

**TOWN OF HADDAM  
 PLANNING AND ZONING COMMISSION  
 PUBLIC HEARING AND MEETING  
 HADDAM TOWN HALL  
 21 FIELD PARK DRIVE, HADDAM, CT  
 THURSDAY, 20 NOVEMBER 2014  
 UNAPPROVED MINUTES  
*Subject to Approval by the Commission***

**ATTENDANCE**

X	Steven Bull, Vice Chairman
A	Stasia DeMichele
X	Arthur Kohs
A	Michael Lagace, Secretary
X	Jamin Laurenza, Chairman
X	Wayne LePard
X	Carmelo Rosa
X	Robert Braren, Alternate (7:02 p.m.)
A	Raul de Brigard, Alternate
X	Edward Wallor, 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. Wallor, alternate, were seated.

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

None.

**4. Public Comments**

None.

Prior to opening the public hearings, Mr. Laurenza stated that he would be holding the hearings simultaneously rather than individually as shown on the agenda; and if the public chose to comment, that they specify whether their comment pertained to the special permit to demolish or the site plan review for proposed retail. As there was no opposition from the applicant, the public, or the Commission to holding the hearings in this manner, Mr. Laurenza opened the hearings.

**5. and 6. Public Hearings: Special Permit to Demolish the Existing Structure within the Boundaries of the Village District per Section 7A.7 of the Town of Haddam Zoning Regulations for Property Located at 12 Killingworth Road AND for a Site Plan Review for Proposed Retail and Office use at 12 Killingworth Road and Shown on Assessor's Map 14-A-1 Lot 21**

Greg McKenna, TMC Land Management, managing member, owner/applicant; Michael Dowley, attorney for Mr. McKenna; Pat Benjamin, engineer, Bascom and Benjamin; Cliff Westergren, TMC Land Management; Steve Rocco, architect, Rocco Architects, were present.

Mr. Dowley gave a brief synopsis of the process for this project to date – presentations before the Architectural Review Committee (ARC) on 14 October 2014 and 13 November 2014 (ARC recommendations, dated 13 November 2014, submitted to P&Z), presentation before the Wetlands Commission on 10 November 2014, and currently before P&Z. Mr. Dowley stated that it's the intent of all parties to get the project and building started as soon as possible.

Using a map, Mr. Benjamin reported that the site is .42 acres with an existing structure, well to the front of the building, septic system and common driveway that runs to the rear of the building. Mr. Benjamin stated that a cross easement has been acquired from Zidek, property owner to the south, which will allow the installation of a 20 foot wide driveway for both ingress and egress.

Mr. Benjamin reported that the applicant is proposing the construction of a two story structure with the pharmacy on the first floor, 4,230 square feet, and the retail space on the second floor, 4,806 square feet. The proposal calls for two entrances – one off the sidewalk to the front and the main entrance to the rear where there will be a handicapped ramp and parking as well as an additional 19 parking spaces.

Mr. Benjamin briefly reviewed the following: 1) planting plan and the need to remove several spruce trees to the rear of the property due to the potential dropping of sap on vehicles; 2) lighting – mounted lighting for the building and four pole lights with gooseneck fixture (100 watt LED, full cut off, in black) similar to the streetscape lights for the parking; 3) white vinyl fencing around the dumpster pad; and 4) roof water will go to the catch basin to the front of the property (DOT approved; spoke to Norman Miller, engineer, District 2).

Mr. Benjamin stated that the proposal calls for repurposing half of the existing septic system (installed in 2007). Mr. Benjamin reported that the system was excavated with Chatham Health District present, the system is functioning well, half of the system will be removed and a new distribution box will be installed and placed on the other side. Chatham Health has approved this in their letter dated 13 November 2014.

Mr. Benjamin reviewed the following Village District regulations: 1) 70 percent maximum coverage - applicant is at 20 percent with proposed building; 2) 35 feet zoning height – building will be 30.38 feet; 3) building within 10 feet of the front property line – building will be approximately 7.7 feet from the front line, 15.5 feet from the south line, and 3 feet from the northern line; 4) request a 75 percent decrease in the setback - applicant has gone to the neighbor to the north and signed a permanent maintenance easement and temporary construction easement to construct the proposed building.

Tim Morrill, Ken Bird, and Chip Frey all spoke in favor of the proposed pharmacy. Mr. Frey also questioned the need for an island in the rear parking area and suggested that it be eliminated to allow for additional parking.

