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11/18/15

Town of Ashford

Established 1714

SPECIAL SELECTMEN'S MEETING MONDAY, NOVEMBER 16, 2015, 7:00 P.M. KNOWLTON MEMORIAL HALL MINUTES

1. Call to order at 7:00 pm
2. Members present: Zambo, Falletti, Fletcher
3. Hear from the public
4. First Selectman's Briefing
 - We were informed that there will be an informational meeting regarding crumbling foundations on Saturday, November 21 from 10:00 – 1:00 at the Vernon Center Middle School, 777 Hartford turnpike (Route 30).
5. Hear from Boards, Commissions, Committees:
6. Falletti moved acceptance of minutes of Regular Meeting of 11/02/2015. Fletcher seconded the motion which passed.
7. Public Hearing/Special Town Meeting (scheduled to begin at 7:30 p.m.): Minutes are attached
8. Old Business
 - a. 300th Anniversary Committee report: Members of the Committee met with Bill Karosi to review pictures for possible use in the 300th Anniversary book.
 - b. Policies and Procedures Manual – Zambo reported that he was observed
 - c. Tremko House lease - Ashford Historical Society: Zambo will contact Joan Bowley, President of the AHS to discuss the future of the Tremko House lease.
 - d. Cadlerock property- DEEP
9. New Business
 - a. Committee/Commission appointments
 - Eastern Highlands Health District Alternate
 - Board of Assessment Appeals – fill alternate vacancy to 11/2015
 - Senior Center Advisory Board: appointment to fill vacancy created by resignation of Russell Kennedy
 - Conservation Commission – 1
 - Zoning Board of Appeals – appointments to two (2) Alternate Member vacancies (terms to 11/2017)
 - b. Tax refunds: Fletcher moved the following tax refunds citing CGS 12-129: George and Suzanne Leavens in the amounts of \$21.70 and \$7.09 and Richard W. Larson in the amounts of \$990.64 and \$1,006.62. Falletti seconded the motion which passed.
 - c. Discuss possible dates for Special Town Meeting to approve sale of 13 Pompey Road (formerly Moore property). A Special town Meeting date will be set at the next BOS meeting (12/7/2015)
 - d. Falletti moved approval of 2016 Selectmen's Meeting Calendar. Fletcher seconded the motion which passed.

- e. Fletcher moved that the expiration date for Transfer Station stickers will be 6/30/2019. This date extends the current permit term by one year.

10. Remarks for the good

- Falletti asked that the old "arrow" sign near the entrance to the Transfer Station be evaluated and either repaired or disposed of.

11. Adjournment

Christine K. Alukof

Town of Ashford

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BOARD OF SELECTMEN MEETING SCHEDULE 2016

**All meetings begin at 7:00 p.m. and are held
in the Town Office Building unless otherwise posted**

**Monday, January 4, 2016
Tuesday, January 19, 2016
Monday, February 1, 2016
Tuesday, February 16, 2016
Monday, March 7, 2016
Monday, March 21, 2016
Monday, April 4, 2016
Monday, April 18, 2016
Monday, May 2, 2016
Monday, May 16, 2016
Monday, June 6, 2016
Monday, June 20, 2016
Tuesday, July 5, 2016
Monday, July 18, 2016
Monday, August 1, 2016
Monday, August 15, 2016
Tuesday, September 6, 2016
Monday, September 19, 2016
Monday, October 3, 2016
Monday, October 17, 2016
Monday, November 7, 2016
Monday, November 21, 2016
Monday, December 5, 2016
Monday, December 19, 2016
Tuesday, January 3, 2017
Tuesday, January 17, 2017**

5 Town Hall Road, Ashford, Connecticut 06278

Phone: (860) 487-4400 Fax: (860) 487-4430

The Town of Ashford is an equal opportunity provider and employer

Received
11-18-2015

Town of Ashford
Established 1714

Michael J. Zambo
First Selectman

PUBLIC HEARING
SPECIAL TOWN MEETING
MONDAY, NOVEMBER 16, 2015, 7:30 P.M.
KNOWLTON MEMORIAL HALL
25 POMPEY HOLLOW ROAD, ASHFORD, CT 06278

Zambo called the Public Hearing to order at 7:30 p.m.

