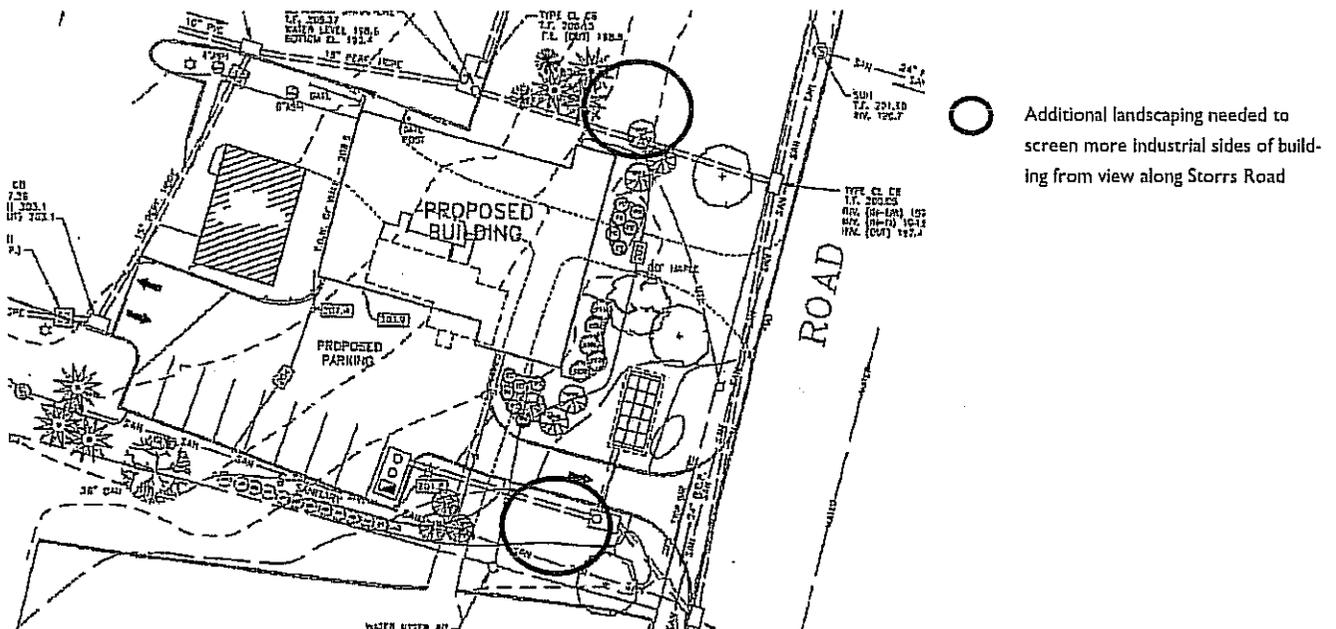
- Addition of landscaping to screen the more industrial views of the building from Storrs Road (see figure below)
- Window details
- Location/screening of HVAC equipment
- Wall-mounted lighting details

Landscape Buffer. Pursuant to Article VI, Section B(4)(q) (2), a minimum 50 foot wide landscape buffer is required when the proposed development abuts a less restrictive zone or wetland area. In this case, the less restrictive zone is across Storrs Road, as such, the proposed 45 foot building setback is sufficient.

Signs. No sign changes are proposed as part of this application.

▪ State and Local Agency Approvals/Permits.

Connecticut Department of Transportation: As Storrs Road is a state road, ConnDOT approval is required for the proposed driveway. John DeCastro of the Bureau of Highway Operations issued a letter approving the proposed driveway location and indicating the submittals required for an encroachment permit to be issued.



ANALYSIS (CONTINUED)

▪ Environmental (Water, Wastewater, Flood Control, etc.)

The proposed project is in an area of stratified drift aquifer identified on Map 10 of the Plan of Conservation and Development. As such, the development is subject to the requirements of Article VI, Section B(4)(M) regarding performance standards within aquifer areas, particularly with regard to stormwater and landscape management. To fulfill these requirements, the applicant will need to:

- Incorporate best management control practices for stormwater controls in accordance with State Department of Energy and Environmental Protection Best Management Guidelines.

This plan should address ways in which Low Impact Development techniques could be incorporated as part of the new structure to minimize the impact of the additional impervious cover. One example pertaining to the proposed building would be to direct roof runoff to a stabilized vegetated area instead of connecting the roof leader drain into the stormwater infiltration system. More details can be found in the Low Impact Development Appendix to the Connecticut Stormwater Quality Manual.

- Submit a campus-wide plan detailing proposed provisions to minimize the risks of groundwater contamination, including prohibition/restriction of the use of salts and chemicals for ice. This plan should address the entire campus.
- Prepare and submit a campus-wide landscape management plan that addresses the use of fertilizers, pesticides and other organic or chemical applications to minimize the risks of groundwater contamination.

Site Access (Vehicle, Pedestrian, Parking, Loading, Etc.)

Vehicular access and facilities. The existing driveway located to the north of 173 Storrs Road will be eliminated and a new exit-only driveway constructed to the south of the proposed building. Access to the site will be from the main entrance on Storrs Road. Connecticut DOT has approved the revised access plan and is prepared to issue an encroachment permit when a complete application is received.

Pedestrian Facilities. The existing walkway in front of 173 Storrs Road and connects to the adjacent property is being eliminated with the proposed construction. As the statement of use notes that the tenants of the adjacent property include psychiatrists on the consulting staff of Natchaug Hospital, a new pedestrian connection to the main portion of the campus needs to be identified and constructed.

▪ Noise and Outdoor Lighting.

The applicant is proposing to employ the same lighting fixtures used elsewhere on the property and has stated that it will be designed to ensure no impact on neighboring properties. One proposed light pole is identified on the site plan at the southeast corner of the parking lot. Additional detail regarding location and type of proposed wall mounted lighting is needed. Pursuant to Article X, Section R (4)(d), it is recommended that the light fixtures include shielding/cutoffs to direct light away from the property line and minimize sky glow. Section R (4)(4) recommends the use of white lamps (metal halide, fluorescent, incandescent, etc.) rather than low or high pressure sodium.

▪ Passive Solar and Energy Conservation.

Consistent with the recommended site/building design guidelines for energy conservation, the proposed building maximizes south facing walls.

▪ Neighborhood Impact.

The proposed building is located on the southeastern portion of the campus, across from the Windham Water Works facility and a single-family home located in the R-20 zone. As noted previously, the existing building to the south contains medical offices, including offices for consulting psychiatrists to the hospital.

▪ Utilities

Electric, Telephone, Cable. Utility connections will be provided through underground service connected to the existing utility pole on Storrs Road.

Water and Sanitary Sewer. The hospital is currently served by Windham Water Works and Windham Water Pollution Control Authority. The building will tie into the existing laterals and mains.

The proposed use is compatible with the Town's Plan of Conservation and Development

- The subject property is designated as Planned Business/ Mixed Use in the Plan of Conservation and Development.
- Policy Goal 1, Objective B recommends that higher density commercial uses be encouraged in areas designated as Planned Business/Mixed Use, especially those with public water and sewer connections such as the subject property.
- The property is in an area of Stratified Drift Aquifer as depicted on Map 10 of the POCD. As noted previously, the applicant will need to prepare and submit stormwater and landscape management plans to minimize potential for groundwater contamination.

ANALYSIS (CONTINUED)

The location and size of the proposed use and nature and intensity of the use in relation to the size of the lot will be in harmony with the orderly development of the Town and other existing uses

- The subject property is located on Storrs Road, across from the Windham Water Works facility.
- The proposed building would increase building coverage to 17%, the maximum allowed is 20%.
- The proposed facility and associated changes to parking design and access will facilitate movement of delivery vehicles through the site.

Proper consideration has been given to the aesthetic quality of the proposal, including architectural design, landscaping and proper use of the site's natural

features. The kind, size, location and height of structures, and the nature and extent of site work, and the nature and intensity of the use, shall not hinder or discourage use of the neighboring properties or diminish the value thereof. All applicable standards contained in Article X, Section R shall be incorporated into the plans.

See Compliance with Zoning Regulations.

SUMMARY/RECOMMENDATION

Based on the information available at the time this report was written, I find no significant land use issues with the proposed expansion at Natchaug Hospital. The following issues/conditions should be addressed by the Commission in any approval motion.

- Restoration of pedestrian connection between campus and adjacent office building to the south
- Submission of additional details for lighting, HVAC equipment, and windows for approval by the Director of Planning and Development.

- Additional landscaping to screen the more industrial portions of the building from view of vehicles traveling on Storrs Road.
- Submission of stormwater and landscape management plans pursuant the recommendations contained in the analysis.

NOTES

- The analysis and recommendations contained in this report are based on the following information submitted by the applicant:
 - Application submitted September 29, 2011 and received by the PZC October 3, 2011, including:
 - Statement of Use
 - 6-Page Plan Set including survey, site plan, erosion and sedimentation controls, details and landscape plan prepared by Datum Engineering and dated August 16, 2011
 - Lighting details from Simkar
 - 8-Page set of building elevations prepared by Rose Construction and dated September 26, 2011
 - Design Statement and Hydrological Analysis prepared by Civil Engineering Services LLC and dated September 19, 2011
 - Letter from John DeCastro of ConnDOT to Edward Pelletier dated October 5, 2011
- Correspondence regarding the proposed development has been received from the following:
 - Memo from Grant Meitzler, Assistant Town Engineer, dated November 3, 2011
 - Neighborhood Notification Forms were sent to property owners within 500 feet of the subject property in accordance with Article V, Section B(3)(c) of the Mansfield Zoning Regulations. A copy of the notice and certified mail receipts must be provided to the Department of Planning and Development prior to the close of the public hearing.
 - Before rendering a decision, the Planning and Zoning Commission must consider other referral reports and Public Hearing testimony. A decision must be made within 65 days of the close of the Public Hearing unless the applicant grants a written extension.
 - The Public Hearing on this item will be opened on November 7, 2011.

PAGE
BREAK

Memorandum:

November 3, 2011

To: Planning & Zoning Commission
From: Grant Meitzler, Assistant Town Engineer
Re: Natchaug Hospital - Building replacement

plan reference: dated August 16, 2011
Design Statement & Hydrological Analyses, Undated

This application proposes expansion and replacement of a former private residence now owned by the Natchaug Hospital. The proposed use is an expanded maintenance and delivery use serving the much larger hospital operation at this dedicated location. The new building replacing the old will be 4066 sq.ft. in area.

There are no direct involvements with wetlands or the 150' regulated upland areas adjacent to wetlands.

Expanded parking is to be provided on the south side of the present building in present lawn areas. There are 9 parking spaces in this new parking lot. Present separate parking for this building location is limited to two or three quite vaguely indicated spaces, without any apparent provision for delivery trucks. The revised parking and traffic circulation will provide delivery access through a 24' wide interior access and a separate exit driveway from the south side of the new building with a widely curved exit to Storrs Road to allow for truck exit from the site with minimum obstruction to Storrs Rd traffic.

The present truck access to the interior parking areas and other site entry and exit drives is by a single lane connector between one end of a defined parking area and the present drive to this location (173 Storrs Rd).

In addition to improved entry and exit, this revised parking plan provides a large area in front of two garage doors accessing the interior storage areas where materials will be stored sorted and delivered to other site buildings in the larger hospital. This will serve, I think, as a loading zone.

The submitted application materials indicate that no new personnel are being added to the operation so the expanded building can be seen as increasing efficiency of deliveries and as adding about 6 new parking spaces.

This proposal may very well result in a slight improvement for traffic on Storrs Road, and should improve interior lot circulation for the hospital due to improved handling of delivery trucks as they move through the greater hospital site to get to this building.

The new building will be connected to municipal water and sewer.

Piped storm water flows from the new parking area have been provided with "storm water separator" and a "control structure" that will direct a first flush flow to an underground system allowing infiltration of the first flush water quality volume as the storm flow makes its way to

the older system existing along this side of Storrs Rd. This state drainage system discharges downstream of the Windham Waterworks reservoir dam.

While this underground infiltration/storage of first flush flow is advised by the 2004 Water Quality Manual circulated by the state it does raise question about how this will relate to the Aquifer Protection regulations which apply in this area.

A Sediment & Erosion plan has been submitted and provides for an ample tracking pad at the new driveway exit which can be expected to be used for the construction traffic related to this new building. Protection at catch basins is also provided. Silt fence protection is indicated along the edges of the construction area downhill along the adjacent Howard property and along the Storrs Rd frontage. The stockpile location on adjacent Natchaug Hospital property is also provided with silt fencing.

Daily S&E inspections are noted with biweekly reports to Planning & wetlands offices. Mike Strycharz 860-456-1311 is indicated as the "responsible person".

STATE OF CONNECTICUT
DEPARTMENT OF TRANSPORTATION

DISTRICT II
171 Salem Turnpike
Norwich, Connecticut 06360
Phone:

(860) 823-3211



October 5, 2011

Mr. Edward Pelletier, L.S.
Datum Engineering & Surveying, LLC
132 Conantville Rd.
Mansfield, CT 06250

Dear Mr. Pelletier:

Subject: Natchaug Hospital Expansion
Storrs Rd. (Route 195)
Town of Mansfield

We have approved your plans for the above-noted subject dated August 16, 2011, entitled "SPECIAL PERMIT APPLICATION TO THE TOWN OF MANSFIELD PLANNING AND ZONING COMMISSION – NATCHAUG HOSPITAL – 173 & 189 STORRS ROAD, MANSFIELD, CONNECTICUT 06250."

