

SUBJECT TO APPROVAL

**MADISON PLANNING AND ZONING COMMISSION
PLANNING MEETING MINUTES
June 2, 2016**

The regular planning meeting of the Madison Planning and Zoning Commission was conducted Thursday, June 2, 2016, at 7 p.m., in Meeting Rooms A and B at Madison Town Campus.

MEMBERS PRESENT

Chairman Ronald Clark, Vice Chairman Francine Larson, Secretary Christopher Traugh, James Matteson, Thomas Burland, John K. Mathers, Joel Miller, and Joseph Bunovsky, Jr.

MEMBERS ABSENT

Amanda Kaplan

ALTERNATES PRESENT

Elliott Hitchcock and Brian Richardson

OTHERS PRESENT

Director of Planning and Economic Development David Anderson; Zoning Enforcement Officer John De Laura; Selectman Bruce Wilson

Chairman Ronald Clark called the planning meeting of the Madison Planning and Zoning Commission to order at approximately 7:05 p.m.

Planning Subcommittee Breakout Work Sessions:

1. Planning Subcommittee A (Room A) – Review Scope of Work for Housing Diversity & Affordability Study.
2. Planning Subcommittee B (Room B) – Discussion with Zoning Enforcement Officer regarding sign regulations.

Planning Subcommittee A—Review Scope of Work for Housing Diversity & Affordability Study. Commissioners Thomas Burland, Joel Miller, James Matteson, Joseph Bunovsky. Commissioners examined Madison Planning and Zoning Regulations relating to accessory apartments, the affordable housing district, and the housing opportunity district. Director of Planning and Economic Development David Anderson is looking at areas in town, possibly consisting of four acres and above, which would be suitable for affordable housing; his goal is to provide housing for young people starting out and for older folks to downsize into homes with smaller footprints. Town planners have a good concept in mind, but a little analysis needs to be completed; something has to be done to attract developers, according to Mr. Anderson. Homes with a smaller footprint are affordable by the fact that the square footage is limited, according to Commissioner Matteson. There are ranges for unit sizes that could provide developers with some relief, according to Commissioner Miller. It is desirable to provide opportunities for below market rates in Madison, according to Mr. Anderson. Current regulations are structured with deed restrictions, wherein an affordable housing deed continues forever, thus preventing homeowners wishing to sell to not realize any financial gains, despite property improvements or

rising property tax assessments. This contrasts with the state requirement, which sets the deed limit at 30 years. Rather than keeping the regulations with the forever deed restriction, town planning and zoning regulations could be changed so a property resident for a certain number of years could sell the housing at market price, according to Mr. Anderson. Commissioners discussed the floating zone concept for affordable housing, but a floating zone, through a site-specific special exception, is spot zoning, and not allowed. Regarding accessory apartments, there's a couple of options commissioners might want to make, such as not requiring they be only 800 square feet, but that they be increased to 1,200 square feet, according to Commissioner Matteson.

Planning Subcommittee B—Discussion with Zoning Enforcement Officer regarding sign regulations. Chairman Ronald Clark, Vice Chairman Francine Larson, Secretary Christopher Traugh, Commissioners John K. Mathers, Brian Richardson, and Elliott Hitchcock.

