

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
PUBLIC MEETING/HEARING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT
THURSDAY, 20 JULY 2017
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

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

3. Additions/Corrections to the Agenda

None.

4. Public Comments

None.

5. New Business

None.

6. Public Hearing/Public Meeting – Continued:

A Site Plan Modification for a Change to the Pond Design to Increase Length of Pond and Decrease Height and Location of Retaining Wall, Revised Site Plan for As-Built Location of Building, Moved Parking to be in Front of Building for Commercial Building at 201 Saybrook Road, which is Shown on Tax Map 05 Lot 057.

This is a continuation from Thursday, 15 June 2017.

Ralph Vynalek, owner, was present.

Hearing: Mrs. Glidden reported Chris Bell, engineer, was unable to attend the meeting. With Mr. Vynalek's permission, Mrs. Glidden walked the Commission through the revised plan. Mrs. Glidden reported the two major changes to the plan are: no additional light proposed for the parking area and addition of creeping juniper on the retaining wall.

Mr. Bull asked Mr. Vynalek when the pond retains water. Mr. Vynalek stated when it rains (seasonal). Mr. LePard asked if the wall is six feet high. Mr. Vynalek stated yes. Mr. Bull asked if all specifications had been received as requested. Mrs. Glidden stated Mr. Bell will stamp the specifications from the manufacturer as an as-built (will become a part of the record). Mr. Laurenza asked about the street light with Mrs. Glidden responding it has been removed as the Commission did not want another Cobra head light on Route 154 (Commission felt it was bright enough in the area). Mrs. Glidden stated she would not object to bollard lit parking (low profile lights).

Mr. Laurenza asked if the specifications for the wall will be submitted when seeking the final as-built. Mrs. Glidden reported this would fall under the Building Official's jurisdiction; however, given the length of this project and documentation coming in drips and dribbles, she has spoken to Gary Vivian, Building Official, about this. Mrs. Glidden stated she would prefer to have the stamped retaining wall with the engineer's documents as part of the file, but she cannot require it. Mr. Laurenza suggested making it a condition of approval. Mrs. Glidden stated that would be agreeable.

Mr. Frey asked what type of lighting will be provided especially since the pole lighting is not being required. Mrs. Glidden stated the area is rather bright and again suggested bollard lighting. Mr. Frey talked about safety lighting. Mr. Vynalek stated there would be lights in the soffit. Mr. Bull stated the lighting should not look piecemeal as the property is part of one site plan and should be cohesive. Mr. Frey, an electrician, explained how lights can look the same, but not provide the same lighting. Mr. Frey talked about photometric and that there should be some type of lighting plan. Discussion followed in regard to the type of lighting fixtures that are currently on the Dunkin Donuts site, obtaining a lighting plan prior to granting approval, and how much of the existing lighting on Route 154 illuminates the property. Mr. Frey stated he would like to see locations of lights and approval of the fixtures at a later date. Mrs. Glidden stated it would have to be done now not later and Mr. Vynalek would have to agree to an extension. Discussion followed.

Mrs. Glidden recommended the Commission continue the hearing with Mr. Vynalek's approval, have Mr. Bell put the Dunkin Donut's type lighting on the plan with the landscaping along with a cut sheet (previously requested), the manufacturer's wall design with a stamp (previously requested), and request the applicant straighten out the existing lights on site.

Mr. Laurenza asked Mr. Vynalek if he agreed to the extension. Mr. Vynalek asked the Commission about what they had requested for lighting at the last hearing. Mr. Wallor asked Mr. Vynalek if he would like additional lighting, as he (Vynalek) had commented about his insurance. Mr. Vynalek stated he would like more lighting as he had difficulty getting insurance due to the lighting, but he would like to leave what he currently has. Mr. Wallor stated what is being presented tonight is only half of what the Commission had asked for at the last hearing. Mr. Laurenza reviewed the 06/15/2017 minutes which pointed this matter out twice. Discussion followed in regard to the type of lighting Mr. Vynalek wants (two more shoebox light fixtures and the existing Cobra head on the pole). Mr. Vynalek requested at least a 30 day extension.

Mrs. Glidden stated the following are being requested: the addition of two lights (like the lights at Dunkin Donuts), cut sheet designs (photometric), and the stamped retaining wall specifications.