An encroachment permit will be issued upon receipt of the following:

1. A completed encroachment permit application.
2. Two sets of full size stamped construction plans.
3. A Bond on state form CLA-5, in the amount of \$15,000 in the contractor's name.
4. A Certificate of Insurance in the contractor's name, requiring Bodily Injury Liability of \$1,000,000 and aggregate of \$2,000,000.
5. A check or money order in the amount of \$100 made payable to "Treasurer-State of Connecticut."

If you have any questions regarding this matter, please contact Mr. Richard Chapman of this office at 860) 823-3240.

Very truly yours,

A handwritten signature in black ink, appearing to read "John S. DeCastro".

John S. DeCastro, P.E.
Special Services Section Manager
Bureau of Highway Operations

cc Mansfield Planning and Zoning

PAGE
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DRAFT
MINUTES

PLANNING & ZONING COMMISSION REGULATORY REVIEW COMMITTEE

Wednesday, October 26, 2011

Conference Room B, Audrey P. Beck Municipal Building

Members present: M. Beal R. Favretti, K. Rawn, K. Holt, V. Ward

Others present: L. Painter, Director of Planning and Development

Call to Order

Chairman Beal called the meeting to order at 1:18 p.m.

Approval of Minutes

05-25-11- R. Favretti MOVED, K. Rawn seconded, that the 5/25/11 minutes be approved as written. MOTION PASSED UNANIMOUSLY. Holt and Ward disqualified.

Discussion of Potential Revisions

Painter distributed a draft project list for FY12 for review and discussion by the Committee.

The following projects are continued from FY11:

- Low Impact Development regulations
- Zoning Map changes to the Institutional Zone and Pudding Lane
- King Hill Road area zoning

The Committee discussed proposed projects for FY12 and identified the following areas for revision:

- Live music/entertainment
- Changes to comply with new state statutes regarding:
 - Site plan and subdivision expiration dates
 - Bonding of public improvements
 - Dry hydrants
- Dark skies
- Multi-family design and development standards
- Student housing standards
- Miscellaneous corrections and clarifications to zoning and subdivision regulations

Painter will assign priorities to project list pursuant to discussion for discussion at next meeting.

Future Meetings

Wednesday, November 9, 2011 at 1:15 p.m., pending confirmation of schedule and room availability

Adjournment

The meeting was adjourned at 2:51 p.m.

Respectfully submitted, K. Holt, Secretary

PAGE
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Journal

NEWS & INFORMATION FOR CITIZEN PLANNERS

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The Power of Food

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How Wise Is Your Crowd?

Stepping into the knowledge of a large and diverse group of people.

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It's More Complex than Planning a Wedding!

Planning for even a small community is more challenging than we often realize.

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Journal

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Do You Have the [NOUN] to [VERB] This?

We've long advocated the need for planning commissioners to work effectively as a group. And in many articles we've published, we've offered a variety of ways of accomplishing this.

But as this is our 20th anniversary, we wanted to offer one additional "modest" contribution to helping your commission out -- while, we hope, providing just a bit of a diversion at your next meeting. To that end, we're making available to you a Mad/Word Lib titled, The Role of the Planning Commissioner.

Our suggestion: have someone on your staff download and print out the dialogue by going to: www.plannersweb.com/nounverb.html. Perhaps at the end of your meeting -- or during a break -- your planner can ask board members to "fill in the blanks" by taking turns in calling out the requested words [nouns, verbs, adjectives, and so on]. Or show your cooperative spirit by deciding on each word choice by consensus! When you're done, someone can then read out the dialogue, with the words you all just came up with inserted.

Spoiler alert: planning commissioners, please don't "cheat" by looking up the dialogue first, or you'll have to recuse yourself!

After you're done, consider mailing or faxing us your completed Mad/Word Lib -- we'll be curious to read what you came up with. We'll send a complimentary copy of our *Welcome to the Commission Guide for New Members* to the three most interesting ones we receive -- in our [ADJECTIVE: arbitrary exclusive] editorial judgment.

Of course, please view this Mad/Word Lib in the [ADJECTIVE: light-hearted] spirit it is intended -- and have fun! ♦



Wayne M. Senville
Wayne M. Senville,
Editor

11 Sitting On Both Sides of the Table

by 25 Planners & Planning Commissioners

For our 20th anniversary issue, we heard from 25 individuals who have served both as professional and citizen planners. What they learned from having sat on both sides of the table.

12 Commission and Staff: Expectations of Each Other

by Michael Chandler

Ten of the most common expectations from each side of the table.

13 The Role of the Professional Planner

by Perry Norton

We reprint a short article by the late Perry Norton, who spent a long career as a respected planner and teacher.

14 Making a Difference

by Otis White

How much of a difference can one planning commissioner make? Quite a bit, as Otis White explains.

15 The Power of Food

by Staff from Project for Public Spaces

Food trucks; a farmers' market; apple dumplings; and a brick oven. How four communities have used food to bring new life to public spaces.

16 How Wise Is Your Crowd?

by Gwendolyn Hallsmith

Are there benefits in tapping into the knowledge of a large and diverse group of people?

17 It's More Complex than Planning a Wedding!

by Della Rucker, AICP, CFP®

There's no getting around the fact that planning for even a small community is far more complex than planning for even the most elaborate wedding.

Our 20th Anniversary!

The *Planning Commissioners Journal* has been the result of the efforts of some very talented individuals:

ELAINE COGAN, a Principal in the Portland, Oregon, planning and communications firm of Cogan Owens Cogan, has trained dozens of planning boards and staffs on public involvement and communications techniques. For many years she wrote "The Effective Planning Commissioner" column for the *PCJ*. We've also published Elaine's excellent booklet for new planning board members: *Now That You're On Board: How to Survive ... and Thrive ... as a Planning Commissioner* – currently available as a pdf download.

"Our" Ed McMAHON has been another frequent contributor – authoring some 23 articles for the *PCJ*. Ed is both a terrific speaker and writer, familiar with a wide range of subjects, from zoning and land use, to urban design, to transportation policy. Ed is a Senior Resident Fellow at the Urban Land Institute.

HANNAH TWADDELL is Principal of Twaddell Associates, LLC. Hannah has regularly focused on transportation-related topics for the *PCJ*. Many of her articles are included in our two reprint collections: *Transportation Planning: Getting Started* and *Transportation Planning: New Directions*.

GREG DALE is Principal with the planning and zoning firm of McBride Dale Clarion – and a frequent trainer at planning commissioner workshops. Greg has written nearly two dozen columns for the *PCJ* on ethical issues facing planning board members. You'll find them in our

Ethics & the Planning Commission publication.

MICHAEL CHANDLER is a former Professor and Community Planning Extension Specialist at Virginia Tech, also with many years' experience in planning commissioner training. From 1992 to 2003 Mike wrote "The Planning Commission at Work" column for us, covering topics ranging from comp plan development to meeting management.

The inimitable duo of JIM SEGEDY and LISA HOLLINGSWORTH SEGEDY took on "The Planning Commission at Work" column in 2008 – and have maintained its high standard of excellence. Both have extensive experience in community planning, and Jim's also taught a generation of planners at Indiana's Ball State University.

Long-time planner BETH HUMSTONE has focused on land development, growth management, housing, and related issues. Beth is co-author of the excellent *Above and Beyond, Visualizing Change in Small Towns and Rural Areas*, available from APA Planners Press.

Historian LAURENCE GERCKENS is emeritus professor at The Ohio State University, and founder of The Society for American City and Regional Planning History. Among his many contributions to the *PCJ* is *The Planning ABCs*, a fascinating alphabetic review of 26 planning topics from Automobiles to Zoning. It's available to order as a pdf download.

I don't have the space to

mention all the other talented individuals who have contributed multiple articles to the *PCJ*. But take a few minutes on our PlannersWeb site – www.plannersweb.com – to scroll through the *PCJ* authors list. You'll spot, among others, frequent contributors CAROLYN BRAUN; WENDY GREY; GWENDOLYN HALLSMITH; DELLA RUCKER; JOEL RUSSELL; KENNEDY SMITH; DAVE STAUFFER; RIC STEPHENS; OTIS WHITE; and two planners no longer with us, the late JACK MCCALL and PERRY NORTON.

BETSEY KRUMHOLZ is the *PCJ*'s general manager, and the glue that holds our operation together. In addition to handling all variety of office tasks, Betsey has been responsible for putting together our "Taking a Closer Look" reprint collections and our *Welcome to the Commission Guide for New Members*. Betsey also knows planning, having served on (and chaired) the Burlington Planning Commission.

LARRY PFLUEGER, recently retired from his position as Principal Planner with the Pinellas (Florida) Planning Council, has generously volunteered countless hours of time as our assistant editor. Virtually every article we've published has been improved as a result of Larry's careful reading and incisive comments.

Since 1991, hundreds of professional and citizen planners have helped us out by providing comments on draft articles. Others have served on our editorial advisory board, most recently: LARRY FREY, LEE KROHN, ROSS



MOLDOFF, CHRISTINE MUELLER, IRV SCHIFFMAN, BARBARA SWEET, ILENE WATSON, and WAYNE LEMMON (who passed away last year).

PAUL HOFFMAN has prepared the cover drawing for every one of our now 84 issues! Paul brings an extraordinary amount of creativity, attention to detail, and thought to each drawing.

NED CORBETT, who handles the layout and design of the *PCJ*, has a talent for keeping the "look" of the *PCJ* fresh – yet within an overall style that has remained surprisingly consistent since our very first issue.

PEGGY ELLIS-GREEN, until leaving us to join the Burlington Mayor's Office, took care of just about everything in our office – from billing, to marketing, to keeping us organized.

My thanks also to others who in past years helped keep our office running: MAUREEN O'BRIEN, LAURIE BISHOP, BOB KISS, and the late MIKE KALOUSTIAN.

Finally, there's one other person who's not only lent constant support over the past twenty years, but also provided perceptive feedback on many draft articles, my wife, LILA SHAPER.

— Wayne M. Senville,
Publisher & Editor

Sitting on Both Sides of the Table

From PCJ Editor Wayne Sewill

What better way to celebrate the 20th Anniversary issue of the *PCJ* than by letting you hear directly from 25 professional and citizen planners from across the country. The "catch" – if you want to call it that – is that all of these talented individuals have served not just as professional planners, but also as members of planning, zoning, or related local boards.

Having sat on both sides of the table, so to speak, they have valuable insights into the challenges facing not just professional planners, but planning commissioners as well. Over the next eight pages you'll read their responses to four questions I posed.

In the sidebars, each of the 25 planners will tell you what got them interested in serving on their local planning commission.

What got you interested in serving on your planning board?



Ann Bagley, FAICP
Dallas, TX
Member: City of Dallas Plan
Commission; Principal, Bagley
Associates, Dallas.

As an entry level planner, I had the good fortune to work with some very dedicated commissioners in Sugar Land, Texas. They were engaged and engaging, understanding and interested in doing what was best for the community as a whole. With them as examples, I became interested in training planning commissioners at conferences and workshops. I also realized I wanted to give back to the community like my first commissioners.



Austin Bless
Winnebago, MN
Past Member: City of Blaine
(MN) Planning Commission;
City Administrator for Win-
nebago; former Community
Development Director, Wells, MN.

I was looking for ways to get more involved with the community. Being able to help direct and guide the city for a great future was something I really wanted to be a part of.

Was there anything that particularly surprised you when you started serving on the planning commission?

It's Harder Than You Think

The biggest surprise was how much time being on the planning commission took and how little time I had to devote to the commission. I thought it would be easier for me being a former planner – i.e., I would understand the codes and the staff reports and wouldn't have to study things so much. But I never had enough time to visit all the sites and to thoroughly read the staff reports.

— Bonnie Johnson, Lawrence, KS

Having written the staff reports based on the codes and ordinances, I found that making decisions was harder than I ever imagined. This was especially true when cases had people and neighborhood aspects that were not always clear in the code.

— Ann Bagley, Dallas, TX

The pressure of having residents, neighbors, friends, staring at you expecting you to do "the right thing," even if the law was not necessarily pointing you in that direction.

— Aaron Henry, Danvers, MA

Since I did not work in a public sector position during the day, I did not expect four-hour planning commission meetings! I probably underestimated how contentious some issues were and how passionate people were about their neighborhoods.

— Glenn Lapin, Huntington Woods, MI

My biggest surprise was how much I needed to get up-to-speed on basic planning principles again. I've worked my entire career in the transportation planning field, so I don't deal with variances, conditional use permits, zoning, or other related issues on a day-to-day basis. It helped that I still had some of my old college books and the materials I used to study for the AICP exam. After revisiting those materials, and attending a few meetings, I was feeling much more comfortable!

— Wayne Hurley, Fergus Falls, MN



You've Got to Be Kidding!

Prior to volunteering as planning commissioner I worked in the development end of the planning world. As I like to say, I am a game warden who used to be a poacher. I was surprised by the fact that, on occasion, planning commissions could feel pressure that could lead them to consider subjective issues that may not have been germane (from a strictly planning perspective) to the issues at hand.

— Robin Pierce, Charlotte, VT

I was astonished by the disproportionate time given to relatively minor issues (sign plan amendments, mostly) and the comparatively little time allotted to making significant and meaningful changes to our codes and our plans. Most of all, I was surprised that no time was devoted to learning. I think that even a small portion of time devoted to learning about the prevailing wisdom in planning and zoning would have been beneficial for me and my fellow commissioners.

