

CONNECTICUT PLANNING



American Planning Association
Connecticut Chapter

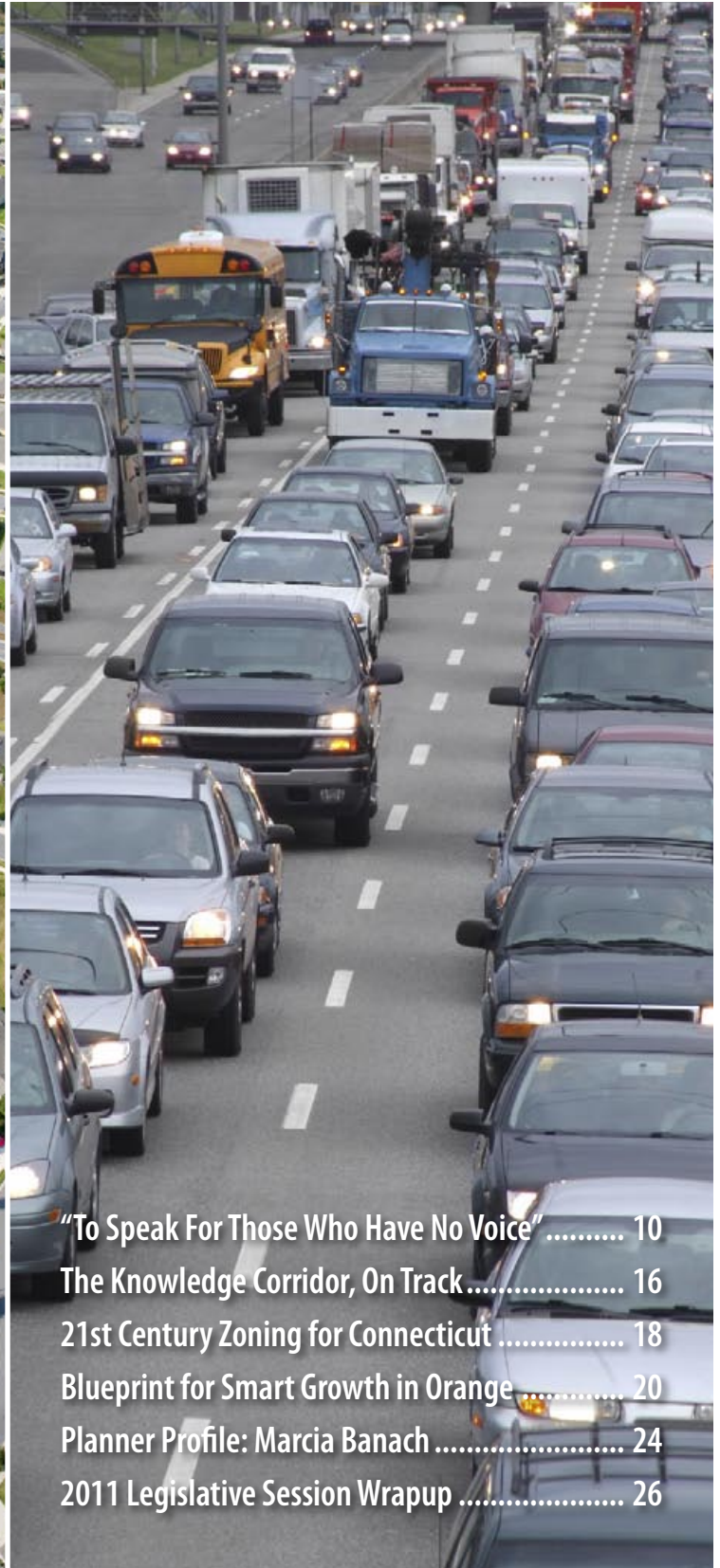
Making Great Communities Happen

A Publication of the Connecticut Chapter of the American Planning Association

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PRESIDENT'S MESSAGE

It's summer time. The deep snow of winter and wet weather of spring have passed and where have we been? CCAPA has been very active on several fronts, and I want to highlight three areas where I believe we are making a difference: Advocacy, Information, and Programs.

Advocacy

CCAPA's advocacy efforts are on multiple fronts. Traditionally, our strongest advocacy has been through the Government Relations Committee (Chris Woods) at the General Assembly, where we try to encourage good planning and good public policy. We have developed working relationships with State officials to discuss policy implementation and have worked with various allied professionals to develop educational programs (the Community Builders program that John Pagini has championed is a great example).

We are now trying to extend these efforts by showcasing our profession at other conferences and programs, to develop relationships with community leaders and programs where our membership numbers our low, but the need for planning is strong.

As of this writing, the CCAPA Communications Committee under Emily Moos's leadership has been awarded a small grant to continue to build upon our "CCAPA Road Show" efforts. Our goal is to have a booth set up at major public policy events and programs (CCM and the Housing Coalition are two likely first candidates) to talk about CCAPA and planning. This also provides us with an opportunity to remind people that planners are making a difference by showcasing successful projects in Connecticut. We are optimistic that these efforts will increase the opportunities for our Chapter and its members to have a voice when planning is being discussed.

Information

CCAPA has recently upgraded to constant contact for ENEWS distribution. If you are not receiving emails from CCAPA, your security settings are likely the cause of the problem. Give me a call, or send me an email and we will try to figure it out. We are also working to improve our membership database. We receive membership information from APA and refine it to reflect our local knowledge about members.

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CONNECTICUT PLANNING

is published quarterly by the Connecticut Chapter of the American Planning Association. Contributions are encouraged. Submissions should be submitted via email or CD-ROM, and must include the name and contact information of the contributor. Material may be edited to conform to space or style requirements. Please address submissions to Executive Editor Emily Moos (see contact information below).

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FROM THE EDITOR

When I started pursuing a planning career nearly 10 years ago, “Smart Growth” seemed to be the biggest buzz word amongst planners. Almost ten years later, though the term Smart Growth and all the policies that come with it are still widely used, “Sustainability” is a new, related buzz word which appears just as much now if not more than Smart Growth in our planning vocabulary. I’ve wondered in the past few years whether this type of shift in terminology has always been the norm in our profession — do planning terms go in and out of style like trends in fashion? In the most recent *Planning Magazine*, Paul Farmer cautions, “Don’t let sustainability become a fad, as happened with the interrelated environment, economy, and equity movements in the 1970s. We must embed principles in comprehensive plans and local government practices.” Farmer reminded me to take history into consideration, and when doing so, it’s clear that popular terminology shifts have had more to do with our response, as planners, to the world around us rather than with a desire to reinvent old ideas; we adjust and adapt our practice based upon past experience, national or world events and evolving conversations and debates that relate to our field.

Sustainability, which encompasses the three E’s — Environment, Economy, and Equity — is a broader, more comprehensive term than Smart Growth which is about land use decisions and their effect on specific trends within the three E’s. Both terms are still evolving within our profession. As Paul Farmer suggests, planners are just beginning to work with their com-

munities to determine the best practices for incorporating sustainability principles into their plans and codes. At the same time, planners are beginning to re-evaluate smart growth principles within the context of sustainability; for example, in a past Editor’s Topic article I had highlighted a keynote speech at the 2010 New Partners for Smart Growth Pre-Conference which challenged planning professionals to take a hard look at the equity of smart growth.

In this issue of *Connecticut Planning* you’ll find articles that cover both these terms. The feature article is a point-counterpoint on conservation subdivisions, which examines the attractiveness of this policy tool (relating to smart growth) to the development community and its validity as a planning tool for sustainable community development in today’s world of Peak Oil discussion and debate. Other articles in this issue examine Connecticut examples of planning and zoning for smart growth — in Orange and Bolton, respectively. We’re also pleased to reprint Dwight Merriam’s passionate address from University of North Carolina Department of City and Regional Planning graduation exercises this past May which not only touches on the issues of equity that many of us seek to work on in planning for more sustainable communities and regions, but also reminds us that flexibility and innovation are important to our success as planners.

If we continue to be flexible in the evolution of our profession, both in practice and in the language that we use to express ourselves, we won’t lose sight of our larger goals as we aim to improve upon the past. ■

— Emily J. Moos, AICP



As Paul Farmer suggests, planners are just beginning to work with their communities to determine the best practices for incorporating sustainability principles into their plans and codes. At the same time, planners are beginning to re-evaluate smart growth principles within the context of sustainability.

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Sustainability and the Built Environment

by Stephen Harris, steveh0607@gmail.com

Editor's Note: This article was written as a counterpoint to a paper entitled "The Economics of Conservation Subdivisions: Price Premiums, Improvement Costs, and Absorption Rates," written by Rayman Mohamed of Wayne State University. The full paper can be accessed at <http://bit.ly/qgcBJC>. The abstract to "The Economics of Conservation Subdivisions" is as follows:

"The Environmental benefits of less land consumption and growing interest in addressing the negative economic and social impacts of sprawl have resulted in calls for more sensitive subdivision designs. One such design is conservation subdivisions. However, not much is known about these subdivisions, in particular about their economics. This article addresses the issue by examining price premiums, investment costs, and absorption rates for lots in conservation versus those in conventional subdivisions. The results show that lots in conservation subdivision carry a premium, are less expensive to build, and sell more quickly than lots in conventional subdivisions. The results may suggest that designs that take a holistic view of ecology, aesthetics, and sense of community can assuage concerns about higher density. However, the potential negative consequences of conservation subdivisions require further study."

