

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
SPECIAL PUBLIC HEARING/MEETING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT 06438
THURSDAY, 27 JULY 2023
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
X	Alan Chadwick, Alternate
A	Larry Maggi, Alternate
X	Tim Teran, Alternate
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

None.

5. Public Comments

There were no comments from those in attendance.

6. Public Hearing/Public Meeting

a. An Application for a Special Permit at 212 Saybrook Road, Map 6, Lot 1-A-2 to Allow for Change in an Existing Non-Conforming Use Pursuant to Section 29.4 from an Existing Commercial Building to an Apartment Building Allowing for 10 Apartments. Applicant/Agent: Eric Rettberg

John Corona, Esq. and Pat Benjamin, Civil Engineer, representing the applicant, and Eric Rettberg, applicant, were present.

Hearing: Mr. Wallor opened the public hearing at 7:02 p.m.

Mr. Benjamin reported that Mr. Rettberg is looking to purchase a 1.36-acre parcel on the east side of Saybrook Road and convert the entire parcel into apartments (property currently is half apartments). Mr. Benjamin reviewed the site plan - to the back of the property there's a small house, built in 1940, that's an apartment and the front building, built in the mid-60's, previously/currently used for apartments (seven bedrooms), a dental office, laundromat/dry cleaner, and office space. Mr. Rettberg would like to convert the remainder of the front building into 10 apartments. Site would have 11 apartments in total. Mr. Benjamin pointed out parking - in front, along the side, to the rear and an access drive that goes all the way around. Twenty-two (22) spaces required and 24 currently exist. Due to the proposed conversion, soil test was completed and reserved system designed to accommodate 10 apartments. The plan was approved by the health district. Mr. Benjamin stated explained why the use can change by Special Permit under Section 29.

Mr. Benjamin reviewed the adjoining uses to 212 Saybrook Road - gas station, building with apartments above businesses below, Middletown Rug and Carpet, Dunkin Donuts, single family residences, and wooded property around the exterior trees to the rear. Wells were reviewed, neither is polluted, and each building has separate well and septic system. Soil testing did not take place on the house to the rear as it will not be changing its use. Mr. Benjamin stated there are no plans for changes to the main building other than the exterior color. Mr. Benjamin also stated there was discussion about the possibility of solar in the future which may require the beefing up of the interior trusses, but not the outside.

Mr. LePard asked Mr. Benjamin if the small square on the plan represented the Shad Museum. Mr. Benjamin stated yes. Mr. LePard noted that the Shad Museum had been relocated off site.

Mr. Bull stated Mr. Rettberg had been before the Commission before to discuss this matter. Mr. Warner stated yes, it was informal discussion.

Mr. Warner asked Mr. Benjamin if the building official and/or fire marshal had gone through the building. Mr. Benjamin turned the question over to Mr. Rettberg. Mr. Rettberg stated yes, he met with them and has an architect in place to bring the building up to fire code so long as approval is received.

Mr. Luisi stated he viewed the property from the outside. Mr. Laurenza stated the property has been relatively vacant for some time and it's time for something to be done with it.

Lenny Kochanowski, 64 East King's Highway, Chester, stated he's located in the area where the old dry cleaner and Village Florist was located and that there was an environmental company that was purifying the water due to contamination in the well from the main building. Mr. Kochanowski stated he's heard no mention of that in the presentation and would like to know the status of the situation. For clarification, Mr. Warner asked Mr. Kochanowski if he lives on site. Mr. Kochanowski stated no that he has storage on the site. Mr. Warner stated the contamination is a separate arm of government (DEEP) and the town has no jurisdiction over environmental issues.

Mr. Corona stated Mr. Rettberg is aware of the situation and has been in contact with the people who are conducting those activities. The property meets the technical definition of an establishment. Mr. Corona asked Mr. Rettberg if he had been informed that the water was usable. Mr. Rettberg stated the wells are okay but further testing and clean up needs to be done. Mr. Corona stated progress is being made, but is not complete; and it does not need to be completed for this project to be executed. Mr. Warner stated Transfer Act could be in the process for 10-15 years before getting a final signoff from DEEP. Mr. LePard asked if the health department would be involved. Mr. Warner stated no.

Mr. Teran asked if there are people currently living on the property. Mr. Rettberg stated yes.

Karen Johnson, 26 Hill Top Drive, Portland, realtor selling the property, addressed the well situation noting that filters are changed regularly. Mr. Kochanowski stated that the filter doesn't deal with the contamination and that's why there's an environmental company. Ms. Johnson concurred with Mr. Kochanowski and also referenced the Transfer Act. Ms. Johnson stated there is clean water for

drinking/cooking, bathing, and laundry. Mr. Warner stated there are carbon filters that are on wells as the town distributes them to three (3) or four (4) houses in Higganum and they do filter out the contamination. Mr. Warner stated this has been taking place for 30 years.

