

Board of Selectmen
Monday, March 27, 2023 at 7:00 p.m.
Town Campus, Room A and Remote via Zoom
Meeting Minutes

7:00 p.m. Regular Session

First Selectwoman Lyons called the Regular Session of the Board of Selectmen of Monday, March 27, 2023 to order. Selectman Bruce Wilson, Selectman Scott Murphy, Selectman Al Goldberg, and Selectwoman Jennifer Gordon also present.

Others present: Sam DeBurra (Fire Marshall, Dir. of Emergency Services), Stacy Nobitz (Finance Director), Erin Mannix (Town Planner), John Iennaco (Town Engineer), Maria Pettola (Land Use Technician), Rob Russo (Dep. Dir. Public Works), Vin Garofalo (Building Official), Carol Snow (Chair of P&Z)

1. Pledge of Allegiance.

First Selectwoman Lyons led with the pledge of allegiance.

2. First Selectwoman's Updates.

The Board of Finance has approved a recommended Town and School budget for FY 23-24. The public hearing is scheduled for April 18th at 7 p.m. and the budget referendum is scheduled for May 16th. A town-wide survey on the prohibition of cannabis establishments in Madison is available online; paper versions are at the library and Senior Center. A public hearing on the proposed ban will be held on April 24, 2023 at 6:30 p.m. at Town Campus and via Zoom. A copy of the Cannabis ordinance is available online. The Town is moving forward with the Plan of Conservation & Development and its Strategic Plan; members of the community will have opportunities to participate in this process and provide feedback. Finally, the Town is launching a new web-based program for submitting meeting agendas and minutes. The Town has more than 100 volunteers serving on boards and commissions and they, along with staff, will be undergoing training over the next few weeks. This program will assist with FOIA and ADA compliance.

3. Liaison Reports/Selectmen Comments.

Selectwoman Gordon attended the second Affordable Housing Committee meeting and reports that the members are very motivated to get started with their Charge.

Selectman Goldberg reports that the Academy Advisory committee will publish their findings on the programming and design elements proposed by the community that were collected in a public survey and community focus groups.

4. Citizen comments.

None.

5. Consent Agenda:

- a. Minutes of 3-9-23 Special Meeting and 3-14-23 Regular Meeting
- b. Tax Abatements/Refunds
- c. Hiring of Michelle Nazario to the Administrative Assistant position in the Land Use office, 35.5 hrs./wk., \$25.15/hr., Salary Grade 4; budgeted; pending successful completion of drug test and background check.

MOTION by Selectman Murphy seconded by Selectman Wilson

Vote: this motion passes unanimously.

6. Discuss and take action to declare the month of April, 2023 Child Abuse Prevention Month in Madison, CT and endorse the Madison Exchange Club's 'Wish Upon A Pinwheel' initiative.

MOTION by Selectman Wilson seconded by Selectman Murphy

Vote: this motion passes unanimously.

Members of the Madison Exchange Club explain the importance of this campaign, highlight their support of Kid Safe in Rockville, the Bristol Child Abuse Prevention Center, and encourage the community to check out the banner and pinwheel display on the Town Green. The Exchange Club will also distribute pinwheels at the Surf Club's Easter Egg hunt. They thank the board for the Proclamation.

7. Update from the Planning & Zoning Commission.

Carol Snow and Erin Mannix present information on the process and progress of updating the Plan of Conservation and Development (PoCD); the State mandates this document be reviewed every ten (10) years. This advisory document is the master plan for P&Z whose decisions need to be supported by the PoCD. P&Z is in process of reaching out to stakeholders and scheduling community forums for public input. Looking to finish the project by 11/2023. Carol Snow emphasizes the importance of the PoCD being user friendly (easily searchable) and clearly prioritizing the PoCD's tasks and plans as well as who is responsible for implementing them.

An overview of P&Z actions and initiatives in past six months including special exception applications, site plan applications, subdivisions, and map amendment applications was given. There were also petitions for text amendments to the P&Z regulations.

