

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
PUBLIC MEETING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT
THURSDAY, 1 AUGUST 2019
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

X	Gina Block
X	Steven Bull, Vice Chairman
X	Michael Farina
X	Frank (Chip) Frey
X	Jamin Laurenza, Chairman
X	Wayne LePard
X	Edward Wallor, Secretary
X	Liz Bazazi, Alternate
X	Robert Braren, Alternate
A	Sam Todzia, Alternate
X	Bill Warner, AICP, Town Planner
X	Bunny Hall Batzner, Recording Clerk

1. Call to Order

Mr. Laurenza, 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

Ms. Bazazi requested a second Public Comment period after Item #7B. After a brief discussion, the Commission felt the public would have sufficient opportunity to voice their concerns as the agenda was submitted.

5. Public Comments

A. Presentation on the HES community Opinion Survey

Mr. Warner provided the following update: 1) Attorneys are working on a purchase/sale agreement with a goal of 1 October 2019 as a closing date. 2) A meeting with the Dept. of Public Health (DPH) and the Dept. of Energy and Environment Protection (DEEP) went very well regarding community septic systems and how to carve out a section for that. Nathan L. Jacobson & Associates (NLJA) engineers are working on a concept on how this can be laid out. 3) Working on the mapping with NLJA and the surveyors to show the parcel that is being divided for the town and the remainder going to the Haddam Land Trust (HLT). Easement areas with the HLT for the town to reserve the rights for soils, if needed, are also being put in. Reviewed the Weston and Sampson Water Study done in May 2000 that laid out well fields on the Swan Hill property and these will also be included on the mapping should the town decide to develop a

water source. 4) Meeting with the Regional School District #17 (RSD17) facility people to see how various items are handled – boiler, oil tank, septic system, security system (controlled by the Board of Education [BOE] central computer system). 5) Previously talked about doing a Request for Proposal (RFP), but have decided not to rush it (listening to the public) and will try to come up with some way to involve as many people as possible. Mr. Warner encouraged the public to present any ideas or thoughts on the process.

Melissa Schlag asked the Commission to reconsider a second Public Comment period after Item #8 or at the very end noting there is a lot of meat to this meeting and it's important for the public to have a voice.

Mark Lundgren suggested a site visit, open to the public and possibly on a Saturday morning, be scheduled in order for the public to see what is being purchased.

Peter Baird also would like to see a site walk scheduled and talked about focus groups (charrettes) being scheduled to see what people have in mind. Mr. Baird stated he liked the survey, but believes the focus groups will provide more detailed information and that this should be done before purchasing a property.

Erik Hesselberg thanked Mr. Warner for slowing down the process in order to get community input (noted a lot of people obviously care about HES) and suggested a committee be formed to weigh all of the options. Mr. Hesselberg also agreed with Mr. Lundgren's suggestion regarding a site walk.

Katie Packtor stated there was previous discussion regarding community input and felt it would benefit the Commission as well as the community to wait until the fall to allow all parties to fully understand what has been purchased, to review the ideas/comments that have been put forth, and to come up with a master plan of how the properties within the Center interconnect. Ms. Packtor also stated once there's an understanding of what the connections are then the town can reasonably approach each concept.

Ms. Bazazi agreed with Ms. Packtor about looking at the interrelationship between the various properties such as a connection between the Higganum Reservoir to the Higganum Cove (how does it relate to what's being discussed).

Mr. Warner stated he and Mr. Laurenza have talked about a process to handle this matter and will discuss it further under Town Planner's Report.

B. Presentation of Location of New Town Garage

Ms. Schlag stated she felt the Rutty Ferry Road property would be a great opportunity in a low density area for a new town garage noting that she and former Assistant Director of Public Works Phil Goff had previously discussed the matter. Ms. Schlag also stated with the Rutty Ferry Road parcel a solar farm could be developed, which was also previously discussed, and would take some of the town buildings off the grid. Ms. Schlag concluded by stating that some of the sand on the parcel could be used by the town during the winter season.

In regard to the Rossi property, Mr. Hesselberg stated one detail that jumped out at him from Mr. Warner's presentation was the 2,000 tons of contaminated soil taken off of the property. Mr. Warner stated it was 2,700. Mr. Hesselberg stated one dump truck carriers approximately 26 tons of material, approximately 80 trucks, and that he doesn't remember seeing that many trucks coming/going. Mr. Hesselberg also addressed the flood plain and spoke in regard to the property having been flooded in 1868 and three fires on the property – last one in 1914 - and asked where all of that debris went (stated he's been told it was buried on site). Mr. Hesselberg spoke in regard to the use of Trichloroethylene (TCE) on site and it may react depending on subsurface geology - either pool or seep into cracks, etc.). Mr. Hesselberg felt the town should find out how long TCE was used and the quantity used and recommended the Commission due their due diligence when looking at this property.

