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## PRESIDENT'S MESSAGE



One of our Chapter's endeavors in the upcoming months and years will be to clearly communicate the value of planning and the planning profession in Connecticut. In early 2015, CCAPA will partner with the Connecticut Conference of Municipalities to hold a workshop on the value of planning in our cities and towns.

This issue of *Connecticut Planning* begins exploring this topic.

In challenging economic times, municipalities across the country have faced strained budgets and have been forced to make choices about which skills are the most valuable in running their communities. Often, the return on investment for planning is slow which doesn't help the planning department stand out as a key municipal asset. But, planning is a highly valuable, long-term investment. It is important that as an organization we begin to communicate the benefits of having cross-disciplinary minds, long-range vision and strategic thinkers on the municipal team.

This task is not only important for those of us who are currently professional  
*(continued on page 3)*



*CCAPA President Emily Moos Hultquist, AICP presenting this year's Diana Donald Scholarship to Kristine Keeney at the 2014 SNEAPA conference.*

Cover Infographic: APA, from 2012 poll. Detailed results in [Planning in America: Perceptions and Priorities](#).

## CONNECTICUT PLANNING

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## FROM THE EDITOR

I hope that this issue serves as a reminder of the value of what we do as professional and citizen planners in our communities, our regions and our state. But, as a reader of *Connecticut Planning*, you likely do not need any reminding of the value of what you do. So, I invite you to use this issue to remind those who sometimes neglect to give planning and planners the respect, investment and commitment needed to ensure that we can continue to play a critical role in improving where we live, work and play. Whether it's to allied professionals with whom we interact regularly (architects, landscape architects, engineers, etc.) or elected officials, planners should be proud to extol the values of their role in making places better, and know that our communities generally support us. In fact, a recent [APA survey](#) found that, "community planning is seen as needed by a wide majority of all demographics." I hope you enjoy reading about how allied professionals, seasoned planners and those just starting out in the field perceive the value of planning in this issue, and that it will inspire you to pass this issue along to someone who may not appreciate all that you do.



We will be strategizing on themes for next year's issues shortly. Please get in touch with me if you have any ideas! 📧

— Rebecca Augur 

## STAY CONNECTED TO CCAPA

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## PRESIDENT'S MESSAGE, CONT

planners in Connecticut. At the SNEAPA Conference in Providence, RI at the end of October, our chapter awarded a \$2000 scholarship to Kristine Keeney, a young woman from Orange, CT who is a graduate planning student at Tufts University in Medford, MA. Kristine represents one of the most important reasons to engage in the conversation about the value of planning — there is a talented new generation of planners who are enthusiastically preparing to make their contribution to the profession.

We hope you will join the conversation as we dialogue with municipal leaders this upcoming year about how they can reap the dividends from investing in planning.

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!

Happy Planning! 📧

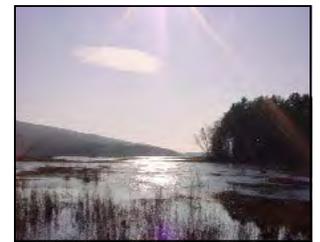
— Emily (Moos) Hultquist, AICP 



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# Why Planning Matters: The Five Strategic Points of Intervention

by William A. Klein, AICP

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If you're like me, you've faced the daunting task of explaining to your children what planning is and what planners do. "Dad, what do you do at work?" Ah, the blank stares that greeted my answer. Needless to say, my children never asked the question twice.

Explaining what planning is and what planners do can be equally troublesome when it's mayors, business leaders, citizens, state or federal officials, or nongovernmental organization partners who are asking the question. How can you distill all the things planners are asked to do into a coherent, perfect nugget of knowledge that clearly stakes out planners' special skills and their aptitude for dealing with the future?

You want to explain how planning directors and their staffs are strategically well placed to help to create communities of lasting value, communities that offer better choices for where and how people work and live. You want to convince people that good planning offers the best hope for meaningfully engaging civic leaders, business interests, and citizens.

In running APA's research department for the past 16 years, I've often had to explain the benefits of planning to potential funders and research partners. I've found that people often start with a very sketchy understanding of the strategic position planners and planning occupy.

While I am thinking in terms of long-range, comprehensive, value-driven, multidisciplinary excellence, they are more likely to be thinking about the permit counter. They ask questions like "Why should we give our money to prepare a best practices manual for integrating hazard mitigation into all stages of planning?" and "Why is it important to partner with you to develop a guidance doc-

ument on incorporating climate change and energy issues into everything that planners do?"

But what they really want to know is "Why do planners and planning matter?" That's the same question I got in my planning director days when I appeared before the finance committee to justify my budget.

The answer goes well beyond the usual response: that planners think comprehensively and have a long-range perspective. Planners matter, in my view, because they are uniquely positioned. They are key players in what I call the five strategic points of intervention. And their actions have extremely powerful effects on the future of cities, towns, counties, and regions.