— Jacob Day, Salisbury, MD

What surprised me most about how the planning & zoning commission worked was its initially baffling mix of rigid enforcement of regulations and a willingness to bend the rules. It took several months of meetings for me to sort out the unstated sub-context of which rules-regulations were regarded as critical to the city and which were less so.

— Bob Ernst, Chesterfield, MO

The lack of knowledge of planning law and practices by fellow board members surprised me. Many decisions were driven by emotion (the members' personal preferences) rather than by adherence to the zoning ordinance and the land use law.

— Louis Joyce, Alloway Twp., NJ

Some Other Surprises

The biggest surprise was that I didn't agree with the staff recommendations as often as I presupposed I might.

— Chris Dunn, Columbia, MO

My professional career had been (and still is) primarily with smaller communities usually with populations less than 20,000. I was surprised to learn that big cities and small towns often have the same issues and same fights – managing growth, enforcing the code, trying to actually plan rather than just putting out fires every day.

— Tim Jackson, New Orleans, LA

I was very impressed at how active the commission was. After we got our packets, most of the commissioners checked out the locations the variances, conditional

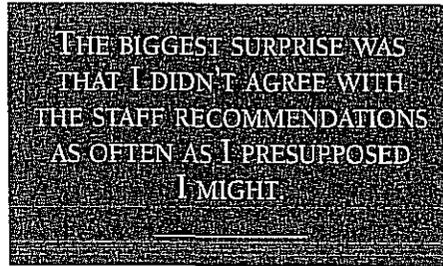


use permits, etc., were being requested for. It was great to see citizen commissioners taking such an interest in it.

— Austin Bleess, Winnebago, MN

Finding that the other commissioners aren't necessarily as extreme in their positions ("pro-developer" or "tree-hugger") as is sometimes portrayed in the local media.

— Kim Henry, Knoxville, TN



What was most unexpected to me was the complexity a group of volunteers were asked to deal with, particularly in a setting with very little staff support or resources. It surprised me how little the community at large seemed to be aware or concerned about planning matters – but surprised me more when the room was packed with citizens when they were concerned about something.

— Martin Soholich, Ridgely, MD

The first surprise: Each commission has its own personality – "MO" or way of "doing things" – which is not necessarily the way I was taught, or the way I believed based on my professional experience.

— David Hartt, Shaker Heights, OH



Peter Boecher, CRE, AICP
Bellaire, TX
Member: City of Bellaire
Planning & Zoning Commission; Senior Associate with TBG, Inc., in Houston.

I thought that gaining a commissioner's perspective would be beneficial. The experience has been hugely beneficial and educational.



Jacob Day
Salisbury, MD
Member: City of Salisbury/Wicomico County Joint Planning Commission; Director of the Center for Towns, a program of the Eastern Shore Land Conservancy

Service to my community through the planning commission felt like the most appropriate and relevant application of my time.



Christopher Dunn, AICP
Columbia, MO
Past Member: City of St. Joseph (MO) Planning Commission; former Director of Community Development, City of Leavenworth, KS

I saw service on the planning commission as a way I could serve my city of residence and continue to grow professionally. I also thought I could help the city drop some bad practices by drawing attention to them by asking the right questions at commission meetings.



Cynthia Eliason, AICP
San Leandro, CA
Past Member: Board of Zoning Adjustment, City of San Leandro; Supervising Planner, City of Alameda, CA

I wanted to give back to the community in which I lived.



Learn More

Getting and staying organized is essential for the proper conduct of the public's business. Our "Come to Order!" booklet will help your planning board work more effectively. From making the most of your meeting time, to preparing better agendas, to developing by-laws and rules of procedure, these 20 articles will provide you with dozens of tips and useful ideas. For details go to: www.plannersweb.com/c2o.html.



What got you interested in serving on your planning board?



Bob Ernst, Chesterfield, MO
Past Member: Pittsfield Township (MI) Planning & Zoning Commission; past planner with St. Louis County (MO) Dept. of Planning; Parsons Corp; and Jacobs Engineering.

I was in my third year of teaching urban/regional planning at a local university and had previously worked as a junior planner for a county planning department in another state, but wanted to be "on the firing line," so to speak, in terms of decisions about how the city would look and function on a day-to-day basis.



Michelle Gregory, AICP
Corbett, OR
Member: Multnomah County Planning Commission; Principal, Soapbox Enterprises, Inc., providing planning consulting services; past planner for City of Milwaukie, OR.

After working as a research planner, a neighborhood planner, and then a collaborative planning consultant, I was intrigued by the opportunity to serve my own community in a policy making/leadership role. But I thought long and hard about how it might affect my life as a practicing planner before accepting the responsibility. This is important. If you serve as a planning commissioner you need to understand how it will affect your professional future.



Fedolia "Sparly" Harris
Elk Grove, CA
Member: City of Elk Grove Planning Commission; Senior Planner with City of Sacramento, Dept. of Transportation.

I live in Laguna West and enjoyed representing my neighbors on a large, complex community association. In 2003, our community was annexed into the City of Elk Grove. The annexation presented an opportunity for me to use what I had learned through the community association to hopefully improve the quality of life citywide through service on the planning commission.

If there's one piece of advice you'd give to planning commissioners based on your experience as a professional planner, what would it be?

Ask Questions

Don't take the staff or the professional planner's word on everything. Ask for an explanation. Commissioners need to understand that the staff's job is to interpret the regulations but the decision making process is not just a checklist. There is room for subjectivity as well, otherwise there is no need for the commission.

— Tim Jackson, New Orleans, LA

Ask questions if staff reports baffle or confound you. It's your job to inquire on behalf of the community. Also, allow your perspective to evolve ... these are turbulent times and people in community-based leadership roles must exude creativity and adaptability.

— Michelle Gregory, Corbett, OR

Don't be afraid to ask questions! Planning is a specialized field and planners often speak and write in jargon or "plannerese." I can tell you that there are others in the room that don't understand, are a bit embarrassed, and need someone to speak up.

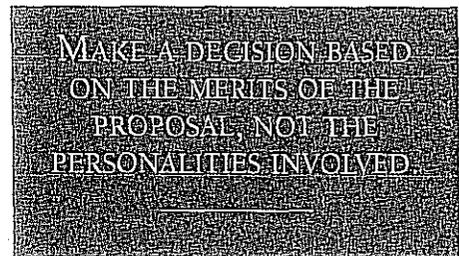
— Ann Bagley, Dallas, TX

Ask questions. If anyone (staff, an applicant, a citizen) says anything that sounds strange then ask about it and if people can't answer the questions, then postpone the decision. Don't let the desire to act quickly mean you make decisions when you are uncomfortable. Once applicants and citizens start seeing that you won't act without the proper information, they will be more forthcoming with information early on in the process.

— Bonnie Johnson, Lawrence, KS

Some advice: ask questions and be clear about what you want; learn as much as you can about the laws governing subdivision control, master plans, etc., and go to planning board member training courses.

— Sharon Wason, Walpole, MA



Decide on the Merits

Make a decision based on the merits of the proposal, not the personalities involved (pro or anti proposal). Hear and deliberate on issues that have been advanced using a reasoned justification: sometimes opinions can be delivered as facts; how do the testimonies stand the test, are they accurate/possible? Work from the perspective of encouraging appropriate development, not the position of discouraging inappropriate development.

— Robin Pierce, Charlotte, VT

Be sure that your community has a clear vision for the future and keep it in mind when making decisions.

— Bill Wiley, Leesburg, FL

The ideal situation is that the board and staff see themselves as a team, each with distinct but equal roles. Staff is there to do the heavy lifting regarding the board's submission standards and plan reviews and the board's job is to determine if the submission meets the relevant approval criteria.

— Aaron Henry, Danvers, MA

Know your land use code better than anyone else, and never compromise your integrity or the community's quality of life. And one more important tip: always assume your microphone is 'ON'!

— Andy Smith, Fort Collins, CO

Be patient in terms of trying to understand exactly what directions the city wants to take in terms of growth/development. Simple platitudes on being "pro-development" or "pro-economic growth" or "pro-environment/sustainability" can have a bewildering set of meanings that may or may not be consistent.

— Bob Ernst, Chesterfield, MO

Listen & Learn

Make sure to take the time to read and understand the information presented in the staff reports prior to the meeting. Staff really appreciates commissioners who have read their packet and we can always tell by the questions asked at the meeting who has or hasn't.

— James Shockey, Grand Lake, CO

Do your homework! There is nothing worse than coming to the meeting and hearing the ripping open of meeting packets for the first time.

— Cynthia Eliason, San Leandro, CA

Talk with the staff. It's not always possible to have great answers to every question during the meeting. Giving the staff a heads up on your questions is greatly appreciated!

— Austin Bless, Winnebago, MN

First, don't try to give the impression that you know more than you actually do. Second, listen more carefully to your professional staff.

— Steve McCutchan, Sandy, UT

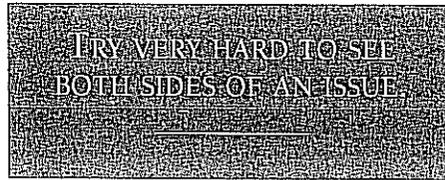
Listen to all sides of an issue before making a final decision. Be prepared to compromise.

— Glenn Lapin, Huntington Woods, MI

If you can make the time for it, bring in an expert – pro bono – who can speak to some of the more challenging issues you're dealing with and who doesn't have skin in the game, so to speak. An urban designer, planner, architect, landscape

architect, or other professional operating in the built environment might be a great guest speaker – who is not lobbying on a particular issue, but is only there to impart some knowledge.

— Jacob Day, Salisbury, MD



Focus on the Facts

Always look at the facts. If you're not sure there is enough information to make a decision, ask for it and postpone the decision until you have that information – although this can be hard to do when there are people who need a decision quickly or there are grant deadlines.

— Stacey Smith, Cle Elum, WA

Put personal preferences and prejudices aside to deliberate on technical issues and application merits, and be proactive to seek changes to local zoning laws where deficiencies have been identified.

— Louis Joyce, Alloway Twp., NJ

Try very hard to see both sides of an issue. It's easy to vilify developers as uncaring, manipulative, and simply out to make a profit. But remember that it is not a crime to make a reasonable profit and that without people taking considerable risk with their own capital, the general public would not have most of the venues that we all frequent and enjoy. With this said, commissioners have a duty to protect the public, follow the general plan, and enforce the city code – and sometimes a project just does not conform to that mandate.

— Fedolia "Sparky" Harris, Elk Grove, CA

Understand not only what the ordinances say, but the logic behind them. Try to communicate that there should be nothing arbitrary or preferential about any decision you make, and that there is frequently a way to "meet in the middle."

— Martin Sokolich, Ridgely, MD



David Hart
Shaker Heights, OH
Past Member: City of Shaker Heights Planning Commission; Principal, D.B. Hart Inc., Planning & Development Consultants, Cleveland.

As a volunteer I was working on the campaign of a candidate for mayor. I was doing so without any expectation (honestly!) of attaining a "higher office." Immediately after her election I was asked to serve on the commission. I was honored and flattered to be asked. I said yes; serving, I believe honorably and faithfully, for 19 years till last December.



Aaron Henry, AICP
Danvers, MA
Member: Danvers Planning Board; Senior Planner; Town of Lexington, MA.

After years of staffing a board, I thought it might be interesting to experience what sort of pressures members are under – and learn why they don't just do what staff tells them to! Not to mention that I truly did (and still do) want to serve my community and had the skills to step in.



Kimberly Henry, AICP
Knoxville, TN
Member: Knoxville Downtown Design Review Board; Past Member: Knoxville-Knox County Metropolitan Planning Commission. Owner, KH Consulting; former Director of Operations for The Development Corp. of Knox County.

I enjoy community service and feel very strongly that it is important to give back, and to participate. Planning commissions and boards need a diversity of talents – from neighborhood activists, engineers, and environmentalists, to professional planners. A well rounded board, with multiple viewpoints, provides the best guidance for the community.



Wayne Hurley, AICP
Fergus Falls, MN
Member: City of Fergus Falls Planning Commission; Planning Director, West Central Initiative, Fergus Falls, MN.

I enjoy being involved in my community. When I got into planning as a profession, it was because it was something I was very interested in on a personal level. That carries through both my career and personal life.

What got you interested in serving on your planning board?



Tim Jackson, AICP
New Orleans, LA
Past Member: New Orleans City Planning Commission; Senior Research Associate, University of New Orleans, Dept. of Planning and Urban Studies; former planning consultant.

I had not considered being on the New Orleans City Planning Commission until my district councilman approached me about filling a vacancy. It was something new, a new learning experience, and I felt that as a professional planner I also had something to offer.



Bonnie Johnson, PH.D., AICP
Lawrence, KS
Past Member: Lawrence-Douglas County Metropolitan Planning Commission; Assistant Professor, University of Kansas Dept.

of Urban Planning; former staff planner for Amarillo, TX; Liberty, MO; and Johnson County, KS.

I have to say I really wondered what it would be like being on the other side of the table and I also liked the idea of being one of the people making the decisions – as much as a planning commission can do that sort of thing!



Louis Joyce
Alloway Township, NJ
Past Member: Alloway Township Planning Board; Planning Director for Salem County, Nj.