Mr. Lundgren asked if a Phase II environmental study had been completed on the Rossi property. Mr. Warner stated he had reviewed an executive summary of studies conducted from 2000 through 2015 and the 2015 study indicated the removal of 2,700 tons by a licensed environmental professional and the Rossis have indicated they have all the invoices to prove where the material went. Mr. Lundgren stated he would like the town take their time and conducted their own Phase II and appraisal on the property. Mr. Lundgren stated he believes the state would allow the town to cap the property, which would lead into the value of the property. Mr. Lundgren submitted two photos of the current town garage (Exhibit A) and recommended the property be cleaned up while the town is conducting a Phase II and an appraisal on the Rossi property.

Ms. Bazazi asked Mr. Warner if the report could be shared with the Commission. Mr. Warner stated the Rossis have not shared that report with the town; however, if a purchase/sale agreement is entered into, an environmental due diligence period would be in effect and the reports would need to be provided.

Andy Becker, Esq., Rossi Corp., reported he was responsible for the remediation project on the former wire factory site – JC Products, which he hired the engineers and contractors who worked on the project, and there is ample detail on the project (the information will be shared should the town decide to purchase the property). Mr. Becker stated anyone who purchases a property is advised to get an environmental study done on it and they would not object to the town doing any combination of studies the town feels are appropriate.

Mr. Laurenza asked Mr. Becker if the cleanup was part of the demolition of the wire factory that P&Z approved several years back. Mr. Becker stated yes.

Mr. Bull asked Mr. Becker if there are test wells on the site. Mr. Becker stated yes; however, they were not done as part of this remediation, but done at a much earlier time. Mr. Bull asked if there was a test well under the JC Products site. Mr. Becker stated no. Mr. Bull stated an official Phase II environmental study was not conducted. Mr. Becker stated a comprehensive Phase I (initial investigation), Phase II (identification of the particular conditions), and Phase III (cleanup) were conducted by a recognized environmental engineer. Mr. Bull asked if the work was supervised by DEEP or a private firm. Mr. Becker stated the remediation was not done by DEEP order, but was voluntary and a private firm did the work. Mr. Becker noted that DEEP licenses environmental engineers to conduct the work and report back to them what they did and the final result. Mr. Bull stated when the property is sold, it will pass through the Transfer Act; and asked if another Phase I and Phase II would be required. Mr. Becker stated he did not believe the state requires it, but it would be prudent on the town to do so. Mr. Warner stated he did not believe the property to be a Transfer Act site.

Brenda Buzzi stated that Item #8 on the agenda was showing a recommendation to the BOS and if it's from the presentation of two weeks ago, believes this recommendation to be premature especially with what is being discussed tonight – cost of property, all the environmental issues, location of the salt shed near the brook, etc. Ms. Buzzi recommended the Commission listen to all of the citizens.

Mr. Warner stated the Commission needs to remember their job is location and conformance with the Plan of Conservation and Development (POCD) and what is good for the town. The details are with the buyer (the BOS) and the BOS would enter into a purchase/sale agreement, move forward with due diligence, etc.

Ms. Packtor pointed out that within the POCD there is discussion about moving the town garage out of Higganum Center. Ms. Packtor also pointed out that the Rossi property is blighted and the town would take control should they decide to purchase the parcel; however, the Commission has an opportunity to find a location for the garage. Ms. Packtor recommended the Commission scrutinize the various sites previously presented by Mr. Warner without rushing towards the purchase of the Rossi property. Ms. Packtor spoke in regard to different needs within the town - certain companies that need space for their equipment - and how the Commission and the town can create this type of use. Ms. Packtor encouraged

everyone to see how the Rossi property could be developed in a manner that will relate to HES and put some thought into the options that have been outlined. Ms. Packtor questioned the integrity of the structures on the Rossi site and the goals should be reviewed more fully

Patrick Pinnell, architect/town planner, stated he agrees with Ms. Schlag that the Arrigoni site as a lot to offer and that a solar array is very positive. Mr. Pinnell submitted a set of graphics – 1924 photo of Higganum Center from the second floor of the old Higganum Union School and mapping of the Center (Exhibit B – 9 pages). Mr. Pinnell spoke in regard to the river, the inability to view the river any longer, and the need to reestablish this view. Mr. Pinnell stated he believes the Rossi site is key to magnetizing the Center and the connection to the river would be lost if the town garage were to be built on the Rossi property.