Conservation Subdivisions, TND's and Sprawl

Alternative developments such as Conservation Subdivisions are gaining interest. In support of this idea, a paper written by Rayman Mohamed titled "The Economics of Conservation Subdivisions: Price Premiums, Improvement Costs, and Absorption Rates" (*Urban Affairs Review*, January 2006) was posted on the CCAPA listserve for discussion. Some commentators thought it presented something of interest to the planning community and was worth further investigation. I took an opposite viewpoint.

The aim of this essay is to review the main argument of Mr. Mohamed's paper, pointing out where I think it fails to serve the planning community and presenting an alternative view taking into consideration the growing energy problems facing the world today.

We read in the introduction:

"It is important to note that this article does not address the role of conservation subdivisions in Smart Growth...or the potential for negative...consequences that result from their use...this article is an accounting of benefits and costs only from the perspective of developers..."

The author clearly writes he didn't focus on the role of conservation subdivisions in Smart Growth, or whether they had negative impacts. My contention is that they shouldn't be considered for those very reasons.

I'll say up front that there is nothing wrong with the scope of the paper. The author found that conservation subdivisions are beneficial to developers. I'll accept that at face value. Although a developer's point of view is very useful to the planning community, planners must consider all segments of the community.

In considering conservation subdivisions as a development option the paper, following W. Arendt reads:

"Arendt (1999a) argued that conservation subdivisions are a subset of traditional neighborhood designs (TND's) that form part of the history of New England. Called villages and hamlets, TND's are smaller versions of New England towns."

I agree that TND's are a historic development pattern. Traditionally, neighborhoods (at least the centers) were compact and diverse, mixing residential with

(continued on page 5)

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Sustainability, cont'd

“For municipalities that seek to address issues related to sprawl by using conservation subdivisions, the results of this study are encouraging. However, the role of conservation subdivisions in promoting Smart Growth and New Urbanism is uncertain.”

Since conservation subdivisions are disconnected developments, they do not mitigate sprawl but encourage it. I agree they have no role in promoting Smart Growth.

But the purpose of the paper was not to address the issue of sprawl. Again, quoting from the introduction: *“It is important to note that this article does not address the role of conservation subdivisions in Smart Growth...”* If the stated purpose of the paper was only to assess the benefit to developers, how are the results encouraging in discussions of sprawl?

Implications

“In particular, the socioeconomic implications of conservation subdivisions need to be addressed.” I agree. Conservation subdivisions represent a business-as-usual approach to development. Since all growth is dependent on plentiful cheap oil, its impending decline has consequences. In a paper titled “Petroleum Depletion Scenarios for Australian Cities” (*Australian Planner*, Vol. 47, No. 4, December 2010, 232-242), Wally Wight and Peter Newman of the Association for the Study of Peak Oil and Gas, Brisbane Chapter, put forth three development scenarios as a risk management exercise to examine the vulnerability of different urban development patterns and suggest a pattern best

positioned to respond to that challenge.

Three scenarios are presented as options to future growth in response to peak oil:

- 1. Ruralized Sprawl.** Development occurs on the urban fringe and is designed to be as self sufficient in food as possible.
- 2. Centralized Concentration.** Development is directed into the CBD at very high densities.
- 3. Decentralized Concentration.** Development is directed into a number of centers distributed along transit routes, in medium density, mixed-use centers.

With respect to option one, the authors note that it suburbanizes the fringe very quickly and does not address transportation issues. Low population density hampers public transit, and distances to shopping and employment centers are too great to be solved with bicycles. Car dependency remains unsolved.

Option two seems to solve many problems in that density is much higher, thus making public transit viable — and shopping and employment opportunities are nearby. However, this model leaves those in the suburbs out in the cold. Also, food production and distribution become problematic.

The authors believe that the third option, Decentralized Concentration in the form of Transit-Oriented Development, is preferred for the following reasons:

1. High quality transit can link each center to the next higher order center.

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Upcoming Event:

August 22-23

Oklahoma University's Economic Development Institute Presents “Business Retention and Expansion” at the Four Points by Sheraton Hotel, Meriden, CT. For more information, see <http://bit.ly/psjR9j>

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Sustainability, cont'd

2. Facilitating localized production and exchange of goods minimizes the task of transporting both people and freight.
3. The retro-fitting of existing suburbs and rural areas beyond the TOD's helps them become more self-sufficient while still having better access to jobs and services in the relatively nearby TOD's.

I would add that it is the least disruptive in that it is always easier to start where you are and improve upon that.

Here in Connecticut we already have a network of major/minor centers in relatively close proximity.

Why change the development model at all? What are the economic consequences of business as usual? The following table, included in the paper, was a separate study that looked at the extra costs associated with continuing urban sprawl versus redevelopment in TOD's. The bottom line explains why sprawling development cannot be sustained. Although this was an Australian study, the United States and Australia are very similar in cultural habits and urban development.

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*Author's note: It should be noted that infrastructure costs are up front that require payment upon initial development. Transport, greenhouse gas, health costs and productivity losses are present values calculated over a 50-year period and could be considered as operating costs of the respective types of development, except for the health and productivity costs, which were calculated as foregone benefits by choosing to develop on the fringe.

Table 3. Estimated development costs for a decentralised concentration compared to ruralised sprawl development per dwelling.

	Decentralised concentration	Ruralised sprawl	Difference
Infrastructure costs			
Roads	\$5,086,	\$30,379	\$25,292
Water and sewerage	\$14,748	\$22,378	\$7,630
Telecommunications	\$2,576	\$3,712	\$1,136
Electricity	\$4,082	\$9,697	\$5,614
Gas		\$3,691	\$3,691
Fire and ambulance		\$302	\$302
Police		\$388	\$388
Education	\$3,895	\$33,147	\$29,252
Health (Hospitals, etc.)	\$20,115	\$32,347	\$12,233
Total infrastructure	\$50,503	\$136,041	\$85,538
Transport costs¹			
Transport & travel time	\$206,542	\$342,598	\$136,056
Roads & parking	\$46,938	\$154,826	\$107,889
Externalities	\$2,220	\$9,705	\$7,486
Total transport	\$255,700	\$507,130	\$251,430
Greenhouse gas cost²			
Offset cost (\$25/t)	\$2,500	\$5,400	\$2,900
Social cost (\$215/t) –	\$21,500	\$46,440	\$24,940
NOT INCLUDED IN TOTAL			
Total greenhouse	\$2,500	\$5,400	\$2,900
Physical activity costs			
Healthcare cost			\$4,230
Productivity loss			\$34,455
Total activity costs			\$38,685
Total	\$308,702	\$687,316	\$378,553

Notes:

¹ Transport costs are calculated as operating costs and thus are a function of vehicle kilometres travelled (VKT) and patronage.

² The Cumulative Economic Impact Statement does not include the social cost of carbon (SCC) from transport greenhouse gas emissions. It is assumed that abatement, being the more cost-effective option, would be preferred over sustaining the harm or global warming; however, without proper policy measures put in place the social costs will continue to surmount.

Upcoming Event:

September 13

Webinar: Permeable Pavers for Stormwater Control

UConn's Center for Land Use Education and Research presents a FREE webinar on "Permeable Pavers for Stormwater Control" on September 13 from 2:00-3:00 p.m. Pervious pavements are recommended as an alternative to traditional asphalt or concrete pavements to reduce stormwater impacts. This webinar will discuss some different types of pervious pavements that are currently available, including pervious concrete, pervious asphalt, pervious interlocking concrete pavers (PICPs), and plastic grid pavements. Performance data, advantages/disadvantages for different applications, and some cost information will be discussed. For more information, see <http://bit.ly/nkh132>

Chart at right from "Urban form and fuel shortage risk assessment: A method to investigate the impact of peak oil on travel demand" (Andre Dantas, Susan Krumdieck, Shannon Page, Departments of Civil Engineering and Mechanical Engineering, University of Canterbury, Christchurch, 8140, New Zealand)

Sustainability, cont'd

A different study titled "Urban form and fuel shortage risk assessment: A method to investigate the impact of peak oil on travel demand" (Andre Dantas, Susan Krumdieck, Shannon Page, Departments of Civil Engineering and Mechanical Engineering, University of Canterbury,

Christchurch, 8140, New Zealand), investigated how a diminishing fuel supply impacts travel demands on different development scenarios in the greater Christchurch area to the year 2041. The following graph shows modified travel demand distributions for each growth option in a 20% fuel shortage scenario. All devel-