I was happy to volunteer to serve on my local planning board and knew that my knowledge of planning would be an asset to the board. Also, when I started on the board I was not practicing planning full time, so it wasn't "too much of a good thing"!



Glenn Lapin
Huntington Woods, MI
Past Member: City of Huntington Woods Planning Commission; Planning consultant; former Director of Planning & Development for Detroit Renaissance, Inc.

Being able to serve the community where I lived prompted me to join the planning commission. The projects I worked on during the day related to issues facing large cities. By joining the planning commission, I was able to address very different issues – issues that impacted smaller communities.

If there's one piece of advice you'd give to planners based on your experience as a planning commissioner, what would it be?

Work With Your Planning Board Members

I think many planners, not all, but some, tend to think of themselves as the experts and don't spend enough time communicating with their commissioners. Most commissioners want to do the right thing and make the right decision. They need planners' expertise and analyses, but commissioners do not like to be dis-ed.

— Tim Jackson, New Orleans, LA

Defer to the members who have been on the board/commission for a long time. They likely have historical knowledge about how things came about and why they are the way they are. You may have planning training, but they understand the past.

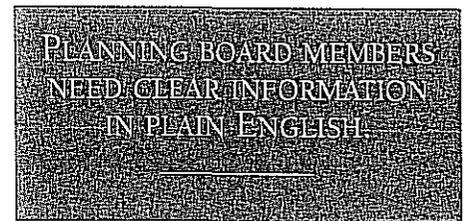
— Cynthia Eliason, San Leandro, CA

Let us in. Let us commissioners in on your decision making. If an applicant regularly turns in incomplete applications and is not forthcoming with information, let the commissioners (or at least the chair) know. If you are getting lots of calls from the public about a particular application, let us know. Give us a "heads up" on controversies that might be brewing. Make us part of the team. ... Also, if the commission regularly changes your recommendations then ask them how we can get on the same page or start giving them options up front.

— Bonnie Johnson, Lawrence, KS

Planners need to take the time to listen to commissioners. Most commissioners don't have a degree in planning and therefore may ask questions that seem simple to those who work in the field every day. Take time to really get to know your commissioners, their strengths and weaknesses in planning – that way you'll know where they are coming from when they have questions.

— James Shockey, Grand Lake, CO



Communicate Clearly

Keep your presentations brief and assume that the commissioners have read your staff report. I live by PowerPoint presentations but nothing is more frustrating than watching eyes glaze over when your presentation goes too long. The intent of the presentation should be to give the audience an idea of what you are talking about without going into excruciating detail and to remind the commissioners of their questions.

— Fedolia "Sparky" Harris, Elk Grove, CA

Remember that you speak a foreign language that might scare some people. Take the time to "back up" and describe the rationale and basis of any project to anyone who asks.

— Andy Smith, Fort Collins, CO

Planning board members need clear information in plain English to help them navigate through the often confrontational and contentious public hearing process. If you as a planner can help keep the proceedings civil, keep the decibel meter in

the conversational range, and keep them out of court, they should thank you for doing a good job.

— Sharon Wason, Walpole, MA

Reports, recommendations, and answers to all questions should be easily understood or readable by anyone. I know there is the need for the legal side being in the report, but a good summary and well-written conditions is recommended. Most people, including the commissioners look for the summary.

— Stacey Smith, Cle Elum, WA

Organize Your Information

Figure out what works for the planning board's present membership so that you get them what they need to handle regulatory matters as quickly and efficiently as possible. This is the psychologist part of the job: this member likes paper copies, that one electronic, they may want a detailed staff report or only a cursory one, and so on.

— Aaron Henry, Danvers, MA

Remember that the folks on the planning commission are citizen planners, not professionals, and they may not know all the ins-and-outs of the planning field. Make sure to take the time early on to get them the background knowledge they need to do a good job as a planning commissioner.

— Wayne Hurley, Fergus Falls, MN

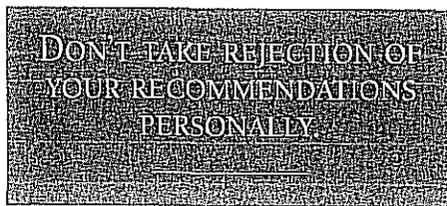
Good graphics can help everyone involved gain a better understanding of an issue. Many communities now have GIS capability, and with Google Earth and SketchUp there are no excuses for uninspired or incomplete staff reports.

— Chris Dunn, Columbia, MO

Keep the information provided to commissioners as simple and straight forward as possible. Watch out for information overload. But if an ordinance section is referenced, include the excerpt.

— Peter Boecher, Bellair, TX

Try to think of questions that might arise [at the meeting]. If you can include pictures of the site that certainly helps out. Also getting the information out as early as possible is great. It gives the commissioners



time to look it over and get out to check out the site.

— Austin Bless, Winnebago, MN

Some Words of Advice

Remember your role as a trained practitioner when caught in the midst of highly contentious community planning challenges. When you feel the heat, give yourself time to be contemplative, so you can strike that vital balance between emotional detachment from the situation and compassion for the community that is struggling with whatever the dilemma may be.

— Michelle Gregory, Corbett, OR

Don't take rejection of your recommendations personally.

— Ann Bagley, Dallas, TX

Work with, don't disdain the private sector (which is often the applicant) for wanting to make a profit. Too often the cry is "... all they want to do is make a profit." Of course they do!! The community relies on and expects the private sector to take considerable risk to achieve the community's own aspirations. Public objectives should not be viewed as loftier than the private objectives, but equal to them. It's the planner role to mediate the differences between two equally valid public and private perspectives.

— David Hartt, Shaker Heights, OH

Never underestimate the value of superior design. Design has the ability to lift the human spirit. When possible encourage problem solving approaches to design. Be creative.

— Robin Pierce, Charlotte, VT

For small communities with limited staff don't hesitate to reach out to other sources for assistance such as volunteers, other planners, your regional planning council, other cities. Don't spend a lot of time trying to reinvent the wheel.

— Bill Wiley, Lccsburg, FL



Steve McCutchan, AICP
Sandy, UT
Past Member: City of Riverside (CA) Design Review Board; Principal, Blake McCutchan Design, Sandy, UT.

I thought it would be both fun and interesting to sit on a board, review and make decisions, particularly with my professional background. However, my principle interest was in just serving the city where I had lived for the past thirty years.



Robin Pierce, AICP
Charlotte, VT
Past Member: Town of Charlotte Planning Commission; Planner for Village of Essex Junction, VT.

I was a planning commissioner first, before I started to work as a municipal planner. I had experienced planning in large cities and had moved to a rural community [Charlotte, Vermont] and was very interested in understanding the planning issues there. I have always volunteered in the community I lived in.



James R. Shockey, AICP
Grand Lake, CO
Member: Town of Grand Lake Planning Commission; Town Planner, Winter Park, CO.

Prior to my current employment in Winter Park, I was the planner for Grand Lake. Since I still live in Grand Lake, and am interested in planning issues, when a position opened on the commission, I jumped on it. It is great to sit on the commission with several members who were present when I was the planner there four years ago!



Andy Smith
Fort Collins, CO
Member: City of Fort Collins Planning & Zoning Commission; Vice President, ZoomGrants; past Senior Planner for City of Loveland, CO.

I really love the city where I live, and wanted to contribute my time, energy, and expertise. As a senior planner responsible for downtown redevelopment in a nearby town, I was often confused when clear goals contained in the comprehensive plan were occasionally tossed aside for short term objectives while reviewing a development proposal. I wanted to learn more about the variables at play in the development review process, and help build a planning culture that promoted confidence and excellence.

What got you interested in serving on your planning board?



Stacey Smith
Cle Elum, WA
Past Member: Town of Cle Elum Planning Commission; Planner, Okanogan County, WA.

I was a planning commission member prior to becoming a planner. I did this during my college years. My mom had been a planning commission member for Snohomish County, Washington, so you could say it ran in the family!



Martin Sokolich
Ridgely, MD
Member: Town of Ridgely Planning Commission; Long-Range Planner, Talbot County, MD.

I had never considered becoming a commissioner. But I moved into a small town and in short order was recruited. The commission had faced a number of growth management and community character issues and were looking for new members who understood the concerns.



Sharon Wason, AICP
Walpole, MA
Past Member: Town of Walpole Planning Board; Town Planner for Foxborough, MA; past Executive Director of Southern NH Regional Planning Commission.

We bought our first home in 1979, and my husband came home with the local paper which had a front-page story on three vacancies in a five-person planning board. Jim said, "Didn't you take a class in planning at MIT?" So I ended up in a seven person race, and was one of the three winners. My experience on the planning board helped lead me to a career in planning.



Bill Wiley, AICP
Leesburg, FL
Past Member: City of Dunnellon (FL) Planning Commission; Director of Community Development,

City of Leesburg.

Living in the community and seeing a need for my expertise because the city is small and their staff resources were limited.

Are there any suggestions you have for strengthening the working relationship between staff planners and planning commissioners?

Keep Lines of Communication Open

It is important to have a regular flow of information to help both staff and planning commissioners do their jobs better and strengthen relationships.

— Glenn Lapin, Huntington Woods, MI

Open communication is the best way to have a great working relationship. Talking outside of the monthly meetings is a great way to build a rapport between staff and commissioners. Communication is the key to every great working relationship.

— Austin Bless, Winnebago, MN

Information sharing in both directions is vital. Information from staff planners on city council activities and recent real estate inquiries/activities is beneficial. Likewise, commissioners should alert staff to issues of concern or topics of interest.

— Peter Boecher, Bellaire, TX

I'm a big fan of dropping in on the staff at our planning department (they're probably not wild about it) – but it creates opportunities for discussion and has generated some of the more interesting ideas that have come up in our comprehensive plan development process.

— Jacob Day, Salisbury, MD

Constant communication!

— Tim Jackson, New Orleans, LA

Our planning director regularly calls each commissioner to answer any questions that can be appropriately addressed before each meeting. He has also begun a practice of meeting with each commissioner periodically without any agenda to listen to concerns and to simply become better acquainted. Both of these practices are greatly appreciated and should be replicated.

— Fedolia "Sparky" Harris, Elk Grove, CA



Respect, Trust, Expectations

Respect by both sides. Once someone has no respect for the other, then issues start to arise. Look at it as being coworkers who should and must get along in order to have smooth meetings.

— Stacey Smith, Cle Elum, WA

Keep your politics to yourself and well-hidden. Make sure there are elevated levels of transparency in your department's actions and in the documentation trail you build. Be prepared to explain the reasoning behind just about everything you do. You'll find that these acts rapidly build trust. Also, take full and immediate responsibility when you do mess up, as we all occasionally will.

— Chris Dunn, Columbia, MO

Responsive communication and mutual respect should be a two way street.

— Ann Bagley, Dallas, TX



Probably the best thing to have is a good organizational/procedural manual. It should clearly spell out the roles and responsibilities of the board, the planner (and other board personnel), the applicants, and the public. A detailed job description which lays out clear expectations of what the board thinks the planner should be doing is also helpful.

— Sharon Wason, Walpole, MA

Commissioners need to get off of their pedestals (dais) and try to work hand in hand on an equal basis with professional staff.

— Steve McCutchan, Sandy, UT

I think getting to know your commissioners or planners on a personal level will go a long way in creating a good working relationship.

— James Shockey, Grand Lake, CO

Hold Work Sessions, Retreats, and Training

Informal training sessions and workshops allow people to get to know each other better and ask questions that may seem irrelevant or embarrassing in a more formal hearing setting. The less you are strangers who meet twice a month the better you will make those hard decisions.

— Cynthia Eliason, San Leandro, CA

Work sessions are really, really valuable for problem solving and idea exploration. Commissioners and staff planners collaborate most effectively when they have ample work session opportunities prior to the more pressurized public meeting/hearing format in which the formal decisions are made.

— Michelle Gregory, Corbett, OR

We had occasional dinner meetings to discuss planning topics (appropriately "sun-shined" – i.e., with public notice). These provided a much more relaxed atmosphere where staff and commissioners could interact about general planning policy and regulatory framework.

— Kim Henry, Knoxville, TN

WORK SESSIONS ARE
REALLY, REALLY VALUABLE
FOR PROBLEM SOLVING AND
IDEA EXPLORATION.

Have a regular retreat or "check-in" study session with the commissioners to see how things are going. How are the public hearings going? Are the staff reports what you need? What should we do differently with presentations? ... If the commission is being inconsistent then bring that up – ask "Hey, we always ask for trails to connect cul-de-sacs but you didn't require it last time even though we recommended it, what happened?" Debrief some old cases – what did staff recommend? What did the planning commission do and then what did the city council decide? How is that decision working out today?

— Bonnie Johnson, Lawrence, KS

Do continued training with your commissioners and encourage them to attend formal planning commission conference training.

— Bill Wiley, Leesburg, FL



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Commission and Staff: Expectations of Each Other

by Michael Chandler

Editor's Note: For many years Michael Chandler wrote "The Planning Commission at Work" column for the PCJ. We're reprinting here one of Chandler's columns that closely ties in to what you just read on the preceding pages.

In my last column, I looked at the relationship between the planning commission and the local governing body. In this column, I want to shift the focus to the important, but often overlooked, relationship between commission and staff.

