

RECV'D: Office of the Town Clerk Jan. 19, 2016 2:36 pm
Special Planning & Zoning Commission
7:00 p.m., Wednesday, January 6, 2016
Meeting Room, Durham Public Library

Meeting Minutes

1. **Call to order**

Frank DeFelice called the meeting to order at 7:00 p.m.

2. **Roll Call**

In attendance: Alana Adams, Campbell Barrett, Lisa Davenport, Frank DeFelice, Richard Eriksen, Chris Flanagan, Dave Foley, Edward Fronc, Daniel Melnik, Jan Melnik, Joseph Pasquale, Will Spooner

Others in attendance: Geoff Colegrove, Attorney Steven Byrne

3. **Seating of Alternates** - none

4. **Approval of Agenda**

MOTION BY JOE PASQUALE, SECONDED BY LISA DAVENPORT, TO APPROVE THE AGENDA AS PRESENTED. ALL AYE

5. **Executive Session: Steve Byrne**

6. **Adjournment**

MOTION BY FRANK DEFELICE, SECONDED BY DAVE FOLEY, TO ADJOURN MEETING AT 7:45 P.M. ALL AYE

Regular Meeting

1. **Call to order**

Frank DeFelice called the regular meeting to order at 7:47 p.m.

2. **Roll Call**

In attendance: Alana Adams, Lisa Davenport, Frank DeFelice, Chris Flanagan, Dave Foley, Edward Fronc, Daniel Melnik, Jan Melnik, Joseph Pasquale, Will Spooner

Absent: Campbell Barrett, Richard Eriksen

Others in attendance: Geoff Colegrove, Attorney Steven Byrne

3. **Seating of Alternates**

Will Spooner was seated for Richard Eriksen

4. **Amendments to Agenda** – none

5. **Approval of Agenda**

MOTION BY DAVID FOLEY, SECONDED BY CHRIS FLANAGAN, TO APPROVE THE AGENDA AS PRESENTED. ALL AYE

6. Public Session

Kati Forlini asked if she could get an update on the executive session held. G. Colegrove stated that the commission met with Attorney Byrne to discuss a potential appeal.

MOTION BY CHRIS FLANAGAN, SECONDED BY DAVE FOLEY, TO MOVE TO AGENDA ITEM #14 MISCELLANEOUS. ALL AYE

7. Discussion of Commercial Uses in MR Zone

Members reviewed an updated presentation based on changes from the last meeting. They discussed CGS Section 17b-420A Livable Communities Initiative, square footage requirements in mixed use zone, approval options, including other areas outside of Main Street, properties that may change over the coming years, alternative or expanding uses, and potential parking opportunities. F. DeFelice will revise the presentation and bring back to the next meeting for discussion.

8. Discussion of Planning & Zoning budget/Town Planner

F. DeFelice noted that the future of the town planner position was discussed briefly at a prior meeting, what it would look like and how it would be funded. He then presented the commission with a budget prepared by G. Colegrove and himself. The focus of discussion was on new line item Special Projects in the amount of \$15,000; to retain on a contract basis, specialized expertise to administer specific projects selected by the commission, outside of the normal interest, time, or expertise of Midstate Planning Consultants. G. Colegrove would continue to serve in his current capacity and the commission would look to outsource projects with G. Colegrove as a mentor.

G. Colegrove stated that J. Pasquale had previously talked about items that other municipalities are doing that Durham is not currently pursuing that was the genesis of this new line item. He noted that he is semi-retired and his time is limited; the thought was to provide some resources to the commission outside of his expertise. The idea is not to create a town position but to do it on a consultant/special project basis with specific expertise.

D. Foley agreed that there are many items the commission could be/should be working on and felt this was a perfect opportunity to get the POCD updated. He recommended having a solid plan to present to Board of Selectmen and Board of Finance. F. DeFelice agreed and noted that this was somewhat of a succession plan.

C. Flanagan agreed with all comments and questioned who would decide how the monies would be spent. G. Colegrove stated the intent is that it would be the commissions. C. Flanagan cautioned that he felt a consultant could not replace a town planner. G. Colegrove reiterated that the idea was not to create a full time position at this time; in preparation of the budget he did provide F. DeFelice with information regarding town planner salaries taken from the 2015 CCM salary survey, noting that it would be a major increase.

J. Pasquale noted that he asked to have this item on the agenda. He prefaced his discussion by stating that his remarks going forward are in no way a reflection on G. Colegrove. He firmly believes that the community should have its own planner; noting that the combined budget request for consultants and special projects would total \$55,000 and suggested requesting funding for a full time planner along with funding for G. Colegrove through a transition period. He then talked about his

areas of concern; POCD that has not been updated, regulation changes that have not been incorporated, continuing updates are not being made to regulations, and applications coming before commission that are not complete. He noted that Inland Wetlands and the Board of Selectmen rely heavily on a town planner.

