

**PLANNING AND ZONING COMMISSION  
BUDGET AND ADMINISTRATIVE SUBCOMMITTEE  
Special Meeting  
May 21, 2008  
WATERTOWN HIGH SCHOOL TECHNOLOGY CENTER  
324 French Street  
Watertown, CT 06795**

**1. CALL MEETING TO ORDER**

Mr. Minnich calls the meeting to order at 7:05

**2. ROLL CALL**

**Present:** D. Minnich  
J. Blais

**Absent:** R. Russ

**Also Present:** Joe McGrail, Chairman EDC  
Gary Martin  
Glen Dupliese  
Dwayne George  
Carl Mancini  
Ruth Mulcahy

Mr. Minnich addresses the members of the full board that are present that as members of the commission you are welcome to participate in the discussion.

**3. ECONOMIC DEVELOPMENT WITH JOE MCGRAIL, CHAIRMAN,  
EDC**

Mr. Minnich thanks Mr. McGrail as well as Mr. Seacrist for coming.

Mr. Minnich states that just for reference, in the Plan of Development, we have stated that one of our goals is to support business and industry retention and development and the commission encourages annual meetings with the EDC and

the Economic Development Coordinator and we look forward to you coming here now and other times in the future. We discussed two issues on the phone the need for understanding the position of the EDC are. One is the issue of Griffin School and also the development of the industrial/commercial areas in town.

Mr. Minnich asks if Griffin school would be an appropriate place to start and Mr. concurred. He further comments that a boarded up building is not what anybody wants. Logically, in terms of the owner's investment and the taxes, there is not much incentive for him to do anything more and he complements them for stepping up to the plate and doing something about it. He hopes that in the end they can all work together to do whatever is necessary and he asks them to help him understand where they are and what they see as a solution.

Mr. McGrail states that he should have already received a letter from EDC recommending that the project gets downsized from 40 to 28 apartments and also to open it up to non- need-restricted housing. A couple things happened. Joe Yamin came to our commission explained that right now the housing market is such that he feels it is difficult to do 55 and over housing. He thinks that he meant an open market type situation, that is subsidized housing and he's told us that he doesn't see any end in sight to the 55 and over in the area right now. He's not talking 62 and older, but specifically 55 and over. When it was discussed, a couple things became apparent. The parking that was being considered at Mosgrove Field was taken off the table. He states that he doesn't know how that happened and didn't go into any detail about it. Then, we looked at it from another aspect, for 40 apartments, 55 and over, I know people who are 55 and have three cars, so where would you put that many cars for 40 apartments if the project stands as is now. The other consideration was that he was willing to do a deed restriction to limit the apartments to one bedroom, which we thought was another good step. It would limit the amount of children that could potentially be in that building. The check, with the state and there are rules in place that you cannot have two children of the same sex in one bedroom past a certain age and he thinks the age was 10. The thought is that there could be a divorced parent in the facility or a grandparent, someone 55 or older who has taken responsibility for a child.

Those were some of the risks and they felt those risks were low in comparison to letting Griffin School sit there. It is 8-10 years that the building could sit there. Then they found out that it only pays about or \$5000.00 or \$6000.00 in taxes a year. In this type of business, this amount is nothing more than a tax write off. We feel it is not very good for the center of Oakville. He feels it deplorable and looking at the 8-10 year span that it could sit, it is only going to get worse. Mr. McGrail asks "Could he be pulling our leg, I take the guy at his word." I don't know. I talk to people who don't believe what he says, but there is a meeting tomorrow to discuss what he thinks he'd like to do. The communication is ongoing. If anything has been accomplished, we have a line of communication now. It is not the fault of anybody in the past. I know people on the commission

have their own views on what should happen with that property, and I respect them, but they are trying to work with Joe to see if there is a chance to do something with it. Now all of a sudden, I hear people saying to name the building Griffin which he feels should have been done from the beginning.

Mr. McGrail states that if it was near and dear to the people of Watertown, we should have kept the building. Mr. McGrail state that taking Griffin down and putting a nice commercial building there would solve all this. There were people talking about 65 and older Section VIII housing and going back to 55 and over, and talk about doing a medical or professional services, but then there is a parking issue. The most you can get on that property right now appears to be 33 parking places. Whether it is doctors, lawyers or accountants, it is going to consume an awful lot of those spaces and there is no alternative. If there was one, this discussion would be happening. Some people were concerned of the possibility of Baldwin School. Some people from Baldwin School have come into this Commission asking to bring relief to the 55 and over age restriction.

If you look at all the 3 projects, Griffin is the most restrictive, no parking solutions and a lot of downsides. We though about this for about 2 months before it came to a vote because there was a not a lot of consensus initially. There were people reluctant to make the change and/or recommendation and people will disagree with what is being done, but it opens up the lines of communication and giving the town an option. Mr. McGrail states that he told Mr. Yamin that they are not a land use board and can only recommend and the decision lies with land use as to how to deal with that property. That is an overview of what happened with Griffin School.