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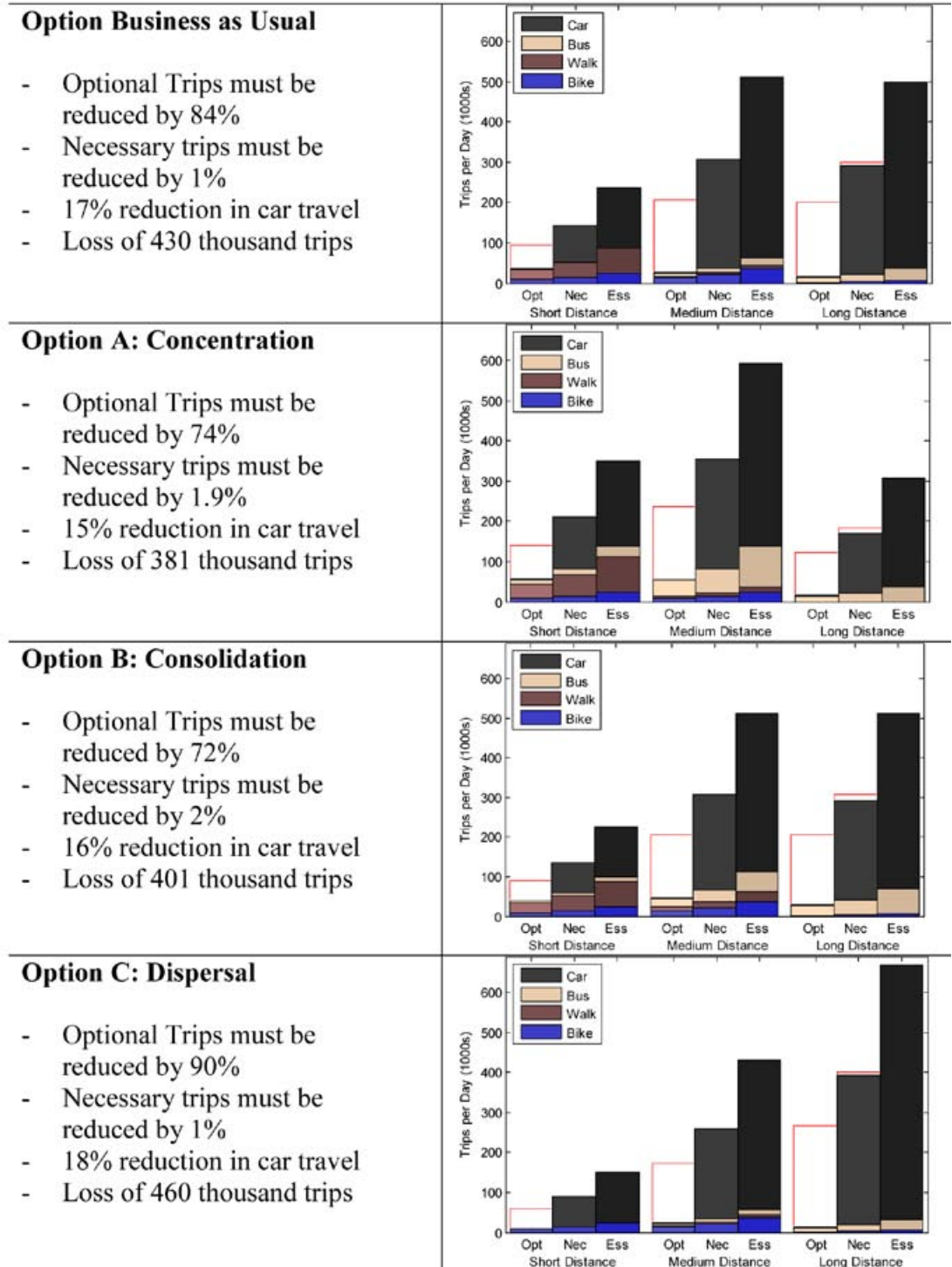


Figure 4. Modified travel demand distributions for each growth option considering a 20% fuel shortage.

Sustainability, cont'd

opment options show optional travel is severely curtailed! What is most telling is that the Dispersal option is almost entirely car-dependent at all distances — short, medium and long. These two studies strongly suggest that development concentrated in and around core urban areas will be far more sustainable than business as usual.

Skyrocketing energy costs will tax people's ability to pay for utilities, mortgages and long commutes. Discretionary spending will be curtailed or eliminated. Business will suffer as the cost of manufacturing goods and food and delivering them to market increases, jobs will disappear. All this happened in 2008; it will happen again. Sustainability is more than low energy light bulbs, hybrid cars or Conservation Subdivisions. It means a reordering of the built environment.

Now What?

Where do we go from here? How should Connecticut respond? Any response must be multifaceted.

Some steps to consider:

- Convene a Peak Oil Task Force and adopt the Oil Depletion Protocol.
- Create a state Department of Planning and Sustainability.
- Adopt Transect zoning. Euclidean zoning will not work in an energy-stressed future.
- Reactivate the rail beds that criss-cross the state.
- Enact tax reform to give towns flexibility in raising revenue.
- Relocalize the economy.

Change will not come fast or easy, but events will force a response whether we are prepared or not. Our charge is to prepare as best we can. 🏠

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Related Links:

Congress for the New Urbansim: www.cnu.org

Smart Code Central: www.smartcodecentral.org

Center of Applied Transect Studies: www.transect.org/index.html

Reconnecting America: www.reconnectingamerica.org

Oil Depletion Analysis Centre: www.odac-info.org/welcome

Association for the Study of Peak Oil and Gas International: www.peakoil.net

The Industry Taskforce on Peak Oil and Energy Security (ITOPES):

<http://peakoiltaskforce.net>

Post Carbon Institute: www.postcarbon.org

APA's GALIP Division invites APA members from throughout the region and beyond to attend:

A New York City Metro Chapter West Village Tour / Sunday, October 2, 2011

"How Adult Uses *Created* a Neighborhood" ...based on the history of the LGBT community in New York City and how the Adult Use Zoning laws affected the community. Guides Richard Landman and Michael Levine will share their decades of experience as planning and legal professionals, activists, residents and "gay men about town." This tour offers unique insight into the ways that adult uses in New York related to existing neighborhoods and the LGBT population. The speakers' collective experience includes participating in the Stonewall Riots at Sheridan Square in 1969; helping to found the Gay Liberation Front at the University of Buffalo in 1970; and serving as the former Director of Administration at the NYC Dept. of City Planning in 1979 and the Executive Director of Real Estate Development in 1979. The tour will start at 1:00 p.m. at Sheridan Square, and end at approximately 2:30 p.m. at the piers (Hudson River) and will include approximately one hour of lecture and 30 minutes of walking. CM credits pending. Please watch for registration details to be announced. Direct questions to Cade Hobbick, GALIP Chair, at cade@galip.org.

“To Speak For Those Who Have No Voice”

Graduation Keynote Address, University of North Carolina, Department of City and Regional Planning, Friday, May 6, 2011, by Dwight Merriam, FAICP



When I started as a planner in 1968, we did our population forecasting with giant mechanical calculators, called “coffee grinders” because they had notched discs that worked mechanically. You would punch in your numbers, push a button, and it would literally grind away to do the calculations

Chairman Malizia, distinguished faculty, families and friends, and most importantly, you, the graduates about to be let loose upon the world, I thank you for this great honor and privilege to help send you on your way. I’ve never done this before, and here I am at age 65 just as anxious as I was when I came here in 1972, met with Jack Parker and started, in earnest, my career in planning. This great institution has had an indelible impact on my life and I wished I could thank each and every faculty member and fellow student with whom I shared my time here, but to do so would doubtless leave someone important unrecognized and leave us little time to address what we must. You are so fortunate to have come here to prepare for your careers.

The “terminal master’s degree” — it sounds so final. So too the doctorate. But I tell you this, your graduation is no end. This is just the beginning. You will spend the rest of your lives in learning and teaching others.

I would like to start by making a couple of observations about how our profession has changed in the 45 years since I discovered planning as an undergraduate.

First, in many respects it hasn’t changed at all. I read the syllabi for your introductory courses. At least a third, maybe a half, of the readings are ones that we were assigned in the early 1970s or derivatives of them. I have found planning remains largely incremental. I wrote an article in 1978 on the transfer of development rights published in the *North Carolina Law Review* and I recently reread that article while peer reviewing a new book on the subject. The issues I wrote about in 1978 are essentially the issues before us today.

Planning is, as you have been taught, inherently iterative and interactive. Plans and decisions do build upon prior ones and they affect others.

These three “I’s” — the incremental, iterative and interactive nature of planning — can be excruciatingly frustrating.

I am exasperated at how little progress we’ve made in many areas — housing equity and affordability, growth management, natural resource protection, sustainability, preservation of historic landscapes and structures, protection of prime agricultural soils and farmland, minimum habitat area protection, and the list goes on. Why even the debate about clustering continues 60 or more years after the concept began to be widely discussed, except now some people choose to call these “conservation subdivisions.”

At the same time, the practice of planning has changed dramatically. Electronic communications and data access enable planners to be so much more productive. When I started as a planner in 1968, we did our population forecasting with giant mechanical calculators, called “coffee grinders” because they had notched discs that worked mechanically. You would punch in your numbers, push a button, and it would literally grind away to do the calculations. And if it jammed, which it sometimes did, you had to go back and spend hours inputting those numbers for your cohort survival method population forecasting.

When I was here, we had to wait in line at the statistical lab to use five-function calculators, the calculators that only a few years later gas stations gave away with oil changes. And of course there were no personal computers and no Internet. All of our maps and plans were done laboriously, with ink pens, Prisma-color pencils, zip-a-tone and the like. It was fun, but with the today’s technology you can do in a day what took us weeks to do. Really. Search engines put the world’s knowledge just a few keystrokes away. The ability to connect with others through the Internet



Dwight Merriam

(continued on page 11)

To Speak for Those, cont'd

and social networking has allowed us to create powerful networks that advance our knowledge and further scholarly debate. Regrettably, they also provide undue leverage to some, but that perhaps is the price we pay for open access for all. I want to share with you two stories from my practice that will lead me to the advice I have for you.

