

**TOWN OF HADDAM  
PLANNING AND ZONING COMMISSION  
PUBLIC HEARINGS AND MEETING  
TOWN HALL  
21 FIELD PARK DRIVE, HADDAM, CT  
THURSDAY, 21 DECEMBER 2017  
APPROVED MINUTES  
*Approved as Submitted at the 18 January 2018 Meeting***

**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	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 regular members as well as Mr. Frey, alternate member, were seated.

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

None.

**4. Public Comments**

**Tylerville** – Dianne McHutchison, President, Board of Directors, Haddam Historical Society, read an undated letter from Lisa Malloy, Executive Director, Haddam Historical Society, (Exhibit A; copy on file in the Town Clerk's Office and the Land Use Dept.), regarding the need for a master plan in Tylerville that respects the historic character of the area while allowing for well-planned commercial development. In her letter, Ms. Malloy notes studies pertaining to Tylerville, the new Plan of Conservation and Development (POCD), the recent demolition of the Shailer Banning House on Bridge Road, offering incentives for saving/restoring historic buildings, and Tylerville's tourism potential.

**Clarification Regarding Public Comment** – Melissa Schlag, Selectman, clarified for anyone new attending the meeting that this is the only public comment portion outside of public hearings (specific to the matter) in which the audience can address their concerns.

**Tylerville (cont.)** - Jayne Whittles, Haddam resident and owner of Chalk Mercantile (formerly in Higganum Center, currently Old Saybrook) and Chalk Distributors (wholesale distributorship, Deep River) stated she is very upset about what is taking place in Tylerville in terms of a business perspective (economic issue) and feels the town is failing noting three gas stations with convenience stores and the potential of another store coming in that will sell groceries competing with River Provisions. Ms. Whittles briefly discussed her businesses in Old Saybrook and Deep River drawing clientele from all over and outside of the state; how these people use other businesses within the towns; and Deep River's development plan to get their town vibrant. Ms. Whittles spoke in regard to the demolition of the Shailer Banning House and the need for regulations specific to Tylerville. Ms. Whittles stated that she would like to have another business in town and the need for the town to be proactive by passing a Village District in and supporting the businesses within Tylerville.

Kathy Curran, Higganum resident, spoke in regard to the potential of another store coming into the area and the need to balance economic development with the location (entry toward the river, the Opera House, East Haddam). Ms. Curran suggested small scale businesses and that the town can do better.

Terry Smith, Higganum resident, stated he supports a plan for Tylerville and that he's concerned the town will end up with a mini-Berlin Turnpike if it's not careful. Mr. Smith also stated people like the town because they enjoy the historic, New England aspects; and business and residential can be developed consistent with our heritage and provide a good face to the public. Mr. Smith concluded by saying having a plan developed and enforced would be beneficial to the town.

Patrick Pinnell, Higganum resident, architect and planner, stated strategic, technical, and tactical aspects of uses on Bridge Road are important. Mr. Pinnell discussed the Swing Bridge and the potential for a pathway attached to the bridge and the funneling aspect from the bridge, especially the backup when the bridge is open. Mr. Pinnell stated he supports a temporary moratorium and it's time to recognize the history and contemporary attractions located on both sides of the river. Mr. Pinnell also stated there is enormous potential for the area.

Ms. Schlag stated she would like to see the "10,000 foot view" of what the Commission would like Tylerville to be. Ms. Schlag also stated it's very important for the Commission to remember the planning part of their job and be proactive similar to what took place with the Village District regulations in Higganum.

## **5. Public Hearing: Special Permit to Create an Interior Lot, Per Section 4.1B 1., at 262 Hidden Lake Road in Higganum, and Shown on Tax Map 59, Lot 12**

Michael Bennett, Surveyor, Bennett and Smilas Associates, Applicant; and William Bowles, Esq., representing Linda Wilson and Jeanne Foege, owners, were present.

Mr. Laurenza opened the public hearing at 7:15 p.m.

