There was a regular meeting of the above referenced subcommittee held on Tuesday, January 18, 2022 at 6:30 p.m. via Zoom remote meeting.

**Committee Members present were:** Councilors Anthony Harrington, Chair, Rickford Kirton, Joseph Merritt, Kenneth McClary and C.F. Politis

**Also present were:** Stanley D. Hawthorne, Town Manager, Jose Giner, Director of Planning and Economic Development and India Rodgers, Clerk of Council

**Guest:** Michael Goman, Goman & York Economic Development Consultants, Anthony Maulucci, Developer and David Ziaks, Professional Engineer, Hesketh Associates

The meeting was called to order at 6:30 p.m.

**Old Business**

**Presentation, Discussion and Possible Action on Council Referred Item FY 19/20-12: Request for Easement across LaSalette Park between Ryefield Hollow North and Ryefield Hollow South**

Mr. David Ziaks, Professional Engineer from Hesketh Associates gave a brief presentation requesting the Town Council to grant an easement across LaSalette Park between Ryefield Hollow North and Ryefield Hollow South.

Mr. Ziaks reviewed the Master Plan approval for 71 units with the Town Plan and Zoning (TPZ) Commission and the Inland Wetlands and Watercourses Commission. There are 25 acres of dedicated open space. The granting of this easement would allow access to utilities such as MDC and the Fire Marshal.

He also informed the subcommittee that the public has been notified on several occasions regarding this easement. There were 3 public hearings the TPZ, Inland Wetlands and Town Council respectively. In addition, all abutting owners were notified by mail.

**Discussion**

There ensued a detailed discussion of subcommittee members of the pros and cons of granting this easement. Several areas of concern included the following:

- Can this planned development move forward without an easement?
- Are there any other alternatives if this easement isn’t granted?
- Is there a written request from the Fire Marshal requesting this easement?
- Any disturbance of wildlife and who will be responsible for tree removal and clearance?
- Will the Town be required to get Department of Energy and Environment Protection (DEEP) approval before granting this easement?
Public Comment

1. **Todd Cooper, 2 Maulucci Ridge** commented on his opposition to this development. He stated that the amount of proposed property for development is too excessive for the area. Mr. Cooper also mentioned increased traffic concerns, which will affect the overall quality of life for existing residents. He stated that he was never notified about this development and encouraged the Council not to grant this easement.

Subcommittee members commented on the length of the total easement, which is approximately (250 feet) and reiterated the need to have emergency vehicles gain access for the community. However, Councilor McClary would like to ensure that resident concerns have been addressed. He expressed that he is a proponent of open space and parks, but is not in favor of granting this easement to the developer.

2. **Gail Riley, 8 Maple Avenue** requested that the subcommittee recommend to the full Council approval to grant this easement to the developer. It is long overdue with over 2 years of back and forth with various town entities.

It was moved by Councilor Merritt, seconded by Councilor Kirton to recommend that the Town Council grant an easement to the Metropolitan District Commission (MDC) and the Bloomfield Center Fire District over the land in LaSalette Park that lies between Ryefield Hollow Drive North and Hollow Drive South for the express purposes of providing an emergency access that will be closed off to vehicular traffic except in cases of emergency. The easement may also be utilized by the MDC to provide underground utility connection between the two subject streets.

**VOTE:**

| AYE | R. Kirton, C.F. Politis, J. Merritt |
| NAY | K. McClary |
| ABSTAIN | None |

The motion passes, 4-1-0.

**Discussion on Promotional efforts for the recently adopted Tax Increment Financing (TIF) Districts**

Mr. Mike Goman, Goman & York Economic Development Consultants noted that he has drafted an overview of an enhanced marketing program to be reviewed by the Mr. Giner and Mr. Hawthorne prior to its referral for subcommittee level review and the Economic Development Commission (EDC).

**New Business**

**Discussion regarding the Bloomfield Housing Authority**

Mr. Robert Berman, Chair of the Bloomfield Housing Authority gave a brief overview of the need to address affordable housing options in the Town of Bloomfield.
The Bloomfield Housing Authority is in the process of applying for a 501c3 to be eligible for additional grants to support their mission. They are looking to partner with Habitat for Humanity to repurpose and rehabilitate vacant properties in Town.

There was an ensued detailed discussion regarding the available opportunities to initiate the rehabilitation process and funding to achieve the goal of offering more affordable options in Town.