A lawyer friend asked if I could help someone who had just come to him looking for a new lawyer after being tied up in litigation for over a year. He wanted to refer the matter to me because he knew of my experience in land use. I took it on. The client was a man in his 60s, a foundry worker, a short stocky man, bulldog-like, with full metal leg braces, the result of suffering polio as a young boy. He told me that his wife, who I would guess was in her 40s, and their 16-year-old daughter loved horses and desperately wanted to own and operate a riding academy and boarding stable. So, on the verge of his retirement, he took his life savings, every penny he had, and purchased a small op-

erating stable and riding facility on five acres in a rural area, borrowing a large amount of money with a commercial mortgage based in part on the additional income expected from the riding lessons and boarding.

Shortly after they closed on the property and moved in, the zoning enforcement officer issued a cease-and-desist order saying that the use was not permitted on five acres and that they would have to stop giving riding lessons and boarding horses. The family retained the local lawyer who had represented them in the real estate closing and he did what some lawyers do instinctively — he just filed a lawsuit, in this case, against the sellers and the real estate broker claiming that they had misrepresented the property. The action languished in court for at least a year before the matter was referred to me. For more than a year, because riding lessons could not be given and horses not boarded, the family didn't have enough income to pay the mortgage. The bank began foreclosure proceedings.

I asked if anyone had looked at what
(continued on page 12)

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Abraham Maslow, who founded humanistic psychology and conceptualized the Maslow hierarchy of needs, once said that “He that is good with a hammer tends to think everything is a nail.” If you are trained as a lawyer, you are bound to start by suing someone. We as planners need to be mindful of our own professional biases and challenge our own thinking about how we might get to the results we want.

To Speak for Those, cont'd

surrounding towns had for standards for such facilities, whether there had been any talk about seeking a variance assuming that there was no vested right to continue to operate regardless, and whether it might be possible to amend the zoning ordinance to allow this use on this site. The answer was “no.”

My client, seeing his life savings slipping away and his daughter’s dream turn into a nightmare, was deeply distraught. I became increasingly concerned. I couldn’t find anything in the lawyers’ code of professional responsibility to tell me what I should do, so I just did what I thought I must and I called the parish priest, told him what was going on and asked him to watch out for the family, which he did.

I took a look at the towns around and found the several of them allowed riding academies and commercial boarding operations on properties as small as five acres. I called the chairman of the zoning commission, which commission has the final authority to make decisions on changes to the regulations, to discuss whether it might be possible to amend them. He told me he was a high school teacher and that the teenage daughter, who had been an excellent student, had seemed highly distracted during the last year and she was now failing in school. He told me how concerned he had been for her. He said he had not known about the zoning problem. It was now clear to him and to me that the daughter felt that she had put her family in this situation by her pleading, with her mother’s support, to buy the property. We surmised that she

must have felt that this disaster was all her fault.

The chairman of the zoning commission, when he saw the evidence from the surrounding communities, welcomed an amendment; we petitioned to change the zoning ordinance to allow commercial equestrian facilities on five acres, and went to the public hearing to present the petition. The town hall was an old building with high ceilings, maybe 15 feet between floors, and the hearing room was on the second floor. There was no elevator. My client wanted to address the commission and, when he got to the long flight of stairs, he refused my assistance. I watched him pull himself up the stairs, hand over hand, with his braces clanging on the metal edge of each stair tread. We presented our petition, the commission closed the hearing, and voted unanimously to amend ordinance.

By this time, it was too late for the family to recover financially. The property was foreclosed. I don’t know what happened to them. They left town.

Abraham Maslow, who founded humanistic psychology and conceptualized the Maslow hierarchy of needs, once said that “He that is good with a hammer tends to think everything is a nail.” If you are trained as a lawyer, you are bound to start by suing someone. We as planners need to be mindful of our own professional biases and challenge our own thinking about how we might get to the results we want. More about this later.

The second story comes from a December 2004 conference convened by Prof. Daniel Mandleker at the School

(continued on page 13)

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To Speak for Those, cont'd

of Law at Washington University in St. Louis. Many of you know Prof. Mandelker from his land-use law teaching, writing and speaking. He was my mentor as I made my way up through the American Planning Association's leadership. I take every opportunity I can to thank him publicly for all he's done for me and so many others. We all have an obligation to be a mentor to others and help them along just as others have helped us.

Those proceedings became a book, *Planning Reform in the New Century*. My role was to provide a commentary on presentations by two leaders in the field of housing and regulatory streamlining, Anthony Downs of The Brookings Institution, whose speech and chapter were entitled "Trying to Remove Regulatory Barriers to Affordable Housing" and Prof. Charles E. Daye from the law school here at the University North Carolina, whose speech and article were entitled "Intersections, Roadblocks, and Dead Ends — Sketching a Housing Social Efficiency Analysis."

I read their materials, listened to their speeches, and commented, mostly agreeing with what they said but also straining a bit to be conspicuously critical on a couple points just to show I was listening and that I had my own views. The transcription of my remarks became a 15-page commentary in the book following their chapters.

Now, a little background. My wife and I owned a great apartment in downtown Hartford in a National Register building where we could walk to everything but, when we had two children, it became clear that the 1,000 square feet we had, with no place for them to play outside, was not going to work. Also, the Hartford school system had many problems. Although we were somewhat uncomfortable about it, we decided to pick up and move to the suburbs, which we did 11 years ago, building a house right next to an elementary school in Simsbury just ten miles from the center of Hartford, going from one of the worst school systems in the state to one of the best.

Two months after the conference and after I had submitted my written com-

mentary, I had occasion to sit in on the "writer's workshop" as they called it in my youngest son's fourth grade class to hear the children read their essays on a wide variety of subjects.

Destinee Santiago, age 10, of Hartford, who at that time attended our local elementary school under a limited program that brings children from Hartford, wrote and recited her essay. I was so taken with what she said, of how compelling it was, that I went to Prof. Mandelker and the American Planning Association, which had the book in production, and insisted they include Destinee Santiago's essay. They did. Her essay is now forever preserved and she became the only published writer in the Latimer Lane fourth grade class.

Here's her essay entitled, "Hartford Kids Should Get To Go To Other Schools" (*The spelling and word choice are exactly what Destinee Santiago wrote.*):

Do you live Hartford? Do you want to go to another school or does you parent or parents want to move to another

(continued on page 14)

Although we were somewhat uncomfortable about it, we decided to pick up and move to the suburbs, which we did 11 years ago, building a house right next to an elementary school in Simsbury just 10 miles from the center of Hartford, going from one of the worst school systems in the state to one of the best.

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To Speak for Those, cont'd

school? Do you live too far away? Well I think Hartford kids should get to go to other schools because schools in the suburbs are safer, have a better education, and have parents that help a lot.

Schools like Latimer Lane in the suburbs are safer than Hartford schools. There are fewer bullies and more teachers around. In Latimer Lane, there are only two floors so you can see everyone on the first floor. The teachers and other people who work at Latimer Lane School know you by name because there are fewer children to keep track of.

Another reason why Hartford kids should get to go to different schools is because they get a better education. The teachers do not stress the children about CMT's [parenthetically that's the Connecticut Mastery Test under the federal "No Child Left Behind" law]. The children that go to great schools like Latimer Lane can concentrate more on learning. The teachers give one on one attention and are expected to do their best! The schools have many fundraisers to help

the homeless too. Latimer Lane has great ideas like birthday clubs, Scholastic News, and the list the teachers make for books they suggest for that grade.

Last but not least, parents at Latimer Lane School are very helpful. The parents help the after school program, fundraisers, and volunteer in classes. Many parents put in a lot of time because they want to, not because they have to. Parents also help with projects. They also bake and show up for hay rides, survivor, and other activities.

No matter where you live or where you or your parents want to send you, you should be able to go to different schools.

— Destinee Santiago, age 10

Destinee Santiago is now a high school sophomore and attends Simsbury High School. She sits next to my son, Alexander, in health class.


What can we learn from the riding academy case and Destinee Santiago?

We as planners must never forget — we must never forget — that we have a job, that we have a mission that profoundly

(continued on page 15)

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To Speak for Those, cont'd

affects, touches and concerns the lives of people every minute of every day. Too many brightly-colored plans, too many pages of facts and figures, too much multivariate analysis, can blind us from the reality that what we do profoundly affects people, real people, ordinary people, people whose homes, and neighborhoods, and schools and places of work are at the center of their lives, where they are grounded, people who can't just pick up and move to another place.

We cannot ever allow ourselves to strap on professional blinders that keep us from seeing those innovative solutions that address the real problems. When we pick up that hammer of planning practice, we must resist the ready route to the nail, and instead challenge ourselves each and every day to problem solve synoptically and sometimes leave the comfort of our core body of knowledge. To do that, you must devote your working life to constant study and self-education.

Know this also, you who are now professional planners — our clients, our constituents, the people we work for, the objects of our endeavors, are often people like Destinee Santiago, who have no voice in the forum in which we may work. They are the poor, they are the disenfranchised, they are people who live far away but wish to be our neighbors, they are the old, they are the young, they are the people

working two and three jobs who have no time to go to public hearings or run a blog, they are the people who need our help in processing and applying complex information, they are the generations not yet born, they are the people who will live on this earth 50 years and 100 years and 200 years and 500 years from now.

