

TOWN COUNCIL MEETING

APRIL 23, 2002

6:30 P.M.

AGENDA

Blessing – Rev. Terry Frizzell, Church of the Nazarene

1. Pledge of Allegiance and Roll Call
2. Correspondence
3. Consent Agenda
  - a. Consider and Approve Tax Refunds (#746-756) Totaling \$3,063.07 – Tax Collector
  - b. Approve and Accept the Minutes of the February 28, 2002 Special Town Council Meeting.
  - c. Consider and Approve a Request for Use of the Parade Grounds by the Church of the Nazarene on May 2<sup>nd</sup>, 11:45 AM to 12:30 PM for a National Day of Prayer
  - d. Consider and Approve Accepting a Public Donation of \$230 to use toward the Purchase of a Therapeutic Swing for the Adaptive Recreation Program and a Corresponding Appropriation of Funds in the Amount of \$230 from Revenue – Contributions Acct. #209-1045-070-7010 to Program Expenses Acct. #209-4001-601-6500 – Parks & Recreation Department
  - e. Consider and Approve a Transfer of Funds in the Amount of \$2,000 from Regular Salaries & Wages Acct. #001-5010-101-1000 –00 to Overtime Acct. #001-5010-101-1400 –00 – Engineering

f. SET A PUBLIC HEARING for May 14, 2002 at 7:45 P.M. on An Ordinance Appropriating \$1,641,000 for the Planning, Acquisition and Construction of Various Municipal Capital Improvements 2002-2003 and Authorizing the Issue of \$1,641,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

4. Items Removed from the Consent Agenda

5. PUBLIC QUESTION AND ANSWER PERIOD

6. Consider and Approve Accepting:

- a. Killen Rd. and Fairlawn Drive Section IX;
- b. Snow-shelf Easement, sidewalk easement and drainage easement in an open space subdivision form the Wallingford Land Trust; and a
- c. Strip of land along Grieb Road required for highway purposes,

Requested by the Town Planner

7. Report Out by the Town Planner and Planning & Zoning Chairman Regarding the Town's Plan of Development as Requested by Councilor Gerald E. Farrell, Jr.
8. Discussion and Possible Action Regarding Traffic Conditions of Beaumont Rd. as Requested by Councilor Gerald E. Farrell, Jr. and Chairman Robert F. Parisi
9. Discussion and Possible Action Regarding Demolition of Town-Owned Property Known as 41 South Main Street (Former American Legion Building) as Requested by Chairman Robert F. Parisi
10. Report Out from the Mayor and Law Department on the Status of Architectural Services Contracted for on the Town-Owned former Wooding/Caplan Property and the Council's Request to Obtain Appraisals of Said Property as Requested by Councilor Mike Brodinsky
11. Executive Session Pursuant to Section 1-200(6)(D) to the CT. General Statutes with Respect to the Purchase, Sale and/or Leasing of Property – Town Attorney
12. Consider and Approve a Contract for the Purchase of Property as Discussed in Executive Session – Town Attorney

13. PUBLIC HEARING to Consider and Act Upon an Ordinance Appropriating \$157,000 for the Acquisition (subject to certain seller rights) of Approximately 1.65 Acres of Real Property Known as, and in the Area of, 12 Lake Street and Authorizing the Issue of \$157,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose – 7:45 P.M.
14. Consider and Approve Accepting a \$4,000 Bid with Restrictions for the Purchase of Property Located at 5 Wisk Key Wind Road – Town Attorney
15. Consider and Approve Authorizing the Mayor to Execute a Deed for the Sale of Property Located at 5 Wisk Key Wind Road – Town Attorney

TOWN COUNCIL MEETING

APRIL 23, 2002

6:30 P.M.

ADDENDUM TO AGENDA

16. Consider and Approve a Transfer of Funds in the Amount of \$1,200 from Regular Salaries & Wages Acct. #001-5015-101-1000 to Purchase Professional Services-Clerical Acct. #001-5015-901-9001 – Dept. of Public Works

TOWN COUNCIL MEETING

APRIL 23, 2002

6:30 P.M.

A regular meeting of the Wallingford Town Council was held on Tuesday, April 23, 2002 in the Robert Earley Auditorium of the Wallingford Town Hall and called to Order at 6:33 P.M. by Chairman Robert F. Parisi. Answering present to the Roll called by Town Clerk Rosemary A. Rascati were Councilors Brodinsky, Doherty, Farrell, Knight, Papale, Parisi, Rys & Vumbaco. Councilor Toman was vacationing out of the state. Mayor William W. Dickinson, Jr. arrived at 6:50 P.M.; Assistant Town Attorney Gerald E. Farrell, Sr. arrived at 6:40 P.M. Deputy Comptroller, Eva Lamothe was also in attendance.

A blessing was bestowed upon the Council by Rev. Terry Frizzell of the Church of the Nazarene.

The Pledge of Allegiance was given to the Flag.

ITEM #2 Correspondence

No items of correspondence were presented.

ITEM #3 Consent Agenda

ITEM #3a Consider and Approve Tax Refunds (#746-756) Totaling \$3,063.07 – Tax Collector

ITEM #3b Approve and Accept the Minutes of the February 28, 2002 Special Town Council Meeting.

ITEM #3c Consider and Approve a Request for Use of the Parade Grounds by the Church of the Nazarene on May 2<sup>nd</sup>, 11:45 AM to 12:30 PM for a National Day of Prayer

ITEM #3d Consider and Approve Accepting a Public Donation of \$230 to use toward the Purchase of a Therapeutic Swing for the Adaptive Recreation Program and a Corresponding Appropriation of Funds in the Amount of \$230 from Revenue – Contributions Acct. #209-1045-070-7010 to Program Expenses Acct. #209-4001-601-6500 – Parks & Recreation Department

ITEM #3e Consider and Approve a Transfer of Funds in the Amount of \$2,000 from Regular Salaries & Wages Acct. #001-5010-101-1000 –00 to Overtime Acct. #001-5010-101-1400 –00 – Engineering

ITEM #3f SET A PUBLIC HEARING for May 14, 2002 at 7:45 P.M. on An Ordinance Appropriating \$1,641,000 for the Planning, Acquisition and Construction of Various Municipal Capital Improvements 2002-2003 and Authorizing the Issue of \$1,641,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose

Motion was made by Mr. Knight to Accept the Consent Agenda as Presented, seconded by Mr. Farrell.

VOTE: Toman was absent; all ayes; motion duly carried.

