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American Planning Association
Connecticut Chapter

Making Great Communities Happen

A Publication of the Connecticut Chapter of the American Planning Association

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PRESIDENT'S MESSAGE



Spring 2015 was a busy and successful one for CCAPA. This issue of *Connecticut Planning* highlights some of our most recent proud moments as a Chapter. March, May and June each brought its own bright spot for planners in Connecticut. In March, the American Planning Association announced 2.8 Million Dollars in grant awards through the new collaborative

Plan4Health program with funding from the Centers for Disease Control and Prevention (CDC). Eighteen competitive grants were given out to APA Chapters across the country to complete projects related to active transportation and healthy eating. The Connecticut Chapter was the recipient of a \$150,000 grant for a project initiated by the Eastern Highlands Health District Community Health Action Response Team (CHART). The grant money will fund the creation of a toolkit for planning and zoning commissioners to help plan for active transportation and access to healthy foods. For more information, visit www.plan4health.us.

In May, CCAPA celebrated three exemplary planning efforts in the State and combined its annual awards program with Planning Day at the Capitol. The award recipients and planning day activities are described in detail in this issue. CCAPA again offers its congratulations to all of its awardees and wishes to thank the legislators who work hard on our behalf making policies that guide the work that we do as planners.

On June 19th, Governor Malloy signed into law Public Act 15-57, "An Act Establishing Tax Increment Financing Districts," to allow for the use of incremental property taxes generated in a development district for infrastructure improvements, development projects and other costs associated with development. CCAPA partnered with the Connecticut Economic Development Association, Connecticut Main Street, and Pullman & Comley, LLC to propose this legislation, which will help greatly with municipal development efforts often stemming from planning and visioning efforts.

With great success, comes even greater involvement and responsibility. At the June 12th chapter meeting, we called for volunteers to

(continued on page 11)

On the cover: Bank Street, Downtown New London. Photo by Tita Williams, New London Main Street.

CONNECTICUT PLANNING

is published quarterly by the Connecticut Chapter of the American Planning Association. Contributions are encouraged. Submissions must include the name and contact information of the contributor. Material may be edited to conform to space or style requirements. Please address submissions to Executive Editor Rebecca Augur, AICP (contact information below).

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FROM THE EDITOR

As regular readers know, we try to put together a topical theme for each issue of *Connecticut Planning*, but sometimes there's just so many newsworthy items happening within our organization that it's worth recapping and promoting all that your local chapter of APA is doing. So, in this issue you will find exciting news about tax increment financing legislation that CCAPA helped sponsor in the recently closed regular session, a review of our 2014 planning award winners, news on a public health/planning grant that CCAPA was involved in obtaining, as well as results from a recent statewide survey that CCAPA recently co-sponsored on needs for an aging society.

It takes a lot of volunteer effort to make all these great things happen for our chapter and state, so please consider contributing in whatever way you can to CCAPA. As always, I welcome your suggestions, comments and feedback.

Enjoy your summer! 🌞

— Rebecca Augur



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2014 Planning Award Recipients Honored

The Connecticut Chapter of APA 2014 award winners were honored in a ceremony at the State Capitol in May. The Town of Waterford, two Norwich natives, and an educational program out of the University of Connecticut received annual awards for their efforts to strengthen Connecticut communities through innovative planning, cultural understanding, and the training of local officials about planning issues and procedures.

INNOVATIVE PLAN: Town of Waterford Town Center Vision and Strategic Plan

Waterford had a long-held goal of creating a plan to address Jorden Village and the Civic Triangle. With a Vibrant Communities grant from the CT Trust for Historic Preservation, the town embarked on the task of devising an achievable plan to make these special places walkable and vibrant, protect historic attributes, and establish acceptable development standards for the auto-oriented commercial district immediately to its east.

The plan engaged a wide variety of citizens through a three day charrette and press outreach, fostering awareness by the political leadership for support of future implementation and funding.



State Representative Kathleen McCarty and Senator Paul Formica presented a special citation recognizing Waterford's Plan and Award.



