

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
PUBLIC MEETING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT 06438
THURSDAY, 1 DECEMBER 2022
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

X	Gina Block
X	Steven Bull, Secretary
X	Michael Farina
X	Jamin Laurenza, Vice Chairman
X	Wayne LePard
X	Dan Luisi
X	Edward Wallor, Chairman
A	Alan Chadwick, Alternate
A	Larry Maggi, Alternate
A	Tim Teran, Alternate
X	Kate Anderson, Selectwoman
X	Bill Warner, AICP, Town Planner
X	Bunny Hall Batzner, Recording Clerk

1. Call to Order

Mr. Wallor, Chairman, called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

The pledge was recited.

3. Attendance/Seating of the Alternates

Attendance was taken and all regular members were seated.

4. Additions/Corrections to the Agenda

The agenda stood as submitted.

5. Public Comments

George Berka, 57 Concord Street, Waterbury, spoke to the Commission regarding a proposal for a repository for spent nuclear fuel noting that he had emailed the proposal to Mr. Warner and First Selectman Bob McGarry a few months back. Mr. Berka stated although he's not yet found a site, which is based on geology, he's looking for preliminary approval; and if granted, would start looking for a site.

Mr. Berka stated it would be a deep geological repository similar to Yucca Mountain but it will have to have the appropriate geology (main component). If the geology is right, the casks, which are projected to last up to 1 million years, would be buried 1,500 feet underground. Mr. Berka spoke in regard to a recently finished repository (constructed by and operated by Posiva) in Onkalo, Finland. Mr. Berka stated spent nuclear fuel has a bad reputation and claimed it has never harmed anyone.

Mr. Berka stated he understands it's an on-going process and this is only the beginning. If preliminary approval is granted, he will seek governmental grants and look for a site.

Mr. LePard asked Mr. Berka if he was going to every town or how did he pick Haddam. Mr. Berka stated he picked Haddam because it had the Connecticut Yankee (CY) Power Plant. Other than Millstone Haddam is the only other town in Connecticut that has a decommissioned power plant. Haddam is the only town that knows what it's like to live with a decommissioned power plant, the waste is stored on site, and given that the town has the most experience with it Haddam may be more open to the proposal.

Mr. Berka stated the reason why Yucca Mountain didn't work is due to inappropriate geology and political reasons. Whereas, in Finland they found a place with the right geology first and then took care of the politics.

Mr. Laurenza asked Mr. Berka if he had done any investigating of the geology around here. Mr. Berka stated not yet, but if he were to receive preliminary approval, he will begin looking for a site noting the area may not be suitable at all. Mr. Berka stated politics is the biggest hurdle and if local buy in can be obtained, he believes it will work better rather than forcing it on people.

Mr. Farina asked Mr. Berka his background or work experience in this area. Mr. Berka stated he has an aerospace engineering background, and he would have to start from the beginning and do his research.

Mr. Berka stated with global warming we need a carbon free power source, something that will produce electricity 24/7 which is something renewables cannot do. The wind doesn't blow and the sun doesn't shine all of the time so you need battery backups (still very expensive). Able power 24/7 that's clean and carbon free is nuclear. Mr. Berka stated if a place for the spent fuel can be found then more nuclear plants can be built. Mr. Berka also stated this proposal would be for a nationwide repository.

Mr. Berka stated spent nuclear fuel has the smallest footprint (very dense) of all waste claiming that currently all the spent fuel from the last 60 years would fit into one soccer field the height of a three story building.

Mr. Berka stated he did submit a written application.

Mr. LePard asked what is considered an acceptable geology. Mr. Berka stated he didn't know; however, the repository in Finland is one of the best ones. Mr. Berka stated his first choice would be geology like Onkalo; and if not, will look at other choices. Mr. Berka also stated if it doesn't work, it doesn't work.

Mr. Wallor stated the Commission would not be giving approval to anything tonight. Mr. Warner stated Mr. Berka is looking for the general support of the public and the politics of it should go before the Board of Selectmen (BOS); and if Mr. Berka should find a site, then it would become a P&Z matter.

Mr. LePard asked if there was approval for such a site, would it have to be private not public land. Mr. Warner and Mr. Wallor stated they had no idea. Mr. Berka stated he would look to buy a site; therefore, it would be private. Possibly the old CY grounds if willing to put it there. Mr. Warner asked who would approve the project. Mr. Berka stated the Town of Haddam, the state (DEEP), and then the Nuclear Federal Regulatory Board (license the project).