ITEM #4 Withdrawn

PUBLIC QUESTION AND ANSWER PERIOD

Ted Krohl, 53 Hanover street, Yalesville asked if there is a list available of the projects that are the subject of the \$1,641,000 Municipal Capital Improvements Ordinance for which there is a public hearing scheduled for May 14, 2002 at 7:45 P.M.?

It was explained to Mr. Krohl that the projects will be listed in the ordinance itself, a copy of which will be available the night of the public hearing as well as one week prior to the meeting in the office of the Town Clerk.

Bruce Manke, Killen Road, approached the Council to address the issue of how unhappy fifteen of the eighteen residents residing on Killen Road are with the fact that the Council took away the name of their street (Argyle Road) and assigned, instead, the name of Killen Road for the sole purpose of giving a gift to a political friend, Albert Killen.

Chairman Parisi asked that Mr. Manke hold his comments until the next agenda item (#6) for Killen Road is one of the subject matters of the item.

Mr. Manke agreed to do so.

Frank Wasilewski, 57 North Orchard Street asked about the status of the Goldfeder Property in Yalesville, specifically if all the pollution has been removed from the property? He stated that the State removed the contaminates at their expense through a specific fund set aside for such a purpose. He asked, who is the current owner of the property? Has the Town accepted the property now that it has been cleaned? He asked if the current owner is liable for the back taxes owed the Town on the property? He was concerned that the Town is losing the tax dollars it is owed.

Asst. Town Attorney Farrell stated, when the state or federal government expends dollars to clean up a property that entity liens the property for the expense associated with the clean up. The property, therefore would have a very large lien on it from the state or federal government. He did not recall any "taking" of the property and is of the opinion that the lien may be in excess of the value of the property. The Town could take over the property if it wanted to for the taxes.

Mr. Wasilewski stated that he could not believe one person could "stick the Town" or the state for such a large amount of money and get away with it.

Mr. Brodinsky stated that it is his understanding that Mr. Goldfeder and or his company has gone into bankruptcy, therefore he and/or his company may be discharged and it may just be a lien on the land. Approximately eighteen months ago Mr. Brodinsky asked Atty. Mantzaris to do a title search on the land which, to his knowledge, has not been followed through on. If, however, there is contaminants that remain on the property the Town may not want to take it or buy it.

Philip Wright, Sr., 160 Cedar Street commented that the "Devil's acre", located at the intersection of Pond Hill Road and S. Elm Street, looks great. Kudos to those responsible for its appearance.

Chairman Parisi replied that he agrees with Mr. Wright and believes it is the Garden Club responsible for the planting and maintenance.

Jack Agosta, 505 Church Street, Yalesville, asked if anyone has followed up on Lucille Trczynski's comments at the last meeting regarding debris along many of the roadsides close to the center of town?

Chairman Parisi replied, yes, many of the areas were already on a list to be addressed.

Pasquale Melillo, 15 Haller Place, Yalesville stated that he would like to see the Charter revised/amended to read that only petition candidates be allowed to run for office. Therefore no political party will have influence over candidates and/or the vote and candidates would have to walk door to door to meet the people and obtain signatures to run for office.

Ted Krohl, 53 Hanover Street, Yalesville stated that Cheshire has an Education Budget of \$12 million less than Wallingford; Southington has an Education Budget of \$10 million less than Wallingford. We must be doing something wrong. They don't have a \$62 million debt expenditure ahead of them. Someone dropped the ball somewhere.

Mayor Dickinson arrived and Mr. Wasilewski addressed his questions to the Mayor regarding the Goldfeder property.

Mayor Dickinson replied, none of the agencies will sign off that all of the contaminants have been removed. No one knows without a lot of further testing. The State came in, EPA and DEP were there. There was never a final report indicating that all contaminants and all pollutants had been removed.

Mr. Wasilewski asked, what do we do, just let them hang there?

Mayor Dickinson replied, it is privately-owned. At this point the Town wouldn't be interested in owning it with inquiry necessary as to whether there is existing contamination there.

Mr. Wasilewski stated, I understand that if there are back taxes owed for fifteen years, it is wiped right off.

Mayor Dickinson answered, the last year is wiped off. There still remains fifteen years owed but if you owed sixteen years, the sixteenth year is gone.

Mr. Wasilewski stated, we are losing money on the property.

Mayor Dickinson replied, we could lose a lot more if we had the environmental cleanup costs on it. It is owned by a bank as far as I know; it is either a bank or the original owner. If the bank foreclosed on the mortgage, they would own it

Mr. Wasilewski asked, would the bank then be responsible for the back taxes?

Mayor Dickinson answered, if they own it.

Mr. Wasilewski asked, can we put a lien on the property against the bank?

Mayor Dickinson answered, our lien is on the property regardless of who the owner is. The lien is with the land.

Mr. Wasilewski asked, is there any way of collecting that money?

Mayor Dickinson answered, unless we foreclose on it and then we would take title.

Mr. Wasilewski stated, then we are responsible for the rest of the pollution.

Mayor Dickinson stated, we would have to inquire as to whether or not there is additional pollution. If there is, we would have to be cleaning it up.

Mr. Wasilewski asked, who would be testing it now as to which pollutants are left?

Mayor Dickinson answered, it would be up to us, I suppose, or whoever wants to take title to hire an agency to test for the range of contaminants that had been removed from the building.

Mr. Wasilewski asked, have you inquired as to whether or not the state will do more?

Mayor Dickinson answered, we have inquired as to a final report on what was done and there is no final report. I am not sure how anyone could indicate what was remaining when there is no final on what was accomplished. The report would have to come from DEP and the contractors that they utilized. We have contacted the DEP but have not received a final report.

The Public Question and Answer Period concluded at 6:58 P.M.

Chairman Parisi announced at this time that Agenda Items #9, 11 & 12 were withdrawn from the agenda. He stated, with regards to Item #9, the item is being removed because there is a question about landscaping and a tree. The item will re-appear on May's agenda.

For those in attendance for the public hearing, Chairman Parisi announced that the public hearing will be convened and immediately adjourned. The hearing will be continued to May 14<sup>th</sup> because the contracts for the sale of the land are not ready. The seller's attorney had to make modifications to the contract. The Town's bonding counsel has advised the Council to convene, adjourn the public hearing and re-advertise that the ordinance will be discussed at a public hearing to be held on May 14<sup>th</sup>.

ITEM #6 Consider and Approve Accepting:

- a. Killen Rd. and Fairlawn Drive Section IX;
- b. Snow-shelf Easement, sidewalk easement and drainage easement in an open space subdivision from the Wallingford Land Trust; and a
- c. Strip of land along Grieb Road required for highway purposes,

Requested by the Town Planner

Motion was made by Mr. Knight to Accept the two roads, three easements and the Grieb Road strip of land, seconded by Mr. Farrell.

