

**TOWN OF SOMERS  
SOMERSVILLE MILL STRATEGIC PLANNING AD HOC COMMITTEE  
MEETING MINUTES  
Tuesday, August 11, 2015  
7:00pm  
Selectmen's Conference Room  
Town Hall**

**Call to Order:**

Chairman Tim Keeney called the meeting to order at 7:00pm.

**Members Present:**

Members present included Chairman Tim Keeney, Vice Chairman Brad Pellissier and Members Erik Ness, Tim Potrikus and Ralph Williams. Also present were Mr. Glenn Chalder from Planimetrics, Zoning Commission Chairman Jill Conklin, First Selectman Lisa Pellegrini (recording), and two interested residents.

**Discussion with Planimetrics re Somersville Mill Site:**

First Selectman Lisa Pellegrini introduces Mr. Glenn Chalder from Planimetrics and Zoning Commission Chairman Jill Conklin to the members of the Committee. She mentions that Planning Commission Chairman Greg Genlot was also invited. She also distributes to the members a copy of the WPCA Fee Schedule that was mentioned in a previous meeting. See Attached.

Chairman Tim Keeney welcomes both guests and begins by asking Mr. Chalder to share his experience with the group. Mr. Chalder states he was a former Town Planner with the Town of Avon and has also worked with real estate developers. He has been a land use consultant for municipalities for over 25 years. This experience allows him to see things from both sides. He has worked with the Town of Somers on several occasions, most recently assisting in the update of the Town's Plan of Conservation and Development (POCD) and as moderator at the Somersville Mill Informational Session.

Mr. Chalder begins a Powerpoint Presentation (See Attached) and lively discussion follows. Mr. Chalder tells the group that there are a number of issues influencing what happens at the Somersville Mill property but that zoning regulations and property taxes/liens may be the only key issues that are under local control. He also mentions that developers are always looking at the risk vs. the reward when doing a project and this is something to consider when looking at the mill site.

Discussion includes reuse possibilities for the specific site, as well as concepts that would also include the vacant Somersville Grammar School. The mill site is constrained and flood plain elevations are a concern, but there is a way to find opportunities that would work with such obstacles.

Mr. Williams asked Mr. Chalder about zoning regulations and how you could amend the zoning regulations to allow for some type of development that may or may not include the surrounding buildings. Mr. Chalder began by saying the current set of regulations may hurt us in accomplishing what the community is seeking at the Somersville Mill. The Mill property is currently zoned for industrial use and this may deter developers from thinking creatively about the property. He encouraged the group to identify what enhances the overall vision so that it will

attract a developer. Changing the zoning regulations could be a tangible first step to changing the future of the mill site. The group talked about the Somersville Overlay District. It was created a number of years ago to guide development in Somersville but it only relates to Main Street. Ms. Conklin acknowledges the overlay district has its hiccups and needs some help. Mr. Chalder agreed and stated that improvements are needed. He said zoning overlays can be tweaked, expanded and changed under the purview of the zoning commission.

The group then began talk about an opportunity to have a village area. Vice Chairman Pellissier talked about the abutting uses to the site as being light industrial and asked, if the mill site was cleaned up, was it big enough to bring in more light industrial. Other members discussed having enough room for a park or public recreational area.

That drove the conversation to the subject of cost for a clean-up at the site, with all agreeing that \$1 million was the ground zero number. All acknowledged that the economics (reward) wasn't there for a developer to come in and spend \$1 million (risk) and then begin development. Mr. Chalder felt that the cost could vary depending on the extent of clean-up required but that this was a key consideration in deciding on future strategies. Vice Chairman Pellissier believed in order to attract the right developer the Town would most likely have to clean it up first.