Erin Mannix reviews what a Planned Development District (PDD) is. PDDs have been part of the P&Z regulations since 2019. A PDD is a "floating zone" that an applicant requests be placed over a property or properties which supersedes the underlying zoning regulations – similar to the housing opportunity district and affordable housing district in the regulations that are also "floating zones". Erin Mannix reviews the eligibility criteria for PDDs, how a PDD is established, and the considerations given by P&Z in approving a PDD.

First Selectwoman Lyons wishes to highlight the complexity of zoning regulations and their technical and legal components and further notes that PDD arose from the PoCD. Erin Mannix points out that PDD are permissible under the CT General Statutes.

Selectman Murphy asks about public engagement in P&Z meetings and any "pushback" from constituency about PDD. First Selectwoman Lyons notes that P&Z has regulatory requirements that it must, and is, adhering to, but agrees that some decisions can have an affect beyond the abutters, so getting information out to the community is a good thing. She suggests using the Town's communication tools to get messaging out.

8. Discuss proposed draft Flood Plain Ordinance.

The Town Attorney was not available to comment on the draft ordinance. Selectmen Goldberg, Murphy and Wilson support moving the document forward to public hearing, but board agrees there is still language that needs to be cleaned up. Should the Town move forward with this ordinance, First Selectwoman Lyons would like to see language included that the board would commit to reviewing the ordinance every two years. First Selectwoman Lyons will have the Town attorney clean up the draft and have Town employees review it again before the April 4, 2023 Board of Selectmen meeting when the board will take this item up again.

9. Discuss and take action to add to the charge of the previously called Public Hearing in Town Campus Room A and on Zoom on Monday, April 24, 2023 at 6:30 p.m. for the additional purpose of:

b. Review draft Flood Plain Ordinance.

This item is TABLED until the Tuesday, April 4, 2023 Board of Selectmen meeting.

10. Discuss and take action to approve, pursuant to Connecticut General Statutes Section 8-24, a Referral to the Planning and Zoning Commission to review:

- a. the acquisition of 700 square feet of Essex Savings Bank property located on 99 Durham Road for the construction of the Woodland Road, Bradley Road, and Durham Road (State Route 79) Sidewalk Project; and,
- b. the acquisition of 336 square feet of 25 Durham Road Associates, LLC property located on 25 Durham Road for the construction of the Woodland Road, Bradley Road, and Durham Road (State Route 79) Sidewalk Project.

MOTION by Selectman Murphy seconded by Selectman Goldberg

This relates to the sidewalk project in Town. John Iennaco reports that any time there is a change to the public way, P&Z review and approval is needed. In this instance the commercial property owners are giving slivers of land to the Town to increase the road right of way so the sidewalk doesn't encroach onto their lots; this is what the property owners want.

Vote: this motion passes unanimously.

11. Discuss and take action to amend a previously approved special appropriation to \$24,031 for four (4) Radar Speed Signs for the Madison Police Department.

MOTION by Selectman Goldberg seconded by Selectman Wilson

The Board of Selectmen had previously approved six (6) Radar Speed Signs. The Board of Finance as part of their budgeting process and in consultation with the police department, reduced the number to four (4). The board will explore other options for funding the remaining two radar speed signs.

Vote: this motion passes unanimously.

12. Discuss and take action to approve a special appropriation of \$1,000,000 into the Firemen's Pension Benefit Fund, pending Town Meeting approval.

MOTION by Selectman Murphy seconded by Selectman Wilson

This appropriation will help fund the changes made to the Firemen's Pension Benefit Fund. Finance Director Stacy Nobitz addresses the board and explains how this special appropriation positively impacts future budgets.

Vote: this motion passes unanimously.