Zoning Enforcement Officer John De Laura stated it is the Planning and Zoning Commission's role to create the regulations, which are laws that restrict and govern, and his role, as zoning enforcement officer, is to enforce those regulations. He stated he could give the commissioners insight as to what he sees as problem areas in the current sign regulations, which have not been revised in about 21 years. Definitions need to be created, particularly in the area of portable and temporary signs, which includes A-frames and sandwich boards, with the distinction being made that sandwich board signs are worn. An area of concern to Mr. De Laura are the lit "open" signs; he stated he has gone out and photographed 73 small "open" signs that are lit, and they can be found in many of the package stores; they're pretty consistent and they've popped up all over the place. They are not allowed in current regulations, unless the Planning and Zoning Commission approves them as special exceptions. String lights, festoon lighting, are also not allowed, but commissioners need to decide whether to allow them, since in outdoor restaurant settings, they bring ambience; also not allowed are streamers and pennants, but some flags are allowed, according to Mr. De Laura. Creating regulations, which are more staff friendly, would allow them to be enforced more efficiently and more favorably toward small businesses, according to Mr. De Laura. Secretary Traugh stated that some kind of latitude could be built into the sign regulations, especially for new businesses. Planning and zoning commissioners could create regulations for signs in each district in Madison, determining sizes that would be allowed, locations, and the durations; but case law has stated that content is not an area that can be regulated, according to Mr. De Laura. Current regulations regarding temporary or contractors' and renovators' signs create problems, because regulations state they must be removed within five days after the work is completed, according to Mr. De Laura. Both Chairman Clark and Vice Chairman Larson proposed not allowing them at all, but Secretary Traugh raised the issue that a variety of contractors working on a parcel might need the signs to remain during work, as direction for subsequent contractors or material delivery. Mr. De Laura provided the commissioners with a copy of Monroe's sign regulations, as something to consider in revising Madison's.

Secretary Traugh stated that creating definitions should take place before regulations are changed; once the definitions are created, it will be easier to make regulations. Durational, for instance, is a word that needs to be included and defined, since that word could incorporate election-year signs, but temporary and portable also need definitions. Mr. De Laura stated that a portable sign is an A-frame sign and a temporary sign would be a grand opening sign. Mr. De Laura stated that Sections 10.4 (1) and 10.4 (2), regarding sign sizes for a variety of zones, are current regulations which are not clear, though Commissioner Mathers stated that those

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sections do regulate the fact that if a business has a free standing sign that takes up 5 percent of the space, then that business cannot have a sign on its building, because it already met the 5 percent distinction. Other areas of concern are window signs and displays, determining when a display is a sign and not a display, or when a window sign is a display, and not a sign; real estate agencies, for instance, use pictures of houses in their windows. Those photos could be considered displays of merchandise, since the real estate merchandise consists of housing. Vice Chairman Larson favored some of the definitions currently in the regulations regarding signs, because they are specific; she suggested keeping some of the wording of the current sign definition. Commissioners asked Mr. De Laura to provide more examples from other towns that might be favorable to Madison, such as Nantucket or Essex; they also asked him to provide a variety of definitions they could consider.

Brief report from Subcommittee Breakout Work Sessions.

Affordable Housing ~ Commissioners Miller and Matteson summarized the committee's work (see above).

Signs ~ Vice Chairman Larson summarized the committee's discussions. Mr. Anderson proposed that the commission begin to think about making the sign regulations an area that could be handled in-house and administratively by town officials, rather than having property owners go through a month-long process of having signs approved by ACCA, for instance. He asked them to determine the process for sign approval. If commissioners are concerned that signs could be proposed that, content-wise, are offensive, Mr. Anderson stated that the regulations could specify that the zoning officer can approve signs at his or her discretion. Once the process is narrowed down for approving signs, creating the regulations will be easier, Mr. Anderson stated.

Remarks: SCROG Regional Planning Agency (Chris Traugh, P&Z Rep.) ~ No report.
Commission Chair ~ No report.
Town Planner ~ No report.
Other Comments ~ None.

Adjournment

Vice Chairman Larson made the motion to adjourn at 8:50 p.m.; it was seconded by Commissioner Burland and unanimously approved.

Vote to adjourn passed, 10-0-0.

IN FAVOR: Chairman Clark, Vice Chairman Larson, Secretary Traugh, and Commissioners Burland, Hitchcock, Richardson, Bunovsky, Mathers, Miller, and Matteson.

OPPOSED: None.

ABSTAINED: None.

Respectfully submitted,
Marlene H. Kennedy, clerk