

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/MEETING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT 06438
THURSDAY, 20 MAY 2021
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

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

1. Call to Order

Mr. Wallor, Chairman, called the meeting to order at 7:05 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

There were no comments from those in attendance.

6. Public Hearing/Public Meeting

a. Proposed Special Permit and Site Plan Review to Allow a 56 Unit Multi-Family Housing Project and a Parking Modification at 1564 Saybrook Road and 3 Brookes Court. Applicant: Elm Tree Partners

Jeff Hartmann, Founder & President, Elm Tree Partners, proposed developer; Shang-Chi (Greg) Liu, Director of Finance, Elm Tree Partners; Justin Tesler, Vice President of Operations; Paul Monardo, Architect, GC&A Coursey Architects; Graham Curtis, Civil Engineer, DTC; Emily Weckman, Landscape Architect, To Design Landscape; Jim Bubaris, President/Owner/Principal Traffic Engineer, Bubaris Traffic Associates (via telephone); Ed Cassella, Esq., Cloutier & Cassella; and Lisa Wadge, Agent, DBP, LLC.

Hearing: Mr. Wallor opened the hearing at 7:07 p.m.

Prior to the start of the formal presentation, Mr. Bull asked Ms. Wadge, agent DBP, LLC, for clarification regarding zone changes to the property over the years. In 2015 Lots 4 & 5 rezoned to commercial and in 2016 rezoned multi-use Housing Opportunity District (HOD) with the exception of the lot with the existing house. Ms. Wadge agreed. Mr. Warner concurred. Mr. Bull stated HOD zoning has been approved for Lots 1, 3, 4, and 5. Mr. Warner stated the Commission had made a decision that multi-family would be appropriate on the site and then in 2018 the Commission rezoned the area as the Tylerville Village District. Mr. Bull stated the application before the Commission is not whether there can be an HOD, but whether this particular site plan will be appropriate. Mr. Warner stated the application is not an HOD request and believes in 2019 the Commission approved straight multi-family without the affordable component. A brief discussion followed. Ms. Wadge stated the proposal is for market rate apartments on only two of the lots and does not include the existing house lot (to be retained by DBP) or Lot #3.

Mr. Hartmann thanked the Commission, the Architectural Review Committee (ARC), Bob McGarry, First Selectman, and Mr. Warner for their time and effort in this matter to date. He also stated that he believes the proposal is in line with two feasibility studies done in 2016 and 2018 calling for multi-family as a driver for economic development.

Project Overview: Using the presentation booklet (Exhibit A; copy on file in the Land Use Office), Mr. Hartmann reported that the proposed project is for 56 units in three – two story structures that include 36 - one bedroom units that average 855 square feet and 20 - two bedroom units that average 1,150 square feet and the structures will meet the 35 foot height requirement. The project will be done over 4.2 acres and with roughly 53,501 square feet of rental space. The clubhouse will be the center piece - sense of place and community. Amenities include: secure mail/package area, fitness center, work area, as well as outdoor areas.

Project Vision: Mr. Hartmann stated he'd looked at a number of places; however, he likes the site noting the new water line, road system, and sidewalks. He also appreciated the respect and kindness he and his staff received from the town. Mr. Hartmann stated he will be very responsive to working with the town.

