**Middle Haddam Historic District Commission**

**Regular Meeting**

Thursday, June 23, 2016

6:30 PM

Town Hall Meeting Room

Minutes - Draft

1. **Call to order** – Chairman Roberts called the meeting to order at 6:36 p.m.
2. **Roll Call/Seating of Alternates** – Roll call was taken. Present were Commissioners Charles Roberts, Demian Battit, Patrick Walsh, Regina Starolis and Kara Pedersen. Chairman Roberts seated Commissioner Pedersen as a member in place of Commissioner Dart who arrived after roll call was taken.
3. **Public Remarks** – Mike Piergallini of 16 Fern Lane referred a comment made by Chairman Roberts in an email exchange they had regarding Cobalt Lodge. He paraphrased Mr. Roberts’ comment as “because it is not visible from Rte. 151 it is not within the MHHDC jurisdiction.” He informed the board that he has obtained the appropriate permits (per the MHHDC guidelines) for renovations done at his home and questioned Chairman Roberts on his knowledge of the MHHDC guidelines. He inquired about the vacancies on the MHHDC and suggested that he apply to become a member.
4. **Public Hearing**
5. Application #504 COA at 29 Middle Haddam Road to construct parking lot and vegetated buffer along Fern Lane for Cobalt Lodge Health and Rehabilitation Center.

Chairman Roberts began the hearing by defining the MHHDC guidelines specific to this application (COA requirements, lighting, structures and vegetation).

Todd Zagorski of Cobalt Lodge presented proposed plans to the board members and stated that he is in the process of having the septic repaired. He stated that he replaced the old lights at the emergency exits which increased the illumination of the area. He was not aware of the parking lot construction and stated that he did not realize that he had to go before the board for the parking lot and the road way but that he is willing to make any necessary changes to rectify the issues with the neighbors.

Peter Levy of 28 Fern Lane complained about the visibility of the lights and the hideousness of the building from Rte. 151 as well as a tree that fell and is now compromising the road. He asked the board who will pay for the damage to the road due to the excess traffic and why were they able to put in a parking lot without obtaining the proper permits.

Sylvia Demore of 3 Fern Lane stated that the lights are on all night and illuminate her yard. She stated that she and her neighbors all had to obtain COA’s from MHHDC for work they did on their homes and that Cobalt Lodge is not exempt from the same requirements. She provided photos of the current state of Cobalt Lodge. She explained to the board that the plantings along Fern Lane were plowed and that they are using Fern Lane as a road which is causing damage to the one lane road and that speeding is a safety issue.

Jane Kinney-Knotek of 10 Fern Lane suggested a cease and desist and that there should not be any parking on Fern Lane until the road is repaired due to safety issues.

Todd Zagorski from Cobalt Lodge offered to remove the parking lot, remove the tree that fell (which he states he does not own) and to redirect and dim the lights without changing the hardware.

A brief discussion followed about the ownership of Fern Lane. Chairman Roberts reiterated that MHHDC has no jurisdiction over the ownership of Fern Lane and he informed everyone that he instructed all the board members to drive by Cobalt Lodge during the day and in the evening to see the work that was done and whether or not it is visible from Rte. 151. He stated that if Cobalt Lodge had obtained a COA prior to the work that was done there would not be any issues or enmity and resentment. He made Mr. Zagorsky aware that if they do not get permission from MHHDC then they cannot move forward.

A brief discussion followed about the possibility of fining Cobalt Lodge for not obtaining the proper permits/COA.

Commissioner Battit suggested changing the lights to smaller lights and that if Cobalt Lodge decides to change or rectify the hardware they will have to get approval from MHHDC. Chairman Roberts explained that MHHDC has no jurisdiction over vegetation and that MHHDC cannot approve the parking lot because MHHDC did not receive plans or a COA request in advance.

Richard Knotek of 10 Fern Lane asked for clarification of MHHDC jurisdiction as it pertains to this application. Chairman Roberts provided him with a detailed explanation.

A brief discussion followed about the approval of a diesel tank and generator at the Cobalt Lodge and their history of contempt for the MHHDC rules.

Commissioner Battit made a motion to accept Application #504 for a COA at 29 Middle Haddam Road to construct a parking lot and vegetated buffer along Fern Lane for Cobalt Lodge. The motion was seconded by Commissioner Walsh. **Vote: 0-Yes; 5-No; 1-Abstain (Commissioner Dart). Application #504 was denied.**

1. **Approval of minutes & motions**
2. May 26, 2016 – Commissioner Pedersen recommended the following correction: to omit the word “they” under item #6c in the second sentence of the second paragraph. Commissioner Pedersen made a motion to approve the May 26 minutes with the grammatical correction recommended. The motion was seconded by Commissioner Walsh. **Vote: 4-Yes; 0-No; 2-Abstain (Commissioners Starolis and Battit were not present at the May 26 meeting). Motion passed.**
3. **Correspondence**
4. Other – None.
5. **Reports**
6. Expenditures – None.
7. Other – None.
8. **New Business** – None.
9. **Unfinished Business**
10. Other – None.
11. **Public Remarks** – Jeremy DeCarli (East Hampton Planning & Zoning) provided the board with a status update for the issues at Cobalt Lodge Health & Rehab and defined the zoning regulations that will be enforced.
12. **Adjournment**- Commissioner Battit made a motion to adjourn at 7:54 p.m. The motion was seconded by Commissioner Starolis. The vote was unanimous. The meeting was adjourned.

Respectfully submitted,

Christine Castonguay

Recording Secretary