## The Five Points

I often explain what planners do and what planning is to the uninitiated by using the five points, which should be familiar territory to any seasoned urban planner. You might try incorporating them into the proposals you make to collaborators and funders, who may not understand how planners and planning can make a difference.

- **Visioning and goal setting.** When planners run long-range visioning exercises, they help their community determine what is important for the future by tapping into its inner value structure. Setting broad goals and objectives for a jurisdiction is often the first, best opportunity a community has to flag a problem for serious attention later in the planning process. These exercises often involve analyzing alternative policy scenarios, which helps decision makers to visualize the effects of future actions.

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Planners matter, in my view, because they are uniquely positioned. They are key players in what I call the five strategic points of intervention. And their actions have extremely powerful effects on the future of cities, towns, counties, and regions.

*Bill Klein is APA's director of research and advisory services.*

## Why Planning Matters, cont'd

• **Plan making.** Planners help towns, cities, counties, and regions prepare jurisdiction-wide comprehensive plans; subarea plans (such as neighborhood, downtown, and corridor plans); and functional plans (transit, highway, sewer, water, and open space plans). They assess existing conditions and trends, describe planned actions, and assign responsibility and costs. These plans set the framework for recommended management tools and for future public and private investments.

• **Management tools.** Planners conceive, write, and administer ordinances, regulations, and incentives based on the plans they make. These measures influence where and how things are built and where and how land is preserved. They specify what is required when development is undertaken, and they tell developers what information they must include in their development plan submittals. Examples of these tools include ordinances for zoning, subdivision, planned unit development and transit-oriented development, and form-based codes.

Management tools may rely on compensatory approaches, such as purchase or transfer of development rights. Amendments to management tools can have either a positive or a negative effect on community character, environmental integrity, energy use, climate change, housing choice and affordability, the economy, public health, and transportation.

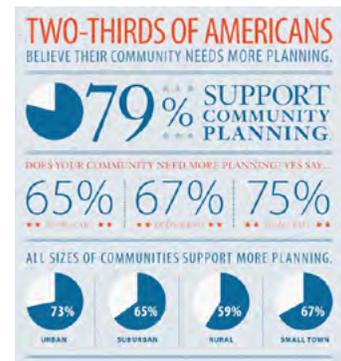
• **Development review.** When planning department staffers review plans prepared by developers, they have an excellent opportunity to bring to light conditions, factors, and variables that affect the decision to approve, conditionally approve, or disapprove the project. For one thing, the staff must make sure that a development submittal is complete — that it has all the information needed to allow a planning board or other permit-granting body to make an informed decision. Second, a thorough site plan review increases the likelihood that the proposal will result in an outcome worthy of the community. Finally, it's up to the staff

to negotiate the special or conditional use permit issues that so often get horse-traded during the site plan review process.

• **Public investments.** Not all planning directors or their staffs take a leading role in preparing the community's capital improvements program, the plan that specifies where investments will be made in infrastructure, public buildings, and facilities. They should. Those that do play a meaningful part in the process have a very important influence on the future.

### Try Them — You'll Like Them

While the efficacy of the five strategic points of intervention may be obvious to many of us working in the field of planning, it is not always obvious to those outside the field. Try to work up the 30-second "elevator speech" version of the five points, and then the "two-minute drill" version, and use them on your potential partners or funders. You may find, as I have, that the message goes a long way toward explaining what we do and why planning matters. I also get fewer blank stares. 🙄



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# A Landscape Architect's View of Planning

by Phil Barlow, ASLA, LEED AP, Principal TO Design LLC



Today's planners are often concerned with policy and land use planning, while landscape architects deal with the physical design of spaces created or made possible through the planners efforts.

The world of planners and landscape architects is forever intertwined, with both professions being the better for it. Today we tend to think of planning and landscape architecture as two distinct professions, but that was not always the case as the professions grew up side by side. The inexplicable divide seems to have happened in the early 1930s as the planning field established its own professional society and journal. After the establishment of the journal, landscape architect Fletcher Steele wrote, "City planning and landscape architecture are like Siamese twins now undergoing the operation that will separate them. Prior to 1932, planning issues were covered in *Landscape Architecture* magazine.

Norman Newton in his seminal book on the history of landscape architecture, *Design on the Land*, attributes the divide to Americans tiring of the grandiose gestures of the City Beautiful movement and turning 180 degrees to a new modern movement with its roots in basic human problems and functional disorders of the city. Today's planners are often concerned with policy and land use planning, while landscape

architects deal with the physical design of spaces created or made possible through the planners efforts. Landscape architects owe a debt to planners who often "set the table" for the later design work.



