

**MINUTES**  
**Regional Planning Commission**  
**of the Council of Governments of the Central Naugatuck Valley**

COGCNV Conference Room  
60 North Main Street – 3<sup>rd</sup> Floor  
(Waterbury Savings Bank Building – North Lobby)  
Waterbury, CT  
7:00 P.M. Tuesday, May 1, 2012

**Attendance:** Richard Minnick and David Chadderton, Beacon Falls; Ken Long, Middlebury; Harold Cosgrove, Oxford; Nancy Clark and Leslie Maclise-Kane, Southbury; Robert Flanagan, Thomaston; Cathe Sherman, Wolcott; Martin Overton, Woodbury. **Guest:** James Belden, Pomperaug River Watershed Coalition. **Staff:** Peter Dorpalen, Executive Director; Virginia Mason, Assistant Director; Joe Perrelli, Senior Planner.

**1. Pledge of Allegiance, Roll Call, Introductions**

The meeting opened at 7:05 P.M. with the reciting of the Pledge of Allegiance. RPC representatives, COGCNV staff, and guests introduced themselves. The group was short a quorum.

**2. PUBLIC MEETING – Title VI Civil Rights and Public Outreach Policy documents**

This evening marked the second public meeting for COGCNV's draft Public Participation Plan (PPP). Joe Perrelli presented the plan, which outlines COGCNV's efforts to engage the public and interested groups in transportation planning. Mr. Perrelli also discussed COGCNV's new Title VI Policy Statement and complaint form to assist anyone who feels that they have been discriminated against in the planning process on the basis of race, color, or national origin

Following the presentation, there was discussion on the use of social media. Mr. Dorpalen mentioned the COGCNV's new initiative under the draft work program to update the agency's website to improve the design and make it more user-friendly. The next transportation work program will include a project for updating the website.

There were no additional comments. The public meeting was closed at 7:21 PM.

**3. Administrative Items**

With the arrival of one more RPC representative, the meeting had a quorum. On a motion by Ken Long, seconded by Robert Flanagan, it was unanimously

VOTED: To add the following items to the agenda:

3. c. *RPC Nominating Committee*

6. c. *Pomperaug River Greenway Application*

6. d. *Regional Leadership Award Nominations*

6. e. *Support for Grant Applications*

a. *Approval of March 6, 2012 Minutes* — On a motion by Robert Flanagan, seconded by Harold Cosgrove with an abstention by Leslie Maclise-Kane, it was

VOTED: To approve the minutes of the March 6, 2012 meeting.

b. *Correspondence* — Peter Dorpalen summarized recent correspondence:

March 16, 2012	Letter for Southbury First Selectman to Leslie Maclise-Kane appointing her to the Regional Planning Commission for a term to expire January 15, 2014.
March 16, 2012	Letter from Virginia Mason stating that after nineteen years she plans to retire from COGCNV in mid-August.
March 20, 2012	Email from Joe Perrelli announcing the next meeting of the COGCNV Public Works Working Group at April 24, 2012 at 9 a.m. at the COGCNV office to discuss culvert rehabilitation technology.
March 22, 2012	Letter to LHCEO recommending that it assume DEMHS Region 5 fiduciary responsibilities after Assistant Director Virginia Mason's retirement.
March 27, 2012	Email for OPM requesting that COGCNV co-sponsor a statewide workshop on public-private partnerships (by participating in the planning, promoting the event in the region, and allowing use of the COGCNV logo).
March 28, 2012	Email for NVCEDS stating that the deadline for submitting economic development projects has been extended to April 27 and requesting municipal letters of support for the Naugatuck Valley Economic Development District.
March 28, 2012	Email to area legislators on the Legislative Judiciary Committee urging defeat of Senate Bill 445, which would reduce the liability relief achieved last year for municipalities from the recreational use of municipally-owned land.
March 29, 2012	Memorandum from Sam Gold to CTDOT Public Transportation, the local bus operator, municipal public works directors, and town planners, transmitting a summary of the Bus Route Ridership Study: 2011 with a link to the full report.
April 2, 2012	Memorandum from Joe Perrelli requesting projects for a new round of the Local Road Accident Reduction Program.
April 6, 2012	Email from Senator Blumenthal's office thanking COGCNV for support for a Naugatuck River Valley National Heritage Area Study Act.
April 16, 2012	Letter to Cheshire Town Manager stating COGCNV's support for the Farmington Canal recreational trail and offering funding sources for extending the trail.
April 16, 2012	Memorandum from Joe Perrelli on COGCNV's draft public participation plan.
April 20, 2012	Letter to CPTC from Sam Gold commending the commission on its work and presenting major transit issues in the region.
April 25, 2012	Letter to CTDOT from Sam Gold commenting on design plans for a new bus maintenance garage for CT-Transit - Waterbury, emphasizing the need to include the Naugatuck River greenway trail in the plans.
April 30, 2012	Email to Harmon Andrews thanking him for his 25 years of participation in the Regional Planning Commission.