Waterford First Selectman Daniel Steward accepted the CCAPA 2014 Innovative Plan Award from President Emily Hultquist and Awards Committee Chair Val Ferro.

The Plan is honored for:

- addressing competing issues of preservation and development,
- recognizing that planning is only the first step in achieving objectives,
- and for providing excellent models for village district regulations and design guidelines.



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MEDIA AWARD: Casino Urbanization, Suburban Chinatowns & the Contested American Landscape

Norwich natives Stephen Fan and Shane Keaney received a Media Award for their multi-media examination of the effects of urbanization and immigration spurred by casino development in Southeastern Connecticut.

Fan grew up in Norwich and was one of the few Asian students at his school. After attending Harvard for undergraduate and graduate studies, he became an adjunct assistant professor in art history and architectural studies at Connecticut College. Witnessing the cultural transformation from the early years of casino development in southeastern Connecticut provided him a unique perspective on how land use regulations and physical context can collide when a cultural shift defies societal norms.

Fan partnered with fellow Norwich resident Shane Keaney, now a graphic artist in New York, to create a multi-media exhibit exploring the controversial conversion of single family homes into multifamily communities by immigrant Chinese casino workers. The exhibition, displayed at the Lyman Allyn Museum in New London, invited visitors to reflect on the values, practices and public policies that affect housing in Connecticut. In March, 2014, a daylong workshop further explored Fan's and Keaney's findings,



Stephen Fan and Shane Keaney accept the CCAPA 2014 Media Award.

with over 100 people attending. Their work is now reflected in a book, edited by Fan.

In addition to recognizing the innovative and provocative use of media, CCAPA also recognizes this project's profound social and cultural contribution.

Witnessing the cultural transformation from the early years of casino development in southeastern Connecticut provided Fan a unique perspective on how land use regulations and physical context can collide when a cultural shift defies societal norms.

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2014 AWARDS

EDUCATION & OUTREACH AWARD: Connecticut Land Use Academy

Since 2007, the Connecticut Land Use Academy has been training municipal land use commissioners on roles and responsibilities, legal requirements, and how to review a development plan, among other topics. To date, over 1,300 people from 156 of Connecticut's 169 municipalities have taken part in these trainings.

The Academy is recognized for forging a strong partnership between UConn, the Connecticut Bar Association, the state's regional planning organizations, and the Connecticut Office of Policy and Management (CT OPM). And it continues to seek other partners particularly as new issues emerge.

CT OPM funded the Academy for its first three years, but since 2009 the program has been supported solely by grants and limited base support from UConn. Yet, this priceless training is provided free of charge. CCAPA is proud of and deeply

appreciative of the Land Use Academy's efforts and achievements in training local land use commissioners.



Bruce Hyde, Director of the Land Use Academy, accepted the CCAPA 2014 Education and Outreach Award.

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Tax Increment Financing Legislation Passes!

by Rebecca Augur, AICP, Editor, Connecticut Planning

CCAPA — in partnership with the CT Main Street Center and the CT Economic Development Association, and with assistance from Pullman & Comley and Yale Law School's Community and Economic Development Clinic — proposed new Tax Increment Financing (TIF) legislation during the regular legislative session to benefit a wider variety of projects consistent with the State's policies for responsible growth. The bill passed, and **Public Act 15-57** was transmitted to the Governor for his signature on June 10th.

The Yale Law School's Community and Economic Development Clinic issued an excellent [analysis](#) of Connecticut's current laws regarding TIFs, as well as a comparison of other states' laws by way of background to Senate Bill 677, the CCAPA co-sponsored bill. The Yale report generally identified the following concerns with current TIF legislation: complex and

inconsistent procedures and excessive limitations — on project areas, types of taxes that could be allocated towards a TIF, and on issuance of bonds. The report also examined TIF laws from Iowa, Maine, Washington, D.C. and Wisconsin.