Present for the Public Hearing/Special town Meeting were Michael Zambo, William Falletti, Ralph Fletcher, Ruth Cutler, Nord Yakovleff, Jeffrey Silver-Smith, Cathryn Silver-Smith, Anthony Patichio, Cindy Moeckel, Janet Bellamy, James Reviczky, William Becker, Art Talmadge, Sherry Simpson, Tim Rourke, Steve Morytko, William Darcy, Richard Williams, Raymond Fenn, Michael Gantick, Loretta Wrobel, Doug Jenne,

1. Public comment regarding the proposed POCD (written comments submitted by attendees are attached to these minutes)

- Janet Bellamy thanked the POCD committee for their efforts in putting together this draft document and presented comment on mapping inconsistencies (pages 72 and 73 of the draft POCD) and her concerns regarding provision of town services and possible pollutants generated by businesses that might locate in areas targeted for commercial and industrial development.
- William Becker expressed his concerns relating to the introduction of commercial and light industrial businesses on the town relating his experiences in those sorts of businesses over the years. He commented on costs associated with the expanded infrastructure necessary to support increasing commercial land uses.
- Anthony Patichio thanked the POCD committee for their efforts in putting together this draft document. Mr. Patichio's written submission relates to technical comments and corrections, and mapping discrepancies. The bulk of his comment regards the I-84 interchange Special Planning Area as portrayed in the POCD draft document in relation to the 2014 revisions to the Planning and zoning regulations.
- Cathryn Silver-Smith thanked the committee for their work and requested a definition of "light industry."
- Richard Williams reported that the intent was to encourage non-impact types of business, e.g. warehousing.

- Cathryn Silver-Smith clarified a statement on page 10 of the draft, explaining that the town's budget is presented at the annual town meeting which, by ordinance, automatically adjourns to referendum. Ms. Silver-Smith requested that the list of capital improvement projects be expanded to include not only equipment purchases, road maintenance and work performed at the Ashford School, but also major DPW purchases, revaluation, major fire department purchases, and various town projects. She recommended the deletion of a statement contained in the last paragraph on page 11, *to wit*, "It remains critical that the town allocate adequate funding to support a sound pavement and road surface management program to ensure a safe and reliable road network."
- Ruth Cutler thanked the committee for their work and gave a brief background regarding her work on the 2005 POCD. She requested that priority forest and agricultural areas (depicted on page 73) be redrawn in a less arbitrary fashion to include large tracts of state and privately owned forest land (Armitage, Natchaug). Ms. Cutler suggested that the plan should include the encouragement of the creation of linkages between public access lands.
- Steve Morytko would like to see a section devoted to infrastructure and resources and discussion concerning things that do not yet exist (e.g., sewers, dams, flood control). He noted what he considered a bias toward the expansion of commercial/industrial development in the Executive Summary and further noted that the necessity for provision of services and infrastructure that would be required to support the expansion was not considered. Mr. Morytko stressed the importance of keeping the needs of the town in mind when attempting to attract business development. He considers the Wagon Shed Property Special Planning Area section (pages 32 and 33) to be assumptive and premature.
- Tim Rourke thanked the committee for their work and expressed concern regarding combining Warrenville and West Ashford into one Special Planning Area.
- Bill Becker related that in his opinion, any statements regarding lowering taxes by increasing the commercial/industrial tax base are flawed and should be removed from the POCD. Mr. Becker most businesses coming to Ashford would fail unless that business happened to be a bar.
- Susan Eastwood thanked the committee for their hard work and requested several changes to the energy portion of the POCD (pgs 67-69) and the addition of the Clean Energy Task Force's goals.
- Anthony Paticchio reiterated that he considered a bias toward commercial/industrial development to be the prevailing theme in the POCD draft and that it would be wrong to push the commercial/industrial development concept forward until there is a clearer idea of what will be beneficial to the town.
- Ralph Fletcher thanked the committee for their hard work and presented his comments on the draft. Referencing page iv of the POCD draft document, Fletcher stated that the Board of Selectmen did not officially form or appoint an "Our Town – Our Future" *ad hoc* committee. Fletcher echoed other observations relating to the fact that the Wagon Shed property is privately owned and that the only reference to that property in the POCD should be related to its inclusion in a special planning area. He also noted that the picture appearing on page 63 does