Historically, the emergence of the planning commission as an important component of local government played a major role in the birth – and growth – of the planning profession. Accordingly, it seems fair to suggest that the commission and staff share a close relationship. As such, a challenge facing both commission and staff centers on identifying ways the relationship can be cooperative, as well as beneficial.

THE ROLE OF EXPECTATIONS

Relationships involve expectations. What expectations will or should a planning commission have of the planning

In my experience, here are ten of the most common expectations I've heard each "side" express:

COMMISSION EXPECTATIONS OF STAFF

- Be well organized and anticipate the type and kind of information the commission will need to perform its duties.
- Respond to requests for information in a timely and professional manner.
- Prepare accurate, well-documented, and well-written reports that, where appropriate, lay out options for the commission to consider.
- Leave personal or political bias out of reports.
- Provide exhibits, illustrations, and/or pictures to help commissioners visualize the location or layout of proposals.
- Help orient new commissioners, and provide educational opportunities for all members.
- Be accessible to all commissioners, whether in person, at meetings, or over the phone.
- Keep all commissioners equally informed; do not show favoritism.
- Make the commission decision work after it's made.
- Act in a fair, ethical, and consistent manner.

STAFF EXPECTATIONS OF COMMISSION

- Prepare for meetings by reading all reports and by visiting (if legal in your community) each site on the agenda.
- Whenever possible, call staff with your questions before the meeting, so answers can be researched and shared during the meeting.
- Examine all the facts on a given issue and make the best decision possible.
- Do not ridicule or make light of the staff in public; instead, provide criticism in private.
- Do not assume the staff is wrong and citizen is right when there is a disagreement.
- Compliment the staff when and where appropriate.
- Trust and respect the staff.
- If the commission disagrees with a staff recommendation, explain your reasoning.
- Do not hold a grudge if you disagree with a staff recommendation.
- Act in a fair, ethical, and consistent manner.

staff? Likewise, what expectations will or should the planning staff have of the commission? Without discussing the expectations each has of the other, misunderstandings are likely to result. This, in turn, can lead to publicly aired disagreements or squabbling that reflects poorly on both staff and commissioners.

The simplest way to overcome the guessing game is for commissioners and staff to share their expectations with one another. A work session or retreat can focus on discussing expectations.

If the planning commission and its staff can communicate with one another, the occasion for commission-staff entanglements will be minimized. This is critical because the business of planning is too important to be sidetracked as a

result of differences or difficulties involving the commission and staff.

Remember, the common goal of staff and commission is to serve the public good. This requires, above all, that all actions be taken in a fair, ethical, and consistent manner. ♦

Michael Chandler is a planning consultant based in Richmond, Virginia. He is a former Professor and Community Planning Extension Specialist at Virginia Tech. Chandler has for many years conducted planning commissioner training programs across the country.



This article was originally published in PCJ #24, our Fall 1996 issue.



On-Line Comment:

"I am a planning commissioner in a small town (population 1578). Mike's article hits on the very heart of where problems begin, lack of clear expectations. We have a permanent part-time zoning administrator. That is our only staff. Perhaps the most important expectation is **CONSISTENCY!** While the commissioners may or may not agree with the job the zoning administrator does, we all expect him to be consistent in administering our zoning ordinance. Lack of consistency leads to public perception of favoritism or incompetence."

— Dennis Riggins, Rock Hall, Maryland

The Role of the Professional Planner

by Perry L. Norton, AICP

Editor's Note: Long-time planner and teacher Perry Norton passed away in December 2009. We're honored that Norton wrote five articles for the PCJ.

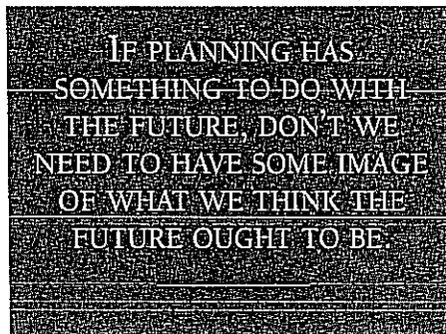
In this short article reprinted from our Fall 1996 issue, Norton offers his insights on the job of the professional planner – a topic that I think will be of particular interest to citizen planners in understanding the role of their staff.

In thinking about the role of the professional planner, it is helpful first to look back. Before there were professional planners, there were "citizen" planners. They weren't initially called "citizen planners," they were members of civic improvement associations which came into being after the 1893 World's Columbian Exposition in Chicago – a spectacular showcase of buildings, architecture, and civic design, which inspired business and community leaders across the country to see what they might do to improve their cities.

As the more or less ad hoc improvement associations began to produce ideas, and plans, momentum grew to formalize these activities and to give them more clout in community decision making. In the 1920's, under the stewardship of Herbert Hoover, then Secretary of Commerce, some model state enabling ordinances were drafted for the creation of official planning boards.

The movement grew rapidly, and as it grew more demands were put on the shoulders of the volunteers who became the members of those planning boards, or commissions. The boards turned for help to people who would, as staff or consultants, conduct studies needed to provide the information the boards needed to make plans for the future of their communities. Thus entered the professionals.

To a very significant degree, that role of providing information is still one of the major functions of professional planners, whether full time staff members in the employ of government, or under contract to provide consulting services to a planning board.



The second role professional planners took on is less prosaic, but perhaps even more important. If planning has something to do with the future, don't we need to have some image of what we think the future ought to be so that we have some reference point to guide our decision making today? The current buzz word for this role is "visioning." The word is new, but the action has been around for a long time – first articulated in the so called Comprehensive Master Plan.

But it is not a simple process for people, commissioners, and the general public, who have lived their lives in one community, to divest themselves of the baggage of the day to visualize what tomorrow might be. Professional planners took on the role of facilitator or "enabler," helping the citizen boards they worked with to develop a coherent vision of the future of their community, and the means of achieving that future.

There is one more role. From our deliberations we may arrive at what we think is the best decision. But as we know, the best laid plans can go astray. We always need, therefore, to know our

options before we take any action. But we need to ask: are we taking the route of least resistance at the cost of what we hope to achieve? Professional planners can provide the "if this then what" print-outs; members of the planning board must pull up their resources to set the course. ♦

The late Perry Norton had his start as a planner with the Chicago Housing Authority. Over the years, he worked as a planner in Cleveland, Ohio; served in the mid-1950s as the first full time Executive Director of the American Institute of Planners; worked as a planning consultant; and taught planning at New York University.



After "retiring," Norton served as a moderator of CompuServe's municipal planning forum, and helped pioneer the use of the internet as a place for discussions among planners.

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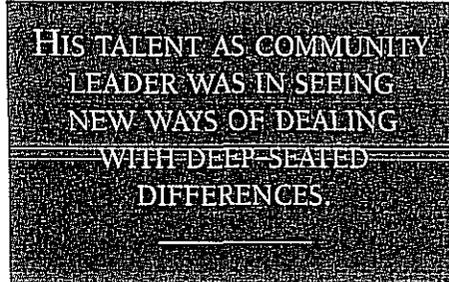
THE PLANNING COMMISSIONER AS COMMUNITY CHANGE AGENT

AN ABSENCE STILL FELT

by Otis White

Two years after his death, Reeve Hennion's absence is still felt on the planning commission he chaired in Jackson County, Oregon. "The perfect planning commissioner," says Planning Director Kelly Madding. "Fabulous," says Alwin Turiel, a former planning director. "A mentor for me and for many people," says Don Greene, who chairs the commission now. "He was extraordinary," adds Sue Kupillas, a county commissioner.

A quiet man who spent most of his life in journalism before starting two companies, Hennion fell in love with planning and land use issues after moving to Jackson County in the 1980s. His wife, Lyn, thinks it was because planning combined two of his interests, geography and the law. "If he hadn't been a journalist, he would have been a Supreme Court justice," she says. He was so devoted to the planning commission that, days before he died, he watched a



commission meeting on television from his sick bed.

What makes Hennion interesting, though, isn't the affection people still feel for him, but the impact he had on his community. During his 12 years on the planning commission, Jackson County grew rapidly and changed politically, socially, and economically.

In many places, the tensions over these kinds of changes would have erupted into monumental zoning battles, as people fought over land use as a proxy for other community disagreements. Jackson County certainly had the potential for these kinds of battles – "nothing has ever had more land mines" than land use disputes in Southern Oregon, County Commissioner Kupillas says. The fact that the land mines didn't go off, in many ways, can be attributed to a single person, Reeve Hennion.

LEADERSHIP AND PLANNING COMMISSIONS

Hennion is an example of a rare but important kind of leader, one who helps his community navigate major changes while having little or no formal power. And if you like creating change without power, a planning commission isn't a bad place to do it. Not that it's part of the job.

In most places, citizen planners have two primary roles: to do responsible community planning and to render fair judgments on specific projects. (In some places, the planning commission over-

sees the planning department, which gives it a management function as well.) Most good commissioners are admired, then, for their farsightedness and fairness, not their ability to create change.

In some communities, leadership comes from traditional sources: elected officials and individuals who are deeply involved in civic work, such as chamber executives, business leaders, neighborhood activists, and nonprofit officials. Change in these places comes slowly or predictably enough that it can be managed by existing leaders working in the usual ways.

But other places are different. They get changes so fast or unpredictably that the normal political and civic processes can't keep up. Or they have the reverse situation, where there's not enough change and the community gets stuck, fighting old, increasingly irrelevant battles or doing nothing at all as progress passes it by.

What's needed in either case is something new: a new way of decision making or a new set of ideas to get the community moving forward.

The planning commission can be the perfect place for this leadership to emerge. First, because it's where many community disputes receive their earliest hearings, so if the community needs to learn new ways of resolving disagreements, the commission can be where it learns them. Second, with its mandate for planning, the commission is already concerned with the community's future. If new ideas are needed, where better for them to be developed and aired?

SOMEONE LIKE REEVE HENNION

What's needed in those circumstances, though, are commissioners with an interest in broader community leadership, along with the temperament, experiences, and skills to take a leadership



In sending us this photo of her late husband, Lyn Hennion noted that he was "leading the parade at our little ghost town of Buncom, Oregon, where he served as Mayor ... love the smile and the hat that became somewhat of a trademark."

role. In other words, someone like Reeve Hennion.

Those who knew him struggle to describe what made Hennion the perfect person to help a community facing big changes. There were his communications abilities – he had spent 22 years working for United Press International including a stint as bureau chief in San Francisco – so he knew how to talk about complex issues in ways most citizens could follow. He was also a good listener; he had a knack for taking in what was said at commission meetings and summarizing all sides accurately and fairly. Hennion was good, too, at moving discussions along while allowing all to have their say. “He was very, very adept at getting to the issue,” Kelly Madding remembers.

All of this, however, would have made Hennion only a very skillful planning commission chair. His talent as community leader was in seeing new ways of dealing with deep-seated differences. That became clear when the commission rewrote the county’s land development ordinance or LDO.

These ordinance rewrite projects can cause considerable conflict, and Jackson County had the potential for getting mired in controversy. “We do have our extremes,” Don Greene says, “and it does seem to get more extreme.”

But Hennion had a way of dealing with people at the extremes – those wanting the tightest possible restrictions on development and those wanting the least. He created a “steering committee” for the LDO rewrite, including the most passionate advocates but also others who were more moderate. He personally chaired the committee and insisted that its 20 members listen to people across the county. Over a two-year period, the committee held more than 60 public meetings, resolving one issue after another by consensus. Along the way, the committee briefed the planning commission on progress and sought public comment.

When the LDO rewrite came to a vote by the county commission in 2007 – hundreds of pages that would determine how land would be treated in Jackson

County for years to come – a crowd of some 150 people showed up at the commission meeting. Writing about the meeting later on, Hennion said he was a little nervous about the crowd until the planning director finished her presentation ... and “the audience burst into applause.”

As important as the LDO rewrite was, the process used to develop it was even more important because it showed Jackson County a new way of making difficult public policy decisions. Involve all sides, listen respectfully, seek public input, be patient, keep other officials informed, and decide by consensus. Reeve Hennion didn’t invent this process, but he showed his community how it could work. And while the Jackson County Planning Commission hasn’t faced a project as big or controversial as the LDO rewrite since then, officials say they’re sure they would use the steering committee approach again.

This is one way planning commissioners can be change agents, by showing their communities new ways of deciding issues. But it’s only one way.

COMMUNITIES CHANGE IN FOUR STAGES

The key is to understand how communities navigate change and where your own talents and interests lie. In barest outline, communities change in four stages: first by coming to grips with what’s not working, then by learning about possible solutions, weighing the solutions, and making decisions.

But, of course, real-life communities never follow an outline. Communities fight over facts and personalities. They delay, lurch forward, and suddenly run out of steam. Sometimes they go back and start over. They act, in other words, like what they are: places filled with diverse, sometimes quarrelsome human beings.

To be an effective change agent, then, you have to be part analyst (What is my community’s greatest needs? Where is it stuck?), part strategist (How could we get past this sticking point?), and part self-critic (What am I good at?). Reeve Hennion found his community’s needs –

**SOMEONE HAS TO CONNECT
IDEAS TO WIDELY FELT
NEEDS, ENCOURAGE
DISCUSSION AND DEBATE,
MOVE THE COMMUNITY AND
ITS LEADERS TO A DECISION.**

and his talents – lay in the final stage of change: decision making. That’s why he taught Jackson County a better way of making major decisions.

Your talents may lie elsewhere. For instance, in analyzing and publicizing problems, in bringing forward promising solutions, or in encouraging productive public debates. But you should know two things before setting out as a community change agent.

