

**PLANNING AND ZONING COMMISSION  
SPECIAL MEETING – MINUTES  
MONDAY, December 1, 2014 – 7:00PM  
NEW HARTFORD TOWN HALL – 530 MAIN STREET**

**PRESENT:** Chairman James Steadman, Ted Stoutenberg, David Krimmel, Dan LaPlante, Bob Moore; Alternate Martin Post; Land Use staff Steven Sadlowski, Mr. Glen Chalder, Planimetrics.

**ABSENT:** Alternates Peter Ventre.

Chairman Jim Steadman called the meeting to order at 7:00PM. All regular members present were seated. The proceedings were recorded digitally and copies are available in the Land Use Office.

Chairman Jim Steadman thanked those in attendance, noting that the creation and revisions to the Plan of Conservation and Development (hereinafter referred to as POCD) do not work unless members of the various boards and commissions in town contribute and participate in the process.

Mr. Steadman read aloud a correspondence from First Selectman Dan Jerram, dated November 21, 2014. In his correspondence, Mr. Jerram reminded the commission that the town of New Hartford has been working with a professional municipal planner who has been evaluating older planning documents and reviewing existing conditions in an effort to make municipal improvements in the village center that will support existing businesses and attract new economic development efforts. The correspondence continued stating that unfortunately the draft plan being developed won't be completed and ready for public review until the middle of December. Mr. Jerram's letter also stated that he hopes to bring the plan in front of the Planning and Zoning commission so that together they all could create a master plan for the community for years to come. Mr. Steadman indicated that he has had a chance to review some of the ideas being put forth in Mr. Jerram's plan and personally found them to be fascinating.

Mr. Steadman introduced Mr. Glenn Chalder of Planimetrics who briefly described his role in the revision of the POCD for the town of New Hartford. Planimetrics assisted with the immediate previous plan adopted in 2005. He reported that he has worked on updating the demographic changes anticipated for New Hartford. He noted that he anticipates the biggest change to be the aging population and how to address this changing need. Mr. Chalder reported that he sees New Hartford heading for a slower growth scenario in the future as opposed to some of the accelerated growth seen in the past. The other service that Mr. Chalder reported as having been provided to the Planning and Zoning Commission is that of coaching the commission. He cautioned the group on meeting the state's deadline for adoption of the Plan by September 15, 2015 or risk facing penalty for failing to do so.

**Ms. Madeline McClave**, President of the **New Hartford Land Trust**, addressed the commission. She explained that in reviewing the 2005 plan, her board members concurred that it had great ideas but that the implementation of the ideas could be better addressed. She reported that her group would like to keep the same core values. The New Hartford Land Trust, according to Ms. McClave, would like to see further progress in the town's progress towards the goal of 30% of its land designated as Open Space. The Planning and Zoning Commission may want to consider revisiting the goal over the next ten (10) years, with the possibility of increasing that percentage, Ms. McClave suggested. She referenced the Town of Farmington who had set

a goal of 40% Open Space, and has reached 33% already. Ms. McClave reported that the Land Trust hopes that the new plan will increase communication and collaboration between commissions and boards as well as between commissions and the board of selectmen. Ms. McClave noted that the Land Trust would like to be included in a natural resources inventory and to participate on the update. The Land Trust is also very interested in developing and refining land acquisitions priorities, according to Ms. McClave. In the *Protect the Natural Resource* Section, Ms. McClave noted that the Land Trust thought it would be a good idea to add a new subsection entitled, *Protecting Natural Habitat*, which might address all aspects of the ecosystem. She also noted for the commissioners that the Land Trust supports the comments of the Open Space Commission and adding the new policy tools to advance or expand the means by which the town can conserve land: "Lots of Record" policy, tax abatement initiative, and changing open space set aside standard as it is applied to developable land.

Additionally, Ms. McClave reported that the Land Trust thinks the POCD should include a stronger, more specific and expanded focus on preserving agricultural land, not just farms but instead all types of productive lands. This should have its own section as it is now under *Preserve Scenic Assets*. With regards to the issue of the aging population in New Hartford, the Land Trust would like to see more cluster development surrounded by more Open Space. Ms. McClave further reported that the Land Trust supports the strongest possible language for protecting water resources, including adding sections about low impact development (LID). In addition to updating the maps, Ms. McClave reported that the Land Trust recommends that the town consider revising some of the definitions and some of the map keys or legends in this new plan so that they are very clear and precise. She suggested considering using the term "open space" only to protected, committed open space land.

Ms. McClave also suggested revisiting the identification of the western most portions of Route 202 and those adjacent areas in New Hartford as future development locations. She noted that section of the road as still very scenic, functions as somewhat of a gateway to the community as well as having some important farm land there. Ms. McClave also reported that her group thought it would be a good idea to reference in the POCD Brodie Park South, as the task force had suggested placing that land under a conservation easement. Mr. Marty Post explained that in Connecticut, it is called a conservation restriction. Ms. McClave opined that maybe it might be a good idea to lay the ground work over the next ten (10) years to see what a conservation restriction might do for that land, in terms of the restrictions it would impose and what uses might remain. Ms. McClave explained that an easement that might preclude future subdivision or development of Brodie Park South.