F. DeFelice stated he agreed with what G. Colegrove put forth; consultant concept, noting that there are all kinds of planners and would like to seek out potential planners to work on specific projects. He noted that he would like the commission, over the next couple of months, to step up the pace on getting items done specifically the POCD.

Commission members then discussed town planner positions in surrounding towns and salaries. F. DeFelice noted that he would like to meet with the Board of Selectmen to discuss the budget request. J. Melnik stated that she liked the idea of Initiative around working with G. Colegrove; assessing capabilities of consultants that could become potential town planner candidates and questioned if this is the right time in the budget cycle. Other members questioned if there would be enough projects that would fulfill the request of \$30,000.

MOTION BY CHRIS FLANAGAN, SECONDED BY DAVE FOLEY, TO INCREASE NEW BUDGET LINE ITEM SPECIAL PROJECTS CONSULTANTS FROM \$15,000 TO \$30,000. ALL AYE

9. PoC&D Timeline and Action Items

F. DeFelice presented a slide that represented a time line, and requirements by law; CGS 8-23(g).

- 3/2/2016 review – recommendation
- 3/16/2016 copy to the Board of Selectmen and RiverCOG
- 4/20/2016 copy to Town Clerk
- 5/18/2016 notice hearing
- 5/23/2016 second hearing notice
- 6/1/2016 public hearing
- 6/15/16 adoption
- 6/29/16 last meeting to meet deadline date 6/30/2016

F. DeFelice then talked about how the commission would proceed in order to meet the timeline;

- continue to work with RiverCOG
- remove old outdated materials; no longer apply
- add two required chapters; agriculture and energy
- draft revisions will be emailed to commission members for review and comment

F. DeFelice will work on the energy portion and provide for next meeting. He noted that a draft agriculture plan has been prepared by RiverCOG and Warren Herzig; he has reviewed it and would like to use specific sections as a basis. Going forward he will be asking all commissions to start working on their specific areas to be incorporated in the next update. G. Colegrove stated that both he and F. DeFelice have worked diligently over the last week to streamline the current document and review language on the two new required chapters. He noted that the requirement is not to revise the plan in its entirety, it is to review the plan and update what is appropriate.

Members asked what they will be required to do over the next three meetings. F. DeFelice explained that draft revisions will be sent electronically to members who will need to review, comment on, and send back for revisions.

J. Pasquale suggested updating the census numbers and adding the two required chapters, leaving the removal of outdated materials for the next round, leaving it up to commission members to make edits. F. DeFelice reiterated that the items that will be taken out are not an issue in 2016; they will be shown as deleted in the draft so commission members can see edits.

10. Payment of Bills

MOTION BY DAVE FOLEY, SECONDED BY CHRIS FLANAGAN, TO APPROVE THE FOLLOWING INVOICES AS PRESENTED. ALL AYE

- Byrne & Byrne, #16-01-006z, 1/4/2016, \$510.00
- Byrne & Byrne, #15-12-0064, 12/1/2015, \$1,830.00
- Beth Moncata, #944, 1/6/2016, \$270.00
- Midstate Planning, Dec 2015 billing, \$2,782.50
- Midstate Planning, Nov 2015 billing, \$2,135.00

11. Minutes of previous meeting

MOTION BY JOE PASQUALE, SECONDED BY DAVE FOLEY, TO TABLE APPROVAL OF DECEMBER 16, 2015 MEETING MINUTES UNTIL NEXT MEETING. ALL AYE

12. Zoning Enforcement Officer's Report

16 Main Street has two banners that are an infraction. G. Colegrove will be sending out a letter. Adams Commons also has banners on fence that are also not allowed.

13. Town Planner's Report

F. DeFelice handed out a draft revision to the Application for Site Plan Review/Special Permit/Home Occupation and asked members to review and comment at the next meeting.

He also handed out Notification Requirements that explained in detail the applicant responsibility and commission responsibility for specific requests that will be attached to the application.

14. Miscellaneous

C. Flanagan asked Attorney Byrne to explain the hours billed for DMIAAB. G. Colegrove explained that the billing in question was for the commission in regards to the Goduti opinion letter. Attorney Byrne clarified that he looked into Mr. Goduti raising a question as to whether C. Flanagan should recuse himself from the application hearing based on sitting on two boards; P&Z, and DMIAAB. Attorney Byrne found that C. Flanagan could consider disqualifying himself, it would be his decision and noted that discretion is a better part of valor.

Lisa Davenport asked commission members if they had any other questions to ask Attorney Byrne regarding the application discussed in executive session. They did not.

MOTION BY CHRIS FLANAGAN, SECONDED BY DAVE FOLEY, TO RETURN TO AGENDA ITEM #7. ALL AYE

15. Adjournment

Meeting adjourned at 10:35 p.m.

Respectfully submitted, Beth Moncata