

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
PUBLIC HEARING/MEETING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT 06438
THURSDAY, 3 DECEMBER 2020
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

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|---|-------------------------------------|
| A | Gina Block |
| X | Steven Bull, Vice Chairman |
| X | Michael Farina |
| A | Jamin Laurenza, Secretary |
| X | Wayne LePard |
| X | Dan Luisi |
| X | Edward Wallor, Chairman |
| A | Robert Braren, Alternate |
| X | Alan Chadwick, Alternate - Seated |
| X | Larry Maggi, Alternate - Seated |
| 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 as well as alternate members, Mr. Chadwick and Mr. Maggi, were seated.

4. Additions/Corrections to the Agenda

As the applicant had not yet arrived, the Commission agreed to move forward with the meeting beginning with Item #8 Approval/Correction of the Minutes and continue through the agenda until the applicant arrived; or should the applicant not arrive, to continue the Public Hearing.

5. Public Comments

There was no one from the public present.

6. Public Hearing

Proposed 5.6 C.5 Tattoo and/or Body Piercing Studios (Existing Business Allowed to Relocate to Other Zones Allowing Personal Service Establishments) 310 Saybrook Road, Higganum. Map 14A Lot 009. Applicant: Rob Lloyd.

George Smith, owner, Goodspeed Tattoo, was present.

Upon Mr. Smith's arrival, Mr. Wallor opened the public hearing at 7:25 p.m.

Mr. Wallor asked Mr. Smith to explain why he needs to move and what his plan is. Mr. Smith stated his landlord has evicted him to put something else within the building. Mr. Smith also stated he would like to stay in the town and be allowed to move his business to another area.

Regarding the wording of the proposed motion (specifically the condition), Mr. Wallor asked Mr. Warner if Mr. Smith could come back later to request an exterior sign under the signage regulations. Mr. Warner stated Mr. Smith could ask for an amendment to the condition in the proposed motion. Mr. Bull stated Mr. Smith would need to meet the Village District sign regulations. Mr. Warner explained that there was insufficient time to develop a design for an exterior sign given the urgency of the matter.

Mr. Farina asked for clarification regarding the location. Mr. Wallor stated the proposed location is where the old Fork in the Road was located. Mr. Farina stated several years back there was a tattoo parlor located with the same building on the opposite end.

Mr. Farina asked if this type of business requires health department approval. Mr. Warner stated yes. Mr. Bull stated he would assume a state license. Mr. Smith stated yes. Mr. Farina asked about the septic system. Mr. Smith stated the system has been repaired and is all set.

Mr. Wallor asked the Commission if they had any additional questions for the applicant noting once the hearing is closed, no further questions could be asked of the applicant and the applicant could not address any concerns.

Mr. Bull had questions regarding Section 5.6 but felt it should be discussed during the public meeting. Mrs. Batzner asked Mr. Warner if Mr. Bull's questions would not be a part of the public hearing. Mr. Warner stated yes, they would be a part of the hearing.

Mr. Bull asked if the Commission is being asked to change the language in Section 5.6 to allow tattoo parlors. Mr. Warner stated Section 5.6 prohibits tattoo parlors within the Town of Haddam and the proposed text change would still prohibit tattoo parlors except an existing one can move its location.

There was a brief discussion regarding the wording of the agenda. Mr. Warner stated the agenda items were mislabeled and Item #6 should be Public Hearing and Item #7 should be Public Meeting.

Mr. Bull asked Mr. Smith if he had looked anywhere else to relocate other than Higganum Village. Mr. Smith stated yes, and that the proposed relocation site is where he had wanted to have his business originally. Mr. Smith stated he thought given there was a previous tattoo parlor within the building, that it would not be a problem.

Mr. Bull asked Mr. Warner if there would be sufficient parking. Mr. Warner stated yes. Mr. Bull asked Mr. Smith the maximum number of cars he would have on site at one time. Mr. Smith stated maybe five noting there is only one additional artist beside himself and they are splitting their days due to COVID.