**Ms. Donna Howard** and **Ms. Laura Garay**, representing the **Commission on Aging**, then addressed the commission and thanked them for the opportunity to contribute input in the process. Ms. Howard noted that in reviewing the 2005 POCD, she was somewhat surprised at only the very small section addressing seniors. She referred them to the two action steps:

1. To initiate a needs and site assessment study for a new senior center facility and integrate the study with other municipal facility planning; and
2. To evaluate available buildings in the New Hartford Center area along route 44 and in the Greenwoods Industrial Park for potential acquisition for a senior center.

Ms. Howard inquired of the commission whether that had ever happened. She also asked whether there had ever been a needs and site assessment study.

Mr. Steadman responded that he couldn't recall if it had been done. He further noted that the first selectman might have but the Planning and Zoning Commission would not have done this study. Mr. Dave Krimmel added that the parties may have thought there was a good plan created last time but a committee had never been formed to implement that plan. Thus, when the planning and zoning commission was faced with the issue of establishing a new plan, the commission agreed that they were not going to do another plan unless there was an implementation associated with this new plan, according to Mr. Krimmel. He continued, explaining that this process will be in two parts, a plan revised for what the commission envisions for the future of New Hartford and then there's going to be a second part which will establish an organization, or a combination of groups within the town, that will then implement that plan. Mr. Krimmel concluded by explaining that the Planning and Zoning Commission cannot be the implementer of the plan but that it will involve the people who put the plan together, to be part of the group that implements it.

Ms. Howard explained that she was seeking information and not trying to point the finger of blame at anyone. She explained that she just honestly did not know and it was one of the things that came up in her commission's discussion. She shared two recommendations.

The first was to build a stand-alone senior center facility to accommodate the projected growth of the senior population in New Hartford. Ms. Howard reported being very gratified to hear that people are aware that the senior population is becoming a more significant percentage of the population in town. With this first recommendation, there were several additions or qualifications to it: a.) The senior center should be on or near a main road in town such as Route 44 or Route 202. Ms. Howard reported that recently the commission members met with First Selectman Dan Jerram over at Brodie Park as he invited them to tour the old farmhouse that is on the corner of that facility as a possibility for a senior center. Ms. Howard explained that this was a very good experience for them because it actually helped them to formulate some of their ideas: they agreed that the structure was too small for senior activities. While the structure had plenty of tiny rooms, it also had a very narrow staircase and a bad basement. Ms. Howard reported that the primary thing that came up over and over is that they don't want to have seniors having to drive to a remote location for evening events or during inclement weather. An additional qualification to a senior center is: b.) Ample well lit parking area close to the structure and ADA compliant access. Should the structure include several floors, the group would request ADA compliant elevators that are large enough to comfortably accommodate a wheelchair. Additionally, Ms. Howard reported that the Commission on Aging would request kitchen facilities sized large enough and equipped well enough so full meals could be prepared that would conform to state public health regulations for senior lunch programs and for community events.

Mr. Stoutenberg inquired what the group thinks about taking over the Bakerville School. Ms. Howard responded that this very proposal had come up with the commission recently and that it had resulted in a very "animated conversation" on this idea. She noted that it was not mentioned in her report to the Planning and Zoning Commission because the Commission on Aging is back and forth on it. Some seniors do not want the school touched because they are of the opinion that as Torrington grows, so shall New Hartford. These seniors tend to believe that this building is going to again need to function as a school and need the classroom space. Other seniors have looked at the idea of a center in this location and all the advantages that it would bring in terms of ample parking, safe lighting and proximity to Route 202. The seniors note the kitchen would need adjustments made to serve their needs. Ms. Howard noted that her group does not make decisions, that they only offer advice and reported that the "jury is out" on the notion of the Bakerville School becoming the New Hartford Senior Center. Mr.

Stoutenberg explained that he was just curious about the group's opinion as there is going to be discussion on January 6, 2015 as to what to do about the Bakerville School. Mr. Stoutenberg opined that it is going to be inevitable that one of the two schools, either Bakerville School or New Hartford Elementary School, will be closed as there are not enough kids to support the three schools.

Ms. Howard responded that there was a discussion among the seniors regarding New Hartford Elementary School and the general consensus among them was that if the town was going to close and renovate a school to designate as a senior center, New Hartford Elementary School would be easier from a senior point of view. The seniors like that New Hartford Elementary is closer to the center of town. She commented that she would return to the seniors with information as it was discussed. Mr. Moore suggested that she might want to change the recommendation from "construct a stand-alone" to something more general. Ms. Howard responded that the group did feel strongly, that in an ideal world, they would prefer to have a building built for them.

