

**TOWN OF HADDAM
 PLANNING AND ZONING COMMISSION
 PUBLIC MEETING
 TOWN HALL
 21 FIELD PARK DRIVE, HADDAM, CT
 THURSDAY, 16 JULY 2015
 UNAPPROVED MINUTES
*Subject to Approval by the Commission***

ATTENDANCE

X	Steven Bull, Vice Chairman (7:06 p.m.)
X	Stasia DeMichele
X	Arthur Kohs
A	Michael Lagace, Secretary
X	Jamin Laurenza, Chairman
X	Wayne LePard
A	Carmelo Rosa
A	Robert Braren, Alternate
X	Raul de Brigard, Alternate - Seated
X	Edward Wallor, Alternate
X	Liz West Glidden, Town Planner
X	Eliza Heins, Esq., Branse and Willis
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. de Brigard, alternate member, were seated.

3. Additions/Corrections to the Agenda

None.

Mrs. Glidden introduced Eliza Heins, Esq., Branse and Willis, to the Commission. Ms. Heins will be working with the Commission in the future.

4. Public Comments

Free Standing Solar Panel Arrays – Joe Laurenza thanked everyone on the Commission for their time and voiced concern over the free standing solar panel systems. Mr. Laurenza suggested a moratorium on these arrays until the Commission is able to figure out a way to zone/regulate them. Mr. Laurenza stated he felt that the systems are eyesores that they are downgrading the neighborhoods and abutting properties, and that abutting property owners should be notified and allowed some say in the matter.

Mrs. Glidden stated that this issue has come up before and believes there is some language within the proposed revised regulations (accessory structures) that addresses this matter. Mrs. Glidden will review and perhaps additional language can be added – special permit, some type of screening, etc.

Attorney Paul Geraghty, resident and former P&Z chairman, stated that although he's in favor of solar alternatives, the current free standing arrays detract from neighborhoods especially in a rural town. Mr. Geraghty agreed that there should be some form of regulation on these structures.

5. Public Hearing: Special Permit for an Earth Materials Operation for Property Known as Midway Marina, Located at 56 River Road and Shown on Tax Map 48 Lots 38 and 40.

Michael Bennett, land surveyor, Bennett and Smilas, Paul Geraghty, Esq., and Scott Davidson, owner/applicant, were present.

This is a continuation of a public hearing held on Thursday, 18 June 2015.

Mr. Laurenza reported that a site walk was held on Tuesday, 23 June 2015, at 10:30 a.m. The site walk began at 10:34 a.m. and the following were in attendance: Jamin Laurenza, Ed Wallor, Carmelo Rosa, Wayne LePard, Art Kohs, Bob Braren, Art Kohs, and Steve Bull (all P&Z commissioners); Liz Glidden, Town Planner; Michael Bennett, land surveyor for Mr. Davidson; Scott Davidson, owner/applicant; Ed Schwing, and Melissa Schlag, First Selectman. Mr. Davidson gave a tour of the site and described the proposal. The site visit concluded at 11:34 a.m.

Mr. Bennett submitted revised plans, dated 10 July 2015. Mrs. Glidden suggested that Mr. Bennett go down the ZBA conditions chronologically. Mr. Bennett stated he thought he had addressed the ZBA conditions at the 18 June 2015 meeting, but would do so again.

Mr. Bennett reviewed the majority of notes on the plan: Note 7. The area of disturbance equals 37,000 square feet and there are no wetlands in or adjacent to the disturbed area; Note 8. No buildings or site improvements are proposed as part of the application. The level area at the base of excavation will be used as a gravel boat storage area. Note 9. The maximum truck on site, for hauling from the site, will not exceed 18 cubic yard tri-axes. Note 10. The hours of operation will be 8:00 a.m. to 4:30 p.m. Monday-Friday, excluding legal holidays. There shall be no queuing of trucks or equipment on any town road. Note 11. The hours of pit activity shall be between 7:30 a.m. to 5:00 p.m. Note 12. No more than 50 fully loaded trucks may exit the pit on a daily basis. Note 13. Prior to commencement the applicant shall provide the town with names of all subcontractors hired by Davidson Brothers to haul material from the pit. Note 14. There shall be no stockpiling of material on site. Note 15. The total length of earth material operation (from excavation to hydro-seeding) shall not exceed 100 consecutive days. Note 16. The area between the edge of pavement on River Road eastward 70 feet towards the boat storage shall remain undisturbed and existing vegetation shall be preserved to the best extent possible.

