

**TOWN OF HADDAM  
 PLANNING AND ZONING COMMISSION  
 PUBLIC MEETING  
 TOWN HALL  
 21 FIELD PARK DRIVE, HADDAM, CT  
 THURSDAY, 17 SEPTEMBER 2015  
 UNAPPROVED MINUTES  
*Subject to Approval by the Commission***

**ATTENDANCE**

|   |                                     |
|---|-------------------------------------|
| X | Steven Bull, Vice Chairman          |
| A | Stasia DeMichele                    |
| X | Arthur Kohs                         |
| X | Michael Lagace, Secretary (7:03P)   |
| X | Jamin Laurenza, Chairman            |
| X | Wayne LePard                        |
| X | Carmelo Rosa                        |
| X | Robert Braren, Alternate - Seated   |
| A | Raul de Brigard, Alternate          |
| X | Edward Wallor, Alternate - Seated   |
| X | Melissa Schlag, First Selectman     |
| 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. Braren and Mr. Wallor, alternate members, were seated.

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

None.

**4. Public Comments**

**Procedural Question, Park Road** - Ed Schwing asked if the residents from Park Road would be allowed to address the Commission since the matter is not listed as a public hearing on the agenda. Mr. Laurenza stated that the Commission has allowed the public to address them in the past.

**Hi-Way Package Store Sign** – Mrs. Glidden reported that she had received an email from Sandra McCurdy questioning the sign at Hi-Way Package Store, 18 Killingworth Road. Mrs. Glidden explained that Hi-Way Package came before the Architectural Review Committee (ARC) in June 2014 and P&Z in July 2014 for the renovation of the retail portion of the building, addition of a porch, and three apartments on the second floor. Mrs. Glidden stated that a site visit was conducted and the sign is what was approved; and that she responded to Ms. McCurdy indicating that, as well as providing a copy of the Design Guidelines. Mrs. Glidden read Ms. McCurdy’s response, dated 09.17.2015, in which she thanks Mrs. Glidden for sending the Guidelines, but reiterates that the sign could have been designed better and that the town should have either more stringent adherence to the guidelines or strict regulations. Mr.

Laurenza clarified that the sign meets the Commission's guidelines. Mrs. Glidden stated yes, noting that the sign is downward lit, not internally illuminated, and it's sized appropriately. Mr. LePard asked if Ms. McCurdy made any suggestion(s) as to what would make the sign more aesthetically pleasing. Mrs. Glidden stated she did not.

**5. Discussion of Easement in the Amount of .06 acres in Favor of the Town of Haddam on 1033 Saybrook Road, Shown on Tax Map 31, Lot 93, and a Temporary Drainage Easement on 21 Park Road on Tax Map 30, Lot 11-3 in Compliance with CGS 8-24.**

Melissa Schlag, First Selectman, clarified that the acreage is .06 rather than .6 acres.

Using the map Jeff Jacobson and Katie Mercier, engineers, presented on Tuesday, 15 September 2015, Mrs. Glidden pointed out the easement area on Cheryl Czuba's property and the hammerhead turn-around on Mark and Raye Brookes's property. Mrs. Glidden stated items that were discussed in regard to the northern end of Park Road was the potential for a one way access and the angle of the road coming from Route 154 was a public safety issue. Mrs. Glidden reported that the project is part of a paving plan that has been in place for a number of years and part of it is to address drainage issues.

Mr. Braren asked if the one way was discounted because people would ignore the signs. Mr. Wallor stated that he attended the meeting Tuesday night; and that a number of the residents wanted egress in the event of a blockage on Park Road Extension and that it was brought up more than once. Mrs. Glidden stated that one of the options discussed on Tuesday and is addressed in a letter from Phil Goff, Assistant Director of Public Works, is the possibility of a gate that can be opened in case of an emergency similar to the one on Gunger Hill Road. Mr. Kohs stated it would seem strange that the Commission would advocate for another means of access on Gunger Hill and then take away a second means of access on Park Road. Mrs. Glidden stated that development is limited on Park Road (north end built out) and the north end of the road is currently a public safety issue. Mr. Laurenza asked if there was any data in terms of the number of accidents that have occurred at the north end of Park Road. Mrs. Glidden stated that she did not have that data.

Mr. Wallor asked if there was any response from the fire department regarding this proposal. Mrs. Glidden stated that she reached out to the fire department, but did not hear back.

Ms. Schlag stated that she had sent a letter to the Commissioners and explained the purpose of the vote.