Mr. Minnich thanks him and asks if any board member has questions.

Mr. Blais asks how strong the legal document is restricting as to how he purchased it.

Mr. McGrail replies that it is up for debate and what they do know is that there are only three deed restrictions as it stands. One is the bicentennial tree, the facade and the repeater in the attic. There is no restriction in the deed for the 55 and over housing. That was between the town and Joe Yamin. If Joe was to sell the property, that particular part of the deal is gone. There is no overall restriction on the housing. He states he is not quite sure how the issues will stand in court. Mr. Minnich adds that the other issues are zoning issues which were a consensus in terms of what the use of the property should be and passed a regulation talking about the use of school facilities that were no longer being used in a school capacity. That kind of housing, 55 and over is that use it should be.

Mr. Martin asked if Mr. Yamin came to the board with that concept in the request to purchase Griffin School. He asks if that was his proposal to the town and not the other way around and the town just agreed with and supported it. Wasn't the

55 and over a request from him in approval of this? Mr. Minnich replies that he didn't believe that this was the scenario. Mr. Minnich states that the discussion was about what the facilities should be used for. It was fairly unanimous. He states he didn't recall any contention about the uses of the school facilities. The regulations were changed to talk about what no-longer used school facilities could be used for and the town made the regulation and he abided by it. It was more a zoning regulation than from him.

Mr. Martin states he isn't saying that he was the impetus for the zoning regulation. He understood that the whole thing evolved because that was his desire and the town's desire and it meshed and moved forward quickly. All the discussion with Mr. Yamin occurred during his application; the zoning had already been established. Joe did a lot of research on the minutes of the Town Council issues and a lot of people thought there was a deed restriction that called specifically for 55 and over. It was just discussion and when he did talk about it, everyone sort of agreed and moved on but it was never put in the legal sense that it should be 55 and over. It's in the sales agreement but the sales agreement is only enforced as long as Joe Yamin owns it. Mr. McGrail states he's stressed to him the feelings of some of the people in town, no specifically who, but I've run a couple scenarios by him of what people would like to see in that building and he has considered everything and I'm hoping to find out something tomorrow.

Mr. Martin asks what is an SRO he is recommending. Mr. Seacrist replies that he is looking for something around 750 square feet.

Mr. Dupliese asks if he brings it down to a 28 unit building at 750 square feet each, is there a dollar value attached so a decision can be made such as if there is 28 units at 750 square feet each, the unit is worth \$100,000.00 each which is 2.8 million which will bring in \$150,000 in taxes. A Mr. McGrail state the number he's heard is that with the tax increase, the town of Watertown, and his contribution would be \$50,000 to \$60,000 at 28 units. If there is a single parent with 2 kids and a 1 bedroom unit that are school age, you could have 56 kids in there at \$10,000 a year each to educate them, you're bringing in 50 -60,000 in taxes but spending 560,000 in education and it the numbers just... Mr. Dupliese states he'd rather see it torn down than put kids there. We're spending 80 million on the school system right now. There are 400 units available on the market right now in Watertown and approved building lots. Mrs. Mulcahy states that it would depend on the next meeting. If those houses were to be built right now at 2 kids per household, the school system right now would not be big enough to accommodate them. He doesn't see putting something in that has the possibility of giving 10 times the cost of what it brings in in debt. Mr. Mancini states he feels that Mr. Dupliese is painting the absolute worst scenario.

Mr. McGrail states he paints the same scenario with only 1 child per unit, and it is still \$250,000 per year. That is the risk of any private development in town. Further, he adds that there is potential a project on the corner of Route 262 and

Echo Lake Road. Across from Trumbull, there could be condos. Mrs. Mulcahy interjects that she has never spoken with anyone about any condos there.

Mr. McGrail states he is not defending Yamins' proposals, he know that when that letter was sent, it was passing the torch for you to take a look at this. You are the gatekeeper of changing the zoning, so based on all the information, we made that choice.

Mr. McGrail states if we ultimately have the power to make that change, he doesn't think the letter would've said what it said, there would have been a lot more discussion. We knew that there was another process here and it was basically to move the process forward. It's not that we're playing Pontius Pilot, but we sent something to you as another option for that building and that was the approach that was taken.

Mr. Mancini asks Mr. McGrail that if he was on the EDC, he would have done the exact same thing because what you have done is communicate. I don't agree with it, but I would have done it. At least communication is open and we are indicating that we could come up with another alternative that's good for both parties.