Ms. Bazazi stated even during the summer, looking through the Rossi site the entire existing town garage is visible from the Higganum Green and this is something the Commission needs to consider.

Jeff Struges stated it appears the town is moving quickly on acquiring the Rossi property and relocating the town garage to this parcel and it's unclear where the urgency is. Mr. Struges also stated perhaps there's a time frame on the property in which the BOS needs to act quickly; and if so, the town should be made aware of it. Mr. Struges stated in terms of the current town garage, the salt shed is in a flood plain and it appears as if the Rossi property wouldn't be too far out of the flood plain either. Mr. Struges concluded by stating if his comments are inaccurate, he apologizes and would welcome additional information.

Mr. Warner stated Federal Emergency Management maps the flood plains; and according to them, the Rossi parcel is not within the flood plain; however, the current salt shed is within the flood plain. In regard to the urgency, Mr. Warner stated he does not believe the first selectman has had any conversations with the Rossis and the presentation was based on his reading of the POCD and the implementation schedule (helping the BOS to find a new location for a town garage; short term action item).

Ms. Bazazi asked Mr. Warner to read the action item; and stated that he is leaving out specific wording that the garage be located outside of the village. Mr. Warner stated he did that by looking at the Ruddy Ferry Road site; however, in his opinion, the Rossi site is a better site because of the stimulus that can be created there. Mr. Warner stated he met the requirement and the Commission can choose Ruddy Ferry Road. Mr. Warner also stated the POCD is an advisory document.

Lizz Milardo, First Selectman, explained her position on relocating the town garage and the properties that had been reviewed. East Coast Auto Salvage – There are concerns regarding contamination on site and the number of accidents on Route 81 in that area; Ruddy Ferry Road – Approached by the Arrigonis to purchase the property and are currently reviewing it; looked at estimates to build a new garage; trucks cannot be cleaned or stored properly on existing garage site, and there are a number of environmental issues cited in letters she found dating back to the 1990s that were ignored (DEEP will come back to address these concerns). Rossi - Talked to NLJA and reviewed the Town of Hebron's plans/costs. A letter was received a couple of weeks ago from Andy Becker, Rossi Corp., (letter read into the record at the BOS meeting) and it was handed over to Mr. Warner as it belongs with P&Z and not with the BOS at this time. Mrs. Milardo stated there needs to be community support no matter which parcel is chosen for the new garage, but it's up to P&Z to make that recommendation and whatever it is it will come with a price tag.

Mrs. Milardo spoke in regard to infrastructure needs – road repair, community septic system, and water. Mrs. Milardo stated there is no rush, no urgency, and there has been no discussion. It's just trying to get the facts together and it needs to be understood it's unclear how long the offers will remain on the table. Mrs. Milardo stated she's unclear how she feels about the relocation of the garage noting that she will no longer be a resident in four months. Mrs. Milardo stated the town foolishly did not invest in the roads or infrastructure for the past 20-25 years and that is what has gotten the town in the predicament it is in.

This is an opportunity to get some synergy into the Center and this is a step in igniting the economic development there and in town. Mrs. Milardo stated she's tired of being accused of backroom deals and that none occurred with HES, the town garage, or anything else.

Jennifer Petrillo stated she supports putting the town garage on the Rossi property and this is an opportunity to clean up the existing town garage as well as the Rossi property and for everyone to see we are investing in our town. Mrs. Petrillo stated if the biggest problem is the Center, why sit around for someone to come knock on the door (doesn't believe someone is looking to come in and scoop up the Rossi parcel). Mrs. Petrillo stated she has spoken to a number of Public Works employees and it wouldn't be feasible for the employees to work out of two locations (waste of fuel, time, wear and tear on the vehicles and equipment) and believes the town should help in taking care of the employees by providing them with the appropriate space for the work they do. Mrs. Petrillo stated everyone needs to take into account the consequences of the HES closure and a potential move out of the Center of the town garage (employees patronize the businesses) and that some of those consequences could be addressed by using the Rossi land for a new town garage and the front for events.

Mr. Baird stated the POCD is a guiding document and talks about the garage being relocated outside of the Center as well as finding additional industrial land. Mr. Baird asked Mr. Warner to take the creative thinking to rework all of the proposed sites and to schedule a site walk as it may help to stimulate a conversation.