Bruce Manke, Killen Road stated, while we are all very pleased that the Town Council will vote to accept our street as part of the Town tonight, the majority of our eighteen households who live on this brand new street are still very displeased that, without our knowledge, the Council took away our original name, "Argyle Road" a very acceptable name and instead took advantage of elected office to give a gift to a political friend by using his name for the street, instead. To set the record straight, we would like to tell the residents of Wallingford what happened in this Council. On June 22, 1999, many of you, here, who served on the Council at

that time said that the newly proposed name, Argyle Road, was not acceptable for two reasons and a third reason that the public probably doesn't even know about. Your reasons were; one, Argyle Road was too exotic a name for Wallingford; two, no one would be able to spell the name, thereby creating a public safety hazard. We know that these two reasons are without merit and don't hold a lot of water. There was an Argyle Road in practically every town within a thirty mile radius of where we are right now. Some of the towns are smaller; some are larger than Wallingford. What they all have in common is that no one sees anything wrong with the name, "Argyle Road". The notion that no one can spell Argyle creating a safety hazard when calling 9-1-1 is not only outrageous but demonstrates that the Councilman who said this doesn't understand how the emergency system works in his own town. The 9-1-1 system is completely automated. Argyle Road would appear on the screen with a couple of keyboard strokes. Also, Argyle is a word that any reasonably educated eighth grader can spell. Based on these two empty reasons, the Council threw the original name "Argyle" out and for the benefit of the political friend in town, gave the road his name. When those of us who had purchased lots on this new road heard that someone had changed the name to Killen Road, we weren't very happy about it right from the start. We knew of no living individual named "Killen", nor did we know of the Council meeting in 1999. It would have been a simple matter for the Council to contact the building company and to ask to have the incoming residents advised that the street name was being changed instead of the way we found out about it and while there were no houses occupied at that time, we would like to point out that, legally, we were already taxpayers. From the beginning and until this very day, the majority of us were struck simply by the sound of the word as a street name, as unsettling and altogether unacceptable, especially since Argyle sounded so much more acceptable. There are lots of nice sounding street names in this town and all we want is a nice sounding street name, too, that's it; that's all it ever was for us. There was nothing personal, ever, about wanting our original street name back. But some council members and members of the family in question have sought to make this a personal issue and to make us look like people who don't know any better, but we do know better, and so do you. Here is the third reason why the Council dumped the name Argyle Road and the reason the public ought to know about; it was the Council who created this problem by trying to make an example of a building company who did not want to select from a list of names adopted by the Council.

Chairman Parisi stated, you are walking pretty close to the line where I am going to have to rule you out of order. Now that might be your perception and if you are going to feel that that is the way you view it, I wish you would state it that way because there is no proof of anybody trying to make any example of anybody.

Mr. Manke replied, Mr. Chairman, you told me this from your own mouth.

Chairman Parisi replied, I beg your pardon sir, I did not tell you that.

Mr. Manke replied, really?

Chairman Parisi replied, we are not making any examples but, go ahead and, please, watch how you present your facts.

Mr. Manke stated, although one councilperson here, tonight, said that this list of names are a suggestion and not a mandate, the Council's actions on June 22, 1999 were nothing, if not punitive and arbitrary. The provision that street names ought to be selected from this list should be applied clearly, specifically and in a non-discriminatory fashion and that is something that we believe you did not do in 1999 and something that we believe remains arbitrary as several streets have been granted names that are not on the historic list and this is the essence of the mistake that we believe that was made by this Council. Anyone who watches the videotape from the June 22, 1999 council meeting will see very clearly that the Council was not 100% sure that this list was even being provided to incoming developers at the Planning & Zoning Office. Words like, "I think the list is being provided" are not words that have the steel conviction of certain knowledge. My point, ladies and gentlemen of the Council is that the historic list has been applied in a discriminatory way and your exercise of not allowing Argyle Road are very poor reasons. That was something that you did and, instead, presumed to use a name that you picked, that you decided should be the name of our road. You, essentially, took our road name away for not very good reasons. Since April of 2000 we have been telling this Council that we wanted our original name back. We tried to do so quietly and politely at first but after several months of this we grew tired of certain members of the Council turning a deaf ear to us. We are the public that you serve, not just one individual because he is a political friend or, as you stated to me, because you are afraid of hurting someone's feelings. Ironically, the gentleman in question had no problem about voting out the name of Vumbaco Place, named for the former mayor of this town, because a company who wanted to locate in the Research Parkway area said simply, we don't like the name of the street; we want a different name because it will sound better with our high tech company and will look better on the letterhead. This was their reason and you granted their request and the gentleman in question didn't think twice about hurting the former mayor's feelings. Fifteen of the eighteen houses on our street signed petitions two years ago and gave them to this council, asking to have our original name given back or, we said that we would be happy to accept another name from the historic list to satisfy your request. You have refused us at every turn, even when we presented other wonderful alternative ideas such as the naming of our acres of beautiful open space as the Albert Killen Wildlife Sanctuary for another honor as a show of good faith and to demonstrate that our request had nothing personal about it. Certain members of this Council had done much to make our request appear to be some personal invective against Mr. Killen which, of course, is ridiculous. Our petition for change remains part of your written records from the year 2000. We prefer that you would do the right thing and vote to give us back our original street name right now. If you won't, then we will find another way to persuade you. This Council has set poor precedent by arbitrarily forcing some roads to have names from the list while granting requests from other developers that wanted to name their roads for their granddaughter, in one instance, and a tree in another and this is recent history. Please, find another way to honor your

political friend. We want our original street name back which, incidentally still appears on the Mylar maps in the Planning & Zoning Office when this development was formally accepted by P&Z. The name of our street should be Argyle Road. When voting on acceptance of our road tonight I suggest, with all respect, that you avoid any sarcasm toward those who live on this street because that kind of sarcasm has a way to come back to bite later on. I would like to thank the two council members who have understood our point of view, even if they personally oppose the change. Those who can put aside personal preferences to uphold the idea that government is answerable only to the citizens who elected them and not to the whims of personal patronage, are indeed fine examples of political fortitude. By denying our unchanged, two year old request, the majority of this Council clearly operates to the advantage of one individual because of personal loyalties and certainly not in what is in the best interest of good government practice. To ignore the majority wish of taxpayers on the street who are being directly affected by a name the majority of us do not want, and whose name change affects no one but the residents of our street and cost the Town not one cent is just plain ad government. Our street name is Argyle Road, please give that name back to us, thank you.