Site Plan: Mr. Curtis reported the property is two separate lots: 1564 Saybrook Road, 1.6 acres – proposal is for one building with 20 - two bedroom units and four - one bedroom units and 36 parking spaces; and 3 Brookes Court, 2.5 acres – proposal is for two buildings with 16 - one bedroom units and a 2,400 square foot clubhouse with 62 parking spaces for the units and 10 parking spaces for the clubhouse. Mr. Curtis stated they were able to comply with the minimum lot size, setbacks, and impervious coverage as outlined in the Tylerville Zoning Regulations. **Parking:** Mr. Curtis stated the only modification that is being requested, which is allowable, is a change in the parking from 2 spaces to 1.5 spaces (a 25 percent reduction). Based on demographics and other data, they believe the request to be reasonable. He also noted that the reduction in parking spaces will reduce the amount of asphalt pavement on the property and increase the amount of greenspace. **ARC Review/Referral:** Mr. Curtis reported they appeared before ARC who had some constructive recommendations – landscaping and some architectural changes, which were embraced and they received a favorable referral (on file in the Land Use Office) from them. Mr. Curtis stated the proposed project is harmonious to the rest of the surrounding area per the regulations. **Density:** Mr. Curtis stated the regulations require no less than 10 feet and no more than 40 feet of street setback and the proposal calls for the 1564 Saybrook Road structure to be 12 feet from the street and the clubhouse is 10-15 feet from the street. In order to keep the density down, two story structures are proposed with a maximum height of 35 feet. Also rather than one large massive structure units were divided into three structures. **Civil Engineering Aspects:** Mr. Curtis reviewed the following: **Trash** – Enclosed dumpster off a hammerhead turn with stockade fence screening. **Topography** – The land has a very mild one percent slope back to front (elevation 82 to 74, respectively). **Storm Drainage** – Will be collected by a series of catch basins around the perimeter of the property. No discharge to stormwater detention systems on the site. Initial proposal was to install underground systems with one above ground detention basin; however, one significant recommendation from Nathan L. Jacobson & Associates (NLJA), letter dated 18 May 2021 (Exhibit B; copy on file in the Town Clerk's Office and the Land Use Office), was in lieu of an above ground detention basin he recommended it be a subsurface

system and Mr. Hartmann has agreed to making the change. This will provided additional greenspace. **Septic System** – This development will be treated with onsite septic systems and Michael Harkin, P.E., Harkin Engineering, Killingworth, has been retained to design these systems. Each lot will have stand-alone units to satisfy health requirements. Perc test were done last month and everything was satisfactory. Noted that there is excellent sand in the area. **Water** – Connecticut Water Company extended the line up to the project and will provide domestic drinking water and fire protection (sprinkler system) for the units. **Heating/Cooling** – Buildings will be all electric with high efficiency heat pumps. Non-carbon source buildings. As previously reported, Mr. Curtis stated NLJA reviewed the project and Mr. Hartmann has agreed to comply with Mr. Jacobson's recommendation.

Architectural/Elevations: Mr. Monardo reported that they met with ARC twice and tried to decide on the best way to respond to the Tylerville regulations and what the goals/aspirations of the community are for a new development (making it look like it belongs in the area). Using renderings, Mr. Monardo pointed out Buildings A and B (apartment units) and C (clubhouse). **Apartment Buildings:** Mr. Monardo spoke in regard to the style of the buildings – shingle style is low scale, gable and hip ends of roofs, and coloration – Building A - cool grays, Building B – warm tan and brown. Mr. Monardo stated there are lots of ins and outs giving shade and shadow texture to the buildings. Using the two color scheme for both buildings – lighter color at the bottom and the darker color at the top. Each bedroom has window access/emergency egress (code compliant). Addressed the concern voiced by ARC regarding the placement of windows to break up the mass at the ends of the buildings. Mr. Monardo spoke in regard to the ADA units. **Exterior Materials:** Mr. Monardo reviewed the materials board showing fiber cement siding planks and shakes, roof shingles (units) and standing seam metal roof (clubhouse), and light fixtures. **Clubhouse:** Porches on the front and back of the building. One side full length and the other shorter in length. Amenities in clubhouse will include fitness center, secure mail/package drop off, WiFi, game room, and office area.

Mr. Chadwick asked if the buildings are handicapped accessible. Mr. Monardo stated yes, as will the site with sidewalks throughout the facility. Mr. Chadwick asked if the buildings had elevators. Mr. Monardo stated no, and that the ADA requirement is for 10 percent of the units are to be accessible, therefore, of the 56 units six are accessible (two in each building). In Building A they are located on the first floor end units and Building Bs are located on the first floor in the middle of the unit.

Mr. Laurenza asked if the colors as depicted are accurate (see the same tonight as you will after construction). Mr. Monardo stated yes, but the colors could be slightly lighter or darker.