Mr. Bennett then reviewed items addressed in Mr. Jacobson's letter, dated 29 June 2015: Modified a couple of contours to fit a small depression coming onto the site. Comment 3C – is addressed in Note 18 which is broken up as the work will be done - Tree clearing: one skidder, one chipper to cut and chip trees, one track excavator and one small bulldozer to stump and strip topsoil. Duration one week. Earth removal: one track excavator to cut slope and load trucks. Duration 14 weeks. One front end loader may be used periodically to help load trucks but will not be on site full time. Trucks hauling material from the site will not be stored on site overnight. Mr. Bennett stated that the last time earth removal was done there was only one track excavator that loaded the trucks right from the banks. Site restoration and seeding – one track excavator, one front end loader and one small bulldozer will be used on site to spread topsoil, grade and seed the slope. Duration one week. Mr. Bennett noted that some the equipment will come and go in a short period of time.

Mr. Bennett continued to review Mr. Jacobson's comments: Comment 3C (continued) – Note 17 addresses dust control measures which is the responsibility of the excavation contractor. Comment 4E – Sheet 2 shows the modified seeding mixture of 5 lbs./1,000 square feet as requested.

Due to lengthy discussion pertaining to buffers at the 18 June 2015 meeting, Mr. Bennett pointed out two buffers on Sheet 2 - 1) between the boat storage area and the residential property owned by the Davidsons a planting strip with two to three foot high white pines 20 feet apart and seed and 2) four to five

foot high white pines where there is a gap of 20 feet or more between the existing evergreen trees at the top of the slope (hatched area). A brief discussion followed in regard to the buffer at the top of slope.

Mrs. Glidden reported that a letter from Jeff Jacobson, town engineer, dated 16 July 2015, pertaining to the Erosion and Sediment Control/Restoration Bond has been received. In his letter, Mr. Jacobson is recommending a total bond amount of \$15,400 which includes \$3,437 for Erosion and Sediment Control items. Mr. Geraghty stated that Mr. Davidson is agreeable to the bond amount.

Mr. de Brigard voiced concern over the potential for the buffer to be removed should the Davidsons sell the property and wondered if an easement would be granted. Mr. Bennett asked Mr. Davidson if he would object to granting of an easement on the property should they sell the parcel. Mr. Davidson stated he had no objection. Ms. Heins stated she didn't feel an easement was necessary as this type of decision would run with the land not with the applicant.

There were no further questions/comments from either the public or the Commission.

MOTION: Art Kohs moved to close the public hearing at 7:25 p.m. Steve Bull second. Motion carried unanimously.

6. Public Meeting: Special Permit for an Earth Materials Operation for Property Known as Midway Marina, Located at 56 River Road and Shown on Tax Map 48 Lots 38 and 40.

Michael Bennett, land surveyor, Bennett and Smilas, Paul Geraghty, Esq., and Scott Davidson, owner/applicant, were present.

This is a continuation from Thursday, 18 June 2015.

Mr. Bull stated he did not feel the buffer at the base of the slope between the commercial and residential properties is needed, but did feel the buffer at the top of the slope would be more beneficial. Mr. Laurenza stated he understood Mr. Bull's comments, but didn't feel it would be appropriate to go against the regulations requiring a buffer, which in this case happens to be at the base of the slope, or comments made by Attorney Branse at the last meeting. Ms. Heins stated that the proposal meets the regulations. Discussion followed at length with the Mackenzie v. Planning and Zoning Commission, Town of Monroe being noted.

MOTION: Jamin Laurenza moved to approve a special permit to allow 25,000 cubic yards of earth material to be removed from properties located on Tax Map 48 Lots 38 and 40 as part of the Midway Marina as shown on a site plan titled *Topographic Survey Showing Proposed Grading to Expand Boat Storage Area Tax Map 48, Lots 38 and 40 River Road CT, drawn by Bennett and Smilas Associates, Inc. 1" = 40' dated April 14, 2015 and revised July 10, 2015*. **Conditions:** An Erosion and Siltation Bond and a Restoration Bond shall be posted in the total amount of \$15,400.00. This may be posted as a cash bond or a letter of credit. Exhibits: 1. Site plan titled "Topographic Survey Showing Proposed Grading to Expand Boat Storage Area Tax Map 48, Lots 38 and 40" by Bennett and Smilas Associates, Inc. 1" = 40' dated 4/14/2015 and revised 7/10/2015. 2. Letter dated April 24, 2015 from the CT River Gateway Commission. 3. Letter from Jeff Jacobson, Consulting Town Engineer, dated June 29, 2015. 4. Letter from Jeff Jacobson, Consulting Town Engineer dated July 16, 2015 regarding the Opinion of Probable Cost for Erosion and Sediment Control measures and on site restoration. 5. Memo from Town Planner Liz Glidden, dated June 18, 2015 and revised July 8, 2015. Art Kohs second. Motion carried unanimously.

