

October 2, 2017



Chairman Mike Knudsen  
Clinton Planning & Zoning Commission  
54 East Main Street  
Clinton, CT 06413

**RE: Planning Comment on Zoning Amendment Application #AR 17-053,  
Section 32: Soil Erosion and Sediment Control**

Architecture  
Engineering  
Planning  
Land Surveying  
Environmental  
Services

Chairman Knudsen and PZC Members,

I have been asked to review Application #AR 17-053, proposing to modify Section 32 of the Clinton Zoning Regulations, as presented by the Commission itself. I have reviewed the proposed amendment and their applicability to the Plan of Conservation & Development (PoCD). Please consider the following notes:

- It appears that the major intent of this amendment is to clarify and transfer responsibility for review and certification of Soil Erosion and Sediment Control Plans (E&S) submitted as part of a site development application to the Zoning Enforcement Officer (ZEO) rather than the Commission;
- I am generally in support of this transfer of authority, as it would tend to accelerate the review and approval of E&S plans and avoid unnecessary delays in the development process;
- The PoCD does recommend allowing more uses to be permitted via Site Plan (vs. Special Exception) and by Staff approval rather than Commission approval for standard uses, so this change would be supported by those portions of the PoCD (Distribution PFA, p.44);
- Despite the technical skill of the current ZEO, I am not certain that a total elimination of opportunity for oversight and responsibility of the Commission in this case is a good idea. There could easily be the circumstance that a future ZEO lacks the technical acumen to properly review E&S plans and did not avail him/herself of the Conservation District services provided for in this Section. By the Commission's decision to remove themselves from this process, there would be less opportunity to provide oversight of this important design component for development projects;
- The delegation of tasks such as E&S review to the ZEO could be accomplished on an internal 'policy' basis or a Commission resolution, rather than a Regulatory basis. The Regulation could continue to say "the

Commission or ZEO” and the Commission could annually (or as needed) pass a procedural resolution that formally empowers the ZEO to manage this process. In that way, if this authority needs to be revoked, it could be done with a simple resolution rather than having to re-amend the Regulations.

It is my recommendation that the Commission deny this application, but to proceed with a resolution authorizing the ZEO to manage the E&S process. Please contact me if you have any questions about these comments. Thank you.

Respectfully Submitted,



John P. Guskowski, AICP  
Consulting Town Planner