Mr. Bull asked if Chatham Health District's approval was in hand. Mrs. Glidden stated yes, and distributed a packet of memos/letter as follows: review memo from Liz Glidden, Town Planner, to P&Z, dated 19 November 2014; memo and Opinion of Probable Construction Costs from Jeff Jacobson, Town Engineer, Nathan L. Jacobson & Associates, to Liz Glidden, Town Planner, dated 14 November 2014 and 7 November 2014, respectively; memo from Jim Puska, Wetlands Enforcement Officer, to Liz Glidden, Town Planner, and P&Z, dated 12 November 2014; memo from Don Mitchell, Assistant Director of Health, Chatham Health District, to Liz Glidden, Town Planner, and Pat Benjamin, Professional Engineer, dated 13 November 2014; recommendation memo from Joe Bergin, ARC Chairman, to Jamin Laurenza, P&Z Chairman, dated 13 November 2014; and a letter from Cliff Westergren, TMC Land Management, to Joe Bergin, ARC Chairman, undated.

Mr. Laurenza asked if the applicant would be speaking in regard to the demolition of the building. Mr. Dowley stated that the Village District Regulations require the applicant to come before the Commission for a special permit and that he believes it's important for the Commission to see the advisory comments from the ARC. Mr. Dowley also stated that this project is something that everyone wants. Mr. Bull noted that ARC does not speak in regard to the demolition.

Mr. Laurenza asked if there were any questions from the Commission. Mr. Rosa questioned whether there will be seating behind the pharmacy as indicated in the Chatham Health District letter. Mr. Benjamin stated no, that there are no plans for food service and is not in the septic system calculations.

Mr. Rosa asked if the applicant's architect was going to make a presentation and walk the Commission through the plans. Mr. Rocco stated that the building is approximately 9,500 square feet - 5,000 square feet on the second floor and 4,300 square feet on the first floor. Mr. Rocco also stated that the structure is meant to be traditional New England forms materials and colors and about residential scale – 40 feet wide, 100 feet deep, and 32 feet to the front peak with recessed entrance to create a nice transition from the sidewalk and the store itself.

Using the plan, Mr. Rocco pointed out the proposed first floor features - elevator lobby, handicapped ramp, stairways (one to the front and rear of the structure), and the seating area that was brought up earlier by Mr. Rosa. The second floor, depending upon the tenant(s) may be divided into office space with a corridor or remain open. The third floor is an attic and the mechanical area will be tucked under the roof and will not be visible from the street.

Mr. Rocco reviewed the elevations stating that the rear of the structure is similar to the front (rendering shown); however, there will be a permanent green metal roof over the handicapped ramp for public safety purposes. Mr. Rocco noted that at each of the entrance points there's a consistent treatment – an arch, sign board, lights (full cut off, LED, projecting down to hit the sign board only) and that brick and other treatments will wrap around the structure. Mr. Rocco discussed and showed photos of the split face color block and the brick as well as the cross section plan of the building. Mr. Rocco stated that he believes they have met the standards of the Village Regulations.

Mr. Rosa stated that he believes the applicant has done a good job with the architectural language to the front, back, and side. Mr. Rosa suggested that the very long elevation of split face block could be easily softened by adding a couple of bands to take some of the horizontal lines (just a different color). Mr. Rocco stated basically no cost and that they did speak to ARC about this as well and it was an ARC suggestion. Mr. Rosa stated that it doesn't cost anything to do that. Mr. Rocco stated that it is too early in the process to do the detailing of the building and there's a chance for development for things like that. Mr. Rosa stated that due to the length of the elevation and that it's very visible from both sides that it needs to be articulated better. Mr. Laurenza noted that this is also addressed in the 13 November 2014 unapproved ARC minutes.

Mr. Laurenza asked if the public had any questions/comments and made it clear that once the public hearings were closed, there could be no more input from the public. There were none.

**MOTION:** Steve Bull moved to close the public hearing on the Special Permit to Demolish and the public hearing on the Site Plan Review for 12 Killingworth Road at 7:27 p.m. Art Kohs second. Motion carried unanimously.

Mr. Laurenza opened the public meeting to discuss both the Special Permit to Demolish and the Site Plan Review simultaneously.

**7. and 8. Public Meeting: Special Permit to Demolish the Existing Structure within the Boundaries of the Village District per Section 7A.7 of the Town of Haddam Zoning Regulations for Property Located at 12 Killingworth Road AND for a Site Plan Review for Proposed Retail and Office use at 12 Killingworth Road and Shown on Assessor's Map 14-A-1 Lot 21**

Greg McKenna, TMC Land Management, managing member, owner/applicant; Michael Dowley, attorney for Mr. McKenna; Pat Benjamin, engineer, Bascom and Benjamin; Cliff Westergren, TMC Land Management; Steve Rocco, architect, Rocco Architects, were present.

Mr. Laurenza read the motion pertaining to the special permit to demolish to open discussion. Mr. Bull asked if all Commissioners knew how to judge the demolition and if there were any questions. There were no questions/comments from the Commission.