Mr. Chalder believed this site could benefit by being included in a Planned Development District (PDD). He explained the three types of Zoning- site plan (an administrative type of action), special exception (a more discretionary type of action) and regulation change/zone change (a legislative action). The PDD approach involves a commission approving a specific and detailed plan for a property through a zone change application. This type of legislative action provides maximum discretion to the Town when reviewing and approving all details of a site plan. It also provides flexibility in the design of a project rather than having fixed regulations which might deter a developer. However a PDD can be a wild card as almost anything can be approved if the Zoning Commission says it is okay.

The PDD creates the process for the developer to propose something and the zoning commission can say yes (or no). It is an opportunity for the Town to have a team building approach to change.

Mr. Potrikus asks how does this happen. Mr. Chalder says it is through the PDD language. The Zoning Commission adopts language outlining the process a developer would go through to create a PDD. He said towns have already done this and if Somers is considering following this route, then an amendment should be made to the Plan of Conservation and Development, as the Zoning Commission looks back to the Plan of Conservation and Development for guidance.

Mr. Chalder explains that the PDD is not a zone but a process. It takes away risk from both sides. It allows the developer to come in with a concept that might not otherwise be permitted and also allows for the town to have much control on the proposed development and the town can also say no if they so desire.

Mr. Potrikus asks if the PDD can be applied to anywhere in town. Mr. Chalder states that the POCD should state where it is recommended. Discussion includes talk about the possibility of having it limited to the Somersville Overlay District to the possibility of having it considered town-wide. Mr. Chalder said it is best to start small with a specific area. An example being the Mill site and surrounding x number of feet. Mr. Ness says that by doing it that way it allows it to expand to include School Street and the Grammar School. Mr. Chalder agrees and says it's about consolidated development of concentrated mass. He says the number 1 goal is to provide

the capability for the mill site to change. The number 2 goal is to improve the Somersville mill site.

Mr. Ness, Ms. Conklin and Mr. Williams talk about the need to enhance the area of not just the mill site but to also include the surrounding area in the vision. All recognize that having the vision is the key to getting clean up money.

That leads the group into discussion as to what the threshold really is. All agree that it will most likely cost \$1 million in cleanup/remediation before development can begin. That amount is not feasible for a developer to overcome.

There was discussion as to getting sketches together to outline recreational areas, possible building areas, preservation areas, etc.

#### **Review of Time Lines: NA**

#### **Process Discussion and schedule for Future Meetings:**

It was agreed to have a meeting on August 25, 2015 with hopes for DEEP Director of Open Spaces Graham Stevens to attend, as well as representatives from the Scantic River Watershed Association and Chairman Ann Moses from the Somers Open Space and Trails Committee. Future guests also include Evan Plotkin, Attorney Adam Cohen and Historical Committee Chairman Carole Pyne.

#### **Approval of Minutes:**

##### **August 4, 2015 Meeting Minutes:**

*Vice Chairman Pellissier made a motion to approve the August 4<sup>th</sup>, 2015 Meeting Minutes, seconded by Mr. Ness. Chairman Keeney, Vice Chairman Pellissier, Mr. Williams and Mr. Ness approved. Mr. Potrikus abstained from voting. Motion passed.*

##### **Amendment of July 21, 2015 Meeting Minutes:**

*Mr. Williams made a motion to approve the following amendments received by Attorney John Wertam to the July 21<sup>st</sup>, 2015 Meeting Minutes, seconded by Chairman Keeney. Amendments include:*

*Under "Discussion with Environmental Attorney re Brownfields regulations/cleanup legislation and programs, funding sources, municipal liability and reuse potential" section: 2<sup>nd</sup> paragraph, last sentence: change hundreds of "mill" sites to "commercial" sites.*

*4<sup>th</sup> paragraph, change 2<sup>nd</sup> sentence to read: "He replied that it is important to first know the results of the ongoing environmental testing."*

*6<sup>th</sup> paragraph, add to last sentence: "...approach, but he will review with DEEP and DECD".*

*7<sup>th</sup> paragraph, add to last sentence "...ideal, "if allowed.""*

*8<sup>th</sup> paragraph, 2<sup>nd</sup> sentence, revise it to read: "Attorney Wertam replied that in order to get funding to remediate the site, evaluating the risk and having a plan for development makes the application stronger-it puts "more meat on the bone.""*

*8<sup>th</sup> paragraph, 3<sup>rd</sup> sentence, add to end of sentence "as well."*

9<sup>th</sup> paragraph, add to last sentence: "...there now, "and can be viewed a regional economic attraction.""

