

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
PUBLIC HEARINGS AND MEETING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT
THURSDAY, 7 DECEMBER 2017
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

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

Mr. Laurenza welcomed Ms. Block to the Commission.

3. Additions/Corrections to the Agenda

Add – Item 9a. Election of Officers.

MOTION: Ed Wallor moved to amend the 7 December 2017 agenda by adding Item 9a. Election of Officers. Wayne LePard second. Motion carried unanimously.

4. Public Comments

Melissa Schlag, Selectman, reported the P&Z meeting was not included on the town's website calendar. It was noted the agenda was published under the Planning and Zoning link, but was not on the calendar. Mrs. Batzner confirmed the meeting was not listed on the calendar portion of the website. Mrs. Glidden will make sure it's on the calendar in the future.

5. Public Hearing and Meeting Regarding the Adoption of the 2018 Town of Haddam Plan of Conservation and Development (POCD)

Nate Kelly, AICP, NCI, Principal Planner, Horsley Witten Group, and Steve Bull, Lynne Cooper, Nancy Meyer, and Gail Reynolds, all POCD Advisory Committee members, were present.

Hearing: Mrs. Glidden reported during the last year and one-half, the POCD Advisory Committee has been working with the town's consultant, Horsley Witten, on developing an updated POCD. Mrs. Glidden explained the process to bring it before P&Z to be adopted as the town's new ten year plan. Mrs. Glidden complimented the Advisory Committee and Horsley Witten and thanked everyone who participated in the process. Mrs. Glidden noted every commissioner will receive a revised copy, a copy will be placed at the Brainerd Memorial Library, and the document will be placed on the town's website.

Mrs. Glidden reported the next step will be to form a POCD Implementation Committee (PIC) to implement the recommendations in the document. Mr. Bull, Chairman, POCD Advisory Committee, reported the PIC is probably the best thing about the document as they will see that everyone is following through on their portion of the POCD rather than having it sit on a shelf. Mrs. Glidden explained the PIC will consist of a representative from all commissions/committees in town and will meet a minimum of twice a year.

Mrs. Reynolds thanked Mrs. Glidden for being proactive in regard to pulling the document together, Mr. Bull for doing a great job in keeping the committee together, and Horsley Witten for not having something already in their mind and listening to the committee. Mrs. Glidden also thanked Horsley Witten. Mr. Kelly stated during the first meeting, it was evident there was already a lot of thought put into the document; and that it was a great group to work with.

Ed Schwing stated he was glad to hear there's going to be a committee to follow up with the document, especially after knowing how the 2007 document was handled. Mr. Schwing stated he had asked the late Dr. Mal Gorin, then chairman of P&Z, to add a yearly review and nothing was done at that time.

Mr. Schwing stated another part of his skepticism is whether or not the POCD will be used during the decision making process. Mr. Schwing briefly discussed zoning designations as noted within the POCD.

Lizz Milardo, First Selectman, thanked everyone who worked on the POCD and that it was a great team effort. Mrs. Milardo stated it's important that the document remain a living document and that it is a positive thing for Haddam.

Lynne Cooper, POCD Advisory Committee, stated one of the things that is invaluable within the POCD is a component in the Action Steps that sets up education/orientation of the plan with new committee/board members to make them more knowledgeable about the POCD.

The public hearing closed and the meeting opened at 7:12 p.m. No motion made.

Meeting: Mrs. Glidden asked Mr. Bull to make the motion.

MOTION: Steve Bull moved to approve the draft Plan of Conservation and Development dated October 30, 2017 Town of Haddam; drafted by the Town of Haddam POCD Advisory Committee through public participation, and by the Horsley Witten Group, LLC in conformance with Section 8-23 of the General Statutes of Connecticut. Said Plan will be effective January 23, 2018. Jamin Laurenza second. Motion carried unanimously.

Mr. Bull thanked Ms. Cooper, Mrs. Meyer, and Mrs. Reynolds for attending the public hearing/meeting. Mr. Bull asked Mrs. Glidden if the state goes through an approval process for the new POCD. Mrs. Glidden stated yes, and explained the process.