Mr. Chadwick asked if there were plans to install the large sign from the existing location. Mr. Smith stated he would like to keep the signage classy and that the windows alone should be sufficient with perhaps some lighting on the windows. Mr. Bull stated he thought the existing sign would be too large. Mr. Smith stated he would like to preserve what the building used to be – keeping the unique and antique look of the building. Mr. Chadwick asked if the name of the business would stay the same. Mr. Smith stated yes.

There were no residents present to speaking either for or against the proposal.

MOTION: Steve Bull motioned to close the public hearing at 7:38 p.m. Ed Wallor second. Motion carried unanimously.

7. Public Meeting

Proposed 5.6 C.5 Tattoo and/or Body Piercing Studios (Existing Business Allowed to Relocate to Other Zones Allowing Personal Service Establishments) 310 Saybrook Road, Higganum. Map 14A Lot 009. Applicant: Rob Lloyd.

Seated: Bull, Farina, LePard, Luisi, Wallor, Chadwick, and Maggi.

Mr. Bull asked if the Commission could frame the language that any existing business in either village, even if grandfathered in, could move from one village to the next. Mr. Warner stated no, not under this application; and explained what is required when requesting a zone change. Mr. Warner stated during a hearing a zone change can be made more restrictive, but not less so. Mr. Warner stated the tattoo parlor is pre-existing where all other items within Section 5.6 do not currently exist. Mr. Warner also stated Mr. Smith cannot take his non-conforming tattoo parlor and move it to another property in town without the zone being changed to allow the move. Mr. Chadwick asked about a variance. Mr. Warner stated yes, a variance could be done; however, why would the Commission allow a separate board to override the Commission's regulations. Mr. Bull asked if the language could be rewritten noting that he is in favor of the proposed relocation. Mr. Warner stated the language is designed to accommodate exactly what the Commission is doing.

Mr. Luisi stated this matter is being made into a bigger deal than it needs to be. Mr. Wallor agreed. Mr. Luisi stated the language is for existing businesses and Mr. Smith's is the only one in town.

Prior to the vote on the motion, Mr. Wallor asked Mr. Warner how the motion will change Section 5.6. Mr. Warner stated the wording "(existing & licensed tattoo businesses in the Town of Haddam are allowed to terminate and abandon their current location and relocate to other zones in the Town allowing personal service establishments)".

MOTION: Steve Bull motioned to approve proposed 5.6.C.5 Tattoo and/or body piercing studios (existing business allowed to relocate to other zones allowing personal service establishments) 310 Saybrook Road, Higganum. Map 14A Lot 009. Applicant: Goodspeed Tattoo. **Condition** – Signage limited to window graphics similar to the gold leaf lettering at existing location. No neon or LED window signage. No exterior sign proposed. Ed Wallor second. Motion carried unanimously.

After the vote, Mr. Maggi stated Mr. Smith will be an asset in Higganum noting that as a neighboring business owner in Tylerville, Mr. Smith has always been community minded over the last five years he has been in Tylerville.

8. Correction/Approval of the Minutes – 1 October 2020

MOTION: Steve Bull motioned to approve the 1 October 2020 minutes as submitted. Ed Wallor second. **WITHDRAWN.**

After the motion was made, discussion was opened. Mr. Farina requested the following amendment.

Correction: Page 5, Gateway Commission, first sentence – delete "holding back money" and change to "waiting to address the application letter/proposal until additional information/details are received".

MOTION: Ed Wallor motioned to approve the 1 October 2020 minutes as amended. Steve Bull second. Motion carried unanimously.

9. Chairman's Report

There was nothing new to report.

10. Scheduling of Hearings

Application for a Four (4) Lot Subdivision, Walkley Hill Road – Mr. Warner reported the application was received today and the property is located between Walkley Hill (northern end) and Route 154/Saybrook Road (access to the lots will come off Walkley Hill). As the application needs to be reviewed by engineering and it is in the middle of a holiday, the hearing potentially could be held during the second meeting in January. Mr. Warner asked if the Commission would like to continue with in-person or move to an online meeting. The Commission agreed to an in-person meeting. Hearing date: Thursday, 21 January 2021, 7:00 p.m., Town Hall, 21 Field Park Drive, Haddam.

