

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
PUBLIC MEETING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT
THURSDAY, 2 NOVEMBER 2017
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

X	Steven Bull, Vice Chairman
A	Arthur Kohs
A	Michael Lagace
X	Jamin Laurenza, Chairman
X	Wayne LePard
X	Carmelo Rosa
X	Edward Wallor, Secretary
X	Robert Braren, Alternate
X	Raul de Brigard, Alternate
X	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 members were seated.

3. Additions/Corrections to the Agenda

None.

4. Public Comments

None.

5. Continued

a. Discussion of Architectural Review Committee (ARC) Review for Properties within the Village District

Joe Bergin, Chairman, ARC, was present.

Mrs. Glidden distributed copies of the revised ARC sheet (Exhibit A, two sided – copy on file in the Town Clerk's Office) for review and discussion. Mrs. Glidden stated when a developer wants to development in the Village District, a packet should be submitted to ARC, an ARC meeting scheduled, and if a revised plan is needed, it would go back to ARC before coming to P&Z. Mrs. Glidden also stated there is the

possibility of an applicant insisting on going before P&Z only and in that instance, P&Z has to say the application isn't complete or it's denied without prejudice. Discussion followed in regard to the time line for an application with Mrs. Glidden noting an application is deemed accepted at next P&Z meeting even if that meeting is canceled.

Mr. de Brigard asked if there is something within the zoning regulations that states part of the submittal has to be a review letter from ARC; otherwise, the application can be denied as incomplete. Mrs. Glidden stated yes. Discussion followed at length in regard to being able to prevent the system from being circumvented and quality submittals making the process much easier and less time consuming.

Mr. Bergin asked if there could be language added such as "presenting at an ARC meeting is a precondition to zoning approval." Mrs. Glidden reviewed Section 7A.5 of the Village District regulations noting the word "shall" is requiring the applicant to go to ARC first; that ARC has to meet and submit a report to P&Z within 35 days; and the applicant still has the remaining 30 days for P&Z to see the application.

Mr. Bull clarified that the ARC sheet that was distributed is not a regulation, but merely a handout of what is expected. Mrs. Glidden stated yes. Mrs. Glidden also stated her understanding from the discussion on 10/19/2017 was where possible ARC will make a recommendation if they generally find the applicant meets the Design Guidelines and if ARC has something very specific that they can outline that needs to be done; however, if the applicant does not meet the Guidelines, then ARC will ask the applicant to revise the plans and return to them before going to P&Z. Mr. Bergin stated the regulations are currently lacking the requirement that the applicant has to return to ARC with revised plans before going before P&Z. Discussion followed that previously P&Z did not want to give ARC power of approval/denial, and that it was the consensus of the Commission that if the applicant comes before P&Z with a negative recommendation from ARC that the application doesn't support the Design Guidelines, then P&Z will deny it. Further discussion followed in regard to the Commission setting a precedent when an application doesn't meet the Design Guidelines; and having a member of ARC present at the P&Z hearing. Mr. Bergin stated if an application meets a threshold it would move forward and a member of ARC would attend the hearing; however, if there was no effort put into an application, then a member of ARC would not attend the hearing. Mr. Wallor stated if the Commission received a notification that an application was nonsense, then that would tell the Commission what to do. Mr. Bull suggested it should be indicated within the ARC recommendation letter whether or not a member of ARC will be or will not be present at the hearing. Mr. Wallor stated by having a member of ARC present, it allows the Commission to hear both sides of the coin as P&Z cannot rely on the application to convey exactly what ARC wanted.

Mr. de Brigard voiced concern over an applicant coming back with revised plans that no one has had an opportunity to review and the applicant is looking for an approval. Mr. Laurenza stated P&Z can continue the hearing. Mrs. Glidden stated to Mr. de Brigard's point applicants have come into a hearing where no one (herself, ARC, or P&Z) has had the opportunity to see the revised plans.

Mr. Bull asked how the Commission would handle members from ARC being present at the hearing and could they speak after the hearing is closed. Mrs. Glidden stated as chairman, Mr. Laurenza would introduce Mr. Bergin and recognize him during the hearing. Mrs. Glidden also stated she believes Mr. Bergin could speak at the meeting as staff, but will confirm with Attorney Mark Branse.

Mr. LePard stated during the hearing there were a number of references to a missing north arrow, but there is no reference to it on the ARC sheet. Mrs. Glidden stated Section 14 – Site Plan Review references everything that's required.