13. Discuss and take action to approve calling a Special Town Meeting in Town Campus Room A on May 22, 2023 at 6:30 p.m. for the following purposes:

- a. approving a special appropriation of \$1,000,000 into the Firemen's Pension Benefit Fund from the undesignated fund balance.
- b. approving a special appropriation of \$3,500,000 to the Capital Improvement Program – CNRE from the undesignated fund balance.

MOTION by Selectman Murphy seconded by Selectwoman Gordon

Vote: this motion passes unanimously.

14. Discuss Strategic Plan process.

The board addresses how the public and other Town boards and commissions will be engaged in the strategic planning process. The consultant recommends two groups. The first is staff driven and will be a working group that meets with the consultant and keeps the project moving forward. The second is a broader group and will be known as the Strategic Planning Advisory Committee; it would meet monthly with the consultant to provide community feedback and endorse the strategic plan promulgated by the working group. First Selectwoman Lyons will put forward a Charge to the Board.

Selectman Wilson agrees that the working group should be staff driven and expresses concern over how the Board can be assured the proposed advisory groups composition represents a diversity of viewpoints. He suggests a Tri-board composed of members from the BOE, BOF, and BOS who represent their respective constituents, and would have access to staff liaisons from the working board.

First Selectwoman Lyons prefers the advisory group and strategic plan process not be driven solely by elected officials and expresses the importance of having public members. Selectmen Murphy and Goldberg concur. The Charge First Selectwoman Lyons is drafting will propose membership modeled on past Town ad-hoc committee compositions. Selectwoman Gordon notes the importance of the advisory group members representing a diverse cross-section of Town. The consulting group will be presenting at the next Board of Selectmen meeting.

15. Citizen Comments.

None.

16. Adjournment.

There being no objection the meeting was adjourned at 8:48 p.m.

Respectfully submitted,
Jeanne Stevens

PLANNING & ZONING COMMISSION UPDATE

Madison Board of Selectmen
March 27, 2023



Commission Actions over the last 6 months

➤ **Special Exception applications:**

- **45 Wall Street-** modification of mixed use development to reduce residential units from 8 to 5-*approved w/conditions*
- **Salt Meadow Park-** modification to construct dog park-*approved w/conditions*
- **Polson Middle School-** modification to modify & rebuilt tennis courts-*approved w/conditions*
- **32 New Rd-** 8,600 sqft rear addition to Welding Works light industrial use-*approved w/conditions*
- **885 Boston Post Rd-** former Elizabeth's café- demolish existing building and construct 5,900 sqft mixed use building for restaurant & 2 residential units-*approved w/conditions*



➤ **Site Plan applications:**

- **35 Cottage Rd-** Per CGS §8-30g- 18 unit affordable housing development-
approved w/conditions
- **908-910 Boston Post Rd- General's Residence-**modification to change
building facades and site landscaping (patios)-*approved w/conditions*
- **250 Sampson Rock Dr- Bank of America-**modification to existing site
lighting-*approved w/conditions*

➤ **Subdivisions:**

- **9 Neck Road-** former Watrous Nursing Home- 3 lot subdivision-
approved w/conditions
- **Stone Road-** lot line revision-*approved*



➤ **Referrals under CGS §8-24:**

- Transfer of 9 acres from Mungertown Rd & Green Hill Road to MLCT for open space-*favorable recommendation*

➤ **Map amendment applications:**

- New Road- PDD Master Plan approval for 30,000 sqft medical office building-*approved*
- 155 New Road- PDD Master Plan approval for 45 dwelling units-*approved*

➤ **Accessory Apartments per PA 21-29:**

- The Commission affirmatively opted out of the accessory apartment requirements under PA 21-29. This action was ratified by the Board of Selectmen.



➤ Petitions for Text Amendments:

- Extension of temporary moratorium on Recreational Cannabis Establishments until July 1, 2023-*approved*
- Lulaj-Planned Development District, Section 32 Text amendment-*denied*
- Lulaj-Planned Development District, Section 32 Text Amendment-*approved*
- Klein- Amend Special Exception regulations, Section 4.1.35-*approved*



What is a Planned Development District (PDD)?

