

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
PUBLIC HEARING AND MEETING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT
THURSDAY, 18 JANUARY 2018
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

X	Gina Block
X	Steven Bull, Vice Chairman
X	Michael Farina
X	Arthur Kohs
X	Jamin Laurenza, Chairman
X	Wayne LePard
X	Edward Wallor, Secretary
X	Robert Braren, Alternate
X	Diane Waddle Stock, 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 regular members were seated.

3. Additions/Corrections to the Agenda

None.

4. Public Comments

None.

5. Public Hearing/Meeting: An Amendment to the Haddam Zoning Regulations to Add a New Section 1.3 for a Moratorium on Commercial Building in the Commercial C-1 District for Areas that are also located in the Gateway Conservation Zone.

1.3 Moratorium on Commercial Buildings: Commencing on the effective date of this Section 1.3, and continuing for one hundred eighty (180) days thereafter, the Commission shall not approve any application for a new building or building addition larger than 1,000 square feet for any property that is located in both the Commercial C-1 District and the Gateway Conservation Zone.

Hearing: Mrs. Glidden explained this topic is an issue the Commission has been discussing due to several reasons and they are as follows: 1) town to bring water into Tylerville by extending water main from Chester; 2) sidewalks proposed on the south side of Bridge Road; and 3) scheduled Swing Bridge repairs. Mrs. Glidden further explained the Commission felt it was a good time to step back, pause, look

at the commercial zoning regulations for the Tylerville area (mostly falls under C-1 District or Gateway), with the intent of considering village regulations or a specialized zoning classification, allowing for a greater breadth of uses, and implementing design standards so everyone is aware of what is expected.

Mrs. Glidden reported the original Legal Notice indicated a ninety (90) day moratorium for a hearing scheduled for Thursday, 4 February 2018; however, due to Blizzard Brody, the hearing was canceled requiring the need to submit a new Legal Notice indicating one hundred eighty (180) days for tonight's hearing. Mrs. Glidden also reported the Commission can adjourn the moratorium at any time; therefore, it could be less than 180 days.

Mrs. Glidden submitted into the record the following: 1) letter from Dianne McHutchison, President, Haddam Historical Board, (letter originally submitted 21 December 2017, Public Comment, Exhibit A); letter from James McHutchison, Haddam Neck resident, dated 18 January 2018 (Exhibit B); and letter from Isabelle D. Seggerman, Haddam resident, dated 18 January 2018 (Exhibit C; two sided). The letters either speak in regard to developing a plan/vision for Tylerville or supporting the proposed moratorium. (Copies on file in the Town Clerk's Office or the Land Use Dept.)

Mrs. Glidden report the new Plan of Conservation and Development (POCD), which becomes effective 23 January 2018, recommends there be specialized regulations in the Tylerville area, similar to a village district. Mrs. Glidden also reported there are a limited number of paper copies of the POCD; however, it can be found on the town's website.

Elizabeth (Lisa) Malloy, Executive Director, Haddam Historical Society, and Haddam Neck resident, stated she supports the moratorium and encouraged the Commission to establish a village district in Tylerville to protect the distinctive character, landscape, and historic structures. Ms. Malloy also would like included: design and placement of buildings, maintenance of public views, improvement of public roadways, and other elements the Commission may deem appropriate to maintain and protect the character of Tylerville. Ms. Malloy also stated the regulations should encourage the conservation and preservation of existing buildings in a manner that maintains the historic, natural, and community character of the district; rehabilitation should follow the Secretary of the Interiors standards for the treatment of historic properties; and new regulations can call for new buildings to be harmonious to their surrounds and environment in terms of scale, proportions, mass, size, and design. Ms. Malloy continued by stating it would be important to include an educational component to the designation as residents, property owners, and business owners should have the opportunity to learn about the benefits of a village district, to voice their concerns, and have a dialog. In conclusion, Ms. Malloy stated an inventory of the structures and landscaping are vital first steps in creating a village district (noted the recent Tylerville studies) and noted Public Act 98-116 – The Village District Act.