Mr. Martin states he has two questions. One is on the professional complex, do we, Planning and Zoning, have a set standard for square footage of professional buildings for parking spaces. He adds he doesn't see a lot of traffic and it becomes a more reasonable parking area for something of that type as opposed to where people are living especially 55 and over where they'd be there a lot during the day. It would be parking during the day. The area is used weekends and nights. Mr. Martin replies if that is a possibility that changes the whole potential for that building and he thinks that the potential exists there from this commission because as he thinks, it is a possibility, something you could put in the back pocket for the future of that building.

The second question is back to the issue of tearing it down, was there any discussion of giving the money back and tearing it down? Mr. McGrail replied negatively, and continued that there were certain lines that he was not going to cross. Mr. Martin questioned if they had a sense of that if he'd be willing to do that and Mr. replied yea, for a million dollars. Mr. added that he has problem with that because the guy bought it from the town with an idea that he agreed to it and we fell for it. Why would he now turn around and make \$50,000.00, but \$1,000.000, he thinks is ludicrous.

Mr. Minnich moves on to the topic of industrial commercial entity. He states that he understands that they are looking to do a study and so forth and asks to be filled in on what you are planning to do and what the point is.

Mr. McGrail replied that a couple months ago that Joe Masi graciously came over

and explained to us to bring up the industrial park that was being proposed in 1995 or 1994 and they did resurrect some old documents from that time that talked about topography and potential layout of the lots and a study on soil samples, etc. The report found was extensive. There was some cursory discussion with EDC and somehow the newspaper got hold of it and that is how it ended up there. Further, he states that they told John Shugartz that there wasn't a story to be had. There was some basic talking and a very informal discussion and he decided he wanted to write a story about it no matter what so he spoke with him in very general terms. He thinks by and large most of the people on the commission are open to just about anything right now for a period of time. If someone were to come up with a reasonable commercial/retail plan it would be intently listened to. By the same token, if someone could make a strong case about putting in an industrial park there, people would be equally enthusiastic. He feels the big unknown on that property is what it would take to develop that into an industrial park. My own scenario is something like this; if the number comes out to \$50,000,000 and the state says they are going to fund that 90%, then that would be something to take to the taxpayers and ask if they would be willing to invest some money to get the park going.

On the flip side, if you take the same \$50 million and the state says "we don't have any money", we'll give 10%, then he thinks it would be very unreasonable to go to the taxpayers to come up with 40-45 million dollars. EDC itself doesn't have a good handle on that property and what I've talked to Dave about is that I would like to keep the zoning open to whatever gets to go there but if someone comes up with a good retail/commercial plan for that area, I'd have a high degree of confidence that EDC would support it at this point. And equally the same if it was industrial. If he had his choice, he feels industrial would be the way to go, but know the financial straits we are in now, also the fact if it were an industrial park, it would be a long term commitment. You have to know that when you spend that money it could take 10,20,40 years to fill the park. That is the hard part to sell to the people in town. He compares that Waterbury has plenty of industrial spots that they haven't built yet and some are very old now. The one on Captain Neville Drive, there is still tons of land and he remembers it as a kid. He feels industrial helps more than hurts but is a realist and knows the town doesn't have the time to wait for the park to pay dividends. EDC not taking a position one way or another and no stall tactic, nothing is being proposed for the property. Look at all plans proposed, nothing specific going on.

Mr. Minnich thanks him and takes a moment to bring everyone up to speed. What we did was we recommended to the zoning commission that three studies be conducted. One is to take a look at the pace and pattern of commercial development in town which has 3 components, real estate, planning and engineering. The study would provide valuable information to develop strategies to the size and use, potential development, Brownfield's and to get the water and sewer extension improvements and develop a plan of resources and marketing strategies. With this study was the intent that the recommendation that it would

have been used for whatever zoning changes were made. That is in section 5.7. We then focused attention on this area of Route 262 and the conclusion that the plan had and made and was endorsed by the Town Council is this area of Route 262 is proposed to be a planned commercial district. However, before that, there would be two studies that area done. One is an economic impact study and a traffic study. The economic impact study needs to help the commission to identify the effects on Watertown municipal and school services also to discuss the impact of business sprawl and Route 262 and Echo Lake Road. It is to discuss the impact on the existing businesses in Watertown and the quality of life and town character. The conclusion was those are the things as a commission we need to do. We felt that a study would help that.

Secondly, the next would be a traffic study. It would be different than that typically seen in development projects. The first part is identical in that you get what is to be the IT trip generation based on what is proposed and using the standardized guide, it determines how many cars would be going to that facility. That would apply that to the area which is being proposed and see what the flow is. All that is the same on both studies. The difference is that when you get to the congested areas, you identify them and indicate whether there is a remedy and what would be done to bring it to an acceptable grade of track. It doesn't involve determining that it needs to have a traffic light, turn signal, etc. All those details are done when you have the development.