Mr. Farrell stated that he had received several calls today from people who do live on Killen Road saying that they were happy with the street name and that Mr. Manke did not represent their point of view.

Chairman Parisi stated that he personally visited Killen and Fairlawn Road, section IX and noted the following work that needs to be done:

- all electrical boxes are crooked;
- #2 light pole, there is no street sign marking Killen Road from Fairlawn or from Grieb Road;
- in front of #42 Fairlawn, there is small hole in the pavement;
- by #47 & #49 the manhole is about 3" or more below the pavement; and
- #20 Fairlawn – there is a dip in the road by the driveway.

Linda Bush, Town Planner, stated that she will be speaking to the developer tomorrow on a landscaping issue, she will bring these matters to his attention at that time. Ms. Bush's office is still holding a \$15,000 bond because there are some items that need to be done.

Mr. Manke asked that he be allowed to respond to Mr. Farrell's comment by reminding the Council that there are eighteen residents on the street and fifteen said they wanted the change and three didn't.

Chairman Parisi interrupted Mr. Manke to state that the Council is dealing with the names of the streets.

Mr. Manke replied, that is what I am asking about, too; the name of the street.

Chairman Parisi stated, I am trying to get this list out that I spent some time on.

Mr. Manke stated, Mr. Farrell is trying to color my comments, sir. The phone calls probably came from people who were not part of the petition anyway.

Chairman Parisi stated, he received the phone calls, did he not?

Mr. Manke replied, did he say who they are?

Chairman Parisi replied, he doesn't have to say who they are.

Mr. Manke replied, then they are probably from the three people who did not sign the petition anyway.

Chairman Parisi replied, we will let everyone judge who they were, o.k.?

Mr. Manke answered, as long as the ground is left level.

Mr. Vumbaco asked, if there was alternatives and other correspondence concerning this that was sent to the Council, I don't recall it. Where was it sent? Who would have received it? Who did you send it to, Mr. Manke?

Mr. Manke answered, I made some of these suggestions directly to Mr. Parisi during the year 2000 when I was dealing with him exclusively and then many of these suggestions I delivered to certain council members in particular through what I would call a quiet back channel because we wanted to do this very quietly, respectfully and as discreetly as possible. We didn't want to make a circus out of this, we still don't.

Chairman Parisi replied, neither did we.

Mr. Manke asked, what does that mean, sir?

Chairman Parisi replied, I don't know. It means the same thing you are saying.

Mr. Manke asked, why are you saying that to me, sir?

Chairman Parisi asked, why did you say it?

Mr. Manke answered, because the question to me was, where did these suggestions come from and I said they were delivered discreetly because we wanted to be quiet and discreet about it.

Chairman Parisi stated, you told me on the phone; I don't recall getting anything in writing. We had many conversations.

Mr. Manke stated that he still has copies of anything that was written. If the Council would like to see that, I would still be happy to produce them.

Mr. Vumbaco stated, for point of policy for the future, if we have something controversial, which I consider this to be, in front of the Council, any information that is provided, even if it is just a phone call, it would be good to share it with the Council so at least we have a wide breath of information. I am not criticizing anyone.

Chairman Parisi replied, we were talking (on the phone) sometimes three times a day and it is a little difficult to relay that conversation to eight people.

Mr. Manke stated, I did send some of the more recent ones through e-mail; the discreet correspondences I was having with certain council members and I still have copies of those.

Karen Wing, 7 Killen Road stated, we have had neighborhood meetings and the people that originally were in on the petitions are still strong in their conviction that they want the name changed. If I knew you were accepting calls I would have called and said, "yes, I want the road name changed." I don't want you to think that it is just Mr. Manke because it is not. He is kind of spearheading this for the rest of the residents on the road but we are still all very strong in that we do want the name changed.

Chairman Parisi stated, in fairness to Mr. Manke, I think it was always portrayed that he was the representative of a group of people on the road. I don't think it has ever been portrayed any differently.

Jack Agosta, 505 Church Street, Yalesville asked if the residents are set strictly on wanting Argyle for their road name or would they accept a change? I suggested the road be named Bert Killen Drive for it sounds nicer than Killen Road. If you do change the road name tonight, would you make a decision to name the next road after Bert Killen?

VOTE: Toman was absent; all ayes; motion duly carried.

Motion was made by Mr. Knight to Move Agenda Item #16 Up to the Next Order of Business, seconded by Mr. Rys.

VOTE: Toman was absent; all ayes; motion duly carried.

ITEM #16 Consider and Approve a Transfer of Funds in the Amount of \$1,200 from Regular Salaries & Wages Acct. #001-5015-101-1000 to Purchase Professional Services – Clerical Acct. #001-5015-901-9001 – Dept. of Public Works

Motion was made Mr. Knight, seconded by Mr. Farrell.

It is noted that Camille Gerosa had retired from the Public Works Department and temporary help is needed until the position is filled.

Henry McCully, Director of Public Works explained that Manpower is the low bidder for this type of service and the vendor who will be providing service.

ITEM #7 Report Out by the Town Planner and Planning & Zoning Chairman Regarding the Town's Plan of Development as Requested by Councilor Gerald E. Farrell, Jr.

Mr. Farrell stated that it has been brought to his attention that the Planning & Zoning Commission will be revising the Town's Plan of Development. He thought it was an important issue and felt that there should be a report out to the Council on the matter.

John Whitney, Chairman of the Planning & Zoning Commission distributed copies of the State Zoning Regulations to all Councilors at this time. The opening statement in the regulations reads, in part, "At least once every ten years the commission shall prepare or amend and shall adopt a plan of conservation and development in the municipality. Following adoption, the commission shall regularly review and maintain such a plan. The commission may adopt such geographical, functional and/or other amendments to the plan or parts of the plan in accordance with the provisions of this section, as it deems necessary...." (Appendix I).

Mr. Whitney stated, the plan that was prepared back in 1991...the Town Planner and Planning & Zoning Commission had all the different commissions and committees in town establish their own subcommittees and hold meetings to come up with possible improvements or things that they saw that needed to be addressed by the Town in the next ten years. Many of the committees spent many hours; one committee met twelve times during the course of the year. It is a very good study to work off of. This time around the Town Planner will send letters to all the commissions and committees such as the Historical Trust, Historical Society, Conservation Commission, etc. and they can establish their own meeting schedule and appoint their own people to subcommittees and report back to the Town Planner and Planning & Zoning Commission with their recommendations. From there all the information will be compiled. Ms Bush had made two excellent suggestions at the P&Z workshops. One is to send out a questionnaire to town residents with their electric bills or some other way...so that everyone in town will have the opportunity to submit a suggestion as to what needs to be done in the town. If we just ask the commissioners of all the committees and different commissions to appoint people to discuss it, we will probably get the same 40 or 50 people that came forward ten years

ago. This is a good way to involve more people in the process. Ms. Bush's other suggestion was to direct attention to section of Wallingford known as Tracy (to the north of Yalesville; abuts Meriden). Tracy is a forgotten area in town that really should have some attention brought to it. The plan of development, we will look closely at Tracy and that area to see what we can do to try and apply some good planning techniques of our town and bring it up to speed.

