

DRAFT MINUTES
Town of Canton
Canton Planning Commission
Regular Meeting
Monday, February 4, 2013, 7:30 p.m.
Library Community Center, Room F
40 Dyer Avenue, Canton, CT

CALL TO ORDER:

Call to order the Meeting Agenda of January 4, 2013 at 7:34pm

ROLL CALL: Present: Rosemary Aldridge, Chairman; Mike DiPinto, Bruce Mortimer, David Freeman (seated for David Evans) and Andrew Magnan (seated for empty regular member seat). **Not Present:** David Evans; **Also Present:** Neil S. Pade, Town Planner.

REGULAR MEETING

NEW BUSINESS:

1. File #530; 185 High Valley Drive; Assessor's Map 12; Parcel 73-5; Zone AR3; Request for 5 year extension from December 2012 to December 2017. Rick & Erin Wolfson, applicant/owner.

Two-lot re-subdivision was approved in January of 2007. A small amount of grading was necessary for a small detention area on the lot. Additionally, a turnaround was needed to accommodate fire apparatus in the apron. The applicant has a closing coming up and due to the statutory deadline they would like the paperwork to be clear and the permit remains valid through the closing. A five-year extension is allowed by statute. Mr. Pade verified that most of the conditions have been satisfied from the original approval, with the exception of the improvement of the land. A bond will be required before improvements may commence on the site. Conservation markers are not on the property and need to be installed prior to the transfer of the lot's ownership.

Mr. Pade verified that the conservation easement is in favor of the town of Canton. The storm water berm is easily identified on the plans.

MOTION: by Mr. Mortimer to extend the approval of the subdivision to December 2017 with the provision that the original conditions of placing conservation easement markers be completed prior to the transfer of the ownership of the property and that the specific language for deeds to limit the impact on leaching areas in accordance with the FVHD letter dated 12/3/07 also be confirmed prior to the transfer of the property if it is not developed by the current owner. All remaining conditions of approval remain in full force and effect. Second by Mr. DiPinto.

VOTE: Aldridge-yes; Freeman-yes; DiPinto-yes; Mortimer-yes; Magnan-yes.

OLD BUSINESS:

1. Discussion of standard language for Development Agreement.

Mr. Pade did not have any new information on this issue. This item was tabled to the March meeting.

MOTION: by Mr. Mortimer to table this item to the March 4, 2013 meeting. Second by Mr. Freeman.

VOTE: Aldridge-yes; Freeman-yes; DiPinto-yes; Mortimer-yes; Magnan-yes.

2. Review of standard language for Bonding policies and procedures.

Mr. Pade did not have any new information on this issue. This item was tabled to the March meeting.

MOTION: by Mr. Magnan to table this item to the March 4, 2013 meeting. Second by Mr. Freeman.

VOTE: Aldridge-yes; Freeman-yes; DiPinto-yes; Mortimer-yes; Magnan-yes.
Item tabled to the March 4, 2013 meeting.

OTHER BUSINESS:

1. Approval of minutes of 12/03/12 was tabled to March 4, 2013 meeting

MOTION: by Mr. DiPinto to table this item to the March 4, 2013 meeting. Second by Mr. Mortimer.

VOTE: Aldridge-yes; Freeman-yes; DiPinto-yes; Mortimer-yes; Magnan-yes.

2. Update on Zoning Re-write

Mr. Pade explained that the Zoning Rewrite "draft" that was released should be considered draft number 11. This process began in 2005, Mr. Pade started in July, 2007. After the consultant left the process in 2008/09, a subcommittee was formed to focus on the rewrite. The rewrite includes more specific standards and less general language wherever possible. The committee has reviewed all the language in the document, including sentence structure to ensure clarity. Mr. Pade and a consultant then reviewed the document separately. After that review was complete, Attorney Mark Branse was hired to review the document prior to it being sent back to the committee. The committee then reviewed the document cover to cover, reviewing the edits, accepting the changes, etcetera. The draft was distributed to the Zoning Commission in January.

The POCD and public hearing timelines were discussed. There are scheduled rewrite meetings with the full commission to be held the first Wednesday every month. Public input is being sought as well.

The Planning Commission is to review the document for consistency with the current plan of conservation and development.

Ms. Aldridge began reviewing the document prior to the meeting. She focused on the residential portion and noted that the R-1 district has a minimum lot area of 21780 square feet (1/2 acre). There are many lots in the Collinsville section of town that do not meet that requirement. Ms. Aldridge commented that she thought that the new regulations would contain language to bring the non-conforming lots in Collinsville into compliance. Compliance issues when the lot is non-conforming and the minor home based business and major home based businesses regulations were discussed.

Mr. Pade said that the issue with developing a whole new set of regulations for Collinsville is a complicated issue and the Zoning Commission members did not want to bog down the project's progress with re-zoning Collinsville. Consideration has been given to creating a Collinsville Village District but it was decided that the change was too significant and needs to be brought as a separate application.

At this time, there is only one level regulating home-based businesses and it is closest to the minor home-based business regulation. The rewrite committee actually created three levels of home-based businesses – a traditional home based business which is not much more than someone with a fax machine and a computer at home; a minor home-based business and a major home-based business. Mr. Pade felt that it was too cumbersome to have three levels of home-based businesses. In reviewing the home-based business regulation the minor regulation was moved into the permitted as of right category and away from the zoning permit category. There are three levels – permitted as of right; allowed by zoning permit, which is staff approval; and then allowed by special permit, which is commission approval. It was decided to leave the major one special permit by the Zoning Commission, the minor home-based business as of right. The major one is not allowed under the current regulations; this is an expansion allowing a use that is not currently permitted. In order to get that extended use, the committee wanted to limit it to conforming lots, conforming structures, and additional criteria was put into place to ensure that the business activity was not too intensive in dense residential neighborhoods.

Mr. Pade is hoping to take advantage of some of the Main Street funding and opportunities to use professional help in developing codes for the business district and surrounding residential areas.

Ms. Aldridge asked to clarify how the flood zone regulations would affect subdivisions. Mr. Pade said that improvement can be made in this area. Additionally business districts and industrial or commercial districts need to be clarified.

Section 7 provides specific zoning standards with regard to landscaping, parking, lighting, etcetera. The current regulations do not address these issues clearly and it creates ambiguity and unpredictability in the site plan process.

The commission decided that each commissioner should go through the document in its entirety, and not assign specific members certain sections to review.

It was also requested that changes be identified so that it is clear what revisions take place.

3. Discussion of Plan of Conservation and Development Update

The POCD update committee drafts of the community character, residential development, economic development and management, open space, community facilities and services, and natural resources were sent to the Board of Selectmen. The Board of Selectmen reviewed the drafts over the last several months and made some minor comments or suggestions. The edits have been made. The drafts are being used by the consultant to begin assembling the entire project. The second drafts of agriculture, utilities and transportation are still outstanding. The section on districts has been written and the implementation chapter will be started next. Mr. Pade met with the consultant and discussed mapping. They have all the town GIS layers to the consultant. The GIS mapping is now on the website.

ADJOURNMENT:

MOTION: by Mr. Mortimer to adjourn at 8:59 pm. Second by Mr. Freeman.

VOTE: Aldridge-yes; Freeman-yes; DiPinto-yes; Mortimer-yes; Magnan-yes.