

**TOWN OF HADDAM
ZONING BOARD OF APPEALS
PUBLIC HEARING/MEETING
TOWN HALL
21 FIELD PARK DRIVE, HADDAM, CT 06438
THURSDAY, 31 AUGUST 2023
APPROVED MINUTES
*Approved as Submitted at the 29 February 2024 Meeting***

ATTENDANCE

X	Marjorie W. DeBold
X	Joseph Laurenza
A	Robin Munster, Chairman
X	Kenneth Wendt, Vice Chairman
A	Kate Wessling
X	Margo Chase-Wells, Alternate – Seated
A	Susann Costa, Alternate
X	Leon Mularski, Wetlands and Zoning Enforcement Officer
X	Bunny Hall Batzner, Recording Clerk

1. Call to Order

Mr. Wendt, Vice Chairman, called the meeting to order at 7:24 p.m.

2. Attendance/Seating of the Alternates

Attendance was taken and all regular and alternate members were seated. Mr. Wendt noted that four makes a quorum; and in order for the application to be approved, a unanimous vote is required.

Mr. Wendt read the Legal Notice into the record.

3. PUBLIC HEARING

a. Seeking a Variance in Reference to Zoning Regulations 10.8.E to Allow a Stairway in the Vegetated Buffer Zone as Eight (8) Feet is Needed but Five (5) Feet is Allowed. Location: 26 Horton Road - Map 30, Lot 39-1. Applicant: Maureen Morris.

Maureen Morris, owner/applicant, and Bill Morris were present.

Mr. Wendt called the hearing to order at 7:25 p.m.

Mr. Morris stated the river front property sits approximately 35 feet above the river. Mr. Morris reported they went through the permitting process with the Connecticut DEEP and the Army Corps of Engineers and received approval. Mr. Morris stated after approval of the dock, they began the process for the staircase as it is difficult getting down to the dock.

Mr. Morris stated he reviewed the Town's ordinance which adopts the Gateway's Commission's ordinance, but it must be done in such a way to maintain the character of the river. The ordinance allows for a five (5) foot wide path to get to the river. Site plan shown (on file in the Land Use Office).

Using a site plan (on file in the Land Use Office), Mr. Morris stated it's a difficult slope. Mr. Morris stated they chose a spot for the staircase in an area that has a natural path down to the dock. A professional engineer surveyed the site and came up with a plan. Mr. Morris stated the first landing comes out over an outcrop requiring it to extend approximately eight (8) feet by ten (10) feet wide. Only this portion of the staircase is outside the five (5) foot requirement within the regulation.

Mrs. Chase-Wells asked Mr. Morris to confirm that it's only the first landing that's not in compliance. Mr. Morris stated yes, as both dimensions of the first landing exceed five (5) feet; therefore, that's the reason for the variance request. Mr. Morris noted that the staircase is three (3) feet wide and there are a couple of other landings, but not sized like the first landing. Mr. Morris also stated the staircase will zig zag down to the river (following the natural path) as they do not want to take down any trees.

Mr. Morris stated back in June, they stood before the Gateway Commission, and they did not oppose the design as presented.

Mrs. Chase-Wells and Mr. Wendt stated the presentation had been well made and the professional submission was appreciated. Mr. Morris thanked the Board and noted that the proposal is also a safety issue as it's not an easy or simple project. Mr. Morris stated they want it done right and would like to preserve the slope.

Mrs. DeBold stated the Gateway mentioned three (3) conditions. Mr. Morris stated yes. Mrs. DeBold asked if the conditions would be met noting Condition #3 – if any lighting should be added to the staircase that it adheres to Dark Sky International guidelines. Mr. Morris stated if they were to install lights, they would have to put in soft lighting. Mrs. Morris stated soft lighting that will shine down. Other conditions concern preserving current trees and a dead tree and brush removal minimized. Mr. Morris noted there is a dead tree across the path, Gateway suggested the wood be left to prevent erosion, and he will only remove what is needed. Mrs. Morris stated the third condition is that they are not allowed to build a roof over the landing. Mr. Morris stated they agree to the conditions.

Mr. Wendt asked Mrs. Batzner if she had received the Certificates of Mailing. Mrs. Batzner asked Mr. Morris if he had the Certificates of Mailing. Mr. Morris stated he did not bring them but would drop them off in the Land Use Office. Mr. Morris stated they notified all abutters within 200 feet of the property. Mr. Wendt asked if there was any feedback positive/negative from the abutters. Mrs. Morris stated Reuben Trane, neighbor to the west, called and that he did not oppose the proposal.

Mrs. Chase-Well asked the type of material to be used for the project – pressure treated wood or Trex, and the color. Mr. Morris stated Trex like material would be used and the color would be brown (blend into the character of the slope). Mr. Morris stated they're very blessed to have the property and will retain the aesthetics of it.

Mr. Wendt closed the public hearing at 7:35 p.m.

4. PUBLIC MEETING

a. Seeking a Variance in Reference to Zoning Regulations 10.8.E to Allow a Stairway in the Vegetated Buffer Zone as Eight (8) Feet is Needed but Five (5) Feet is Allowed. Location: 26 Horton Road - Map 30, Lot 39-1. Applicant: Maureen Morris.

Maureen Morris, owner/applicant, and Bill Morris were present.

SEATED: DeBold, Laurenza, Wendt, and Chase-Wells.

Mrs. DeBold asked if it would be appropriate to add conditions. Mrs. Chase-Wells asked if the three conditions within the Gateway Commission's letter should be included within the motion. A brief discussion followed with Mr. Mularski and Mrs. Batzner suggesting the Board could reference the letter. The Board agreed to make note of the letter and reference the conditions within it.

Mr. Wendt stated the presentation was well organized and the request is straightforward and will fit in with the community. Mr. Wendt also stated he viewed the site, and the location is great and it's always helpful to get the blessing of the Gateway Commission.

Mr. Laurenza stated it's too bad the application didn't reference that it was only the deck area that required a variance as the rest of project is less than the maximum allowed. Mr. Morris apologized as he thought it was clear that it was only that one portion of the staircase.

Mrs. Batzner noted that she will attach a copy of the Gateway Commission's letter to the motion.

MOTION: Margo Chase-Wells motioned to approve a variance in reference to Zoning Regulation 10.8.E to allow a stairway in the vegetated buffer zone as eight (8) feet is needed but five (5) feet is allowed. Location: 26 Horton Road – Map 30, Lot 39-1. Applicant: Maureen Morris. **NOTE:** Applicants have brought this before Gateway Commission who do not oppose it. Reference letter June 28, 2023, which requested three (3) conditions. Letter attached. **Conditions:** 1. Standard Permit Conditions. 2) Special Conditions/Modifications – No. Joe Laurenza second. Motion carried unanimously.

5. Approval/Correction of the Minutes

MOTION: Joe Laurenza motioned to approve the 25 May 2023 public hearing/meeting minutes as submitted. Margo Chase-Wells second. Motion carried unanimously.

6. Open Discussion

A brief discussion followed regarding when the meeting time changed from 7:30 p.m. to 7:00 p.m.

7. Adjournment

MOTION: Joe Laurenza motioned to adjourn. Ken Wendt second. Motion carried unanimously.

The meeting adjourned at 7:45 p.m.

Respectfully Submitted,
Bunny Hall Batzner
Bunny Hall Batzner
Recording Clerk

The next regular meeting is scheduled for Thursday, 28 September 2023.