12<sup>th</sup> paragraph, add to last sentence: "...is limited "after entering into the municipal liability relief program.""

13<sup>th</sup> paragraph, add to last sentence: "...development "in order to attract interest in the site.""

17<sup>th</sup> paragraph, change 2<sup>nd</sup> sentence to read: "Attorney Wertam brought up the Town of Glastonbury taking over a site and developing a riverside park."

17<sup>th</sup> paragraph, change last word in last sentence to "partnerships."

*Chairman Keeney, Vice Chairman Pellissier, Mr. Williams and Mr. Potrikus approved. Mr. Ness abstained from voting. Motion passed.*

**Adjournment:**

*Chairman Tim Keeney made a motion to adjourn the meeting at 8:28pm, seconded by Vice Chairman Pellissier. The motion passed and the meeting was adjourned.*

Respectfully Submitted,  
Lisa Pellegrini, Recording

*Minutes are not official until accepted at a subsequent meeting.*

# TOWN OF SOMERS

## WPCA/Health Fee Schedule

Effective Date: 7/1/15

### FOOD SERVICE:

Restaurant:	
Class I & II	\$ 150.00
Class III & IV	\$ 200.00
Caterer/Vendor	\$ 150.00
Grocery/Convenience	\$ 125.00
Temporary(1-14 days)	\$ 60.00
Day Care w/ food serv.	\$ 125.00
School: Public	NC
Private	\$ 150.00
Food Service Plan Review	\$ 150.00
ReInspection Fee	\$ 65.00

### ENVIRONMENTAL HEALTH INSPECTIONS:

Day Care Center	\$ 75.00
Labor Camps	\$ 75.00
Group Homes	\$ 75.00

### SITE DEVELOPMENT:

Soil Testing, (per lot)	\$ 175.00
or (per testpit)	\$ 100.00
for repair/alteration	\$ 100.00
Septic/Sewer Permit	\$ 150.00
Over 2,000 GPD	\$ 300.00
Minor/Tank Only	\$ 75.00
Plan Review	
Subdivision/Cluster Devel, (per lot/sys.)	\$ 75.00
Revision, (per lot/sys.)	\$ 35.00
Engineer/Surveyor Design	\$ 100.00
Revision	\$ 35.00
Well Permit	\$ 100.00
Water Service	\$ 200.00

A 50% LATE CHARGE WILL BE ASSESSED FOR OPERATING WITHOUT A PERMIT

# SOMERS

Somersville Mill

AD-HOC  
COMMITTEE  
MEETING

August 11, 2015



## CONTEXT



## CONTEXT

- Phase 1 – 1839 to 1960s
  - Built and operated as a textile mill
- Phase 2 – 1960s to 1990s
  - Rented as light commercial/industrial space
- Phase 3 – 1990s to 2008
  - Approved for 100 condo units but appealed
  - Damaged by flooding in 2005
  - Town worked to revise flood mapping issue / sewer capacity



## CONTEXT

- Phase 4 – 2008 to date
  - Property owners inactive / unresponsive
  - Town pushed for progress (redevelopment RFP / tax sales)
  - Structure destroyed by fire – June 2012





