

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
SPECIAL PUBLIC HEARINGS/MEETING
FORMER HADDAM ELEMENTARY SCHOOL – GYMNASIUM
272 SAYBROOK ROAD, HIGGANUM, CT 06441
THURSDAY, 22 APRIL 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
A	Edward Wallor, Chairman
A	Robert Braren, Alternate
A	Alan Chadwick, Alternate
A	Larry Maggi, Alternate – Seated
X	Bill Warner, AICP Town Planner
X	Bunny Hall Batzner, Recording Clerk

1. Call to Order

Mr. Bull, Vice 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

There were no comments from the public in attendance.

6. Public Hearing/Public Meeting

**a. Request for a Special Permit to Allow Conversion of a Two Car Garage to an In-Law Apartment.
130 Pokorny Road, Map 43, Lot 26-6. Applicant: Jeff Shackett.**

Jeffrey Shackett, owner/applicant, was present.

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

Mr. Shackett stated due to health issues with his father-in-law, he would like to convert his two car garage into an in-law apartment.

Mr. Warner stated the application meets all of the requirements in the accessory dwelling regulations, the apartment will be 720 square feet (less than the 800 square feet allowable in the regulations). Mr. Warner also stated when Mr. Shackett obtains a building permit, he will need to have Public Health sign off on it. Noted that the parcel is seven (7) acres.

There were no comments/concerns from the public or the Commission.

MOTION: Jamin Laurenza motioned to close the public hearing at 7:04 p.m. Dan Luisi second. Motion carried unanimously.

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

Mr. Bull asked Mr. Warner about the effective date. Mr. Warner stated the effective date is after the appeal period runs out (15 days after being printed in the newspaper).

As there was no further discussion, Mr. Bull called the vote.

MOTION: Jamin Laurenza motioned to approve a request for a Special Permit to allow conversion of a two car garage to an in-law apartment. Location: 130 Pokorny Road, Map 43 Lot 26-6. Applicant: Jeff Shackett. Effective date May 13, 2021. Dan Luisi second. Motion carried unanimously.

b. Request for a Special Permit to Allow a Satellite Med-Spa In-Home Office. 29 Devonshire Lane, Map 16, Lot 12-3. Applicant: Lauren Hebert.

Ryan Hebert, owner, representing Lauren Hebert, owner/applicant, was present.

Hearing: Mr. Bull opened the hearing at 7:05 p.m.

Mr. Hebert stated the request is to make one of the rooms in their house designated as a home office to satisfy a regulation that deliveries be sent to a business. Mr. Hebert stated Mrs. Hebert has sites in Deep River and Branford and sometimes it's inconvenient to have deliveries made to the Deep River location when she's either in Branford or Haddam. Currently deliveries cannot be accepted at the house because it is not a place of business. The request will also allow Mrs. Hebert to potentially treat clients at the home (a rare occurrence).

Mr. Warner stated this application meets all of the requirements. It's a 10 foot by 11 foot room (110 square feet). Letters have been sent to the neighbors and the public hearing sign displayed on the property. Maximum area is 500 square feet for this type of use.

Mr. Bull asked Mr. Warner why this applicant needs a permit. Mr. Warner stated due to potential customers coming to the house. Mr. Bull asked if the Commission needs to place a limit on the number of cars on the site. Mr. Warner stated it's not required in the regulations. Mr. Bull asked Mr. Hebert if he anticipated much traffic with Mr. Hebert responding no, maybe one person a month and only one person at a time, by appointment, is allowable. Mr. Hebert noted the pandemic requirements.

Mr. Bull asked if a floor plan had been submitted. Mr. Warner stated yes. Mr. Bull asked if the neighbors had been notified. Mr. Warner stated yes, the certified mail receipts are on file.

There were no comments/concerns from the public or the Commission.

MOTION: Gina Block motioned to close the public hearing at 7:09 p.m. Jamin Laurenza second. Motion carried unanimously.