The second recommendation Ms. Howard presented is to build subsidized senior housing. The Commission on Aging, according to Ms. Howard, feels very strongly that there are people who leave New Hartford as they age because they either can't afford to stay in town or they find that the town doesn't offer them the type of conveniences that are necessary as they get older. Ideally, Ms. Howard commented, they would love senior housing that would be close to the center of town so that the seniors could walk easily to various services in town like the post office, the town hall, the library or Dunkin Donuts. She mentioned that sidewalks would be ideal for this. Mr. Sadlowski inquired what she thought would be the most well received in terms of types of senior housing. She noted that the discussions did not address this but that many were very impressed with the senior housing over on Route 219. She commented that although these are private, over the years a number of people who live there have never had anything but compliments and positive things for them. Ms. Howard noted that the seniors like the fact that the units are all on one level, and like the community atmosphere in that it feels like cluster housing rather than being put into a large multistoried facility. She mentioned that they like the fact that there's grass and a little orchard. She reported that the one complaint is that it is expensive.

Mr. Steadman thanked Ms. Howard on behalf of the commission and remarked that he is sure her group will be interested in the plan that the first selectman is working on and the new review of the town center and that it will encompass the possibility of all these things. He noted that a lot of them are going to be privately directed and are going to need to be built with money from private investors. Ms. Howard thanked the commission for their invitation to be part of the process. Ms. Laura Garay remarked that the site assessment would be so important to take into account all of the seniors in the community, what makes sense, what's a central location for everyone that's really feasible and accessible to them.

**Ms. Alison Murdock**, representing the **Conservation Commission**, then addressed the commission. She commented that the idea of an implementation committee needs to happen. She commented that the items that should be done right away is to go through action items and check off what's done, what's partially done and to evaluate after that. Ms. Murdock reported that the Conservation Commission still really likes the plan as it is and just needs some tweaking to account for the change in demographics. One important addition to consider to the revised 2015 POCD is to plan for the effects of climate change and having some type of projection of what could happen and ways to deal with those projections, according to Ms. Murdock. She reported that she knows the state and some towns have started working on how

to deal with effects of climate change and the effects of severe weather events. Ms. Murdock reported that they're going to have huge budgetary impacts. An additional consideration to be made is changes in the types of habitats that are threatened. Ms. Murdock reported that meadow habitats have overcome forest habitats in terms of being a habitat of concern. Ms. Murdock opined that with New Hartford being so forested, the focus needs to shift to looking at conserving meadows as they are the most threatened at this point and the species that are dependent on it are being lost at a great rate. Ms. Murdock further stated that New Hartford needs to review their criterion for land preservation and for open space preservation with thoughts to the changes in the habitat. Invasive species is another issue that follows along with changes in natural resources as it is something the town needs to start looking at, according to Ms. Murdock.

Mr. Krimmel inquired as to who the stewards of the areas protected under the Open Space Commission are, specifically who is ensuring that open space isn't desecrated through pollution and controlling invasive species. Ms. Murdock explained that the existing stewardship task force had several years ago recommended that the Conservation Commission would be the stewards under plans devised by the Open Space Commission. According to Ms. Murdock, the Open Space Commission would come up with management plans for the open space and the Conservation Commission would be responsible for ensuring that they were carried out. However, the recommendations of that task force were never adopted by the Board of Selectmen, according to Ms. Murdock. Mr. Krimmel questioned that adoption stills remains to be done. Ms. Murdock confirmed. Mr. Krimmel noted that a recommendation of the plan is that a group needs to be the steward of the open space in the town of New Hartford.

Ms. Murdock reported that the Conservation Commission further recommends that the section on protecting important resources should address these specific concerns: loss of habitat, different types of habitat, and the encroachment of invasive species. She continued that it is their recommendation that there would be separate sections within *Protecting Natural Resources* and then plans within that as well actions items within each of those. She noted that it could be exactly the same format as what is there presently but just designate who was going to be responsible for carrying them out.

Another item Ms. Murdock discussed was that the recommendations created by the low impact development task force and the resulting changes to the zoning regulations to accommodate their findings and recommendations should be addressed in the POCD.