Mr. LePard asked if in the POCD, it (the POCD) recommends areas to be designated or does it recommends the zoning board designate areas for residential, commercial, industrial, etc. Mrs. Glidden stated P&Z did not do a comprehensive rezoning; however, there are recommendations within the POCD to look at areas for industrial park space and a new zoning classification in Tylerville (either as a village district, commercial district, etc.). Mr. LePard asked if P&Z will be making the decision regarding zoning designations with Mrs. Glidden responding yes. Mrs. Glidden noted the Commission has sole authority over

zoning. Discussion followed at length in regard to Tylerville with Mrs. Glidden suggesting the Commission consider breaking up the zoning depending upon the area; the rezoning of the area on Route 81 for GCI Outdoors; and extending the Village District in Higganum Center.

6. Public Hearing and Meeting to Opt out of Public Act (PA) 17-155 *An Act Concerning Temporary Health Care Structures*, Adopted by the Connecticut Legislature.

Hearing: Mr. Laurenza opened the public hearing at 7:30 p.m. Mr. Laurenza stated Ms. Block asked that a brief rundown on this matter be given. Ms. Block reported she had read the minutes and the link that was provided online concerning the Public Act. Ms. Block asked for additional information about opting out.

Mrs. Glidden explained that the legislature created P.A. 17-155 in an attempt to assist people to age in place or recover in a home environment by allowing for small health care pods to be placed on private property; however, several issues have not been addressed such as how to tie into a septic system and a well, how does the town engage in removing the structures, who's responsible for enforcement, etc.. Mrs. Glidden further explained that when the structure is no longer in use, it would need to be removed within 90 days. Mrs. Glidden stated the town currently has regulations for detached and attached accessory apartments and believes this will cover the matter. Mr. Frey and Mr. Wallor both stated if the town doesn't opt-out, P&Z will have no control over these types of structures; whereas, if they did opt-out, they could still allow the structures under a special permit.

Mr. Bull asked if Attorney Mark Branse had weighed in on this matter. Mrs. Glidden stated yes, and that Mr. Branse is recommending to all the towns he represents to opt-out. Mr. Bull briefly discussed an opinion article he had read.

The public hearing closed and meeting opened at 7:36 p.m. No motion made.

Meeting: Mrs. Glidden asked Mr. Laurenza to read the resolution and then to make a motion.

MOTION: Jamin Laurenza moved to adopt the following: **RESOLUTION**

WHEREAS, Public Act 17-155 allows municipalities to "opt out" of the requirements of that Act; and

WHEREAS, the Commission believes that it is appropriate for Connecticut municipalities to provide for caregivers for persons requiring such assistance due to age, disability, or illness, however;

WHEREAS, the Town of Haddam is too rural, and lacks sufficient volunteers or staff, to comply with many of the procedural requirements of the Act; an example is the 15-day period for Commission action on any application under the Act when the Commission does not meet every 15 days; and

WHEREAS, the Act itself contains inconsistencies, such as the notice requirements (certified mail) which conflict with Connecticut General Statutes Section 8-7d(a), and the Act fails to specify the procedure by which approvals are to be granted, thereby creating ambiguities and potential appeals; and

WHEREAS, the Commission feels that if such uses are appropriate for Haddam, a locally adopted regulation can resolve those procedural problems while still addressing the legitimate need which spawned the Act;

WHEREAS, the Commission believes that temporary health care structures may negatively impact our residential zoning districts by overcrowding smaller lots and overburdening septic systems; and

WHEREAS, the Commission is concerned that temporary health care structures will not be removed in one hundred and twenty days and will be used as rental units. Even with a bond in place, the municipality does not have the right to remove the structures from private property without taking legal action including

an injunction. It is unclear who in the municipality will be responsible for enforcement and the extent of legal costs that taxpayers may incur;

NOW, THEREFORE, BE IT RESOLVED, that the Haddam Planning and Zoning Commission does hereby affirmatively opt out of the provisions of Public Act 17-155; and hereby recommends that the Town of Haddam Board of Selectmen adopt an opt-out resolution similar to this one adopted by the Commission.