11. Town Planner's Report

Mr. Warner reported on the following:

Higganum - Scovil Buildings (former State Garage) – The environmental report should be available by mid-January. Just wrapping up what the findings are. The more testing that is done the cleaner the outcome. State funding to clean site should be available. **Rossi Property – 1. Environmental Report** Environmental report should be available by mid-January as they are wrapping up on the findings. There are no horrible problems, just poor management of the property. **2. Brick Office Building Tenant** – Due to the pandemic and the nature of the business (autistic children), the tenant has moved. Building is vacant. All other tenants are still on site. **3. Purchase of Property** – Conducting a Phase I environmental study; and as reported earlier, the study should be done by mid-January. **4. Wire Shop Property** – A remediation was conducted by the Rossis; however, it did not meet the standards that Mr. Warner expected from the State of Connecticut. **Higganum Cove** – Bid put out for landscaping. Hunters, currently located on the Rossi property, will mow everything, cut out the dead trees, and open the old wharf road down to the river. Work to begin in two weeks. **HES – 1. Adelbrook** – Talks continue; however, with the pandemic picking up discussion has slowed down. **2. Rentals** – Several groups are renting the facility – Park and Rec in there almost every night; Pratt and Whitney machinist union once a month; Blue Fire Stage Co. Theatre Group.; State Police using it for training with their dogs; and the fire department.

Haddam - Wellness/Rehab Center, Island Dock Road (former Marin Environmental building) – Building permit applications should be submitted next week. Converting the facility to a 38-bed rehab facility is a very big project; approximately a \$4 to \$5 million investment. Architects are out of Philadelphia, which will slow the process down as they come up to speed with Connecticut's building codes.

Tylerville - 105 Bridge Road (former Eco-Tourism facility), 48 Units – Preliminary plans have been submitted. **Daycare Center, Brookes Court** – The applicant is committed to the project but must fill up his other centers to a capacity that the bank is satisfied with before financing can be obtained for the project. **Sidewalk Project** – Still moving forward. Trying to obtain easements from DOT and DEEP. All appraisals have been conducted and need to start contacting property owners to buy easements along the road. Groundbreaking should take place in the fall of 2021. **Swing Bridge Pedestrian Walkway** – Did not receive the grant. **Rotaries** – DOT commissioner is very much in favor of rotaries. A meeting was held last week regarding this matter. Believe the Exit 7 rotary will be installed, but there may be opposition to the rotary at Bridge Road and Saybrook Road. **Swing Bridge Rehab** – Trying to decide how to handle – close bridge completely and reroute through Middletown/Portland or Saybrook/Old Lyme.

Architectural Review Committee (ARC) Re-Appointments of Wayne Rutty, Lorraine Riess, and Mark Degman

Mr. Warner stated all parties are interested. Mr. Rutty and Ms. Riess are former members and Mr. Degman, a new member, is an architect with George Fellner, East Haddam. Mr. Warner also stated their appointment would be through the Commission and not the Board of Selectmen.

MOTION: Ed Wallor motioned to appoint Wayne ruddy, Lorraine Riess, and Mark Degman to a three-year term (term to expire 12/03/2023) on the Architectural Review Committee (ARC). Steve Bull second. Motion carried unanimously.

Regulations – Mr. Bull asked about the regulations – general (town wide) and village districts (Higganum and Tylerville). Mr. Warner stated Section 5.6 covers the entire town and that the village districts have additional prohibited uses. Mr. Warner also stated a use that is prohibited would not be allowed without a zone change noting that a use is based on a particular parcel and that grandfathered use is on that parcel. A brief discussion followed.

12. Adjournment

MOTION: Dan Luisi moved to adjourn. Ed Wallor second. Motion carried unanimously.

The meeting was adjourned at 7:50 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

The next meeting is scheduled for Thursday, 17 December 2020.