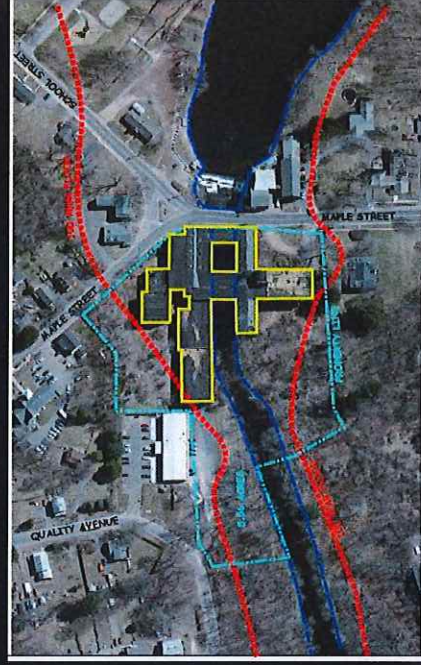


## KEY ISSUES

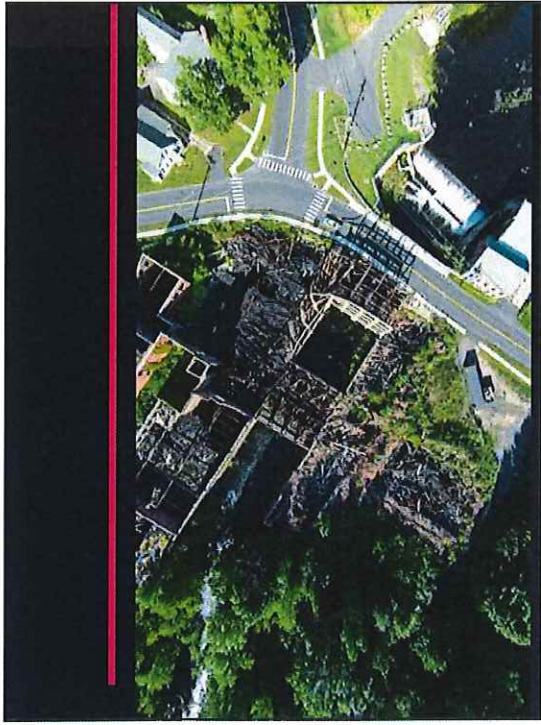
- Private developers evaluate "risk versus reward"
- Private development could be encouraged by:
  - Reducing risks (approvals, time, costs, financing, etc.)
  - Increasing rewards (use, yield, etc.)

## QUESTIONS

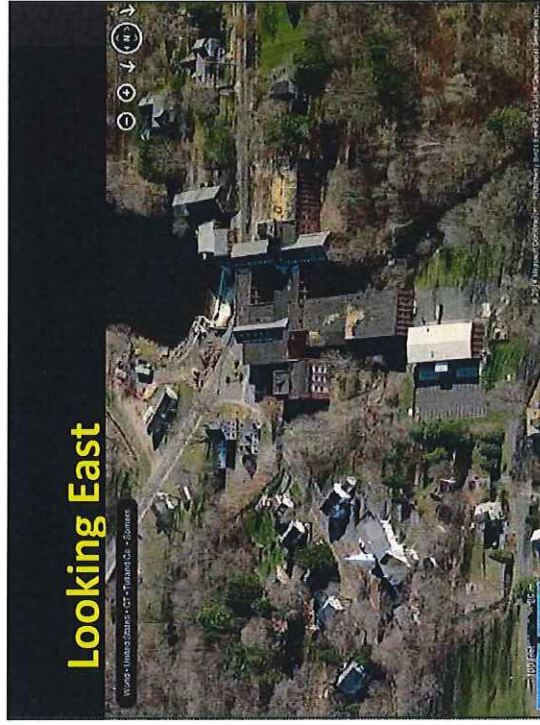
- What can or should Somers do in terms of the Somersville mill?
- What is the next step?







Looking North



Looking East



Looking South



## Looking West



## Looking North



## Looking South



## Looking South



## Looking West



## Fire Damage



## Fire Damage



## Fire Damage





## Planned Development District

Another approach might be what is known as a “planned development district”. In this approach, a new zoning district would be created, known as a “PDD” where the requirements for the zone would be the actual site plan being reviewed by the Commission. Since the Commission has considerable discretion when it acts in a legislative capacity (such as for zone changes and regulation changes), reviewing and approving the actual site plan is much more definitive than reviewing words or numbers.