not represent the glassworks or Buck's Pond Sawmill. Fletcher encourages the PZC to use the POCD as a planning tool because it seems that we are only concerned with zoning.

- Tim Rourke asked what the next step in the POCD process is. Jeff Silver-Smith, Chairman of the PZC informed the audience that the PZC would review comments received at this meeting and will hold their public hearing on Monday, December 14, 2015 in Knowlton Hall at 7:00 p.m.
- Silver-Smith reminded the audience that the POCD has nothing to do with the PZC regulations revised in 2014. The POCD document is only a plan for what ideally can be considered to further Ashford's growth. It will be a document reviewed by the PZC on an annual basis.

Zambo thanked everyone for coming and voicing their opinions and reminded the attendees that the Planning and zoning Commission would hold their public hearing of the POCD draft on Monday, December 14, 2015 at 7:00 p.m.

2. To receive public comment on a proposed ordinance exempting all horses and ponies from personal property taxes regardless of their use.
 - Zambo presented a brief explanation of the purpose of this ordinance proposed by the Agriculture Commission and enabled by Public Act 14-33.
 - There was brief discussion regarding how horses and ponies are valued. Cathryn Silver-Smith stated that the value of a horse or pony rests in the eye of the beholder. Art Talmadge, Chairman of the Agriculture Commission, advised the hearing participants that horses are considered livestock and therefore are classified as agricultural.
 - According to the Ashford Assessor, exempting all horses and ponies from personal property taxation results in a revenue loss of \$260.73.
 -

Zambo adjourned the Public Hearing portion of this meeting at 8:40 p.m.

The agenda for the Special Town Meeting is as follows:

Zambo called the Special Town Meeting to order at 8:40 p.m.

1. Falletti moved the election of Michael Zambo to the position of moderator for this meeting. Becker seconded the motion which passed by voice vote.
2. Falletti moved acceptance of the following ordinance:

In accordance with Section 1 of Public Act 14-33, and notwithstanding the provisions of subdivision (68) of section 12-81 of the general statutes and section 12-91 of the general statutes, as amended by this act, the Town of Ashford hereby exempts from property taxation horses and ponies of any value. This ordinance to become effective 15 days after publication in a newspaper having circulation in the Town of Ashford.

Fletcher seconded the motion which passed by voice vote.
3. Adjournment at 8:45 p.m.

Kristine K. Alukoff

November 16, 2015

Comments on the 2015 Town of Ashford Plan of Conservation and Development Draft
("POCD")

Submitted by: Anthony J. Paticchio
178 Waterfall Road
Ashford, CT 06278

I would first like to thank the members of the Plan of Conservation and Development Committee of the Town of Ashford for the work and dedication reflected in the 2015 Plan Draft. This was a major undertaking and I commend their efforts.

My comments consist of (i) a few technical comments and corrections which I offer to the Committee and (ii) more extensive comments focused on the Interstate 84 Interchange Special Planning Area.

