

**TOWN OF HADDAM
PLANNING AND ZONING COMMISSION
PUBLIC HEARINGS AND MEETING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT
THURSDAY, 6 FEBRUARY 2020
UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

X	Gina Block
X	Steven Bull, Vice Chairman
X	Michael Farina
X	Jamin Laurenza, Secretary
X	Wayne LePard
X	Dan Luisi
X	Edward Wallor, Chairman
X	Robert Braren, Alternate
X	Alan Chadwick, Alternate
X	Larry Maggi, Alternate
X	Bill Warner, AICP, Town Planner
X	Bunny Hall Batzner, Recording Clerk

1. Call to Order

Mr. Wallor called the meeting to order at 7:00 p.m.

2. Pledge of Allegiance

The pledge was recited.

3. Attendance/Seating of the Alternates

Attendance was taken and all regular members were seated.

4. Additions/Corrections to the Agenda

Move Item #7 - 2019 Report of the Planning Implementation Committee to Item #6 and renumber the agenda. The Commission agreed to the amendment to the agenda.

5. Public Comments

There were no comments from the public in attendance.

6. 2019 Report of the Planning Implementation Committee (PIC)

Mr. Bull, PIC Chairman, thanked the PIC members – Kate Anderson, Lynne Cooper, Raul de Brigard, Gail Reynolds, Ed Wallor, and Bunny Batzner – who worked a number of months to review the POCD and complete the reports. Mr. Bull reviewed the Executive Summary and the Detailed Report, both dated December, 2019, (Exhibits A and B, respectively; copies on file in the Town Clerk's Office).

Mr. Bull noted 13 major successes, 12 Action Items within the POCD that need to be addressed, three inconsistencies, and one recommended amendment under Rural Residential – add - Develop site plan requirements to ensure natural buffers. – led by P&Z and supported by Conservation Commission.

Mr. Bull asked that P&Z accept the Executive Summary and recommended that both reports be presented to the Board of Selectmen (BOS). Mr. Bull stated over the year, PIC will meet with implementers and agents to go over what has been found. Mr. Bull reported that the review took a long time and that it is supposed to be done every year; however, he will be recommending to PIC that it been done every other year (five times over the ten years).

Mr. LePard asked for clarification in regard to the confirmation of groundwater location prior to the issuance of a building permit in Haddam Neck. Mr. LePard stated he's aware that a perc test must be done prior to a permit being issued and asked if this recommendation is something different from that. Mr. Bull stated it's an Action Item within the POCD and would need to do further review. Ms. Anderson stated she believes the test is to demonstrate whether or not there is sufficient water capacity. Mr. Wallor stated this is in regard to Haddam Neck only as they are not trying to encourage development. Ms. Anderson stated that is what PIC was told by the people of Haddam Neck and this is not PIC initiated. Mr. Wallor also stated due to the nuclear site, Haddam Neck is well aware of where the groundwater is.

Mr. LePard asked if this language is requiring an additional step in issuing a building permit in Haddam Neck. Mr. Warner stated what the POCD is saying is there is a limited amount of water in the aquifers and not only should a perc test be done, but a groundwater test should be conducted to make sure there is sufficient groundwater. Discussion followed at length with Mr. LePard stating if this is going to be a requirement within the regulations, then the town should be equipped with some means of proving the groundwater is adequate or not adequate (a criteria).

Mr. Chadwick spoke in regard to what the Town of Durham requires. Mr. Chadwick stated he felt a requirement such as this would send people to another town. Mr. Warner stated if building an individual house, it's a part of the budget; however, if it's a 20 lot subdivision, then those wells will need to be tested before permits are issued and it can be expensive. Discussion followed.

MOTION: Jamin Laurenza motioned to accept the Executive Summary, dated December 2019, as read by Steve Bull, Chairman, PIC. Gina Block second. Motion carried unanimously.

7. Public Hearing/Public Meeting

a. Request for a Special Permit to Add an Addition to a Garage for an In-Law Apartment. 340 Hubbard Road, Map 33, Lot 9. Applicant: Steve Albert.

