



NAUGATUCK VALLEY COUNCIL of GOVERNMENTS

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MINUTES

Naugatuck Valley Council of Governments Regional Planning Commission

6:30 p.m., Tuesday, October 3, 2023

1. Commencement of Meeting

Chairman David White called the meeting to order at 6:30 p.m. The meeting was held via Zoom. Those in attendance recited the Pledge of Allegiance and the roll was called. There was no public comment.

Present: David White, Bristol; Gino DiGiovanni, Jr., Derby; Lori Rotella, Naugatuck; Ginny Harger, Shelton; Kim McNeil, Southbury; Bob Nerny, Waterbury.

Chairman White noted that there are only 6 members of the 8-member needed quorum present. There will be no votes taken tonight.

There were no members of the public present to address the Commission.

2. Administrative Items

Adoption of June 6, 2023, Meeting Minutes

No action.

Referrals Report

Savannah-Nicole asked if any members had questions on the Referrals Report for the period of 5/31-9/25/2023. She noted that she is handling referrals now, and whenever she can, she adds recommendations for regional partnership and good siting.

Mr. White appreciates that NVCOG shares the referrals from all the other communities with the entire group.

Correspondence

None presented.

3. Regional Planning Commission Discussion

Savannah-Nicole introduced NVCOG Planner Jack DeOliveira, who researched the history of regional planning commissions and shared a report with the Commission. She explained that as NVCOG's Community Planning Division is being reorganized, it is important to look back, look at the present, and examine how to move forward, determining the best ways NVCOG can serve our communities.

He narrated a slide presentation for the RPC members giving an overview of the history of planning commissions in Connecticut. CT passed its first planning legislation in 1917 where towns were given the authority to create planning commissions to map and plan for public buildings and ways, streets and building rights. In 1925 they were authorized to establish zoning authorities to regulate the height and size of buildings, the proportion of a lot that could be occupied, and the size of yards and open spaces. In 1947 the first piece of legislation was passed by the General Assembly that allowed for two or more contiguous towns with planning commissions to form a regional planning authority. Each would have to prepare a plan of development for its region base with the same types of studies required for the municipal plan of development. It also had to include recommendations for the general use of the area and other matters deemed beneficial to the area. These regional planning authorities were also to assist planning commission members preparing their plans of conservation and development. The General Assembly further adopted the format and in 1965 legislation required the direct involvement of chief elected executives from each member town (CEO representation). Under this law, two or more towns with any state-identified planning region could decide to establish a regional council of elected officials. In 1971 legislation was passed for the establishment of a COG structure, which we have now, and in 1971 regional planning commissions were established as well. The COG format is currently the only one statutorily allowed.

The 1971 legislation required that each COG have an RPC to carry out the planning duties and responsibilities for each defined planning region – that included the regional plan of development and the review of certain zoning and subdivision matters. In 2000, a Public Act allowed COGs to carry out the planning duties and responsibilities on their own instead of through an RPC. The act allows, rather than requires, the by-laws of the COG to include provisions for organizing a regional planning commission. Membership for RPCs are now optional and are considered subdivisions of the COGs. In 2015, PA-13-247 took effect and the language governing RPCs was officially removed from statute. This means that RPCs are not in statute anywhere, and now operate through and on behalf of COG by-laws.

Today, there is only one type of regional planning organization that is still allowed, and that is the regional Council of Governments; the RPCs are not required by Connecticut General Statutes and only exist via our COG by-laws.

Savannah-Nicole explained that there are nine Councils of Governments in Connecticut, we are one of the last COGs that still has an RPC model, and it still exists in our by-laws. We want to talk about the ways the RPC serves as a subdivision and conducts the business of the NVCOG.

She explained that in the by-laws, planning duties and responsibilities include the following:

- Oversight of plans and studies.
- Address referrals concerning land use regulations and other matters.
- Develop recommendations concerning regional plans of conservation and development.
- Develop recommendations concerning federally funded mandated long-range transportation plans.
- And other commissions as recommended by the Council.

She would like to have a conversation about how the RPC is a good model to move forward with, or should we consider other ways to assure we are engaging commissioners and engaging staff.

She asked how the members feel about the RPC.

- Do you feel we've been effective at meeting our duties and responsibilities? Do you feel we've achieved or have not achieved these?

Question: How do other COGs deal with regional plans of conservation and development, or do they not make them at all?

Answer: They make regional plans of conservation and development and don't use RPCs to review them with. Instead, they sometimes they have advisory committees of planners or commissioners, but the review is not conducted together as in this format. They are separate entities, which allows for more targeted conversations, more targeted education.

She explained, NVCOG is still required to do all of this whether the RPC functions. Our by-laws have the RPC as just another entity that reviews or is involved in this process with us.

Chairman White is dismayed that this group cannot constitute a quorum, and there are several towns that don't have representation on the RPC. There should be no reason that each community can't get a representative to show up once a month for a Zoom meeting.

Savannah-Nicole agreed that a quorum has always been an issue, even when we met in person. We also need a CEO to nominate someone to serve on the RPC. We've gone down that path, and the RPC seems to always cycle to this place.