**MOTION:** Jamin Laurenza moved to approve a special permit to demolish the existing structure on the subject property per Section 7A.7 of the *Town of Haddam Zoning Regulations*, as shown on the submitted site plan dated September 2014 and drawn by Patrick Benjamin of Bascom and Benjamin, LLC and the Architectural drawings dated October 28, 2014 by Rocco Architects. **Conditions:** None. **Exhibits:** 1. Special Permit Application from TMC Land Management LLC, date stamped received at the Land Use Office on October 31, 2014. 2. Floor Plan and Architectural Drawings drawn by Steven Rocco, Rocco Architects and dated 10.28.14. 3. Site Plan drawn for TMC Land Management, LLC dated September, 2014 and drawn by Patrick Benjamin Bascom & Benjamin LLC. Carmelo Rosa second. Motion carried unanimously.

Mr. Kohs read the motion pertaining to the site plan review to open discussion.

**MOTION:** Art Kohs moved to approve a site plan for a commercial building that will have a total of 9,036 square feet to be used as retail and office space and to approve a modification (Section 7A.8) to the eastern side setbacks to allow the building to be four feet from the side property line where 8 feet is required, as shown on the submitted site plan dated September, 2014 and drawn by Patrick Benjamin of Bascom and Benjamin, LLC and the Architectural drawings dated October 28, 2014 by Rocco Architects. **Conditions:** 1. Applicant shall submit Erosion and Sediment Control bond in the amount of \$1,100 prior to recording the Mylar with the Town Clerk. **Exhibits:** 1. Site Plan Review Application from TMC Land Management LLC, date stamped received at the Land Use Office on October 31, 2014. 2. Floor Plan and Architectural Drawings drawn by Steven Rocco, Rocco Architects and dated 10.28.14. 3. Site Plan drawn for TMC Land Management, LLC dated September, 2014 and drawn by Patrick Benjamin, Bascom & Benjamin, LLC. 4. Letter dated November 13, 2014 from Don Mitchel, Assistant Director of Health for the Chatham Health District. 5. Letter dated November 12,, 2014 to Liz Glidden, Town Planner from Jim Puska, Wetlands Officer. 6. Letter (not dated) to Joseph Bergin from TMC Land Management LLC and signed by Cliff Westergren. 7. Memo dated November 13, 2014 from Joseph Bergin, Chairman of ARC to Jamin Laurenza, Chairman of PZC outlining the recommendations of the November 13, 2014 ARC meeting. 8. Letter dated November 14, 2014 from Nathan Jacobson and Associates regarding Opinion of Probable Construction Cost for erosion and sediment control measures. Steven Bull second.

Mrs. Glidden requested that an amendment be made to the motion as it was her understanding that it would be four feet from the side property line; whereas, Pat Benjamin stated during his presentation, that it would be three feet. Mr. Kohs made the amendment. A brief discussion followed in regard to the amount of the waiver.

**MOTION:** Jamin Laurenza moved to amend the motion from four feet to three feet. Ed Wallor second. Motion carried unanimously.

Mr. Bull asked if the only waiver on the entire project was in regard to the side property line. Mrs. Glidden stated yes. Mr. Bull also asked if there needs to be a statement (condition) concerning the recommendations (suggestions) from ARC and Mr. Rosa in regard to softening the side elevations. Mrs. Glidden stated that both ARC and Mr. Rosa had made the suggestion; however, it's the Commission's decision on how they would like to handle the matter. Mr. Rosa stated that he felt it should be a condition noting that it's split face block (a difference in color) to give some articulation along the long walls. The Commission felt that it should be a condition within the motion. Mr. Laurenza asked Mr. Rosa, who is an architect, if the different color block would be the same dollar amount, as he would not like to put any undue costs on the applicant especially as they would be unable to comment since the hearings are closed. Mr. Rosa stated yes. Discussion followed in regard to the wording of the condition pertaining to the articulation of the side elevations. Mr. Braren, who is an architect, asked if the articulation necessarily be horizontal or vertical or should it be left open slightly to interpretation. Mr. Rosa was agreeable so long as something

was done to break up the long CMU (concrete masonry unit) wall. As there was no further discussion, Mr. Laurenza called the vote.