6. Public Hearing/Public Meeting

There were no public hearings scheduled.

7. Approval /Correction of Minutes

MOTION: Jamin Laurenza motioned to approve the 6 and 20 October 2022 and 3 November 2022 minutes as submitted. Dan Luisi second. Motion carried unanimously.

8. New Business

a. Review of 10 Foot by 20 Foot Shed and Pickle Ball Courts Addition to Blueway Commons Plan – 3 Brookes Court, Haddam.

Jeff Hartmann, Elm Tree Partners, Principal, was present.

Mr. Hartmann noted that the address should be 3 Brookes Court not 4 Brookes Court. Correction noted.

Mr. Hartmann stated he would like permission to modify the site plan to include a 10 foot by 20 foot shed. Mr. Hartmann distributed a map, developed by Landscape Elements, LLC, Warwick, RI, showing the location of the proposed shed and pickle ball courts. The shed would be located at the end of the parking lot between Buildings D and C and would be used to store small tools, a snowblower, etc. Mr. Hartmann stated some landscaping trees will be placed around the shed to make it look tasteful.

Mr. Hartmann stated he is also requesting permission to install two pickle ball courts in the back corner 25 feet off the back property line and believe this will help draw residents to the facility. Noted that pickle ball is the fastest growing sport for individuals over 30 in the United States. Mr. Hartmann stated it appears that the clientele is trending a bit older and that would align with pickle ball. Noted there is no pool at the facility. Mr. Hartmann stated if approval for two were received, only one would be constructed, similar to the pickle ball courts in Old Saybrook – fencing with screening, no lights, a dawn to dusk activity - to see how it is received.

Mrs. Block asked if the height of the fencing would be sufficient to contain stray balls. Mr. Hartmann stated yes, as the fence will be eight (8) feet. There would be screening so the wind wouldn't interfere with the ball moving back and forth.

Mr. Wallor asked if it would be a regular chain link fence. Mr. Hartmann stated yes, with either screening or slats and black coated fence. Mr. Hartmann stated the fencing for the dog park is black and he would like to stay consistent. Mr. Wallor agreed.

Mrs. Block asked if this was in the Village Center; and if so, were there restrictions on the types of fencing allowed. Mr. Warner stated yes, it is within the Village District; and no, there were no fencing restrictions. Mr. Warner asked for a rendering of the shed. Mr. Hartmann stated the shed would be the same color as the apartments.

Mr. Bull stated he believes there are restrictions pertaining to chain link fences (not allowed). Mr. Bull asked if there was any other chain link fencing on the property. Mr. Hartmann stated yes, at the detention basin. Mr. Warner stated the request is for a sport area and a fence would be required. Mr. Wallor reviewed the regulations – Section 7B.3.2A Section 6 - indicates they can have the storage building as long as it's located to the rear, but found nothing pertaining to fencing. Mr. Laurenza asked as a Commission did they think Mr. Hartmann would do a hack job with the project.

Mr. LePard asked if there was a fence between his property and the Saybrook at Haddam. Mr. Hartmann stated yes, they installed a wooden fence along Route 154 (to match the Saybrook at Haddam's fencing) and that it went before the Architectural Review Committee (ARC).

Mr. Bull asked Mr. Hartmann if he would be stick building the shed or purchasing a Carefree structure. Mr. Hartmann stated he would prefer to buy a prefab building. Mr. Bull noted prefab structures do not tend to have a proper slope to the roof, etc. Mr. Warner stated Kloter Farms has some wonderful structures. Mr. Hartmann stated he would not buy a cheap structure.

Mr. Bull stated he agrees with the black coloring of the fencing noting that it blends better in the winter and the summer than the green or white coloring. Mr. Warner noted Mr. Hartmann went through design

and review (ARC) and the plans have chain link fencing around the detention pond behind the first building and the dog park.

Mr. Luisi asked Mr. Wallor to move the question.