7. Discussion of Housing Regulations for Multi-family Overlay District

Mrs. Glidden reported that she, Mr. Branse, and Ms. Heins need to get together to continue working on the regulations. Mrs. Glidden stated that she's working on integrating the documents in order to give the Commission paper copies. Ms. Heins stated that it's her understanding that Mr. Branse made the changes that were discussed at the last meeting.

8. Discussion of Proposed Regulation Updates for Sections 7A, 21.12, 17.5 and 30.6, Section 4 Table 1, and the Definitions Section of the *Town of Haddam Zoning Regulations*

Mrs. Glidden reported work is continuing on this item.

9. New Business

Anytime Fitness, 85 Bridge Road – Mrs. Glidden reported that there was a meeting with the Merriams, applicants; Lisa Malloy, Director of the Haddam Historical Society; Melissa Schlag, First Selectman; and herself to discuss the repurposing of the existing house and the building of an Anytime Fitness facility. Mrs. Glidden also reported that the Merriams are having difficulty with the Dept. of Public Health in regard to the well. Item will still be on the 6 August 2015 agenda, but probably will not be heard until September. Discussion followed in regard to the time frame by state statute to hear/vote on the application.

Connecticut Main Street, Grants – Mrs. Glidden reported that she is actively working with Connecticut Main Street regarding grants for assisting with village or business district regulations for Tylerville. Mrs. Glidden also reported that she has spoken to Ms. Schlag about following up on the UConn visioning sessions study. Mrs. Glidden stated that she feels at least one more event should be scheduled.

East Haddam Swing Bridge – Mrs. Glidden reported that she met with officials from East Haddam in regard to the bridge walkway and working on a LoCip grant to fund this project. The DOT is planning a repair project in 2018.

10. Old Business

None.

11. Approval/Correction of the Minutes

Correction to the 18 June 2015 minutes: page 3, seventh paragraph, first sentence – change “the commingling of” to “commingled”.

MOTION: Stasia DeMichele moved to approve the 18 June 2015 minutes as amended. Steve Bull second. Motion carried unanimously.

12. Chairman’s Report

None.

13. Scheduling of Hearings

Mrs. Glidden reported on the following:

Home Occupation, Dog Grooming Salon, 493 Little City Road - Thursday, 6 August 2015, public hearing. The applicant would like to outfit a detached garage for a dog grooming salon.

Anytime Fitness, 85 Bridge Road – 3 September 2015 anticipate a public hearing.

20 August 2015 Meeting – A brief discussion followed in regard to the cancelation of this meeting.

MOTION: Jamin Laurenza moved to cancel the 20 August 2015 meeting. Raul de Brigard second. Motion carried unanimously.

14. Town Planner's Report

Midway Marina - Ming Holt, a neighbor of Midway Marina, arrived and asked about the Davidson application. Mrs. Glidden informed her that the application had been approved.

Former Duffy's Pub - Mrs. Glidden briefly reviewed her discussion with the Commission on 18 June 2015 pertaining to this matter. Mrs. Glidden reiterated that Mr. McKenna was made aware of the regulations (demolition by neglect) and that he does have the option to come back before the Commission to request the demolition of the structure only. Mr. Wallor stated that based on information reported at the last meeting, Mr. McKenna is intentionally neglecting the structure which is a violation of the regulations. Discussion followed. Ms. Heins will research the matter and report back to the Commission.

15. Adjournment

MOTION: Stasia DeMichele moved to adjourn. Raul de Brigard second. Motion carried unanimously.

The meeting was adjourned at 8:04 p.m.

Respectfully Submitted,

Bunny Hall Batzner

Bunny Hall Batzner, Recording Clerk

The next meeting is scheduled for Thursday, 6 August 2015.