That being said, many of the top firms in the country are composed of both professions, and many of the American Planning Association's planning pioneers were also landscape architects. This distinguished list includes Herbert Hare, John Nolan (Plan of New London, CT), Henry

(continued on page 7)



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## Landscape Architect's View, cont'd

Hubbard, George Kessler, and both Frederick Law Olmsted Senior and Junior. In fact, Frederick Law Olmsted, Jr. was the first president of the planning profession's professional society, the City Planning Institute, established in 1917. Today, many of Connecticut's certified planners are also licensed landscape architects including Gary Sorge (Stantec), Vincent McDermott (Milone & McBroom), Chris Ferrero (Fuss & O'Neil), David Sousa (CDM Smith), and Dennis Goderre (Town of Waterford)...to name a few.

The most successful places result when both planners and landscape architects are involved. Baltimore's Inner Harbor comes to mind. Planners spent over 30 years studying and planning the area before landscape architects were engaged to design the physical environment. The planning work often goes unnoticed and underappreciated to all but those in the know. Connecticut examples include Blue Back Square in West Hartford, The Route 6 corridor plan, New Britain's downtown

plan, and Waterbury's Greenway Plan.

Our worlds often overlap in the course of a project. A recent example from my work is an affordable housing project in Hartford's Frog Hollow Neighborhood. The owner, Hands on Hartford, wanted to redevelop an abandoned building (the old Spaghetti warehouse restaurant) for housing and community services but the existing zone did not allow the use. We were ultimately able to move forward by applying an innovative industrial overlay zone, which had been developed by City of Hartford planners. In Woonsocket, Rhode Island, we are working with planners to provide the framework for redeveloping an inner-city state park and ultimately transfer it to the city, allowing landscape architects to redesign it for municipal use.

Very often, landscape architects work with planning professionals in their capacity as municipal officials. In the most successful instances, this is collaboration, with the planner guiding the design and or land use plan in a way that meets

*(continued on page 8)*

**The most successful places result when both planners and landscape architects are involved.**

The Connecticut Landscape Architect



The Fall 2014 issue of *The Connecticut Landscape Architect* will focus on the nexus between planning and landscape architecture. You can find downloadable copies of the magazine at [www.ctasla.org/publications.htm](http://www.ctasla.org/publications.htm).

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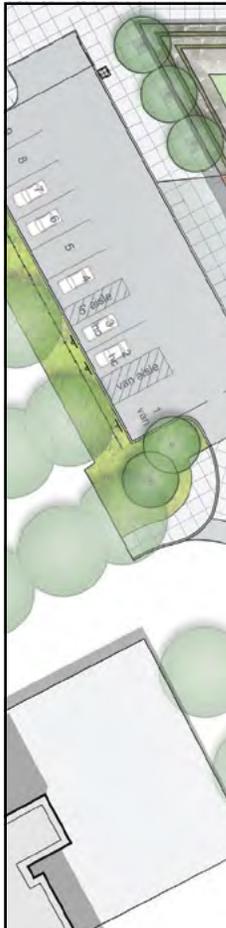
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**Landscape Architect's View, cont'd**

specific committee goals, guidelines, and desired outcomes. As a member of the community, the planner often has insights that the design professional lacks. In many of Connecticut's towns and cities, the professionals are working together to remove prescriptive land use-based development regulations and initiate form based codes.

Like many things in today's world, the work of planners and landscape architects is divided by arbitrary and random partitions. In order to provide the best service to our clients and society it is necessary to bridge these boundaries. At the end of the day, we have a symbiotic relationship and the most successful projects remain those where the line between planning and landscape architecture is fluid...or even invisible. ■

*Phil Barlow is principal of New Britain-based landscape architecture firm, TO Design, LLC, and is editor of The Connecticut Landscape Architect, the magazine of the Connecticut Chapter of ASLA.*



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# Remember Your Training: An Interview with Bill Voelker, AICP

by Rebecca Augur, AICP, Connecticut Planning Editor 

A seasoned professional with diverse working experience in the public sector, Bill Voelker, AICP has some unique insights on the field of planning and the role of the professional planner. He was kind enough to share some of them with this author over lunch recently. Following are highlights from the interview.

When asked about whether his first jobs matched his expectations about the field of planning, Bill said that what attracted him to the profession was its uniqueness and how it seemed to suit his personality. He was a bit of an idealist, as many planners are when first starting out, and had to learn several lessons about public sector planning. He had to learn not only the nuts and bolts of regional and then municipal planning, but also about the political aspects of planning. His first municipal job in the City of Meriden taught him a great deal about planning in urban area. For example, he came to understand the positive aspects of having zoning authority vested in a local legislative body, though it might not seem ideal to other professionally trained planners. According to Bill, local legislators are much better connected to their neighborhood constituencies than planning and zoning commissioners, therefore, they can be responsive to the needs of a neighborhood that might otherwise

feel it has no representation in community land use decisions. Bill also noted the ugly side of politics in municipal planning, having seen blatant conflicts of interest go unquestioned. Rather than becoming disheartened by the ugly side, Bill solidified his own code of professional conduct, which he continues to follow to this day: “Remember how you were trained. Advocate for the best outcomes that you can as a professional planner through whatever political realities you are facing. You won’t lose your credibility, if you remain consistent.”