Again, a corollary to this approach would be that institutional and other uses currently allowed in residential zones (or such uses above a certain size) would no longer be permitted in the residential districts. Existing uses or uses above the size threshold would become non-conforming. If these uses wanted to expand or wanted to become conforming, they could apply for a rezoning to the new “PDD” zone. If institutional or other uses currently allowed in residential zones want to expand in the future, they will need to come back to the Commission with a request to modify the PDD zone as applied to their property. Essentially, this is a new zone change request.

This approach gives the Commission the maximum amount of discretion in reviewing such uses. The Plan only recommends consideration of the Planned Development District approach for managing institutional and other uses currently allowed in residential zones.

## Development Districts

A number of communities around Connecticut have reported they have adopted “planned development districts” (sometimes called “special development districts” or by other names):

- West Hartford
- Stonington
- Mansfield
- Southbury
- Windsor
- Branford
- Ridgefield
- Simsbury
- New Haven
- Stamford

St. Lukes School



## CASE STUDY

# Planned Development District

PDD regulations for New Canaan might be configured as follows:

### Planned Development District.

#### 1. Purposes.

This section of the Regulations is intended to:

- enable the development of specific areas in accordance with an overall master plan for such area;
- encourage a mixture of compatible uses and structures to create a sustainable and attractive environment;
- be flexible in order to allow for innovative design techniques, accommodate unique uses and encourage creative approaches to development issues; and/or
- result in a development that demonstrates a high regard for design and that is compatible with the historic, cultural and geographic qualities of New Canaan.

#### 2. Basic Parameters

- a. Persons submitting an application to establish a Planned Development District hereunder are strongly encouraged to arrange for preliminary meetings with the Planning and Zoning Commission prior to submitting an application for a Planned Development District.
- b. Prior to submitting a formal application to the Planning and Zoning Commission, persons preparing an application to establish a Planned Development District hereunder are strongly encouraged to arrange for preliminary meetings with the neighborhood.
- c. A Planned Development District may only be established by approval of:
  1. A master plan in accordance with Section 3 following,
  2. A Text Amendment application, processed in accordance with Section xxx, codifying the approved master plan as part of this Section of the Regulations, and
  3. A Zone Change application, processed in accordance with Section xxxx, locating the approved master plan on the official Zoning Map.
- d. The location and general objectives of the Planned Development District shall be in general accordance with the Plan of Conservation and Development.
- e. The Commission may require the applicant to pay the cost of reasonable consulting fees for peer review of the technical aspects of the application.
- f. The Commission may refer an application to other agencies, boards or commissions of the municipality for comment.



### CASE STUDY (continued)

#### 3. Master Plan Requirements

A master plan of the proposed development shall be submitted to the Commission for approval and such master plan shall include the following:

- a. **Name of Planned Development District** – A name identifying the proposed Planned Development District.
- b. **Purpose Statement** – A general statement regarding the intent of the proposed Planned Development District.
- c. **Proposed Uses** – A statement identifying the specific uses proposed within the Planned Development District and whether such uses will be subsequently permitted by:
  1. Zoning Permit approval,
  2. Site Plan approval, or
  3. Special Permit approval.
- d. **General Development Plans** – One or more sheets depicting the proposed schematic design of the site including:
  1. The identification and general location of proposed uses;
  2. Existing and proposed building footprints;
  3. Proposed public and private streets, sidewalks and/or pedestrian walkways, rights-of-way, and parking areas;
  4. A landscaping plan, including the location of proposed buffers;
  5. Information regarding the provision of water, sewer, drainage, and other utilities; and
  6. The location of public and/or private open space or conservation areas.
- e. **Schematic Architectural Drawings** – One or more sheets illustrating the schematic design of the proposed buildings and structures, which may include:
  1. Schematic floor plans;
  2. Architectural elevations of all buildings, and/or
  3. Photographs of buildings similar to the proposed buildings.
- f. **Data Table** – Information regarding the proposed development including:
  1. Lot area and lot frontage;
  2. Building setbacks, yards, and/or building separations;
  3. Building coverage;
  4. Impervious coverage;
  5. Proposed floor area by proposed use;
  6. Parking spaces.
- g. **Additional Documentation** – Depending on the nature and/or intensity of the proposed Planned Development District, the following documentation may also be required by the Commission:
  1. A traffic study estimating the potential traffic generation and the capacity of streets within and neighboring the district to accommodate the projected traffic;
  2. A report regarding the adequacy of proposed utility services;
  3. A statement on how the proposed development complies with the Plan of Conservation and Development; and
  4. Any additional information as may be required by Section xxxx of these Regulations.

## CASE STUDY (continued)

### 4. Decision Process

- a. While the establishment of a Planned Development District is a legislative decision rather than a Special Permit, the Commission may use the criteria in Section xxxx of these Regulations when reviewing an application to establish a Planned Development District.
- b. Following the close of the public hearing(s), the Commission shall first approve, modify and approve, or deny the master plan.
- c. If the Commission denies the master plan, they shall also deny the Text Amendment application and the Zone Change application.
- d. If the Commission approves or modifies and approves the master plan, the Commission may approve the Text Amendment application and the effect of such approval of the Text Amendment application shall be to include the following in Section xxxx of these Regulations provided that the approved master plan has been signed by the Chair of the Commission and filed on the New Canaan land records:

#### # Name of Planned Development District.

- a. Purpose of Planned Development District.
- b. Permitted uses - as approved by the Commission and shown on the approved master plan filed on the New Canaan land records on *(insert date here)*.
- c. Development layout and design - as shown on general development plans titled *(insert name here which must include the name of the design district)* as revised through *(insert date here)* and filed on the New Canaan land records on *(insert date here)*.
- d. Architectural design - as shown on schematic architectural plans titled *(insert name here which must include the name of the design district)* as revised through *(insert date here)* and filed on the New Canaan land records on *(insert date here)*.
- e. Other provisions or limitations – *(if any, such as the affordability plan)* as revised through *(insert date here)* and filed on the New Canaan land records on *(insert date here)*.
- f. Effective date - *(insert date here – the date filed on the New Canaan land records)*.



## CASE STUDY (continued)

- e. If the Commission approves the Text Amendment application, the approved master plan and accompanying material shall, within xxxxxxx (xxxx) days of the Commission's action unless some other period of time is authorized, be submitted to the Commission for signature by the Chair.
- f. Once signed by the Chair of the Commission, the approved master plan shall be filed on the New Canaan land records within xxxxxxx (xxxx) days of the Chairman's signature and the Text Amendment and the Zone Change shall not be effective until such filing on the land records.
- g. If the Commission approves or modifies and approves the master plan, the Commission may approve the Zone Change application and the effect of approval of the Zone Change application shall be to rezone the property to the name of the Planned Development District provided the approved master plan and accompanying material shall have been signed by the Chair of the Commission and filed on the land records:

### 5. Following Approval

- a. Development within a Planned Development District shall only be as authorized by the approved master plan.
- b. Development within a Planned Development District shall conform to the approved master plan.
- c. Any modification of an approved master plan that, in the opinion of the Commission, does not substantially alter the character of the approved master plan may be approved by Site Plan approval in accordance with Section xxxx of these Regulations.
- d. Any modification of an approved master plan which substantially alters the character of the approved master plan shall be processed as a Text Amendment application, processed in accordance with Section xxxx, codifying the revised master plan as part of this Section of the Regulations.

### 6. Approved Planned Development Districts

(to be added at a later date)