Linda Bush, Town Planner stated, the Plan of Development is no longer referred to as such, it is now referred to as the Plan of Conservation and Development. The Town Council has a legal role in its adoption now. When they changed the plan; because most plans have funding aspects of it... anything of any cost that is recommended, obviously has to go to the Council. The state legislature understood that so now before the P&Z can have the official public hearing on the Plan of Conservation and Development, we must forward a copy of the plan to you, sixty-five days before our public hearing so that you can discuss it if you so choose; you can have a public hearing and you can relay your official comments to the P&Z Commission. You have a much more official role in the Plan of Conservation and Development than you have had in the past. A plan is very simple; we first decide where are; we decide where we want to go, and we decide how we want to get to where we want to go. Some of the suggested topics that I have thought of in addition to doing a neighborhood plan of Tracy... one of the gateways to Wallingford. Because Wallingford has changed so much, we want to look at community perceptions of Wallingford; what are we proud of; what would we like to change, in Wallingford? A sidewalk study should also be done; pedestrian access. We should find out the little areas where if we put in sidewalk for fifty feet we will have a connection so that more people will walk two miles on a sidewalk; things like that. You identify areas of need and you try to find a way to get there. I am hoping that you will give input to my office, directly to the commissioners and encourage other Town boards and commissions to do the same. It should be the Town's plan. My office has already started collecting information. Hopefully, during the summer we will be able to come up with a schedule for meetings. My office is collecting information and we are almost finished with an existing land use map. P&Z has held one workshop to date due to their busy schedule. We expect this to be a one to two year process.

Mr. Vumbaco was pleased with the suggestion Ms. Bush made regarding the questionnaire that, hopefully, get the citizens involved. It is a great idea and I encourage it and the suggestion regarding Tracy, too.

Mr. Knight echoed Mr. Vumbaco's comments. He added, when sending out the questionnaires to the public soliciting opinions, will you ask for comments on somewhat specific areas like downtown or Route 5, or will you be looking for general comments?

Ms. Bush replied, the only way most people will answer questionnaires is if it is very easy. They will have to be specific questions, "do you like this or this?". There will also be a place for people to put down other ideas, we suspect. We are hoping to get some outside help, someone who... will probably do mapping and be able to illustrate ideas with good maps which

will help people understand the idea. That was one thing our last plan was really missing. An outside consultant, giving us ideas on the format of a questionnaire that will be more specific rather than general will help us to get the best results.

Mr. Whitney stated that, in his opinion, there will be at least one workshop to develop/approve the questionnaire. A sample can be forwarded to the Council for input/suggestions.

Pasquale Melillo, 15 Haller Place, Yalesville thought the process, as outlined above, was a good sound plan.

Geno Zandri, 9 Balsam Ridge Circle asked, would this also include existing structures that the Town may want to get into a program, for example, on North Colony Road there are a lot of older homes that are in bad shape, there are a lot of for sale signs and I wonder if it would pay the Town to take on a program where it can purchase the homes, demolish the homes and re-sell the land because that is the only way we are ever going to get anything in certain areas of town. Some of them are in such bad shape that it seems that no one even wants to tackle the project. What is happening is, especially in the center of town, the general appearance of the town is going downhill. That might be something that we can develop as part of the plan; a program like that that would spruce up the area.

Ms. Bush replied, that could be part of the plan. It is up for discussion and could definitely be a goal in the plan to improve the appearance of Route 5 and the way to implement it would be to buy blighted properties. That is what a plan is.

Wes Lube, 15 Montowese Trail thanked Councilor Farrell for placing the item on the agenda. He stated, I dug out the Phase I and Phase II plans from 1991 and 1993 approximately 70 citizens participated, of which Mr. Knight and Mr. Toman were two. In reviewing the objectives, a comment from the author stated that it would be a shame if after all of the effort that went in over a three year period were for naught because it ended up on a shelf and was somewhat ignored. So many of the objectives that these people thought the Town ought to strive for are never mentioned. Objectives such as, restore Community Lake to its former self; provide a Town skating facility; a second pool at Lyman Hall, etc. Input from the citizens never came to pass and are never mentioned. It is not as though we say, "we want to do this but", we don't even mention them. If you are going to ask the citizens to do this again, I think we ought to try and do it in a more meaningful way. A lot of good people put a lot of good time in and it was for naught.

No action taken.

**ITEM #13** PUBLIC HEARING to Consider and Act Upon an Ordinance Appropriating \$157,000 for the Acquisition (subject to certain seller rights) of Approximately 1.65 Acres of Real Property Known as, and in the Area of, 12 Lake Street and Authorizing the Issue of

\$157,000 Bonds of the Town to Meet Said Appropriation and Pending the Issuance Thereof the Making of Temporary Borrowings for Such Purpose – 7:45 P.M.

Chairman Parisi stated that the ordinance, unfortunately, is not ready to be acted upon at tonight's meeting. The reason being that the contract is awaiting certain modifications by the seller's attorney. They are of a minor nature but must be in the contract. Therefore, to satisfy the legal requirements, the public hearing will be convened, which I am convening right now at 7:46 P.M.

Mr. Knight made a motion to Adjourn the Public Meeting to 8:00 P.M. on May 14, 2002 and to Instruct the Town Clerk to Re-notice the Public Hearing, seconded by Mr. Farrell.

VOTE: Toman was absent; all ayes; motion duly carried.

ITEM #8 Discussion and Possible Action Regarding Traffic Conditions of Beaumont Rd. as Requested by Councilor Gerald E. Farrell, Jr. and Chairman Robert F. Parisi

Chairman Parisi stated that he and Mr. Farrell have been working together on traffic conditions with the Mayor's Office, the Engineering Department on the problem that has been brought forth by several residents on Beaumont Road and adjoining areas. I did have a discussion with the Town Engineer and he said that the Mayor had something to report on his behalf.

Mayor Dickinson stated, he has provided a status report which indicates that...

Chairman Parisi stated that Mr. Thompson reported to him that a traffic study was to be conducted by his office.