No one, no one other than we as planners, has such a responsibility to speak for those who have no voice in the public forum today and to speak for future generations. No one, no one other than we as planners, has the responsibility for decisions today that will profoundly affect others. When you save a sole-source aquifer, when you preserve a critical habitat, when you make it possible for dense mixed-use development along public transit corridors that gets people out of their cars, when you save a ridge top from trophy home destruction, when you preserve the historic landscape, and when you plan and regulate in a way that keeps our foundry worker's family from being destroyed and makes it possible for children like Destinee Santiago to live where they want to live and to get the education they so desperately seek and deserve, then, I say to you, you have begun to do your job as a planner.

You have my best wishes for the greatest success in your careers. You have chosen a most rewarding profession and I hope you enjoy your life's work as much as I have enjoyed mine. 🏡



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The Knowledge Corridor, On Track

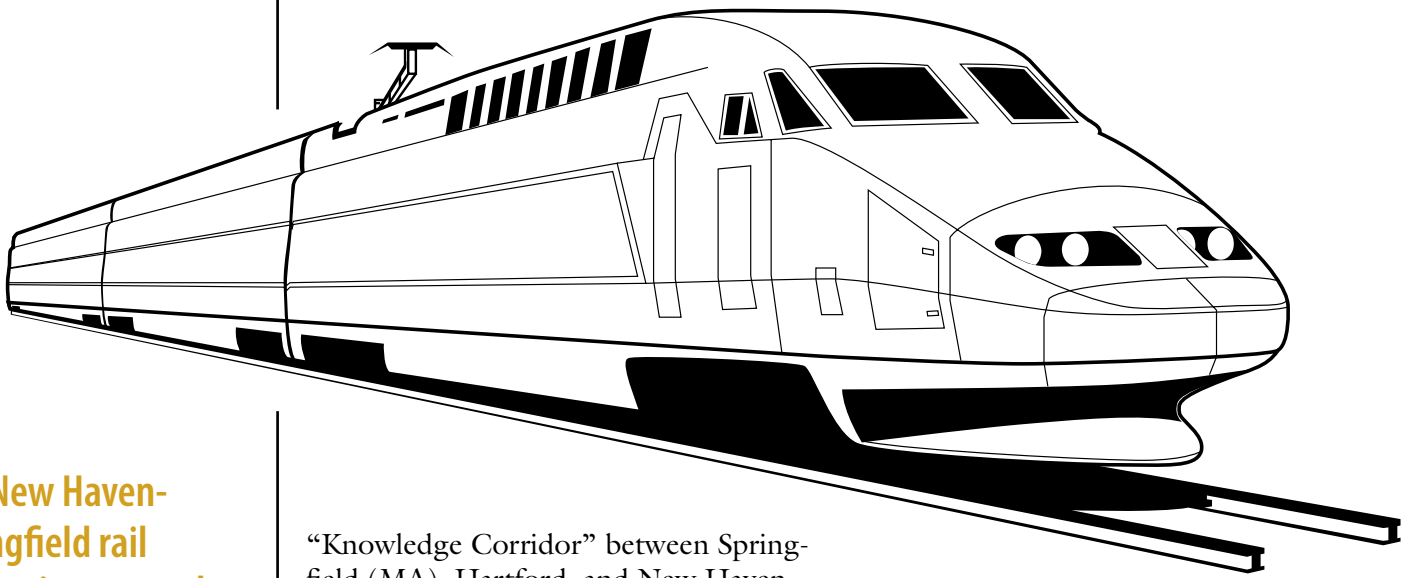
by Amanda Kennedy, Associate Planner, Regional Plan Association



Here in the Connecticut office of Regional Plan Association, we find ourselves thinking more and more about Greater Hartford, which while not technically part of RPA's traditional 31-county NY/NJ/CT region, will soon get better rail service that will tie it more closely to Greater New York. The Connecticut Department of Transportation has set a goal of 2016 for expanding rail service on the

exacerbating the problems of affordable housing in Fairfield County and unemployment in Connecticut's interior.

Trips on Knowledge Corridor rail trains will be too long for daily commutes to Manhattan, but plenty of local commuters will use the service to get to jobs in Hartford, New Haven, and even Stamford. The new rail schedule will transform Connecticut's labor markets, encouraging



The New Haven-Springfield rail project is expected to stimulate reinvestment in the corridor's urban areas and expand business opportunities throughout the region.

"Knowledge Corridor" between Springfield (MA), Hartford, and New Haven, with most trains in New Haven connecting to NYC-bound trains and a few continuing directly to New York City.

The New Haven-Springfield rail project is expected to stimulate reinvestment in the corridor's urban areas and expand business opportunities throughout the region. I probably see the potential for a better-connected state more than most: I'm a Knowledge Corridor baby, having grown up just outside of Springfield and having spent about eight years of my adult life in either Hartford or New Haven.

Inland Connecticut is often described as an "economic cul-de-sac," missing out on the potential benefits of proximity to Boston and New York City which has buoyed the economy of Fairfield County. Traffic congestion in I-95 and lack of transit options has made it difficult for residents living in the I-91 corridor to get to jobs on Connecticut's southwest coast,

two-worker households to choose central Connecticut and providing options for workers priced out of coastal Connecticut's housing market. We've seen this happen in Stamford already, where more riders get off the train in Stamford each morning for jobs than get on trains headed for New York City.

Recently in Hartford, RPA and its national infrastructure initiative, America 2050, organized a forum to get planners, economic development professionals, and government officials thinking together about how to make sure that new train service boosts the economy of the corridor, given the spatial distribution of jobs and residents. We heard from experts from Maine and California that economic benefits from rail won't just happen on their own. State, regional, and

(continued on page 17)

The Knowledge Corridor cont'd

local leaders must aggressively market rail ridership, connect trains with local supporting transit, and get communities promoting transit-oriented development. Patricia Quinn, from Maine's Northern New England Passenger Rail Authority (NNEPRA), told us how towns with Downeaster train service own and operate their train stations, giving them a vested interest in promoting ridership. Representatives from each station area along that line get together every other month to compare notes on station operations and transit-oriented development, both to learn from each other and to alert NNEPRA and Amtrak to issues as they arise. Gene Skoropowski, now at HNTB and formerly with California's Capitol Corridor Joint Powers Authority, showed us how they were able to quadruple ridership over 10 years by reinvesting revenues into increased frequencies, and how getting legislators riding trains to California's Capital has helped raise transit's profile in that state. We heard how rail in Maine

and California has enabled infill development in station areas — varying in scale from a \$300 million development in the small town of Saco, ME, to Emeryville, CA's massive commercial complex, home of Pixar and Jamba Juice, to name a few.

Over the next few months, RPA will be compiling what we learned at the forum and from our work elsewhere into a guide for the region and towns of the New Haven/Hartford/Springfield corridor to follow as they plan development and promote ridership. All the pieces will need to fall in place — leadership at the state level, cooperation of station towns, and coordinated land use and local transit services — in order for rail to transform the region's economy. But the combined efforts of the Malloy administration and regional and local leaders can and should put the Knowledge Corridor on the right track.

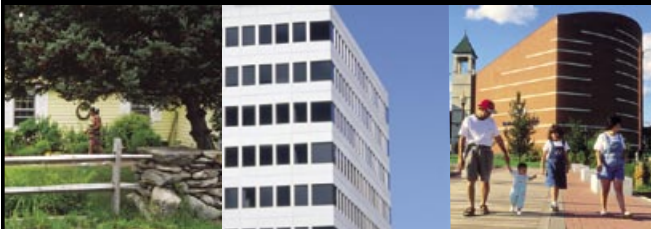
Audiovisual material from RPA's forum, "Dependable Rail in 2016: What Will It Mean for the Knowledge Corridor Region?" is available at www.rpa.org. ■

Over the next few months, RPA will be compiling what we learned at the forum and from our work elsewhere into a guide for the region and towns of the New Haven/Hartford/Springfield corridor to follow as they plan development and promote ridership.

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21st Century Zoning for Connecticut — Laying the Foundation

by Carol Gould, AICP, Community Planning Team Leader,
Fitzgerald & Halliday, Inc.



A transect approach to community-wide form is one that focuses on transitions. Areas of mostly trees and farmland meld with and transition to suburban areas of more buildings and roads.

From Hamden to Bristol to Simsbury and Tolland, Connecticut communities are demonstrating that we are not really simply the land of steady habits. We are, if not embracing, at least taking a critical look at the hottest new ideas in zoning and road testing them. We are putting our unique spin on concepts like form-based codes and conservation subdivisions and tailoring them to each unique place. We are taking a hybrid approach to the transition from pure Euclidian zoning to zoning that is all about sense of place and sustainability over time. How can other towns and cities get started on the path to being cutting-edge? Is this a good fit for all of Connecticut? It can be. It's all about the process, is the short answer. The longer answer may lie in one example of a corridor study in Bolton.

In 2008, the long anticipated sewer line mandated by CTDEP to be extended from Coventry into Bolton and along its Route 44 roadway corridor appeared to be imminent. All the hoops had been jumped through and construction was just a funding confirmation away. The Town recognized that the prospect of a sewer line meant the potential for new, more intense development along the roadway. There was both an opportunity and a pressing need to plan for this corridor so that the community would realize the form and nature of development they envisioned there. There was a real threat of linear commercial sprawl and this was not what the community wanted; the consensus was that such a pattern of development could undermine their way of life.