Mr. Bull asked what makes the other first floor apartments not handicapped accessible. Mr. Monardo stated the side by side washer/drier units as opposed to stacked units as well as subtle clearance issues for a wheelchair. Mr. Warner asked if the bathrooms are handicapped equipped – bars, seats, etc. Mr. Monardo stated yes, and these units will be built this way from the start. Mr. Graham stated most of the units on the first floor will be accessible, other than the bathrooms and washer/drier units, due to the relative flatness of the area. Mr. Bull asked if those with walkers could rent the other units. Mr. Monardo stated yes.

Mr. Warner noted that Mr. Hartmann and the DOT will be matching the lighting fixtures in the subdivision and around the rotaries with those being used for the Tylerville Sidewalk Project.

Landscape Plan: Ms. Weckman reported there are four elements to the site – 1) screening at the property lines, 2) foundation plantings, 3) revegetation of the site with large deciduous trees and small flowering trees and 4) maintaining existing trees and open space. Ms. Weckman reviewed the types of trees and shrubs to be used. Plantings are to provide four seasons for interest as well as benefits to wildlife through habitat and berries. Ms. Weckman reviewed the plan renderings.

Mr. Warner noted that ARC had asked Mr. Hartmann to extend the white fencing at the Saybrook at Haddam onto their development. Mr. Hartmann has agreed to that.

Traffic Study: After a bit of technical difficulties, Mr. Bubaris reviewed four tables within the presentation booklet. The traffic summary for trip generation estimates for multi-family housing do not generate much

traffic week day the a.m. and p.m. - peaks are only in the neighborhood of 26-31 vehicles per hour. Noted there are two peaks in the a.m. and the p.m. based on residents employment schedules. Based on information from governmental source (Census data) it allowed Mr. Bubaris to estimate how the traffic during the peak hours will be distributed. Seven highest places of attraction are: Middletown, Hartford, Haddam, New Haven, Wallingford, Rocky Hill and East Hartford. This new development will follow the same general patterns as the existing population - 45 percent to/from the north of the site; 5 percent the south; 45 percent west; east. The volumes are very low for trip generation/distribution. Evaluation of the Sight Line – Levels of service A and B (very good levels of service). In conclusion, Mr. Bubaris stated there should not be an adverse impact on the surrounding traffic road network; the development is a low trip generator; looked at traffic crash occurrences in the area – nothing showing up as a recurring situation that is problematic or needs to be rectified or will be exasperated by the development. Levels of service will remain as they currently are even with the addition of the development. Sight lines in both directions are satisfactory.

Mr. LePard noted a minor mathematical error. Mr. Tesler stated it's a rounding error. Mr. Bubaris agreed.

Mr. Warner asked if the DOT's roundabouts had been evaluated. Mr. Bubaris stated he did and this was the first place he looked at. Mr. Bubaris stated DOT provided information and believes the roundabouts will bring about an improved level of service to the area. Mr. Bull stated he didn't believe the town had control over whether or not the roundabouts went in as they will be constructed on a state road. Mr. Graham stated the town can tell the state what to do as it's a state scenic road.

Economic Impact: Mr. Liu reviewed the economic impact of the project on the community. **One time construction impact** – year 1 and 2 of construction - \$17.8 million, \$2.6 million in taxes, and 70 and 118 direct construction and total employment. **On-going Impact** – perpetual - \$1.8 million, \$290,000 annual taxes, and 10 direct and 5 indirect jobs.

Mr. Bull asked if maintenance will be the on-going employment. Mr. Liu stated yes, it would include maintenance and operations. Mr. Hartmann stated maintenance workers and landscaping.

Educational Impact: Mr. Hartmann stated based on a 2016 Rutgers University report it is estimated that 2.9 school children will potentially come from this project. Mr. Hartmann stated there is only one child at Essex Station and that child moved to the development. **Costs** – Based on the annual average spending of a school child in Regional School District 17 - \$19,421 x 3 = \$57,000; therefore, the property taxes will be greater. From a net perspective there is an upside. Also appears to be capacity for the addition of 3 children within the school district.