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

A brief discussion followed in regard to parking and clients.

MOTION: Gina Block motioned to approve a request for approval for a satellite med-spa in home office. Location: 29 Devonshire Lane, Map 16, Lot 12-3. Applicant: Lauren Hebert. Effective date May 13, 2021. Jamin Laurenza second. Motion carried unanimously.

c. Request for a Special Permit to Allow for Demolition of Residential Structure Listed on Haddam Survey of Historical and Architectural Resources. 140 Dublin Hill Road, Map 06, Lot 042. Applicant: Tim Brewer.

Tim Brewer, owner/applicant, and Jean Brewer, owner, were present.

Hearing: Mr. Bull opened the public hearing at 7:11 p.m.

Mr. Brewer distributed a letter outlining what has transpired since the last hearing as well as a copy of Section 15A – Historic Preservation by Special Permit (Exhibit A). Mr. Brewer stated he and Mrs. Brewer know what's involved in restoration and adaptive reuse, he has deep expertise on the subject on how, when, and under what circumstances to do so (i.e. feasible and prudent). Mr. Brewer reviewed Section 15A as well as the bullet points in a letter to Ed Wallor, Chairman, P&Z, dated 22 April 2021.

Mr. Brewer stated since the 3 September 2020 public hearing when the special permit was denied, the following efforts have taken place: 1) State Historic Preservation Office (SHPO) continued to post the building on its website; 2) worked with contractors to develop a budget for renovations/improvements to the building; 3) provided a showing/walk-through for Elizabeth Malloy, Director, Haddam Historical Society (HHS) and a couple who had expressed interest in the property (no follow up from either party); 4) met with a realtor to discuss listing the property (did not sign a listing agreement); 5) contacted by Tim Teran to discuss the Friends of Higganum Cove's vision for relocating the building (this process was halted in February 2021); 6) consulted with the firm Historic Architecture and learned the firm, as well as other similar groups, are no longer dismantling, storing and marketing historic buildings due to market conditions; and 7) filed for a second special permit.

Mr. Brewer noted that the building has been vacant for approximately three years. In heeding the Commission's request to look for alternatives, the Brewers have 1) offered the building free of charge to the Town for use as part of the Higganum Village vision plan (offer rejected); 2) they have evaluated costs to renovate and reoccupy the building (costs disproportionately high and cannot be justified); 3) worked with Higganum Cove friends to donate/repurpose the building (not moving forward); and 4) tried working with a firm specializing in dismantling, storing and marketing historic buildings (approach no longer available).

Mr. Luisi asked what will be done with the lot if the building is taken down. Mr. Brewer stated he doesn't have any short or long term plans at this time, but he will plant and maintain the area to make it look nice.

Sean Moriarty, resident and Selectman, spoke in regard to the house being historically significant and how towns lose their history and heritage when these types of structures are demolished. Speaking as a member of the Board of Selectmen (BOS), Mr. Moriarty stated this matter has not come before the entire BOS; and asked if the matter could be delayed, to allow him time to bring this before the BOS to see if some funding could be found by the Board of Finance (BOF).

Mr. Bull asked if there was anyone present who was representing the Town of Haddam and the Friends of Higganum Cove. Mr. Warner stated the Commission does have an email from Tim Teran (unable to attend as he was out of state) and their proposal (Exhibit B).

Elizabeth Malloy, resident and Director, HHS, thanked the Commission for their decision last fall allowing the Brewers to look for alternatives to demolition of the house. Mrs. Malloy also thanked Mr. and Mrs. Brewer for their cooperation in allowing people to view the building.