(i) Technical Comments and Corrections:

- At page 4, the last sentence of the paragraph immediately before the heading "Demographics" should begin with "These zones allow..."
- Figures 17 (page 53), 19 (page 56) and 20 (page 57) are mis-labeled at the top of these pages and should be corrected to reflect the data that is presented in each of these figures.
- Figure 22 at page 72 delineates an extensive area for Commercial and Industrial Development at the I-84 Interstate Interchange that is inconsistent with the area as marked on Figure 9 at page 27. I will comment more on these delineations in my comments on the Interstate 84 Interchange Special Planning Area. These delineations are inconsistent with each other and with the area delineated for the Interstate 84 Interchange Development Zone established in 2014 by the Town Planning and Zoning Commission. This is important because of the potential confusion resulting from three separate area delineations, as well as with regard to the statement at page 27 of the POCD in the second paragraph which references the Interstate 84 Interchange SPA as including parcels zoned for commercial and industrial use. In fact, significant portions of the area shown within this SPA are not zoned for commercial or industrial use in the 2014 Town Planning and Zoning Regulations. I urge the Committee and the Town Planning and Zoning Commission to correct these maps, and narrow the areas now within the IDZ and available for commercial and industrial development consideration on Figures 9 and 22 to accurately reflect the current zoning map.
- Figure 23 at page 73 fails to include in the Mount Hope River Corridor the significant portion of the Mount Hope River extending south from Morey Pond in

the northern part of the Town (See the description of the Mount Hope River at page 50 and the Hydrology Figure 15 at page 51). This should be corrected.

(ii) Interstate 84 Interchange Special Planning Area:

A. Observations About the I-84 Interchange SPA as Presented in the POCD

The Interstate 84 Interchange Development SPA is discussed in some detail at two places in the POCD:

1. The Interstate 84 Interchange Special Planning Area is first referenced in the Section titled "Economic Development" at page 27 of the POCD, where it is described as including "parcels zoned for commercial and industrial uses" as shown on Figure 9 at page 27 of the POCD. However, the areas delineated on Figure 9 (and the even larger area indicated on Figure 22) are not consistent with and constitute expansions of the Interstate 84 Interchange Development Zone (the "IDZ") contained in the 2014 Town Planning and Zoning Regulations and delineated on the current Zoning Map.

I was a member of the TPZ at the time the IDZ was considered and drafted. The IDZ was limited to the area located north of Interstate 84 and a small area extending from the southerly side of I-84 to the north side of the road line along Frontage Road, plus the already developed footprint comprising the Mainline Heating facility. The TPZ Regulations permit manufacturing uses, as well as commercial businesses, in the IDZ, and the TPZ was concerned about extending manufacturing and industrial uses south of I-84 along the Route 89 gateway into town and in close proximity to existing residential development. The decision was made to limit manufacturing and industrial uses to the area north of I-84. While there was discussion about at a later time considering extending certain commercial uses to land south of I-84, there was consensus that industrial and manufacturing uses would be inappropriate uses south of the highway. The close proximity of established and newer residential areas (i.e. the subdivision approved just a few years ago on Hillside Avenue) and the nearness of this area to the Lake Chaffee area, were both factors, as well as the stated objective in the IDZ zone of maintaining Route 89 as an attractive gateway entrance from the Interstate into the Town of Ashford.

2. The Interstate 84 Interchange Special Planning Area is next cited at page 34 of the POCD where a Vision for the SPA is stated. This vision statement departs from the purposes stated for this zone in the 2014 Town Planning and Zoning Regulations in one significant way, by emphasizing and prioritizing industrial business development in this SPA. The TPZ Regulations give equal weight to business, industries and complementary commercial activities. The shift to a primarily large-scale industrial focus in the SPA, when combined with the expanded size of the SPA envisioned in the POCD, indicates a vision for this area in the POCD that differs materially from the scope of the IDZ and the purposes of the IDZ delineated in the 2014 TPZ Regulations.

