

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
PUBLIC MEETING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT
THURSDAY, 12 APRIL 2018
APPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

X	Gina Block
X	Steven Bull, Vice Chairman
X	Michael Farina
A	Arthur Kohs
X	Jamin Laurenza, Chairman
X	Wayne LePard
X	Edward Wallor, Secretary
A	Robert Braren, Alternate
X	Frank (Chip) Frey, Alternate - Seated
X	Diane Waddle Stock, Alternate
X	Lizz Milardo, First Selectman
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. Pledge of Allegiance

The pledge was recited.

3. Attendance/Seating of the Alternates

Attendance was taken and all regular members and Mr. Frey, alternate member, were seated.

4. Additions/Corrections to the Agenda

Item # 8 – Approval of Minutes – Tabled.

MOTION: Ed Wallor moved to table the approval of the 5 April 2018 minutes and to approve the 12 April 2018 agenda as amended. Jamin Laurenza second. Motion carried unanimously.

5. Public Comments

Michael Epright, Esq., owner of the self-storage units and land/building where Dunkin Donuts is located on Bridge Road, stated he spoke to Mrs. Glidden last week via emails about zoning regulations in general, which tend to be restrictive, and felt the objective should be to keep some flexibility. Mr. Epright also stated where regulations are concerned there will always be legal actions and that whatever takes place it should be done in a way that makes sense for the Town of Haddam. In regard to the Design Guidelines, Mr. Epright felt they are misplaced noting Tylerville will never be Chester Center or East Haddam. Mr.

Epright stated Tylerville has never been a tourism location and there are only two reasons people come to Tylerville – 1) to go across the bridge and 2) to stop at some service that may be offered. Mr. Epright stated the Commission needs to create regulations that promote business and give back what is wanted as a community. Mr. Epright stated as an attorney, he represents a number of developers and there are a number of prototype structures they are looking for (not 1800s buildings). Mr. Epright also stated in his opinion, the Commission should be looking for regulations that promote tasteful development (need to find a balance; although costly from a developmental standpoint, a façade is doable) and that the regulations need to strike the properties evenly (build flexibility to give special consideration where there's already existing development; talked about raw land v. developed land; coverage limitations, setback and sideline requirements hampering development). Mr. Epright stated the Commission will be making decisions that impact the entire community; and again, reviewed the Design Guidelines noting that the actor housing in East Haddam cannot be done in Tylerville as the lots are bigger and the Commission needs to do something that's business friendly. Mr. Epright talked about parking in the front v. the rear of a building noting the Saybrook at Haddam with a colonial façade and parking around the building; Dunkin Donuts; and the new gas station. Mr. Epright stated he prefers fewer regulations and when the government gets involved it's over promised, over budget, and doesn't deliver (referenced bad planning when CT Yankee was operating). Mr. Epright stated Haddam is not a big market and the only way anything will take place is if it makes economic sense. Mr. Epright stated everybody wants drive-thrus, but there's a lot of pavement associated with them.

James Sibley stated parking should be lot specific based on what's best for the business and accessibility (parking in front should not be a problem). Mr. Sibley also stated when you see a lot of cars in front of a restaurant, people tend to think it's a hopping restaurant and want to stop and go in to eat.

Larry Maggi stated for the Commission to say that certain things are not allowed isn't acceptable, because it will be a national chain that's going to want to develop, especially when water comes to Tylerville. Mr. Maggi also stated several meeting attendees have invested all of their finances into their businesses and are owner occupied businesses while all others are rented out.

Lisa Wadge stated she is seeing the village district map for the first time and the district is bigger than she had envisioned. Ms. Wadge asked the Commission to consider shrinking the district and revising the map noting the POCD and meeting minutes have represented the village to be Bridge Road. Ms. Wadge stated she doesn't believe her property on Brookes Court should be a part of the village and that it will hurt potential development of the property; was also unclear why one lot was not included (industrial zone). Ms. Wadge stated if the owner of Donna's Cakes as well as the other property owners along Saybrook Road within the proposed village would have been at the meeting. Ms. Wadge stated the Commission will be adding a lot of costs for the developers noting the town's mixed use regulations are very unusual and not consistent with other towns – 25 percent of the land area has to be commercial; whereas, in other towns it's 25 percent of building has to be commercial. Ms. Wadge stated developers would like to have a second floor apartment to possibly rent to the people who work on the first floor without driving a car. Ms. Wadge asked for joint capacity for residential and commercial use.

