

**PLANNING AND ZONING COMMISSION
MINUTES OF A SPECIAL MEETING
MAY 27, 2010
PORTLAND PUBLIC LIBRARY
20 FREESTONE AVENUE**

Members Present: Bette Jenak, Bruce Tyler, Mike Woronoff, Peder Samuelson
(Alternate)

Members Absent: Alan Kenney, Carl Fitzgibbons

Staff: Deanna Rhodes

Consultant: Karen Cullen, AICP, Concord Square Planning and Development

1. Call Meeting to Order

Bette Jenak, Chairman, called the meeting to order at 7:00 p.m.

2. Introduction of Members and Seating of Alternates

Members introduced themselves.

3. Presentation by Karen Cullen, AICP, Concord Square Planning and Development, Inc. regarding progress of the grant funded Incentive Housing Zone (IHZ) project entitled "Grow-Smart Residentially – Incentive Housing Zones".

Topics to be covered include:

- HomeCT program overview.
- An explanation of the benefits an IHZ designation offers the Town and property owners.
- Density requirements, design standards and mixed-use.
- Results of preliminary site identification analysis which identified ten sites for consideration for potential IHZ, based on statutory criteria.
- An outline of the steps and timetable for remainder of the IHZ project.

Karen Cullen's presentation included the following information:

- Planners and Development Experts included Ted Carman with over 30 years of experience in housing development and development consulting. The Principal Planner is Karen Cullen with over 25 years of experience in land use planning. Their Connecticut experience includes: Wallingford, Simsbury, Ellington, Salisbury, Cornwall, Sharon, Goshen, New London and Thomaston.

- Connecticut IHZ Experience – District map; Analysis map; parking analysis; reality check map.
- There was an overview of the HomeCT Program, benefits of IHZ Overlay Districts, Initial Site Selection Analysis, Next Steps and Timetable, and Questions and Comments.
- What is IHZ?
- Origins of the Idea: Poorly planned district boundaries; Densities too low for economic realities; Society's vision on town center has evolved; But zoning has not.
- Which led to: A voluntary, collaborative process for municipalities to create – A surplus of land zone as-of-right for residential or mixed-use development; At densities that will allow market-rate housing along with deed-restricted affordable housing; With design standards to give the municipality a level of security in knowing what will be built will fit into the character they are interested in preserving.
- What Can IHZ Do For My Town? – Affordable housing options; Market rate units are often lower cost than a typical single family house; Reinforce town center development patterns; Smart growth.
- Regulatory Bliss – Zoning; Design Standards
- What the Law Says – Definitions: IHZ (Incentive Housing Zone); IHD (Incentive Housing Development); IHU (Incentive Housing Units); Eligible Locations (must be in one); consistent with the state POCD (policies plan); Overlay Zone; Uses; Density, Incentive Housing Units.
- In Addition – Use subdistricts to respond to adjacent uses; IHZ districts not equal to parcel boundaries; Amend subdivision regulations; Use density incentives; Developable area is not set in stone.
- Benefits to the Town – Zone adoption payment: up to \$2,000 per potential unit within an IHZ district; Building permit payment: up to \$2,000 per TH or MF unit for which a building permit is issued, if within five years of adoption; Design standards which provide security of knowing what you'll get before proposal is submitted; and an increase in housing in the downtown.
- Benefits to Property Owners – Ability to choose between underlying zoning and incentive housing zoning; Option to develop residential units as-of-right; At densities greater than currently allowed; and With greater surety that development proposal will be approved, given the public process currently underway.
- Design Standards – Establish review standards for site and building design (scale, proportion, appearance of buildings, streets, sidewalks, pathways, Off-street parking, protection of natural site features, landscaping/on-site open space; lighting and buffering, and signage).
- 8.2 Single-Family 35'
- Program Status – OPM has received three application - have yet to begin review due to state budgetary issues; OPM is working on resolving the problem of how to fairly administer the program; Hopefully that OPM will soon begin reviewing and approving application, with or without incentive

payments at this time; They expect incentive payment to be made when budgetary issues are resolved to allow it.