- ▶ Established in 2019, Section 32 of Zoning Regulations
- ▶ Floating Zone
- ▶ Intended to:
 - ▶ Provide an alternative to subdivisions
 - ▶ Diversify Town's housing portfolio
 - ▶ Encourage open space
 - ▶ Encourage economic development
 - ▶ Allows residential, commercial, or mixed use in comprehensively planned setting



Eligibility Criteria:

- ▶ Minimum district size: 2 acres (parcel or combination of parcels including contiguous lots and lots across a road).
- ▶ If within the “Coastal Zone” proposed PDD’s must be found consistent with Madison’s Municipal Coastal Program and shall be subject to minimum setbacks set forth in Section 2.17.
- ▶ The proposed PDD must have a minimum frontage of 200ft on a Town or State Road.
- ▶ Parcel Location: The Lot(s) eligible for a PDD shall be:
 - ▶ located in the following zoning districts: R, RU, and
 - ▶ must further be located within an area specifically designated as a future development opportunity in the 2013 POCD or a successor document; or
 - ▶ *must further be located within an area bounded to the west by the Commercial ‘C’ District or Transition ‘T’ District along the centerline of Mungertown Road; bounded to the north by the Transition ‘T’ District or Light Industrial ‘LI’ District; bounded to the east by the centerline of Stony Lane; and bounded to the south by the centerline of Boston Post Road. (amended February 2023)*
- ▶ Residential Density: To promote the diversification of housing types and opportunities in Madison, and to ensure the viability of this type of zoning district, a PDD may have 10 residential dwelling units per acre. For purposes of calculating Density as defined in Section 32.3.2.(e), the parcel area shall exclude wetlands and watercourses as defined by C.G.S. §22a-38 (Connecticut Inland Wetlands and Watercourses Act) and shall further exclude slopes in excess of thirty-three (33%) percent. Each dwelling unit shall have its own entry from the exterior of the building in which it is located. Each dwelling unit shall contain not more than three bedrooms and shall be served by a public water supply.



How is a PDD established?

- ▶ Approval of master plan, in accordance with Sections 29 and 32 of the regulations
- ▶ Such adoption shall constitute a zoning map amendment, subject to Sec. 17
- ▶ Once enacted, the PDD will supersede all pre-existing zoning on the specific property and any development on the rezoned property will be subject to the specific PDD requirements in Sec. 32



Considerations in approving a PDD:

- ▶ **The PDD requires sensitivity in design in order to achieve a development that will be complementary to adjacent land uses while advancing Madison's planning objectives.**
- ▶ The location, uses and layout of the proposed PDD are in conformance with the intent of, and the goals and objectives contained in, the Plan of Conservation and Development.
- ▶ Harmony and compatibility of the PDD with surrounding neighborhoods and land uses, including the incorporation of adequate buffers to protect abutting property values, minimization of traffic impacts on residential streets, to the extent practical, the establishment of traffic patterns which direct commercial traffic to major thoroughfares and away from residential areas and provide for adequate on-site parking, prevention of glare and noise from non-residential areas of the development negatively impacting adjoining residential properties and protection of groundwater resources where adjoining properties use onsite wells for potable water supplies.
- ▶ Protection of natural and historic resources including, but not limited to, inland and tidal wetlands and watercourses, coastal resources, groundwater resources, flood plains, ledge outcroppings, steep slopes, wildlife habitats, historic sites and landscapes, archaeological and/or scenic vistas.
 - ▶ Particular care must be made to limit the visibility of development from scenic and rural roads.
 - ▶ Efforts must be made to properly document key cultural, scenic, historical, archaeological and natural resources as part of the application process.
 - ▶ Preservation of a minimum of 15 percent of the site that is devoted to residential use as open space.