Karen Blaschik, Alan's Small Engine, stated in the years they've been on Bridge Road (1995), no one has ever come to them asking how they can help them and she's unsure whether that's a P&Z issue. Mrs. Blaschik also spoke about Cease and Desists orders that have been issued in the past, that she would like to see the town be helpful, and she doesn't feel P&Z is business friendly.

Jonathan Sibley stated in the last 20-25 years he has not seen anybody build something that is ugly. Mr. Sibley also stated these are subjective regulations (aesthetics) and upset about questions presented to Ms. Wadge in regard to the aesthetics and the type of retailer. Mr. Sibley stated there are a lot of well-intended regulations, but ill advised. Mrs. Glidden stated the draft design guidelines are suggestions.

James Sibley stated perhaps the traffic congestion/lack of parking in Chester Center is due to their mixed use being based on square footage and not acreage. Mr. Sibley stated he sat on ZBA for a number of years and the town should be concerned with the health, safety, and welfare of the residents of the town. Mr. Sibley also stated he doesn't believe the town knows how to run a business, which it shouldn't be; and suggested the formation of an informal group of people who are effected by the proposed village district. Mr. Sibley also spoke in regard to tax abatements for businesses.

Mrs. Glidden reported she had reached out to some of the property owners in Tylerville, a discussion was held, and she walked away understanding a few things. Even though born out of the POCD, the idea was to have some kind of special regulations for Tylerville that would create a balance (denser site, reduced setbacks, but expect quality development as outlined in the design guidelines). One thing trying to be achieved is walkability – installation of sidewalks. Drive-thrus are known to kill walkability; however, she has heard from residents/business owners that they want the same breath of uses that are currently allowed in the commercial district continue to be allowed in the village district. Mrs. Glidden stated the intent is for the regulations/guidelines to be a community plan; and although not happy with drive-thrus, there needs to be compromise and exchange as well as community engagement with those who are invested in the down town.

In terms of the design guidelines, Mrs. Glidden stated there has been discussion about franchises (have a number of various plans) and believes development patterns in the future will have remotely owned properties. If standards (architectural character, features on the building) are not adopted, then the town will get the base plan (a concrete building). Mrs. Glidden stated the 85 Bridge Road is an example of this noting the company did not come in with the base plan, but worked with the Commission to achieve a beautiful building. The use inside is irrelevant, exception for how it impacts traffic patterns, parking, etc. The design guidelines recommend parking to the side or the back and some of the buildings in Tylerville have that; however, if parking is needed to the front that's fine. Mrs. Glidden stated she's open for comment and invited people to call, email, or come into the office.

In regard to mixed use, Mrs. Glidden stated Ms. Wadge was correct and that she hadn't looked at that (something the Commission can change and it makes sense).

Mr. Frey thanked those in attendance for being there and that he appreciated their constructive input. Mr. Frey informed Ms. Wadge that the owner of Donna's Cakes has been in attendance twice and the draft village district map is merely a working document. Mr. Frey also stated the Commission walked all over Bridge Road and Saybrook Road. Mr. Frey stated there are three words that both him, referred to them as bully words, one of which is anti-business. Mr. Frey stated if the Commission were anti-business, Ms. Wadge's application would have been denied as incomplete and would not have been addressed until after the moratorium; however, the Commission worked hard to get the application approved. To Mrs. Blaschik, Mr. Frey stated it's not the Commission's job to advise anyone on their business (over stepping their bounds); however, she has a wonderful asset in her business partner, Lori Maggi, who is an EDC member.