Ms. Packtor applauded Mrs. Milardo's comments regarding the town's synergy; and talked about the development of committees, the inclusion of commissions and residents in the process, and looking at all of the options. Ms. Packtor stated people do care about what's happening.

Dan Luisi stated Higganum Center needs population; and if the town garage is removed from the area, than more population is being removed from the Center. Mr. Luisi mentioned the closure of HES and the loss of people. Mr. Luisi asked how the Center is supposed to survive if there is no one within the Center.

Mrs. Block read into the record an email (Exhibit C) in which she cites being uncomfortable in making a recommendation to the BOS at this point in time regarding a site selection for a new town garage; would like to discuss further the reasoning for the other sites having been ruled out; recommended site walks to all prospective properties; the need for the Commission to do their due diligence; and allowing ample opportunity for public input.

Mr. Laurenza read into the record an email from Sam Crum, dated 07.31.2019, (Exhibit D, 2 pages). In his email, Mr. Crum states that he's familiar with the Rossi property, both as a member and chairman of the Long Range Capital Planning Committee (31 and 27 years, respectively) and living across the street from the property for that period of time. It is Mr. Crum's opinion that the site would be desirable for purchase by the town for the following reasons: 1) Would provide the town with some control over the direction of development in Higganum Center. 2) If the town purchased the site intending to use at least a portion for a new town garage, it would fulfil several needs – the town is in great need of improving the existing garage and site searches for an alternative location have as yet been unsuccessful. Utilizing the Rossi site could eliminate the \$36,000 per year rental fee for the large storage building, afford sufficient acreage to deal with all present and future Public Works expansion, all for a convenient and orderly transition from one site to another without interruption of services, due to the close proximity to the existing garage, and provide the Town with two large steel buildings, after appropriate renovations, would offer ample room for its operations. 3) The remainder of the site not being used for the garage could create development scenarios which would provide critical mass for revitalization of the Center. 4) Finally, controlling three critical parcels in the Center, could offer coordinated development opportunities which would not be available if the properties were separately owned and controlled. Once initiatives were designed and planned, portions of the properties could be sold or leased to users or developers.

C. Any Other Item not on Agenda

There were no further public comments.

6. Public Hearings/Public Meeting

There were no public hearings scheduled.

7. New Business

A. CGS 8-24 Acceptant of the Donation of the Arnett Property, 12.7 Acre Landlocked parcel to the Town of Haddam. Assessor's Map 67, Lot 2, Haddam-Chester Town Line.

Mr. Warner stated the parcel is vacant, landlocked, and surrounded by state and town properties. Mr. Warner also stated the owners would like to donate the parcel to the town and it's logical that the town take ownership and he's recommending it do so. If the Commission should decide to move forward with this matter, it would go before the BOS.

Mr. Frey asked if it would remain open land. Mr. Laurenza asked if it would pass to the HLT. Mr. Warner stated it abuts a 68 acre town parcel.

MOTION: Jamin Laurenza motioned to issue an affirmative Connecticut General Statutes Section 8-24 report regarding: Acceptance of the donation of the Arnett Property, 12.7 acre landlocked parcel, to the Town of Haddam. Assessor's Map 67, Lot 2, Haddam Chester Town Line. Ed Wallor second. Motion carried unanimously.

B. An Ordinance Authorizing the Issuance of Bonds and Notes of the Town in the Amount of \$7,007,250 to Finance Certain Capital Improvement Projects

Mr. Warner reported that an 8-24 review is required when making improvements to municipal properties. This does not have to do with the dollars it is only for the improvement of the town roads and bridges and is in conformance with the POCD.

Mr. LePard and Mr. Laurenza stated they do not remember doing something like this in the past. Mrs. Milardo stated the Commission did this for the last round of bonding. Mr. Bull asked if there is a specific list. Mr. Warner stated the Legal Notice can be attached to the motion.

Mr. Lundgren reported that he is a petitioning candidate for the BOS and has no position on the bond other than talking about the roads. Mr. Lundgren submitted and read into the record a letter, dated 08.01.2019, (Exhibit E – 4 pages, back to back) in which he states he doesn't agree with the omissions in the wording of the proposed Bond Ordinance in particular the reference to the roads and the proposed bond amount. Mr. Lundgren points out two problems – the roads to be reconstructed are missing from the proposed bond and only reconstruction is allowed (does not address crack sealing, chip seal, etc.). Mr. Lundgren asked for a pause so the wording can be corrected and noted that \$3.69 million for the current bond has not yet been spent. Mr. Lundgren stated that wording cannot be added at the Town Meeting and asked the Commission to vote no in order to make vital corrections.