MOTION: Jamin Laurenza moved to continue the public hearing in order to obtain additional information until Thursday, 7 September 2017, at 7:00 p.m., Town Hall, 21 Field Park Drive, Haddam. Ed Wallor second. Motion carried unanimously.

Hearing/Meeting continued to Thursday, 7 September 2017.

7. Review under Connecticut State Statute 8-24 for an Easement from State of Connecticut, to the Town of Haddam, on Haddam Dock Road for the Purpose of Establishing, Constructing, Building, Repairing, Improving, and Maintaining a Public Roadway.

Mrs. Glidden explained that the Essex Steam Train rents the Department of Energy and Environmental Protection (DEEP) rail line and is coming up to the Haddam Meadows, possibly by this fall, and by 2021 it's expected to go up to Middletown. Mrs. Glidden reported there are some driveways that cross the railroad tracks and DEEP has requested the town clarify the easement language as the town road goes over the tracks (railroad crossing). Mrs. Glidden stated there will be 66 feet of additional pavement, but the town does not have to maintain it. Discussion followed with Mrs. Glidden clarifying the location by using a map.

MOTION: Jamin Laurenza moved to approve and accept the grant of an Easement from the State of Connecticut of portions of its property adjacent to Haddam Dock Road for the purpose of establishing, constructing, building, repairing, improving, and maintaining a public roadway at Haddam Dock Road, known as address number 1 Haddam Dock Road and further described as beginning at a point in northern most corner of Haddam Dock Road and at a corner of land now or formerly of James K. McNally, said point being the westerly most corner of the herein described easement;

Thence N 37°-22'-09" E, 66.00' feet through land of the State of Connecticut to a point and land, now or formerly of Alan and Myra Aronow, J/T;

Thence S 52°-37'-51" E, 50.00' feet along land of said Aronow and land, now or formerly, of the Davidson Company, in part by each to a point;

Thence S 37°-22'-09" W, 66.00' feet through land of the State of Connecticut to a point and northeasterly terminus of Haddam Dock Road;

Thence N 52°-37'-51" W, 50.00' feet along the northeasterly terminus of Haddam Dock Road to the point and place of beginning.

Said easement area contains 3,300 s.f.

Ed Wallor second. Motion carried unanimously.

(Recording Clerk's Note: There were two exhibits attached to the motion sheet; however, they were not listed as such. The two attachments are: 1. A plan entitled "Easement Plan Prepared for: The State of Connecticut, Department of Energy & Environmental Protection, Land of: The State of Connecticut "Connecticut Valley Railroad State Park & Trail", Haddam Dock Road, Haddam, Connecticut, Scale: 1"=10', Dated: June 19, 2017". 2. Easement from the Department of Energy and Environmental Protection, Land Acquisition & Management, 79 Elm Street – 6th Floor, Hartford, CT 06106-5127 [six pages, undated and unsigned].)

8. Review under Connecticut General Statute 8-24 for the Town of Haddam's Acquisition in Lieu of Foreclosure of Tax Liens from Nason Group, LLC of the Remaining Properties within Chatham Lake Subdivision, Including Several Building Lots in Phase I of the Subdivision, Several Parcels of Open Space Land within Phase I of the Subdivision, the Roadbeds of any Developed and Undeveloped Roads within Phase 1 of the Subdivision, and the Remaining Parcel(s) in Phase II of the Subdivision.

Mrs. Glidden reported the Nason Group (Chatham Lake Subdivision) is behind on their taxes and tax liens have been put in place; the owners have been in bankruptcy court and a settlement has been reached. Using an ArcGIS Web Map, Mrs. Glidden stated the town plans to do the following: 1) Foreclose on Lots 1, 2, 6, 12 and 17 (in red on the map). As these lots are developable, the town would sell them to recoup some of the costs. 2) Foreclose on Lots 77, 78, 79, 80, and 11, including the lake itself (in blue on the map). These lots are deed restricted as open space so whatever has been declared as part of the subdivision will continue to be open space. 3) Foreclose on Lot A (35 acres; in blue on map). This was supposed to be Phase II and it's unclear at this time what will happen with the property (decision to be made after the town acquires it). 4) Roads (developed and undeveloped) are also included in this foreclosure.