First, change doesn’t happen until all four stages are completed and the decisions made and implemented. Put another way, having good ideas isn’t good enough. Someone has to connect ideas to widely felt needs, encourage discussion and debate, and help move the community and its leaders to a decision.

Second, if your community succeeds in making it through all four stages, many people will have played a part, not just elected officials.

So ... why not planning commissioners? ♦

Otis White is president of Civic Strategies, Inc. – www.civicstrategies.com – a collaborative and strategic planning firm based in Atlanta, Georgia. White has authored several articles for the PCJ focusing on community leadership and civic participation issues.

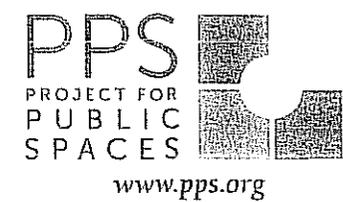


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The Power of Food to Bring New Life to Public Spaces



by the Staff of the
Project for Public Spaces

It's a simple premise: People love being around other people. And people love food. If you want to create a hub of activity in your town, consider using food to make it happen.

There are lots of innovative ways to bring food to public spaces. Temporary and mobile food outlets such as food trucks and pop-up cafes, as well as many kinds of markets, are fast becoming popular outlets for a city's best eats – and they're also an inexpensive, immediate way to bring vibrant public life to your neighborhood.

One of Project for Public Spaces' 11 "Principles of Creating Great Community Places" is called Start with the Petunias: Lighter, Quicker, Cheaper. You may recall we also highlighted this in the Spring 2011 issue of the *PCJ*.

From more than three decades' experience working with communities around the world, we've found that the best spaces are those which have experimented with short-term improvements that can be tested and refined over the years.

Putting out sources of food in ways that don't require heavy investment in permanent infrastructure is a great way to bring people to a space immediately, allowing the community to observe what works and what needs to be fixed. Food is just one example of many elements, including movable seating, public art, new crosswalks, pedestri-

an havens, and community gardens, that can be realized by a community in a short time.

The strategies below are a few examples of the ways that a lighter, quicker, cheaper approach can be used to harness the power of food to bring new life to public spaces.

The Power of Food Trucks to Bring People Together

Big problems don't always need big solutions, and sometimes the answer to a social problem may be as simple as cupcakes and empanadas.

Grey Park, in Evanston, Illinois, is like many other underperforming public spaces: beautiful, but often avoided by many of the community's residents. Why? Because the presence of one group (in this case, the residents of Albany Care, a facility for people recovering from mental illness) dominates the park, and there aren't enough other positive activities to attract other groups.

The Evanston Parks Coalition (EPC) is dedicated to improving conditions in Grey Park. Its members organized a food truck festival to raise money to bring

Project for Public Spaces to lead a community-based visioning process and kick off a campaign to turn the park around.

What EPC didn't expect was that the fundraiser would do much more than just help reach its financial goal. It also changed the community's perception of the space by transforming the park into a destination that brought hundreds of neighbors out to enjoy a place they usually just hurry past. And it all happened without costly, permanent infrastructure changes. It served as an ideal, "lighter, quicker, cheaper" way to test out longer-term changes to the park.

"In our case," explains Belén Ayestarán from EPC, "a key principle is, if there is something in the park to attract a critical mass of other people, the mentally ill will just be part of the crowd and no one will find them intimidating. In fact, at the event there were more Albany Care residents than any other day. They didn't just blend in, they were part of the community."

Food trucks brought people out to parts of the park where they'd never felt comfortable before. The festival was also a

way to observe how people used the park. Organizers noted where families chose to set up picnics: those parts of the park usually have the most potential to become great destinations through future programming and investment.

The Power of Apple Dumplings to Create a Community Destination

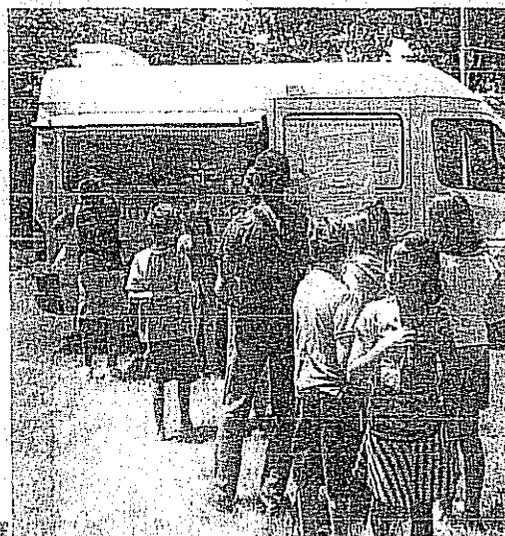


ART BY PAUL LUDWIG

When the congregation at Wesley Church in Cambridge, Ontario needed money to fix the roof, they came up with an enterprising solution: sell apple dumplings with coffee and tea. They wisely decided to set up the new operation on Saturday mornings, coinciding with a weekly farmers' market held next door to the church.

Soon, a group of 20 church volunteers calling themselves "The Apple Corps" started making dumplings from a favorite recipe. Now it's a community tradition for shoppers at the farmers' market to stop inside the church for a hot apple dumpling doused in special sauce. The local newspaper, *Cambridge Now*, proclaimed that the dumplings tasted like a "sweet little piece of heaven" and named the volunteer cooks "The Fellowship of the Dumpling" because "it truly is about fellowship and dumplings ... and working together ... and success."

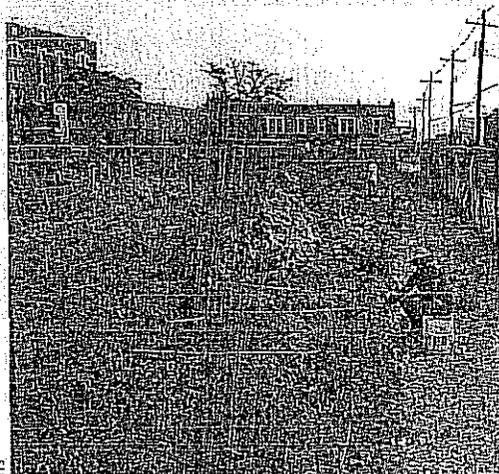
The Apple Corps is a success not only because the volunteers have raised enough money for the church (close to \$50,000 in one year!), but also because they have given the whole town a place and reason to gather every Saturday morning.



Lines formed at the food trucks in Evanston's Grey Park.



(Left) An urban farm in Brooklyn's East New York neighborhood provides fresh food for the community's farmers' market (above).



The Power of a Farmers' Market to Build a Healthy Community

The problem of "food deserts" – neighborhoods with little or no access to fresh, healthy food – is epidemic in cities around the country. East New York, one of the poorest parts of Brooklyn, is typical. There are plenty of places to buy fast food, but few stores selling fresh produce. East New York Farms! was founded in 1998 to combat that problem.

This multifaceted organization manages two urban farms in

operating a farmers' market. East New York Farms! also sponsors a youth internship program that gets local kids involved in farming and selling the fruits of their labors – opening up a whole world of possibilities for the young people.

The farmers' market has become a magnet for neighborhood residents seeking affordable, fresh, organic fruits and vegetables. Offerings at the market reflect the community – popular items include Caribbean specialties like callaloo. To better serve the neighborhood, the

market accepts EBT/food stamps and Farmers' Market Nutrition Program coupons.

"You see a lot of farmers' markets in Manhattan and places like that, but to have it here is really good," says Rahkiah Clark, an urban agriculture intern with the organization. "Because you can help out your people, and you can allow them to live healthy, which is our main goal for this market. So it's really good to help out and give back to the community."

The Power of a Brick Oven to Strengthen a Park

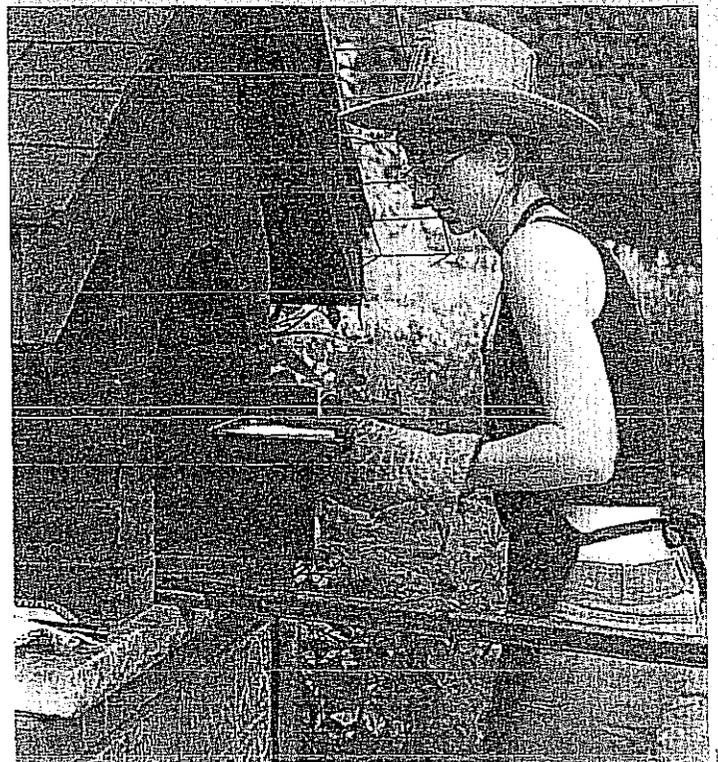
Sixteen years ago residents of Toronto's Dufferin Grove neighborhood came together to support a 14 acre park at the center of their community after they found out that the city's Parks Department had allotted no money for its upkeep.

One of their accomplishments: construction of a large communal brick oven. The oven quickly became a kind of "community

center without a roof" and the hearth at the center of a weekly community dinner. There is always soup, a vegetarian or vegan entrée, a meat entrée, a side dish, a salad, and dessert. Most of the groceries are bought at the organic farmers' market on Thursday.

The food is tasty, and conforms largely to the usual 100-mile "locavore" boundary. There's a suggested donation, all of which goes back into the park, and to pay for the groceries. But if you can't spare the cash, donate at some other time – nobody goes away hungry!

This neighborhood-run brick oven continues to bring life to the park, and has attracted attention from around the globe. It also helped serve as the impetus for a huge variety of activities available in Dufferin Grove Park today, including a theatre, ice rink, playground, wading pool, baseball diamond, basketball court, chess, checkers, gardens, crafts for kids, and card playing for older visitors. ♦



A brick oven has served as a focal point in Toronto's Dufferin Grove Park.

How Wise Is Your Crowd?

by Gwendolyn Hallsmith

When planning commissioners think of a crowd, one image that comes to mind is the angry mob at a public hearing on a zoning change or a development proposal. One after the other, they come to the microphone and rail against land use controls, city officials, developers – you name it.

So when a concept like the “wisdom of the crowd” suggests that we need to rely even more on public input to develop a master plan or a new zoning ordinance, the initial reaction may well be deep skepticism. Yet, is it possible to tap into the knowledge of a large and diverse group of people?

Back in 2004, James Surowiecki wrote a book called *The Wisdom of Crowds*, where he described ways of drawing on our collective wisdom. He identified four key factors that distinguish wise crowds from, presumably, foolish ones. They include diversity, independence, decentralization, and some type of mechanism to collect, organize, and distill all the different opinions,

Diversity means that many different voices are heard – the crowd represents a true cross-section of the public. Independence means that the people involved are not unduly influenced by each other. Decentralization means that the group is not managed by some sort of hierarchical requirement – it’s hard for a new boot camp recruit to openly express a different opinion than their military higher-ups.

But how do you collect and compile diverse opinions? In some cases it can be quite simple – Surowiecki cites one example where someone tallied the average guesses of people at a county fair and found that it was more accurate in terms of judging the weight of an ox than either individual or expert estimates. However, it can also be complex, such as the elaborate public outreach campaign the City

of Calgary did to attract over 18,000 people to be part of their long-range plan.

Taking Surowiecki’s four key factors as a starting point, I’d add several other elements to help create a “wise” crowd: (1) recruiting people from different walks of life; (2) good group process activities; (3) effective conflict management; and (4) ways to ensure that the process isn’t skewed by special interests or a particular ideological bias.

One approach I’ve found effective is



called the “concentric circle” stakeholder recruitment method. It starts with a small focus group that represents a cross-section of the community. Each person invites other people they know to participate in a preliminary community meeting. At that meeting, each of the participants is asked who is missing from the group, and this second group of people is also invited to the next meeting. This can continue for a few meetings, to help ensure that those participating include a broad spectrum of the community – more than the “usual suspects.”

Once you have all the stakeholders at the table, the real challenge begins. Diverse voices mean very different worldviews. A banker may have a hard time listening or speaking honestly in front of the local environmental activist. The head of the Chamber of Commerce and the local union representatives may

have a hard time agreeing on a common purpose. Even though they all may be speaking in English, they don’t necessarily speak the same language when it comes to policy debates.

To enable the group to have the kind of dialogue that elicits the wisdom of the crowd, you need to help them share a language about the project, train them in different group process skills, and help them understand how to hold and resolve conflict without it becoming destructive.

When it works, the results can be inspiring. The City of Burlington, Vermont, drew on an extraordinarily diverse range of participants in drafting its Legacy Action Plan, a long-range sustainability plan for the city. About the same time – but on a much broader scale – the Earth Charter Commission (a group chartered by the Rio Earth Summit) finished its work engaging the widest set of stakeholders ever to develop a document that would provide a set of shared ethics for international governance.