In reading from her letter dated 22 April 2021 (Exhibit C), Mrs. Malloy reviewed what has happen regarding the house since the September 2020 decision: 1) Building listed with Preservation Connecticut on their historic properties exchange. Mrs. Malloy fielded a few phone calls and one couple from Fairfield

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toured the house; however, after seeing the interior had been stripped, their interest evaporated. It is believed the house could be sold if it did not have to be moved. Mrs. Malloy noted that the Brewers were asked if they would consider selling the house and land and the answer was no. 2) A group of neighbors and Haddam residents got together to see if the house could be moved to the Higganum Cove (to be used as a heritage and nature center). Architects, contractors, fundraisers and others were consulted and volunteers were willing to donate time and services to create a plan; however, as the project was moving forward, the Brewers reapplied for a demolition permit. 3) Everyone is aware how difficult it can be to juggle personal and professional responsibilities with volunteering, especially when there are many different moving pieces in the midst of a pandemic. 4) The Town of Haddam said it would consider the Friends of the Cove's (FOC) proposal if there was an outpouring of public support. Unfortunately, there has not been time to market or prepare a presentation to gain support. 5) Concerned citizens did look at alternatives and devised a plan that has merit. The group also has Mr. Brewer's support. At this point, it's a matter of whether the Town would support the proposal. There is a Memorandum of Understanding (MOU) in front of the Commission (Exhibit B).

Mrs. Malloy noted that the HHS has received a grant from SHPO to hire a consultant to research and write a State Register Nomination for the Dublin Hill/Higganum Cove area. This designation is one of the critical first steps in the FOC plan as it would allow for grant opportunities for the long range plan. The Leverett Spencer House is an integral part of the areas historic and architectural significance; and although the nomination will continue, should the house be removed it would be a tragic loss.

Mrs. Malloy submitted into the record a copy of the City of Middletown's ordinance (Exhibit D) that allows owners of historical buildings to apply for an up to 10 year tax relief incentive. Known as the Historical Structure Rehabilitation Tax Abatement the ordinance encourages owners of historic homes to rehabilitate and restore historic and culturally significant properties. Mrs. Malloy stated she believes an incentive like this would encourage more people to respect and restore a community's important historic assets. Mrs. Malloy stated although there isn't a firm plan at this time, there are some sketches that will be passed around.

Mr. Laurenza asked if there was time line the FOC needed to accomplish the grant writing process. Mrs. Malloy stated the MOU was sent to the Town and believes it needs the Town's support, but currently there is no specific time line. Mrs. Malloy submitted a rendering and two (2) photos (Exhibit E).

Mr. Bull asked if there was an email from the first selectman. Mr. Warner stated there is none that he's aware of. Mrs. Batzner stated there was an email that was sent to the first selectman.

Mr. Luisi asked if the building will need to become Americans with Disabilities Act (ADA) compliant once it's moved. Discussion took place, but due to the acoustics in the room, it was inaudible.

Liz Bazazi, resident, read from a letter dated, 4/22/2021 (Exhibit F – includes rendering). In her letter, Ms. Bazazi indicated the following: 1) The Leverett Spencer House is on Haddam's list of Historically Significant Buildings. Its importance is both architectural and cultural as it is one of the earliest and best-preserved examples of workers cottages. While most homes of this type were built by the factories, Leverett Spencer built the house himself on land he purchased from Reed and Co. 2) The Commission's denial of Mr. Brewer's special permit last September, allowed time to develop a way to save the house. The Cove was thought to be best suited due to its historic association with the house and because it's Town owned. Also, the house is too wide to cross the Dublin Hill Bridge and the Cove's close proximity to the house would minimize the significant expense of moving it. 3) By relocating the house at the entry of the Cove it would serve as a beacon to, and hub of, Haddam's premier natural assets: Swan Hill, Higganum Cove, and Valley Railroad State Park. The vision is for the house to hold historic displays as well as offer trail maps, hiking and fishing supplies, and sundries on the first floor; and in the future, the second floor would become an apartment providing the oversight needed to deter the vandalism that has plagued the Cove over the last decade. 4) While Tim Teran developed the MOU and met with town officials, Mrs. Malloy worked on getting the house on the state register, and Ms. Bazazi analyzed the site to determine the best location for the house. Two impressive offerings to date have been made by Jeffrey Rummel who has pledged to provide site development at no cost (excluding materials), including excavation,

septic, driveway and parking and Mr. Brewer's pledge for a generous monetary contribution. With a fundraising campaign and a modest contribution from the town, this project could easily be realized. 5) Higganum could take a giant step to becoming a premier historic and eco-tourism area with the economic benefits this would bring. By highlighting our industrial past, Haddam will show its intention to preserving and promoting its industrial past.