- Initial Site Selection Analysis: State Policies Plan – Orange indicates growth areas and Pink indicates neighborhood conservation.
- Step 1: Refine Study Area – Red outline is study area; Gray is small parcels.
- Step 2: Non-developable Areas (protected land, steep slopes, wetlands).
- Step 3: Less-developable Areas (rock outcrop, alluvial soils, flood zones, species habitat, and national historic districts).
- Step 4: Suitability Summary (pink = non-developable; orange = less-developable; green = developable; white = small parcels or developable but no sewer).
- Step 5: Suitability Summary, Ch 124b (pink = non-developable; green = developable; white = small parcels or developable but no sewer).
- Step 6: Eligible Parcels (colors = land use; blue = vacant; aeriels of largest crosshatch = additional sites which may be suitable for redevelopment).
- In addition: Village District Area (Colors = land use).
- Initial Site Identifier Map (Green = sites “selected” through the criteria analysis; all are vacant; Brown = sites “selected” through local knowledge; all redevelopment opportunities).
- Next Steps: Choose IHZ sites; Site specific analysis; Begin drafting zoning; Hold public meeting; Design standards – existing guidelines as base; Hold public meeting; Refine IHZ districts, regulations, and design standards; Assist with OPM application materials.
- Selection Criteria: Meets town’s land use goals; interested owners; sewer already available; existing roads and sides walks, good access; Based on limited budget and time intensive analysis to follow, limit to no more than five.

4. Discuss information provided by Consultant regarding IHZ project.

- Mr. Tyler spoke regarding sites B, C & F and that they don’t have sewer. Ms. Cullen said that the site doesn’t have to have access. If there is reasonable access, a developer may be willing to do the work if it is feasible. Ms. Rhodes agrees with Mr. Tyler that sites B, C & F aren’t really part of the village center. B & C are located on a hill.
- Site G is an office building and requested that they be considered part of the IHZ.
- I is the Rizzutto’s property.
- K is vacant and there is a pending medical office building application.
- J would like to be considered.
- D is a lot behind some property on Main Street and is landlocked. Access would be difficult.
- H is the Intermediate School property and the property located behind the school.
- There was much discussion on what sites to leave and what sites to develop.

- Some property owners aren't aware that their property is on the list.
- Frank Magnotta spoke regarding density (is there a minimum or maximum?). He asked about the elimination of parcels less than 1 acre in size. He's concerned about eliminating less than 1-acre parcels. He feels that there's a potential for a number of units on less than 1 acre sites. Ms. Cullen said that the program could be expanded later. Mr. Magnotta asked about the parcel off of Arvid Road down to the river. It was determined that this is a flood plain and could not be included in the IHZ.
- Ms. Cullen said the sites were chosen by 2 processes: 1. Information obtained from the town both during and after the interview process in speaking with Ms. Rhodes (Red parcels). 2. Mapping process (Blue parcels). We can't designate the whole area as an IHZ, because it's too big. They have to choose something that makes sense. There's two different ways to do it. One is choose an area such as the town center or village district or the other way to do it is based on the individual sites. Through the analysis they came up with, it's starting to look like it's going to be through individual sites with the possible exception of either a chunk of or the whole village district. They have to make sure there is enough parking in the village district
- There are 3 other towns that have submitted an application for IHZ, and there are about 50 other towns interested. Many communities just want the zoning at this point for the developers.
- At this point, we need to get from 11 parcels down to 5.
- Mr. Woronoff feels were heading in a direction of dictating what people can and cannot do with their property. Some people will be upset that their property gets selected and some may get upset that their property doesn't get selected.
- Frank Magnotta asked if we have the option to set minimum and maximum square footage? Ms. Cullen said yes we would have this option.
- Ms. Rhodes asked about the timeframe to have the Commission come up with the appropriate sites. Ms. Cullen said that a month to come up with specific areas would good if the Commission would like to complete this by 6/30/11.
- Ms. Cullen said that the Commission could consider other sites. Ms. Cullen will send the PDF file to Ms. Rhodes containing the maps. The green areas are open to discussion.
- Ms. Jenak asked Ms. Rhodes if the landowners are aware how they could get on the list. Ms. Rhodes said this has been discussed in various meetings. Some property owners contacted Ms. Rhodes to indicate that they are interested.
- Timetable – Ms. Rhodes will put this on the agenda for the 6/17/10 meeting. Ms. Rhodes asked the Commission if they would like her to contact property owners regarding the IHZ.

5. Adjourn

MOTION by Mr. Woronoff, **SECONDED** by Mr. Tyler to adjourn the meeting at 8:32 p.m. **VOTE UNANIMOUS. MOTION CARRIED.**

Respectfully Submitted,

Debra D. Pozzetti, Board Clerk

TC, FS, BOS, PZC, Clerk, Planning, ZEO, Book, Library, CC Chair