- Is this the right model to be doing what we're trying to do, or can we be doing it in a different model that still gives you all this information but doesn't require the quorum, or maybe meets in a different way, or engages you on things that you actually want as opposed to us coming together?

Question: Do you, Savannah-Nicole, have any suggestions as to how we can become more effective?

Answer: We have a lot of suggestions. We have another model at our organization, a Transportation Technical Advisory Committee. They come together as staff, an advisory committee that isn't tied to a quorum or to the open meeting process (although we still take notes and send an agenda).

We would like to bring you together as the Transportation Team does - when they have a plan that they need to engage you on. We'd bring you together as we work on a regional plan of conservation and development.

Savannah-Nicole asked, how beneficial are the roundtables to you and the rest of the commission? She described different ideas for networking and recorded educational opportunities for the commissioners to be able engage with one another, share great ideas, and help NVCOG to find out exactly what each town needs help with.

She continued, if we don't do the RPC but have an advisory committee that we tap into when we've got projects; we feel the RPC model doesn't allow us to target each group's needs in a beneficial way. We still want to share referrals but want to put them on our website so that anybody can access them. It could benefit your staff, commissioners, and community. We want to be more open with that information.

Question: What is the value we're bringing back to our communities from being part of the RPC?

Kim from Southbury explained that she enjoys being on the RPC and being able to make sure that people in her town that might need the information are getting it. She might be able to get the information for them based on NVCOG contacts.

Question: How many representatives are we missing?

Answer: Two. Oxford and Wolcott.

Question: Is everybody clear on what the expectation is for the Regional Planning Commission? What impact do we have when it comes to COG? What exactly are we supposed to be doing, and what authority do we have to do things when it comes to NVCOG?

Answer: The RPC is advisory; there is no power. The RPC may make recommendations on plans and studies.

Savannah-Nicole explained, we still want, and have, commissioners involved in the regional plans of conservation and development. We don't know if bringing you together in this way, not involving additional members of your communities or additional commissioners is really getting at reaching recommendations, or if this is the way to do it. Previously, Joanna and Josh were going out into the communities. I think it's more effective when we're there; when we're at your commission and we have things to show you that way. I like elbow rubbing and breaking bread - I feel that's equally important. I want to know what you're interested in. I wouldn't allow the RPC to cease to exist without having educational opportunities and networking spaces for commissioners and staff to get those opportunities in our region and in our model.

Question: has there ever been any discussion on the staff level with other COGs in the state? Are they running into the same issue?

Answer: They don't use this model anymore. They do a lot of advisory committees. Our Transportation Team has moved to this model, in which we pull you together and say, "we have a plan coming, we want to see you in 2 months, here's the document, here are things we're working through."

Question: Are the monthly meetings of the full NVCOG Board adequately attended? Can the Board members reach out individually to their zoning and planning commissions on what is being discussed and done?

Answer: Yes, the CEOs come for their meeting and meet quorum. We have asked them to reach out before – to the cyclical nature, we've been at the place of no quorum. We can do that again, but are people set on the RPC as a model, would people be open to other suggestions, more concrete suggestions that we can discuss in December about a different iteration we could reorganize into?

Lori Rotella stated that she likes it when SN comes out to the towns and likes that model better. She doesn't know if these RPC meetings are ideal.

Drew Baklik, NVCOG's Director of Municipal Affairs explained that meeting quorum is not unique to this group. We're struggling to get people to attend meetings across a lot of different things. He credited SN for trying to

find out what value NVCOG can bring to the towns and what it can do to make things easier and better. He agreed with Ginny Harger that getting people in the room is effective and impactful; and as an example, SN was very successful with her recent Commissioner Trainings held in Ansonia and Waterbury.

Savannah-Nicole added, it would be a lot easier to stay in the model we have, but she would prefer to be value added – to provide the opportunities to get everyone in the room – a way for commissioners to interact with one another at a more social level that includes an educational segment, or an interesting speaker, a breakfast or a dinner. NVCOG's staff will come up with different ideas of how we can be more value added; she doesn't know if this model is serving the towns as well as it could.

Ginny Harger feels there is a lot of effort being put into everything from the Waterbury area and misses the days of the smaller Valley COG. It was convenient for her to drive to Derby as opposed to Waterbury. The 4-5 communities had very good RPC attendance and interaction. She feels she doesn't see things happening that resonate with the Valley towns. She suggested that each town host a walking tour that the others could attend.

Switch to a model that is not the RPC, but a celebratory and educational place for commissioners to gather once a year in a nice setting. She could help in arranging things like the walking tours. We also want to offer things for our region's land use staff during the workday. We could arrange daytime and evening options.

Ginny Harger would like to see COG working on and analyzing the new proposed legislation for potential land use bills being proposed. That should be done on the COG level, not by the towns.

Savannah-Nicole explained that is what Drew Baklik is working on – he is our legislative person along with Jack. She reviewed the quarterly Land Use Brief that was sent out to the towns' land use staff and CEOs in August – she will be sure the RPC members get a copy. It is full of information on the upcoming legislation.

Further discussion will be added to the agenda in December.