Mr. Bowles stated there are two existing residences on one oversize lot and the proposal is to create two separate lots with one residence on each lot. Mr. Bowles also stated by creating the second lot it would be considered an interior lot.

Using a map, Mr. Bennett reported the parcel is 16 acres on the east side of Hidden Lake Road and pointed out the existing two residential structures - 258 Hidden Lake Road and 262 Hidden Lake Road as well as an existing garage and barn at 258 Hidden lake Road. Mr. Bennett stated the property was created prior to zoning regulations in Haddam and a free split is allowable; however, Lot 1 will meet the current regulations, but Lot 2 would have insufficient frontage making it a rear lot and would need to be approved by special exception.

Mr. Bennett stated Lot 2 will be approximately 11 plus acres with 133 feet of frontage rather than 200 feet of frontage (required). Mr. Bennett stated the 150 rectangle works on both Lots 1 and 2. Using the map, Mr. Bennett noted that three other properties in the area have less than 200 feet of frontage and only 19

of 48 lots between Pond Meadow Road and Morgan's Way (approximately 4,600 feet of road) have 200 feet of frontage to meet the regulations.

Mr. Bull asked the designation of a rear lot. Mrs. Glidden stated it's called an interior lot and it's anything that has less than 200 feet of frontage unless it's in a conservation subdivision. Mr. Bull asked if the frontage could remain as it is with a 50 foot right-of-way back to the house. Mr. Bennett stated it would still be an interior lot and the 50 foot right-of-way would not be on Lot 2. Mrs. Glidden stated the existing lot was developed in the 1920s with two existing houses on it; there was a death in the family; and the proposal before the Commission is to settle the estate.

Mr. Bull stated it appears as if all the setbacks have not been satisfied. Mr. Bennett stated there is an existing shed and there are pre-existing setbacks. Mr. Bennett also stated one of the houses doesn't meet the setback either, but it too is pre-existing.

Mr. Bull asked Mrs. Glidden what would be the down side of granting this proposal. Mrs. Glidden stated if further subdivision is considered in the future, the applicants are not allowing themselves much room to do so. Mr. Bowles stated there is a "paper street" (a road on a map, but not developed) as part of the Hidden Lake Subdivision and there is no development to the south end of the parcel. Mrs. Glidden asked who has ownership of the "road". Mr. Bowles stated he believes the Hidden Lake Association; however, Theresa Resnick, 166 West Shore Drive, stated she has the ownership. Mr. Bennett stated if further development were considered, the 150 square would not work as it currently does; and he also pointed out a large area of wetlands.

Ms. Resnick stated her land borders the property in question and she understands the reason for breaking the lot into two lots. Ms. Resnick also stated she was concerned if the applicants were considering creating additional lots behind her private lots. Ms. Resnick stated she is not opposed to the proposal as presented.

**MOTION:** Jamin Laurenza moved to close the public hearing at 7:30 p.m. Ed Wallor second. Motion carried unanimously.

#### **6. Public Meeting: Special Permit to Create an Interior Lot, Per Section 4.1B 1., at 262 Hidden Lake Road in Higganum, and Shown on Tax Map 59, Lot 12**

Michael Bennett, Surveyor, Bennett and Smilas Associates, Applicant; and William Bowles, Esq., representing Linda Wilson and Jeanne Foege, owners, were present.

**MOTION:** Jamin Laurenza moved to open the public meeting at 7:30 p.m. Steve Bull second. Motion carried unanimously.

Mr. Laurenza asked if there were any questions, as there were none the motion was made.

**MOTION:** Steve Bull moved to approve a Special Permit to create an interior lot, per section 4.1B 1, of the Haddam Zoning Regulations at 262 Hidden Lake Road in Higganum. **Conditions:** None. **Exhibits:** 1. Application dated November 28, 2017. 2. Site Plan dated October 23, 2017 and drawn by Bennett and Smilas Associates, titled "Property Survey showing First Cut of Land N/F Linda P. Wilson and Land N/F Jeanne L. Foege, 258 Hidden lake Road, Higganum, CT". Ed Wallor second. Motion carried unanimously.

