

Joint Board of Selectmen and Planning and Zoning Meeting

March 2nd, 2010

Present: First Selectman Gayle Weinstein; Selectman David Muller; Planning and Zoning Chair Stephan Grozinger; Planning and Zoning members Donald Saltzman, Joseph Limone, Ridge Young, David Allen and Jane Connolly; Executive Director from SWRPA Floyd Lapp; Town Administrator Tom Landry; Administrative Assistant Judy DeVito;

This meeting was recorded and video taped and the tapes are available in the Selectmen's office.

Dan Gilbert joined the meeting by telephone.

Ms. Weinstein called the meeting to order at 7:32pm

Discussion of the advantages and disadvantages of Regional Planning Agencies versus Councils of Governments.

Ms. Weinstein said that tonight was for discussion and information purposes only, no decisions are going to be reached. Both Ms. Weinstein and Stephan Grozinger thought it was important that we all have an understanding of what the issues are so when we get to the point that we have to make a decision it is an informed decision.

Floyd Lapp, Executive Director of the South Western Regional Planning Agency distributed a handout which is attached to the minutes. Mr. Lapp went through the handout. He said that there were 15 regions which were delineated 51 years ago on March 1st 1959.

There is going to be by statute, not later than January 1, 2012, Office of Policy and Management in Hartford will be doing a boundary study. Mr. Lapp said he brings this up because brewing is not only the study but a movement in the interest of "economy and efficiency" to have bigger and fewer regions.

Mr. Lapp said his analogy is the region we have with Southwestern, which consist of eight municipalities, is a very manageable region. He at one time worked for the largest region in the country, the Tri State Regional Planning Commission. Ms. Weinstein said that there are many First Selectmen in our RPA who have talked to the people in Housatonic Valley which is a CEO and there is conversation going on about our two regions potentially merging because Wilton, Weston and Westport do interact a lot with Redding, Ridgefield, Bethel and Towns just to the north of us.

Ms. Weinstein said one of the issues is, do we regionalize ourselves or do we let the State do it. Mr. Lapp said that some of his staff and some of Housatonic staff with the public

held a meeting in Wilton on a Rte 7 land use and transportation study. He said there are reasons for both sides.

Mr. Lapp said that 51 years ago when the regions were delineated all 15 regions were called RPA or Regional Planning Agencies. SWRPA is one of five remaining Regional Planning Agencies. There are two types of members on the RPA. One is an appointment from the CEO and the other appointment or appointments depending on population come from Planning and Zoning. SWRPA has 22 members, there are four members that have more than two because of population and the other four have two members. The membership is a combination of at least an appointment from the CEO and from Planning and Zoning.

Between 1965 and 1971 two other structures were created, Council of Elected Officials (CEO). One is Housatonic Valley Council of Elected Officials and the other is the Litchfield Hills Council of Elected Officials. There were 5 RPA, 2 CEO and 8 COG. There are two important characteristics with the Council of Governments. Similar to the Council of Elected Officials you have the elected official on that board but each of the elected officials works with a member of the Planning and Zoning Commission.

Mr. Lapp said hypothetically if SWRPA was created as a COG you would have the eight elected officials as the voting members and you would have this representative body of eight other people from the Planning and Zoning Commissions of the eight municipalities. What would they do? They would do things perhaps similar to what SWRPA now does. They have a housing committee, an environment committee, a referrals committee, etc.

Mr. Muller asked if there were 8 towns in a region and 5 of the eight opted to change does the other three have to go along. Mr. Lapp said not exactly, depending on which towns vote in and which towns vote out. The three municipalities could opt to join another region; they can opt to get together if geography permits it and create some other structure. Mr. Lapp said his opinion is that this would end up beyond the 60% threshold as more or less or nothing at all.

Mr. Saltzman asked what was the down side or upside to staying independent. Ms. Weinstein said the downside is that you would lose regional funding and a lot of individual town funding is disappearing in favor of regional funding. Mr. Lapp said a year ago when Gov. Rell came out with her budget she said two things about the subject that we are talking about. She said I'm proposing \$40 to \$50 million dollars to promote inter-municipal planning where two or more municipalities would get together for the first time on a new function. For example Weston and Wilton want to have a joint health district they would get state funding to do that. The second thing she did was said that the 15 regions that have been around for 50 years that have been getting an OPM lock grant each year would get nothing.

MPO stands for Metropolitan Planning Organization and is a term that was born in 1962 when the federal government was giving out transportation money and they said they will

give the money first to the states, but then to get the money down to the metropolitan areas they would like an entity to receive that money. They created the MPO's. We serve two bodies, the metropolitan planning organization and southwestern region metropolitan planning organization (SWRMPO).

They meet once a month, the fourth Thursday of the month, early morning. The voting membership consists of the eight local CEO's and three transit districts, Stamford, Westport and Norwalk. The voting membership is the eight elected officials, and each of the transit districts gets 1/3 which makes a total of nine votes.

Stephan Grozinger said that currently we are in an RPA and there is also an MPO if we move to a COG or CEO structure could we also have an MPO overlaid on top. Mr. Lapp said yes, virtually all these COG's and CEO's function where there is a monthly meeting where transportation matters and regional planning matters are discussed.

As an MPO we have a transportation improvement program which is like a capital budget, runs for three or four years, is coordinated with ConnDOT and the Feds. They do a transportation plan about every four years. The major difference between the two CEO's and the eight COG's has to do with a regional planning commission (RPC), each of the COG's municipal planning commission shall have one representative on the RPC, who should be a member of the municipality's Planning and Zoning Commission.