In response to Mrs. Malloy's and Ms. Bazazi's remarks, Mr. Brewer stated he had not wanted to discuss the previous hearing, but wanted the Commission to know that the Leverett Spencer House is not the last workers cottage in the area. Mr. Brewer stated he can stand on his front stoop and look to his left and right to see eight to ten historic structures which also represent examples of worker housing. Mr. Brewer stated what makes the Leverett Spencer House unique is the footprint it sits on and with only 90 feet of frontage or less it makes it a very difficult site to work on (it was fine in the 1800s). Mr. Brewer stated not all historic houses can be saved. In terms of relocating the house to the Cove, Mr. Brewer stated it is an expensive proposition and he doesn't believe it to be the best site. However, because he would like to see the house used in some manner, he said he would support it as long as the timing is right.

In response to Mr. Moriarty's comment about waiting a bit longer, Mr. Brewer stated he's the one who has been paying the taxes on the property. Mr. Brewer noted the 180 day stay was extended due to the pandemic and he and his wife hustled to find options during that time. Mr. Brewer stated if anyone has put time into the process it would be Tim Teran and he's earned his respect in the handling of the matter. Mr. Brewer stated it doesn't make economic sense to preserve the house (although feasible, not prudent).

In regard to the Leverett Spencer House being listed on the historic registry, Mr. Brewer stated if it's true, and it can be done, it is never a good idea without the owners blessing. Mr. Brewer stated if this is indeed going on, he'd appreciate knowing about it and that they may have had their support.

Mr. Brewer stated the Leverett Spencer House is not the house to put a stake in the ground as the neighborhood will remain an historic neighborhood. If there is an open space where the neighbors can enjoy a little more view of the riverside or the openness, no one is going to think that's ruining the neighborhood. What will ruin the neighborhood is if a group of houses get on the registry that people aren't in support of and people who own them aren't in support of. Mr. Brewer spoke in regard to homes breaking down and bringing property values down.

Mr. Warner asked Mr. Brewer if the application is approved, what his time line would be to do a demolition. Mr. Brewer stated there is nothing ready to happen until around September. No one can touch it until around that time. Mr. Brewer stated he has told Mr. Teran to the extent the opportunity persists to dismantle and move the home he will let it happen; however, at some point he (Brewer) will need to sign a contract and that option will be taken away. Mr. Brewer stated if someone can get the ball rolling, he'll support it as he's already offered his support and financial assistance although he doesn't believe the Cove is the best site. Mr. Warner stated there is time for the BOS and the BOF to get going on this matter. Mr. Brewer stated it's good governance to get public support and it will be difficult to get funding together. Mr. Brewer stated he will be sensitive to process when he sees something actually moving.

To clarify the historic registry comment, Mrs. Malloy stated the Dublin Hill/Higganum Cove area has been approved for the hiring of a consultant to write a state register historic district nomination for Dublin Hill, Dublin Lane, and the property of Higganum Cove. It's an honorary designation that will identify the history of the area as significant in terms of the housing and the industry that was at the Cove. Letters were sent to every homeowner on Dublin Hill and Mrs. Malloy apologized to Mr. Brewer for not having received his letter and she will check with the post office.

Mr. Laurenza asked if the Commission would be looking to extend (keep open) the public hearing to allow time for additional information to be gathered or voting outright on the application. Mr. Bull stated anything is on the table. Mr. Laurenza noted if the public hearing is closed, additional information cannot be taken in. A brief discussion followed.