As the consulting firm selected to work with the town on this project, Fitzgerald & Halliday, Inc. began (as most die-hard planners do) with the big picture. We conducted a community visioning process that included a workshop, website, and displays at community events. We also did our due diligence, learning about the land use, traffic patterns, and natural resources within the corridor. Once a draft com-

In order to reduce auto dependency, consumption of farmlands and other greenfields, and minimize the carbon footprint associated with traffic generated by isolated and dispersed single-use districts, the area-wide patterns of development needed to be carefully considered and mapped out.

munity vision statement for the corridor was in place, and we had an understanding of its issues and assets, we looked at the corridor with a bird's eye view and a transect approach. We began with the premise that community character does not emanate solely from walkable downtowns or village centers. It begins at the macro-level with a quilt of well thought out patterns of development, community-wide. It is important how and where the variations in

form interface with one another. In order to reduce auto dependency, consumption of farmlands and other greenfields, and minimize the carbon footprint associated with traffic generated by isolated and dispersed single-use districts, the area-wide patterns of development needed to be carefully considered and mapped out.

A transect approach to community-wide form is one that focuses on transitions. Areas of mostly trees and farmland meld with and transition to suburban areas of more buildings and roads. The suburban areas then meld with and transition to urban places dominated by buildings, roads, and infrastructure. This is the now-classic transect form depicted in the *Lexicon of New*

(continued on page 19)

21st Century Zoning, cont'd

Urbanism (Duany Plater-Zyrbek & Company, 2002), yet taken to a community-wide scale. Or, in this case, a corridor-wide scale. It was a framework for taking the distinct direction revealed in the vision statement crafted for this area of the community and applying it to mapping out the proposed character of subareas within the corridor.

Once the proposed transects for Bolton passed muster with the community, we began to add definition to them. The character intended for each transect was described and we proposed four new zoning districts to implement them. We also wrote goals, intents and purposes for each new zone. Next, recommendations for permissible lots sizes, setbacks, design standards and guidelines, and connectivity within and between zones were drafted. There was very little focus on uses. Rather, the transects would all be mixed-use districts, to varying degrees. The focus was on the character of the allowable development form in each zone and a short list of uses that might be incompatible with their intents and purposes. The permissible scale and massing of buildings in each zone would help, to some extent, to dictate what uses might locate there. A big-box retailer would not, for example, be anticipated to be interested in locating in a zone where the maximum building footprint is 10,000 square feet or less.

Thus, the process went from visioning to producing corridor-wide patterns for transect form of development to establishing zones to implement the concept. From this point, more detail on the language of each hybrid zone could be crafted. In this manner, the land use and transportation plan for the Route 44 Corridor established a foundation from which new, contemporary zoning techniques could be considered to achieve the Town's vision for the area. The new transect pattern would be nestled into the existing rural residential zoning that makes up the remainder of the community. All that remains (and it is no small thing) is for a local champion or champions to press forward. Since completion of the study in 2009, the Town has taken those next steps. Town Planner John Pagini has kept the implementation agenda moving

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The good news is that the State has plans to locate a new Metro North commuter railroad station within the southern area of the Town, just off Marsh Hill Road. The bad news is that there is no State funding in place for the construction of this station, although funds have been committed to fund the construction of the nearby commuter rail station in West Haven.

Blueprint for Smart Growth in Orange

By Brian J. Miller, AICP, PP, Senior Vice President, Turner Miller Group



Smart growth and transit-oriented development are a major focus of our profession. However, when people speak of Transit-Oriented Development, or Smart Growth, many envision new buildings being sandwiched into an already dense urban environment. This is true, but not always accurate as is being demonstrated by the Town of Orange. The Orange Town Plan and Zoning Commission recently approved new zoning regulations which would encourage appropriately high density development in conjunction with the construction of a railroad station; encourage private funding for important infrastructure improvements; expand the Town's economic base; and provide much-needed affordable housing. How is a comfortable suburban community, without a commercial town center, able to do this, and how does this fit into the Town's growth plans?

The Town is faced with a potential opportunity, with a "good news/bad news" dimension. The good news is that the State has plans to locate a new Metro North commuter railroad station within the southern area of the Town, just off Marsh Hill Road. The bad news is that there is no State funding in place for the construction of this station, although funds have been committed to fund the construction of the nearby commuter rail station in West Haven.

Orange is generally perceived as town of quiet, genteel, leafy residential

neighborhoods north of the Boston Post Road. However, it does contain a vibrant business sector. The Route 1 Boston Post Road retail corridor extends from Milford, through Orange into West Haven. This five-mile retail strip experienced significant commercial growth during the post-war era, with significant redevelopment during the 1990s. However, in recent years, the focus of retail use has shifted along the corridor, to a more concentrated area in proximity to Westfield Connecticut Post Mall, just off Exit 39. This has resulted in a softening of the market along other areas of Route 1.

The southern area of Orange has also included a small but vibrant industrial sector. Most prominently, this includes the Pez factory, but also includes a major beverage distributor and the major facility of the Southern Connecticut Gas Corroboration and a major beverage distributor. These uses were all attracted by the easy access to the Connecticut Turnpike.

Most recently, the United Illuminating Company chose to relocate its corporate offices from New Haven, as well as its field facilities to a facility to be constructed just north of the Exit 41 of the Connecticut Turnpike, on Marsh Hill Road. This proposal was received enthusiastically by the Town, with no opposition at the Town Plan and Zoning Commission hearing.

In recognition of these challenges and opportunities, the Town of Orange

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Smart Growth in Orange, cont'd

decided that they needed to take a proactive approach to the planning of this area. The challenge was to establish a regulatory framework which would encourage innovative, pedestrian-oriented development which is strongly linked to the construction of the commuter railroad station while giving the Town the necessary discretion to assure that the resultant development is consistent with the goals of the Town. The competing goals presented an interesting challenge to the Town in this important planning exercise.

In this deliberation, the Town needed to incorporate the underlying factors impacting the area. In addition to the approved, but unfunded commuter railroad station, this area has as easy access to the regional highway network, being close to Exit 41 of the Connecticut Turnpike. The local economic base is strong, with the new Yale University campus, the future United Illuminating complex as well as the existing businesses, such as Pez and Southern Connecticut Gas.

This area also had a history of being subject to rather contentious development proposals, including an affordable housing application and the fifteen year saga of the proposed Stew Leonards retail center. The concerns about traffic on surrounding roads, including those going through residential neighborhoods, have been of paramount concern, inspiring either heated opposition, or deep skepticism of all development proposals within the area. Therefore, planning for this area had to engage the neighborhood, be very sensitive to traffic impacts, and ensure that any planned land use would not be detrimental to the Town's character.

The economic and land use characteristics of the area were analyzed. Retail use had been considered the default economic development in this area. Our analysis demonstrated that the area had sufficient community oriented retail to meet demand, and that any retail development would only detract from existing retail locations along the Boston Post Road. Therefore, large-scale retail development

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Smart Growth in Orange, cont'd

in this area would not be a sustainable economic development strategy.

Various models for the use of land around a railroad station were discussed, from the construction of a platform with surface parking to large-scale, high-density developments. The Commission decided



It is important for Connecticut communities to continue to shift their thinking from the twentieth-century growth policies to those which plan for and anticipate future trends which will improve the community and enhance the economic growth of the State.

upon a high-density multi-use concept confined to an area around the proposed railroad station. The area would encompass offices, hotels, limited supporting retail, and in a major shift of town policy, up to 250 multi-family residential units, with at least 20% of them being affordable.

The key now was how to translate this vision into a workable method of implementation. The Commission recognizes that this is likely to take several years to accomplish, but wanted to (1) signal the receptiveness of the Town of Orange to encourage this type of development; and (2) create regulations which would not only encourage this type of development, but also ensure that it occurs in the proper manner.

A major sticking point was the phasing of the development with the actual construction railroad station. The development envisioned only made sense if it were based upon a railroad station. Therefore, merely zoning the property for this higher intensity transit-oriented development could backfire, if the development proceeded the construction of the station. This was important as an issue, because although the State has approved

the location of an Orange commuter rail station, there is no funding committed to it at this time. Given the State's financial situation and the "normal" time frame of important infrastructure improvements, it would have been foolish for the Town to rely only on being within the queue for state funding of the railroad station. Therefore, any plan, which included the zoning, needed an trigger or incentive that would tie the zoning with the construction of the railroad station.

The answer was an innovative use of the concept of a floating zone. A floating zone is a zoning district where all the zone requirements are contained in the regulations and the zone is affixed on the map only when the application for development meets the requirements. Therefore, a Transit-Oriented Development District overlay zone was created. The actual zoning of an area as a TODD included a series of requirements, including that the subject property be located within the area designated as "Potential Transit Development Area"; and that there be an existing rail station or one planned rail with a documented financial commitment and regulatory permits in place for the construction of a rail station.

Other important components would be that it would permit higher density development with no specified height or floor area ratio limitation for office, hotels or and high density multi-family development with a requirement for affordable housing. Furthermore, regulations would permit support retail facilities that primarily cater to the residents, employees or commuters using this facility. Perhaps most importantly, the regulation authorizes the Town Plan and Zoning Commission to review a conceptual site plan upon application for rezoning, to ensure that it promotes a pedestrian oriented, high density environment, in full accordance with specified smart growth principles.