With those two studies we said that the applicant pay for them. We've been through two applications. One was withdrawn because of the costs of this studies. We had not at that point focused as well as we did in the final discussions. It was a little more unclear when the bids were proposed. The reason we suggested this is that it is their project and they would know what they would be using it for. The second application was withdrawn. We also said that if that didn't work to get the studies done by the applicant, then we would consider asking the Town Council for funding for those studies. There has been some discussions and some presentations to our commission and others and throughout the community, both at the public hearing and at the budget that recently happened as well as others to look at this issue again and see if it the right time for these processes. He states his opinion is that we spend a lot of time on the process and we know the plan of development is our own recommendation to us and he thinks that it should be followed. He stresses that the issue of changing a zone is under the jurisdiction of the zoning commission. We could use the processes we find appropriate to make the decision and could either have the applicant make a proposal or we can initiate it ourselves. The challenge when talking about just the concept of what we would like to have a study do, is that it became very difficult because of the issues involved in the traffic generation trying to figure with an IT trip generation guide, when you don't what is going to be there because that is the determining factor. We would not know the economic impact without knowing what the uses are going to be.

He continues that this information has to come from the land owners or applicant either through an informal discussion or a formal application because we need to know the planned uses and building layout in order to do the studies. Every time we looked at it, it always comes back to this. We know what the highest and best use of the property is, which an industrial area is, but it is up to the landowner. The commission has set a process in place whereby we would be willing to look at it and willing to do it within the study parameters knowing the first is ours to do and fund and the second two is to see if there would be some participation on the landowner. Their thinking would be most welcome on this property.

Mr. McGrail asks hypothetically, that the studies are done, a zone change is granted and say the land is polluted from runoff from other area, how easy is it to go back if it is not well suited for use, or someone is not willing to make the investment to build and now you are only left with industrial or the town to take over and somehow be a superfund to remediate the site to make it useful. Once we've made the change, how easy is it to go back and undo what you've done?

Mr. Minnich replies that Zoning can reverse and put back what it's done, but his own personal opinion is why go through all this effort unless the landowner has interest in having it done commercial, which means there is anticipated to have commercial development there. Because the best for all in the community is industrial. To move forward, some understanding that the owners want to have and may have a commercial development to initiate this project. If we go through all this and there is no proposal, we've wasted our time. I'd like to invest my time where it is most useful to generate economic development.

Mr. Mancini asks Mr. McGrail if the land was zoned commercial, would there be more interest from developers. Mr. Mancini states that personally, he'd like to have it industrial. Mr. McGrail that he's seen very, very little major industry express interest in Watertown. We see a lot of things like Mark Tedesco is looking to do like incubators. Small areas of 5000 to 7000 square foot plots where people can start businesses of all different types. That seems to be the wave of the future. The chances of getting a Torrington Company or Bristol Babcock is pretty slim. Everything these days is small buildings. That leads to another issues because he doesn't think you will see small or medium sized business go in there unless there are utilities and infrastructure. If those were in place, there would be a lot more interest and maybe work on some type of hybrid of retail/commercial in that area.

Mr. Dupliese states that he works for a company called Industrial Development for 15 years and gone for 11 years and before he left, the company, an independent developer of industrial/commercial space, back in the mid 90s saw the trend moving away with nothing left for industrial. The company moved to the other end of the state. He is all commercial. He has not built a new industrial space in 14 years. He sold a piece of property that has been on the market for 20 years. Tamarack is a nice tax advantage but he doesn't consider it industrial,

more of a utility. He feels Watertown got lucky with that. He further states that there is industrial land available all over and not selling. Even the small incubators, like Mark is doing, which is selling condos for industrial space, just rental space at \$3.50 a square foot they can't get. Back in the early 90s, we were at \$6 a square foot for industrial space, now you're looking at \$4 square foot and that is if it is brand new and made to meet specific needs. To have someone come along and take 100 acres of industrial land that is comparable to the land they build on behind the market by BJs that is basically the same type of land. There is a lot of ledge and O&G has looked at it and the stone is not even good for processing. There is not a single developer that will do it because there is nobody to put in it.

Mr. McGrail adds that he, Joe Seacrist and Joe Masi spoke and they would like to have the state look at it because he knew it would be a battle to get any money from the town to do any type of extensive study. Even if we did, who is to say what will happen with the property. It's not ours. We did it out of curiosity, but we couldn't even get the state to help us, they showed no interest in helping to review the plans. That is why nothing is happening. The answer we initially got was the DEC does not have any engineers. As a state department, they subcontract everything to DOT and DOT back charges them for the work. There is nothing available to us. We worked with Shawn and Rob. Oxford is successful because they got the land through foreclosure and the airport is close by. You can't ask for a better combination.