**MOTION:** Art Kohs moved to approve a site plan for a commercial building that will have a total of 9,036 square feet to be used as retail and office space and to approve a modification (Section 7A.8) to the eastern side setbacks to allow the building to be three feet from the side property line where 8 feet is required, as shown on the submitted site plan dated September, 2014 and drawn by Patrick Benjamin of Bascom and Benjamin, LLC and the Architectural drawings dated October 28, 2014 by Rocco Architects. **Conditions:** 1. Applicant shall submit Erosion and Sediment Control bond in the amount of \$1,100 prior to recording the Mylar with the Town Clerk. 2. On the northern and southern elevations the façade shall be articulated with some element to articulate the walls and break up the side facades. **Exhibits:** 1. Site Plan Review Application from TMC Land Management LLC, date stamped received at the Land Use Office on October 31, 2014. 2. Floor Plan and Architectural Drawings drawn by Steven Rocco, Rocco Architects and dated 10.28.14. 3. Site Plan drawn for TMC Land Management, LLC dated September, 2014 and drawn by Patrick Benjamin, Bascom & Benjamin, LLC. 4. Letter dated November 13, 2014 from Don Mitchel, Assistant Director of Health for the Chatham Health District. 5. Letter dated November 12., 2014 to Liz Glidden, Town Planner from Jim Puska, Wetlands Officer. 6. Letter (not dated) to Joseph Bergin from TMC Land Management LLC and signed by Cliff Westergren. 7. Memo dated November 13, 2014 from Joseph Bergin, Chairman of ARC to Jamin Laurenza, Chairman of PZC outlining the recommendations of the November 13, 2014 ARC meeting. 8. Letter dated November 14, 2014 from Nathan Jacobson and Associates regarding Opinion of Probable Construction Cost for erosion and sediment control measures. Steven Bull second. Motion carried unanimously.

#### **9. New Business:**

**Incentive Housing Zone** - Mrs. Glidden reported that she and Rebecca Augur, planner, Milone and MacBroom, had looked at a number of different properties in town; and if anyone on the Commission has recommendations, to please submitted them. Ms. Augur would like to make the initial presentation to the Commission on Thursday, 15 January 2015. Mrs. Glidden asked that if anyone had names of community spiritual leaders, school leaders, employers, etc., who might be interested in this type of project, to please email them to her.

**Higganum Center Bridge Replacement Project** – Mrs. Glidden reported that she had received an email from DOT informing her that the new start date would be 1 June 2015.

#### **8. Old Business: Discussion of Regulation of Outdoor Signs: Section 17**

There was nothing new to report at this time.

**Steady Habit Brewery** – Mrs. Glidden reported that she believes the issues with the permits has been resolved and that beer is being brewed, but not yet ready for sale to the public.

**New Gas Station, Tylerville** – Mrs. Glidden reported that the tanks have been installed and meetings with the tenant for the convenience store have been canceled.

**Vynalek Building, Saybrook Road, Higganum** – Mrs. Glidden reported that Mr. Vynalek came in for a permit for a building shell and that it's unclear whether Subway is still interested in renting a portion of the building.

**Former Cleaner's Property, Killingworth Road** – Mr. LePard asked if there were any plans for the property. Mrs. Glidden stated that she is unaware of anything at this time. Mrs. Glidden stated that the Commission may want to consider the property as part of the Incentive Housing Zone especially given its proximity to the Center.

**Rossi Property** - Mr. LePard asked if there has been any thought of including this property in the Incentive Housing Zone. Mrs. Glidden stated that she has spoken to Andy Becker and yes, he's

interested and the consultant will be looking at the site. A brief discussion followed in regard to a DEEP regulated black box system.

**State Garage, Higganum** – Mrs. Glidden stated that the property has been vacated, but it has not yet been turned over to the town. Melissa Schlag, first selectman, stated that there is nothing new to report at this time other than she is wanting to hear if the town can obtain money from the state for an accessment and remediation. Discussion followed in regard to the removal of the underground storage tanks.

## **9. Approval/Correction of the Minutes**

**MOTION:** Ed Wallor moved to approve the 6 November 2014 minutes as submitted. Jamin Laurenza second. Motion carried unanimously.

## **10. Chairman's Report**

**Architectural Review Committee (ARC) Meetings** – Mr. Laurenza asked that at least one Commissioner attend future ARC meetings. Mrs. Glidden reported that the 13 November 2014 meeting was contentious; however, ARC did a very good job and that Joe Bergin, chairman, was very patient, fair, and accommodating. Mrs. Glidden also reported that the committee did a wonderful job in their review and did not go beyond their authority.

## **11. Scheduling of Hearings**

Mrs. Glidden reported that there are no hearings scheduled for 4 December 2014; however, there are a number of variances before ZBA and if approved, there may be two subdivision applications scheduled for the 18 December 2014 meeting. Given that there is nothing schedule for 4 December 2014, the Commission agreed to cancel this meeting.

## **12. Town Planner's Report**

None.

## **13. Adjournment**

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

The meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

*Bunny Hall Batzner*

Bunny Hall Batzner  
Recording Clerk

**The next meeting is scheduled for Thursday, 18 December 2014.**