Mr. Laurenza informed the Commission he would be opening the next two public hearings together as they both pertain to the Brainerd Memorial Library. Mr. Laurenza opened the hearings at 7:33 p.m.

#### **7. Public Hearing: Special Permit to Create an Interior Lot, Per Section 4.1B 1., at 916 Saybrook Road, and Shown on Tax Map 31, Lot 62.**

**AND**

**8. Public Hearing: A Special Permit to Modify a Previously Approved Special permit and Site Plan to Add 16 Parking Spaces to the Brainerd Memorial Library, Located at 920 Saybrook Road, and Shown on Tax Map 31, Lot 63.**

Roger Nemergut, Engineer, Nemergut Engineering, Tom Piezzo, Director, Brainerd Memorial Library, Raul de Brigard, President, Brainerd Memorial Library Board of Trustees; Marijean Conrad, Vice President, Brainerd Memorial Library Board of Trustees; and Cheryl Czuba, Trustee; were present.

Mr. Piezzo thanked the Commission for hearing the applications and introduced Mr. Nemergut and trustees that were present.

Mr. de Brigard reported the library is boxed in in terms of serving the needs of the residents of Haddam. Mr. de Brigard pointed out various features of the site noting there is no additional space for outdoor activities, parking, etc. Mr. de Brigard spoke in regard to the purchase of the parcel and house to the side and rear of the library (916 Saybrook Road) which would allow for some expansion. Mr. de Brigard stated the library applied for and has been approved to receive a \$75,000 grant from the state to do the proposed work.

Mr. Nemergut submitted into the record a photo of the public hearing sign as well as the Affidavit of Public Notice Sign Posting for both 916 Saybrook Road (Exhibit A, 2 pages) and 920 Saybrook Road (Exhibit B, 2 pages). Mr. Nemergut distributed reduced copies of the Site Plan, Erosion and Sediment Control Plan and Lot Line Revision Plan, dated 11/27/2017, revised 12/21/17 (Exhibit C, 2 pages).

Mr. Nemergut reported the Special Permit applications before the Commission are: 1) to create an interior lot, and 2) modify a previously approved Special Permit.

Using a map, Mr. Nemergut stated the library property (920 Saybrook Road) is approximately one acre and the second property (916 Saybrook Road) is approximately three acres. Mr. Nemergut pointed out the shaded area to be transferred from 916 Saybrook Road to 920 Saybrook Road which will reduce the frontage on 916 Saybrook Road making it an interior lot with a 25 foot access strip. Mr. Nemergut briefly discussed how libraries have changed and need to be more community centers needing interior and exterior space. Mr. Nemergut noted the library has received a variance to allow an interior lot to be less than three acres (ZBA approval received 31 August 2017).

In regard to the second application, Mr. Nemergut stated the request is to allow additional parking. Using the map, Mr. Nemergut pointed out the original parking and the second parking area north of the library and stated the plan is to eliminate the four spaces closest to the library and create a new area of 16 spaces. The proposal will require a new curb cut and the existing driveway that serves the house at 916 Saybrook Road would be relocated (the 25 foot access strip). Mr. Nemergut stated the parking area will be paved, but with no drainage (drains easterly away from Route 154); there will be two LED pole lights to lite the parking area (traditional design; dark sky compliant; and on the back of one of the lights there will be a house shield to block light for the neighbor [the Porters] to the north of the library); and plantings on the property – two oak trees and 28 hydrangeas. Mr. Nemergut stated there is a natural buffer of mature white pines extending along the north side of the library property (plan calls for preserving/protecting them). Mr. Nemergut also stated the parking is perpendicular to the Porter's house as well as their detached garage to act as a light block. Mr. Nemergut stated a four foot high solid fence is a part of the plan; however, due to the number of plantings, requested the fence no longer be considered.

Mr. Bull asked why the parking lot is being paved. Mr. Nemergut stated it's a maintenance issue noting plowing of an unpaved driveway creating a major maintenance problem.