Neither the applicant nor a representative for the applicant was present; therefore, the hearing/meeting was continued to Thursday, 20 February 2020, 7:00 p.m., Town Hall, 21 Field Park Drive, Haddam.

b. An Amendment to Section 7B, Tylerville Village District, to Allow for Multi-Family Residential in the Tylerville Village District. Copy of the proposed amendment can be found in the Town Clerk's Office. Applicant: Lisa Wadge

Lisa Wadge was present.

Ms. Wadge reported the proposal is to amend the regulations to allow for market rate apartments in Haddam and has asked for this in the past. Ms. Wadge stated she feels this is the direction that people are interested in at this time. Ms. Wadge noted that the current regulations allow for mixed use and affordable.

Ms. Wadge reported she and Mr. Warner took the time to discuss the matter and have come up with an insertion that will not change the height of a structure and that they went to the Gateway Zoning Commission and received unanimous approval from them. Ms. Wadge stated if there are any future issues they will go back before Gateway and there are no additional proposals to the current regulations.

Mr. LePard asked if the insertion will be “market rate”. Ms. Wadge stated she believes there was a whole section. Mr. Warner stated the proposed amendment would be within the Use Schedule – Multi-Family Dwellings by Special Permit. Mr. Warner stated because it would be by special permit nothing could be constructed without the developer coming before the Commission and presenting all of the plans to the Commission. Mr. Warner also stated an additional layer of protection would be that this would be within the Village District allowing the Commission a tremendous amount of discretion over the design, color, etc., over the buildings.

Mr. Warner noted First Selectman Bob McGarry’s letter of support, dated 21 January 2020, and that a 2018 market study identified multi-family as the only market for development in town due to the demand of baby boomers looking to downsize and young people wanting to stay in town. Mr. Warner also addressed the fact that the town has a village district that doesn’t allow any density of housing and this proposal would be a logical step forward. Mr. Warner stated the POCD is very clear that the town should allow for multi-family housing within the village district.

Mr. Warner distributed photos of Essex Station (next to the Valley Steam Train) with supporting information (Exhibit C – 2 pages; copy on file in the Town Clerk’s Office). This development has 15 units per acre, 30 one-bedroom and 22 two-bedroom (30 percent are affordable), has Connecticut Water, and septic systems as well as an assessed value on three buildings of \$4.2 million. Mr. Warner stated the septic system as well as the building height (35 feet at peak) are the limiting factors as to how much development can take place in Tylerville. Mr. Warner stated there are a lot of controls and that it would be a worthy project to open the door and allow this to happen. Mr. Warner also stated it’s appropriate to have multi-family in a village district, it’s walkable, the town is building sidewalks, and as Mr. Luisi had previously pointed out there are 30 plus businesses in the area.

Mr. Chadwick asked if this proposal would include residential properties as well. Mr. Warner stated this would be for all of the properties within the Tylerville Village District.

Mr. Laurenza asked Ms. Wadge what happened to a previous preliminary approval the Commission had given her. Ms. Wadge thanked Mr. Laurenza for bringing the matter up as it is an issue; and stated it’s tough out there. People make offers on properties and then there’s a 90 day due diligence process noting that a number of deals fell through – Price Chopper, Beacon Communities (affordable housing) - which did not have to do with the Commission, her company, or the land. Ms. Wadge stated she thought mixed use would work, but people are not doing retail any longer (things have changed and continue to change). Ms. Wadge explained the regulatory requirements for affordable housing.

Mr. Laurenza asked when a developer came before the Commission or the town planner, because no one has. Ms. Wadge stated developers read the regulations and don’t want to spend money on something they may not get approval for. Mr. Wallor stated that no one has been before the Commission and the Commission has rezoned her property three times. Ms. Wadge noted the proposal is not about her property, but to allow everyone in Tylerville Village to have the ability to build market rate apartments. Ms. Wadge stated she and Mr. Warner looked at the regulations and felt this proposal was a way to increase the opportunities for development in all of Tylerville including Tylerville Village. Mr. Warner stated Ms. Wadge is correct that this proposal is for the entire Tylerville Village and not just for her property. Mr. Warner also stated he has no problem in participating with Ms. Wadge in this request as the POCD specifically says to allow multi-family in Tylerville.