Donna Torza asked if the sidewalks will come before the buildings. Mrs. Glidden stated the town has a grant to construct sidewalks (2019-2020), they're currently in the design phase, the sidewalks are for vacant lots, and for developed lots will attempt to obtain easements to construct sidewalks in front of their properties.

Mr. Epright stated he appreciated what Mr. Frey said, but the Commission needs to build flexibility into the regulations noting there are limited sites capable of handling new, good, and quality development. Mr. Epright also stated every regulation has a cost. Mr. Epright suggested the town look at how East Hampton has developed for Tylerville.

6. Discussion Regarding Zoning Regulations for the Tylerville Area

Mrs. Glidden reviewed proposed Section 7B.4 Permitted Uses noting that there will be more uses allowed than are currently allowed in the commercial district; and bulk standards with it being noted for a minimum lot area there's a provision that it can be modified by 50 percent bypassing the variance process.

Drive-thrus – Discussion followed at length in regard to drive-thrus (whether to allow). Ms. Stock stated she appreciated everyone's research and comments pertaining to walkability and the possibility of drive-thrus being allowed on side roads. Ms. Stock stated she's opposed to drive-thrus that open onto Bridge Road, especially where walkability is trying to be obtained. Mr. Bull stated he's in favor of them on side roads. Mrs. Glidden stated although these side roads do not exist, the Commission can encourage their existence; and it would be beneficial on multiple fronts if a side road could be created to not only help relieve some traffic, but also create additional commercial frontage. Mrs. Glidden also stated she's not suggesting the Commission mandate this, but rather if a property owner chooses to do this, they'll get more. Mrs. Glidden showed a map with conceptual side roads (would be town roads). Mr. Laurenza and Mr. Wallor stated they believe drive-thrus should be allowed on state and side roads by Special Permit. Mr. Wallor stated in fairness to everybody, if a drive-thru is allowed on side roads they need to be allowed on state roads, noting there is no walkability south of Bridge Road where the speed limit is posted at 50 mph. Mrs. Glidden stated she believes the Commission has the responsibility to address the matter and create some special guidelines that apply to Tylerville that take into account a variety of special uses. Mrs. Glidden talked about incremental changes – guidelines, provisions in the village regulations, advancing development, and offering flexibility while also making recommendations. Mr. Frey asked if it's a Special Permit, if each application is independently reviewed for its own merit. Mrs. Glidden stated yes. Mr. Wallor stated a Special Permit goes with the property and the Commission would have the ability to deny a Special Permit for an adjoining property. Mr. Laurenza asked for Attorney Branse to look at this matter and provide a memo. Discussion followed with Mrs. Glidden noting that a Special Permit has more scrutiny to it. Mr. Bull asked without incentives how will the Commission get side roads which take the traffic load off of Bridge Road and allow more commercial development. Mr. Bull stated he's asking this question because everyone has complained that it's difficult to get in and out of properties when it's busy. Mrs. Glidden stated one thing that's different about a village district v. a standard commercial district is that it allows for modifications (can be handled at P&Z).

Mr. Bull asked why churches aren't allowed with Mrs. Glidden responding churches aren't taxable. Churches to be reinstated in the village district.

Mr. LePard asked Mrs. Glidden if what is being presented as the Tylerville Village District Regulations is the Higganum Village District Regulations. Mr. LePard asked if the Commission several months back didn't talk about taking the Higganum Village Regulations and apply them to Tylerville as a first step and to make progress. Mrs. Glidden stated this is what's before the Commission. Mr. LePard stated he's seen the Use Chart numerous times and feels it would work better if the Commission used the Higganum Village Regulations for Tylerville. Mrs. Glidden stated she doesn't believe the Higganum Village Regulations can be just dropped on Tylerville and the items highlighted in yellow are modifications that were made to the Higganum Village Regulations. Mr. LePard stated he wasn't saying that, but that current village regulations be modified for Tylerville. Mr. LePard stated he didn't feel there's been much progress made and doesn't see consensus. Ms. Stock talked about incentivizing and consideration of walkability. Mr. Wallor again talked about the Special Permit process allowing the Commission to determine the location of a drive-thru as well as it being determined by the size of the lot. Ms. Block voiced concern over the potential series of drive-thrus, the added traffic and entry and exit points that are coming out onto a main thoroughfare competing with existing traffic and adding to it, and competing with potential pedestrian access. Ms. Block stated she doesn't want to put some property owners at a disadvantage over others based solely on where the property happens to be located. Ms. Block suggested shared drive ways for drive-thrus on adjacent properties. Mr. Wallor stated DOT would have to review sight lines for those entrances/exits no matter what the Commission does.