Mr. Corona explained the Transfer Act and once the property meets the definition of establishment someone in the transaction must take responsibility for the clean up to the satisfaction of DEEP. If the seller comes off the hook for cleanup, then the buyer will be responsible. Mr. Warner stated Dr. Zaiantz was spending a lot of money for cleanup.

Mr. Kochanowski spoke in regard to contacting various officials who indicated they were gathering information pertaining to the contamination; however, they gave no time line as to when it would be cleaned up. Mr. Warner stated it could be a long time.

Mr. Farina asked if the septic was compatible with the additional units. Mr. Benjamin stated yes, it was approved by the health district. Mr. Farina asked if this could be tied in with the community septic system. Mr. Warner stated if their system failed, they could tie in. Mr. Luisi asked if there was sufficient land to create a reserve system. Mr. Benjamin stated yes, as the property is all sand.

Mr. Farina asked about the number of bedrooms. Mr. Benjamin stated most will be one (1) with some two (2) bedroom units in the main building, but there will not be more than 24 bedrooms. Mr. Luisi questioned Mr. Benjamin's comment/math. Mr. Benjamin stated if there cannot be more than 24 apartments as it would trigger a community water system. Mr. Warner stated the application indicates the front building will have 10 apartments with 12 bedrooms.

Mr. Wallor closed the public hearing at 7:15 p.m.

Meeting: SEATED: Block, Bull, Farina, Laurenza, LePard, Luisi, and Wallor

Prior to the vote, Mr. Farina stated he didn't see the proposal creating any additional traffic that would be significant to the area. Mr. Laurenza and Mr. Wallor stated they felt the proposal was cut and dry. Mr. Bull asked Mr. Warner if he had any concerns about the application. Mr. Warner stated no.

MOTION: Jamin Laurenza motioned to approve an application for a special permit at 212 Saybrook Road, Map 6, Lot 1-A-2 to allow for change in an existing non-conforming use pursuant to Section 29.4 from an existing commercial building to an apartment building allowing for 10 apartments. Ed Wallor second. Motion carried unanimously.

b. An Amendment to Section 23.6.3, Accessory Apartments, 6.2 and 6.5 Residential Zones Pursuant to Public Act 21-29. A copy of the existing and proposed text is on file in the Land Use Office and the Town Clerk's Office.

Hearing: Mr. Wallor opened the public hearing at 7:22 p.m.

Mr. Warner reported that the proposed revisions had been discussed previously and that Public Act 21-29 says that towns shall allow accessory apartments under specific criteria; and if not changed by 1 January 2023, the Public Act overrides the regulation. Square footage for accessory apartments changes from 800 to 1,000 square feet. Mr. Warner also reported that the Regional Planning Agency has signed off on the proposed revisions.

Mr. Wallor closed the public hearing at 7:25 p.m.

Meeting: SEATED: Block, Bull, Farina, Laurenza, LePard, Luisi, and Wallor.

MOTION: Jamin Laurenza motioned to approve an amendment to Section 23.6.3, Accessory Apartments, 6.2 and 6.5 Residential Zones pursuant to Public Act 21-29. A copy of the existing and proposed text is on file in the Land Use Office and the Town Clerk's Office. Dan Luisi second. Motion carried unanimously.

7. Approval /Correction of Minutes

MOTION: Steve Bull motioned to approve the 20 April 2023 minutes as submitted. Dan Luisi second. Motion carried with Mr. Laurenza abstaining.

8. New Business

None.

9. Chairman's Report

There was nothing new to report at this time.

10. Scheduling of Hearings

Mr. Warner reported that there are no hearings scheduled at this time.

11. Town Planner's Report

Building Permits - Mr. Laurenza asked if building permits have fallen off. Mr. Warner stated the building official has been busy. The Commission will be provided with an updated report.

Cell Towers - Mr. Chadwick asked for an update. Mr. Warner stated towers are proposed in Higganum, Jail Hill, and Tylerville; and the tower company needs a customer in order to construct the tower. Mr. Warner stated Haddam lacks density. Mr. Warner stated Mr. Wallor has received a letter from a company who is beginning the permitting process for a tower in Haddam Neck and Bob McGarry, First Selectman, has indicated that this tower will eliminate the need for a tower on Jail Hill.

Mr. Laurenza stated his company has been installing poles with antennas to fill in dead zones; and asked if that would work. Mr. Warner stated that's for the data and not voice.

12. Adjournment

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

The meeting was adjourned at 7:31 p.m.

Respectfully Submitted,
Bunny Hall Batzner
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Recording Clerk

**PURSUANT TO THE BY-LAWS OF THE HADDAM PLANNING AND ZONING COMMISSION,
ARTICLE VIII – MEETINGS – SECTION 1, NO MEETINGS ARE SCHEDULED FOR
THE MONTH OF AUGUST.**

The next meeting is scheduled for Thursday, 7 September 2023.