Cheryl Czuba, Park Road resident, stated that she has been working on this matter for almost ten years as she's been experiencing a lot of water problems and is glad to be at a point where drainage will be added and the road paved. Ms. Czuba also stated that she agrees that the road should be closed and that the people present at Tuesday night's presentation did like the idea of a gate.

Jason Brown, Park Road resident, read an undated letter into the record (Exhibit A; 2 pages). In his letter, Mr. Brown addresses his concerns over the drainage/runoff onto Ms. Czuba's property being a private property owner's problem and not the town's or its residents, his need for two exits from his house in order to meet a 60 minute time frame to reach Millstone in the event of an emergency, and the cost to the town vs. the economic benefit to the town to move forward with this project; and that he's agreeable to a one-way entry only to Park Road from Saybrook Road. Mr. Brown concluded by stating that he does not support the proposed project.

Mr. Laurenza read the letter from Mr. Goff to Mr. Laurenza, dated 17 September 2015 (Exhibit B; 1 page). In his letter, Mr. Goff indicated that the Public Works Department has experienced problems entering/exiting the north end of Park Road; that Mr. Jacobson has reviewed the intersection, advised that it doesn't meet basic intersection design standards, and recommends it be closed; and that a closed gate, to be opened only during an emergency and only by authorized personnel, would be the only option considered.

Mr. LePard pointed out that the agenda outlines only two items for the Commission's consideration and that the additional items that have been brought forth, although related to the matter, are not listed on the agenda; therefore, making it potential inappropriate to discuss at this time.

Mr. Bull stated that he recalled information outlining that the Commission would be voting on easements to the town which would then become a road design issue. Mrs. Glidden stated yes. Mr. Bull asked why the Commission was getting into the road design business. Mrs. Glidden stated that Ms. Schlag's point earlier in the meeting was that the Commission shouldn't be and explained the 8-24 statutory requirement. Mrs. Glidden also stated that the only thing that the Commission is looking at is whether or not the two proposed easements are in conformance with the Plan of Conservation and Development (POCD).

Mr. Laurenza asked if the drainage easement was temporary. Mrs. Glidden stated that the data she had indicated "temporary". Mrs. Batzner stated that Mr. Jacobson had indicated the easement as "permanent" during the Tuesday night presentation. Ms. Czuba stated that she is giving an easement to allow the drainage pipes onto her property; therefore, the easement would be permanent.

Mr. Laurenza asked if the Commission would be voting on two separate issues or one. Mrs. Glidden stated that she separated them so there would be two motions in order to tie them to the Land Records.

Mr. Wallor asked if the Commission can allow the turnaround based on their regulations not allowing a cul-de-sac over 1,000 feet. Mrs. Glidden stated she would argue that this is a non-conforming issue and there isn't a subdivision application before the Commission. Mr. Wallor stated that by closing the road, the Commission would be creating a subdivision that doesn't meet the regulations. Mrs. Glidden didn't agree. Discussion followed in regard to the creation of a cul-de-sac that doesn't meet the regulations.

Marietta LeVay, Park Road resident, stated that the north end entrance/exit is only one lane as you have to pull a vehicle all the way to the left to be able to see traffic coming northbound on Route 154.

Terry Belisle, Park Road resident, stated that during the Tuesday night presentation it was stated that the road would only be paved 18 feet wide when the norm is 24 feet. Mr. Wallor stated this is to his point that the town is not building a road to meet the regulations. Ms. Schlag stated that the road is currently not closed and the Commission would merely be voting on acquiring the land. Mr. Wallor stated he understood that and noted that the Commission needs to look at the plan as well.

Mr. LePard asked if there would be a subsequent meeting pertaining to the proposed construction of the road in which further discussion could follow in regard to the closing of the north end of Park Road. Mr. Wallor stated no, that if the Commission approves the two 8-24s, it would just go to the Public Works. Mrs. Glidden stated it would go to a town meeting. Mrs. Glidden also stated that the only item(s) before the Commission is whether or not the town should acquire to the two easements. Mrs. Glidden noted that the drainage and safety concerns arose through the planning of the proposed road reconstruction process. Mr. LePard stated that his only reservation is that the Commission would not be voting for anything else (road project) if the Commission voted "yes" for what's in front of them. Mrs. Glidden asked Ms. Schlag if the road project has been budgeted and if there will be an opportunity for public input. Ms. Schlag stated that the project has been funded. Mr. Laurenza asked when the project was funded. Ms. Schlag stated that the project has been funded for a while and that the money is in the Road Fund. Discussion returned to the road not being a proper width and whether or not the end of the road could be reconfigured.