Bill Cowan, Haddam resident, stated the widespread recognition is that the direction of Tylerville is not good and hasn't been for a while. Mr. Cowan also stated the only way this will change could be through zoning or planning; however, if something isn't don't, the residents of Haddam will get something they don't like.

In terms of the moratorium, Mr. Cowan asked if it was correct that the Commission has been working on regulations since 2012. Mrs. Glidden stated yes. Mr. Cowan stated the only way this matter will come to rest is by imposing a moratorium to put a deadline to the matter.

Pete Carlson, Camp Bethel Road, asked how far up Route 154 and Camp Bethel Road the district will cover noting he has an existing business (has permits from the town to operate the business out of his home) he recently sold to his son who also wants to run the business out of his property. Mr. Carlson questioned whether the moratorium would affect them. Mr. Carlson stated if necessary he would lease the business to his son in order for him to operate the business. Mr. Carlson questioned the Commission restricting commercial parking zones as they only park their equipment on the property as they work on

the street picking up trash. Mrs. Glidden stated Mr. Carlson's property would not be affected as its zoned R-2 and not commercial (proposed moratorium would only affect property that is designated C-1) and/or within the Gateway Conservation Zone (moratorium would cover a number of properties including the area around the Blue Oar and Dennis Hall's property). Mrs. Glidden also stated the moratorium is in regard to new buildings 1,000 square feet or greater and will not impact existing spaces. As an example, Mr. Carlson asked if he were to build a garage for the trucks, he would not be affected because he's not within the commercial zone. Mrs. Glidden stated correct.

Mr. Laurenza asked about the map that had been previously shown to the Commission. Mrs. Glidden stated she did away with the map, as the moratorium is for properties that are commercial and within the Gateway Zone. Mr. Laurenza asked if a street address list would be viable. Mrs. Glidden will look into it.

Karin Blaschik, property owner of 112 Bridge Road with her partners, stated she had two questions and one comment. 1) If the Commission has been working on this matter since 2012, why has it taken so long to get to this point? 2) Felt six (6) months was too long for people who own property, pay taxes, and want to invest their property into commercial business. 3) How long did it take Higganum Village to construct their village regulations?

In response to Mrs. Blaschik's questions, Mrs. Glidden stated in 2012 the Commission looked at making Tylerville its own commercial node that would allow different types of uses; and although they were not talking about design guidelines, they did discuss setbacks, mass and scale. Mrs. Glidden also stated this came about the same time as the land swap issue and many residents came to the Commission expressing their concerns that the proposed changes were in reaction to the land swap and perhaps favored the land swap and the matter became controversial. Mrs. Glidden reported the intent at that time had nothing to do with the land swap, but rather to fill an obligation that was within the POCD. Mrs. Glidden further reported at that time the Commission abandoned their discussion and moved on to create the Village District and Design Guidelines for Higganum. Mrs. Glidden and the Commission didn't feel it took too long to develop the regulations, perhaps four months, and that it should be easier to develop regulations for Tylerville (although regulations would be different, there's at least a guide to follow). Mrs. Glidden stated if the regulations are designed and adopted, the moratorium can be dropped.

In response to Mrs. Glidden's comments, Mrs. Blaschik stated as long as the Commission is committed to get this matter done as quickly as possible. Mrs. Blaschik also stated with all of this coinciding with the water, sidewalks, the bridge, and a potential Dollar General, it almost seems like this is the reason for the moratorium. Mr. Laurenza stated it may appear that way, but with the new POCD having been adopted, the Commission can now enact something new.