Mr. Bull asked Mr. Brewer again if September would be the earliest demolition would take place. Mr. Brewer stated yes. Mr. Bull asked if there was some agreement that within a year the structure would be moved, would the timing be extended. Mr. Brewer stated at the end of year, no one knows what the outcome of the process will be. Mr. Brewer spoke in regard to the house being dismantled, numbered, placed in a box, and relocated to Public Works until such time as a plan is developed to for the house.

Mr. Laurenza stated he hears Mr. Brewer offering until September and that if the BOS, BOF, and every-one else got moving there should be sufficient time to form of plan. Mr. Laurenza also stated he sees a problem with the demolition permit in that it keeps hammering the owner with taxes and there needs to be a discussion with the BOS in regard to the taxes. Mr. Laurenza stated he voted to deny the original special permit and at that time didn't think about the taxes. Mrs. Block stated she agrees to a certain extent, but noted that Mr. Brewer chose to purchase the property. Discussion followed, but due to the acoustics in the room, it's inaudible.

Mr. Farina asked Mr. Moriarty how this matter could be placed on the BOS agenda. Mr. Moriarty stated he believes it could be added to the agenda at the next meeting at least to begin discussions. Mrs. Block asked about a special meeting. Mr. Moriarty stated he and Kate Anderson, Selectman, could speak to Mr. McGarry about it. Ms. Anderson stated the next BOS meeting is in two weeks.

Mr. Warner stated as Mr. Brewer pointed out feasible and prudent is the Commission's test. Right now there isn't money available at this time; therefore, it is not feasible and prudent. This is a financial issue which is not the Commission's call. Mr. Warner stated it's really about putting it before the BOS to come up with the money to fund the FOC (approximately \$170,000).

Mr. Moriarty stated he believes the money could possibly be found in the budget as there's roughly \$1 million returned to the budget each year and they probably could find \$130,000. Mr. Warner again stated this is not the Commission's purview; and approving the application because there isn't a feasible and prudent alternative tonight, may light a fire under the BOS. Mr. Warner stated the question before the Commission is is there a feasible and prudent alternative to the demolition and there isn't at this time. Mr. Warner noted that the Commission does not want to lose the opportunity of the property owner offering the town the building as well as \$25,000; therefore, the Commission needs to help move it along by moving it to the BOS. Discussion followed.

Mr. Brewer stated he would give the FOC last right of refusal before signing a contract or one he cannot get out of. Mr. Brewer again mentioned the boxing of the house and relocating it to Public Works. Mr. Bull asked Mr. Brewer what date he would be comfortable with. Mr. Brewer stated no sooner than 1 September 2021.

Mr. Bull asked Mr. Brewer if all of the hazardous material been removed. Mr. Brewer stated the only item remaining for removal is the oil tank. Discussion followed.

Neal Perron, Haddam Neck, stated someone should go to the tax collect to speak in regard to the property taxes Mr. Brewer is paying on the house. Mr. Bull stated it's not within the Commission's purview. It would need to go before the BOS.

MOTION: Jamin Laurenza motion to close the public hearing at 8:09p.m. Dan Luisi second. Motion carried unanimously.

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

Mr. Laurenza and Mr. Luisi stated Mr. Brewer has waited long enough and should be issued a permit. Mr. Bull spoke in regard to the wording of the condition and that should allow interested parties to come up with a plan (not the Commission's purview). A brief discussion followed in regard to the budget process.

MOTION: Steve Bull motioned to approve a request for a Special Permit to allow for demolition of residential structure listed on Haddam Survey of Historical and Architectural Resources. Location: 140 Dublin Hill Road, Map 06/Lot 042. Applicant: Tim Brewer. **Condition:** Demolition no sooner than September 1, 2021. Effective date May 13, 2021. Dan Luisi second. Motion carried by a vote of 5-1. For: Bull, Laurenza, Luisi, LePard, and Farina. Oppose: Block.