May 1, 2012            Email from Harmon Andrews stating that he enjoyed his years with the RPC and working with staff, and giving a brief overview of his family's history in CT including Abraham Andrews, Sr., an original settler of Waterbury in 1673.

Virginia Mason added that she received an email from Dan Morley, CT OPM, announcing the availability of the draft *State Plan of Conservation and Development* and accompanying locational guide map. Ms. Mason will send out the email that she received to RPC members tomorrow. She recommended that municipalities review the draft plan and map as it will affect the availability of funding in certain areas as detailed in the plan.

c. *RPC Nominating Committee* – Robert Flanagan, Harold Cosgrove, and Cathe Sherman volunteered to serve on the Nominating Committee to select Officers for FY 2012-2013.

#### 4. **Drought and Flooding Issues**

James Belden of the Pomperaug River Watershed Coalition spoke about the Coalition's drought-related work, including the results of the 2008 *Pomperaug Water Allocation Planning Study* (PWAPS). Prioritizing water needs is a key element in the water planning process. The availability of water depends on what is considered an acceptable cost for obtaining it, and includes factors such as environmental damage, rate increases, and infrastructure changes. Emergency management and human health are at the top of the priorities for water resource management. On three occasions in 10 years, the region had low water conditions, which has a considerable impact on habitat in the area. The frequency of drought and flooding is greater than in the past. The passage of municipal ordinances, as Southbury has done, allows the town to prepare for water scarcity and minimize drought emergencies. Mr. Belden stated that more information could be obtained at [www.pomperaug.org](http://www.pomperaug.org).

#### 5. **Transportation Planning**

a. *Updated Title VI Civil Rights and Public Outreach Policy documents* – Joe Perrelli referred to the documents that were presented earlier during the public meeting. COGCNV has drafted a new Title VI policy statement and complaint forms to ensure that no person is discriminated against on the basis of race, color, or national origin. At the same time, COGCNV is updating its Public Participation Plan (PPP), which documents the agency's public outreach efforts for to give residents, public agencies, and other interested groups the opportunity to have their voices heard in the transportation planning. The public comment period will end on May 31. The document will be presented to the COGCNV for approval at the June meeting.

b. *Draft Unified Transportation Planning Work Program for FY2013-FY2014* – Peter Dorpalen presented the draft Work Program, which outlines the transportation planning work that COGCNV will perform over the next two years. Mr. Dorpalen mentioned a few projects that staff will be working on over the next two fiscal years, such as access management, website update, and further work with the "Community Viz" program as a means of improving public outreach through enhanced visualization techniques.

c. *Bike to Work Day (May 18)* – Peter Dorpalen announced that National Bike to Work day will be coming up on Friday, May 18. The Waterbury YMCA is hosting the event.

#### 6. **Other**

a. *COGCNV website update* — Peter Dorpalen discussed plans to update the agency's website to make it more appealing and user-friendly. The initiative was incorporated into COGCNV's

transportation work program in an effort to improve public outreach and disseminating useful information to interested parties.

- b. *State legislative planning proposals* – Peter Dorpalen discussed recent legislative actions of interest to municipalities:
- i. P.A. 11-211, An Act Concerning Liability for Recreational Use of Lands, include municipalities as owners of land entitled to immunity under the state’s Recreational Land Use Act. The issue became a great concern to local officials when the City of Waterbury settled a lawsuit for \$8 million as a result of a severe sledding accident in Fulton Park. A bill that would have allowed exceptions from liability protection, including sidewalks, was defeated.
  - ii. S.B. 263, An Act Concerning Liability of Zoning Enforcement Officers, extends to ZEOs the same protections that are provided to other municipal employees, eliminating the threat of triple damages from lawsuits brought against ZEOs.
  - iii. H.B. 5320, An Act Concerning Bonds and Approved Surety for Approved Site Plans and Subdivisions, amends requirements concerning the posting of bonds and other surety for the completion of public improvements on approved site plans and subdivisions. P.A. 11-79, approved in the previous session, weakened the requirements for bonding of subdivisions. H.B. 5320 would seek to alleviate some of the municipal impacts of the earlier act.
  - iv. H.B. 5035, An Act Concerning Property Tax Assessments by Municipalities, clarifies the ability of municipal assessors to assess improvements on partially-built developments.
  - v. H.B. 5154, An Act Concerning Regional Councils of Elected Officials, would consolidate planning regions by changing criteria for the OPM Secretary's analysis of planning regions. The amended bill sets a goal of reducing the number of planning regions from 15 to 8, and stipulates a minimum of 13 towns per region.
- c. *Pomperaug River Greenway Application* – Virginia Mason presented Southbury’s application for the approval of a state-designated greenway along the Pomperaug River Greenway, connecting the greenway in Woodbury to the Housatonic River. On a motion by Martin Overton, seconded by Nancy Clark, it was unanimously

VOTED: To endorse the application for the Pomperaug River Greenway in Southbury to be officially designated as greenway by the CT DEEP.