Mr. Dupliese adds that when you do industrial space, you're talking building prices 45-47 a square foot for a shell and then it has to be outfitted for the specific needs and then you can turn around and sell it, but when you have to put 4000.00 per acre in development to get the land ready for that space, you are up to \$150.00 per square foot. It just doesn't fly. When you do commercial space at \$70.00 a square foot for the shell and you have to put in \$400,000 per acre and you are putting in 30,000. square feet and rents at \$25 a square foot, the numbers make sense. You get more for the commercial space. You won't get it for a strip mall.

Mr. Minnich goes on to say that he knows there has been discussions and the impetus to get this going in the process that we spent a long time developing, is really going to have to come from the landowners. He does not see going and trying to change the zone when the landowners don't want it to be done. Whenever they want to come forward, it will be helpful to understand where we should be going. We know the direction we want to go.

Mr. Martin asks that in the eyes of the EDC, is the land more marketable if the zone was changed first and then marketed to the public. Mr. Seacrist replies that he thinks it removes a barrier and allows people to come to town with more confidence that the project will be approved versus starting from scratch trying to get it changed. He does think it would make a difference as to how quickly the projects get underway. Mr. Minnich adds that no developer is going to be here

unless the landowners want him to be here. So if the landowners aren't saying anything in a fashion we can hear, "I guess were ready to get started", "we'd like to have a planned commercial development", "our intended uses is this", the timing is really in their court.

Mr. Dupliese states it doesn't work that way. He states he's negotiated many deals with large and small tracts of land and what it was was the landowner is always motivated to sell, but he doesn't want to bother if the signals received are "its not going to fly, don't bother spending any money" and he thinks that is the word on the street right now is that it is not going to get changed. Basically, that is what Watertown has said right now. When Konover was in front of Watertown, basically we told them to go away. It's not going to happen. The landowner doesn't want to spend any money because they are thinking why spend any money if it's just going to be refused. We'll go work on a project that is feasible.

Mr. Minnich states that a mechanism is in place so they can go to the Town Council and ask for money and he emphasizes that it is not unimportant that this is a plan and as a zoning commission we have authority to change the zone and this is a recommendation after many months of conversations and this conversation about these plans did not come from one side of the debate. It came from nearly everybody on both sides of the debate that studies should be done. For us to initiate it, we quickly ask "what are we changing it to?". We can't until we know what they want to use it for and with some basic layout so we can do the studies needed. The initial process needs to come from the landowner because it can't be done without knowing what it needs to be.

Mr. Martin states that he is having a hard time getting through what he's saying.

Mr. Minnich states that Mr. Martin should recuse himself because this is a subcommittee and this is not appropriate at any other commission and he makes any other decision he has to make.

Mr. Martin states that we've seen two entities come before them for a zone change and both have rescinded their request because there is a scenario put in place that you will do a study of all this stuff before we will consider the zone change and now you are saying they should be coming back to us looking to do the same thing. Mr. Minnich replies that both times they came with a formal application which began a process of an application and zoning commissions have the authority to determine what in its function is going to need for information and he knows a large amount of time was taken with talking to other town departments and commissions to find out what we would like to see. Questions answered that we would want to have to help us to comply with page 86. . In order to determine the impact, we have to understand what we are looking at, proposed uses and what the layout size is going to be because it all determines the impact.

Mr. Martin asks how you get there without the end developer of the project. We seem to be jumping over a step. Mr. Minnich tells him that this is part of the problem that we've understood in practice the developers aren't going to come because of the uncertainty of this process. Mr. Martin adds that by putting that step in there, we are causing a roadblock and maybe that is where we have to start. I'm going to have to recuse myself so that is a good point of reference. That is the step we have to come back to. What can we do to make it easier to generate interest in the commercial community or professional community, we can't get there because the step in the middle is saying you're not giving the ability to come in and express my desires because you are not..... Mr. Minnich interjects that his personal concern is that having spent as much time as he has understanding the potential controversy involved, he is not personally willing to begin the process without the knowledge that the owners want us to. The only requirement he has is that the owner give some general concept of what uses you are thinking to have and that will begin a process to determine the kinds of language we would need in this planned commercial development. He states that we have made a determination that this approximately 100 acres should be planned commercial development. We don't have to get these studies to get us to that point, it has been made. In order to define this development, we need some information. We'd like to have professional help, we'd like the applicant to pay for it. If they are not going to be able to provide it for us, we will go to the Town Council. If they don't give us the money, we have the authority as a zoning board to proceed ourselves. In the end, the basic questions he would like answered are the impact on municipal services, impact on sprawl and those things on page 86.

Whether it come from a consultant or we have to get it ourselves, we can still get the information. The bottom line is that for him to begin, he wants to know that the owners want us to begin and when we do begin, tell us what you are thinking about with regards to the uses of that land.