Rental Fees: Mr. Chadwick asked about the rental fees. Mr. Hartmann stated a single bedroom would be in excess of \$1,600 and two bedrooms \$1,900. Mr. Chadwick asked if utilities are separate. Mr. Hartmann stated yes.

Letters of Support: Mr. Hartman reviewed letters that were received – Middlesex County Chamber of Commerce, Connecticut Cancer Foundation, Citizens Bank, R.J. Julia Books – Madison and Middletown, Mikes' Auto – Tylerville.

Mr. Warner reported a letter from Virginia Marshall, Haddam resident, was received and she believes the project is too large and does not support it.

Mr. Chadwick asked Mr. Hartmann how he knows whether this will work. Mr. Hartmann stated they have looked at the market and what people will pay for rents - function of what is paid for the land, debt service costs, and rents – and the project will be between Essex Station and Saybrook Stations. Mr. Hartmann stated he has looked at what people want and what they are willing to pay for. Mr. Hartmann also stated he does have Lot 4 under option and he hopes to be able to come back before the Commission to do another 24 units. Mr. Hartmann stated he had four offers to finance the project, so there is data that supports the project.

Mr. Warner noted that the town had hire Camoin and Associates to conduct a market study and it showed that a town of Haddam's size and demographic could support 189 multi-family units. Mr. Warner stated this is logical as the town currently doesn't have any new product in the town. Mr. Hartmann stated the town is clean and safe and he believes the project will sell.

Mr. Bull asked if the cost of materials will have an effect on the start date. Mr. Hartmann stated no, he would like to start construction in September and would like to have the first residents in a year from now. Pre-leasing next summer would be fantastic.

Mr. Laurenza asked Mr. Hartmann if he constructed the developments in Essex and Saybrook. Mr. Hartmann stated no, but his architect did work on the Essex project. Mr. Hartmann stated if the rates have to modified, they will (they will react to the market).

Mr. Bull asked who will management the day to day operations of the development once constructed. Mr. Hartmann stated Elm Tree will manage the development.

Mr. Chadwick stated a number of apartments are on the second story; and asked what would happen if a tenant were to have a stroke and was unable to get into their apartment. Mr. Hartmann stated there is always some level of vacancy and a shift to the first level could be arranged. Ms. Wadge noted the Saybrook at Haddam is a next door neighbor to the development and would provide excellent medical support. Mr. Warner stated in Farmington he found that multi-family development sprung up around the assisted living facility located there.

Mr. LePard asked what the Wetlands Enforcement Officer's statement was. Mr. Warner stated there are no wetlands on the property and no permit is required. Mr. LePard noted that there appears to be a missing unit door on Levels 1 and 2 of Building B. Mr. Monardo stated yes, there is a door missing on the drawing.

Mrs. Block asked why the buildings are toward the back and not closer to the front. Mr. Curtis stated it's due to the septic systems and separation from the buildings and drainage systems have to be maintained.

Mr. Luisi asked if there were any fire protection tanks or was there sufficient water in the line from Connecticut Water. Ms. Wadge stated there is a fire tank on the property. Mr. Wallor stated there is a residential suppression system and only 20 minutes of water is required and there is a fire tank right on Saybrook Road.

Mr. Wallor asked if the Commission should be concerned about the parking lot modifications. Mr. Warner stated no, 1.5 spaces is the right place to be (also agreed upon by the town engineer). Mr. Wallor stated he agrees with the proposal, but did want to bring it up as he felt it had gotten lost during the discussion.

Mr. Wallor asked if there were any comments/questions from the public.

Ann Faust, 65 Dickinson Road, resident and Executive Director of the Coalition on Housing and Homelessness, spoke in support of the project. The Coalition doesn't normally support an apartment complex that doesn't have an affordability component in it, but in this case there is such a lack of workforce housing in our area they did decided they would support the project. As a resident, Mrs. Faust stated adult children and empty nesters need smaller housing and due to the lack of it in Haddam, they end up moving out of town. Mrs. Faust stated there are still a lot of myths regarding housing and there is new data that debunks those myths (spoke in regard to the Lofts at Spencer's Corner, Centerbrook – 170 inquiries for 17 units and current wait list is over 100; who applied 78 percent one and two bedroom households; 22 percent were advocates who had 3 or more people in their household). Mrs. Faust stated the decisions made in Haddam to build big houses is what drives the school population and it's time for the town to be diversified.