I asked Bill how he thought the field of planning has changed over the course of his career. “Planning has gotten bigger, broader.” Bill thinks that planners are playing important roles in very large and complex projects, such as the proposed stadium and associated development in Hartford. He also thinks planners remain important because responsible governance has a role for planners. Planners should be advising elected officials in order to help them make good decisions and broker good deals for their communities. Bill said he is happy to see some of his University of Rhode Island classmates involved in large developments garnering a lot of public attention. To him, they are planners who have not forgotten their train-

*(continued on page 10)*



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No matter the size or type of community, there is always a group who will help you in your role as planner. They may be different actors in different communities, but there are always others who can help planners better understand community dynamics...

**Remember Your Training, cont'd**

ing. “[As a planner,] you can’t change the world, but you can get people to listen to you and think more broadly about an issue... [A planner’s goal] is to have well-informed decision-makers... whether you like their decisions is secondary.”

Having worked in a variety of Connecticut communities, from Meriden and Waterbury to Berlin, Simsbury and Cheshire, I asked Bill about whether different types of communities have different perceptions of planning/planners. He started out by noting that planners need to be adaptable. He said that sometimes the local form of government can say a lot about a town. According to Bill, the key to functioning well in any community comes back once again to one’s training as a professional planner. It’s important to figure out what is actually important to any community, not just what “should” be important. As the first Town Planner in Berlin and the first Planning Director in Simsbury, Bill had to navigate different political cultures and sometimes difficult

situations in order to establish and enhance the value of planning to those communities. “It may or may not seem like you’re wanted,” but if you have credibility and work to make sure that decision-makers have good information on which to base decisions, then you have made planning valuable to that community.

In addition, no matter the size or type of community, there is always a group who will help you in your role as planner. They may be different actors in different communities, but there are always others who can help planners better understand community dynamics, that’s why it’s critical for a planner to get to know a community’s residents and business owners, in addition to his or her commissions, local elected officials and/or town administrators. Bill always tries to establish ties with police and fire departments because they have a wealth of knowledge about communities. They also frequently have capital expenditures that require 8-24 referrals to planning commissions, so Bill thinks it’s important that they have an

*(continued on page 11)*



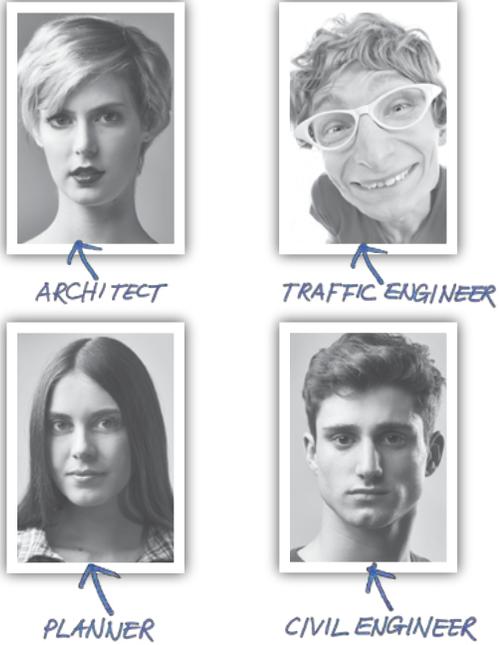
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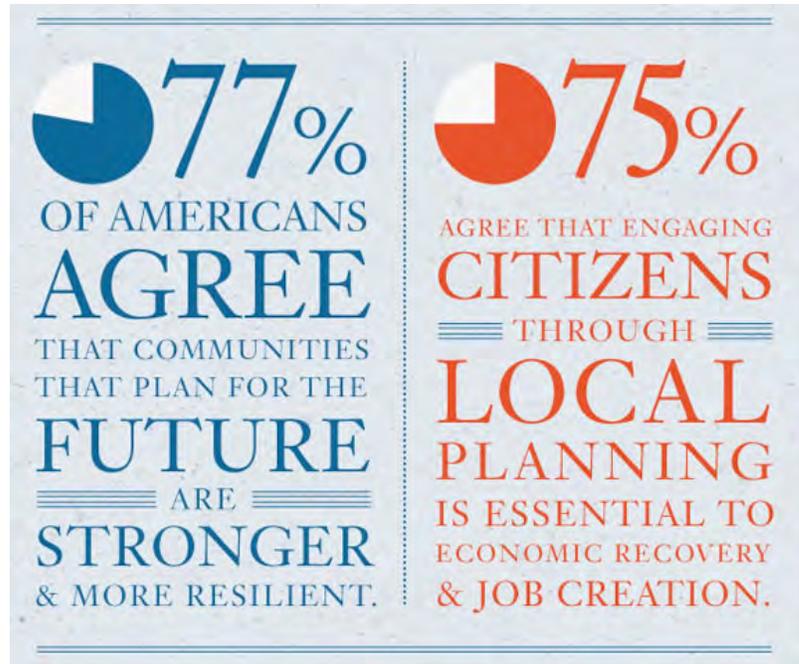
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## Remember Your Training, cont'd