Mrs. Milardo stated Mr. Lundgren's information is not correct as all of the bond money has been spent and did not know where he came up with his figures. Mr. Lundgren stated from the yearend report, dated 06.30.2019. Mrs. Milardo stated she spent \$6.4 million and the Haddam Neck roads will be done by 08.31.2019.

Mrs. Milardo talked about the VHB road survey and that the BOF is committed to doing the road work. Mrs. Milardo stated over \$14 million in road work needs to be done and over \$5 million needs to be done on reclamation. Mrs. Milardo also stated even though the Ordinance does not call out the exact roads,

the Bond Council will be at the Town Meeting and this is something the BOF has voted on to approve. Mrs. Milardo stated there will be a breakdown of the roads at the Town Meeting.

Prior to the vote, Mr. LePard stated there appears to be bonds for Public Works trucks and equipment and didn't believe trucks and equipment would fall under P&Z's jurisdiction. Mr. Warner agreed, and that the question before the Commission is the improvement of roads. Mr. LePard stated he doesn't feel right about P&Z getting involved in the BOF's business.

Ms. Bazazi attempted to address the Commission. Mr. Frey stated if an alternate is not seated, the alternate cannot ask questions or make comments and referenced *Weiner v. New Milford Zoning Commission* read into the record, but not submitted). Mrs. Block asked what determines how an alternate is seated.

MOTION: Jamin Laurenza motioned to issue an affirmative Connecticut General Statutes Section 8-24 report regarding: An Ordinance authorizing the issuance of bonds and notes of the town in the amount of \$7,007,250 to finance certain capital improvement project per attached list of projects. Steve Bull second. Motion carried unanimously.

8. Old Business

A. Recommendation to Board of Selectmen Regarding Location for a New Town Garage.

Mr. Warner stated the Commission is not required to act on this matter tonight.

MOTION: Ed Wallor motioned to table this matter until the 15 August 2019 meeting for further discussion. Jamin Laurenza second. Motion carried unanimously. **MOTION WITHDRAWN.**

A brief discussion followed as to why the matter was being tabled – due to public concern, to allow the public and the Commission time to look at the information, to allow for a site walk of the Rossi and Rutty Ferry Road properties (need permission from the property owners). Mr. Warner will speak to the owners and a site walk date will be set via email. After the discussion, Mr. Wallor withdrew his motion.

MOTION: Jamin Laurenza motioned to table this matter until the 5 September 2019 meeting pending site walks of the Rossi and Rutty Ferry Road properties for further discussion. Wayne LePard second. Motion carried unanimously.

Mr. Bull discussed the role of alternates. Mr. Bull stated he understood when the Commission has an application before them and an alternate is not seated, the alternate shouldn't speak; however, if it's just a discussion (no application), the alternates should be allowed to speak. Mr. Frey stated he referenced a court case. Mr. Laurenza noted the number of times former P&Z chairman Mal Gorin had not allowed him to speak as an alternate.

9. Approval/Correction of the Minutes

MOTION: Ed Wallor motioned to approve the 18 July 2019 Public Meeting minutes as submitted. Wayne LePard second. Motion carried with Mr. Laurenza abstaining.

10. Chairman's Report

Mr. Laurenza had nothing new to report at this time.

11. Scheduling of Hearings

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

12. Town Planner's Report

Reappointment of ARC Members – As the committee members had not yet been contacted regarding their interest in being reappointed, the item was tabled until the 15 August 2019 meeting.

Charrettes – Mr. Warner reported the purpose of a charrette and how they're conducted. Mr. Warner stated there is \$6,000 in the Capital budget and he has written a proposal for a request for \$6,000 additional funding from the BOF (request has to go before the BOS first). Mr. Warner also stated the State Historic Preservation Office (SHPO) has matching grant funding available which is accepted on a rolling basis and the town should be able to get \$12,000. With \$24,000 in funding it would put the town in a good position to conduct a two or three day event possibly in October (would require a lot of work). A brief discussion followed in regard to the potential of creating a subcommittee, taking input from the public, how modern planning works and a final report would be added to the POCD. Mr. Warner stated ideally, once this is created, people are more accepting as it's part of the study.

MOTION: Gina Block motioned to go before the Board of Finance for additional funding for a charrette. Chip Frey second. Motion carried unanimously.

13. Adjournment

MOTION: Steve Bull motioned to adjourn. Ed Wallor second. Motion carried unanimously.

The meeting was adjourned at 8:46 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

The next meeting is scheduled for Thursday, 15 August 2019.