Kate Anderson, Selectwoman and EDC Chairman, reported Mr. Hartmann presented his project to EDC in April and EDC has spent the last two meetings discussing this project. Ms. Anderson read a letter of support from EDC into the record (Exhibit C; on file with the minutes in the Town Clerk's Office and the Land Use Office). Ms. Anderson noted that Mr. Farina, P&Z member, and Robin Munster, ZBA Chairman, abstained due to conflict from other commissions/boards. As a resident, Ms. Anderson stated she grew up in town and a number of her friends want to live in Haddam; however, there aren't a number of places to live. This project will help and it's time for Haddam to look at housing beyond traditional single family houses and believes this will be the first step in a lot of great projects coming up. Ms. Anderson stated she believes Elm Tree has assembled an outstanding team noting that her employer has worked with everyone on the team and believes Mr. Hartmann holds genuine interest to serve Haddam well.

Mr. Warner stated he did speak to the tax assessor and when the entire project is complete this will be the second highest taxpayer. Eversource is the first.

Bob McGarry, First Selectman, voiced his support for the project stating it's a welcomed addition not only to Tylerville, but the town. Mr. McGarry noted this is a wonderful community to live in and we do not have a lot of options for young people just out of school or empty nesters and would like to see Haddam offer some housing options.

MOTION: Ed Wallor motioned to close the public hearing at 8:30 p.m. Jamin Laurenza second. Motion carried unanimously.

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

Mr. Wallor asked the Commissioners if they had any further comments.

Mr. Laurenza made the motion and asked about the parking. Mr. Warner asked which motion was made. After reviewing the motion sheet, Mr. Warner directed the Commission to use the original motion. Mr. Laurenza withdrew the motion.

MOTION: Jamin Laurenza motioned to approve a proposed site plan review to allow a 56 unit multi-family housing project at 1564 Saybrook Road and 3 Brookes Court in accordance with the Special Permit granted May 20, 2021. Ed Wallor second. **WITHDRAWN.**

MOTION: Jamin Laurenza motioned to approve a proposed Special Permit and site plan review to allow a 56 unit multi-family housing project, and a parking modification at 1564 Saybrook Road and 3 Brookes Court. Effective date: June 10, 2021. Ed Wallor second. Motion carried unanimously.

7. New Business:

a. Informal Review of Rummel Property (Mill Creek Subdivision)

John Corona, Esq., Lang & Corona, and Pat Benjamin, P.E., Bascom and Benjamin, representing Jeffrey Rummel, property owner, were present.

Mr. Corona stated there are no architectural plans or draft language, just an idea that they would like to present to the Commission for consideration. Mr. Corona stated they are not expecting a commitment.

Mr. Corona reported that Mr. Rummel owns 1131 Saybrook Road across the street from Spencer's Shad Shack and that Mr. Rummel owns three stacked building lots. The idea is that some businesses in town are either operating as a home occupation or are located outside of town due to the town not having an area for them. Mr. Corona stated he did review the POCD and found a section – Industrial & Smaller Commercial Areas, Businesses & Jobs, page 31 – which states "New industrial zoned land will ensure that the Town is prepared to attract modern industrial businesses on a small scale, and will provide a location for many home occupations to locate as they expand." Mr. Corona stated that statement is the nutshell of the proposed idea. Mr. Corona believes there's an opportunity for what he calls a small business and trade pocket park.

Mr. Corona stated he is not proposing the Commission change the zone, but allow him to draft a regulation that would allow this type of very carefully defined facility to fit into a residential zone. A bit of a non-conventional idea, but in knowing the site you might envision how it would work. Mr. Corona stated there is no view into the site as the site is super elevated, it is completely wrapped by trees, and a drop off on the northerly end of the site so it would remain protected by an easement. Also instead of having homes on the site, there could potentially be a number of units.