established line of communication with the commission. Likewise, social service providers are another important ally to planners, as well as building officials, engineers, and town clerks. This is true no matter the community. Finally, though it can take years, it is crucial to earn the respect of local political actors through credible behavior so that there is support for your trained opinion on important community developments. According to Bill, “planners have the tools to advance the public good.”

To wrap up, we talked about the future of planning and whether Bill foresees any new values in the field of planning in the 21<sup>st</sup> century. Bill said that the big demographic changes are coming to cities and towns. Planners can provide sound guidance on how to handle the challenges that will arise from these demographic shifts. He thinks it's very short-sighted and risky for communities to eliminate planners now, as they are relevant and needed to face these future challenges. 🏠

*William Voelker, AICP, is the Town Planner for the Town of Cheshire. He previously served as Planning Director for the Town of Simsbury and Town Planner for the Town of Berlin, as well as serving other regional and city planning and redevelopment agencies in central Connecticut.*



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# A Student's Perspective on Planning

by Kelsey Sullivan

In his 1836 essay *Nature*, Ralph Waldo Emerson wrote: "The charming landscape which I saw this morning, is indubitably made up of some twenty or thirty farms. Miller owns this field, Locke that, and Manning the woodland beyond. But none of them owns the landscape. There is a property in the horizon which no man has but he whose eye can integrate all the parts, that is, the poet." The poet, and perhaps today Emerson would have added: "the planner."

The planner's role in city design may not outwardly seem significant. Next to architects who impress with their advanced technical skills and artistic flair, or engineers who have an unparalleled grasp of the physical world, urban planners can seem unspecialized and humdrum; certainly not as essential to the city-making process. But this conclusion would be a mistake. Planners are assets precisely

because they are unspecialized. These are individuals who are oriented toward holistic thinking, and when everyone else is concerned with pursuing their piece of the puzzle, the planner is fitting those pieces together into a complete picture.

Emerson was not the last one to observe the value of integrated visioning. In his recent treatise *Walkable City*, author and planner Jeff Speck espoused the importance of generalist thinking:

If they are to function properly, cities need to be planned by generalists, as they once were. Generalists understand that consolidating parks means that fewer people can walk to them. Generalists understand that infrastructure organized in service of big trucks is not always inviting to small people...Most significantly, generalists — such as planners and, one hopes,

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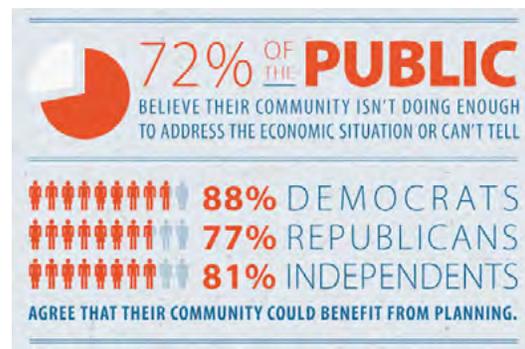
## A Student's Perspective, cont'd

mayors — ask the big-picture questions that are so often forgotten among the day-to-day shuffle of city governance. Questions like: What kind of city will help us thrive economically? What kind of city will keep our citizens not just safe, but healthy? What kind of city will be sustainable for generations to come?

For me, the generalist nature of planners is evident in their sincere concern for issues that affect the entire community. At this year's SNEAPA conference I attended workshops on how to address climate change and social equity in our towns and cities, and I was struck by how earnest the panelists were. They weren't there to represent a corporate interest or because the government mandated their attendance. What I witnessed was a genuine exchange of ideas, motivated solely by the passion for building better communities and seeking a higher quality of life for everyone. Planners may not be as powerful as poli-

ticians or as flashy as designers and architects, but their ability to “integrate all the parts”, and their equal commitment to all segments of the population, makes them — to me at least — one of the last true public servants. ■

*Kelsey Sullivan is a recent graduate of UConn, currently serving as an Americorps VISTA member at Neighborhood Housing Services of New Haven, Inc. She has been admitted into the Masters of Regional Planning program at UMass Amherst, and is considering adding a law degree. Her special area of interest is cohousing and other forms of the “sharing economy.”*



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# Economic Development and Planning — Better Together

by Elizabeth Stocker, AICP, President of Connecticut Economic Development Association (CEDAS) and City of Norwalk Director of Economic Development



When asked if I would contribute an article to Connecticut Planning to discuss economic development from an urban planner's perspective I was happy to take on the assignment. After all, I have enjoyed working in the field both as a planner and an economic development professional for a good number of years now. I knew early on in my career path that it would only be a matter of time before my professional energy focused fully on economic development and the fiscal impacts of land use planning rather than planning and land use control.