Drawing on the wisdom of the crowd often takes patience, skill, and perseverance, but the results can be worth the effort. ♦

Gwendolyn Hallsmith is Director of Planning & Community Development for the City of Montpelier, Vermont. Hallsmith has written several books on social, economic, and environmental topics. Her fourth book, *Creating Wealth: Growing Local Economies with Local Currencies*, published by New Society Publishers, came out in June.



We’ve posted links to the Calgary and Burlington planning efforts, and to resources that explain various group process techniques. Go to: www.plannersweb.com/tools-to-use.html.

It's More Complex than Planning a Wedding!

by Della Rucker, AICP, CECD

We all make plans in our lives – weddings, kitchen remodeling, and so on. We do this routinely – create a plan, implement it, and then do what we need to carry it out.

Given that we can plan major events like these, why do we have so much trouble implementing plans for our communities?

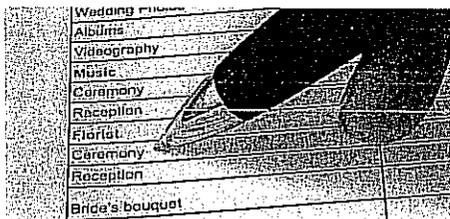
The truth is that planning for even a small community is more challenging than planning for the most elaborate wedding. To create plans that will be implemented, we need more sophisticated decision-making and decision-management tools. Here are a few of our challenges and a brief introduction to the tools we can use to address them.

- **Complexity.** Communities have many interdependent elements, with complex relationships to each other. We need to use tools that help us see these relationships so that we can better understand how a plan recommendation may impact the whole community. *Scenario planning*, for example, examines all the elements of a community and the issues affecting them, and then analyzes how these might change and interact with each other in the future.

Some regional agencies, such as the Puget Sound Regional Council, are using scenario planning, and the Federal Highway Administration promotes its use in environmental assessments. Communities using scenario planning today are often facing urgent environmental issues, where the complexity and the difficulty of predicting what will happen are obvious. But almost all communities face complex challenges.

Consider a community that has a skyrocketing diabetes rate, an aging housing stock, and a lot of commercial vacancies. Instead of simply assuming that the number of residents will increase at the same rate it has for the last 30 years,

wouldn't it be more useful to think through how housing, commercial, health, and demographic trends will interact? Yes, it's more complex. But that approach also yields more useful information for evaluating which recommendations will make the most sense.



- **Purpose.** What's the purpose of a plan? To grow the economy? To improve housing? To increase our tax base? To make the community pretty?

Planners emphasize visioning, but many plans never get clear on their purpose – probably because we don't dig deep enough into what all the participants mean. A term like "economic growth," for example, may well mean something different to the plant manager, the Main Street shopkeeper, the resident, and the city councilor.

Methods like *appreciative inquiry* can delve into what various members of the community really mean when they say things like "I support economic growth" – and then find common ground in bridging differences that emerge.

Appreciative inquiry (AI) is a process through which participants explore areas of disagreement and their common interests, allowing them to rediscover the often substantial common ground they enjoy and forge a new, collaborative way forward. As one participant in an AI process in Dubuque, Iowa put it: "There is and can be camaraderie between the different factions ... coming together we can all work toward the same goal." Shared clarity and collaboration is necessary for real agreement, and that's critical for effective implementation.

- **Process management.** When I work with comprehensive plan committees, I include a bit of "theater" in our last session. As we review what we've accomplished, I cup my hands in front of me as though I'm holding something fragile, and then I blow through my hands as though ejecting a cloud of dust. Poof. We can develop priorities, assign responsibilities, and lay out time frames, but if we don't also create a mechanism for keeping the plan on people's minds, chances are that those we need to carry it forward will lose their focus in the face of other demands on their time.

Several regional initiatives, including in Pittsburgh and Cincinnati, have created monitoring mechanisms by establishing a handful of regularly-reported data points that indicate whether the community is making progress on implementing its plan. That can be a scary proposition, because monitoring will show not just successes, but also where you're coming up short. However, knowledge is galvanizing: in Cincinnati, publicizing that data put a spur in the side of the governments, businesses, and nonprofits to redouble their efforts.

Successfully planning for our communities is more complex than planning for a wedding. But the tools we need are out there to use. ♦

Della Rucker is the Principal of *Wise Economy Workshop*, a consulting firm that assists local governments and nonprofit organizations with the information and processes for making wise planning and economic development decisions.



Editor's Note: For links to resources about scenario planning, appreciative inquiry, and other related methods, see the Resource page we've posted on our PlannersWeb site: www.plannersweb.com/tools-to-use.html.

Special thanks to subscribers who have been with us since our first year!

Our appreciation to the following PCJ subscribers who have been with us since our very first issue in the Fall of 1991:

ALABAMA: City of Birmingham; Jefferson County.

ALASKA: Fairbanks North Star Borough; Kenai Peninsula Borough; City of Seward; City of Unalaska.

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NEW HAMPSHIRE: City of Lebanon; City of Nashua; Town of Peterborough; Upper Valley Lake Sunapee RPC.

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NEW YORK: Monroe County; Pace University; St. Lawrence County; Village of South Glens Falls; Steuben County; Wyoming County.

NORTH CAROLINA: City of Asheville; Burke County; Charlotte-Mecklenburg Planning Dept; Town of Cornelius; Edgecombe County; City of Gastonia; City of High Point; Town of Matthews; Pitt County; City of Raleigh; Town of Wake Forest.

NORTH DAKOTA: City of Williston.

OHIO: Bay Village; Butler County; City of Beavercreek; City of Brunswick; City of

Delaware; Delhi Township; City of Gahanna; City of Kettering; Montgomery County; City of Painesville; City of Wadsworth; City of West Carrollton.

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UTAH: Ogden City; Sandy City.

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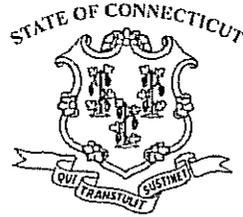
WEST VIRGINIA: Jefferson County.

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WYOMING: City of Cheyenne; Laramie County; Town of Jackson ♦

PLANNING
COMMISSIONERS
Journal

FUI- new procedure
for notifying wincog
of zoning changes



House Bill No. 5178

Public Act No. 11-89

AN ACT AUTHORIZING NOTICE OF ZONE CHANGES TO BE SENT BY ELECTRONIC MAIL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

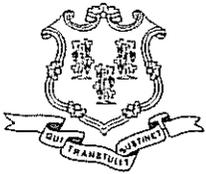
Section 1. Section 8-3b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2011*):

When the zoning commission of any municipality proposes to establish or change a zone or any regulation affecting the use of a zone any portion of which is within five hundred feet of the boundary of another municipality located within the area of operation of a regional planning agency, the zoning commission shall give written notice of its proposal to [the] each regional planning agency [or agencies] of the region in which it and the other municipality are located. Such notice shall be made by certified mail, return receipt requested, or by electronic mail to the electronic mail address designated by the regional planning agency on the agency's Internet web site for receipt of such notice, not later than thirty days before the public hearing to be held in relation thereto. If such notice is sent by electronic mail and the zoning commission does not receive an electronic mail from a regional planning agency confirming receipt of such notice, then not later than twenty-five days before the public hearing, the zoning commission shall also send such notice by certified mail, return receipt requested,

House Bill No. 5178

to such planning agency. The regional planning agency shall study such proposal and shall report its findings and recommendations thereon to the zoning commission at or before the hearing, and such report shall be made a part of the record of such hearing. The report of any regional planning agency of any region that is contiguous to Long Island Sound shall include findings and recommendations on the environmental impact of the proposal on the ecosystem and habitat of Long Island Sound. If such report of the regional planning agency is not submitted at or before the hearing, it shall be presumed that such agency does not disapprove of the proposal. A regional planning agency receiving such a notice may transmit such notice to the Secretary of the Office of Policy and Management or his designee for comment. The planning agency may designate its executive committee to act for it under this section or may establish a subcommittee for the purpose. The report of said planning agency shall be purely advisory.

Approved July 13, 2011



STATE OF CONNECTICUT

CONNECTICUT SITING COUNCIL

Ten Franklin Square, New Britain, CT 06051

Phone: (860) 827-2935 Fax: (860) 827-2950

E-Mail: siting.council@ct.gov

www.ct.gov/csc

DATE: October 27, 2011

TO: Council Members

FROM: Robert Stein, Chairman *RS/cmw*

RE: Connecticut Siting Council Energy/Telecommunications Meeting

A meeting of the Connecticut Siting Council (energy/telecommunications) will be held on Thursday, November 3, 2011, at 1:00 p.m. in Hearing Room One, Ten Franklin Square, New Britain, Connecticut.

AGENDA

1. Minutes of October 20, 2011.
2. **DOCKET NO. 189** - U.S. Generating Company Certificate of Environmental Compatibility and Public Need for an electric generating facility located off of Lake Road in Killingly, Connecticut. Motion to Reopen.
3. **DOCKET NO. 316A** - SBA Infrastructure LLC Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility at 50 Fairchild Road in Middletown, Connecticut. Tower Extension Plan.
4. **DOCKET NO. 415** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 87 West Quasset Road, Woodstock, Connecticut. Draft Findings of Fact.
5. **DOCKET NO. 416** - Cellco Partnership d/b/a Verizon Wireless application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located off Day Hill Road, Bloomfield, Connecticut. Draft Findings of Fact, Opinion, and Decision and Order.
6. **DOCKET NO. 421** - T-Mobile Northeast LLC application for a Certificate of Environmental Compatibility and Public Need for the construction, maintenance and operation of a telecommunications facility located at 158 Edison Road, Trumbull, Connecticut. Applicant's Request for Postponement.
7. **PETITION NO. 983** - BNE Energy, Inc. declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the construction, maintenance, and operation of a 4.8 MW Wind Renewable Generating facility located on Flagg Hill Road, Colebrook, Connecticut. Development and Management Plan.



8. **PETITION NO. 1008** - UTC Power Corporation petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the installation of a 400 kW Fuel Cell located at UCONN Center for Clean Energy Engineering, 44 Weaver Road, Storrs, Connecticut. Decision.
9. **PETITION NO. 1009** - The Connecticut Light and Power Company petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the proposed installation of a 85-foot steel pole and associated radio communications equipment located at Rapids Road, Stamford, Connecticut. Set Date for Decision.
10. **PETITION NO. 1011** - MetroPCS New York, LLC petition for a declaratory ruling that no Certificate of Environmental Compatibility and Public Need is required for the attachment of antennas to an existing CL&P structure located at 750 Chapel Road, Stratford, Connecticut. Decision.
11. **TS-CING-018-111011** - New Cingular Wireless PCS, LLC request for an order to approve tower sharing at an existing telecommunications facility located Carmen Hill Road, Brookfield, Connecticut.

12. Administrative Matters.

> Upcoming Calendar Events:

- Tuesday, November 15, 2011, beginning at 2:00 p.m./6:30 p.m., public hearing for the Life-Cycle, in Hearing Room One, Ten Franklin Square, New Britain
- Thursday, November 17, 2011, beginning at 1:00 p.m., energy/telecommunications meeting, in Hearing Room One, Ten Franklin Square, New Britain
- Thursday, November 29, 2011, beginning at 2:00 p.m.(field review)/3:00 p.m./7:00 p.m., public hearing for Docket No. 407, at the Black Stone Library, 758 Main Street, Branford, Connecticut.

TOWN OF CHAPLIN

CONNECTICUT 06235

INCORPORATED 1822



October 28, 2011

Inter-municipal Notification of Application for Zoning Regulation Amendment

Dear Adjacent Municipality;

In accordance with the Requirements of Section 8-7d(f) of the Connecticut General Statutes, you are hereby notified that the Chaplin Planning & Zoning Commission has proposed an application for Amendment to establish a new overlay zoning district entitled "Natchaug River Watershed Overlay Zone". This amendment will involve changes to Sections 2.2 "Definitions" and establishment of Section 5.10 "Natchaug River Watershed Overlay Zone" with applicable sub-sections 5.10.A, 5.10.B, 5.10.C, 5.10.D, 5.10.E, 5.10.F, 5.10.G, and 5.10.F, as more particularly described in the attached proposal.

Because the proposed amendment(s) will affect property adjoining all neighboring municipalities, you are entitled to receipt of this notice. A copy of the proposal as prepared by the Commission is attached hereto for your review.

The Public Hearing for this proposal is scheduled to commence at 7:00 PM on Thursday December 8, 2011 at the Chaplin Town Hall, 495 Phoenixville Road, Chaplin, CT. All interested parties are invited to attend and be heard, and written correspondence received as of the hearing will be included in the record.

Thank you.

Sincerely,

Demian A. Sorrentino, AICP
Chaplin Planning & Zoning Agent
for the
Chaplin Planning & Zoning Commission

CERTIFIED MAIL; RETURN RECEIPT REQUESTED

PAGE
BREAK

**TOWN OF CHAPLIN PLANNING & ZONING COMMISSION
NRWOZ - COMMISSION'S DRAFT FOR PUBLIC HEARING 12-8-11**

2.2 Definitions (Revised xx/xx/xx)

Accessory Building or Structure. A supplemental building or structure, the use of which is clearly and customarily incidental or subordinate to the principal building and use thereof, located on the same lot with such principal building or use. An accessory building attached to a principal building shall be considered to be part of the principal building in applying the Bulk Regulations to such building.

