

**TOWN OF HADDAM  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARING/MEETING  
TOWN HALL  
21 FIELD PARK DRIVE, HADDAM, CT  
THURSDAY, 16 JUNE 2016  
APPROVED MINUTES  
*Approved as Submitted at the 21 July 2016 Meeting***

**ATTENDANCE**

X	Steven Bull, Vice Chairman (left 7:20 p.m.)
A	Arthur Kohs
X	Michael Lagace (7:02 p.m.)
X	Jamin Laurenza, Chairman
X	Wayne LePard
X	Carmelo Rosa
A	Edward Wallor, Secretary
X	Robert Braren, Alternate - Seated
A	Raul de Brigard, Alternate
A	Frank (Chip) Frey, Alternate
X	Liz West Glidden, 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. Attendance/Seating of the Alternates**

Attendance was taken and all regular and alternate members were seated.

**3. Additions/Corrections to the Agenda**

Mrs. Glidden asked if Item #7 Old Business: Tylerville Market Study: Fuss and O'Neill could be moved to Item #5 and all other items to move down one.

**MOTION:** Jamin Laurenza moved to approve the 16 June 2016 agenda as amended. Wayne LePard second. Motion carried unanimously.

**4. Public Comments**

None.

**5. Old Business: Tylerville Market Study: Fuss and O'Neill**

Christa Franzi, Senior Economic Development Specialist, Camoin Associates, and Chris Ferrero, Vice President, Fuss and O'Neill, were present.

Mrs. Glidden reported the town submitted an application to Connecticut Main Street for a \$12,000 grant for a market study for Tylerville and as a component of the project have new zoning regulations created; however, a matching grant that went before the capital planning commission wasn't honored, therefore, new regulations for Tylerville will not be a part of the study. Mrs. Glidden also reported a Request for

Qualifications (RFQ) was noticed; an application from Fuss and O'Neill and Camoin and Associates was received; and prior to entering into a contract, their representatives are here to talk about the project.

Mrs. Glidden reported that prior to the meeting, she, Ms. Franzi, and Mr. Ferrero went on a driving tour and Camoin and Fuss and O'Neill are familiar with the area as they're going to be the town's consultants for the Jail Project.

Ms. Franzi gave a brief history of her company; and reported Camoin will be doing a real estate analysis in regard to the Jail Project which will provide information pertaining to housing, tourism trends, retail, and other commercial spaces to get a sense of what the market is doing regionally, where the trends are, and what the opportunities are. Ms. Franzi stated when doing a real estate analysis, you look at both local and regional contexts and what's learned from that project can be incorporated into the Tylerville assessment. Ms. Franzi also stated additional interviews will be held with Tylerville business owners and residents, additional data analysis specific to the Tylerville region will be conducted, and a brief report will be drafted outlining development opportunities, hurdles, and things Camoin is seeing in the market. Ms. Franzi stated she also wants input from the Commission as to what it sees as its vision for the area as well as the community's vision. Ms. Franzi concluded by stating that when discussion starts in terms of opportunities and constraints, Camoin will start working closely with Fuss and O'Neill.

Mr. Ferrero stated Fuss and O'Neill works together with market people and getting something going in the short term vs. a vision in the long term are two different things, but the success of both of those terms requires three things: 1) What's the vision of the town and what P&Z wants, which doesn't always align with the other two. 2) What will the market bear, particularly in the short term (why would a developer want to locate in an area like this). 3) The physical realities (rock, septic, slopes, etc., in Tylerville). The opportunities and constraints component is predicated on the market – tourism, residential, and how it would fit in Tylerville.

Mr. Ferrero also stated the second part is the zoning characteristic - need to have the enabling portion of the regulations allow the town to do what it wants to do. Mr. Ferrero stated if those regulations currently do not allow what the vision, market, and population want, then the manipulation of the regulations may need to be utilized.

Mrs. Glidden clarified that the town does not have the funding for Fuss and O'Neill to rewrite a zoning district for Tylerville, but they will be able to provide some direction in how the Commission should go. Mrs. Glidden stated the conversation the Commission will need to have is what it will look like a new zone – village district, mixed use zone, etc.. Mrs. Glidden also stated Camoin and Fuss and O'Neill will do the ground work and the Commission will need to do the heavy lifting.

Mr. Bull asked if the UConn Study and the regional planning GrowSmart Study will be utilized as part of this project. Mr. Ferrero stated he hadn't seen the study, but it will be referenced. Mrs. Glidden to send the links to the studies.