Mr. Dupliese states that they need to send a message that 262 can be a commercial development but we need to say, bring us a project we can live with that is going to show favorable to the community, give us some taxes and show a positive tax that we will look it. It is 100 acres and for instance, take a look at Heminway School. In order to take it and convert it into the new town hall, it will be 1.5 million to come up with architectural and engineering drawings. That is one building. Now when you get an architect and engineer and take 100 acres and lay it out, you have where the utilities are going to come from, feasibility of highway accesses. That does not come and put on paper in a day or two. It takes hundreds of thousands of dollars for a firm to come up with an idea. In order for the landowner go and promote himself, I have so many dollars and a favorable commission, now you can put the developer and the landowner and bring them to the commission. Now you have something to work with. Now you tell them we are willing to listen, we lost two, let's see what they are willing to bring to us. If we send that word back to the community, we will get something. It could be a wonderful business park. There's all kinds of stuff. We have to look favorably at

all types of development at this point and not shut the door. Mr. Minnich states it is a key role of the EDC.

Mr. Minnich states that you don't need to spend very much money to be conceptually ready. They already may have the materials from Konover to bring. That is enough to begin the process. Mr. Dupliese adds that he doesn't think the landowner can use Konover's plan because engineers own their drawings. Mr. Minnich states that he never saw any engineered drawings. The landowner needs to get this started. If not, we are back to the chicken and egg thing.

Mr. Blais asks if the landowner has any comments about this discussion this evening.

Mr. Fusco states that they've made some good points, but it is very hard for us to come to you and say, "I'd like to put a building up this size" when we don't know what is going to come in. It would be a lot easier if it were commercial.

Mr. Mancini states the commission consensus is for commercial and Mr. Minnich adds that the full board should be here for a consensus. Mr. Mancini asks if we have to have the same full blown traffic study we required for Konover? Mr. Mancini continues that he'd like to let the landowners know that they are leaning this way and let the developers know we are leaning more favorably on commercial development than we did in the past with other commissions. That is what has to be said here. Mr. Minnich state that this probably appropriate and to emphasize that we would look to have the process of changing the zone to a planned commercial development. He states that he was hoping that this evening that now is the time to put this on the full commission discussion to discuss this issue to see how we are going to move forward and hopefully the landowners have heard the discussion this evening.

He asks for a consensus to put it on the next meeting and state on the record that Mr. Martin had no part in determination of to further discuss issue. All the subcommittee members agreed.

Mr. McGrail states that the town brochure shows it as a planned commercial district and it is on the website. It should be there Tuesday night.

Mr. McGrail adds that if people have a question about what is going on at EDC, please feel free to call, email. Mr. McGrail states that a lot of things get talked about and taken out of context. The newspaper sometimes writes in a way that leaves more questions than answers. There is not reason to let things fester. He feels EDC and P&Z try to work together with one goal in mind.

Mr. Martin asks Mr. Minnich if he is correct in saying that in a community like this, if a zone is changed to PCD, does everything that goes into that area get reviewed and approved by the Planning and Zoning Commission. Mr. Minnich

responds that they get to define the rules of PCD and one of the aspects is that it can be unique to a particular site like this. One of the issues when Konover came is that they attached an existing zone to their area and we had initially some concerns about the impact it would have in other areas of town in the same zone. So a PCD allows us to make it unique to this area and we get to set the rules. One of the means by which we tend to have more say in what goes there is through the special permit process which means it is not subject to the rights that a PCD has and typically the PCD is used always used in a special permit but when it comes time for the name of the company, that is not a function we will have, but its use and how the property is used is a function of zoning.

Mr. Martin adds that when we are getting down to the point of store size, store quantities. Do we have the right to set those parameters as we're approving this PCD as a requestor of that change is before us. That could be the landowner, developer or us. Mr. Minnich replies that this is correct. The next step would be a formal application and then it is an administrative process. Mr. Martin asks that in changing the zone to a PCD, you haven't lost all control. You still have control over what the PCD will be. Mr. Minnich replies that is correct once you establish the rules. The problems is what the rules should be. Mr. Martin asks if the rules have to be changed before you make a PCD. Do they have to be in place. If someone comes before us, and would like to do this this and this. Can we say this is acceptable, this isn't' and this is. Mr. Minnich replies that this is no different than any other application. When a development comes to us, the rules are frozen. Whatever our text says are the rules are all we can do. If we haven't defined the rules, we can't change it. Mr. Martin asks that while you are doing the PCD layout, you have to set the parameters.

Mr. Minnich states this will be brought to the full commission on June 4. He feels everyone is struggling with the same thing. It's the chicken and egg, and how to begin this process. He asks for EDC's assistance to bring this development to us. He thinks the town has made a wonderful decision with Joe Seacrist and there is agreement.