- d. *Regional Leadership Award Nominations – Recommendation to COGCNV* – Virginia Mason explained the purpose and history of the award. Recipients are individuals who, over an extended period of time, have displayed contributions to a significant multi-town cause. COGCNV staff received two nominations for this year’s award: Cindy Hunt-Stowell, open space advocate and Yvonne Smith-Isaac, M.D., Chairman of the Greater Waterbury Transit District. On a motion by Cathe Sherman, seconded by Ken Long, it was unanimously

VOTED: To recommend Cindy Hunt-Stowell and Yvonne Smith-Isaac, M.D. to COGCNV as recipients of the Duncan M. Graham Regional Leadership Award.

- e. *Support for Grant Applications* – Virginia Mason reported that the towns of Beacon Falls and Bethlehem are applying for Small Cities grants for housing rehabilitation. The towns are seeking COGCNV support for their applications. On a motion by Cathe Sherman, seconded by David Chadderton, it was unanimously

VOTED: To recommend COGCNV support for the Small Cities grant applications from the towns of Bethlehem and Beacon Falls.

## 7. Points of Interest / Local Activities

### *Wolcott*

Cathe Sherman reported that:

- The Planning & Zoning Commission approved a 100-foot wind turbine. It is expected to supply 40% of the power needs on Mad River Road.

### *Oxford*

Harold Cosgrove reported that:

- The application for a zone change from Belmar Farms was withdrawn due to complications. The applicant was attempting to change the zoning from Residential to Commercial.
- An application was filed to operate a gun shop in an industrial zone. Mr. Cosgrove mentioned that the shop may have to fabricate cartridges in order to locate there, since commercial enterprises are not allowed in an industrial zone.
- The Oxford Greens community uses a series of dry and wet ponds to capture stormwater for reuse in watering the golf course. It is an interesting example of using reclaimed water and might be of interest to P&Z officials.

### *Southbury*

Nancy Clark reported that:

- Volunteers from Southbury Land Trust and PRWC held Earth Day clean-ups in the areas that had previously been flooded. Five dump truck loads were removed by town forces.
- The town has yet to receive an answer on its application to the state for the preservation of the Southbury Training School property.
- The body of the new Plan of Conservation & Development is complete. The next step is to hold a public hearing.
- The new Plan of C&D will promote more rain gardens and the use of pervious surfaces in local development.
- The new Plan of C&D will recommend bringing back the transportation hub at I-84, Exit 14.
- The town has been pursuing improvements in the area of I-84, Exit 16. Route 188 has congestion and safety issues.

Leslie Maclise-Kane reported that:

- The education budget will be coming up for a vote tomorrow.
- Southbury has been recognized as Tree City for the 14<sup>th</sup> year.
- There is also a community gardens project that will promote the development of community gardens across towns. The initiative is also taking place in neighboring Newtown.

### *Woodbury*

Martin Overton reported that:

- There is a partially-built vacant retail site on Route 6 that is causing concerns. The town is looking at different ways that they can help move things along to get these spaces occupied.
- A comprehensive set of new regulations were voted down, including some related to aquifer protection. The aquifer protection regulations have been split out, and will be resubmitted for approval on their own.
- Brian Miller is acting as planning consultant. There is no talk of hiring a full-time planner.

*Thomaston*

Robert Flanagan reported that:

- The First Selectman is proposing a \$3 million geothermal project for the Town Hall. The Board of Finance approved the project and will attempt to bond for construction costs.
- The proposed FY 2013 budget is showing an increase of 2.3%. The grand list is down 14% in town.
- There were two retirements announced in town. Police Chief Gene Torrence and Public Works Director Paul Pronovost.
- A committee was formed to prepare a new Plan of Conservation & Development, which is expected to be completed in 2014.

*Middlebury*

Ken Long reported that:

- The education budget will be coming up for a vote tomorrow. Municipal budget hearing will be held Thursday night. A proposed property maintenance ordinance is also on the agenda for Thursday's meeting.
- Town charter revisions are moving forward.
- There is a small uptick in both residential and commercial activity.
- The Naugatuck River race will be taking place this weekend.

*Beacon Falls*

Rich Minnick reported that:

- The proposed FY 2013 budget is being voted on tonight.
- The Plan of Conservation & Development is almost complete.
- The largest building in the industrial park is being purchased for an expansion.
- Toby's Pond will be cleaned up with help from town volunteers and the Eagle Scouts.
- He is trying to get the state to keep open access to the Naugatuck State Forest during the rehabilitation of a railroad bridge.

**8. Adjournment**

At 8:47 p.m. on a motion by Cathe Sherman, seconded by Ken Long, it was unanimously

VOTED: To adjourn the meeting

Submitted by  
Joe Perrelli  
Senior Planner

For

Nancy Clark  
RPC Secretary