

Planning & Zoning Commission
Public Hearing
Wednesday, July 13, 2016
Julian B. Thayer Auditorium, Coginchaug Regional High School

The Public Hearing was opened at 8:00 p.m. and called to order by Frank DeFelice. Joe Pasquale led with the pledge of allegiance.

In attendance: Alana Adams, Campbell Barrett, Lisa Davenport, Frank DeFelice, Dick Eriksen, Chris Flanagan, Dave Foley, Dan Melnik, Jan Melnik, Joe Pasquale, and Will Spooner.

Absent: Ed Fronc

Others in attendance: Geoff Colegrove and approximately 25 residents.

Jan Melnik read the legal notice published on June 29, 2016 and July 6, 2016.

TOWN OF DURHAM
PUBLIC HEARING
8:00 P.M., WEDNESDAY, JULY 13, 2016
JULIAN B. THAYER AUDITORIUM, COGINCHAUG REGIONAL HIGH SCHOOL

The purpose of this public hearing is to present information and discuss amendments to the Durham Plan of Conservation and Development and to provide an opportunity for public comment.

All are encouraged to attend. This hearing is accessible to the handicapped.

Any disabled persons requiring special assistance or non-English speaking persons should contact Laura L. Francis, First Selectman at 860-349-3625 at least five days prior to the hearing.

To view the proposed Plan, go to www.townofdurhamct.org or call 860-349-3625 to request a copy.

Frank DeFelice
Chairman
Durham Planning and Zoning Commission

Frank DeFelice welcomed everyone to the meeting. He noted some in attendance may have attended the Board of Selectmen's public hearing on June 27, 2016. During that hearing public comment was taken and testimony was heard on the work the commission did on the draft Plan; their outreach efforts, the charrette, survey, and mixed use workshop. Also, testimony was heard regarding the work the commission did on the document, and most importantly, suggestions that were made by the public including the inclusion of language related to wineries, technology, and emphasizing industry.

At their meeting of Monday, July 11, 2016 the Board of Selectmen unanimously voted to endorse the commissions draft plan with the following revision. Revised Section 10.3.10 to read Mixed Use Development as follows; Mixed use development is permitted in all Commercial Zones provided that the uses are no more intensive than Commercial. Mixed use development is permitted in nonconforming parcel provided that the use is no more intensive than the previous use.

F. DeFelice then invited the audience to comment and introduced Norm Hicks as moderator. A member of the audience asked that the Board of Selectmen's amendment be re-read. Page 119, Section 10.3.10 of the draft Plan. F. DeFelice then re-read the proposed amendment.

Phil Muzio, 41 Deer Run Road; asked if the amendment was made by the Board of Selectmen.

F. DeFelice responded yes.

George Eames IV, 430 Haddam Quarter Road; spoke about sections that he had issues with. He noted that he attended the Board of Selectmen's public hearing and brought up the industrial issues and highlighted the table which shows Durham having the highest mill rate in Middlesex County.

- Economic Development Commission, Chapter 6.0, 6.2 Strengths and Limiting Factors, paragraph 3; "A lack of municipal water infrastructure throughout most of the town and a lack of municipal sewers throughout all areas of the town are significant deterrents to more intensive commercial and industrial development". He noted this has been in the Plan for the last twenty years. A lot has changed in the industry in the last ten years. He felt industry today is really in sustainability and the town does not need water and sewer. Eversource has approached the town of Durham with the proposal of putting in a natural gas pipeline, coming up through Route 68, that would include Main Street. He noted that this information may have not been available when the draft was being put together. He felt from an industrial perspective, there is no need for water or sewer, but the need for gas. This would benefit the commercial properties on Route 68. He felt this worth investigating and to do whatever needs to be done to push Eversource forward.
- He agreed with the Board of Selectmen regarding the mixed use development language on Section 10.3.10.
- Chapter 7.0, Community Facilities, 7.1.3. Future Service Areas; "The following six (6) areas have been identified as potentially requiring public water to alleviate future contamination". He noted he felt one was forgotten; northern section of Tuttle Road, noting that the plume is moving and affecting more of Durham.