Review of 2013 Plan of Conservation and Development:

MADISON

2013 Plan of Conservation & Development



Planning and Zoning Commission

Effective November 9, 2013

Community Character And Quality Of Life

3

Overview

Most people who choose to live in Madison are attracted by the unique character and ambiance of the community and the quality of the land. There is a strong appreciation for what Madison has and its importance to community well-being. Preserving and enhancing the character and quality of life in Madison is a key focus of the Plan.

While the elements of community character and quality of life are personal to each resident of Madison, some of the common elements upon which to focus are:

- providing facilities to meet community needs;
- protecting scenic resources (including Long Island Sound);
- providing for open spaces and trails;
- retaining undeveloped land as long as possible;
- preserving historic resources; and
- promoting community spirit (including community events).

This Plan recommends the Town make every possible effort to retain and protect its character assets because these assets are important to residents.

Background

The 2000 Plan of Conservation and Development recommended that Madison establish a Conservation Commission to help identify and conserve important resources.

That Commission was established in 2006 and continues to work on a number of issues related to conserving important resources in Madison and educating the community about important conservation topics.

Winter At Mammoosecat



Constitution Park



Efforts to preserve community character in Madison must continue ...

- The 2023 Plan of Conservation and Development is intended to take the pulse of Madison's progress on the prior plan's objectives, while also establishing new goals, policies, and implementation strategies for the next decade in Madison and beyond.
- Reconsider design and layout by combining into one integrated document.
- Reevaluate 2013 themes and goals over the last decade.
- Reassess implementation tasks. In the 2013 POCD of 113 tasks listed, 13 were completed, 39 are in progress, 54 are incomplete, and 7 are of unknown status.

Proposed Madison 2023 POCD Update outline:

1. Introduction

- a. What is a PoCD and why Plan (include key terms)
- b. Statutory Basis and State Plan
- c. History of PoCD in Madison
- d. Background Demographics in Madison/Population Profile

[highlighted topics have been drafted]

2. Community Vision and Plan Goals

- a. Vision Statement
- b. Overarching Goals/Themes

3. Natural Environment: resources, recreation, management, protection, climate

- a. Vitality and Connectivity
- b. Resilience and Sustainability
- c. Opportunity and Growth
- d. Recommendations for Action

4. Built Environment: cultural resources, housing, business, community facilities, infrastructure

- a. Vitality and Connectivity
- b. Resilience and Sustainability
- c. Opportunity and Growth
- d. Recommendations for Action

5. Conclusion and Implementation Guidelines

What is a Plan of Conservation and Development?

A **Plan of Conservation and Development (POCD)** is an advisory document which provides the blueprint for the future of a municipality, prescribes its goals and guides its future action for the next ten years and beyond.

Goals – Broad and overarching ideas and visions for the Town. Goals can incorporate specific objectives and can span across sectors.

Policies – Adopted frameworks which are intended to guide decisions about the desired visions and goals. Policy formulation can coordinate the comprehensive planning efforts by exploring different courses of action to address a problem or achieve a goal.

Implementation Strategies – The process for transforming plans into actions and actions into desired outcomes. Implementation may involve specific prescribed steps and assign designated bodies for completion and monitoring.

Conservation is the preservation and protection of natural and cultural resources through planned management.

Development is the process of planned change and growth for the betterment of the community.

Community Vision & Plan Goals

Plan of Conservation & Development Mission Statement

To guide the conservation and development of Madison to maintain and enhance quality of life in a resilient and sustainable community

Plan of Conservation & Development Vision Statement

The Town of Madison Planning & Zoning Commission, in developing this update to the 2023 Plan of Conservation & Development (PoCD), is guided by an interest in protecting and enhancing the cultural, historic, recreational and natural resources of Madison and by the desire to promote activities and policies that will foster a more vital, connected, resilient, and sustainable community where opportunities for growth are available to all.