Accessory Use. A land use located on the same lot which is clearly and customarily incidental and subordinate to that of the principal use for which a premises is used, designed, or intended to be used.

2.2 Definitions (added xx/xx/xx)

Agriculture: Agricultural and farming activities as defined by Connecticut State Statute 1-1(q)

Buffer, Riparian: The vegetated area of trees, shrubs and perennials adjacent to the Natchaug River and Natchaug River Tributaries, as described in Section 5.10.A of these Regulations, which existed on the effective date of Section 5.10 of these Regulations.

Natchaug River Tributaries: Inland Wetlands and Watercourses which contribute surface water flow to the Natchaug River. Tributaries may include Inland Wetlands and/or Watercourses as defined in Section 22a-38 of the Connecticut General Statutes, as amended that flow over the surface of the ground to the Natchaug River.

Non-point Source Pollution: Stormwater runoff carrying human-made and/or natural pollutants (nutrients, sediment and pathogens) that flow into watercourses; it is sometimes called runoff pollution, and is distinguished from "Point Source Pollution" which originates from a culvert, pipe, floor drain, curtain drain, swale, or other definable point of discharge.

Non-Commercial Thinning : Physical removal of fallen dead, standing dead and/or thinning or pruning of live trees by the owner of the property, intended for personal use or consumption and not intended for sale or export., nor to provide expanded views or vistas, nor to otherwise remove stands or groups of trees within a definable area. Non-commercial thinning includes only the removal of isolated, individual trees or trimming of tree branches for safety, personal supply of firewood, maintenance of tree health, or removal of invasive species.

Principal Building or Structure. That single building or structure or inter-related group of buildings or structures, in which is conducted the principal use of the lot on which the building or structure is situated.

Principal Use. The primary purpose or function for which a premises is used, designed, or intended to be used.

Structure: Anything which is constructed or erected and the use of which requires more or less permanent location on ground or water areas or attachment to something having permanent location on ground or water areas, not, however, including wheels; an edifice or a building of any kind; any production or piece of work, artificially built up or composed of parts and joined together in some definite manner, including signs, vending machines, fences or walls, a wharf or dock, an above-ground tank, or a detached solar panel or satellite dish. .

Watercourse: Rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs and all other bodies of water, natural or artificial, vernal or intermittent, public or private.

5.10 Natchaug River Watershed Overlay Zone (entire section added xx/xx/xx)

The intent of this overlay zone is to protect the Natchaug River's natural resources by controlling potentially detrimental effects on its watershed from development activities, such as those resulting from non-point source pollution, erosion and increased stormwater flows and to prevent damage to the critical riparian buffer along the Natchaug River and the watercourses that flow into it. A Riparian Buffer is included that protects water quality by reducing erosion, trapping pollutants, increasing stormwater infiltration and providing a tree canopy that maintains the water temperature.

The Natchaug River Watershed Overlay Zone lies within the Natchaug River Basin. Chaplin is one of eight towns in the basin, all of which signed a conservation compact recognizing the regional importance of preserving the health of the entire basin.

Chaplin's 2010 Plan of Conservation and Development (POCD) identifies the riparian and wetland features of the Natchaug River Watershed as a key component of the largely intact watersheds and natural character of Chaplin. The POCD recommended a Natchaug River Watershed Overlay Zone be adopted to protect water quality of the Watershed from the threat of increasing water temperature, siltation and non-point pollution caused by development or land use activities.

The purpose of this Natchaug River Watershed Overlay Zone is to regulate uses of land within established proximity to the Natchaug River and its tributaries, and to promote maintenance of a continuous riparian buffer of native forest and shrubs along the edges(s) of inland wetlands and watercourses within the Natchaug River Watershed. The most effective riparian buffers are natural ones that have a mix of trees, shrubs and herbaceous plants native to the region.

This regulation does not replace any obligation of the applicant to have a determination made by the Chaplin Inland Wetlands and Watercourses Commission or any other regulatory agency having jurisdiction, as to whether additional review(s) and/or permits are required.

5.10.A. Area of the Natchaug River Watershed Overlay Zone

This Natchaug River Watershed Overlay Zone shall consist of the Natchaug River and the Natchaug River Tributaries within Chaplin that contribute surface water flow to the Natchaug River, including the following:

The area landward from the ordinary high water mark of the Natchaug River for a horizontal distance of one hundred feet (100'); and

The area landward from the Natchaug River Tributary edge for a horizontal distance of fifty feet (50').

The Natchaug River and Natchaug River Tributary edge is the ordinary high water mark where the presence and action of water are so common as to produce soil and/or vegetation types which are distinct from that of the abutting upland. Where there is a question or dispute over the zone boundary, the Commission may require an applicant to have the ordinary high water mark determined by a certified soil scientist, and if necessary the boundary shall be shown on a site plan prepared per Section 8.7 or 9.3 or of these Regulations, as applicable.

The inland wetland boundary or inland wetland edge is the demarcation line between Connecticut wetland soils and adjacent upland soils. This line may only be determined by a certified soil scientist.

The proposed overlay zone does not apply to wetlands, watercourses or vernal pools that are not connected by surface water flow to the Natchaug River.

5.10.B. Zoning District Overlap

The Natchaug River Watershed Overlay Zone overlaps other zoning districts and federal, state, or municipally regulated areas and in all cases the more restrictive regulation will take precedence.

5.10.C. Permitted Uses

The Commission strongly recommends observance of fifty (50) foot undisturbed vegetated riparian buffer along the Natchaug River and a twenty-five (25) foot undisturbed vegetated riparian buffer along tributary watercourses and/or tributary inland wetlands, wherever feasible. This is to help preserve the health of the watershed, and therefore the listed activities will be narrowly construed to effectuate this purpose.

The following uses are permitted as-of-right within the Natchaug River Watershed Overlay Zone and do not require separate approval from the Chaplin Planning & Zoning Commission nor its Agent other than approval(s) required pursuant to other applicable sections of the Chaplin Zoning Regulations:

Existing Structures or continuing activities that were legally in existence before the effective date of this regulation.

The building of new Structures, modification of existing Structures, or commencement of activities that were granted all applicable permits before the effective date of this regulation.

The construction of additions to residential Structures that were legally in existence before the effective date of this regulation, provided such additions are not located within fifty (50') feet of the Natchaug River nor within twenty-five (25') of any Natchaug River Tributary. See Section 5.10.E below.

The construction of accessory Structures to principal residential structures that were legally in existence before the effective date of this regulation, provided such additions are not located within fifty (50') feet of the Natchaug River nor within twenty-five (25') of any Natchaug River Tributary. See Section 5.10.E below.

Agricultural uses that follow generally acceptable agricultural practices as defined under: the Connecticut Right to Farm Law (CGS Sec. 19a-341); the Connecticut Public Health Code; Water Pollution Control Regulations (CGS Sec. 22a-430); 2007 Guide to Best Management Practices for Water Quality While Harvesting Forest Products; and current technical guidance provided by USDA Natural Resources Conservation Service, UCONN Cooperative Extension, CT Department of Environmental Protection and the CT Department of Agriculture.

Although agriculture is permitted by right, the Commission strongly recommends that structures are sited outside of the overlay zone where ever possible to help protect the health of the watershed.

State and municipal activity necessary for public safety or protection of property.

Septic system repair as directed by the local health official / town sanitarian; septic system maintenance such as pumping and inspections is encouraged.

Fish and wildlife conservation activities that does not require removal of native vegetation or alteration of watercourses beds or banks.

Stepping stones or other non-constructed method of providing a watercourse foot-crossing that does not require removal of native vegetation or alteration of watercourses beds or banks.

A family campsite that requires only minimal removal of native vegetation and no alteration of watercourses beds or banks, provided that no impervious surfaces are created that are greater

than 120 square feet in area, individually or cumulatively. Family campsites requiring more than 120 square feet of impervious surface shall require Site Plan Review in accordance with Section 5.10.E below.

Man-made ponds as approved by the Chaplin Inland Wetlands & Watercourses Commission.

Stormwater management and stormwater treatment improvements constructed in accordance with 2004 CT DEP Stormwater Quality Manual, as amended.

Conservation activities, non-commercial thinning.

5.10.D. Uses Requiring Administrative Approval

The Commission strongly recommends and may require observance of fifty (50) foot undisturbed vegetated riparian buffer along the Natchaug River and a twenty-five (25) foot undisturbed vegetated riparian buffer along tributary watercourses and/or tributary inland wetlands, wherever feasible. This is to help preserve the health of the watershed, and therefore the listed activities will be narrowly construed to effectuate this purpose.

The Commission's appointed Agent may issue a Zoning Permit to allow any of the following uses within the Natchaug River Watershed Overlay Zone per the requirements set out in Article IX of these Regulations

The clearing of one footpath per property, 5 feet wide or less. In order to prevent erosion and the creation of a channel of surface runoff, paths are permitted (a) more or less parallel to the watercourse, and/or (b) to meander in a non-linear manner toward the watercourse. It is recommended that new footpaths do not create a straight line of sight from the outer boundary of the Natchaug River Watershed Overlay Zone to the watercourse. The property owner must use erosion control measures as specified by the 2002 Connecticut Guidelines for Erosion and Sediment Control and/or the 2004 CT DEP Stormwater Quality Manual, as amended, to prevent erosion.

5.10.E. Uses Requiring Site Plan Review

The Commission strongly recommends and may require observance of fifty (50) foot undisturbed vegetated riparian buffer along the Natchaug River and a twenty-five (25) foot undisturbed vegetated riparian buffer along tributary watercourses and/or tributary inland wetlands, wherever feasible. This is to help preserve the health of the watershed, and therefore the listed activities will be narrowly construed to effectuate this purpose.

The Commission may issue a Permit to allow any of the following uses within the Natchaug River Watershed Overlay Zone per the requirements set out in Section 8.7 of these Regulations. In considering the proposed use the Commission shall be guided by the factors outlined in Section 5.10.G of these Regulations.

Structures such as stairs, footbridges, docks and boathouses.

The construction of additions to residential Structures that were legally in existence before the effective date of this regulation where such residential Structures or the proposed additions are located within fifty (50') feet of the Natchaug River or within twenty-five (25') of any Natchaug River Tributary.

The construction of accessory Structures to principal residential structures that were legally in existence before the effective date of this regulation where the principal residential Structures or the proposed accessory Structure are located within fifty (50') feet of the Natchaug River or within twenty-five (25') of any Natchaug River Tributary.

Crossings of wetlands or watercourses for the purpose providing vehicular, pedestrian, or agricultural access from an existing street or other traveled way to property located on the opposite side of such wetland or watercourse; provided, however, that such activity has obtained the prior approval of the Chaplin Inland Wetlands and Watercourses Commission as a prerequisite to the filing of an application under this section.

Construction, expansion, or alteration of a structure for non-residential use that is in compliance with all other zoning regulations, provided the uniqueness of the site prohibits other locations for the construction, expansion or alteration. To minimize impact to the riparian buffer no construction or expansion shall be permitted within Riparian Buffer as defined in 5.10.A.

For any of the preceding, the permit application must demonstrate that the construction and installation of the proposed structure does not contribute to significant flow alteration, channel modification, or any other alteration of the watercourse. All such structures may require State DEP approval.

Removal of vegetation to create a filtered view of a watercourse by selective pruning or removal of trees, shrubs and other vegetation to allow for reasonable visual access to the watercourse while maintaining, to the greatest extent possible, a natural screen of man-made structures or objects as viewed from the river, and otherwise furthering the purposes of the Natchaug River Watershed Overlay Zone.

5.01.F Special Permit Uses

None.

5.10.G. Prohibited Uses

Unless specifically permitted by Section 5.10.C or in association with an approved zoning permit or site plan approval per sections 5.10.D or 5.10.E, the following are prohibited uses within the Natchaug River Watershed Overlay Zone:

Construction of a principal building or structure after the effective date of this regulation.

Filling, removal, or re-grading of earth.

Removal of live vegetation (trees, shrubs and/or perennials), except as provided in the preceding subsections of this Section 5.10.

Planting of invasive species as listed by Connecticut Public Act No. 03-136 or as amended.

Disposal of solid and liquid wastes in landfills or dumps.

Septage lagoons and the disposal or spreading of septage onto the ground, except as provided in Section 5.10.C above.

Disposal of toxic substances or hazardous waste materials, storage of road salt, storage of gasoline or fuel oils.

5.10.H. Standards for Review of Applications

The Commission shall consider the following standards when reviewing applications within the Natchaug River Watershed Overlay Zone:

The compatibility of the activity with the purposes of the Natchaug River Watershed Overlay

Zone, the Plan of Conservation & Development, and the health, safety and welfare of the public.

Whether modifications to the proposal could better achieve the purpose of the Natchaug River Watershed Overlay Zone.

That approval of the proposal would not cause conflict with other applicable municipal, state or federal regulations.

Where strict application of the Natchaug River Watershed Overlay Zone regulations would deny the applicant reasonable use of the property, or if adherence to the requirements of these regulations would render the property unusable or unsuitable for development, in which case(s) the Commission shall have the authority to waive the requirements of this Section at its discretion.

The Commission or its designated Agent may grant any approval under this Section 5.10 subject to such conditions and modifications as will fulfill the purposes of this Section.