Mr. Corona stated the only thing they are looking for is a reaction from the Commission; and if it's something the Commission does not want to discuss, say so; and if it is, again say so.

Mr. Benjamin reviewed the Development Concept #3, Sheet 1 of 1, dated 2-2-2021 (Exhibit A, on file with the minutes in the Town Clerk's Office and the Land Use Office) stating the site was originally a three lot subdivision and the concept calls for the use of Lots 1 and 2 with Lot 3 remaining a residential lot. Mr. Benjamin gave a brief history of the parcel – subdivided approximately 10 years ago, letter entered into the record from DOT that they did not approve the driveway access that the Commission had approved and had to go back to DOT to completely redesign the driveway; moved it down the hill as DOT required a sight line of approximately 500 feet and the original access point didn't work; and Mr. Rummel is currently building the driveway that DOT approved.

Using the map, Mr. Benjamin pointed out the three lots of the original subdivision, Route 154 and Plains Road. Lots 1 and 2 concept area and Lot 3 would remain a residential lot as a buffer to Blodgett Place. There is an existing conservation easement running along the northern side of the property that was approved by the Commission and filed on the land records. Black outlined area is the two lots totally 6.69 acres and would use the existing driveway that is being roughed in and required by DOT to get to the two existing residential lots.

Mr. Benjamin stated what would drive how many buildings could be built on site and what uses they would be would be the stormwater, septic system design, and parking. In talking to Mr. Rummel, what would typically be done would be to construct one building first and see who you can get into it (would drive the number of buildings constructed and parking). The buildings being shown on the concept plan are four - 5,000 square foot structures and the idea was to create a quad with central parking, landscaping around the entire area, and possibly putting a berm to the south due to an existing house. The concept fits for a number of reasons: 1) quick access to Route 9, 2) get across the bridge fairly quickly, 3) more people down in Tylerville and 4) good place for some type of limited commercial use not a high intensity use.

Mr. Benjamin stated what Mr. Corona was discussing early was either modifying or putting something in the regulations and listing the businesses that they think would be appropriate as well as what the Commission would think appropriate. This would not be something that would have a 24 hour use, but rather regular business hours and it would be within a standard residential zone. Mr. Benjamin stated they are looking for the Commission's opinion prior to conducting soil testing, sight design, and traffic analysis.

Mr. Corona distributed a sheet entitled "Small Business and Trades Pocket Park (Exhibit B; on file with the minutes in the Town Clerk's Office and the Land Use Office) and stated that in a discussion with Mr. Warner, that from whatever view there may be from Saybrook Road that it have an agricultural or non-commercial look (Killingworth Hardware Store was mentioned).

Mr. Warner stated as people travel south, they will not see anything on the parcel; and when traveling north, and looking up the road may only see one building. Mr. Warner stated the Killingworth Hardware Store looks like a red barn and this proposal could look like a horse farm rather than a commercial establishment.

Mr. Maggi asked if there would be store fronts or just storage (just doors to get in). Mr. Corona stated there hasn't been a decision about what the buildings would be, but what Mr. Benjamin is showing on the plan is a one story structure. The original concept discussed with Mr. Rummel is what Mr. Corona called a trade park for a licensed professional of some kind (plumber, electrician, HVAC, etc.) and as more

thought was put into it there might be other types of businesses that need a modest space, but not necessarily a construction company as there isn't the space and it's not the right fit for the parcel. Mr. Luisi asked if there would be windows and entries. Mr. Corona stated yes. Mr. Benjamin stated there is something similar in East Hampton – warehouse units (painters, electricians, etc.), and in doing so, found dance studios, gyms, and a baker were interested and the roll up doors were changed to all glass fronts with a door and the owner has been filling those up. Mr. Warner stated there is a big demand for this type of small units and there's nowhere to go. Mr. Warner noted that Haddam has a lot of activities that go on within residential homes. Mr. Corona stated the idea is for an affordable and accessible space, they don't believe there will be a world class organization working out of the site, but in most towns the businesses start to reach the limits that are placed on home occupations and begin to look for something slightly larger. Mr. Corona stated they are looking for quiet uses and not a large traffic count.