Mr. Krimmel asked Ms. Murdock whether the Conservation Commission looks at open space as an asset to the town of New Hartford and whether they would like to use it as an asset to the benefit of the taxpayers of the town of New Hartford. He explained that this is a mindset that he has in everything about New Hartford. He continued by stating that he sees the sewer plant as an asset even though a lot of people look at that as a liability, explaining by way of example. He opined that all boards and commissions, whatever their responsibility is, to treat that as an asset. Mr. Krimmel explained that he wonders how as a commission use open space not for just the people who love open space or are in agreement with the Open Space Commission but how does the group convince the developers that it's more important to keep this space open space than it is to be developed. Ms. Murdock responded that she did not think that it's necessarily their job to convince the developers. Mr. Krimmel responded that he was trying to convince her that it should be and that he is trying to convince every board and commission to look at the resources as assets. Ms. Murdock responded that they would first need to define the qualities of an asset. She questioned whether he meant an economic asset. She explained that the group could give economic statistics of how conserving the designation of this part of

the river corridor as wild and scenic has had major economic benefits to the town of New Hartford. She continued stating that she wouldn't be able to attest that protecting the bobolink habitat is going to have an economic benefit to New Hartford. Ms. Murdock opined that the Conservation Commission doesn't feel that their charge has anything to do with economic development or benefits. Mr. Krimmel stated that there are financial assets in the open space but asked whether they are they being utilized. Ms. Murdock asked how one would utilize them. Mr. Krimmel explained that he knew at one time in the past, some land had been timbered and while it wasn't a lot of money, it was an asset and it was in the vein of good stewardship. Ms. Murdock responded that this had been part of the twenty (20) year stewardship plan. Mr. Krimmel suggested that it could be revisited.

Ms. Murdock explained that she thought the focus presently, and the bullet points that she presented, are more in terms of protecting our resources. Mr. Krimmel responded that for the sake of protecting open space will encourage people who live in denser populations to want to come here to live and that this is an asset to this town. Mr. Post commented that conservation is preserving a quality of life, too. He continued, explaining that it doesn't have to be a hard bottom line on that. Mr. Post explained that if the group is preserving land or conserving land, it may not have a definitive economic value except for quality of life in the area which makes this a more desirable town to reside. He likened it to Ms. McClave having spoken about the preserving some of the farms up along 202 as a buffer coming in here so that the entire area of going from Torrington to Hartford isn't like going through that section by the malls. Mr. Post explained that it softens the impact of getting through the area and makes the area more desirable and that it is putting too fine a point on what it is that they do.

Ms. Murdock suggested that there might be confusion over conservation of open space and conservation of resources. She explained that open space is a part of Conservation Commission's charge and that actually Open Space Commission is a spin- off of the Conservation Commission in 1993. She explained that she is seeking to address conservation of resources and not just talking about preserving land. Ms. Murdock explained that the State of Connecticut has moved towards zero impact development, from the Low Impact Development (LID) standards that the group has been trying to achieve. The Conservation Commission's recommendations is that policy goes beyond the LID to the zero impact development, which will serve to protect ground water, protect our potable water supply and help provide protection of the river and the health of the environment. An additional recommendation of the Conservation Commission, according to Ms. Murdock, is to take the river corridor invasive species map and incorporate new layers into the natural resources assessments for all potential development sites as part of the process of application for development. Ms. Murdock reported that they have had base line inventories done at Brodie Park South and Antolini School but that the group needs to update it because things change so rapidly.

**Ms. Murdock** then requested to address the Planning and Zoning Commission on behalf of the **Farmington River Coordinating Committee** as she is the New Hartford representative to that group. She confirmed with the commission that they were in receipt of the correspondence from the committee with regards to the POCD. Ms. Murdock addressed equivocal language contained in the POCD, i.e. use of the phrase "going to consider" instead of committing to doing. This same concern was brought up prior to the adoption of the previous POCD and it remains a concern to the group. The Farmington River Coordinating Council references that in some of the specific language, coverage and setback standards may need to be more flexible to accommodate development along the river side. She explained that there is concern about creating a commercial district on the eastern side of the river where the town garage is located. Additionally, Ms. Murdock commented that there is language that just needs to be clarified and

the revised plan needs to be rid of some of the gray areas that are open to interpretation by potential developers. Specifically, Ms. Murdock continued, language like the river protection overlay district may be permeable or flexible to interpretation by potential developers.

**Mr. Bill Michaud**, representing the **Water Pollution Control Authority (hereinafter referred to as the WPCA)**, then addressed the Planning and Zoning Commission. Mr. Michaud acknowledged that the WPCA had yet to submit an official letter but reported that the group is meeting a week from Thursday, December 14, 2014, to review their recommendations for the POCD. Mr. Michaud explained that he intended to provide the Planning and Zoning with information that the group can expect to receive from the WPCA.

Mr. Michaud explained that he was struck as he read through the last POCD, on how many ways the WPCA, and the ways the water system and the sewer system contribute to the goals articulated in the plan. For example, one specific goal was resource protection. The work that the WPCA has been doing to deal with sewer extensions will help take older septic systems and remove the waste out of the ground water, and take that waste and put it in a more controlled facility, according to Mr. Michaud. Mr. Michaud explained that this will help protect the town's aquifer and help protect the river. Regarding economic development, downtown New Hartford could be an economic engine for this community, a place where the town has commercial development, industrial development and the type of development that comes along with revenues for the town that don't necessarily have the same offsets in terms of services that residential development would have, Mr. Michaud reported.