Pam Lacashu; re-read the language she understood the Board of Selectmen recommended for Section 10.3.10. She stated she supported the original version noting she felt there are adequate restrictions to historic properties. She thanked the commission for the many hours put into the draft Plan.

Molly Nolan; asked what the definition of mixed use was in Connecticut.

F. DeFelice responded that it is in the State Statute and not referenced in the draft Plan.

Rick Parmelee; stated he was very proud of living in Durham and the people of Durham. He thanked the commission for the time spent on putting the document together and allowing so many meetings for discussion. He stated he felt that Connecticut is not business friendly and expressed the need for legitimate businesses in the community. He noted that he could not think of a time, in his lifetime, when there was not mixed use on Main Street. He stated he felt Main Street was an important part of the community but not to discount businesses on Main Street and to give it a fair chance.

Deb DeFelice; spoke to the comment that the commission missed the June 30, 2016 deadline date for the submission of the Plan, stating this was the wrong thing to say. She clarified that the commission started the discussion of amending the Plan on January 6th and since that time held numerous meetings in addition to their regular meetings; seven workshops, January 20th public comment, February 3rd public comment, February 13th Charrette, February 17th public comment, March 2nd and 9th, and 16th, Board of Selectmen's public hearing June 27, and today's public hearing.

Bob Melvin; asked when the Plan was required to be amended and when did the clock start. F. DeFelice stated the Plan is required to be updated every ten years, noting that many towns are reviewing chapters more frequently. The clock starts with every amendment change that is submitted.

Chuck Stengel, Buckboard Road; thanked the commissioners. He stated that most of what he has heard at meetings, noting that he has also read the draft Plan, actually focused on Main Street and the historic district and in his opinion the most threatening thing to the historic district is the vacant buildings. He felt there was nothing in the document, should in the future preclude things, and to leave the doors open. He supports the document as originally written. He cautioned not to hurt the very thing that we are trying to protect which is the historic district. He felt the town needs revenue to support these buildings; nothing worse to have vacant buildings.

Molly Nolan; asked what the difference or effect of mixed use on Main Street would be as opposed to home occupation. F. DeFelice stated the definition is by design very flexible, and typically what they consider to be mixed use is any two uses or more than two uses; residential/commercial, residential/industrial, industrial/commercial or any combination thereof. It can be vertically integrated; storefront down below, residence up top. Horizontal; a building that is a retail store and has a residence tied to it. Home occupation is limited by current statute and is in the town's regulations now. Mixed use is not part of current regulations. Home occupation requires you live in the home and there are certain limitations of square footage.

M. Nolan asked if you would be required to live in the home with mixed use. F. DeFelice noted that regulations have not been crafted. The Plan describes a place to put it by the design of the state statute that requires it. The regulations, if crafted, is where you would decide the factors.

M. Nolan felt it might be a safer thing to do, to not include the historic district in the mixed use overlay of the entire town because once you change it, it will be altered forever. She felt this to be a unique historic location and once it's altered it's degraded. It doesn't just affect Main Street but the entire town.

Paul Muzzo stated that after understanding the amendment proposed by the Board of Selectmen and considered it, he agrees with the original language in Section 10.3.10, and is preferable for the reason that the document is a guideline and not regulation. To make it restrictive is a mistake.

Rick Parmelee stated he felt this is becoming a Main Street issue but is really done to cover the whole town. He does not want anything to be exempt. Main Street is part of the community.

After hearing no more comment, Norm Hicks closed the public hearing.

F. DeFelice thanked everyone in the public who participated the last six months and acknowledged the work of the commissioners. He stated that input is what makes the town what it is and the commission has certainly heard over the last several months the public's comments and sediments and have tried to incorporate them into the document.

Public hearing adjourned at 8:45 p.m.

Respectfully submitted.

Beth Moncata