Mr. Laurenza stated he thinks it's a great idea, but suggested making the concept bigger by eliminating the residential home on Lot 3. Mr. Laurenza stated Griswold Plumbing couldn't remain in Haddam due to his business expanding and had nowhere to go. Mr. Corona agreed with Mr. Benjamin's thought of build one structure to see what happens. Mr. Warner stated he's been on the site a couple of times and knows the residents and in keeping the residential house (they'll know what they're buying into) will create a nice buffer.

Mr. Chadwick asked if this would be a zone change. Mr. Corona stated it could be if that's the way the Commission would prefer to go; however, his concept would leave it zoned residentially and create a use category in the residential zone that would allow this to take place. Mr. Chadwick asked what kind of zone it would be if there was a zone change. Mr. Corona stated either commercial or industrial. Mr. Luisi stated the Commission would be accused of spot zoning. Mr. Corona stated that's one of the reasons why he suggested doing it this way. Mr. Bull asked the nearest residential homes. Mr. Corona stated there are residences on the little notches on the plan. Mr. Benjamin pointed out the location of the houses. Mr. Corona stated if you were to walk on the site, the world is invisible to you. Mr. Laurenza stated this is no different than Ely's Saw Mill on Plains Road.

Mr. Chadwick asked if this was in the Gateway Zone. Mr. Benjamin stated he does believe it is within the Gateway Zone. Mr. Warner stated there is a big ravine and wetlands after the house to the south. In other words, the only land Mr. Rummel would be using is the only buildable land. Using the map, Mr. Benjamin pointed out the woods surrounding the property, the location of the ravine, the location of the culverts along Route 154, and the conservation easement. Mr. Benjamin also pointed out the elevations – 75 feet lower and the house is probably even with the backs of the buildings.

Mr. Bull stated there is a lot of disruption at the site. Mr. Warner stated it is all required by the DOT.

Mr. LePard stated there are commercial zones in town that aren't being used and asked could the Commission be accused of spot zoning and is there a clear need when there are so many vacant commercial buildings. Mr. Corona stated he suspects the vacant spaces are for a certain reason (perhaps not amenable to people). The alternative to the concept is three houses being built on the site instead.

Mr. Benjamin stated he gets calls about property in Haddam and it always comes down to septic capacity. The nice thing about this concept is the sand and gravel (septic capacity that is much larger than the standard till soils) and can get different uses that can't go in commercial areas in Haddam. Mr. LePard noted there is a large brook just north of the site. Mr. Corona and Mr. Benjamin stated yes.

Mr. Bull stated the Commission spot zoned on an area on Route 81 (GCI) under the guise of a small industrial area in the future. Mr. Bull stated he would have trouble supporting this concept.

Mrs. Block stated she believes it to be spot zoning right in the middle of a residential center. Mrs. Block also stated in this particular area people drive very fast on Route 154 and coming out of Plains Road is very difficult (sight line issue). Mrs. Block stated she would be hesitant to increase the traffic pulling out of there and would like to see this type of development a little bit closer to the village nodes to encourage

people utilizing those businesses that would be nearby. Mrs. Block stated her preference would be to keep the parcel residential.

Mr. Warner clarified the meaning of spot zoning as the rezoning of a small area for the benefit of an individual or a small group of individuals. Mr. Warner stated if the Commission can conclude that there is a benefit to the community because there is a need for commercial or tax or any type of benefit to the community as opposed to an individual or small group of individuals it is not spot zoning. Mr. Corona stated that's correct. Mr. Warner stated there have been almost no cases where a court has concluded that that is spot zoning. Mr. Bull stated as a residential owner, you buy a lot knowing what's around you and have faith that the town's P&Z will not arbitrarily change the zone to industrial or something else. Mr. Laurenza noted New Image, Conti's, Sunoco, Fire Works, and a landscape center, to name a few, that all back up to residential. Mr. Laurenza stated there have been discussions in regard to bringing jobs and businesses to Haddam; and anyone who says GCI was not a home run for Haddam is a fool. Mr. Laurenza also stated if Mr. Bull's expectation was that the area by GCI would explode with business, it would usually take 25-30 years to happen. Mr. Luisi stated this is Mr. Rummel's property and he wants to develop it.