Mr. Michaud suggested that if the town is seeking to have a downtown revitalization where residents live near retail and/or people who are going to walk to shops, then New Hartford needs water and sewer in order to attain that type of density. He pointed out that one looks at the houses across 219, the senior development area, those folks are on the water supply.

Mr. Michaud suggested that more dense housing in the downtown area can be created as well as senior housing at different income levels, thanks in part at least to the sewer and water systems. He further attested that it could create this kind of more vibrant downtown area around this asset, taking pressure off other parts of the town in terms of residential development. He said his main point is that as Mr. Krimmel was saying the water system and the sewer system for too long have been thought of as albatrosses, as drags on our system and what he is hoping that what can be done through the POCD is at least start to try to change that attitude. Mr. Michaud continued stating that if people agree that these are assets to the community, the whole community and not just the people who are on the sewer system and on the water system, then we need to as a whole community invest in these assets. Mr. Michaud stated that the economic reality is that if New Hartford continues on the path that they're on: raise the rates, have the users shoulder the full burden of maintaining the system, rehabilitating the waterlines, rehabilitating sewer lines, extending sewer lines, the town is never going to realize the benefit of these assets,

Mr. Michaud mentioned that one of the key points the group is going to include in their comments is not just what the WPCA can do but also what the different boards and commissions can do together to help move this project forward. He provided as an example a joint meeting occurring with the Economic Development Commission a couple months ago wherein attempts are being made to define the sewer user area. Mr. Michaud reported that they're having a little problem with the state's Office of Policy and Management because they have some lines around the industrial park that don't quite agree with the WPCA's lines. He explained that someone drew on a map before there was GIS and they don't correspond with

property lines. Mr. Michaud noted that the point is if a developer comes in to New Hartford and says he wants to build an industrial park, some senior housing, build a new mall or build some mix-use, that the Planning and Zoning Commission says that if the proposed development is in a sewer usage area but there is not a sewer that goes out to the proposed building site, the applicant has to build a sewer to get out there. Mr. Michaud said that this is the type of cooperation the commissions need to have. The WPCA needs developers to know if they are going to build this project down near Ovation or up on Route 44, they are going to have to extend the sewer. Mr. Michaud commented that while it might sound like a daunting task, there are laws in the state of Connecticut that would allow the developer to be compensated for that sewer if goes in front of another property, the developer can assess that property owner to help cover the cost of extending the line.

Mr. Michaud commented that some of the key priorities over the next ten (10) years is to reassess and rehabilitate our older lines. He reported that the WPCA is having issues with hydrants on the water side of things, expanding the sewer system, expanding their user base which is really the key to the long term sustainability. Mr. Michaud noted that if there are fixed costs, but the user base is expanded, the rates will come down. If the rates come down, it is going to make businesses in downtown New Hartford look more viable, it is going to help economic development, according to Mr. Michaud.

Mr. Krimmel commented that unless there is 100% agreement with the sewer plant, it is his opinion that the economics are going to result in a migration from this town that he would rather not see. He further commented that the mentality of some people in the south end who have their own septic system and don't care about the sewer plant needs to change. Mr. Krimmel stated that he hopes that everyone realizes that we are in this town together, need to make this thing work and pledged his personal support to help the group get over this hurdle.

Mr. Moore commented that the sewer plant is perhaps one of the biggest economic drivers in New Hartford. He further opined that issues around the sewer plant and extensions are also going to create the biggest land use issues that the commission is likely to face in the next few years. He continued, stating that what the WPCA is undertaking is going to drive housing density and drive development along the river. Mr. Moore commented to Mr. Michaud that the decisions the WPCA will be making about using the clean water fund, for instance, to run the sewer line is going to be crucial to the kind of issues that the Planning and Zoning Commission are going to face in the future.

Mr. Michaud agreed. He reported that the WPCA just issued a statement of work to look at an analysis of two different sewer extensions, one on Cottage Street and one on Wicket Street. He mentioned that they do have \$3.7M set aside from the state, which would be a 25% grant with the remaining 75% at a 2% low interest loan. He explained that what they look at is not just the costs and revenues associated with this but also the economic impacts associated with development in those two different areas as well as the public health differences between the two. Mr. Michaud explained that one of the key economic benefits of expanding the sewer line that takes a little bit of thought is that if they can expand the user base, the rates will come down, properties will be more marketable, business will be more interested in moving to New Hartford than if they're looking at a huge water bill and/or a huge sewer bill.

Mr. Stoutenberg requested from the standpoint of planning, he would like to see some sort of schedule as to when the WPCA intends to do some of this work. Mr. Stoutenberg explained that part of what sold the sewer plant in the first place was to protect aquifer that is under Pine Meadow and yet the plant has been there for a few years and doesn't see any movement. He



would like to see from the WPCA some sort of projection for the next ten years as to when they are going to do these major projects.