So one may ask how planning and economic development differ. Are they one and the same or are they two different and distinct disciplines? In my opinion, they are very similar but each has a separate and distinct role to play. With that being said however, I would have to say that economic developers and planners often strive to reach the same end result when we look toward growing our grand lists, job creation, and community development.

I think the disciplines involve two ways of thinking and will involve two different approaches to arrive at a solution. The economic developer often takes a blended approach and works to achieve the best outcome for all. A planner may be confined due to the regulatory environment in which they are required to work. The economic developer as an advocate for businesses can often serve as a bridge between the regulatory agencies and the business community. Often this bridge is a welcomed

effort and the planner and economic developer will work together as a team.

Having a planning background makes it easy for the economic developer to understand the land use regulatory landscape. There are many planning activities that an economic developer may practice therefore a background in planning will serve an economic developer well. Skills include acting as a facilitator for public policy, conducting community forums and identifying economic development strategies that are necessary to improve the business climate of a region or a community.

An economic developer may also create an action plan for implementation by the community economic development

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## Better Together, cont'd

commission, corporation or agency and can be instrumental in creating a strategic plan of economic development as well. As with open space, recreation, transportation and land use, a strategic plan or action plan for economic development is often incorporated into a community plan of conservation and development.

Economic developers are results oriented and are often skilled in conflict resolution and negotiation. The blended solution approach is symptomatic to these skills. An economic developer may be effective in negotiating outcomes while a planner may be confined by the regulatory controls of their official role. Again, the two professionals will work together as a team to achieve solutions to the benefit of the community.

One of the pleasures of being an economic developer and a planner is working on new initiatives in the community. Initiatives include diverse programs such as building façade and streetscape improvements, sustainability initiatives, brownfield and vacant property reclamation, business incubators, entrepreneur incentives and business retention, expansion and attraction. Economic developers are often out working with business groups, chambers of commerce, not for profit groups, cultural and tourism entities and individual businesses on solutions that will help the individual business, the local economy and improve the quality of life for residents.

Economic development is a fast paced and dynamic environment that involves a focus on the business community and its interaction with government agencies. Economic developers help market our communities as a social, vibrant, healthful and dynamic places to live, work and invest. The economic developer identifies the virtues of a community whether they are strong educational systems, a cultural, historic or agricultural enclave or an active and safe city where residents and visitors can have fun and thrive. The economic development professional promotes these virtues and works with others to attract and retain residents, businesses and investors to the community. In marketing, our

product is our community, our people, our place and it is important to know what they are and how these homegrown resources and local capabilities work to attract and grow our product.

During my tenure as an economic developer I have found that my colleagues have quite a mixture of professions and educational backgrounds. I think that a planning background sets a solid foundation for those of us who utilize our training and experience to work with the businesses and not for profits in our communities. It is helpful to understand the regulatory climate and how to work within the confines of the regulations. In any event, the economic development profession is dynamic and fun and I would encourage any planner who likes the process of making deals to cross over and make it happen. 🏢

*Elizabeth Stocker, AICP, is currently the Director of Economic Development for the City of Norwalk. She previously served as Director of Economic and Community Development for the Town of Newtown.*

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# From the Bench



by Christopher J. Smith, Esquire, Shipman & Goodwin, LLP

## Special Permit Discretion — How Far Can You Go?

How much discretion does a zoning commission have when reviewing a special permit application? What effect do regulatory “general considerations” such as impacts to public health or neighborhood property values have on special permit review?



A recent decision by Judge Berger, who manages our State’s “land use court,” provides guidance, although the Court notes that there are “two conflicting lines of authority.” The case is *Cooper v. Wethersfield Planning & Zoning Commission*, 2014 Super. Super. LEXIS 2278 (September 12, 2014).

*Cooper* involves the denial of a special permit application to permit a rear lot. The subject property is zoned residential and located in a historic district. The property is adjacent to what is known as the Francis House, built in 1793 and home to the Wethersfield Historical Society (you probably sense that this will be an issue for the applicant). The property comprises approximately 40,000 square feet, with a three-family house built in 1880. The proposed front lot is 13,000 square feet, and the proposed rear lot is 26,000 square feet. Both lots meet bulk/area requirements. The proposed single-family residence to be located on the new lot is permitted in the zone. The existing multi-family dwelling is not a permitted use, but constitutes a valid, non-conforming use.