Jayne Whittles, Walkley Hill Road, stated she's a business owner (retail in Old Saybrook, formerly of Haddam, and distribution in Deep River). Ms. Whittles also stated this matter is an economic issue for Haddam, this is the time to do something, and the Commission should take the time to implement regulations. Ms. Whittles stated she would like to bring her business back to Haddam, but in talking to different business owners, they all stated Haddam has no plan or vision. Ms. Whittle also stated Deep River may be scruffy, but they've stayed proud with a plan and vision, and they are booming. Ms. Whittles stated Haddam needs to take the time to guide Tylerville in order to help existing and potential new businesses; and that she is in favor of the moratorium.

Ed Veselek, 1618 Saybrook Road, stated the idea of an address list would be good as well as a map. Mr. Veselek stated it's difficult to get rents, noted online shopping making it difficult for small mom and pop shops. Mr. Veselek talked about seeing the changes that have taken place in Tylerville over the years, doesn't believe a big box store will come to town, that small mom and pop stores will continue, and suggested sprucing up the area to help businesses. A bit later in the meeting, addressing the Commission again, Mr. Veselek stated the proposed water main will perhaps affect setbacks for septic freeing up some area. Mr. Veselek noted East Haddam's sewer plant is not running to capacity and perhaps an

arrangement could be worked out between the two towns – sewer for water – and existing businesses can expanded or new ones move in. Mr. Veselek also addressed the parking situation and the benefits of the Steam Train (noted free rides to witness the ice jam on the river).

Jeremy DeCarli, Higganum resident and Town Planner, East Hampton, stated the moratorium is a great idea noting the Commission now has the new POCD, the UConn study that was done a few years ago, and water coming to Tylerville. Mr. DeCarli suggested the Commission take a step back, take a breath, and develop some cohesive zoning for the area. Mr. DeCarli stated the town wants to keep the existing businesses and move the town's momentum forward as the infrastructure come to town.

Ed Schwing, Haddam resident, asked if the proposed moratorium and/or new regulations, if passed, would affect the existing permit for a garage and retail store at 105 Bridge Road (former Eco-Tourism Center). Mrs. Glidden stated site plans were approved a few years back; and if the developer builds to the approved plans, the moratorium and/or regulations would not affect them. However, if the developer does not move forward with the approved plans or requests a modification, they would be subject to the new regulations. Mr. Wallor stated he thought the developer could request an extension on the approved plans. Mrs. Glidden stated the developer could ask for an extension up to five years. Mrs. Glidden will research the approval date and notify the Commission.

Mr. Schwing asked if the proposed regulations will apply only to the area where the moratorium is proposed and would not be extending to other areas in town; or will the Commission be looking at the whole Tylerville area. Mrs. Glidden stated she believes the Commission will be looking at the whole Tylerville area as there is nothing in the moratorium prohibiting them from zoning properties either village district or creating multiple zoning classifications.

Mr. Schwing asked if existing businesses would have to comply with the new regulations or would be grandfathered as they are. Mrs. Glidden stated existing businesses will be grandfathered in and will not need to comply with the new regulations. Mr. Laurenza clarified by stating unless an existing business makes a change – an addition. Mrs. Glidden agreed noting they would need to comply to the best of their ability with parking, landscaping, etc. Mr. Schwing thanked the Commission and Mrs. Glidden.

Patrick Pinnell, Higganum resident and architect and planner, stated he was a member of the POCD Advisory Committee (completed) and is currently a member of the Building Committee (working on the Jail and Scovil Hoe buildings); and that these committees believe in Haddam and are trying to do their best to help the town and its development. Mr. Pinnell explained a bit about his career – pro-good development and anti-taking noting the following: Fenway Seven (saved Fenway Park; ten acre taking was inappropriate) and architect/planner for the 17 new actor housing cottages for the Goodspeed Opera House in a National Registered Historic District (proportionately to the size of the Historic District it was the biggest insertion in the country for years). Mr. Pinnell stated he believes something similar to the actor cottages can happen in Tylerville and should happen.

Mr. Pinnell explained to the Commission about the traffic issue with the Swing Bridge, especially during the summer with the boating traffic and how this affects businesses (access to businesses and side streets). Mr. Pinnell also explained how a potential business, such as a Dollar General, would affect the area (522 average daily trips – Institute for Transportation Engineers).