Recording Clerk's Note: All exhibits submitted during the hearing as well as emails received (Exhibit G) are on file with the minutes in the Town Clerk's Office and the Land Use Office.

d. Request for a Special Permit to Replace Signs at Dunkin Donuts for Rebranding, Section 17.5. 82 Bridge Road, Map 49, Lot 34-1. Applicant: Poyant Signs.

Bill Gavigan, applicant, Poyant Signs, representing Haddam Commons Development Co., LLC (Michael Epright, Managing Member), was present.

Hearing: Mr. Bull opened the public hearing at 8:14 p.m.

Mr. Warner stated the proposal is in the Tylerville Village District and the Commission has jurisdiction over the change of a façade.

Bill Gavigan, Poyant Signs, stated they are looking for approval of the aesthetic changes to the building as Dunkin Donuts is going through a rebranding (done every 10 years). The building will remain Colonial in nature, but do propose non-illuminated gooseneck lighting, some changes to the signs (four smaller signs equaling 53 square feet v. the three signs at 67 square feet), and a new digital menu board with built-in speaker and canopy.

A brief discussion followed in regard to the various elevations and whether the signs are compliant with the regulations. In regard to the signs, Mr. Warner stated yes. Mr. Gavigan reviewed the proposed signs. Mr. Bull asked if the Architectural Review Committee (ARC) had looked at the proposal. Mr. Warner stated yes, but no official recommendation is required.

Mrs. Block asked about the brightness of the menu board. Mr. Gavigan stated the lighting can be regulated and will dim itself during the night time hours.

There were no comments/concerns from the public or the Commission.

MOTION: Steve Bull motion to close the public hearing at 8:23 p.m. Jamin Laurenza second. Motion carried unanimously.

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

As there was no discussion, Mr. Bull called the vote.

MOTION: Steve Bull motioned to approve a request to replace signs at Dunkin Donuts for rebranding, Section 17.5. Location: 82 Bridge Road, Map 49, Lot 34-1. Applicant: Poyant Signs. Effective date May 13, 2021. Mike Farina second. Motion carried unanimously.

e. Request for a Special Permit to Create Five (5) Acre Interior Lot for a Single Family Residence, Section 4.1 B.1. 133 Injun Hollow Road, Map 12, Lot 13. Applicant: Carl Erlacher.

Roger Nemergut, P.E., representing Carl and Kristie Erlacher, owners/applicants, and Kristie Erlacher, owner/applicant, were present.

Hearing: Mr. Bull opened the public hearing at 8:25 p.m.

Mr. Nemergut reported the seven (7) acre parcel has approximately 250 feet of frontage on Injun Hollow Road, approximately 89-90 feet of frontage on Collins Lane (a dead end road running south off of Injun Hollow Road), and approximately 250 feet of frontage on the Connecticut River. Using the map, Mr. Nemergut pointed out the roads, the Connecticut River, and the existing house and detached garage located close to the road. Mr. Nemergut noted the existence of the lot prior to the zoning regulations; therefore, it is entitled to a free cut without having to go through the subdivision regulations.

Mr. Nemergut stated the plan is to split the parcel into two parcels – two (2) acres going with the existing house with frontage on Injun Hollow Road and five (5) acres with frontage on Collins Lane. Due to the lack of full frontage, the five (5) acre parcel would need to be an interior lot. Mr. Nemergut explained interior lot requirements (need one more acre than is required by the zone) and the proposal meets or exceeds all the requirements. Continuing to use the map, Mr. Nemergut stated there is a potential house site that has been identified. Soil testing has been conducted and witnessed by the health district, they have reviewed the plan, and have also approved the planning in regard to the site supporting a septic system (detailed site plan will need to be presented once the exact placement of the house is determined). Mr. Nemergut stated there is a 100 year flood plain on the property, flood elevation is 16 feet, grade around the potential house site is 38 feet making it well above flood elevation. The house is about 160 feet from the edge of the flood plain and approximately 250 feet from the edge of the river.