We envision a Madison that provides economic, educational, housing, cultural, recreational, and civic opportunities that establish a high and sustainable quality of life. We envision community growth that welcomes new residents, encourages broad participation, and safeguards the integrity of our natural and cultural resources through sustainable conservation. We envision civic and private investment that acknowledges and plans for a changing climate and the need for increased equity for current and future residents.

Growth in Madison will continue to have a strong focus on Madison Center as the economic and cultural heart of the community, while integrating thoughtful development into surrounding areas and throughout the Town. Development and redevelopment to strengthen connections among all areas balanced with conservation of natural and cultural resources are essential to the realization of this vision.

Core Themes of the 2023 Plan of Conservation & Development

Vitality and Connectivity:

A community's vitality is a subjective, intangible quality that is nevertheless perfectly clear to residents and visitors who experience it. Community engagement in public celebrations and events, a wide variety of civic, recreational, and commercial activities that attract participation from across the demographic and cultural spectrum, a thriving school system, economic activity, and an engaged government and business community all contribute to the vitality of a community.

Connectivity can describe both the physical and figurative bonds that knit together a community. The Town is connected physically through its system of roads, sidewalks, and trail systems. It is connected through the water, telephone, cable, and data infrastructure running underneath and above our streets. It is connected through the civic and educational institutions that formally engage with the residents and students of Madison. It is also connected, just as significantly, through less formal social networks (both on- and off-line) where cultural information is shared, distributed, and reinforced. They are the systems, physical, virtual, and cultural, that enable people to be “a part of” Madison.

Resilience and Sustainability:

Just as connectivity has both tangible and symbolic meaning, so too can resilience. In an organizational and structural sense, resilience refers to the reality that natural hazards such as storm intensity and frequency, drought, flooding and coastal inundation are all likely to be increasingly exacerbated by global climate changes. Land, property, and infrastructure that was relatively safe from storms ten years ago will likely be less so over the next ten. The Town must consider investments and land use decisions, planning for a reimagined worst-case scenario, and spend more resources in planning for recovery. This means not only decisions about where and how to build, but also the systems to escape, retreat, and recover when that is needed. More metaphorically, the community must strengthen its relationships and communication systems so the community can work together in preparing for and recovering from a wide variety of challenges.

Sustainability is often misused as a synonym for resilience, but it defines something well beyond simple preparedness for recovery. Sustainability is the ability of a community to provide for the needs of the current generation without sacrificing the ability of future generations to meet their own needs. It uses a “triple bottom line” of analysis to ensure a balance between necessary economic growth, social equity, and environmental stewardship. Decisions about municipal growth and investment should seek to satisfy each of the central considerations.

Opportunity and Growth:

Opportunity is about openness and continuity. Madison is a great community in which to live, work, shop, learn and play. It should strive to provide the chance for all of its residents, workers, and visitors to engage with these resources as freely as possible. Opportunity extends to the possibility of finding suitable and affordable housing, a quality education, a clean and safe environment in which to raise a family, a variety of good employment options, and a freedom of movement to interact with the community. Providing opportunities includes removal of structural and regulatory barriers, proactive investments in community assets, and protection of critical resources.

While we seek to preserve and protect Madison in a way that maintains the fundamental vitality of the town, some level of change over time is inevitable, and growth is essential. Though large-scale economic and market forces are largely out of the control of a small town, a community can both encourage and regulate growth in directions and at a rate that fit the capacity of the Town's resources. Being thoughtful about these processes can motivate appropriate growth.

Next steps:

- Reach out to Built Environment stakeholders for their feedback to a brief questionnaire and meet with them for further discussions
- Set up a designated website in the next month or so for up-to-date information, project timeline, and upcoming outreach efforts
- Continue to work on 2023 POCD draft
- Schedule public forums for community input
- Revise 2023 POCD draft based on feedback from stakeholders' and public input
- Present 2023 POCD draft to Board of Selectmen for feedback and further revisions
- Complete updated 2023 POCD project by November 2023