Mr. Schwing asked how many civil engineers sit on the Commission. As there was no response, Mr. Schwing stated that the civil engineer that was present Tuesday night has been a civil engineer since 1976 and that his job is to make safe roads. Mr. Schwing also stated that the road is unsafe and that anyone exiting from the north end of Park Road is in danger noting that two Park Road residents had commented Tuesday night that they had almost been hit when exiting from that end of the road. Mr. Schwing stated that Mr. Jacobson has done a good job in presenting this project.

Mr. Wallor stated that he spent a good portion of his childhood at the former Reed residence on Park Road and that he couldn't imagine emergency vehicles having to drive by to back track to get to the house. Mr. Wallor questioned the accuracy of the additional 40 seconds it would take emergency vehicles to go down Route 154, enter Park Road Extension, and back track along Park Road as presented by Katie Mercier, engineer, at Tuesday night's presentation; and the additional time required to turn the ambulance around and follow the route out. Ms. Schlag stated that all roads would need to be a minimum length and noted that Mr. Laurenza lives on a long road. Mrs. LeVay stated that when the ambulance came to her house, it came via Park Road Extension.

Ms. Schlag asked how many from the Commission have been on Park Road. After the show of hands, Mrs. LeVay asked if they didn't find something wrong with the road. Mr. Laurenza stated that he enters the north end of Park Road and exits via Park Road Extension. Mr. Wallor stated that a resident voiced concern over the potential of being rear ended when entering Park Road Extension. Ms. Schlag stated that the entrance to Park Road Extension will be reconfigured as presented by Mr. Jacobson.

Mr. Brown stated that there's a lot of speculation about the safety issue, but noted that he doesn't exit the road going north at 3:00 p.m. because there's a lot of traffic; however, he does exit the road at 7:00 p.m. Mr. Brown stated that he drives down Quarry Hill Road and enters Park Road at the northern entrance because it's easy and safe; and that there is no data to support closing the road.

Mr. Laurenza asked that the matter be tabled to allow Attorney Mark Branse to offer an opinion on the matter. Mr. Laurenza also asked if the Commission can obtain an opinion from Jeff Jacobson in regard to reconfiguring the northern entrance. Mrs. Batzner stated that Mr. Jacobson had indicated that the grade was too steep, that the area didn't meet the standards, and that there was insufficient sightline.

**MOTION:** Ed Wallor moved to table this matter until Thursday, 1 October 2015, to allow Liz Glidden, Town Planner, to obtain an opinion from Attorney Mark Branse as to whether or not the Commission could potentially be violating their own regulations. Carmelo Rosa second.

Ms. Schlag stated the Commission would only be voting on the 8-24 Report and not the road issue. Mr. Bull stated that it appears that the project doesn't conform with the POCD or the regulations. Ms. Schlag also stated that water easements, drainage, and moving water off of the road are a part of the POCD. Mr. Bull agreed; however, the potential to make Park Road a non-conforming road is there.

Looking at the map, Mr. Laurenza indicated that there appears to be a blockage at the end of the road. Ms. Schlag stated that Mr. Jacobson talked about break away posts. Mr. Schwing stated that the easements will need to be acquired even if the road is blocked. Mr. Brown asked how the breakaway posts would work if there's an emergency in the middle of the night. Ms. Schlag explained how break away posts work.

Ms. Czuba stated that although she has experienced a lot of water issues, the road itself is very dangerous and that other residents have experienced issues.

Mr. LePard stated that the agenda does not differentiate between public discussion and discussion amongst the Commission. Mr. Laurenza agreed. Mrs. Glidden stated that the matter wasn't posted as a public hearing; however, the Commission does have that option. Mrs. Glidden also stated that the Commission can have a meeting with discussion with the public and vote on the matter.

Mr. Laurenza asked the Commissioners if they wanted to seek out Mr. Branse's opinion as to whether or not the Commission is potential creating something that doesn't match the Commission's regulations. Mr. Wallor and Mr. LePard stated yes.

Mr. Bull asked Mrs. Glidden to clarify if the acquisition of land meets the town's POCD and the regulations. Mrs. Glidden stated that it does not include the regulations only the POCD. Mrs. Glidden stated that she's hearing two different opinions of public safety; however, what the Commission needs to determine is whether the acquisition of the land is in harmony with the POCD. Mr. LePard stated that the

Commission has had an expert, Mr. Jacobson, give his opinion that the intersection isn't safe and is not for the Commission to decide; however, the Commission does have a concern for safety and perhaps a compromise (installation/maintenance of a gate and plowing the entire north end of Park Road) can be reached. Mrs. Glidden asked if a revised plan showing the installation of a gate were presented, would the Commission still feel the need for a legal opinion from Attorney Branse. The Commission stated no. Mr. Laurenza stated that the drawing that has been submitted doesn't show a gate. Mr. LePard stated that perhaps a condition can be added and the matter settled tonight.

