

TOWN OF DURHAM

Planning and Zoning Commission

P.O. Box 428

Durham, Connecticut 06422-0428

MINUTES OF FEBRUARY 6, 2008, SPECIAL WORKSHOP MEETING

Present

Members: Ralph Chase, Frank DeFelice, George Eames, Richard Eriksen,
Jim Kowolenko, Tom Russell
Town Planner: Geoffrey Colegrove
Alternates: Cathy Devaux, Mike Geremia, Mark Laudano

Absent

Members: Dave Foley, Dian O'Neal, Gene Riotte

Special Workshop Meeting Discussion of Adaptable Reuses of Main Street Structures

The workshop was commenced by George Eames, Chairman, at 7:00 p.m. Mike Geremia was seated on the Commission in Dave Foley's place. Mark Laudano was seated on the Commission in Gene Riotte's place. Cathy Devaux was seated on the Commission in Dian O'Neal's place.

Richard Eriksen was seated on the Commission at 7:06 p.m.

Motion by Ralph Chase, seconded by Cathy Devaux, to approve the agenda of the February 6, 2008, special workshop meeting, discussion of adaptable reuses of Main Street structures. Motion carried unanimously.

Tom Russell was seated on the Commission at 7:07 p.m.

George Eames opened the meeting. An executive meeting was held three weeks ago with Attorney Tom Byrne, Richard Eriksen, Geoffrey Colegrove, and George Eames in attendance. George Eames indicated there was discussion about allowing offices in the

Main Street zone, with the exception of dental and medical practices, simply because those specific businesses generate too much traffic and there is limited parking. He added that he “felt very strongly” about not allowing commercial or retail sales in this section of Main Street; if it were permitted, it would open up the entire area. However, allowing additional office space would expand the availability of office space in Durham.

Frank DeFelice stated that there is currently a vacancy rate for office space in Durham of about 20%.

Jim Kowolenko indicated that he was not worried, even if it were determined that commercial uses could go into the few structures in the special zone. He stated that any potential commercial uses would be limited by the buildings’ current sizes without any expansion potential.

Richard Eriksen stated that on everyone’s mind had to be the one building that had prompted this evening’s special workshop discussion: The Grange Hall. His concern was that if retail were allowed within the limited buildings of the zone on Main Street, the Commission would ultimately lose control—without being able to choose what other uses could go in there. He added that Main Street is fractured as it is and that there is excessive availability of commercial space already.

Commercial space, as exists currently, can also be used for office purposes; with the two “huge areas” at either end of town that have the potential for commercial development, Richard Eriksen stated it was unlikely that there would be a shortage of commercial space that could be used for offices. He was concerned that if retail/commercial were allowed all along Main Street, there would be no way of ever going back. There is also some discussion that some residents along the right-hand side of Main Street—in the area at the north end of town opposite Lino’s Market in—are interested in having their property rezoned as commercial instead of farm-residential.

Richard Eriksen also asked what would justify “driving wedges into what little is left of residential Main Street.” He stated that he would be against changing the regulations to allow any more than the addition of professional/dental/medical uses.

Mike Geremia concurred with Richard Eriksen, stating that professional office uses would be acceptable to him. He cited how many former old homes in other communities along main streets are turned into dental and medical practices and then beautifully restored and maintained.

Ralph Chase expressed concern with “a lovely old building [the Grange Hall] falling down.”

Tom Russell stated that the septic system at the Grange Hall would never support a dental or medical practice; it might be useful for a purpose such as a mortgage company. Richard Eriksen stated that while an antique/gift shop, such as proposed for the Grange Hall by Dottie Smith, “might be nice,” when her business is gone and all members of the

Commission are also gone, what then happens? Tom Russell suggested that the Commission could put into the regulations language that would prohibit a change of ownership (i.e., the approved use ceases after the original owner has stopped the use).

Richard Eriksen reminded the Commission that Attorney Tom Byrne had told the Commission that it would be very difficult to define the word “gift” and monitor gift store uses; the same difficulty would exist in defining antiques.

Cathy Devaux stated that there are a number of buildings along Main Street that were, at one time, commercial; some are now houses. Geoffrey Colegrove indicated that once a nonconforming commercial use has been abandoned and a building turned to residential purposes, the use cannot be converted to commercial again.

Frank DeFelice stated that the Commission is charged with determining what concept it envisions for the town of Durham and its center/Main Street. He said that Main Street is what makes it different from other towns—the stretch is largely residential, with few exceptions. He noted that probably most Main Street residents would not choose to live next door to a commercial business.

The Grange Hall cannot, at present, be used for a residence unless additional land is acquired; Richard Eriksen added that this could be a very real possibility (everything is for sale at a price).

George Eames stated that over the past 25 years, many of the properties along Main Street have improved, most homeowners are interested in upgrading their properties.

Jim Kowolenko stated that the character of a building cannot change no matter what use is approved. There is a lot of activity (post office, town hall, library, etc.) “going on” around a very residential area. Richard Eriksen stated that there is already enough business along Main Street—with ample commercial space at either end of Main Street.

Ralph Chase noted concerns with parking and traffic in the area of the post office with all the current congestion. Mike Geremia added that a real estate use might be appropriate for the Grange Hall. Geoffrey Colegrove noted that it was formerly used as a church with parking up and down Main Street.

The special permit process allows the Commission to consider appropriateness of proposed uses on a case-by-case basis. Discussion then ensued about describing professional uses (Frank DeFelice noted that one definition is that professionals accept fees for their work). There was also discussion of traffic counts. Geoffrey Colegrove indicated the language currently ties to trip generation tables prepared by the Institute of Traffic Engineers as well as the possibility of creating a table of allowed professional uses.

A public hearing would need to be scheduled to amend the language in the regulations. A number of Commissioners thought that medical facilities could be allowed by and considered by special permit.

Motion by Richard Eriksen, seconded by Ralph Chase, to allow professional offices in the special Main Street Residential zone (within 17 structures identified) to proceed to a public hearing. Motion carried unanimously.

Motion by Ralph Chase, seconded by Frank DeFelice, to adjourn the special workshop at 7:36 p.m. Motion carried unanimously.

Respectfully submitted,

Jan Melnik
2/13/2008