Councilor Kirton and McClary requested more information regarding a concrete plan on Affordable Housing sustainability, matching grant funds and potential public-private partnerships.

**Staff Reports**

**Development Inquiries and Project Updates**

- The Town Plan and Zoning (TPZ) Commission will discuss the approval of owners of the Ruby Tuesday’s plaza and relocation efforts for the liquor store and Tapas Restaurant.

- Old Robertson’s gas station has a pending application to redevelop this site into a convenience store and gas station.

- Phase II– Town Center Apartments – received approval for Inland/Wetlands permit and Design Review Board recommendations. The developer requested a zone change to allow parking on Jerome Avenue Extension. Once the second phase is completed, there will be over 400 residential units in the Town Center apartments’ project.

- A new developer would like to purchase the empty lot on the church corners (Blue Hills Avenue and Wintonbury Avenue). There is an existing proposal to build 20 units of affordable housing.

- Development Inquiries – Battery storage facilities and Fueling facilities for propane and natural gas powered vehicles.

Mr. Giner informed the subcommittee that there are three potential candidates to be interviewed for the Director of Planning & Economic Development. Interviews will be held on January 21, 2022.

Councilor McClary inquired about the tax abatement that was approved for the Town Center apartments. He asked if the developer has met their deliverables regarding the minority job requirements.

Councilor Kirton thanked Mr. Giner for his leadership and guidance during his tenure as the Director of Planning and Economic Development. Mr. Giner has always been responsive to residents and businesses, while handling multi-committees to support the Town’s professional growth.

Councilor Harrington echoed his colleague and wished Mr. Giner the best in his retirement.
**Other Business**

There were no other business items for discussion.

**Public Comments**

1. **Steven Zelman, EDC member** requested that the creation of a Business Development Authority be placed on the February subcommittee for further discussion and review. It was noted that this item has been placed on the upcoming Town Council agenda, January 24, 2022 for further discussion and possible action.

**Approval of Minutes**

It was moved by Councilor Merritt, seconded by Councilor McClary and voted unanimously to approve the minutes of December 21, 2021.

**Adjournment**

It was moved by Councilor Kirton, seconded by Councilor Merritt and voted unanimously to adjourn the meeting at 8:30 p.m.
Land Use & Economic Development Subcommittee  
Tuesday, January 18, 2022 at 6:30 p.m.  
Comments provided by Rick Jensen

Agenda item III – Discussion and possible action on council referred item FY 19/20-12:  
Request for Easement across LaSalette Park between Ryefield Hollow North and Ryefield  
Hollow South

The Land Use & Economic Development Subcommittee should not endorse this request for the following reasons:

- The town has no legal authority to unilaterally grant any change to LaSalette Park. It must receive approval of the Connecticut Department of Energy and Environmental Protection FIRST.
- Emergency access is available via Sharon Drive.
- Utilities can be provided to this development without crossing LaSalette Park.
- Why has the developer not presented alternative site plans that avoid impacting LaSalette Park?

Why is the Town still considering this issue of an easement across LaSalette Park if there are alternatives and is not needed by the developer? This could establish a very dangerous precedent for the Town. The developer is free to develop their land ... without the easement.

Several of the statements above were confirmed by Mr. Anthony Maulucci (Maulucci Home Builders LLC) at the last Land Use & Economic Subcommittee meeting, December 21, 2021, that an easement across LaSalette Park is not even necessary!

Mr. Maulucci stated that this development will occur with or without an easement across LaSalette Park. So, what's the need for an easement?

Mr. Maulucci stated that the MDC could simply run the water line in a “roundabout loop”, without an easement across LaSalette Park. So, what’s the need for an easement?

If an alternative emergency exit is available and utility plans are revised, again … what’s the need for an easement?

It seems to me that there is more going on with this request. Could it be that an easement would make construction cheaper and increase the developer’s profit?
It’s an interesting strategy by the developer to leave this issue until last. It is designed to put everyone in a difficult situation. Councilors will feel pressured into supporting this issue or they will be viewed as obstructionists. The Town should not feel obligated to entertain this request, just because the developer has provided open space in the past as part of other subdivisions. There should not be a quid pro quo. This request should be considered on its own set of facts.

Just because this issue has been mentioned over a period of time, doesn’t make it any less necessary to gather and consider the facts in a deliberative manner. The Town should not feel hurried to make a decision.