Ms. Stock asked if anyone from the library had spoken to the neighbors to the north (the Porters). Mr. Nemergut stated no, however, the public hearing sign was posted so it was clear something was going to take place. Mr. de Brigard stated the Porters have been notified. Ms. Stock stated if the Porters are

unhappy, the fence could be installed. Mr. Nemergut stated the library would like to defer the fencing at this time, but if it should become a problem, would be happy to install the fence.

Ms. Stock asked if cars lights from someone going to or from the house to the back (916 Saybrook Road) was an issue. Mr. Nemergut stated it is an issue, but not a new issue. Mr. Laurenza asked if there are people occupying the 916 Saybrook Road house. Mr. Nemergut stated yes.

Mr. Farina asked for clarification regarding the plants (type and whether or not they're mature). Mr. Nemergut stated there will be two white oaks and 28 hydrangeas (could grow over 10 feet high), but the new plantings will not be mature plants. Mr. Nemergut noted the existing mature white pines on the property. Mr. Farina asked if there were funds available to replace the plantings immediately should they not take. Mr. Nemergut stated sometimes the Commission makes a condition that the plantings be revisited within one year of planting and be replaced if needed. Mr. LePard asked about the white oaks being so close to the road (could there be a substitution). Mr. Nemergut stated he would speak to the landscape architect.

Mrs. Glidden recommended the Commission discuss whether or not they want to require the proposed fencing on the plans prior to the close of the public hearing. Mr. de Brigard stated the hydrangeas will be similar in size to what is planted in Higganum Center. Mr. Nemergut provided an aerial view of the proposed parking v. the Porter's house (Exhibit D). Mr. Nemergut stated he would leave the fence on the plan; and if an issue arises, they would install the fence. Discussion followed in regard to the angle of the headlights hitting the Porter's house. Ms. Block asked if there had been any complaints about headlights with the existing lot. Mr. Nemergut stated no. After lengthy discussion, the Commission felt the installation of a four foot high solid fence as proposed and shown on the site plan should remain on the plans.

Ms. Conrad stated the reasons for the parking is for two new entrances – handicapped and stroller - at the bottom level as well as making the meeting room available for more community activities. Ms. Conrad also stated the pavement will assist with wheelchairs and strollers. Ms. Conrad stated the Saybrook at Haddam also needs a place to bring their van in and turn around. Mr. Farina stated he assumes there is a coop agreement with the Senior Center to assist with additional parking. Ms. Conrad stated yes.

Bill Cowan asked why the parking is not being put to the back as opposed to on the street. Mr. Nemergut stated the parking is near the handicapped access, but the back area is being preserved for outdoor activities. Mr. de Brigard stated the Board has looked at this matter and the land towards the back drops off.

Mr. Frey asked what material would be used for the fence. Mr. Nemergut stated a solid wood fence.

**MOTION:** Jamin Laurenza moved to close the two public hearings at 8:05 p.m. Ed Wallor second. Motion carried unanimously.

#### **9. Public Meeting: Special Permit to Create an Interior Lot, Per Section 4.1B 1., at 916 Saybrook Road, and Shown on Tax Map 31, Lot 62.**

Roger Nemergut, Engineer, Nemergut Engineering, Tom Piezzo, Director, Brainerd Memorial Library, Raul de Brigard, President, Brainerd Memorial Library Board of Trustees; Marijean Conrad, Vice President, Brainerd Memorial Library Board of Trustees; and Cheryl Czuba, Trustee; were present.

**MOTION:** Steve Bull moved to approve a Special Permit to create an interior lot, per section 4.1B 1. **Conditions:** None. **Exhibits:** 1. Application dated November 28, 2017. 2. Site Plan Drawn by Roger Nemergut Consulting of 916 Saybrook Road and dated 11/27/2017. 3. Variance approval dated September 6, 2017 by the ZBA for a variance to allow a lot with less acreage than required for 916 Saybrook Road. Ed Wallor second. Motion carried unanimously.