B. Comments to the Committee and the Town Planning and Zoning Commission Regarding the I-84 Interchange Special Planning Area

The POCD 's Interstate 84 Interchange Special Planning Area proposes a clear change in direction and focus from the IDZ as adopted in the 2014 TPZ Regulations, both in the size and scope of the area covered, and in the primary uses envisioned and promoted in the POCD for the expanded area. In response to this, I offer the following comments:

1. I urge the Committee and the Town Planning and Zoning Commission to consider carefully whether the POCD's approach and focus on expansion of large scale industrial and commercial uses beyond the current area of the IDZ is prudent. Future developers looking to come into Town will reference the POCD as reflecting the larger plan of development for the Town, and a disjoint between our Planning Regulations and the POCD will create confusion as to what uses and types of development Ashford will support in this area.
2. I also urge the Committee and Town Planning and Zoning Commission to consider and re-affirm the decision of the Town Planning and Zoning Commission just a few years ago when the IDZ was first adopted that manufacturing and industrial uses should be focused solely on and limited to the area north of I-84. If any expansion of the IDZ to the south of I-84 is entertained by the TPZ in the future, the types of uses appropriate to this area should be carefully considered and revisited – a simple expansion of the zone including all the current uses contemplated by the IDZ would not be appropriate in the expansion area. If the area covered by this SPA will include any land area outside the boundaries of the current IDZ, these areas should be clearly identified in the POCD as (i) not currently within the IDZ, (ii) not now zoned for any commercial and industrial development, and (iii) subject to future zoning evaluation and determination of appropriate uses.
3. I respectfully submit that the second paragraph on page 34 of the POCD (except for its statement that there are two existing uses within the area of this SPA) is largely opinion and conjecture as to why this area has not been developed and should be deleted from the POCD. Until a rigorous assessment of the SPA is conducted, and a meaningful and fact-based Plan of Development for this SPA is developed with appropriate input from all stakeholders, speculation on why the area remains undeveloped is not helpful. The POCD at page 35 delineates a clear and necessary set of Objectives for arriving at fact-based conclusions, and this should be the initial focus going forward, though the affected stakeholders should be expanded beyond just potential commercial developers of these sites and the landowners who currently own these sites to include all residents in the areas who will be impacted by any large scale development in this SPA, and in fact all Ashford residents and landowners who will be affected by increased municipal services (i.e. infrastructure, fire and ambulance services) required to support large scale commercial and industrial development, and which may offset projected increases in tax

revenues, especially if tax incentives are required and offered to bring any such uses into the Town.

4. The characterization in several places on page 34 of this SPA as located in a remote corner of the Town should be dropped. It is not a remote area of Town to those who reside there, the impacts of any large scale development will not be limited to the boundaries of the SPA, and the SPA's proximity to the densely developed residential areas around Lake Chaffee make such statements misleading.

5. I note that the area south of I-84 includes a significant area impacted by the Mount Hope River, which originates at Morey Pond, and also contains an area marked on Figure 23 as having Priority Agricultural Value. Any future effort to expand non-residential and agricultural uses and development into this area should be undertaken with careful attention and sensitivity to these factors.

Concluding Comments:

Until a rigorous and inclusive investigation of benefits and impacts as recommended in the Planning Objectives for the I-84 Interchange SPA at page 35 of the POCD is completed, and a detailed and comprehensive Plan of Development (with the input of all affected constituencies and including careful consideration of appropriate types of development and uses within any proposed expansion of this SPA) is vetted and approved by the Town Planning and Zoning Commission, I urge the Committee and the Town Planning and Zoning Commission not to propose or accept any expansion of the area of industrial and commercial development, as now depicted in the POCD on Figures 9 and 22 (at pages 27 and 72), beyond the boundaries of the current IDZ delineated in the 2014 Town Planning and Zoning Regulations. This will eliminate any conflict between the 2014 Planning and Zoning Regulations and the POCD (identified and discussed in Comment (ii) A.1 above) and will result in a stronger planning document. Any POCD recommended expansion of the area of this SPA beyond the limits of the current IDZ should clearly identify any proposed expansion area as not now within the IDZ and therefore not now zoned for commercial or industrial development. Should the Town Planning and Zoning Commission, after due consideration of and vetting of a comprehensive Plan of Development as discussed above, later determine to expand the IDZ or to create distinct use sub-zones within an expanded IDZ, these changes will be able to be documented and reflected in the annual updates of the POCD.