The Wethersfield Zoning Regulations require special permit review and

approval to create a rear lot. The Regulations’ special permit criteria include a number of “general considerations” such as: (a) a proposal’s compatibility with the neighborhood; (b) the appropriateness of proposed structures and landscaping; and (c) whether a proposal will have a detrimental effect upon the public health, safety, welfare, convenience or property values.

At the public hearing, a number of neighbors, including representatives of the Historical Society, testified that the proposal will adversely impact not only the historic character of the neighborhood, but also neighborhood property values. The opposition claimed that although there are other multi-family homes in the neighborhood, there are none with a rear lot. This was the first time that such proposal was made in the historic district. There was significant concern that an approval would generate similar requests. Finally, the president of the Board of the Historical Society stated that the proposed driveway will “destroy the ‘pastoral ambiance’ of the [Society’s] Francis House.”

We don’t need a weatherman to tell us which way the public hearing winds were blowing before the Commission. The Commission denied the application. The applicant appealed claiming that the proposal satisfies all applicable zoning regulatory requirements. Therefore, the Commission improperly denied the application.

On appeal, the Court noted that there must be substantial evidence in the administrative record to substantiate the Commission’s denial. Although the Commission failed to

state its reasons for denial (which the Court appropriately frowned upon since it is a statutory requirement to do so), the Court searched the record for evidence to support the Commission’s decision.

The Court found that the substantial evidence of the record supports the Commission’s denial. Specifically, the applicant failed to satisfy the Commission’s regulatory general considerations, including that the proposal be compatible with and not adversely impact the neighborhood.

The Court recognized two conflicting lines of cases concerning whether the failure to satisfy “general considerations” constitutes a valid basis for denying a special permit application. There are appellate level cases holding that a special permit application can only be denied where the application fails to satisfy specific standards, which do not include “undefined aesthetic considerations.” Other cases hold that considerations such as public health, safety and welfare, if enumerated in the zoning regulations, can form a valid basis for denying a special permit. The decision provides an excellent summary of these cases.

The *Cooper* Court sided with the latter line of cases and held that although only “relatively vague reasons can be gleaned” from the record, there was substantial evidence to support the Commission’s denial based on the applicant’s failure to satisfy regulatory general considerations. The Court ruled that the Commission is endowed with liberal discretion in applying its zoning regulations and dismissed applicant’s appeal.

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## From the Bench, continued

Cooper's lessons for zoning commissions when reviewing a special permit application: (1) state the reasons for your decision; (2) ensure that there is substantial evidence to support your decision and reference such evidence in your decision; and (3) if you determine to deny the application based upon "general considerations," ensure that such authority is provided for in your zoning regulations and reference the applicable regulatory provisions in the decision. ■

*Note: To date, Cooper is not the subject of a petition for certification seeking permission to appeal to the Appellate Court. Please note that the Cooper decision is by the Superior Court.*



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The APA has stopped making training and education CD-ROM's in favor of these new-fangled "Streaming Education Products" ([www.planning.org/store/streaming](http://www.planning.org/store/streaming)). However, you can still get CM credit for most of the CD-ROMs in the Chapter's lending library. These are:

- Maintaining Neighborhood Character
- Ethics in Planning
- Renewable Local Energy
- Designing for Water Conservation
- Informed Decisions: A Guide to Gathering Facts and Evidence
- Performance Measurement in Transportation Planning
- Creating Successful Meetings
- 2010 Planning Law Review 2010

Contact Craig Minor at [cminor@newingtonct.gov](mailto:cminor@newingtonct.gov) for more information or to check out one of these titles.

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# Connecticut Planner Profile: Deanna L. Rhodes, AICP, CZEO

**Current Position:** Town Planner for Portland, CT

**Home Town:** I consider both Shrewsbury, MA and Tucson, AZ my home towns.

**Favorite Places:** **Cities:** Washington, D.C....Paris, France...Carmel-by-the-Sea, CA  
**Towns:** Salem, MA...Lake George, NY...Rockport, MA...Mystic, CT  
**Neighborhoods:** Oak Bluffs (Martha's Vineyard), MA...Willimantic Camp Meeting House Association – Willimantic, CT...and any place where there are great pocket neighborhoods, and/or small historic homes.