4. Roundtable – Discussion of local activities and municipal land use processes

In Bristol, the renovation of city hall has been completed, on budget, on time and the result is amazing. Downtown has become North Main Street. The Wheeler Building is going up rapidly. The Carrier project will put apartments with retail on the 1st floor – the project will be moving quickly. Our zoning regulation rewrite is complete. A public hearing is scheduled in November. By December, we will hopefully have it in play.

In Derby, Route 34 is moving along. Hopefully in the next month they'll be paving the south side and switching the traffic over. The water tower is almost complete. There hasn't been a Planning & Zoning board meeting so there are no new applications. Things are moving along, and we're trying to wrap up before the winter.

In Naugatuck, the Affordable Housing Plan is complete and they're on the list with OPM as completed. The Planning Commission moved to submit their Plan of Conservation and Development to COG for review and comments – Lori will send it to COG tomorrow. The Downtown upgrades are under way, redoing infrastructure, making it a Complete Street and widening the sidewalks. They are trying to keep the local businesses updated as to the progress. The Kind Care assisted living project will start – the city has received

their bond. There is a big application before Wetlands for 467 apartments in a parcel of land that's probably 40% wetlands. It will most likely be found significant and a public hearing will be scheduled. The Fall Festival has been rescheduled for October 28th – it will be a Trunk or Treat and Fall Festival downtown.

Chairman White is very impressed with the Kind Care facility in downtown Bristol. He believes the plan for Naugatuck is the same.

The Southbury Planning Commission had submitted a letter to the Southbury Board of Selectmen about the traffic impact to Southbury due to the Distribution Center in Middlebury. Please find the link here: [1._2._Middlebury_Distribution_Center.pdf \(southbury-ct.org\)](#)

In Shelton, Fountain Square is moving along again. A public hearing is open because the original concept to have a hotel and office building has been removed and a modification for 145 apartments has been requested. Several tenants will be moving in; Chick-fil-A should be opening in a couple of weeks. There are four other projects going through the public hearing phase. River Road is the hot spot. There are 10 acres along the water that are the site of run-down warehouses and zoned light industrial. An application has been filed for 51 townhouse-style condos from River Road down to the river with a long driveway, private road, and a medical building up on the street. In another location on River Road, an application for 152 apartments in four buildings is in the public hearing phase. Closer to downtown on River Road, there is a previously approved project that had 36 townhouse-style units in about 6 buildings, and that owner is now asking for another 28 units. We have typical zoning business - tenants that come in and sometimes while they seem to be a perfect fit, we go through some zoning changes/amendments. We have the typical in-law setups. Because Aquarion has a large facility in Shelton, we get quirky things every so often where they want to replace water tanks from 200- to 500-gallon units. On the administrative side, staff has recodified our regulations and brought them up to date. The Commission will examine them to make sure they're okay and will have a public hearing on that. It has been suggested that for commercial operations in town where they had to be landscaping that the landscape plan would be just for native plants. In spring we approved our Affordable Housing Plan. Ginny will be checking with staff tomorrow to see if it was sent to NVCOG for review.

In Waterbury, we met with COG representatives to coordinate input on the New Mix – replacement of the Mixmaster planning process that has been under way for the last two years. From that there have been a lot of preliminary design ideas, some of which both the COG and the city have concerns with. The concerns have been the various models which continue to sever the city in some ways even more than what exists today. The COG took an initial stab at putting together comments, the city has added to it. We need to alert CONNDOT and their designers to some of the concerns we have. Truly a once in a lifetime opportunity to get it right.

Waterbury continues to see robust development in the downtown with residential conversions of vacant office space, mostly up a level to residential units. The city is currently in a proposal to purchase One Exchange Place – an 86,000 sf 6-story building on the corner of Bank and West Main Streets. It's a building with a very high vacancy rate and tax default issues in play. The city's plan may be to temporarily use it for municipal office space during the revitalization of the Chase Building on Grand Street. After that the City will decide whether to keep or market it. Another site, 40 Bristol Street, is a former factory that burned down several years ago. The city is looking to purchase it subject to remediation agreements and funding and wants to try to reclaim the site and promote something that will be more additive to that part of town.

There has been an overwhelming amount of permitting, and the office is down to a couple of people on staff. We're looking at everything from plan review to permitting to trying to maintain some longer-range issues. We are also trying to recruit planners, looking at an entry-level funded internship position. We would like to train and retain the right person in a permanent position.

5. NVCOG Updates

Savannah-Nicole introduced the Community Planning Team and each one introduced herself to the RPC and explained what they've been working on. They are Emely Ricci, Molly Johnson, and Pheobe Ploof. Savannah-Nicole also introduced Desira Blanchard, NVCOG's Communications and Community Engagement Coordinator. Desira introduced herself to the RPC. Drew Baklik introduced himself as Director of Municipal Affairs.

The group was apprised of which members are on the ballot in November as this may be their last meeting.

6. Adjournment

Chairman White adjourned the meeting at approximately 9:30 pm.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "P. Bruder", with a stylized flourish at the end.

Patricia M. Bruder
Executive Administrative Clerk