Mr. Bull asked Mr. Nemergut if frontage would be on Collins Lane. Mr. Nemergut stated yes. Mr. Bull asked the amount of frontage. Mr. Nemergut stated approximately 89 feet and the property would be L shape. For an interior lot the minimum frontage would be 25 feet. Mr. Bull asked Mr. Warner the basis for minimum lot frontage. Mr. Warner stated the regulations specifically allow the creation of interior lots with 25 feet of frontage and in this case it would have to be three (3) acres with 25 feet of frontage and the applicant has five (5) acres with 89 feet of frontage. Mr. Warner stated the only reason this is before the Commission is because it is an interior lot (interior to the front lot which fronts Injun Hollow). Mr. Bull asked about a right-of-way. Mr. Warner stated the proposal is less intrusive. Mr. Warner also stated in terms of the free cut, the surveyor did submit all the deed research to prove it is a free cut. Mr. Warner stated the front house is an historic house and will not be taken down.

Mr. Nemergut stated the property owner to the west is the Land Trust and the building will not be a highly visible when constructed. Mr. Nemergut stated there is a house on the corner that will see it. Mr. Warner stated he met with the Land Trust and they are fully aware. The proposal is not subject to Gateway, but they can't do any clearing within 50 feet of the high water mark of the river and they cannot have any buildings within 100 feet. Mr. Warner stated there is no activity within 100 feet of a wetland. Mr. Warner stated the Commission is not approving construction only the creation of the lot; and if approved, they will apply for a site plan to build the house.

Kim Newman, 19 Collins Lane, stated her house is located at the very end of Collins Lane and was not made aware of any of what is being proposed. Ms. Newman stated she purchased her home in 2020 under the impression that the land was currently Land Trust land, that there would be no development or obstructions. Ms. Newman stated the construction will intrude on the footprint of Collins Lane.

Ms. Newman asked if the applicants are required to send notice to surrounding property owners. Mr. Warner stated for a special permit the only requirement is the posting of the public hearing sign and it was posted on Injun Hollow where the most traffic occurs. Mr. Nemergut stated the parcel is currently one parcel with a request for a split. Mr. Warner noted the Legal Notice was printed in the newspaper twice.

Mr. Nemergut stated his clients were not present and that it was probably the realtor Ms. Newman spoke to. Using the map, Mr. Nemergut pointed out the Land Trust property and the river and how the river can still be accessed via the Land Trust property. Mr. Nemergut stated he believes the misrepresentation came from the realtor.

Kristie Erlacher, owner of 133 Injun Hollow Road, stated the realtor did misrepresent the proposal and they have done everything that was required. Ms. Erlacher stated they are not looking to obstruct anyone's view and they want to be good neighbors.

Arthur Sid Clark stated he was raised at 133 Injun Hollow Road and is familiar with the property. Mr. Clark also stated there are two people from Collins Lane who are in attendance because he told them of the hearing, but they had not received notification. Mr. Clark stated the road dead ends at her property and the town will need to build a road.

There were no comments/concerns from the public or the Commission.

MOTION: Wayne LePard motioned to close the public hearing at 8:45 p.m. Steve Bull second. Motion carried unanimously.

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

Mr. Warner stated the proposal meets all of the requirements.

MOTION: Mike Farina motion to approve a request for Special Permit to create a five (5) acre interior lot for single family residence, Section 4.1 B.1. Location 133 Injun Hollow road, Map 12, Lot 13. Applicant: Carl Erlacher. Effective date May 13, 2021. Jamin Laurenza second. Motion carried unanimously.

7. Correction/Approval of the Minutes

Approval of the 3 December 2020, 21 January 2021, 18 February 2021, and 18 March 2021 minutes were tabled.

8. Chairman's Report

Prohibitive Uses – Mr. Bull asked Mr. Warner to place this topic on the agenda so discussions can begin.