Mr. LePard asked if the affordable housing study would also be included. Mr. Ferrero stated he would guess the market study will suggest that certain types of housing opportunities aren't being met and a part of that opportunity may be in the affordability area. Mr. Ferrero discussed the differences of the affordable levels and the average median income (AMI). Mr. Ferrero stated he would guess the data will indicate that work force housing is an unmet need here in Haddam.

Mrs. Glidden stated she talked to Ms. Franzi and Mr. Ferrero in regard to the Housing Opportunity District (HOD) and the concept of mixed use (currently weak and this may be an opportunity to beef it up). Mrs. Glidden also stated they discussed during the tour the partnership between Haddam and East Haddam EDCs and opportunities that may be coming in the future.

Mr. Ferrero stated this study will be a precursor to additional studies should the town decide to do so such as septic and water; however, both place constraints on development. Mr. Ferrero briefly discussed community septic and wells.

Mr. Rosa asked how this will react with the Planning of Conservation and Development (POCD). Mrs. Glidden stated it's a part of creating a bigger picture, directly they will not have a lot of interface with Horsley Witten, some of the visioning done with Horsley Witten may affect some of what Camoin and Associates come up with. Mrs. Glidden stated the market study will be completed by September and at that point the POCD will be kicking into gear. Mr. Ferrero asked Mrs. Glidden to send him the contact for Horsley Witten as it wouldn't be a bad idea to touch base with them.

**6. Public Hearing/Meeting – CONTINUED - WITHDRAWN: Special Permit for a Detached Accessory Apartment on 163 Old Ponsett Road, and Shown on Tax Map 25, Lot 34.**

Mrs. Glidden reported Mr. Girgenti has decided to revise his drawings, but could not do so in sufficient time; therefore, it was better to withdraw the current application and resubmit. The resubmission will be placed on an August agenda.

**MOTION:** Jamin Laurenza moved to open the public hearing at 7:18 p.m. Steve Bull second. Motion carried unanimously.

**7. Public Hearing/Meeting – A Special Permit to Allow a Detached Accessory Apartment for Property Known as 5 Evergreen Road, and Shown on Tax Map 54 Lot 33-6.**

E. Paul Lambert, engineer, and Brian Buckley, architect, were present.

Using a map, Mr. Lambert pointed out the location of the property at the end of Evergreen Road (off of Route 81) east of the cul-de-sac and with 200 feet of frontage on Beaver Meadow Road (500-600 feet to the west of Woods Road). Mr. Lambert pointed out the abutting properties and their relationships to the property in question.

Mr. Lambert reported the property is somewhat L-shaped (leg goes down to Beaver Meadow Road), there is 35 feet of frontage on the cul-de-sac, and the parcel is 4.1 acres. Mr. Lambert stated the topography is a steep gradient down in an easterly direction (15-20 percent slope); at 50 feet to the rear line it begins to flatten out, then 20 feet of a more moderate slope, and the final 30 feet is relatively flat with a slight slope going down to a stone wall along the easterly boundary. Mr. Lambert also stated the flat area of lot is the area that runs from the steep area over to Beaver Meadow Road (dominated by a wetland area).

Mr. Lambert stated the proposal calls for a single family dwelling unit (principle use of the lot) immediately adjacent to the east of the cul-de-sac on Evergreen Road. The access to the house will be from the cul-de-sac. The location of the well and septic pointed out.

Mr. Lambert reported the proposed accessory barn building, with a two bedroom accessory apartment located on the second floor of the barn, is subordinate to the principle dwelling. Mr. Lambert stated the barn structure has a minimum setback of approximately 40 feet in relation to the easterly line. Mr. Lambert also stated vehicular access will be along a driveway from Beaver Meadow Road to the barn (approximately 650 feet in length from the road to the barn) and the driveway continues to the north and curves to the west and finally back to the south to access the area to the first floor level of the barn. Mr. Lambert noted there are a couple of parking spaces for the proposed accessory apartment. The location of the septic system pointed out (soil testing recently completed). Mr. Lambert provided copies of the Chatham Health District's Site Investigation for a Subsurface Sewage Disposal System, dated 6/13/2016, completed by Danielle Holmes, Sanitarian (Exhibit A – two pages). Mr. Lambert stated water for the barn will come from the well for the main house as well as underground utilities (coming off of Evergreen Road).