MOTION: Ed Wallor motioned to approve the review of 10 foot by 20 foot shed and pickle ball courts additions to the Blueway Commons, 3 Brookes Court. Mike Farina second. Motion carried unanimously.

b. Discussion Regarding Commercial Zones and Regulations

Following up on discussion from the Commission's last meeting regarding the commercial zones and different ways to deal with commercial development that may or may not be coming to the town, Mr. Warner stated he felt it best the Commission understand what they have for commercial zones, what is available, and what could happen based on commercial zoning.

Using a map of commercial/industrial zones in Haddam, excluding the Village Districts, Mr. Warner reviewed the following areas with the Commission. **Haddam Neck – CY** – Zoned industrial, but there is no commercial potential there as they would have to go through the Federal Energy Regulatory Commission. **Higganum, Route 81/Killingworth Road – GCI** and **Three Oaks Plaza** – Basically zones around the property lines and both are fully developed. **Trading Post Development, LLC** – The Commission is familiar with these parcels due to a recent application. **Higganum, Route 154/Saybrook Road** – Commercial zone from Dunkin Donuts north to the town line and on the other side of the road there is approximately 150 feet of commercial (done in the 1950s) but the rest of the land is zoned residential. This area has more depth, but there are a number of houses. Topography is difficult. Again very narrow lots with no potential for commercial development. **Larry's Garage** – Front is zoned commercial (approximately 5 to 6 acres). Does have potential for development. **Higganum Veterinary Clinic** – All wetlands. **Union Hall** – The excess parking area is all rock. No visibility from a road. Plus there are problems with the bridge. No potential for development. **Haddam, Island Dock Road, Hall's Power Equipment** – If Hall's sold their 2.5 acres, land wise, there would be some potential for development. **Haddam, Midway Marina, Snyder Road** – There is no visibility or access from a major road, no potential for new commercial construction as the site is completely developed and covered with boats. **Tylerville, Route 154/Saybrook Road** – South of the Route 82 Connector. Strip of very narrow lots with steep topography going up to Old Chester Road. Fully developed with no potential for further development.

Mr. Warner then reviewed the regulations and how they might work on two sites – Hall's and Larry's Garage. **Hall's – Acreage:** 2.5 acres of land (180,000 square feet). **Regulations:** Allow for 75 percent total impervious coverage (very high for a town like Haddam) and 40 percent building coverage. Translates to 81,675 square feet of total impervious coverage; therefore, a 43,000 square foot building could go on the lot. However, 134 parking space are required which would exceed the impervious coverage percentage. Although a 43,000 square foot building couldn't be constructed, a 30,000 square foot building could. Other considerations include: **Average daily traffic** - Haddam is unique because from Higganum down to Tylerville the area has been completely by passed by Route 9. Route 9 has almost 20,000 cars per day, Higganum has 6,000 cars per day and turning going down Route 81, and approximately 4,000 cars per day go by Hall's. **Roof tops** - Look within a quarter to a half mile radius to see how many roof tops. Due to the river and the state forest, not a lot of roof tops; therefore, it will not attract a lot of people to the location. **Visibility** – There's good visibility from the road. **Site Work** – Ideal as the site is flat. **Utilities** - Does not have water or sewer so counting on good soils. Mr. Warner stated he does not believe the site would attract a retailer unless Hall's goes out of business and sells the land. If so, a 30,000 square foot building could be constructed on the site. **Larry's – Acreage:** Approximately 5 acres (218,000 square feet). **Regulations:** Allow for 75 percent impervious coverage and 40 percent building coverage. Translates to 163,500 square feet of total impervious coverage; therefore, an 87,000 square foot building could go on the lot. To give a real world example, Mr. Warner spoke in regard to Middletown recently approving a Big Y on South Main Street. A Big Y grocery store is 52,000 square feet and they always have more parking than the town would need require (they have 256 spaces); therefore, a Big Y

could be constructed on the site. **Average daily traffic** – Approximately 6,000 cars go by before turning onto Route 81. **Roof tops** - Not a lot. **Visibility** - Good. **Site Work** – A lot of site work, but doable. **Utilities** - Well and septic.

Mr. Bull asked the traffic count on Route 81 south from Higganum compared to Route 154. Mr. Warner stated Route 81 after Route 9 (after Exit 9) is almost 9,000 cars. Bridge Road has approximately 12,000 cars and that's why there is some interest from national retailers.

