

Special Meeting

FINAL

The 1381st meeting of the Stonington Planning and Zoning Commission was held on September 9, 2008 at Mystic Middle School, 204 Mistuxet Avenue. Present for the special meeting: Paul Altman, Paul Holland (who arrived at 7:10 p.m.), Julianne McCabe, John Swenarton, and Lynn Young. Alternates Leon Jacobs, Rob Marseglia, and Lynda Trebisacci. Town Planner Keith Brynes and Director of Planning, William Haase.

Call to Order: Paul Altman, Chairman Pro Tem, called the meeting to order at 7 p.m. and welcomed new member John Swenarton and alternate member Leon Jacobs.

Election of Officers:

Julianne McCabe nominated Paul Altman as Chairman, seconded by Altman. Motion failed by tie vote, 2 in favor (Altman & McCabe) and 2 opposed (Young & Swenarton).

John Swenarton nominated Lynn Young as Chairman, seconded by Young. Motion carried 3 in favor, 1 opposed (Altman).

Lynn Young nominated Julianne McCabe as Secretary, seconded by Altman. Motion approved unanimously, 4-0.

Lynn Young nominated Paul Altman as Vice Chairman. Mr. Altman declined. Lynn Young nominated John Swenarton, seconded by Swenarton. Motion failed by tie vote, 2 in favor (Young & Swenarton) and 2 opposed (Altman & McCabe).

Paul Altman nominated Paul Holland for vice chairman, seconded by Young. Motion approved 3-1 (McCabe opposed).

Preliminary Discussion of Stonington Housing Affordability Plan – Proposed Amendment to Plan of Conservation and Development: Alisa Morrison, Chairman of Stonington's Affordable Housing Advisory Committee, introduced members of the Committee. She stated that three years ago, the Committee began to look at the issue housing, with a charge to develop an affordable housing plan. Using grant assistance, the Planimetrics consulting firm was retained to help write the plan. The Committee now seeks to incorporate the Housing Affordability Plan into Stonington's Plan of Conservation and Development (POCD).

Planimetrics' consultant Jason Vincent presented a PowerPoint overview of the draft Housing Affordability Plan, outlining numerous strategies to promote affordable housing. A number of studies done by the state and the regional planning agency were used to augment the local plan. Vincent stated that housing affordability is not about lifestyle choice, it is about trying to make housing available to members of the community. Housing in Stonington is expensive and creates a negative impact on the community's quality of life in that due to affordability issues. It is difficult for Stonington to attract young adults and families.

The Planning and Zoning Commission discussed the draft plan with various members of the Affordable Housing Committee, including:

- **Deed Restrictions.** This is a common practice elsewhere, usually ten years or longer. The Town can establish the term. Such properties would be purchased by the Town, a non-profit agency, or a developer.

- **Naturally Occurring Housing Affordability (NOHA).** Does not qualify toward the Town's 10% affordability goal under Connecticut General Statute 8-30g (Affordable Housing Land Use Appeals Procedure), as currently written. Legislative change is needed, such that naturally occurring affordable housing (that is, housing that is affordable by price, not long-term deed restriction) is credited toward a Town's 10 percent goal.
- **Need for Affordable Housing.** There are different types of housing that could meet affordable housing criteria. Jason Vincent stated that the plan does not take into account how property tax revenues would be affected. Regional affordable housing advocate Jane Dauphinais stated there are different ways and locations in which affordable housing can be created, citing the Thread Mill redevelopment on River Road with 20 percent affordable housing as an example (rents would be \$1,000 to \$1,200 per month). First Selectman Ed Haberek stated there are two primary demographics – senior citizens, and working families whose salaries are not keeping up with what is needed to afford a home.
- **Impact on School System.** Jason Vincent stated there would be minimal impact on the school system when affordable units contain one or two bedrooms -- this type of housing is not conducive to family households. Jane Dauphinais said that education costs are primarily fixed costs, not directly related to numbers of children attending a school. She noted that in almost every town in southeastern Connecticut, school enrollment has declined. Paul Holland requested a comparison of expense to revenue. He stated if the cost of a home is reduced to make it affordable, it will attract people because of the Town's desirable school system. He instead wants to see affordable housing in the elderly arena. Holland stated his opposition to density bonuses to promote affordable housing.
- **Connecticut General Statute 8-30g.** Paul Holland stated that CGS 8-30g is flawed. John Swenarton asked if there is any movement in the legislature to modify this statute. Representative Diane Urban responded that larger cities feel they have taken on most of the affordable housing burden, and that smaller towns throughout the state have not carried their weight. She said it is difficult to get that portion of the law out on the floor of the House or Senate, although modifications are suggested every session. Paul Holland asked if it would be beneficial for the POCD to recommend that CGS 8-30g be revised.
- **Incentive Housing.** Jane Dauphinais stated many towns are using a new program called the Incentive Housing Zone program, with the state providing incentive payments for creating affordable housing zones. The state will also provide technical assistance grants to determine if there are areas within the town suitable for redevelopment.
- **Planning Director Comments.** Planning Director William Haase reviewed the process required to incorporate the Affordable Housing Plan into the POCD. He also expressed concern that CGS 8-30g is driving affordable housing throughout Connecticut with unintended consequences, in that it ignores affordability issues faced by households whose incomes are greater than 80% but less than 130% -- that is, ineligible for subsidies but not earning enough to afford the median priced house in Stonington. He also expressed concern about geographic areas that the Plan maps for affordable housing (identified as Tier 1, Tier 2 and Tier 3), which are inordinately weighted toward Stonington's commercial and industrial zoning districts. He said that this would erode the Town's existing mixture of land use types, adversely impacting our employment base and further tilting the tax base toward residential property owners.