**10. Public Meeting: A Special Permit to Modify a Previously Approved Special permit and Site Plan to Add 16 Parking Spaces to the Brainerd Memorial Library, Located at 920 Saybrook Road, and Shown on Tax Map 31, Lot 63.**

Roger Nemergut, Engineer, Nemergut Engineering, Tom Piezzo, Director, Brainerd Memorial Library, Raul de Brigard, President, Brainerd Memorial Library Board of Trustees; Marijean Conrad, Vice President, Brainerd Memorial Library Board of Trustees; and Cheryl Czuba, Trustee; were present.

**MOTION:** Steve Bull moved to approve a Modification to a Special Permit for the Brainerd Memorial Library to create parking on the northern side of the library. **Conditions:** None. **Exhibits:** 1. Application dated November 28, 2017. 2. Site Plan Drawn by Roger Nemergut Consulting of 916 and 920 Saybrook Road titled "Site Plan, Erosion and Sediment Control Plan and Lot Line Revision Plan" and dated 11/27/2017. Ed Wallor second. Motion carried unanimously.

**11. Approval/Correction of the Minutes**

**MOTION:** Ed Wallor moved to approve the 7 December 2017 public hearing/meeting minutes as submitted. Jamin Laurenza second. Motion carried unanimously.

**12. Chairman's Report**

None.

**13. Scheduling of Hearings**

**Commercial Development Moratorium in the Gateway Conservation Zone –** Mrs. Glidden distributed a small area map of Tylerville (Exhibit A) outlining the commercial property; and using a larger map with the commercial properties colored in. Mrs. Glidden reported there has been some concern and advocating for a temporary moratorium. Mrs. Glidden recommended new applications that are greater than 1,000 square feet in size for a commercial zone property within the Gateway Conservation Zone have a temporary moratorium imposed. Mrs. Glidden discussed the new Plan of Conservation and Development (POCD), water coming to Tylerville (consent order recently signed), and a sidewalk project in Tylerville. Mrs. Glidden noted the moratorium would only affect Tylerville. Discussion followed in regard to delineating a specific area, length of time for the moratorium, the development of regulations, and including properties south of the Route 82 Connector. Mr. Frey asked if some of the studies- Tylerville Market Study, UConn Study, and GrowSmart Study- that have been done be sent out for the Commission to review prior to the public hearing.

Lisa Wadge stated she owns three properties in the area and voiced concern over a potential moratorium as she has a development for 85 Bridge Road (site plan with grading plan to be submitted shortly). Ms. Wadge also stated a moratorium will stop development; and that she would be happy to comply and build the structures the way the Commission would like. Ms. Wadge stated she applauds the plan and the idea of planning, but the moratorium would create a problem especially with the DBP property. Mrs. Glidden stated the DBP property is covered under the Housing Opportunity District (HOD) and would not be affected by the moratorium. Discussion followed in regard to an HOD development and a moratorium on new construction of 1,000 square feet or more. Mr. Frey talked about the new POCD and the Commission trying to work with the new plan.

Jayne Whittle stated as a business owner she's waiting to see what the Commission will do in coming up with a plan; and applauded the proposed moratorium to develop a plan. Ms. Whittle also stated she feels a moratorium of six month would be sufficient time to create regulations.

**MOTION:** Steve Bull moved to hold a public hearing on January 4, 2018, for a Resolution for a moratorium on new building greater than 1,000 square feet that is zoned Commercial and is located in the Gateway Conservation Zone. **Conditions:** None. Ed Wallor second. Motion carried with Mr. LePard abstaining.

**Hearing scheduled for Thursday, 4 January 2017, 7:00 p.m., Town Hall, 21 Field Park Drive, Haddam.**

**14. Town Planner's Report**

None.

**15. Adjournment**

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

The meeting was adjourned at 8:35 p.m.

Respectfully Submitted,

*Bunny Hall Batzner*

Bunny Hall Batzner  
Recording Clerk

**The next meeting is scheduled for Thursday, 4 January 2018.**