Mr. LePard asked Mr. Lambert if the barn will be servicing the house. Mr. Lambert stated the first floor portion will be storage for equipment and uses that are customarily permitted in the zone, the basement will store a boat/trailer and other vehicles, and the accessory apartment will be on the second level of the

building. Mr. Lambert stated one of the reasons for the location of the structure is due to the flatness of grade as well as an issue for emergency vehicles to access the site. Mr. Lambert stated the grades fall away up to 15-20 percent and there would be a need for filling some areas as well as several switch backs. Mr. Lambert stated that it would not be visually appealing and would be subject to erosion.

Mr. Laurenza stated he was concerned about the two driveways and two garages in terms of affecting the single family character of the neighborhood. Mrs. Glidden stated the applicant came in indicating he'd like to have a barn with access from Beaver Meadow Road, but did not indicate he wanted an apartment. Mrs. Glidden stated there is nothing within the regulations that prevent a residence from having two driveways and the applicant applied for a driveway permit (reviewed, approved, and constructed). Mr. Lambert stated the topography is the reason for the two driveways.

Mr. Laurenza stated Mr. Bull had a question as to how the application pertains to Section 23.B.4 (parking). Mr. Laurenza stated the setbacks have been met at 40 feet. Mr. Lambert stated the minimum setback is 30 feet. Mr. Laurenza reviewed the regulations.

Mr. Buckley reported he prepared the drawings for both the house and the barn and noted the barn was designed prior to the decision to include an apartment within it (asked the Commission to keep this in mind during the presentation). Mr. Buckley stated the applicant had specific uses for most of the building and asked the Commission to keep those uses in mind in relation to the proposed apartment.

Mr. Buckley stated due to the topography, the structure lends itself to a drive out basement for the lower level. Access points for all levels pointed out on the drawing by Mr. Buckley.

Mr. Buckley stated the basement is primarily for the storage of a boat as well as a snow plow, tractor, lawn mower, etc., in order to maintain the property. Mr. Buckley also stated the applicant would prefer keeping this equipment away from the house. Mr. Buckley noted there will be a two car garage for the house and the basement to the house is also walkout and there isn't a lot of storage in the house itself.

Mr. Buckley stated the first floor will be used for storage and studio space (applicant is a musician and this space will allow him space to play and store musical equipment).

Mr. Buckley stated the second floor in the original concept of the barn was to be attic space which is much smaller than the balance of the building, but will now become the apartment. Mr. Buckley reviewed the Building Code noting that a person can have a three story house. Mr. Buckley noted 800 square feet is a minor portion of the attic space and he's trying to maximize the space for two bedrooms.

Using the drawing, Mr. Buckley pointed out a portion of the second floor (central area) as being the primary living area, stairway area (where there's lack of headroom), bedrooms with dormers on either side (Code requires an egress window). Mr. Buckley reviewed the regulations in comparison with the drawing. Mr. Buckley stated if the bedrooms can be moved a part slightly, he can take advantage of the dormers to make the bedrooms slightly larger.

Mr. Laurenza asked Mr. Buckley if he's asking the Commission to vote on one drawing and then revisions will be made. Mr. Buckley stated no, he merely would like to know what leeway he may have in terms of minor revisions such as the configuration of a window, how much architectural detail does P&Z cover. Mrs. Glidden stated this is a Special Permit which gives the Commission a good deal of discretion and the applicant will be held to their floor plan configurations and site plan. Mr. Buckley stated that was fine.

Mr. Buckley continued his presentation by pointing out the area within the attic where the mechanical equipment for all three floors will be housed. There will be some tempered heating in the garage area, and the first and second floor levels will be heated as well as air conditioned.

Mr. Laurenza asked if the applicant plans to run a home business operation out of the structure. Mr. Buckley stated no, not a customary home occupation because he will not be seeing clients in the house, but noted the applicant is a framing contractor. Mr. Buckley also stated the applicant may have an office

within the house for book work for his business, but doesn't fall under a customary home occupation. Mr. Buckley stated the applicant will be storing vehicles he uses for work (specifically mentioned a pickup truck and van) on site, but they will not be used on the site. Mr. Laurenza stated he wanted to confirm there will not be employees parking on the site, punching in to work, etc. Mr. Buckley stated all work happens on other sites and depending upon the work some of the equipment will come and go. Mr. Buckley stated due to the amount of money being invested in the property, the applicant doesn't want his equipment to be stored on his yard he would rather have it stored.

Mr. Braren asked where specifically the applicant will be residing. Mr. Buckley stated the primary house. Mr. Buckley stated the reason why the barn is being constructed prior to the house is to allow the applicant to stay in the apartment while the house is being constructed and to construct items for the house.