Mr. Corona stated this is a multi-step process and it's not the case that if the Commission approves the regulations, the Commission is explicitly approving the use that we would like to make of it. The situation as Mr. Corona would propose would need a Special Permit where the Commission's discretion is at its absolute utmost (would have extensive control). Mr. Wallor stated although he understands the regulation change; why not just do this under Special Permit. Mr. Corona stated the right isn't something that's allowed in the zoning regulations. There are two choices: rezone the property to another zone with a possible text amendment to do so or allow this particular use in the existing zone. Mr. Wallor stated then it would be zone change. Mr. Warner stated yes, and explained that the use would have to be a part of the list under Special Permit.

Mr. Laurenza and Mr. Luisi stated they liked the proposal especially given the site would not be visible. Mr. Corona stated if the Commission would like, they could make arrangements to visit the site. Mr. Warner stated this would require a public hearing. Mr. Warner noted the statute allows for this type of informal discussion and then it would be up to Mr. Rummel, Mr. Corona, and Mr. Benjamin if they would like to move forward.

Mr. Chadwick stated this proposal is right across from the Shad Shack and believes the Haddam Historical Society (HHS) would be interested in this matter. Mr. Chadwick asked Mr. Warner if he had been approached by the HHS regarding this. Mr. Warner stated this has not been made public yet and that it was only on the agenda. Mr. Warner stated he has spoken to the owners of the Shad Shack and they agree with the process; but this is much higher and perhaps a Shad Shack look to the conceptual structures would blend in.

Mr. Farina stated he likes the concept and would entertain additional information, but is concerned about the location. Mr. Farina noted it is a scenic road.

Mr. Laurenza stated Mr. Maggi pointed out that this proposal is no different than what sits across the street from Coyote Blue except that it's visible.

Mrs. Block stated she has no problem with the concept, but does with the location and believes there will be an issue with traffic.

Mr. Wallor stated Mr. Rummel cannot move his property and whether he buildings three houses or the concept plan there will still be cars coming in and out. Mrs. Block stated there will be a steady increase in traffic with the construction of one building and then another, etc.

Mr. Benjamin stated they would have to go back to the DOT with specific traffic studies and they may have to alter sight lines. Mr. Benjamin noted what was being presented is merely a concept; however, if they were to come back before the Commission, they would come back with an entire design not just one

building. Mr. Benjamin stated the number of buildings will be based on what the site will handle (septic capacity). Mr. Benjamin also stated the Route 81 property previously mentioned is within a flood zone; and once people hear that, they will back out (need to purchase flood insurance). Also discussed was how septic capacity will dictate how a property can grow. Mr. Laurenza stated the town has to work with what it has.

Mr. Bull asked for a non-binding straw poll to see whether or not the Commission would entertain further discussion on the matter. Mr. Wallor called the vote. Eight for further discussion and two against.

Mr. Corona thanked the Commission.

b. Prohibited Use Review

The Commission agreed to table discussion until the 3 June 2021 meeting.

8. Correction/Approval of the Minutes

MOTION: Ed Wallor motioned to approve the 3 December 2020, 21 January 2021, 18 February 2021, 18 March 2021, and 22 April 2021 minutes as submitted. Jamin Laurenza second. Motion carried unanimously.

9. Chairman's Report

There was nothing new to report at this time.

10. Scheduling of Hearings

No hearings are scheduled at this time.

3 June 2021 Meeting – The Commission requested that the 3 June 2021 meeting be held in order to discuss Subsection 5.6 – Prohibited Used found under Section 5 – Zones in the Haddam Zoning Regulations.

11. Town Planner's Report

There was nothing new to report at this time.

12. Adjournment

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

The meeting was adjourned at 9:13 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

The next meeting is scheduled for Thursday, 3 June 2021.