Specialty Repair Shops – In regard to setting an outside storage limit (600 square feet), Mrs. Glidden stated she doesn't know that it's necessary as it's a Special Permit use and the Commission will be addressing how it's screened and the applicant will be limited by their surroundings.

Gas Stations - Mr. Bull asked the Commission and those in attendance if they wanted anymore gas stations in Tylerville. Mr. Bull stated it's the same argument as the drive-thrus. Currently gas stations are allowed by Special Permit. Discussion followed in regard to potentially limiting gas stations in Tylerville to three; the market dictating whether another gas station could go into the area; and obtaining a legal opinion as to whether or not the Commission can limit.

Car Washes – Mr. Laurenza reported he's been monitoring car wash locations and believes the Commission is off if they want walkability with the 275 feet. Why he believes this is, after watching how car washes are used - do the wash, go to the detail shop, walk to a sandwich shop to eat, and comes back to pick up the car. Mr. Bull stated that's a very specific car wash and not all are like that. Mr. Laurenza stated a number of them are. Mrs. Glidden asked what's undesirable about them. Ms. Stock asked if there are any pollution issues to consider. Mr. Wallor stated everything is contained and recycled. Mr. Frey asked if 275 feet is a recommended footage. Mrs. Glidden stated no.

Prohibited Uses – Reviewed the following: directly illuminated sign (internally lit) – Mrs. Glidden will ask Mr. Branse about wording; Pylon signs (on one pole); meat, poultry, and fish processing or rendering (industrial in nature; to be removed); churches and places of worship (usually tax exempt; to be removed); adult bookstores (retail; encouraged Commission to consider it and define it); and commercial outdoor dog kennels. Mr. Laurenza asked about commercial outdoor dog kennels and would it include doggie daycare. Mrs. Glidden stated no, because the Commission hasn't allowed it as an "allowed use" as it hasn't been called out specifically. Mr. Farina noted doggie day cares do have outdoor runs. Discussion followed.

Schedule of Area, Height, and Placement Regulations – Mrs. Glidden stated this is more permissive than what is currently allowed in the existing regulations. It has a reduced setback which may not be needed. Mrs. Glidden stated the 10 foot minimum is unrealistic because of the state right-of-way. Recommended side setbacks to a residential use remain. Mr. LePard asked if maximum building coverage refers to maximum building footprint. Mrs. Glidden stated yes. Mr. LePard questioned it stating that a two story building would exceed it. Discussion followed in regard to it being livable space.

Design Review – The same as in the Higganum Village Regulations. Mrs. Glidden noted that the Architectural Review Committee (ARC) or its equivalent would review the design and submit comments to the Commission. Mr. Wallor asked if Tylerville will be a true CGS 8-2j; and if so, it would have to go to some kind of review. Mrs. Glidden stated yes, it will be an 8-2j. Mr. Laurenza stated the Commission already has ARC.

Regulations – Mrs. Glidden stated only the highlighted areas have been changed from the Higganum Village. Design objectives talks about promoting infill, creating pedestrian connections, pad sites, side streets, connections between Saybrook and Bridge Roads. The Commission and Mrs. Glidden felt Section 4 should be deleted. Discussion followed in regard to multiple facades on one large building.