The following members of the public provided comment on the draft Affordable Housing Plan:

- Jim Ratsonbaum – Asked that if in time, affordable housing would become tax-subsidized housing.
- Stanton Simm – Asked if a request could be made to the state to look at affordable housing on a regional basis, rather than a town basis. He also supports more tax breaks for the elderly.
- Gail Shea – Suggested it might be helpful if to clarify the distinction between low income housing and affordable housing. While the purchase price of a house is important, there has to be some way to allow people to stay in their house and make it affordable to stay there.
- Arija Retsema – Stated that deed restrictions and discounted houses could fall into a trap and result in deals being made.
- Ian Gaffney – Said it is a challenge that can be dealt with. The Thread Mill is a perfect example of land underutilized.
- Carlene Donnarummo – Questioned the report's average mean income figure. Objected to a user's fee for all applications in the document.

Conclusion. Lynn Young asked Commissioners to review the Affordable Housing Plan they were provided and provide any comments they have on its content directly to the Town Planner. Mr. Haase will compile these comments and present them in memo form at an upcoming PZC meeting.

Discussion of Consent Agenda Criteria and Protocol: William Haase referred to his memo of September 3, 2008 regarding consent agenda criteria and protocol. A lengthy discussion among Commissioners ensued regarding empowering staff to have more authority to make decisions, versus maintaining transparency and the role of the Commission. Haase stated existing consent agenda language in the zoning regulations been used for a wide variety of applications, but a single sentence contained in Section 8.3.1.2 it is the only formal mechanism the Commission has for plan modifications. He offered to develop draft text revisions intended to clarify ambiguities.

The following members of the public provided comment on consent agenda issue:

- Gail Shea -- Believes there is confusion about consent agenda items and other issues before the Commission. The consent agenda can be use for lots of things other than just those pertaining to the zoning regulations. A consent agenda is very specific, but the Commission has to read everything ahead of time. If any Commissioner feels he/she cannot give consent, it should be pulled from the agenda. For routine items, the consent agenda allows the Commission to approve items without discussion.
- Thomas Collier – Stated that the consent agenda is a popular tool used in many towns other than just Stonington. He suggested that minor changes could be handled by staff, advising that when changing an established procedure, the Commission should seek the opinion of legal counsel.

- Jerry Martorelli – He has a pending application, and has been encouraged to come before the Commission using the consent agenda process. He stated that during the Commission's site plan review process he felt he was being treated impartially, but he does not feel that way about staff. He said it is his right to come before the Commission.
- Carlene Donnarummo – Stated she does not like bundling items on a consent agenda, especially since there is no formal process for public input at that point. Agrees that the staff needs to provide more input for consideration.

Discussion of Alternating Monthly Planning and Zoning Commission Meetings between Zoning and Subdivision Reviews and Broader Planning Issues: Deferred to a future meeting.

Discussion of Setting Planning and Zoning Commission Meeting Ending Times:

Haase stated in previous years Commission agendas contained a statement "no new testimony or new agenda items shall commence after 10:30 p.m. and all business will end at 11 p.m." The Commission discussed ways to reduce length of the meetings, but reached no consensus.

Adjournment: Paul Altman motioned to adjourn at 11:05 p.m., seconded by Julianne McCabe. Motion carried unanimously.

Julianne McCabe, Secretary