

MINUTES

CARPC Policies & Criteria Advisory Group

July 30, 2009

City-County Building Rm 315, 210 MLK Jr Blvd, Madison WI

5:00 p.m.

Present: Phyllis Hasbrouck, Eileen Kelley, Mike Dailey (as a fill-in for Robert Phillips, who is the replacement for Larry Nelson), Jim Pulvermacher, Brad Murphy

Absent: Tom Wilson, Bruce Sylvester, Caryl Terrell

Staff Present: Kamran Mesbah, Bridgit Van Belleghem

1. **Introductions**

The meeting convened at 5:10 p.m.

2. **Approval of the minutes of the meeting of May 28, 2009**

Motion by Ms. Hasbrouck, second by Eileen Kelley to approved May 28 minutes, motion carried.

3. **Report on interviews with local units of government regarding CARPC policies and criteria for sewer service areas**

Mr. Mesbah began the discussion by presenting the results from the interviews he had conducted thus far with local jurisdictions, noting that they were taking longer than was anticipated because of budget creation in all jurisdictions. Mr. Mesbah noted that he had conducted interviews with:

V. Deerfield

T. Medina

V. Belleville

T. Dunn

V. Oregon

T. Dunkirk

V. Waunakee

And all the cities, except Monona and Edgerton

V. McFarland

Referring to a flip chart, Mr. Mesbah summarized some of the common issues and comments, pointing out potential aspects that the committee will need to be aware of such as dealing with contradictory issues and recommendations. Mr. Mesbah continues to conduct interviews and will have a more final list of issues and recommendations before the next meeting.

The committee had discussed in a previous meeting about conducting interviews with the environmental groups. Mr. Mesbah asked the group, how they thought he should go about conducting these interviews. Ms. Hasbrouck agreed to ask the CRANES group about the best possible strategy. Mr. Murphy suggested that a focus group representative of the many environmental organizations might be the best way.

4. **Discussion of CARPC public process and procedures**

The group referred to a letter and set of recommendations submitted by environmental organizations to CARPC earlier this year.

Ms. Hasbrouck stated that current policies and practices were tilted in favor of development and that the environmental interests would like to see a more equal playing field. In public hearings, she recommended that the commissioners are given a chance to talk and re-address public comments. Also, that environmental groups do not have enough opportunity to organize.

Mr. Mesbah pointed out that the commission can check facts in a dialogue with participants and applicants. Additionally, if the commission has concerns or questions it can postpone the decision and request staff to conduct further research and information.

Ms. Hasbrouck pointed out that in order for the commission to develop concerns or become aware of problems that local groups, who have more investment, would need more time to do their own more thorough research.

Mr. Pulvermacher suggested that applications that do not have an environmental component can be granted an early public hearing to get input before officially submitting a proposal.

Mr. Murphy suggested that the application be posted right away, a month in advance, but cautioned against lengthening the process because proposals have already been through local and public review, which is at fastest six to nine months. Plus, the annexation process.

Mr. Mesbah asked the group for reasons why the local public might not be involved in the local review process.

Mr. Murphy answered that in Madison citizens can get access to listserves to receive plan commission agendas and other information.

Mr. Hasbrouck point out that environmental and other interest groups do not have staff or time to dedicate to staying on top of the agendas for all local units of government, where as developers, local staff and officials dedicate themselves to this process. The playing field is uneven from the beginning. And that local jurisdictions have a bent towards development, and act on different values.

Mr. Pulvermacher suggested the CARPC allow for an initial public hearing for vetting a proposal. At a later date, if the proposal seemed acceptable, the applicant could submit an official application for a second public hearing where the decision can be made.

Mr. Mesbah reminded the group that RPC staff provides the Commission with a joint fact finding technical capability, so that questions can be researched and answered. He cautioned against encouraging advocacy science as part of the process, where one can find an expert for or against any case. Advocacy science can get in the way of the Commission reaching consensus, it would just bring conflicting claims and assertions. He added that the public hearing at the CARPC level is not intended to be an opportunity to rehash or mediate local issues or conflicts, it is meant to help get public input and opinion regarding the regional issues concerning a proposal. He also cautioned against a suggestion from the submitted document that would add three months to the process at the beginning, since this period would be just a problem discovery time, not used for finding solutions to problems that may be associated with a proposal.

Ms. Hasbrouck pointed out that the process is set up in a way that consensus will not be reached and that someone has to lose.

Mr. Mesbah clarified that by consensus decision it is not meant that there will not be a winner or a loser. By having an objective process with a representative group (i.e the RPC), if decision-making is done with the near consensus process, and when the Commission develops an understanding of and agreement on the facts of the relevant issues, then it is more likely that municipalities have to accept rejection or approval as objective and non-partisan.

Mr. Mesbah also brought up a case where an applicant wanted to have one on one informational meetings with the commissioners, and stated that it would be better to get the informational

discussion in front of the commission in public. CARPC could encourage applicants to give the Commission and the public a presentation of the general proposal at the conceptual phase for general feedback and to assess the likelihood of commission approval before further planning for the development. Often after putting so many resources into planning a project a developer and the municipality will have a hard time letting go of it.

Mr. Pulvermacher and Mr. Murphy suggested that there should be a limit on the number of times the potential applicant could present to the commission so that the process is not abused or hard to manage.

The group generally liked this idea.

Ms. Kelly suggested that for projects already in the planning phase could still have presentations to the Commission in advance of their public hearing.

The group determined that in the coming meeting they would work further to develop specific recommendations for the commission.

5. Continued discussion of NR 121 as it relates to the authority and activity of CARPC

No further discussion.

6. Set future meeting dates and times

Members agreed to meet next on Thursday, August 27th at 5:00 p.m., contingent on Mr. Mesbah's availability.

7. Adjournment

By unanimous consent 6:35 p.m.

Recorded by Bridgit Van Belleghem