Mayor Dickinson continued, yes, collect vehicular traffic volume and classification data. That was attempted at an earlier time and they are going to try and do this again; evaluate possible revisions to the traffic control signal operations, capacity analysis, potential impact on adjacent businesses and residences; possible cause to implement any change. Upon a completion of the work a report will be forwarded to the Police Chief, the Town's legal traffic authority, for his review and disposition.

Mr. Knight asked, there must be a theme to this subject. Is it primarily the difficulty of truck traffic on the corner of North Main and some street extension on Beaumont Road?

Mr. Farrell answered, yes, that is what I have received complaints about. I have been down there in my own vehicle and have been forced to back up twenty to thirty feet which seems somewhat dangerous to do just because of the angle that the tractor trailer is forced to take coming in there that, in effect, they need both lanes. One of those lanes is my lane. That is why I asked John Thompson (Town Engineer) and that is why Bob was asking John as well.

Mr. Knight asked if we had an idea as to where the trucks were coming from?

Chairman Parisi replied, I think the majority are coming from the eyelet factory. I talked to four terminal employees because there are four trucking companies in there and I talk it upon myself to go in and ask if they could ask their vendors and their drivers to not use North Main Street Extension and to use Route 5. There is a natural entrance from Route 5 right into the Eyelet factory that was there when it was the Eyelet company. They were very nice but I don't know that they can control the traffic flow. The problem does not seem to have been resolved. The house on the corner of Beaumont and North Main Streets gets their property chewed up and the trucks are knocking down some signage, according to the Town Engineer.

Ms. Papale stated that she often travels the route of Beaumont Road to North Main Street Extension. Her concern is, how much larger a problem is this going to be when Community Pool opens. Was it a truck terminal last summer?

Chairman Parisi answered, yes.

Ms. Papale asked, didn't we have a problem last summer with the traffic?

Chairman Parisi answered, yes but people do what we have done; pull over; back up, what ever you can to get out of the way of the truck. I am sure the traffic light has helped to make that a safer area.

Ms. Papale stated, during the summer I have found that cars park on the sides of Beaumont Road. There is more to it than just the truck issue. I wish someone would check on the timing of the traffic light. At times I wait 6-7 minutes for the light to change and the traffic light as Shaw's takes a long time to change also. Please check into that as well.

Mr. Rys stated, there was a similar situation near the ice house on North Colony Road, down near the cemetery and the problem was eliminated by making a setback for the traffic. The trucks can then make the turns if the traffic is setback.

Chairman Parisi stated, the sensors are located in the pavement close to the intersection which is another issue that Mr. Thompson is checking into.

Mr. Rys stated, there should be "no parking" signs on Beaumont Road.

Robert Sheehan, 11 Cooper Avenue asked why John Thompson, Town Engineer, is not in attendance for this item?

Mayor Dickinson replied, because he did not have a complete report. Additional information is needed in order to advise what a recommendation, if any, would be to correct a problem.

Mr. Sheehan stated, there has been a plan around for a couple of years now to do that road over from the top of North Main Street at the cemetery to Route 68. Beaumont Road has been a part of it. Making the street one way is not going to keep trucks off of North Main Street Extension because there are other businesses on that road that are serviced by tractor trailers. Mr. Rys had a good idea with a set back.. He stated, I am disappointed that the head of the department isn't here for an item that is being discussed and I am not going to take, "he doesn't have enough information" as an excuse. If he doesn't, he can come here, himself, and say it.

Mr. Farrell stated, we did not ask for his presence.

Mr. Sheehan stated, the first thing that was said tonight is that Mr. Thompson had left something with the Mayor.

Chairman Parisi stated, no, no, I said that Mr. Thompson had a report that he left with the Mayor on the progress of this. I was satisfied. He didn't have much to report at this time.

Mr. Sheehan asked when the project pertaining to Route 68 to North Main Street Extension was scheduled to begin?

Mayor Dickinson did not have a date on it. It was way past when the Mayor felt it should be under construction.

Mr. Sheehan confirmed that the light is unusually long at the intersection.

John Letourneau stated, years ago when he drove tractor-trailer, there was only one way in and out of Eyelet and a traffic control employee operated a traffic light from inside the guard house on the property to alleviate the problem on Beaumont Road. It was a rule at Eyelet; "one way in and one way out." You had to go through the guard house. What happens now is that the tractor trailers will use Beaumont Road because it is the only place with a traffic light. It is a compounded problem of the intersection and longer trailers. One of the answers is to make it one way in and one way out like the former Eyelet company had it. There isn't that much more traffic going into the property today as when Eyelet had it; they ran trucks three shifts.

Mr. Melillo stated that the Town should erect large caution signs in the area.

No action taken.

ITEM #9 Withdrawn

ITEM #10 Report Out from the Mayor and Law Department on the Status of Architectural Services Contracted for on the Town-Owned former Wooding/Caplan Property and the Council's Request to Obtain Appraisals of Said Property as Requested by Councilor Mike Brodinsky

Mr. Brodinsky reported out that at the last meeting a request was made to have Atty. Small have an appraisal of the property performed. He wanted to put this on tonight's agenda to keep it on the current business list. The appraisal has been ordered and will be complete some time in May. At that time it will be discussed.

Mr. Farrell stated, the idea of obtaining an appraisal is interesting but he has recently had discussions with individuals at the State of CT. Dept. of Economic and Community Development and they said that the state might be willing to fund a marketing study for the Caplan/Wooding project. It has been suggested that, what is going to go on Caplan/Wooding would be some mix of retail and residential. When you go out and build retail and residential you are somewhat deciding that there is a market for something like that out there. Particularly with retail, you have to define what the market is; what are the specific retail needs that are lacking and might be served by building a new development and the state said they might be willing to fund a survey where people who live within a specific range....would get surveyed as to what they believe their retail needs are, served, under-served or not served at all, as well as residential needs. If that is something that people feel I should find out more about, I will. I can try and define what a marketing survey is and find out what the level of financial commitment might be. That seems, to me, a prudent step. It says to some potential developer, yes, there is a definite defined need that a marketing survey found rather than just taking a stab in the dark as to what we think should be built there.

Mr. Farrell stated that he will contact the State DECD and ask that they contact the Mayor and/or Don Roe.

Philip Wright, Sr., 160 Cedar Street stated, it pleases me to see that Mr. Farrell is accepting his responsibility as a Councilor with regards to the Council's property. The Council owns the property, not the Mayor.

Chairman Parisi replied, I commend him as well. I am glad he is doing this for I wouldn't know who to call up there. It is not a fair characterization to say that you wish we would all do the same. We all do our work in different ways.

Wes Lube, 15 Montowese Trail stated that the proper nomenclature is feasibility study. If the state decides not to fund it, is it something the Town should consider doing? They are not expensive to do considering the \$2 million investment for the property.