Mr. LePard asked how the attic/storage will be accessed. Mr. Buckley stated it will be accessed off one of the bedrooms from the apartment. Mr. LePard how the 1,000 square foot cupola area would be accessed. Mr. Buckley stated there's no floor, it's just a clear story. A brief discussion followed in regard to the ceiling height and the area being potential storage space. Mr. Buckley stated the area could be opened up for a cathedral ceiling or for energy purposes a ceiling installed, but the area will not be an attic. Mr. Braren and Mr. Laurenza stated they would leave the area opened. Mr. Buckley stated it wasn't the intent to create an attic space above the room (from floor to peak of roof 23 feet) and if anything is installed, it would be a ceiling and not a floor as there is plenty of storage space.

Mr. LePard asked if the storage area will have a high ceiling and the apartment may have a false ceiling. Mr. Buckley stated yes, but clarified that the storage space will be the entire open area with the clear story to let the light in.

Mr. Braren asked which spaces will be heated. Mr. Buckley stated the apartment and the first floor and the garage will be tempered (55 degrees) for the equipment. Mr. LePard stated the first floor, which is 65 feet long and 48 feet wide, will be heated and that will be a music studio.

Mr. Braren asked why the applicant isn't taking advantage of the clear story. Mr. Buckley stated the area where the apartment is going to be located was going to be cold attic space. Mr. Buckley noted the apartment will only be accessible from the outside and not from the floor below.

Mrs. Glidden asked the height of the building excluding the cupola, but not the monitor. Mr. Buckley pointed out the average grade not including the clear story, and asked if it was to the peak or half way up. Mrs. Glidden stated to the peak. A brief discussion followed in regard to the regulations (Mrs. Glidden reviewed). Mr. Buckley stated 31 feet 6.5 inches (median roof).

Mr. Rosa stated the structure is beautiful; however, he voiced concern over the intent of an accessory apartment. Mr. Rosa stated the measurements should be from the exterior of the wall not the interior. Mr. Buckley read from the definition of floor area Section 3 *Haddam Zoning Regulations* indicating the measurements should take place from the interior walls. Mr. Lagace stated the exterior dimension may come from the Building Codes.

Dave Bugbee stated he had gotten some of the answers he was looking for from the presentation. Mr. Bugbee also stated he's fine with the proposal as long as the applicant does what is being presented.

**MOTION:** Jamin Laurenza moved to close the public hearing at 8:02 p.m. Michael Lagace second. Motion carried unanimously.

**MOTION:** Jamin Laurenza moved to open the public meeting at 8:02 p.m. Michael Lagace second. Motion carried unanimously.

Mr. Rosa asked how do you stop it (the apartment) from growing. Mr. Lagace stated it has similar issues that a previous application had and it could grow into something larger than approved.

Mrs. Glidden voiced concern over the storage of commercial vehicles, the use of the apartment, and the separate access on Beaver Meadow Road. Mrs. Glidden stated it appears as if this will function as an independent residence and you cannot get to the house from the barn due to the lack of driveway connecting the two because of the grade.

Mr. Rosa stated it is not the intent of the regulation and like a previous application there are two accesses to two residences.

Mr. Laurenza stated in his opinion, the proposal appears to be a barn; whereas, a previous application had a structure that appeared to be a small house that was called an accessory structure. Mr. Laurenza noted the Commission cannot stop people from finishing off their basement; that would be in the hands of an assessor during a revaluation.

Mr. Lagace stated the accessory apartment will be sharing the same power and water as the primary house.

Mrs. Glidden noted there is a large amount of finished space – the proposed apartment and music room. Mr. Rosa stated the proposal could very easily be a 4,000 square foot house. Mr. Lagace asked if the Commission could apply stipulations that the area remain unfinished, rough finished, plywood flooring. Mrs. Glidden stated it has been presented the area will be controlled and, therefore, a finished floor. Mr. Braren stated it's not a storage space, it's a habitable space as it's conditioned and finished and not broken up into separate rooms. Mr. Rosa agreed, but still voiced concern. Mr. Laurenza noted the plan clearly states that it will be less than 800 square feet and that it's subordinate to the house.

Mrs. Glidden stated she would argue that the proposal is not subordinate to the house in terms of size to the entire structure. Mr. Rosa stated the applicant is showing a barn, but did note that it would be easier if there were one access rather than two. The Commission reviewed the topography (40 foot drop from the house to the barn). Discussion followed in regard to the proposal feeling more like a subdivision rather than an accessory apartment situation; the size of the lot (4 acres); one of the lots would need to be one acre over in order to subdivide (Evergreen Road property under in frontage); and Evergreen Road lot created under the conservation subdivision regulations.