Mr. Michaud responded that as someone who has been on WPCA for over a decade that the key impediment to getting these things done is what Mr. Krimmel referred to in that the WPCA has been out there on their own. Mr. Michaud reported that they have had task forces overseeing them and overlooking them, second guessing them, spending half of their time and eighty percent (80%) of his time, defending past actions, defending the history, talking about history and not talking about moving ahead. Mr. Michaud explained that he really thinks it is critical that everyone gets on board and agrees that Cottage Street gets done, that it is likely going to cost the taxpayers \$1m or thereabouts and figure out how to get it done. Mr. Michaud said that once everyone is on the same page and everyone agrees that this is a priority, it can happen. It will then be a matter of engineering which is going to take six to eight months and a matter of getting state grants together but then it moves, according to Mr. Michaud.

Mr. Moore inquired as to whether the WPCA is in the process now of determining the most logical extension of the sewer line. Mr. Michaud confirmed. He indicated that they have a request for proposal (RFP) out and are hoping to come to the Board of Selectman in January with a consultant to do that analysis. Mr. Moore confirmed that after that, it would be a matter of going to referendum to get the funding to take on that project.

Mr. Steadman inquired as to when the WPCA would be submitting their final input to the POCD to the Planning and Zoning Commission. Mr. Michaud indicated that they hope to have it finalized and forwarded to them before the Christmas holiday.

**Ms. Jean Cronauer**, representing the **Open Space Preservation Commission**, then addressed the Planning and Zoning Commission. She commented that the commission believes that the former plan is very good and certainly agrees with the decision to not completely redo it. Ms. Cronauer opined that it should be simply updated. She commented that her group has recommendations about important resources, the residential development section and about implementation.

Ms. Cronauer began with the implementation of the plan. She commented that when reviewing the plan and its suggestions and all of the action items that were in the previous plan, she was struck with the thought, "...my god, if we had done this. There's a lot of good stuff there." Ms. Cronauer explained that her group thinks there are a number of practical reasons why that it didn't happen and they would like to get over those practical hurdles. Ms. Cronauer stressed that the Planning and Zoning Commission needs to appoint an Implementation Committee. She added that this committee will need a bit of a budget, too. Additionally, she noted that state statutes say that a planning and zoning commission can have between five (5) and nine (9) members. The Open Space Preservation Commission is recommending that New Hartford's Planning and Zoning Commission be expanded to nine (9) members so that they would have the workers to accomplish things and people who are willing to invest time in addition to regular meetings.

An additional recommendation made by Ms. Cronauer is when the 2015 POCD is printed, every commission member in the town of New Hartford should receive a copy. She remarked that the Land Use Office should prepare for land use commissioners all the materials that they need including their own copy of the regulations as well as a copy of the POCD.

Ms. Cronauer also addressed the lack of a larger crowd at this Special Meeting. She questioned how many people in New Hartford even know we have a plan and opined that even less have read or spent any time with the plan.

Ms. Cronauer remarked about protecting our resources and that while the plan has protect the water resources, she feels there is really no point in separating surface and ground water. Ms. Cronauer believes that they should be put together because you can't really separate surface and ground water. She continued, explaining that since the last plan, in 2011, New Hartford and a number of Farmington River towns received grant funding from Department of Environmental and Energy Protection (hereinafter referred to as DEEP) to remove impediments to LID to get LID more clearly in the town's zoning regulations. Ms. Cronauer reported that her group's recommendation is that this new POCD pick that up and really emphasis that LID is the new environmental site design standard.

She reported that at a recent conference of landscape architects, another term being used is, "green infrastructure" and that the design principles are really the basis of LID. This would include working with the existing terrain, preserving natural hydrology, creating no net increase in post development runoff. Ms. Cronauer commented that the revised POCD should use less "consider doing" language. She identified the Water Resource part of the plan as an example as well as Conservation Subdivision design section that fit so perfectly with those concepts. Further, Ms. Cronauer suggested that the Open Space Preservation Commission is willing to help whoever is putting this together to assemble information on LID. She remarked that DEEP has added to their storm water quality manual and appendix on LID so the reference material is readily available. Ms. Cronauer reported that engineers and landscape architects have been trained and have embraced this as a better way to go so there is no need to be afraid of it.

Ms. Cronauer commented that the lots of record and tax abatement policies have already been mentioned by Ms. McClave but that these are things that the Open Space Preservation Commission are absolutely working on and also want to contribute updates to some of the actions items, updates to the actual open space plan, the land use map, the open space plan and the future land use plan. Additionally, Ms. Cronauer commented that another natural resource area that her group would like to see featured more prominently in the POCD is protecting agricultural resources. She noted that right now the only place you find it is under Scenic Resources and while she agrees that farmland is scenic, it is much more than a scenic resource.