Mr. Farrell replied, it is a marketing study. Someone might comment that the center of town needs a good bookstore but until someone goes out and surveys what all the potential retail uses are that are out there that are not served, you don't know that that is really a true comment, yet, those are the kind of things that go into this kind of study. That is not a feasibility study.

Mr. Brodinsky asked, if the state conducts a study and after the Council receives the report and it says that the area needs a bookstore, where does that get us? What if a developer wants to put something else there and not a bookstore? They know the market, they put the money down for what they want to build and not what a marketing study shows. What I don't want to happen is that progress on the property is slowed down for a study that is likely to be meaningless to an investor. I see this going in the direction that we wait and wait and wait for a study, just like we waited and waited and waited for some progress and instead of pointing to the Administration for not taking action, now we can point to the state by saying that we haven't gotten the feasibility study back and after we get it back we are still left with the same core question that we are left with that I asked last time, what are we going to do? I made the motion to get it on the market, let's not waste anymore time; let's get going. If at the same time you want to have a study done by the state, go ahead, but don't hold up the real market forces and don't delay getting real potential buyers in here to see what they want to do. When the appraisal comes back I am going to put it on the agenda and will be pushing for this to be put on the market and some real progress made and the study by the state, I don't think, is going to get us where we want to be.

No Action Taken

ITEM #11 Withdrawn

ITEM #12 Withdrawn

ITEM #14 Consider and Approve Accepting a \$4,000 Bid with Restrictions for the Purchase of Property Located at 5 Wisk Key Wind Road – Town Attorney

Motion was made by Mr. Knight to Accept the Bid with Restrictions Prohibiting the Construction of Structures on the Property, seconded by Mr. Farrell.

VOTE: Toman was absent; all others, aye; motion duly carried.

ITEM #15 Consider and Approve Authorizing the Mayor to Execute a Deed for the Sale of Property Located at 5 Wisk Key Wind Road – Town Attorney

Motion was made by Mr. Knight, seconded by Mr. Farrell.

VOTE: Toman was absent; all others, aye; motion duly carried.

Motion was made by Mr. Farrell to Adjourn the Meeting, seconded by Mr. Rys.

VOTE: Toman was absent; all others, aye; motion duly carried.

There being no further the meeting adjourned at 8:24 P.M.

Meeting recorded and transcribed by:

*Kathryn F. Zandri*  
Kathryn F. Zandri  
Town Council Secretary

Approved: *Robert F. Parisi (by RR)*  
Robert F. Parisi, Chairman

5-14-02  
Date

*Rosemary A. Rascati*  
Rosemary A. Rascati, Town Clerk

5-14-02  
Date

RECEIVED FOR RECORD 4-25-02  
AT 4:45 P M AND RECORDED BY  
Rosemary Rascati TOWN CLERK

## Planning and Zoning Statutes

September, 2001

commission, whether existing under the general statutes or under any special act, shall appear for or represent any person, firm or corporation or other entity in any matter pending before the planning or zoning commission or zoning board of appeals or agency exercising the powers of any such commission or board in the same municipality, whether or not he is a member of the commission hearing such matter. No member of any planning commission shall participate in the hearing or decision of the commission of which he is a member upon any matter in which he is directly or indirectly interested in a personal or financial sense. In the event of such disqualification, such fact shall be entered on the records of the commission and, unless otherwise provided by special act, replacement shall be made from alternate members pursuant to the provisions of section 8-19a, of an alternate to act as a member of such commission in the hearing and determination of the particular matter or matters in which the disqualification arose.

History: 1971 act replaced provision allowing selection of elector to act for disqualified member with provision that selection be made from alternates; P.A. 84-546 made technical change substituting reference to Sec. 8-19a for reference to 8-1b.

See Sec. 8-11 re disqualification of members of zoning authorities.

**Sec. 8-22. Contracts and expenditures. Action by majority vote.** The commission may engage such employees as are necessary for its work and may contract with professional consultants. The commission may accept gifts but all of its expenditures, exclusive of such gifts, shall be within the amounts appropriated for its purposes. Action of the commission shall be taken only upon the vote of a majority of its members.

**Sec. 8-23. Plan of conservation and development.**

(a) (1) At least once every ten years, the commission shall prepare or amend and shall adopt a plan of conservation and development for the municipality. Following adoption, the commission shall regularly review and maintain such plan. The commission may adopt such geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. The commission may, at any time, prepare, amend and adopt plans for the redevelopment and improvement of districts or neighborhoods which, in its judgment, contain special problems or opportunities or show a trend toward lower land values.

(2) If a plan is not amended decennially, the chief elected official of the municipality shall submit a letter to the Secretary of the Office of Policy and Management and the Commissioners of Transportation, Environmental Protection and Economic and Community Development that explains why such plan was not amended. Until the plan is amended in accordance with this subsection, a copy of such letter shall be included in each application by the municipality for funding for the conservation or development of real property submitted to said secretary or commissioners.

(b) In the preparation of such plan, the commission may appoint one or more special committees to develop and make recommendations for the plan. The membership of any special committee may include: Residents of the municipality and representatives of local boards dealing with zoning, inland wetlands, conservation, recreation, education, public works, finance, redevelopment, general government and other municipal functions. In performing its duties under this section, the commission or any special committee may accept information from any source or solicit input from any organization or individual. The commission or any special committee may hold public informational meetings or organize other activities to inform residents about the process of preparing the plan.

(c) In preparing such plan, the commission or any special committee shall consider the following: (1) The community development action plan of the municipality, if any, (2) the need for affordable housing, (3) the need for protection of existing and potential public surface and ground drinking water supplies, (4) the use of cluster development and other development patterns to the extent consistent with soil types, terrain and infrastructure capacity within the municipality, (5) the state plan of conservation and development adopted pursuant to chapter 297, (6) the regional plan of development adopted pursuant to section 8-35a, (7) physical, social, economic and governmental conditions and trends, (8) the needs of the municipality including, but not limited to, human

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resources, education, health, housing, recreation, social services, public utilities, public protection, transportation and circulation and cultural and interpersonal communications, and (9) the objectives of energy-efficient patterns of development, the use of solar and other renewable forms of energy and energy conservation.

(d) (1) Such plan of conservation and development shall (A) be a statement of policies, goals and standards for the physical and economic development of the municipality, (B) be designed to promote, with the greatest efficiency and economy, the coordinated development of the municipality and the general welfare and prosperity of its people, (C) recommend the most desirable use of land within the municipality for residential, recreational, commercial, industrial, conservation and other purposes, (D) recommend the most desirable density of population in the several parts of the municipality, (E) note any inconsistencies it may have with the state plan of conservation and development adopted pursuant to chapter 297, (F) make provision for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a, (G) promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and encourage the development of housing which will meet the housing needs identified in the housing plan prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to chapter 297.