I also urge the TPZ to decline any request to amend the IDZ map at this time to conform the IDZ Zone to the expanded areas delineated in the I-84 Interchange SPA as proposed in the current draft of the POCD prior to undertaking and completing a comprehensive Plan of Development and assessment of appropriate uses and resulting impacts as discussed above.

Comments on the 2015 Plan of Conservation and Development

Submitted by the Ashford Clean Energy Task Force
Susan Eastwood, Chairperson
178 Waterfall Road
Ashford, CT 06278
860-487-5903

November 16, 2015

In the Chapter on Energy:

A. The heading Municipal Obligations should be changed to Municipal Planning Objectives or Municipal Goals and Objectives - this is a Planning Document and should not be limited by the Town's current Energy and Clean Energy Obligations.

With this change made, it is appropriate to include the Goals that were deleted in the current draft of the POCD as long term planning goals and Objectives.

The Ashford Clean Energy Task Force has set the following three goals:

1. Our ten-year goal is to become a 100% Clean Energy Town, meaning that all municipal energy needs will be met from renewable energy sources, or through greater energy efficiency measures. All progress made towards this goal will save the town in electricity and fuel costs and helps us to meet future state and Clean Energy Community objectives.
2. Work for shared renewables so that as many Ashford residents as possible can benefit from renewable energy. 80% of buildings in CT are not appropriate sites for solar installations, due to factors such as orientation, shading and age of roof. Larger arrays will allow the benefits of solar to be shared with many more residents, businesses and municipalities.
3. Increase awareness of the benefits of clean energy, energy efficiencies, and other possibilities for energy reduction. This is an on-going effort which we will continue to build through partnerships in the community.

The following Objectives are first action steps towards meeting these goals: [Go to Objectives 1 & 2, fine as they stand.]

B. The Summary (p iii) should include other key achievements; the text now only references the municipal solar projects. Please also list the several Energy Forums that the ACETF has held which have increased resident and local business awareness of energy and clean energy issues and options, and the Town's participation in the residential Solarize Program, coordinated by the Ashford Clean Energy Task Force, which resulted in a significant increase in the residential solar installations in Town, and being honored with awards and grants for our work to educate the residents of Ashford and the Town Government on the benefits of energy efficiency and clean energy.

Comments on 2015 Plan of Conservation and Development

November 16, 2015

From Janet Bellamy, 11 Sunset Dr, Ashford, CT 06278 860-377-2746

1. Page 73 shows Mount Hope River corridor starting at Lake Chaffee instead of Morey Pond which is the head water. Refer to page 51 that shows drainage area for Mount Hope River extending up to the Morey Pond area.
2. Page 72 shows a commercial and industrial development areas by exit 72 that is larger than the one designated in the 2014 Town of Ashford Zoning Regulation Zoning map. By indicating this is a "Future Land Use Plan" on the map when it has not been voted on could cause confusion over what the regulations are.
3. The expanded commercial and industrial development area on page 72 overlaps with Priority Agricultural area designated on page 73 and is close to the densely populated Lake Chafee area. Stating that is is on the "periphery" of the town minimizes the impact changes might have on the residents who do live near by. It is not clear to me what kind of businesses could come in and what kind of regulation we as a town could have over hazardous waste materials being used in production. The U.S. Congress has discussed gutting the clean water act so I do not feel we are safe relying on federal or state regulations to keep our town clean and safe. Also, what kind of emergency response teams would we need if a large company comes in. Would additional tax income pay for a lager and perhaps full time fire department? These are just a few of the questions that need to be asked prior to changing our zoning regulations.