Mrs. Glidden stated she will revise all documents and send them out/place on web to see if there are additional comments. Mr. Farina asked when the moratorium deadline is with Mrs. Glidden stating July. Mr. Frey asked if there had been any feedback from Torrance Downes, Senior Planner, Gateway Commission. Mrs. Glidden stated no. Mrs. Glidden recommended this matter be taken to public hearing either on 06/07/2018 or 06/21/2018. If the public hearing is 06/21/2018 there is still time to make revisions, to circulate the document, and take in comments. Mr. Wallor asked about taking public comment on 05/17/2018. Mr. Frey asked about the River District. Mrs. Glidden stated most of the River District is state land.

7. Public Comments Regarding Tylerville Zoning Regulations

Lisa Wadge stated the Commission requested Brookes Court be built exactly as it exists and that she had originally proposed a through road to Mr. Epright's road, but was told it could not happen because there had to be a light. Mr. Wallor, Mrs. Glidden, and Mr. Laurenza stated they do not remember that. Ms. Wadge corrected her statement by saying it may have been DOT or other issues and will pull out her notes. Ms. Wadge stated she worked hard to create a residential community that didn't have traffic through it. Ms. Wadge also stated she's confused about how the side roads would work and that more research should be done with the town engineer and DOT what they would require.

Mr. Laurenza stated the proposal Ms. Wadge discussed was never brought before the Commission. Mr. Wallor stated he's been a member of the Commission since Walt Zilahy was chairman that he's missed two meetings, and he doesn't remember anything about Brookes Court. Ms. Wadge stated she's not blaming the Commission, but rather she looked at that option, it was brought before a number of people, and by consensus not granted. Mrs. Glidden stated she can do the research.

Donna Torza asked if there was something the Commission could put into the regulations regarding bank drive-thrus as opposed to fast food drive-thrus. Mrs. Glidden stated any kind of drive-thru is a Special Permit and would require review by the town engineer to look at the queuing aspects to make sure all queuing can be accommodated on site.

Lou Milardo stated if with the Special Permit, people can fall into the guidelines for the Village District he's for it. Mr. Milardo also stated Ms. Wadge is correct about guidelines for back roads and that it should be looked into. Mr. Milardo stated incentive programs are what small businesses need as they have no opportunity (banks will not talk to them as they're self-employed) and incentive programs from the town would help businesses move along more quickly.

Gianna Milardo stated Tylerville and Higganum centers are not created equal. Mrs. Milardo also stated Higganum does not have the volume of traffic Tylerville has. Mrs. Milardo stated Mr. Epright was right about taking a look at East Hampton. Mrs. Milardo stated Tylerville needs TLC and they would appreciate it.

Mr. Maggi asked if anyone has spoken to Chester's P&Z. Mr. Maggi stated Chester has a lot of problems such as the lights in the village are paid for by every property owner in the village and not by the town; and they have a light switch within their buildings. Mr. Maggi also stated the power to the green in the village runs through the culvert. Mr. Maggi stated Chester loses more business because there's no place to park and does Haddam really want to be that. Ms. Torza stated Essex village also has businesses that go in and out.

Mr. Milardo talked about the affordable housing down in Old Saybrook (sidewalks and lights) in the area of the Monkey Farm.

The Commission and Mrs. Glidden thanked everyone who has attended the meetings and participated in the discussions.

8. Approval/Correction of the Minutes

Approval of the 5 April 2018 minutes was tabled.

9. Chairman's Report

None.

10. Scheduling of Hearings

On Thursday, 19 April 2018, a public hearing is scheduled for a Special Permit for a house in excess of 4,000 square feet with a detached accessory apartment on Mill Creek and the Connecticut River. The five acre lot is located off of Saybrook Road behind the Spencer's.

On Thursday, 3 May 2018, a public hearing for a Special Permit for a house in excess of 4,000 square feet on the Connecticut River. Property is located on Horton Road.

11. Town Planner's Report

There was nothing new to report.

12. Adjournment

MOTION: Jamin Laurenza moved to adjourn. Chip Frey second. Motion carried unanimously.

The meeting was adjourned at 9:15 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

The next meeting is scheduled for Thursday, 19 April 2018.