Ms. Cronauer reported that another thing that has happened since the last plan is that New Hartford entered into a partnership with the state Department of Agriculture under a program called Community Farms. New Hartford Open Space Preservation Commission signed a joint document and now has the duty to advance the purchase of development rights on agricultural land. She opined that Agricultural Resources should get its own heading under Natural Resources as should LID in order to promote flexible development. Regarding Conservation Design Subdivisions located in Section 7, it should be linked back to LID, according to Ms. Cronauer.

Mr. Steadman commented that he likes some of the ideas presented and will be talking about implementing some of them and working them into the plan.

Ms. Cronauer remarked that she is aware of some towns that once or twice a year have joint meetings with all their commission members. She opined that it would be very valuable if New Hartford would do the same.

**Mr. Skip Sly** and **Mr. Bill Adamsen**, representing the **West Hill Pond Association**, then addressed the Planning and Zoning Commission. Mr. Sly explained that his group, comprised of shore property owners, focuses on protecting the lake from future degradation and enrichment of the wrong things. He explained that its primary purpose is to maintain, improve and enhance the quality of water in West Hill Pond and abate pollution therein.

Mr. Sly commented that when speaking of town assets, there is no denying that West Hill Pond is an , design, create and implement and conduct projects to that end We'll work with anyone who incredible asset. He reported that his group has been studying the lake for quite a few years now, particularly since 2002. He reported that the group has hired a limnologist and attested that it is very evident that the lake is not improving in quality and what his group is critically concerned about is reaching a tipping point where the lake gets ways too much nutrient, phosphorus, and nitrates. Mr. Sly cautioned that if the lake gets to that point where it starts developing algae and other nuisance plants, then the cost to reverse that process is incredibly high. Mr. Sly noted the presence of Mr. Tom McGowan, Executive Director of the Lake Waramaug Task Force, who could attest to the fact that trying to make lakes better is way more costly than trying to keep lakes in a good condition. Because of this, Mr. Sly noted that the West Hill Pond Association, supports everything that the commissions are doing in town in addition to the direction the Conservation Commission can give to these other commissions, in an effort to protect surface water resources. Mr. Sly noted that in the last POCD, there were a number of action steps that all dealt with doing whatever was necessary to protect the water quality of all water resources in town. He requested that his group be allowed the opportunity to prepare a letter of recommendations that the Planning and Zoning Commission accept at a later date. He did note for the commission that his group is in favor of creating an overlay zone where regulations are adopted specific to the West Hill Lake Watershed, in terms of better septic enforcement, better septic design, storm water runoff, storm water abatement, limiting the impervious surface that can be created within the watershed, etc.

Mr. Steadman encouraged Mr. Sly to submit a letter and apologized for the oversight.

Mr. Adamsen commented that throughout the past year, he has been in contact with Mr. Sadlowski, putting a great deal of effort in both monitoring the quality as well as discerning ways to protect the water quality at the lake. Mr. Adamsen noted that Mr. Sadlowski has had some great ideas since he has become the Land Use Officer and is a terrific asset to the town from their perspective.

Mr. Moore inquired of Mr. Steadman whether he had received any type of communication from the Inland Wetlands Commission. Mr. Steadman indicated that he had not.

Mr. Krimmel inquired as to how many properties owners there are with properties that affront the lake. Mr. Sly indicated it was approximately 110.

Mr. Post inquired as to whether the comment that the water quality is not improving is just a watered down euphemism that things are getting bad up there.

Mr. Sly confirmed. He commented that for those people who have been on the lake for many, many years just can attest visually that the clarity of the water is going down, the amount of phosphorus that they measure in the water every spring is going up. Mr. Sly indicated that ten (10) years ago, they weren't concerned too much about excessive plant growth. He commented that the lake doesn't have any plants that they would consider bad, such as invasive species, but they do have a couple of very aggressive plants that are growing in the lake which he thinks

is a combination of more nutrients as well as runoff. He explained that siltation plus nutrient gives plants a lot more opportunity to root and grow. He reported that his group is spending \$10K a year in plant removal from the lake as well as spending a little less than \$10k a year in doing these studies.

Mr. Post recalled that the Zoning Board of Appeals had come to the Planning and Zoning Commission not too long ago and said that the water quality was deteriorating. Mr. Post commented that it was his understanding that the requirements imposed by Farmington Valley Health were actually more stringent than they had been in the past so questioned what is contributing to the extra runoff into the lake. He asked whether it is that there are more properties on the lake or whether there have been more developments. Mr. Sly responded that there are a lot of septic systems that are older. Mr. Post asked if they are failing. Mr. Sly responded that in the spring when the ground water table comes up very high to the surface, he thinks that is indeed possible they do. Mr. Sly commented that he doesn't think there are any current requirements to have inspections of septic systems done on an annual basis which would be something that would help. Mr. Sly reported that the lake is getting more year round usage so the septic systems are being used more than they have in the past. He commented that a lot of the older septic systems are closer to the water than the newer ones being placed further away from the water. Mr. Adamsen contributed that the change of use from summer time to year round creates stresses on septic systems when the water table is higher. Mr. Adamsen commented that a lot of the requests have been for change of use and reported that he has spoken to Pat Gugliotti, a sanitarian with Farmington Valley Health District, who is looking to do a just plot plan to just get an understanding of just how quickly this has happened. Mr. Adamsen explained that Farmington Valley Health District tracts both well permits and septic system permits and should have a pretty good idea of how that change has occurred over the years.