The following is excerpted from testimony provided to the Planning and Development Committee's Public Hearing on Senate Bill 677 on March 6, 2015 by Jana Butts Roberson, AICP, CCAPA Government Relations Committee Chair.

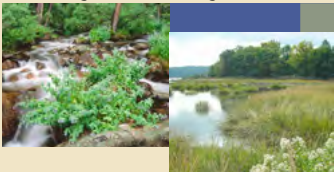
What is TIF?

TIF is a financing tool where some or all of the marginal tax revenues derived from a development project (the "increment") can be used to:

- 1) Fund municipal improvements in the district that are complementary to the
(continued on page 9)

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Tax Increment Financing, cont'd

development project as well as the district as a whole, and/or

- 2) Rebate taxes or private debt incurred as part of the initial development investment, and/or
- 3) Repay municipal debt incurred as part of the initial development investment.

TIF districts allow municipalities to reinvest tax revenues in the same district as where the initial investment is made. This rewards the developer while supporting the district as whole, improving infrastructure and incentivizing development and redevelopment without raising taxes or necessarily incurring debt.

A New TIF Statute WOULD:

- Make TIF's a flexible tool where tax increments could be used for a variety of purposes such as downtown revitalization projects, transit-oriented

development, incentive housing developments, and even park and streetscape improvements.

- Have a more streamlined approval process. A recent survey showed that TIF's are too complicated and too hard to get adopted to be a useful economic development tool in most communities.
- Be used for districts like downtown neighborhoods rather than individual development projects. There is great potential for TIF Districts to facilitate downtown redevelopment. Individual properties are not usually large enough to generate a significant tax increment, but by combining properties into a district, a greater increment could be achieved.
- Put municipalities in control. TIF's are based on local property taxes and they should only need local approval. The municipality would decide the district

(continued on page 10)

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Tax Increment Financing, cont'd

boundaries, what portion of the increment would be used and for what purpose, as well as if any debt would be incurred. Municipalities choosing to adopt a TIF District would hold a public hearing, adopt a district plan, and follow the appropriate municipal approval procedure.

- Allow TIF's to be used for smaller projects in small towns, rather than only for large-scale, multi-million dollar proposals in the largest cities. To help with this, general obligation bonds (rather than revenue bonds) should be allowed when a municipality chooses to provide up-front funding.

A New TIF Statute WOULD NOT:

- Be a means for municipalities to "give away the farm" at the taxpayers' expense. The municipality may

withhold a portion of the tax revenues to pay for increased services generated by the project.

- Mean that municipalities must provide upfront funding for the development itself (although that would be an option). The tax increment could be used only for future public improvements benefiting the entire district and not an individual property developer. Alternatively, TIF revenues may be used to repay debt service on TIF bonds, or be given as tax rebates or a combination of these options. ■

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PRESIDENT'S MESSAGE, cont'd

help us in our efforts to make the Chapter as effective and beneficial as it can be to its members. We are 30% done with the three-year work plan that we set for ourselves in October 2014. That being said, volunteers are welcomed! If you are interested in joining a committee or even helping with discrete tasks, please do not hesitate to contact us at info@ccapa.org.

As always, please do not hesitate to be in touch with me should you have any thoughts, questions or suggestions for the Chapter! My inbox welcomes your emails, my voicemail welcomes your messages, and my door welcomes your feet if you find yourself in Hartford! 

— Emily (Moos)
Hultquist, AICP



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Plan4Health is a 15-month program that strengthens the connection between planning and public health.



Eastern Highlands Health District Community Health Action Response Team (C.H.A.R.T.) Receives Grant Funding from the American Planning Association to Combat Chronic Disease

The Eastern Highlands Health District Community Health Action Response Team received a \$100,000 grant from the American Planning Association through its Plan4Health program (www.plan-4health.us) to combat two determinants of chronic disease — lack of physical activity and lack of access to nutritious foods.