Mr. Warner spoke in regard to the Camoin Associates market study in which market rate would be around \$1,500 and the numbers would not work for affordable (market rate subsidizes affordable rate). Mr. Maggi asked the percentage of affordable. Mr. Warner and Ms. Wadge stated 30 percent. Mr. Luisi stated not a single person present would want to build something that they wouldn’t be making a profit on. Mr. Warner stated if market rate housing were to be built in Tylerville Village, it would be a big addition to the grand list, it would put people on the street, and it would add to the village - what P&Z/the town have been trying to create. Mr. Luisi stated if population density isn’t added, nothing will survive. Mrs. Block asked if there is a cap with market rate. Mr. Warner stated no, it’s whatever the market will bear.

Mr. Chadwick asked if the option of a variance could be allowed to build market rate apartments. Mr. Warner stated no developer would have the right to a variance and a hardship would need to be shown (cannot use the fact that the regulations would not allow it).

Mr. Wallor asked if it could be approved under special permit. Mr. Warner stated it's proposed to be by special permit; and if approved, that would be what the Commission would be doing. Discussion followed in regard to this proposal potentially eliminating mixed use (mixed use is allowed by special permit, Section 26 mentioned) and the lack of demand for mixed use at this time. Ms. Wadge noted that she currently has four empty retail spaces that have been empty for a year, there is a problem in bringing retail to Tylerville, and she is looking to bring in other kinds of uses.

Mr. LePard spoke in regard to Higganum Village and the residential/commercial spaces at Brookside and that he feels it would be a good idea to bring apartments to town. Ms. Wadge stated Tylerville has been through a lot with the construction of the water main and people need a place to live. Mr. Warner stated he believes there are only five residential houses in Tylerville Village and those houses will not support the businesses. Discussion followed.

Mr. Warner again advised the Commission that they have a POCD that specifies market rate/multi-family and a market study that says there's a demand for multi-family; and the Commission should open the door for this opportunity to come to Haddam. Mr. Warner noted that Ms. Wadge is not a developer and currently does not have a developer, but there are also other properties in Tylerville that this opportunity could work for.

Mr. Bull asked if a developer were to come in to put in apartments, would it be possible for the front commercial pieces to no longer be commercial. Mr. Warner stated it's possible, but because of the Village District, the Commission would want to try to retain some commercial area (noted the Village District allows more design controls).

Mr. Luisi spoke about the people who came to work in Higganum Center every day and the loss of those people. If the Commission and town do not find another way to populate, nothing will survive, and nothing will grow.

Mr. Warner again stated the only thing the Commission would be doing with this proposal is putting in to the zoning code Use Schedule is multi-family being allowed by special permit.

Mr. LePard asked as this proposal would be changing the Tylerville Village District regulations, would it require a public hearing. Mr. Warner stated the public hearing is being held. Mr. LePard was surprised that there wasn't more public present.

Mr. Chadwick stated it doesn't appear that there's a long range plan for Tylerville; and questioned what would happen if the proposal failed. Mr. Warner stated the Commission had previously done quite a bit of planning for Tylerville, the town has its POCD, and a market study was conducted. Mr. Luisi stated the town needs to be user friendly and hope that developers want to come; and luckily, the Commission has the power to at least adjust what they want to build. Mr. Warner stated all the Commission is doing is allowing a developer to try.

Ms. Anderson asked why would the Commission not want this; and if they could come up with valid reasons as to why not, then state them. Mr. Maggi agreed; and stated it couldn't hurt anything in Tylerville.

Mr. Bull asked that it be made clear that this proposal is by special permit. Mr. Warner stated that all new buildings will be by special permit (to be noted within the Use Schedule grid with an SP). Mr. Bull asked why this isn't being done in Higganum. Mr. Warner stated it needs to be done. Discussion followed in regard to holding off on this matter until the Higganum Village District can be included with it being noted that the soils in Tylerville can support multi-family where in Higganum that's not the case.

MOTION: Jamin Laurenza motioned to close the public hearing at 8:00 p.m. Steve Bull second. Motion carried unanimously.

Meeting: Commissioners seated: Block, Bull, Farina, Laurenza, LePard, Luisi, and Wallor.

Prior to the vote, Mr. Bull asked that the special permit language be included and why this language wasn't added when the Tylerville Village District regulations were originally written. Mr. LePard spoke in regard to apartments being put behind the commercial property. Mr. Laurenza stated the original thought was if people and commercial space were available, it would create growth; however, people are not coming in to use the commercial spaces. Discussion followed in regard to people having the flexibility to building either residential, commercial, mixed use, etc.; the fear that there will be no commercial land if the special permit is allowed for residential; the regulations not being consistent with the POCD; and a market study showing there's a market for multi-family in Haddam.