Mr. de Brigard stated the town inherits the dam. Mrs. Glidden reported during the spring, they went out with DEEP for a dam inspection (requested by the town). Mrs. Glidden provided a copy of a memo from Ann Kuzyk, Civil Engineer 3, DEEP, dated 04/23/2017. In the memo it was noted the dam is in generally good condition, but requires maintenance work to prevent more serious deficiencies from developing. Required work: 1. Clear trees/brush from the dam and spillway channel. 2) Subsequent to tree/brush removal, check voids in the downstream masonry wall. Assess the need to place rip rap protection at the spillway toe and in the spillway outlet channel immediately downstream of dam. 3) Repair deteriorated concrete on the spillway crest and at the inlet structure for the mid-level outlet. 4) Update Emergency Operations Plan for Scoville Pond dam in accordance with DEEP regulations/guidelines. 5) Secure mid-level outlet stem to prevent vandalism. Mr. Bull stated the town inherits dam, the liability, and the expense. Mrs. Glidden stated yes, but there's a moral responsibility to keep the dam safe. A brief discussion followed.

Mr. LePard asked the difference between foreclosure and acquisition in lieu of foreclosure. Mrs. Glidden stated she didn't know. Mr. LePard asked if there is any money being put out for this property. Mrs. Glidden stated no.

Prior to the vote, Mr. de Brigard asked if the town is currently maintaining the road. Mrs. Glidden stated the town is only plowing the road. Mr. Bull stated the town would be receiving a large portion of open space (in line with the old POCD). Mrs. Glidden stated the purpose of this is to recoup a fraction of the money lost in taxes. Mr. de Brigard stated he didn't believe the Commission had a choice but to accept it.

MOTION: Jamin Laurenza moved to approve under Connecticut General Statute 8-24 for the Town of Haddam's acquisition in lieu of foreclosure of tax liens from Nason Group, LLC of the remaining properties within Chatham Lake Subdivision, including several building lots in Phase I of the Subdivision, several parcels of open space land within Phase I of the Subdivision, the roadbeds of any developed and undeveloped roads within Phase 1 of the Subdivision, and the remaining parcel(s) in Phase II of the Subdivision. Art Kohs second. Motion carried unanimously.

(Recording Clerk's Note: There were two exhibits attached to the motion sheet; however, they were not listed as such. The two attachments are: 1. An ArcGIS Web Map. 2. Memo from Ann Kuzyk, Civil Engineer 3, DEEP, Water Planning and Management Division Dam Safety Section, dated April 28, 2017, with a letter from Arthur P. Christian II, Supervising Civil Engineer, Dam Safety Section, DEEP, dated June 9, 2017, copied to the back of the memo.)

9. Approval/Correction of the Minutes

MOTION: Steve Bull moved to approve the 15 June 2017 public hearing/meeting minutes as submitted. Art Kohs second. Motion carried unanimously.

10. Chairman's Report

None.

11. Scheduling of Hearings

Kevin Wiese, 82 Filley Road, Proposed Attached Accessory Apartment, 22 Feet by 28 Feet Single Story, One Bathroom, One Bedroom, Living Room, Kitchenette – Public Hearing – Thursday, 3 August 2017.

12. Town Planner's Report

Plan of Conservation and Development (POCD) – Update – Mrs. Glidden reported the draft of the POCD is almost completed and should be available in early August. Mrs. Glidden also reported the Board of Selectmen (BOS) will hold a public hearing on Wednesday, 20 September 2017, at which time

Horsley Witten will make their presentation. Both the Planning and Zoning Commission and the POCD Committee are to attend this public hearing.

Tylerville Water – Mrs. Glidden reported water will be coming to Tylerville.

Sidewalks, Haddam Center – Mrs. Glidden reported she is working on a grant, Community Connectivity Grant, for the sidewalk along Route 154, Haddam Center. Mr. Kohs asked if it will be similar to what currently exists. Mrs. Glidden stated yes, only level.

13. Adjournment

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

The meeting was adjourned at 7:52 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

The next meeting is scheduled for Thursday, 3 August 2017.