Plan4Health is a 15-month program that strengthens the connection between planning and public health. Seventy-five percent of the program's funding supports local and state coalitions working

to advance public health through better planning and partnerships. The program is implemented in partnership with the [American Public Health Association \(APHA\)](#) and represents a major new collaboration between planners and public health professionals. Funding for Plan-4Health was provided through a grant from the [Centers for Disease Control and Prevention \(CDC\)](#).

“This is an exciting new opportunity to improve the health of our communities
(continued on page 13)



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C.H.A.R.T. Funding cont'd

through diverse partnerships,” said Anna Ricklin, AICP, manager of [APA's Planning and Community Health Center](#). “Collaboration is key if we want to continue to create communities of lasting value that are equitable and healthy for all residents.”

Eighteen coalitions were selected for the Plan4Health program after a competitive review process. The program is being administered through APA's Planning and Community Health Center that is dedicated to integrating community health issues into local and regional planning practices by advancing research, outreach, education and policy.

Small and rural planning and zoning commissions often have limited capacity. In response, the Eastern Highlands Health District Community Health Action Response Team (C.H.A.R.T.) coalition will develop a toolkit aimed at assisting planning and zoning commissions with understanding how planning can impact long-term public health. The toolkit will also gather resources that can be used by local planning and zoning commission members to evaluate planning options and make decisions informed by their potential health impact. An important component of the funded project includes strategies aimed at increasing civic engagement and citizen influence over local planning and zoning decisions.

Coalition partners include, among others: Eastern Highlands Health District, Connecticut Chapter of the American Planning Association, Connecticut Public Health Association, Coventry STEPS, Town of Mansfield Department of Parks and Recreation, Town of Mansfield Department of Planning and Development, Town of Mansfield Department of Human Services, Town of Coventry Department of Planning and Development, Town of Coventry Department of Parks and Recreation, Town of Tolland Department of Planning and Development, Town of Ashford Department of Parks and Recreation, Tolland Family Resource Center, Visiting Nurses & Health Services of Connecticut, Tolland Board of Education School Nurses, Hartford Healthcare at Home, and local residents. 



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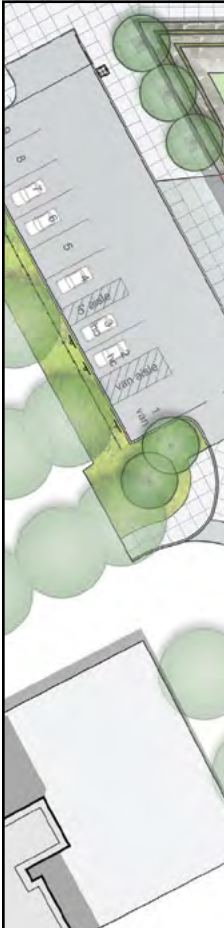
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Revenue

Dues Revenue	\$25,000.00
Conference and Workshop Registration Revenue	\$16,300.00
Grants Received	\$51,083.00
Sale of Products	\$20.00
Advertising Revenue	\$8,400.00
Contributions	\$500.00
Investment Revenue--Interest	\$ 35.00
Other Revenue (Transfer from Reserves)	\$6,316.00
Total Revenue	\$ 107,654.00


Expenses

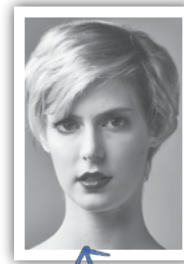
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CDC/APA Grant Payment	\$51,083.00
Total Expenses	\$107,654.00

Shaping Place in Connecticut: Transportation Policy Brief

The Connecticut Commission on Aging in Partnership with CCAPA and the Capitol Region Council of Governments recently released [Shaping Place in Connecticut: A Transportation Policy Brief](#). The brief presents results from a statewide survey, modeled on one created by the American Planning Association, on what residents think about how communities can best prepare to support residents' needs across all ages. Some of the highlights include:

- Those over 50 in Connecticut are more reliant on cars for their primary transportation than all other adults.
- Connecticut residents want to become less car-dependent. And, older residents indicate that they plan to use transit more in the future.
- Survey respondents indicated that creating walkable communities is a priority concern, and many responded that new public investments should go into new sidewalks and pedestrian crossings.
- Younger Connecticut adults (ages 18-34) are more likely to use car sharing, carpool, or ridesharing services than other age groups.