## What made you decide on a career in planning?

I knew from a very early age that I would have a career in the land use field. Some of my best childhood memories are spending time with my father, a civil engineer, at his office watching as he reviewed site plans and then walking around with him on construction job sites checking on the progress of projects that he was managing. It was awe inspiring for me to literally watch highway bridges and large commercial buildings seemingly grow up from the ground overnight. While in college at the University of Arizona, studying structural engineering and land surveying coursework, I worked for an award winning commercial architectural firm, a structural engineering firm, and a site contractor. Many years passed where I focused on other aspects of my life (like being a full-time mom) before I re-entered the work force. I slipped right back into the development field working administratively in a municipal land use department before being hired as the Zoning Enforcement Officer for the Town of Coventry. It was in that position, working under the tutelage of Town Planner, Eric Trott, that I became enamored and focused on a career in the planning field. I realized that all my previous work experiences, education and skills would translate remarkably well to the planning profession.

## Why did you decide to be a planner in Connecticut?

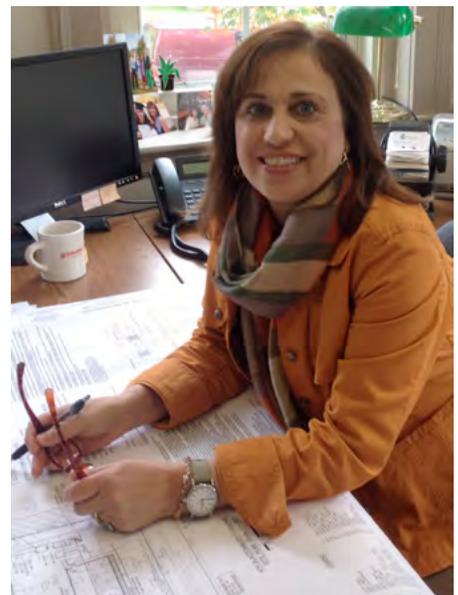
When I began seeking employment as a planner, I knew I wanted to focus on employment opportunities within the public sector in Connecticut. After enjoying the one-on-one interaction with residents while working in the Colchester and Coventry land use departments, I wanted my first planning experience to also be for a similarly sized and like community. Portland's Assistant Planner/ZEO position was the perfect stepping stone into the planning profession.

## What projects/initiatives are you currently working on as a planner?

I am actively working to finalize a license agreement that has been seven years in the making to extend the Air Line Trail linear park into Portland from East Hampton, CT over a large portion of Northeast Utilities privately owned property. I am also assisting with a re-visioning/market-analysis project for a previously approved, yet stalled, mixed-use development project consisting of 81 housing units and 150,518 sq. ft. of commercial space on the Elmcrest hospital site. Since its July 2009 approval, six buildings on the property have been listed on the National Historic Register. There are also several significant projects in my hopper that include updating the POCD with assistance from a planning consultant, coordinating a Brownfield assessment/investigation for potential redevelopment of 3 properties along the CT river, and assisting with two municipal park build-outs that have received STEAP grant funding.

## Why did you join CCAPA/What do you like about being a member?

I joined CCAPA in 2004 because I wanted to become a part of the Connecticut planning



*(continued on page 19)*

community. My membership has allowed me to expand my knowledge through timely and interesting program offerings and frequent opportunities to network with other land use professionals.

**What value does planning hold for your community?**

Portland places a high value on Planning. Being a small community, planning is critical for the town to forecast the changes in land use that will ultimately affect municipal services and to prepare for short and long term impacts on the budget. Benefiting from a POCD that's still relevant, the Town frequently utilizes the document to implement recommended action steps to avoid haphazard decision-making and to prioritize projects when pursuing grant funds. The local planning process has also create a positive impact on citizens who have established successful grass roots organizations focusing on recreation, historic preservation, economic development and complete streets initiatives.

**Do you have any favorite websites/tools/blogs that relate to planning and/or your job that you'd like to share?**

Besides recommending the CT and National APA, CT General Assembly – General Statutes, CT Conference of Municipalities (CCM), and UConn's Center for Land Use Education and Research (CLEAR) — websites that I frequent on a regular basis as part of my job — I'd like to share a few interesting and useful planning related sites that I enjoy checking out:

**Professional Faves:**

CT Main Street Center: [ctmainstreet.org](http://ctmainstreet.org)  
UConn's Plant Database: [hort.uconn.edu/plants](http://hort.uconn.edu/plants)  
Partnership for Strong Communities: [pschousing.org](http://pschousing.org)  
Cyburbia: [cyburbia.org](http://cyburbia.org)

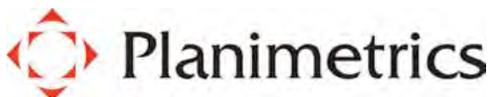
**Personal Faves:**

Pocket Neighborhood Projects: [rosschapin.com](http://rosschapin.com)  
Tiny House Movement: [tinyliving.net](http://tinyliving.net)  
Piscataquis Village in ME: [piscataquisvillage.org](http://piscataquisvillage.org)

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