#### **4. FY 2008-2009 BUDGET**

##### **a. Residential Subdivision Consultant – Means of Financing**

Mr. Minnich states that he continues to be concerned about next years budget. He states that we need to discuss what our process is. He doesn't know the process that is going to work out.

Mr. Mancini adds that the cuts were done by the Town manager and didn't even get to the Town Council and the budget committee of the Town Council went along with the Town manager's recommendations.

Mr. Minnich asks if this should be put on the agenda for the full

commission or do we do it later. Mr. Blais replies that with the budget shot down and more cuts coming and Mr. Mancini interject that big cuts are coming. Mr. Martin asks what the end focus is and how to slow it down. Mr. Minnich states that the concept that was endorsed is that we would have what is for the Conservation Subcommittee. Basically, it's easy to talk about but time consuming to put it in writing. A portion of particular areas of a subdivision would be clustered with housing versus the concept now where each lot has its own housing and the rest would be open space, conservation. They could come in with the traditional process as a special permit. Whether zoning decides to do this is another issue but the ultimate observation is what are going to do, when are going it and even if we should do anything with regards to the growth of subdivisions. The observation is very easy. People are leaving to go elsewhere in the country and are selling their property and this is the time to do the subdivision. What has been identified in planning is that is happening a lot.

For clarity, Mr. Martin states the cluster housing doesn't reduce construction, he doesn't get the idea of hiring a consultant to come in. Is he going to tell us to increase the lots to 5 acre zoning, etc. What is it you are looking for the consultant to tell us that we don't know today. Mr. Minnich responds that a decision was made that we'd like to get better growth over housing in this town and that would be the role of the consultant. He states he would entertain a conservation district. That concept came before us in a presentation and we were interested in seeing the implications of that. We didn't fully understand it. Mr. Martin adds that this doesn't slow construction and Mr. Minnich replies that it can. Mr. Dupliese states that there is a problem in town that there are not enough fields for the kids to play on. It would be nice to implement something that if we a tract of land, x amount of acres, depending on the zone, is more than x amount of lots, then the developer would have to build a ball field if its more than so many houses, it would be two ball fields. That limits how many houses go to that lot. So instead of a 50 acre lot having 50 houses, we've limited the amount of houses and reduced it to 15 or 18 houses and we put 2 ball fields on it. It is still profitable, but it is not as profitable. Parking for the ball fields is mentioned and so it is no longer as lucrative.

Mr. Minnich adds that the when you do get and have the ball fields, they are going to keep the better property for themselves and give us the open space. But in a conservation district, if property designed, it would be the other way around. That is going to be a possible deterrent. The traditional subdivision will have to be done by special permit. All the dynamics of this need to be put together by someone. Mr. Minnich states he doesn't have the time to generate what is necessary and that was the purpose for the money. Mr. Dupliese states if we can't get funds, is it possible to put a

moratorium on development for x number of months unless it's a one lot mom and dad type development. Mr. Dupliese thinks anything larger, we should have 6-9 month moratorium whatever the law allows.

Mr. Minnich adds that the moratorium discussion was had before and it wasn't approved. He states that in order to have a moratorium, you have to define where it should be, typically by zone, because you wouldn't have it on all development. You are required by law to have a limited period of time. He states that his personal reason for voting against the last one was because there wasn't a defined end goal in what we wanted to have for this particular area of moratorium. He states he would be more open to it if it had an end goal. But to have one to have one. Mr. states he would be more than willing to work with Ruth to find some rules and regs to come up with an end goal.

Mr. Martin states that right now developments are coming left and right and the schools are going to explode. Mr. Minnich states it would give time to define what it is we would like to have for a change in subdivision. It is not permitted just to stop construction. It has to be linked.

Mrs. Mulcahy adds that we are thinking about updating the appendix which is part of the subdivision regulations, and you could have a moratorium because Chuck and I haven't had time because we are reviewing so many maps and all the past approvals are coming to deadline and things are being done at a very rapid rate so there hasn't been time to work on the appendix. There are many very, very outdated things in the appendix that shouldn't be in there anymore. Some are state mandated such as soil and erosion control guidelines which are supposed to be used and you have a very outdated soil and erosion control in there that someone took out because the state up dated it and it is has never been removed from the appendix and there's a lot of things that Chuck doesn't want in there about the streets and things that don't comply with any of the updated things. It's just a matter of taking the hours it takes to go through it.

Mr. Minnich responds that that is the heart of it. If we are going to define what we are going to do, and what the end product will be, and we know we need time, he doesn't have a problem with it. He states that he needs a comfort level and if we are going to wait till the last month, just too slow development, he is not comfortable with it. He adds that what is going to happen is that everybody is going to apply early and everyone is going to be at the end of the process coming in. One of the problems is that the regulations will change and if they haven't been changed by the end of the moratorium, we will have to use the regulations in place. It takes some coordination.