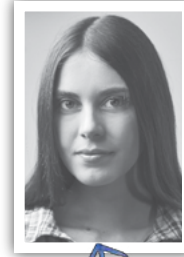
The Legislative Commission on Aging goes on to make several recommendations regarding Complete Street policies, mobility management plans, and greenways, among others, as a result of the survey's findings. 



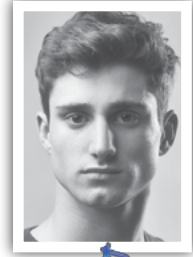
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From the Bench

by Christopher J. Smith, Esquire

Do You Need To Be A Title Searcher Too? – Arrowhead and Public Act 15-68

In March, a Superior Court Judge held that when a municipality requires mailing notice of a public hearing to adjacent property owners pursuant to Section 8-7d, reliance upon the current tax records to determine who the adjacent property owners are may not be enough. You may have to perform a title search to confirm ownership of all adjacent properties. This requirement arguably applies to applicants as well as municipalities when providing notice. You ask yourself, do I have to add “qualified title searcher” next to “AICP” on my resume?

In *Arrowhead Point Homeowners Association, Inc. v. Zoning Board of Appeals of the Town of Brookfield, et al.*, the Court (Truglia, J.) denied defendant Board’s motion to dismiss an appeal taken by plaintiff association from a variance approval. The critical issue involved whether the mailing of public hearing notice to abutters complied with Section 8-7d. The town’s zoning regulations require mailing notice to adjacent property owners when there is a public hearing. Section 8-7d provides that if mailing notice to neighboring property owners is required, “... (2) the person who owns the land shall be the owner indicated on the property tax map or on the last-completed grand list as of the date such notice is mailed.”



In *Arrowhead*, the plaintiff association owns two roads that abut applicant’s property. However, the town’s tax assessor’s records don’t indicate that plaintiff owns the roads. Plaintiff didn’t receive notice of the hearing because notice was only sent to the owners of abutting properties as depicted by the tax assessor’s records. The variance was approved. Plaintiff filed an appeal after the statutory 15-day appeal period. Defendant Board moved to dismiss the appeal as untimely.

Plaintiff argued that it had one year to take the appeal under Section 8-8(r), which provides that when a board fails to comply with a notice requirement, an aggrieved party has one year from the date of the decision within which to file an appeal. Plaintiff argued that it was entitled to and did not receive the required notice. Therefore, it had one year within which to take the appeal, which it did.

The Board argued that notice was only required to owners of abutting land as depicted in the tax records. The Board claimed that it’s not required to perform a title search to determine who actually owns the abutting roads.

The trial court disagreed holding “that Section 8-7d requires notice to all title holders of property adjacent to the subject parcel, not simply those persons listed as owners in the tax records.” The court noted that “[i]n many cases, tax records and land records are co-extensive. But in those instances where they are not, Section 8-7d

(a) requires an applicant to perform limited title searches of all property adjacent to the subject parcel, including privately-owned roadways.”

I’m certain that title searches were not contemplated with the amendments to Section 8-7d addressing mailing notice of public hearings. What next? How about a “quick fix” — let’s amend the statute? This is exactly what happened this legislative session.

Public Act 15-68, Section 2, adds the following language to Section 8-7d(a): “(3) a title search or any other additional method of identifying persons who own land that is adjacent to the land that is the subject of the hearing shall not be required.” This clarifies that you may rely upon the tax records for determining who owns adjacent land for purpose of mailing notice.

Public Act 15-68 eliminates yet another costly regulatory hurdle in our land use process. More importantly, you don’t need to add “qualified title searcher” to your resume.

* NOTE: As of June 11, 2015, Public Act 15-68 had not yet been signed into law by the Governor. 