Plan of Conservation and Development Implementation Committee (PIC) – Mrs. Block asked for an update regarding the PIC. Mr. Bull stated due to the pandemic and not much taking place in town, the PIC has not met; however, with restrictions lifting things should start picking up.

9. Scheduling of Hearings

56-Unit Multi-Family, Brookes Court – Public Hearing, Thursday, 20 May 2021. Project is currently going through ARC – first review held 24 March 2021 and the second review will be held on Wednesday, 28 April 2021, 6:00 p.m., via GoToMeeting. Mr. Warner will email the meeting information to the Commission.

Informal Discussion with Jeff Rummel – Property is located across the street from Spencer's Shad Shack and was approved for three (3) residential lots. Mr. Rummel would like to discuss different alternatives with the Commission.

10. Town Planner's Report

Proposed CGS 8-24 Review for Bridge Road Sidewalks – Mr. Warner reported the construction of the sidewalks from Saybrook Road down to and across the railroad tracks on Bridge Road will be funded through a federal grant. Mr. Warner reported the project has been designed by Nathan L. Jacobson & Associates, all property owners have been contacted in regard to the easements required (one individual does have some concerns), and it will go out for final bid once easements are signed. Mr. Warner stated anything that increases walkability is in conformance with the POCD. Construction should begin in Spring 2022. Mr. Warner noted there was a public presentation on 27 February 2020 (minutes on file in the Town Clerk's Office and the Land Use Office).

Aaron Mortensen, P.E., Nathan L. Jacobson & Associates, provided the Commission with an overview of the project noting DOT will be assisting with the installation of portions of the sidewalk due to an upcom-

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ing rehabilitation project on the Swing Bridge and construction of two roundabouts at Bridge Road and Route 154 and the Route 82 Connector (Exit 7). Mr. Warner stated the State is coordinating very carefully with the town's project to the point of installing the same decorative lighting. Mr. Warner stated where the proposed sidewalk will end (right after the railroad track), DOT will pick up construction on the south side up to the bridge and continue the decorative lighting up to the bridge.

Mr. Farina asked if crosswalk striping will be painted across the road or will textured materials be put in place. Mr. Mortensen stated a textured imprinted material will be used (similar to what's currently in Higginum Center). There were no comments/concerns from the public or the Commission.

MOTION: Jamin Laurenza motioned to approve an affirmative 8-24 Report for the Bridge Road Sidewalks be submitted to the Board of Selectmen. Steve Bull second. Motion carried unanimously.

In-Person Meeting Locations – Mr. LePard asked that future meetings not be held in the HES gym as the acoustics are terrible; and requested the Commission meet in their regular meeting location. Mr. Warner stated he plans to hold the 20 May 2021 public hearing and meeting at the Town Hall, 21 Field Park Drive. A brief discussion followed in regard to potentially meeting in the HES auditorium (less people would be allowed to attend as currently distancing restrictions could not be met) and the lifting of additional COVID-19 restrictions (19 May 2021).

Virtual Meetings - Mr. LePard asked that meetings not be held virtually as there always seems to be technical difficulties (can't get into the meeting, can't be heard, equipment feedback). Other Commissioners agreed.

WFS – Mr. LePard stated he would like to visit the WFS site. Mr. LePard stated that Facebook has had a number of postings in regard to dirt bikes using the gravel pit.

Swan Hill – Mr. Farina stated the same thing (dirt bikes) is happening at Swan Hill.

Prohibited Uses – Mr. LePard asked Mr. Warner if the Commission could revisit the list of prohibited uses. Mr. Bull stated he discussed this earlier and Mr. Warner will place it on an upcoming agenda.

11. Adjournment

MOTION: Wayne LePard motioned to adjourn. Steve Bull second. Motion carried unanimously.

The meeting was adjourned at 9:10 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

The next meeting is scheduled for Thursday, 6 May 2021.