Mr. Post questioned how they are allowed to become full time unless the septic systems are improved. Mr. Adamsen commented that he believes there are some caveats related to change in the number of bedrooms. In other words, according to Mr. Adamsen, if a home owner is not changing the number of bedrooms, he may not need to change the septic system even if the structure has changed otherwise or even if there is a change of use. Mr. Adamsen reported that there was a major rewrite of the health code in 1998.

**Mr. Tom McGowan**, Executive Director of the **Lake Waramaug Task Force**, then addressed the Planning and Zoning Commission. Mr. McGowan reported that he has been working with that group to restore Lake Waramaug since 1975 so has forty (40) years of experience doing this. He also reported having spoken to the scientist who has been doing the monitoring of West Hill Pond for ten (10) years and over that time period, has seen the spring runoff as higher in phosphorus and nutrients and seen a decline in the water clarity over that same period. Mr. McGowan attested that West Hill Pond still has an excellent water quality year round and is a jewel of a lake but that this is the red flag that conditions are changing. Mr. McGowan cautioned the group that no one knows what the rate of change will be. He noted that all the things that have been mentioned are working against the lake and conversions from seasonal to year round are not really covered by the health code unless they have to get a zoning permit. Only when adding a bedroom or a bath does a homeowner have to go back to Farmington Valley Health District. However, septic systems are not the only issue. He joked that people hug their lake, they love their lake and sometimes loving it too much is what causes problems. People will want another deck, another patio, another parking space, etc. All of these things are big factors on lakes all over the country, according to Mr. McGowan. The improved surfaces are often impervious or otherwise, and as they get particularly close to the lake's shore line and

disrupt the lake shoreline, possible disruptions in vegetation can allow runoff to flow like a river unimpeded through a lawn. These can include putting a boat in or putting in beaches, according to Mr. McGowan. He commented that the solution is to adopt recommendations to protect water quality in major water bodies, including West Hill Pond. Mr. McGowan suggested that surgical changes to the regulations be put in place.

Mr. Steadman inquired of Mr. Sly and Mr. Adamsen whether they had retained the assistance of Mr. McGowan in the preparation of the group's letter of recommendations to the Planning and Zoning Commission. Mr. Sly indicated that the group hopes to have his assistance.

**Dr. Peter Humphrey, 273 Niles Road**, addressed the commission about future development around the lake. He expressed concern about the boy-scout camps on the lake and the implications if this property were to be sold off as four (4) acre lots.

Ms. Cronauer requested that Mr. Chalder speak about what has worked in other towns in terms of implementation of POCDs. Mr. Chalder explained that the implementation can be one of the most challenging parts of the whole planning process. He said that many towns peak at the adoption of the plan, feel the task is done and then don't follow through on implementation. He stated that the communities that have been the most successful are the ones that have an implementation committee. They meet quarterly or every six months and just reaffirm and assign responsibilities and priorities, according to Mr. Chalder. Mr. Chalder explained that a Planning and Zoning Commission can accomplish a lot of the regulatory things but some of the other items, such as the question of who is going to do the needs study for the senior center, need to be checked off a list by the implementation committee. He explained that the POCD is an advisory document that makes its use and its value by being a wise indicator of positive outcomes.

Mr. Krimmel inquired of Mr. Steadman and Mr. Sadlowski who was had been invited that didn't show up this evening, specifically the Board of Finance, the Board of Education, and the Recreation Department. It was confirmed that all were invited.

**MOTION:** Mr. Krimmel, Mr. Moore second, **for Jim Steadman to write a letter to the Board of Finance, Board of Education, and the Recreation Department and remind them that they missed a very important meeting and that there was a lot of information disseminated from other entities that he's sure would be beneficial to their operation; unanimously approved.**

Mr. Chalder reminded the commission that while September, 2015 seems like a long way off someone needs to craft a plan. He explained that the commission needs to get a document together so that they can begin to assess what sections are in good shape and what sections will require further information. He noted that with the agreement he has with the commission, his portion from a defined work perspective ends with this meeting but that he is only a phone call away for Mr. Sadlowski for issues that come up.

**MOTION:** Mr. Stoutenberg, Mr. LaPlante second, **to adjourn a 9:10PM; unanimously approved.**