It is important for Connecticut communities to continue to shift their thinking from the twentieth-century growth policies to those which plan for and anticipate future trends which will improve the community and enhance the economic growth of the State. These strategies need

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Smart Growth in Orange, cont'd

to adjust the traditional thinking about land use and zoning, and seek to create incentives for public private partnerships in the investment of infrastructure need to continue to promote our economic growth and development. Many of our urban communities have made these changes, but the challenge is for our growing suburban and rural towns. The Town of Orange, through the approval of this plan, has demonstrated one potential approach for the growing suburban communities to address the next generation of economic and housing growth. As the Chairman of the Commission, Walter Clark, stated; "This action enables the Town of Orange to plan for innovative development, to meet the needs of the twenty-first century, while preserving the ability of the Commission to fully evaluate development proposals. It represents an exciting step in planning for the Town." ■

Brian Miller can be reached at (203) 271-2458 or bmiller@turnermillergroup.com.

21st Century Zoning, cont'd

ahead and is working with a consultant to draft the zoning amendments for new zones for Route 44.

There are numerous examples of cutting edge techniques in use in Connecticut; the language of hybrid zoning is growing and evolving in real-time. Our state may not be as daredevil in our zoning as places like Oregon and California or even Maryland, but we are collectively building off their experiences in a way that moves our land use management processes towards creating the quality of places we want to live. The decisions about what new techniques to blend in with the old standards can be successfully made if the foundations and the larger context for them are clearly laid out. A transect philosophy and approach that focuses on character and quality of life is one good option for where to start. An optimist would say that Twenty-first century zoning absolutely can work well in Connecticut if it is truly tailored through a deliberate planning process, to each community's unique qualities. ■

A transect philosophy and approach that focuses on character and quality of life is one good option for where to start.

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Current Position: Recently Retired
Currently living in: South Windsor, CT

Marcia was interviewed by [Christopher J. Smith](#) on May 25, 2011.

The piercing back up truck horn, followed by the sound of metal contacting metal, caught my attention. I placed my iced tea on the outdoor seating table, got up, and walked around to the corner of the restaurant building. I was concerned that my car may have been an unwilling participant in what sounded like a soon to be unreported parking lot “fender bender.”



A rather large RV was just pulling away from a dumpster that it had bumped into, and was attempting to maneuver into a parking space normally reserved for delivery vehicles. More importantly, I saw that my car was untouched about five spaces away. After multiple back and forth gyrations, the RV came to a stop within the general vicinity of the designated parking space. I was facing the driver’s door. The RV was unusual. It had dark tinted windows, paintwork that can be best described as “tie dye” for those of us old enough to remember what that constitutes, and “Ken Kesey Lives” scrawled across the rear side panel. There was a fresh sticker on the rear bumper that proclaimed: “Prescott, Arizona — Best Active Adult Community in the USA!” After a minute or so and with much effort, the driver’s door opened and produced the individual that I was scheduled to meet for lunch, Marcia Banach.

Marcia hopped down from the RV (it was a good four-foot drop), and apologized for being late. She explained that last evening she had returned from an “almost across-the-country” trip with her sister, Pam. Marcia was sporting rather worn jeans, a multi-colored shirt and what appeared to be new cowperson (politically correct I was advised) boots. I also noticed an elaborate necklace with rather impressive earrings — no doubt some of Marcia’s new jewelry line creations.

“Do you want a quick tour of my new rig?” Marcia asked. “You bet,” I said.

As we walked around to the other side of the RV, I noticed a number of small indentations in the RV’s panels. Marcia explained that those were from hail that pelted the RV during a tornado that they narrowly missed in Missouri. There was what appeared to be scorch marks along the bottom of the side window. “Oh, that’s from when we drove through a wild fire along Route 40 in the Texas Panhandle,” said Marcia.



Water stains appeared on the steps for the side door. Marcia noted that the stains are attributed to the one to two foot flood waters from the Yazoo River that they were forced to drive through because the River’s waters had backed up from the high water in the downstream Mississippi. Finally, as Marcia opened the side door, raspberry-colored sand fell onto the top step from behind the door’s hinges. “Dust storms in northern New Mexico,” indicated Marcia.

“Must have been quite a trip,” I noted as we stepped up into the interior. Marcia explained that there was a rash of severe weather that she and her sister encountered as they drove along the “southern route” (Route 40) out to Prescott, Arizona, for a jewelry show in their newly purchased RV. “We didn’t listen to the radio or read the newspapers much. I suppose that’s something that we may do differently on our next trip.” “Might be a good idea,” I responded as I shook the well-travelled sand from my loafers.

The inside of the RV was spacious, neat and more than large enough for Marcia and her sister. I saw a number of boxes filled with rocks. I smiled to myself thinking that my friend, an amateur geologist (and one by education), would never pass up the opportunity to collect specimens from the unique hills and country found out West. I nodded to the boxes and inquired as to whether Marcia had found any material for new jewelry pieces. “Maybe one or two,” she said with a grin. I looked at the numerous interstate maps stacked on a counter, and noted to Marcia that she had traded in her site plan drawings for road maps. She smiled and said that after serving as a professional planner for almost 30 years, first as a regional planner in Biloxi, Mississippi, and then at Connecticut’s Northeast CROG, and then as a municipal planner for Plainville and, for the past 20 years, South Windsor, taking early retirement to travel

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Planner Profile cont'd

and devote more time to her jewelry business was an excellent decision. Although she missed the daily bustle of the South Windsor Planning Department, Marcia was excited with the numerous opportunities that her decision afforded. Marcia's sister, Pam, had recently opted for early retirement from her previous career, and had joined Marcia for their "new life adventures."

After the RV tour was completed, we went into the restaurant for lunch. We sat at an outside table facing one of Marcia's proudest accomplishments: assisting in bringing one of the state's first outdoor lifestyle communities, Evergreen Walk, to South Windsor. As Marcia has frequently stated, to be a good planner, one has to take pride in their community. "You have to listen carefully to your commission, understand its and the town's planning goals, and be proactive in promoting and achieving those goals. Sometimes, as a planner, you have to become involved in an active effort to incentivize a new use, such as Evergreen Walk or, more recently, Connecticut Studios, to relocate and invest in your community for the purpose of creating jobs, tax revenue and economic development. This is not something that a planner, especially a young planner, should shy away from. However, at the same time, you have to ensure that the proposal is consistent with the long range planning vision of your commission, which, after all, represents the community," Marcia said to me over coffee after we finished eating our lunches. Connecticut Studios is a California-based movie picture production studio that, to take advantage of certain Connecticut tax incentives, is scheduled to open a state-of-the-art movie studio in South Windsor in the near future.

The purpose of our meeting that afternoon was to discuss Marcia's thoughts on the planning profession, and, in particular, what advice Marcia could offer to new, and more senior as opposed to "old," planners.

"Watch and listen. Try to keep focused on the facts and the issues," Marcia said to me at least three times during our lunch. Marcia explained that a planner is a professional who has to be objective. A planner cannot "take sides." "You must be opened-minded and never

predetermine a proposal. However, you should be honest in your advice and willing to share it with your commission, a developer or a citizen." Marcia paused and then said, "'Collaborative.' You have to be 'collaborative' with everyone involved in the planning process. Not one person has all of the correct answers. If possible, create dialogue. Foster it. Don't be afraid to present ideas. You're the town's planner. Make suggestions and let your ideas percolate."

Marcia reminded me that one of the responsibilities of a planner is to educate your commission. This applies not only to procedure and process, but to the larger planning issues such as where a town prefers to have certain development within its community's boundaries. "Don't leave it to an applicant to educate your commission. You should do it. That's part of your job." Marcia commented that a planner should constantly review their commission's regulations to ensure that the regulations are not only up to date, but provide a clear and objective set of standards consistent with the commission's planning goals.

As to politics with a small "p," Marcia said, "You have to deal with it. The issue is not how you can change your commission's, or your town's, politics, but how you can handle your community's political landscape. It's not always going to be easy. It takes time. Don't look for trouble, but don't run away from the challenge to keep planning above local politics."

From a practical standpoint, Marcia suggests that planners network with their surrounding towns. "Most problems are not new. Find out how other towns have handled them," said Marcia. Marcia cited Robert Phillips, Ellington's Town Planner, as an excellent example of a younger planner who is in frequent contact with his neighboring planners, and not shy to ask for advice. Marcia chuckles, "I've probably learned more from Rob than he's learned from me."

Over the years, Marcia has found it extremely helpful to meet with the chair of her planning and zoning commission prior to every meeting. She'll review the agenda, provide background and suggest possible issues that may arise during the meeting.

In addition, Marcia encourages an applicant to utilize a preapplication review process, if available. Also, she believes that it's important to promote dialogue with, in particular, an applicant. This fosters trust which Marcia recognizes an important component for a healthy planning process. "There is nothing wrong with picking up the phone and calling an applicant or one of their consultants to clarify a matter," said Marcia. Again, "don't be afraid to be proactive."

In conclusion, Marcia commented that a planner must continually educate herself. Marcia is AICP certified and finds value in the APA's, and especially the

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Marcia at Petrified Forest National Monument in Arizona.