MOTION: Jamin Laurenza motioned to approve: Amendment to Section 7B, Tylerville Village District, to allow for multi-family residential in the Tylerville Village District. Effective Date February 28th, 2020. Condition: Add special permit language. Michael Farina second. Motion carried with Mr. Laurenza abstaining.

7. New Business

There was no New Business to be discussed at this time.

8. Approval/Correction of the Minutes

MOTION: Ed Wallor motioned to approve the 2 January 2020 Public Meeting minutes as submitted. Jamin Laurenza second. Motion carried unanimously.

9. Chairman's Report

There was nothing new to report at this time.

10. Scheduling of Hearings

Mr. Warner reported there are two hearings scheduled for Thursday, 5 March 2020:

7 Island Dock Road, LLC – Wellness and Rehabilitation Center, 7 Island Dock Road, the former Marin Environmental building. All plans have been submitted for the Special Permit. The proposal is to convert the structure to a 36 bed wellness facility.

Former GCI Building, Killingworth Road – H-K Fitness will be moving into the vacant space of the structure and a Special Permit is required.

11. Town Planner's Report

Mr. Laurenza apologized for not bringing this matter up during Public Comment; and reported it was brought to his attention that the town road crew is having a problem with having a place to dumping debris when they dig up a road and store miscellaneous materials. Mr. Laurenza asked Mr. Warner if it would be possible to construct something on the 30 acre town owned property (a former sand pit, after you go under the highway overpasses, on the right hand side) on Cedar Lake Road. Mr. Laurenza stated perhaps two or three acres could be cleared rather than the town paying a contractor to dump the material on their yard. This would be an attempt to save taxpayers money.

CrossFit – It has been reported that they will be relocating to the old Scovil building, Candlewood Hill Road.

Day Care Center, 6 Brookes Court, Tylerville – Mr. Bull asked for an update. Mr. Warner reported they have an architect and it's in the design phase.

HES – There are a couple of people who are interested in renting HES which is very positive.

Scovil Hoe Buildings, Former DOT Garage – Starting the environmental studies. The state has finally approved the Request for Proposals (RFP) to conduct the additional environmental studies that were not done on the Scovil Hoe Buildings. Have also discussed with the state how to acquire the buildings without being liable for the environmental issues.

Community Septic System – Received excellent news from the State Health Dept. and DEEP about the town's plans. Will meet formally with them next week.

Trails – Currently working with a group of people who are very familiar with the trails in Higganum Center. This came out of the study about mapping and creating trails that feed into the Center.

Tylerville Sidewalk – Public informational meeting, Thursday, 27 February 2020, Town Hall, 21 Field Park Drive, Haddam.

Haddam Center Sidewalk – Survey work has been completed, will need to design/construct the sidewalk, and tying the sidewalk in with the Haddam Center area to create something unique.

Jail – Still talking to the owners of the Wood and Tap. Put into the Capital Plan funding to develop a new well and septic as you can't expect a tenant to put in a well and septic in addition to putting \$1 million into converting a jail into a restaurant.

Higganum Cove – Mr. LePard commented that he had witnessed a kayaker attempting to come up the outlet to the Cove, but was unable to because of a tree blocking the way. Mr. LePard offered to cut the tree to allow further access up the outlet. Mr. Warner stated he was in the area on Monday, 3 February 2020, and he saw three people walking down into the Cove without an established trail. Mr. Warner also stated this area connects with Swan Hill right at the Dublin Hill Road Bridge. Mr. Warner further discussed the trail systems and the potential they create for the town.

Steady Habit Brewing – They are framing in the structure and things are moving along.

Former Duffy's Pub – Mr. Farina asked for an update. Mr. Warner stated work is taking place. Mrs. Block asked if there's a plan for the structure. Mr. Warner stated a café/bar.

12. Adjournment

MOTION: Jamin Laurenza motioned to adjourn. Ed Wallor second. Motion carried unanimously.

The meeting was adjourned at 8:27 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner
Recording Clerk

The next meeting is scheduled for Thursday, 20 February 2020.