Mr. Wallor withdrew his motion.

Mrs. Glidden reviewed the 8-24 Report with the additional language of "provided an emergency gate is installed at the intersection of Park Road and Route 154 and egress/ingress is provided to all emergency responders. The access is to be maintained and in working order by Public Works". (Copy on file in the Land Use Dept.) The Commission was agreeable with the wording.

**MOTION:** Steve Bull moved to approve a report to the Board of Selectmen that supports an acquisition of .06 acres of land for the purpose of creating a turn-around at the end of Park Road. Said report is pursuant to Section 8-24 of the CT General Statute. Carmelo Rosa second. Motion approved with Mr. Wallor opposing.

**MOTION:** Steve Bull moved to approve a report to the Board of Selectmen that supports a drainage easement in favor of the Town for about 1,000 square feet. Said report is pursuant to Section 8-24 of the CT General Statute. Carmelo Rosa second. Motion approved unanimously.

## **6. Discussion of Housing Regulations for Multi-family Overlay District**

Mrs. Glidden reported that the Gateway Commission has received the draft of the proposed changes, that they do have some questions, and that she will be meeting with them to discuss the matter. Mrs. Glidden stated that one concern Gateway has is in regard to height.

Mrs. Glidden reported that there is some wording that needs to be cleaned up in regard to separation distances and she will work with Milone and MacBroom on that.

Mrs. Glidden stated that she was trying for a 15 October 2015 hearing date; however, she would prefer having all of Gateway's concerns addressed before hand. Mrs. Glidden will keep the Commission updated.

## **7. 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 that the Gateway Commission was agreeable to the proposed changes.

## **8. New Business**

**Plan of Conservation and Development (POCD)** - Mrs. Glidden reported that the POCD was adopted 24 January 2008 and state statute requires the updating of the Plan every ten years or the town is denied discretionary funding from the state. Mrs. Glidden recommended that an update be done and that a third party consultant be hired to handle the demographics, maps, conformance with the state POCD, etc. Mrs. Glidden distributed a general schedule for working on the POCD and explained the process.

## **9. Old Business**

**New Gas Station, Tylerville** – Mr. Wallor stated that he believes the applicants still need to grade and seed the parcel. Mrs. Glidden stated yes, the area needs to be graded and seeded and that she has reached out to the owners with no response. Mrs. Glidden also stated that Jim Puska, Zoning Enforcement Officer, will be handling the matter.

**Duffy's Pub** – Mr. Wallor asked if Mr. Puska is doing anything pertaining to the Pub. Mrs. Glidden stated no, and that she would need a directive from the Commission. Mr. Wallor stated that the owner is in violation citing demolition by neglect. Mr. Kohs stated that he's spoken to Mr. McKenna who is considering the demolition of the building and will be speaking to Mrs. Glidden. Mrs. Glidden will place this on the October agenda, recommended that the Commissioners drive by to view the property, and will contact Mr. McKenna.

**Midway Marina, Gravel Operation** – Mr. LePard asked for an update. Mrs. Glidden stated they have not completed the project, but they do have a 1 October 2015 deadline which they should meet. Mrs. Glidden also stated that she received a complaint regarding damage at the intersection of River Road and Route 154 and the question is whether the trucks did the damage or was it there previously.

**Higganum Cove, Open House** – Mrs. Glidden stated there will be an open house on Saturday, 3 October 2015, 11 a.m. to 2 p.m.

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

**MOTION:** Ed Wallor moved to approve the 3 September 2015 minutes as submitted. Carmelo Rosa second. Motion carried unanimously.

#### **11. Chairman's Report**

None.

#### **12. Scheduling of Hearings**

**Steve Wytas, Plains Road** – Mrs. Glidden distributed information packets and explained what the applicant is requesting. Subdivision, Public hearing - Thursday, 1 October 2015.

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

**Economic Development Plan** – Mrs. Glidden reported that the Regional Planning Agency will be hold a meeting on Tuesday, 22 September 2015, River House, 4:00 to 8:00 p.m., pertaining to the creation of an economic development plan for the 17 towns within the region.

#### **14. Adjournment**

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

The meeting was adjourned at 8:25 p.m.

Respectfully Submitted,

*Bunny Hall Batzner*

Bunny Hall Batzner, Recording Clerk

**The next meeting is scheduled for Thursday, 1 October 2015.**