Mr. Warner stated he had spoken to Mark Branse, Haddam's land use attorney, who believes any retail requiring new construction should be by Special Permit. This would allow the Commission much more discretion to ask for things and to win in court. Mr. Wallor confirmed that Mr. Branse was fine with that language. Mr. Warner stated yes. Mr. Warner stated for building coverage he believes 40 percent works fine, but suggested 60 percent as a more reasonable total lot coverage.

Mr. Warner stated signage needs to be address - shouldn't allow neon, LED, or internally lighting. Maximum height requirements should be required. Free standing signs should have a maximum height of ten feet with some type of base around it. Light poles should also have height requires. To implement the changes a public hearing would be required and could be held as soon as 5 January 2023.

Mrs. Block asked if all the concerns (signs for both commercial and Village Districts) could be covered under the one public hearing. Mr. Warner stated yes.

Mr. Bull stated Mr. Warner mentioned the total coverage is very high (allowable), does the Commission want to change that as well. Mr. Warner stated yes, he would recommend changing it to 60 percent. Mrs. Block stated that would be something the Commission would need to hash out during the public hearing.

Mr. Laurenza asked if this would apply to retail buildings or all buildings in commercial zones. Mr. Warner stated all buildings in a commercial zone noting that retail requires a Special Permit.

Mr. Luisi asked about manufacturing. Mr. Warner stated manufacturing is only allowed in the Industrial Zone.

Mr. LePard asked if the old industrial building behind the ice cream shop in Tylerville was located within an Industrial Zone. Mr. Warner stated Essex Design is within an Industrial Zone as is the Riverhouse and the land swap property.

Mr. Bull asked if the proposed changes to the regulations would have any effect on the Killingworth Road application. Mr. Warner stated the applicant has resubmitted and will be covered under the current regulations and the applicant has also admitted that the proposal is for a Dollar General.

Mr. Bull asked about building height. Mr. Wallor stated the regulations cite 35 feet maximum. A brief discussion followed.

Mr. LePard asked if houses will be going on Jeff Rummel's property (just south of Spencer's Shad Shack). Mr. Warner stated the site is all graded out and done; and that Mr. Rummel was interested in constructing storage buildings or small apartments, but has not heard back from him. Mr. Farina thought Mr. Rummel's representative had talked about a small industrial park. Mr. Laurenza stated the town paid for a study that indicated the town needs 20,000 square feet of additional retail and the Commission has not done anything to attract additional businesses to the town. Mr. Warner stated the POCD talks about commercial development being in Tylerville or Higganum (concentrate within the centers).

MOTION: Gina Block motioned to pursue a public hearing and enlist the help of Bill Warner, Town Planner, to get an ad in the paper as soon as possible for review of the commercial regulations on 5 January 2023. Mike Farina second.

A brief discussion followed regarding the number of hearing items for the 5 January 2023 and whether this matter could be addressed on 19 January 2023. Mrs. Block was asked if she would amend her motion. Mrs. Block agreed.

MOTION: Gina Block motioned to amend the public hearing date to 19 January 2023 instead of 5 January 2023 for review of the commercial regulations. Steve Bull second. Motion carried unanimously.

9. Chairman's Report

2023 Meeting Scheduled - Mr. Wallor asked if everyone had reviewed their copy of next year's meeting schedule; and if so, were they agreeable to it. The Commissioners were in agreement. Mr. Warner noted that it's required by statute that the meeting schedule be filed by January.

10. Scheduling of Hearings

Amendment to the Zoning Regulations Section 10.4 – Forestry Regulations – Thursday, 15 December 2022.

11. Town Planner's Report

Receipt of New Application for +/- 10,700 Retail Building on Killingworth Road, Map 60, Lot 26-7, 8, and 9 for Public Hearing on 5 January 2023

Year-End Report – Mr. Warner stated he's finishing up his year-end report and when complete he will email it to everyone.

Paramount Wellness Retreat, 7 Island Dock Road – Mr. LePard asked if they are officially open. Mr. Warner stated they have received their CO. He was aware they were awaiting some state approval, but is unclear whether they have received it or not.

12. Adjournment

MOTION: Jamin Laurenza motioned to adjourn. Steve Bull second. Motion carried unanimously.

The meeting was adjourned at 8:04 p.m.

Respectfully Submitted,

Bunny Hall Batzner
Bunny Hall Batzner
Recording Clerk

The next meeting is scheduled for Thursday, 15 December 2022.