Mr. Pinnell concluded by asking the Commission to look at their instincts and that he supports the moratorium (good technical reasons for supporting it).

Sean Moriarty, Higganum resident, asked if the moratorium would affect the pending application for the proposed 9,100 square foot commercial building. Mrs. Glidden stated after discussion on this matter, the application in question will be deemed received and a hearing will be scheduled.

Mr. LePard asked for clarification in regard to Mid-Way Marina and Hall's Power Equipment falling under the same restrictions as those commercial properties in Tylerville. Mrs. Glidden stated these two businesses would not be able to add anything 1,000 square feet or more. Mr. LePard stated he didn't know how well these businesses would receive this, especially Mid-Way Marina; and that there should be a better way to define the area to be covered by the moratorium; especially if the intent of the moratorium is for Tylerville.

Mr. LePard asked Ms. Malloy, Executive Director, Haddam Historical Society, if an historic building was torn down to make way for a new building as supposedly indicated on Facebook. Ms. Whittle stated yes, it was claimed it was a decaying/depressing building. Mr. LePard explained approximately two years ago, the Commission had an application to tear down the building for a 24 hour fitness business and believes the minutes of the hearing/meeting did not indicate the building was historic. Mr. LePard stated there were three meetings before Ms. Malloy came in claiming the building was historic.

Mr. LePard asked if there were any additional historical buildings that the Commission should be made aware of. Ms. Malloy stated there are additional buildings and when the demolition delay ordinance was passed a list of historic buildings (approximately 290) was submitted to the Town Office Building. Ms. Malloy also stated the list identifies these buildings through the State of Connecticut as by either being architecturally, historically, or culturally significant to the Town of Haddam. Mr. LePard stated at the time of the original meeting the list was not available. Ms. Malloy stated she thought the applicant for the 24 hour gym decided to keep the historic building, renovate it, and build the gym behind it; and then decided to back out of the project. Mrs. Glidden stated at the time of the discussion for 85 Bridge Road, the demolition delay ordinance was created and it was after the Commission had had several hearings the list became apparent. Mrs. Glidden also stated the applicant wasn't able to repurpose the existing well on site and withdrew his application. Mrs. Glidden stated she believes the Commission will be looking at historic buildings in Tylerville and attempting to preserve them; and the Commission could require a Special Permit similar to what's required in the Higganum Village District, so the Commission is aware of what's going in its place – whether the building is historic or not.

Mr. LePard talked about the Village District regulations noting a retail facility of 15,000 square feet is allowed; and if a big box store is the focus of the moratorium, people need to be aware it still could be allowed through the regulations. Mr. LePard stated he doesn't believe a village district plan in Tylerville will stop what people are thinking the plan will. Discussion followed in regard to a large building potentially fitting in if it was architecturally designed properly – appropriate scale, materials, massing, etc.

Mr. LePard stated he does not support the proposed moratorium. Mr. LePard also stated at one point there was industrially zoned land in Tylerville; and asked if any still remains. Mrs. Glidden stated the 17 acre Clark Creek Preserve is zoned industrial (state owned) and one other parcel (accessed off Route 154; behind historic beige building marked marriage counseling). Mr. LePard clarified that the moratorium would not affect these parcels. Mrs. Glidden stated correct. Mr. LePard again reviewed the existing Village District regulations. Discussion followed at length with Mrs. Glidden stated the Village District (Connecticut General Statute 8-2j) provides guidance for both the Commission and the developer as it establishes standards to be followed.

Mr. Farina stated the Commission and the town have waited a long time for certain elements to line up – water, sidewalks, potential regulations – and there has been a lot of input from the public tonight; perhaps it's time the Commission be given the opportunity to work on regulations for Tylerville. Mr. Farina did not believe six (6) months is too long to ask for.