ADOPTED, at a Regular Meeting of the Haddam Zoning Commission on December 7, 2017, by a simple majority vote to approve.

Haddam Planning and Zoning Commission.

Jamin Laurenza, Chairman
Liz Glidden, Town Planner

Ed Wallor second. Motion carried unanimously.

Mrs. Glidden stated only she and Mr. Laurenza are required to sign the Resolution.

7. Approval/Correction of the Minutes

MOTION: Steve Bull moved to approve the 2 November 2017 public hearing/meeting minutes as submitted. Chip Frey second. Motion carried unanimously.

8. Chairman's Report

Tylerville - Mr. Laurenza reported he and Mrs. Glidden have discussed having the Commission be proactive by focusing on regulations for Tylerville especially with water being piped in. Mrs. Glidden stated the Commission needs to contemplate whether or not they would like to do a true Connecticut General Statute 8-2j – a Village District that would have either an historic commission, an architectural review board, or an architect who would do the reviews; or a commercial district that allows some different uses that would include design guidelines. Mrs. Glidden noted Tylerville and Higganum are different.

Mrs. Glidden recommended that she pull together some zoning codes, but would like to know if the Commission wants to do a Village District or a Commercial District. Mr. Laurenza stated he felt the latter of the two options. Discussion followed in regard to the area having an eclectic architectural style; a secondary road (suggested in a UConn study) allowing for additional frontage; the installation of sidewalks; and the railroad creating foot traffic.

Mrs. Glidden reported the town was awarded the Transportation Alternative Grant and a Request for Qualifications (RFQ) is currently out for sidewalks from Route 154 down Route 82 to the bridge. Mrs. Glidden also reported the town has advocated for the installation of a sidewalk (design engineered, but not funded) on the side of the bridge when DOT repairs it in 2019-2020.

Mr. Braren asked if the two proposed rotaries in Tylerville are funded. Mrs. Glidden stated it's unclear at this time.

Returning to discussion about the zoning, Mrs. Glidden stated it would be important to engage the people of Tylerville. Mrs. Glidden discussed the potential of a moratorium (usually lasts three to six months and would require a public hearing). Discussion followed at length.

Mrs. Milardo reported she hopes to have the Consent Order within the next week or so and then go to bonding.

Before entering into a moratorium, Mrs. Glidden recommended there be more educated discussion. Mrs. Glidden will do some research and suggested the first meeting in January be dedicated to this research.

Meetings Moving Forward – Mr. Laurenza stated the Commission had previously discussed dropping down to one meeting a month; and asked if the Commission would like to do that. Mr. Bull stated it would be difficult to draft regulations for Tylerville with only one meeting per month. The Commission will continue with two meetings per month.

9. Scheduling of Hearings

Public Hearings/Meetings, Thursday, 21 December 2017, 7:00 p.m., are scheduled for the following:

Michael Bennett, Applicant, and Linda Wilson and Jeanne Foege, Owners, Special Permit to Create an Interior Lot, 262 Hidden Lake Road, Higganum.

Brainerd Memorial Library, Owner/Applicant, Special Permit to Create an Interior Lot, 916 Saybrook Road, Haddam.

Brainerd Memorial Library, Owner/Applicant, Special Permit to Modify an Approved Special Permit and Site Plan, 920 Saybrook Road, Haddam.

9a. Election of Officers

MOTION: Jamin Laurenza moved to nominate Ed Wallor as secretary. Chip Frey second. Motion carried unanimously.

MOTION: Ed Wallor moved to nominate Steve Bull as vice chairman. Chip Frey second. Motion carried unanimously.

MOTION: Chip Frey moved to nominate Jamin Laurenza as chairman. Steve Bull second. Motion carried unanimously.

Officers are: Jamin Laurenza, chairman; Steve Bull, vice chairman; and Ed Wallor, secretary.

10. Town Planner's Report

There was nothing new to report.

11. Adjournment

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

The meeting was adjourned at 8:07 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

The next meeting is scheduled for Thursday, 21 December 2017.