Mr. Laurenza voiced his concern over the home business aspect of the application; however, that's not what's before the Commission.

Mrs. Glidden explained options before the Commission: 1) approve the application, 2) deny it, or 3) continue the matter. Mr. Lagace suggested continuing the matter to allow those who are absent to provide input. Mr. Laurenza noted the public hearing has been closed and would prohibit any further questions to and responses from the applicant's representatives. Mrs. Glidden will review Roberts Rules of Order to see if the public hearing can be reopened. Mr. Rosa and Mr. Lagace stated those members who are absent can ask questions of those members who were present and not the applicant's representatives.

Mr. LePard asked if the structure were built strictly as a barn and then the applicant came in for the accessory apartment, how would it change anything with the Commission. Mr. Lagace stated it appears the separation of access ways makes it appear to be two lots and it cannot be accessed from the house. Mr. Braren stated the accessory apartment doesn't appear to be accessible from the main house.

**MOTION:** Jamin Laurenza moved to continue the meeting until Thursday, 21 July 2016. Wayne LePard second. Motion carried unanimously.

Mrs. Glidden informed Mr. Lambert and Mr. Buckley that the public hearing signs need to remain up on the properties. Mr. Lambert stated yes.

Mr. Buckley asked if they would be allowed to present when the additional members are present. Mrs. Glidden stated no, as the public hearing is closed.

Public meeting continued until Thursday, 21 July 2016.

## **8. New Business**

### **Discuss Regulation Pertaining to Accessory Apartments (Detached)**

Mrs. Glidden reported Mr. Bull proposed some suggested wording changes pertaining to the detached accessory apartment regulations. Mrs. Glidden distributed and reviewed possible revisions. During review/discussion of the proposed revisions, Mr. Rosa commented that an accessory apartment has to be built after the main house, otherwise, the structure the accessory apartment is in becomes the main dwelling. Further discussion followed in regard to a previous application where the property owner used an accessory apartment as the primary residence while the primary dwelling was being renovated (will need to come back before the Commission to reverse the application); this being an option for the current applicant; and whether the Commission would want to permit an 800 square foot apartment as a primary residence (regulations do not regulate the size of a primary dwelling). A brief discussion followed in regard to the number of access ways.

Mrs. Glidden noted she had forgotten an additional comment Mr. Bull had made that an accessory building must have a use that is accessory to the house. Mrs. Glidden stated she doesn't necessarily agree with Mr. Bull's suggestion. Mr. Rosa stated an accessory apartment is an accessory to the house, not accessory to the structure the apartment is located in. Mrs. Glidden agreed with Mr. Rosa. Mr. Laurenza stated he would approve an 800 square foot two bedroom accessory apartment if the main structure were 1,000 square feet as the smaller building would be an accessory structure, but he would not approve two 800 square foot structures (one primary and one accessory) as he would look at them being two identical houses. Mrs. Glidden and Mr. Rosa disagreed. Mr. Rosa stated there would be no problem if the main house and accessory apartment are both 800 square feet as one structure would be the primary and the other accessory to the primary use.

After review and discussion, Mrs. Glidden will modify the proposal and send it out.

## **9. Approval/Correction of the Minutes**

**MOTION:** Jamin Laurenza moved to approve the 2 June 2016 minutes as submitted. Wayne LePard second. Motion carried with Mr. Laurenza abstaining.

## **10. Chairman's Report**

None.

## **11. Scheduling of Hearings**

**7 July 2016 Meeting – Canceled.**

## **12. Town Planner's Report**

**P&Z and POCD Committee** – A joint meeting will be held on Thursday, 21 July 2016, 7:30 p.m., Town Hall, 21 Field Park Drive, with Horsley Witten, consultant

**Discuss Proposed Revisions to Regulations (Accessory Apartments and Industrial Park)** – Thursday, 3 August 2016.

**66 Killingworth Road** – Mrs. Glidden reported Mr. Polke will be holding an open house on Monday, 20 June 2016, with the neighbors in regard to his proposal. Based on the outcome of the open house, Mr. Polke will decide whether or not to move forward with his proposal.

### **13. Adjournment**

**MOTION:** Carmelo Rosa moved to adjourn. Wayne LePard second. Motion carried unanimously.

The meeting was adjourned at 8:40 p.m.

Respectfully Submitted,

*Bunny Hall Batzner*

Bunny Hall Batzner  
Recording Clerk

**The 7 July 2016 meeting has been CANCELED.**

**The next meeting is scheduled for Thursday, 21 July 2016.**