(2) For any municipality that is contiguous to Long Island Sound, such plan shall be (A) consistent with the Municipal Coastal Program requirements of sections 22a-101 to 22a-104, inclusive, (B) made with reasonable consideration for restoration and protection of the ecosystem and habitat of Long Island Sound, and (C) designed to reduce hypoxia, pathogens, toxic contaminants and floatable debris in Long Island Sound.

(e) Such plan may show the commission's and any special committee's recommendation for (1) conservation and preservation of traprock and other ridgelines, (2) a system of principal thoroughfares, parkways, bridges, streets and other public ways, (3) airports, parks, playgrounds and other public grounds, (4) the general location, relocation and improvement of public buildings, (5) the general location and extent of public utilities and terminals, whether publicly or privately owned, for water, sewerage, light, power, transit and other purposes, (6) the extent and location of public housing projects, (7) programs for the implementation of the plan, including (A) a schedule, (B) a budget for public capital projects, (C) a program for enactment and enforcement of zoning and subdivision controls, building and housing codes and safety regulations, (D) plans for implementation of affordable housing, and (E) plans for open space acquisition and greenways protection and development, and (8) any other recommendations as will, in the commission's or any special committee's judgment, be beneficial to the municipality. The plan may include any necessary and related maps, explanatory material, photographs, charts or other pertinent data and information relative to the past, present and future trends of the municipality.

(f) A plan of conservation and development or any part thereof or amendment thereto prepared by the commission or any special committee shall be reviewed, and may be amended, by the commission prior to scheduling at least one public hearing on adoption. At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan or part thereof or amendment thereto for review and comment to the legislative body. Such body may hold one or more hearings on the proposed plan and shall submit any comments to the commission prior to the public hearing on adoption. The failure of such body to report prior to or at the public hearing shall be taken as approval of the plan. At least sixty-five days prior to the public hearing on adoption, the commission shall submit a copy of such plan to the regional planning agency for review and comment. The regional planning agency shall report its comments to the commission at or before the hearing. The failure of the regional planning agency to report at or before the hearing shall be taken as approval of the plan. The report of the regional

planning agency shall be advisory. Prior to the public hearing on adoption, the commission shall file in the office of the town clerk a copy of such plan or part thereof or amendment thereto but, in the case of a district commission, such commission shall file such information in the offices of both the district clerk and the town clerk. The commission shall cause to be published in a newspaper having a general circulation in the municipality, at least twice at intervals of not less than two days, the first not more than fifteen days, nor less than ten days, and the last not less than two days prior to the date of each such hearing, notice of the time and place of any such public hearing. Such notice shall make reference to the filing of such plan in the office of the town clerk, or both the district clerk and the town clerk, as the case may be.

(g) The commission may adopt the plan or any part thereof or amendment thereto by a single resolution or may, by successive resolutions, adopt parts of the plan and amendments thereto. Any plan, section of a plan or recommendation in the plan, not endorsed by the legislative body of the municipality may be adopted by the commission by a vote of not less than two-thirds of all the members of the commission. Upon adoption by the commission, any plan or part thereof or amendment thereto shall become effective at a time established by the commission, provided notice thereof shall be published in a newspaper having a general circulation in the municipality prior to such effective date. Any plan or part thereof or amendment thereto shall be filed in the office of the town clerk, except that, if it is a district plan or amendment, it shall be filed in the offices of both the district and town clerk.

(h) Following adoption of a new plan by the commission, the legislative body of any municipality may hold one or more hearings on the proposed plan and, by resolution, may endorse the plan for the municipality.

History: 1959 act added provisions re districts; 1969 act substituted "shall" for "may" thereby requiring that recommendation for most desirable land uses and population density be included in development plan, but did leave optional the inclusion of other recommendations re streets, bridges etc. and further clarified contents of plan re economic development, schedules, budgets, various codes and regulations and community needed and deleted requirement that report be filed annually; 1971 act changed public hearing notice requirements from publication at least seven days before hearing to publication "twice at intervals of not less than two days, the first not more than fifteen days nor less than ten days, and the last not less than two days" before hearing; P.A. 78-314 allowed consideration of energy-efficient development, renewable forms of energy and energy conservation in development plan; P.A. 80-327 allowed consideration of water supplies and their protection in development plan; P.A. 85-279 made consideration of surface and ground drinking water supplies in preparation of the plan mandatory rather than discretionary; P.A. 88-13 allowed consideration of affordable housing and open space acquisition in the plan of development and required that the plan of development be reviewed and updated at least once every ten years; P.A. 91-392 added provisions re development of housing opportunities and promotion of housing choice and economic diversity in housing; P.A. 91-395 designated existing provisions as Subsec. (a) and amended them to require that municipal plans take into account the state plan and that plans adopted under this section be reviewed for consistency with the state plan of development and added Subsec. (b) requiring municipalities to consider use of cluster development; P.A. 91-398 added provision re plans in municipalities contiguous to Long Island Sound; P.A. 95-239 amended Subsec. (a) to provide that the plan may make regulations re traprock ridgelines; P.A. 95-335 amended Subsec. (a) to change the name of the plan of development to the plan of conservation and development and authorized the plan to include provisions re greenways protection and development, effective July 1, 1995; P.A. 99-117 divided existing Subsec. (a) into (a) and (b), redesignating existing Subsec. (b) as (c), and amended Subsec. (b) by adding provision regarding explanation of failure to conduct review of the plan, effective January 1, 2000; P.A. 01-197 recodifies the statutes governing the form and content of local plans of conservation and development and allows commissions to appoint special committees to develop recommendations for the plan. This act shall take effect July 1, 2001, and shall apply to municipal plans of conservation and development adopted after the effective date of this act.

See Sec. 7-148 re municipal powers generally.  
See Sec. 8-39a for definition of "affordable housing".

**Sec. 8-24. Municipal improvements.** No municipal agency or legislative body shall (1) locate, accept, abandon, widen, narrow or extend any street, bridge, parkway or other public way, (2) locate, relocate, substantially improve, acquire land for, abandon, sell or lease any airport, park, playground, school or other municipally owned property or public building, (3) locate or extend any public housing, development, redevelopment or urban renewal project, or (4) locate or extend public utilities and terminals for water, sewerage, light, power, transit and other purposes, until the proposal to take such action has been referred to the commission for a report. Notwithstanding