Mr. de Brigard noted on the ARC sheet there is a discrepancy of six sets and five sets. Mr. Bergin asked if the site plans could be full sized. Mr. LePard stated he thought ARC had requested the applicant's professionals make the presentation as opposed to the owner noting the word "should". After a brief discussion, Mrs. Glidden will change the following: Elevation Drawings and Floor Plans - "8.5 x 11" to "11 x 17"; "five sets" to "six sets" consistently throughout ARC sheet; and under ARC Meeting, first paragraph, first sentence - "should" to "shall".

b. Discussion of Public Act 17-155 Temporary Health Care Structures (THS)

Mrs. Glidden reported Attorney Mark Branse is advising all of the towns he represents to opt-out of this matter as he has a lot of concerns about the way the statute is written. Mrs. Glidden stated the intent is good - to help people who are in some form of medical distress to have a stay at home option, but the way the statute is written is problematic; such as who is responsible for removing the structure once the occupant has moved out (statute doesn't address; town can't remove the structure) and where is the effluent going. Mr. Wallor stated he's not saying the town shouldn't opt-out; however, he doesn't believe people will be purchasing the trailers, but rather leasing/renting them; therefore, it will not be staying around as the company will be coming to pick them up for the next person. Mr. Rosa stated the concern is some people will use it as an opportunity to use the structure as a rental property. Discussion followed in regard to the Commission being able to approve a Special Permit for such a structure.

MOTION: Chip Frey moved to opt-out of Public Act 17-155 Temporary Health Care Structures (THS).
WITHDRAWN.

Mrs. Glidden asked Mr. Frey to retract his motion explaining that the Commission would need to hold a public hearing on this matter. Mrs. Glidden distributed copies of a draft Resolution to opt-out of Public Act 17-155 as composed by Mr. Branse (Exhibit B – copy on file in the Town Clerk's Office); and further explained that after the Commission takes action, it will be forwarded to the Board of Selectmen (BOS). The Commission was agreeable to the holding of a public hearing.

6. Approval/Correction of the Minutes

Corrections to the 19 October 2017 minutes: page 2, Public Comment, Higganum Pharmacy – first paragraph, fourth line – change “asked” to “were” and “what” to “that” and second paragraph, second line from the bottom – change “tone” to “way”; and page 4, New Business, ARC – first paragraph, fifth line – change “backfired noted” to “backfired, noting”.

MOTION: Jamin Laurenza moved to approve the 19 October 2017 public hearing/meeting minutes as amended. Ed Wallor second. Motion carried unanimously.

7. Chairman's Report

None.

8. Scheduling of Hearings

P&Z, 16 November 2017 Meeting – Canceled.

7 December 2017 Hearings/Meeting - POCD – Hearing to adopt the document. **THS –** Hearing to opt-out of this matter.

9. Town Planner's Report

Michael Girgenti, 163 Old Ponsett Road – Barn Construction – Mrs. Glidden reported she had received a couple of calls regarding this structure; and gave a brief history on the matter (previously came before P&Z as a detached accessory apartment and application withdraw; hearing dates 4/21/2016, 5/5/2016, 6/2/2016, 6/16/2016 application withdrawn). Mrs. Glidden reported Mr. Girgenti came in looking to construct an accessory structure (barn) with no plumbing. Mrs. Glidden stated she has been on site and taken pictures. Using the plans, Mrs. Glidden pointed out a loft area and a lean-to. A brief discussion followed in regard to the Commission's options should Mr. Girgenti come forward to finish the 816 square foot area out (would be less with knee walls). Mr. Bergin didn't feel there was sufficient height to accomplish this. Mr. Frey showed the drawing from the original proposed structure. Discussion followed.

GCI Outdoor, 457 Killingworth Road – Mr. Bull asked for an update. Mrs. Glidden reported Jeff Polke, owner, GCI Outdoor, has indicated the building was identified as one fire code rating; however, the building official and the fire marshal have determined it's another fire code rating which requires a sprinkler system due to the materials that will be stored in the structure. Mrs. Glidden also reported the matter is currently being appealed to the State Fire Marshal and the State Building Official and doesn't believe a decision has been rendered. Mr. Bull asked if the building had been moved as it appears to be closer to the road than he remembers from the presentation. Mrs. Glidden stated no, the building location has not been moved.

10. Adjournment

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

The meeting was adjourned at 7:47 p.m.

Respectfully Submitted,

Bunny Hall Batzner

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Recording Clerk

The next meeting is scheduled for Thursday, 7 December 2017.