I was surprised at the December 21, 2021 Land Use & Economic Development meeting that some Town Council members indicated how they would vote BEFORE there was a formal motion and proper discussion.

I was also concerned about the number of times that Mr. Maulucci asked for positive support from the Director of Planning and Economic Development.

The developer seems to believe that the Town is intentionally delaying his development. Nothing could be further from the truth. The development has been approved. The developer sought and was granted a zone change that allowed the construction of more housing units. I would also like to remind the developer that he canceled several times at various town meetings regarding this project.

The Town should decline the developer’s request for an easement across LaSalette Park. Any consideration of an easement must be with the Connecticut Department of Energy and Environmental Protection FIRST. The developer himself indicated that the easement is not necessary and that the development would occur with or without it.

The developer is still able to develop their land, without an easement across LaSalette Park, with a proper site plan.

The developer could have designed subdivision lot lines in the 1980’s that would have prevented this issue.

Respectfully submitted,

Rick Jensen

(Also, please refer to my additional comments that were submitted for the December 21, 2021 Land Use and Economic Development Subcommittee meeting.)
Dear Land Use Committee,

While I would like to attend the next Land Use Committee meeting on January 18, 2022 at 6:30pm, I will be out of state and not able to attend to provide my comments. Please see my comments below for consideration at this meeting and include as part of the written record.

My comments/questions are in regard to “Request for Easement across LaSalette Park between Ryefield Hollow North and Ryefield Hollow South” by an applicant for a proposed housing development.

As I understand it, this request has been pending with the town for two years, which in and of itself is unreasonable. It appears that this request has not been resolved because there are still unanswered questions which I think the Town (Planning & Economic Development Department and/or Land Use Committee) needs to answer.

1. I understand the Town received grant funding from the State for the purchase of LaSalette Park for conservation, recreation and open space purposes. If the land is used for any other purpose, then approval by the Commissioner of DEEP is required. **It seems to me that it would be incumbent upon the Town to obtain this approval in writing before any approval is provided to the applicant** and to ensure that this request does not negatively affect the conditions under the grant funding.

2. I have heard the claim that an access road is required by the Fire Marshall in order for the development to proceed. However, in last month’s Land Use meeting some councilors commented that “this is going to happen” and I don’t know what that means. Is an access road with an Easement across LaSalette Park required or not required? The applicant commented last month that the MDC could use a different route but the Fire Marshall claim was not addressed. Is Land Use just looking to rubber stamp the request since it has been outstanding for so long?

3. The previous Land Use committee commented that the easement facilitates the completion of the developer’s master plan and appears to enable the addition of a number of additional units which has substantial value to the developer’s investment return. Has the question been answered as to “Whether or not the Town should (or can) charge the applicant for the granting of the easement? If so, how would an appropriate price be arrived at? Also, is it in the town’s best interest to maximize, or even allow, residential development of this area?

4. If the easement was approved and the access road built, I understand that the developer would be responsible for the construction costs. Will the proposed development homeowner’s association be responsible for the ongoing maintenance costs versus the town (which would ultimately add to Bloomfield taxpayer’s
burden)? I would hope the homeowner’s association would be responsible and that this would be in writing before approval of easement. The reason I bring this up is that, as a homeowner in the Sinnott Farm development, our association pays for mowing and maintains the property along two public roads, Ryefield Hollow North and Deerfield Road, which is paid for through our association fees. As an example, the Sinnott Farm association roads are private and the association is responsible for mainenance such as paving, snowplowing, etc.

5. In building the access road, it seems to me that many trees will need to be taken down which is sad and I would request that as many trees as possible be protected in order to preserve the natural landscape. In addition, I understand that the access road will be gated – what will “the gates” look like and will it be visually pleasing? What oversight is there to retain as much of the natural landscape as possible and not have an access road become an actual public road?

6. If the access road is built, will the public be allowed on the road as a connection to LaSalette Park? The reason I ask is just yesterday at the end of Ryefield Hollow North cul-de-sac, I have video of tire tracks (assume they were ATV) leading onto and from LaSallette Park land which I do not believe is allowed. This is not the first time as I have seen other motorized vehicles entering/exiting this area. An access road will enable easier access which will be problematic.

Thank you,

Suzanne Petke
77 Arrowwood Lane
Bloomfield