Margaret Wirtenberg asked if the regional planning commission has the responsibility for doing the regional plan. Mr. Lapp said it depends. It could be the eight members of the region planning commission or it could be the eight members of the regional planning commission working with the eight CEO's or with the consultant or with staff. Ms. Weinstein said that she thinks it depends on whether the regional planning commission is advisory in nature to the CEO's or whether they have parallel functions much like P&Z and Board of Selectmen do in our town.

Mr. Saltzman asked if that membership would supersede what we have now as the current authority of the land use boards. Ms. Weinstein said the town always has priority over anything. Mr. Failla asked statutorily who writes the regional plan. Mr. Lapp said it really would depend. To adopt a regional plan you would have to have a majority of the CEO's voting to adopt the regional plan, the transportation plan or any other plan.

Mr. Lapp said that it is important to know that whether you are a COG or CEO you can also be an MPO. However, if you are an RPA the MPO is in this other organizational structure.

Jane Connelly asked how the boundary study would affect things. Ms. Weinstein said her understanding was if we formed our own COG then we get to decide who participating municipalities would be. If we stay an RPA then the state could potentially force that decision on us.

Mr. Lapp said as an entity they have a couple of things going on. The chair and the vice chair of the MPO and the chair and vice chair of the RPA and himself had their first

meeting where they talked about an approach and a time line to reach a decision including doing nothing. Mr. Lapp said in 2006-07 the State Legislative Commission did a study of RPA's which lead to a recommendation to do the boundary study. There is language in there that says no one is better than the other. No one provided evidence that structure A is better than B or C but it did lead to the boundary study and since then there has been talk about the larger regions.

Mr. Lapp said there game plan is rather than doing another study we have a living laboratory under our nose. To the north of us is one of two CEO's. To the east of us beyond greater Bridgeport is the south central COG focused around New Haven. They would like to go out with the series of questions that they have drafted so far and meet with the chair person and the executive director of these and say "you were once an RPA why did you change". What are the pros and cons?

They hope by some time in June, having met these folks with a series of questions that we would have a better understanding of the assets and liabilities and they would then be able to go back to their membership. Sometime between the summer and the autumn the elected officials working with the SWRPA board would say we have reached a decision and the decision is really one of two things. Become a COG or a CEO or second decision is stay as we are.

Mr. Muller asked if there were different views right now within the eight municipalities of SWRPA as to which direction to go. Mr. Lapp said that there are some people representing the municipality who think their future lies beyond the existing region. There are some who love the volunteer work and are little hurt by the thought that they would be cast aside. The third group says the majority of the people in a municipality elect a person to be their leader and that leader should have more of a voice. He said COG or CEO would give you that leadership. The COG has the regional planning component which marries the two under one roof.

Mr. Grozinger asked if it was accurate that there was no pressure from Hartford to change. Mr. Lapp said at the moment yes he was right. At one time they did play favorites but not now. Mr. Grozinger asked why we were here discussing this now. Mr. Lapp said that in his opinion it reached the point where a number of the elected officials on the MPO saw this expanding non MPO agenda. There were eleven MPO meetings and eleven RPO meetings they could do this at one meeting. Mr. Lapp said unless there was financial incentive to do this you would need a very powerful sell.

Mr. Gilbert said that he is concerned the incentive may be the ability to tax. He said when you look at the State Plan of Conservation and Development, and you start reading it, it says some regions may wish to explore regional sharing of tax revenues He said that could be a precursor to county government because the ability to tax is where government begins..

Mr. Gilbert said that CCM did a publication called Connecticut Town and City and in their December publication reads "to make it easier for regional planning organizations to

become councils of government and provide them with revenue rising and land use authority to encourage the existing RPA's to voluntarily consolidate into five to seven regional organizations".

Ms. Weinstein said that they are not looking to create a new tax base but what CCM has been pushing is that if two neighboring municipalities want to enter into a business project together that might be mutually beneficial, then they can share the tax revenue. She said that is different than turning into a taxing body where the RPA can impose an additional tax on business and homeowners who live in that area.

Mr. Gilbert said what he reads is some regions may wish to explore regional sharing of their tax revenues. Mr. Muller said it was receipt of revenues not raising the revenues. Mr. Gilbert said if you read the Plan of Conservation Development at the state level they talk time and time again about taking land use authority from the Towns and giving it to a regional planning authority. Mr. Gilbert said that in the plan they are telling you to do two things. Receive revenue from the communities and spend it and to take land use authority from the community.

Mr. Lapp said he thought Connecticut was known as the state of steady habits and that does not sound like a steady habit to him. He thought that Connecticut was a home rule state and that did not seem like a home rule state to him. He felt that we have gone beyond what they had come there to talk about.

Ms. Weinstein said they wanted to make sure that the Board of Selectmen and Planning and Zoning were all on the same page and had the correct information and not misinformation so that if and when they do have to make this decision, they all know what's what and that the decision is made jointly, as opposed to just her making it.

Margaret Wirtenberg said that it may be that the structure of SWRPA has outlived its usefulness, she does not know. The region itself and elected officials want to get together and try and do something up in Hartford maybe they could do it as opposed to a bunch of representatives that really are not allowed to speak.

Tom Failla said that he thought that they should take a good look at the structure now. The conditions now are in favor of what Mr. Lapp is saying, bring the data back and have more discussion. He said his sense is that we are probably at a point now where we need to have the decision makers come together more frequently or at least in a more cohesive way so we can deal with these issues.

Mr. Gilbert said that when he thinks about the municipalities that can join a COG it has been his impression that the current members of the COG do not make the decision as to who joins their COG but rather that that decision is made by the secretary of the Office of Policy and Management. Mr. Lapp said that that was not true.

At 9:05 pm Ms. Weinstein adjourned the meeting.

March 2, 2010

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Respectfully submitted

Judy M. DeVito
Administrative Assistant
Approved 4/15/10