Mr. Dupliese states there is a weak housing market. Ruth adds that she doesn't see a lot of slow down right now but it is the busy season. He asks there be a subcommittee formed. He adds he'd like to get some direction on giving us some new subdivision regulation before the new ones come to us.

Mr. Minnich asks if forming a subcommittee should go on the next meeting agenda.

**b. Route 262 Studies**

Above

**c. Meeting Minutes**

Mr. Minnich states that the bylaws and the minutes have to get on the website and it is getting done. The motion sheets would be on in a short amount of time and that would be replaced by the approved minutes.

**5. FY 2007-2008 BUDGET**

**a. Notice of Land Use Application signs.**

A sign has been developed the size of a typical political sign that could help to form the public of a land use application and to put it on the site. It is a planning and zoning sign. It is a notice to the neighbors. The thought was not to make it a regulation, just to see how well it works. It is means of additional notice that the sign would be put on the property.

Mr. Martin states he knows of committees that an applicant must go to the land office, get all the homeowners that are 250 setback from the development must have an envelope filled out with the persons name and address, and stamped envelope and then the notice goes in the envelope. No fee to the town because it is paid by the applicant. Ms. Mulcahy states that most communities have it in their regulations and there is nothing in Watertown's zoning regulations. The tab is picked up by the Town.

When it is determined how well the signs work, we will decide whether we want to set regulations.

It is asked if the signs are printed, and Ms. Mulcahy responded that they are being printed now and starting out with 10.

**b. Parking Regulations**

Mr. Minnich states there is a purchase order approved for Warren Hess to help with it. He is prepared to come to the June 4th meeting at 6 p.m. if it's okay with this subcommittee. He is prepared to talk about the parking regulations. Our observation was that some of the more recent commercial developments don't have the appropriate parking they should have. What should be done about it. Some of this is ZBA.

Mr. Blais asks about the parking commission with the PD. Mrs. Mulcahy responds that this is a traffic commission and not a parking commission. Zoning makes the determination for parking on private properties.

**c. Laptop**

Has been received but it is not working right now.

**6. CHECKLIST FOR APPLICATION REVIEWS**

One of the helpful things to make sure things are done. She is working with Chuck to get that together and hopefully will come to conclusion, strictly subdivisions right now, that there is a checklist for staff to check off. Ms. Mulcahy shows the check list and explains it. The top part shows to, from and who it is regarding. Ruth is asked if everything that comes in the office gets dated, etc. and she answers negatively. She states it is too confusing. She just found something that someone drops off. People come in and out dropping things on the counter. The office is very confused at some points, with drop offs, people running in and out. There is a date stamp. If there is one person left in the office, sometimes they are on the phone, helping someone at the counter and then someone comes in and throws something on the counter. It happens all the time. Sometimes we don't even know where it comes from

Mr. Minnich adds as an aside that he was at a land use seminar and Ken Slater was there and one of the things he picked up on was he is having a field day that they are in court and the documents that have supposedly been received are taking a significant amount of time being contested as to what and when it was received and obviously, the lawyer needs to get through it. He suggests having a system in place that clearly log these in. He adds that we are all on the same page and trying to get control. Mrs. Mulcahy states it is a difficult task because she's at meetings, in the back room and out in the field. She agrees that it needs to be done. Mr. Minnich states there will be a receipt from everything we give you, so the applicant needs to show that they haven't got what we say you gave us. We are required to give a receipt.

Mr. Martin states that he knows what happens in his office and everything gets stamped. Mr. Dupliese states that we see it in our meetings, we get our packets

and after the meeting the packet has added material which is all that has been brought in last minute. They need it to get in the meeting. Ms. Mulcahy adds that they want to get around staff review as well. Mr. Martin states that it should be added that if it doesn't come in 48 hours before then it isn't added. Ms. Mulcahy states they do this on a regular basis, so there is no staff review, no input from staff. Mr. Martin again states that every time something comes in his office it is stamped.

Mr. Dupliese states if they hand it in like that, table it. No presentation. Mr. Blais adds that Mr. Berger waits till after the public hearing and dumps it on us and we can't ask any questions because the meeting started. Ms. Mulcahy tells him that yes, you can ask questions.

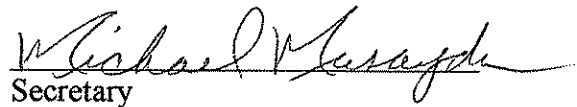
Mr. Minnich adds that we need to get a handle on this. Use the checklist. If they haven't reviewed it, and they haven't received it then with great comfort, we can either table or deny without prejudice. We can see these are the reasons.

**7. DEVELOPERS AGREEMENT AND POST PLANNING AND ZONING APPROVAL PROCESS**

No Discussion

**8. TOWN WEBSITE**

No Discussion

  
Secretary