Mr. Bull asked why a total moratorium is not being requested. Mrs. Glidden stated a total moratorium could be requested, but the reason for 1,000 square feet was to allow an existing business the ability to do a minor renovation/addition. Discussion followed. Ms. Block asked if the Commission could change the square footage or would it need to be readvertised. Mrs. Glidden stated it would need to be readvertised as it would be more restrictive.

Mr. Laurenza asked if Mid-Way Marina and Hall's were included in the moratorium. Mrs. Glidden stated yes, as they are within the Gateway Zone. Mr. Laurenza asked if these two businesses have to follow the moratorium after its enacted. Mrs. Glidden stated they would only be a part of the moratorium, but would not be a part of any zoning changes. A brief discussion followed with Mrs. Glidden noting there isn't a defined boundary for Tylerville and the best way to address this matter was by zone and Gateway classification. Mr. Frey noted any changes made within the Gateway Zone would need to receive comment from the Gateway Commission. Mrs. Glidden stated she did notify RiverCOG and the Gateway Commission and there was no objection from either one of them.

Mr. Schwing asked if he had heard correctly that the Commission could cancel the moratorium at any time to allow someone to construct a building. Mrs. Glidden and Mr. Laurenza both stated no. Mr. Bull clarified his question in regard to the ability to lifting the moratorium only on Mid-Way Marina and Hall's, which cannot be done.

MOTION: Chip Frey moved to close the public hearing and open the public meeting at 8:05 p.m. Ed Wallor second. Motion carried unanimously.

Meeting: Mr. Laurenza opened the meeting.

MOTION: Steve Bull moved that it be RESOLVED, the Haddam Planning and Zoning Commission hereby adopts the following Section 1.3 of the Haddam Zoning Regulations:

1.3 Moratorium on Commercial Buildings

Commencing on the effective date of this Section 1.3, and continuing for 180 (one hundred eighty) days thereafter, the Commission shall not approve any application for a new building or building addition larger than 1,000 square feet for any property that is located in both the Commercial C-1 District and the Gateway Conservation Zone. The effective date of this Section is January 25, 2018.

The purpose of this moratorium is to allow the Commission time to study and adopt new regulations to protect and enhance the historic architectural character of those areas located within both the Commercial C-1 District and the Gateway Conservation Zone, being that area known as Tylerville. The Commission will examine, among other regulations, one or more Village Districts under Connecticut General Statutes 8-2j; architectural and design standards specifically suitable for Tylerville; landscaping, lighting, and site design standards specifically suitable for Tylerville; reevaluation of the distribution between site plan review and special permit uses; and such other land use regulatory tools as may be appropriate to protect the public health, safety, and welfare.

Dated at Haddam, Connecticut, this 18 day of January, 2018.

Ed Wallor second. Motion approved with Mr. LePard voting against.

Prior to the vote, Mr. Bull confirmed that the moratorium would not become effective until 25 January 2018. Mrs. Glidden stated yes, as she would need to publish a Legal Notice should the Commission vote in favor of the proposal. Mr. Bull stated he had some concern over the 1,000 square feet and wishes it weren't included, but it would not stop him from voting for the moratorium.

6. Approval/Correction of the Minutes

MOTION: Ed Wallor moved to approve the 21 December 2017 minutes as submitted. Wayne LePard second. Motion carried unanimously.

7. Chairman's Report

None.

8. Scheduling of Hearings

85 Bridge Road, Site Plan Review for 9,100 Square Foot Retail Building Submitted by MCG, LLC

Mrs. Glidden reported she received an application for 85 Bridge Road noting that BL Companies is the engineer. Mrs. Glidden stated a hearing needs to be scheduled and BL has additional information to submit. Michelle Carlson, Professional Engineer, Principal, BL Companies, submitted the lighting plan to the application. A public hearing is scheduled for Thursday, 15 February 2018.

9. Town Planner's Report

None.

10. Adjournment

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

The meeting was adjourned at 8:15 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

The next meeting is scheduled for Thursday, 1 February 2018.