The effort by development interests to promote an agenda of statutory revisions, ostensibly in the name of encouraging economic growth but without meaningful public and stakeholder involvement, emphasizes the need for CCAPA to renew its efforts to contribute objective, professional guidance to the legislature consistent with the principles that we are committed to as professional planners.

2011 Legislative Session Wrapup: Poorly Planned, Predictably Reactionary

by Christopher S. Wood, AICP • Chair, CCAPA Government Relations



For the first time in several years, the legislature, particularly the Planning and Development Committee, did not attempt to redefine smart growth, leaving the current statutory maze of planning guidelines to be sorted out in the future. Instead, the new leadership of Planning and Development took on the perception of economic restrictions caused by land use regulations administration, procedures, and standards in the statutes.

I expect there is no group more cognizant than professional planners of the inherent challenges of balancing development, conservation, public access, regulatory transparency, and political reality in the administration of land use regulations. Therefore it was disappointing that the P&D Committee so enthusiastically accepted proposed legislation that would have consequentially altered the regulatory landscape with very limited consultation of the diverse stakeholders and interests, and available expertise, including planners and land use attorneys.

The effort by development interests to promote an agenda of statutory revisions, ostensibly in the name of encouraging economic growth but without meaningful public and stakeholder involvement, emphasizes the need for CCAPA to renew its efforts to contribute objective, professional guidance to the legislature consistent with the principles that we are committed to as professional planners.

Therefore, the CCAPA Executive Board has agreed to initiate a planning project to develop chapter recommendations for possible improvements and enhancements of statutory land use planning and regulation requirements. A workgroup will survey members for opinions, ideas, and priorities; conduct focus sessions; seek collaboration with other inter-

ests and stakeholders; identify and analyze statutory alternatives; and develop specific legislative proposals as determined appropriate. We look forward to input from chapter members, so watch for further information soon.

As to results, only a few of the legislative proposals CCAPA followed over the past legislative session were adopted, and most of them have yet to be signed by the Governor as of this writing. However, bills of interest to planners, and their status, are described briefly below.

We will post an updated report on the CCAPA website, along with links to important new laws and to unsuccessful bills that may be of interest.

Many thanks to Government Relations Committee members for their input and guidance and to all Chapter members who provided comments and contacted lawmakers directly. I also want to acknowledge the help and expertise provided to CCAPA by the Connecticut Conference of Municipalities, especially Ron Thomas who kept us alerted to developments and sought our input and represented our positions. We also benefitted greatly from the professional support provided by our consultants, The Capital Group.



Bill Summaries

■ Administrative Bills

• **PA 11-05 Time extensions:** Provides that new site plan, subdivision and wetlands approvals and approvals that have not expired as of May 9, 2011, are valid for a period of nine years (up from six) and may be entitled to additional extensions of up to five years, for a total permit life of fourteen years. To be eligible for extension, the permit must not have expired before May 9, 2011 and the permit

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holder must apply to the permitting agency prior to expiration. Signed by Governor.

- **PA 11-89 Zone change notice:** amends 8-3b to allow email notice to RPA for zone change proposal. Signed by Governor.

- **HB 6339 Internet notices:** Bill to allow Internet notice in lieu of legal notices did not pass. Apparently the buggy whip lobby...I mean the newspaper lobby...was successful again in delaying Connecticut's move into the digital information age.

- **SB 869 Inland wetlands time period:** Would have provided that a permit to conduct a regulated activity must be valid for at least three years. Did not pass.

- **SB 862 ZEO Treble damages:** The simple deletion of the word "treble" which has been proposed for the past five year or so was sidelined by Senate amendments that CCM considered unfunded mandates (addition of lawyers' fees to applicable damages and requiring indemnification by towns of municipal officials including ZEOs). CCM opposed the amended bill on those grounds and it failed to clear the House.

■ Regionalization Bills

- **PA 11-99 Facilitate interlocal agreements:** Allows "joint performance of any function..." and simplifies the process and removes limiting definitions of eligible functions; apparently no additional fiscal incentives. Another bill (6108) would have authorized incentive payments to municipalities for interlocal agreements, but unless it resurfaces in an implementer bill, the idea did not succeed. Signed by Governor.

- **PA 11-123 STEAP Grants:** allows groups of municipalities to apply jointly for STEAP grants. Signed by Governor.

- **HB 5782 Hotel Tax:** Did not pass in original form which, as amended after the public hearing,

would have required re-designation of planning region boundaries to coincide with economic development districts. This was opposed, apparently successfully, by CCAPA and several regional agencies. I suspect the primary intent of the bill, including an increase in the hotel tax and allocation of a portion to the municipality directly, may be buried in one of the budget implementer bills.

■ State Zoning Bills

- **PA 11-245 Siting Council Wind Project Regulations:** requires adoption of standards for wind generators. Signed by Governor.

- **HB 6250 Siting Council Wireless Communications Facility Jurisdiction:** enhances municipal role and required considerations in wireless communications facilities siting. Passed, vetoed by Governor (no override).

- **PA 11-184 Fire Hydrants:** Amends 22a-40 to permit water withdrawal for fire emergency by right; defines dry hydrants as a non-regulated use. Signed by Governor.

- **PA 11-188 Agriculture:** Amends CGS Section 8-2 to use the current statutory definition of agriculture in Section 1-1(q): "Zoning regulations shall be made with reasonable consideration for their impact on agriculture, as defined in subsection (q) of section 1-1." Also authorizes creation of local agricultural councils, locally or regionally. Signed by Governor.

- **SB 830 Wood burning furnaces:** Bill to prohibit use of WBF failed in the House after a lot of work.

- **SB 415 Hookah Lounges:** For all hookah aficionados, a bill to define and prohibit new or expanded hookah lounges did not succeed. As far as I can tell, no equivalent restrictions were considered for cigar shops, and marijuana was decriminalized. Go figure.

■ Land Use Regulation Bills

- **PA 11-79 Site plan and subdivision bonding:** Will apparently require acceptance of surety bonds and limit maintenance bonds to the time period prior to acceptance of the public improvement. Based on informal consultation with land use attorneys, if the object of this bill is to increase regulatory predictability and expedite bonding procedures, there is a good chance it will backfire. Working with CCM, CCAPA was able to get the original, more onerous, bill amended, although the final bill is still problematic. Signed by Governor.

- **SB 896 Site plans and subdivisions:** Would require designation of an "official" to approve site plans and subdivisions, instead of commission approval and would prohibit public hearings on subdivisions. Despite valid arguments for some streamlining, this bill was not crafted by knowledgeable land use or legal experts — citing for example "planning regulations" which are nowhere defined in statute — and would have created considerable confusion and regulatory uncertainty. Working closely with the Connecticut Conference of Municipalities and our legislative consultants The Capital Group, we were able to stop this reactionary bill in the Appropriations Committee.

- **SB 1030 Appeal of land use decisions:** Mis-titled "Appeal of a Decision of a Zoning Board of Appeals," this bill would have required the court to assess damages if the court finds than an appeal of any decision by a zoning or planning commission or zoning board of appeals was taken without just cause and was taken solely for the purpose of delay. If the goal is to expedite development approvals, requiring courts to determine "just cause" and "purpose of delay" does not sound helpful. Did not pass.

Planner Profile cont'd

Connecticut Chapter's, educational programs. Marcia served on the Executive Committee and now Executive Board of CCAPA for over 15 years and, just before her "early retirement," had been elected as President of CCAPA. (With her retirement, Marcia determined that it wouldn't be fair to CCAPA to remain President-elect while she travelled and promoted her jewelry business. Therefore, she voluntarily turned the position over to the Chapter's new President, Jason Vincent.) Marcia smiled and told me that relative to maintaining your CM credits, APA won't let you achieve "retiree" status until you're 65 years old. Marcia has many years before that. "I guess that you'll still see me at upcoming CCAPA programs...so long as I'm not ducking a Missouri tornado, or have relocated to one of my favorite places, Cold Creek Canyon just north of Sedona."

I didn't respond. Although...I've been through Cold Creek Canyon a number of times, and thought that it would be nice to have someone like Marcia to visit there, so long as she'll let me listen to the local weather forecast to confirm the absence of tornados, wild fires, floods or sandstorms, before we embark upon a ride in her RV. ■

President's Message, cont'd


Our long-term goal is to give our membership more access to information and chapter policies. We are slowly introducing the use of collaborative word-processing and calendar management tools (Google Documents) to develop policy documents. Hopefully we can extend that to position papers and other chapter issues in the future. In addition, we are working to expand our institutional knowledge, by increasing committee membership (many committees are committees of one person). There is a role for you if you so desire.

Programs

As mentioned earlier, CCAPA has been working diligently to develop programs with allied professionals. We have also worked with other Chapters around the country to develop and provide webinar programs. I hope you have a chance to participate in one of these programs. If you are an AICP member, you will find that there are enough programs available to meet your CM requirements.

This is not by chance. Our Program Committee and Professional Development Officer devote a significant amount of time and energy to this task. They do an excellent job. They also work hard to get information into your hands, so you can plan to attend programs. For that, I want to thank Heidi Samokar. Yes, fair enough, her cubical is next to mine, but I know how much time and energy she puts into the Chapter and feel others need to have that same awareness. Thanks!

Well, that's all the words I have been given...Have a great summer! ■

— Jason A. Vincent, AICP 

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