

TOWN OF DURHAM



Office of the First Selectman

P. O. Box H

Durham, Connecticut 06422

BOARD OF SELECTMEN'S MEETING

July 15, 1982

The Board of Selectmen's Meeting of July 15, 1982, was called to order at 7:33 P.M. by First Selectman M. Foster Mather; present: Maryann P. Boord, Gregory G. Curtis.

Re Minutes of previous meeting of July 1, 1982: page 2 G. Curtis's remarks (#2) should read "going down Oak Terrace" instead of "...going up the hill before Oak Terrace." Motion by M. Boord to approve as corrected, second G. Curtis, 3 ayes. No questions re weekly disbursements.

Correspondence:

- 1) Letter from Tax Collector dated July 8, 1982, that all back taxes owed by James Clementel have been paid in full.
- 2) Letter from Mareda P. Volk dated July 9, 1982, supporting the owners of the 18th Century Company. F. Mather noted that a copy has been sent to the Planning and Zoning Comm.
- 3) Letter of resignation from Richard J. Frawley as Municipal Agent, effective July 31, 1982. Motion by F. Mather to accept the resignation with regret, second G. Curtis, 3 ayes.

Report by First Selectman:

- 1) FEMA and the Town of Durham have completed estimates of \$19,000 for road repair from storm of June 1982. The Corps of Engineers is preparing estimates for additional claims of the library, fire department, etc.
- 2) F. Mather reported that the Chairman of the Planning and Zoning Commission has reviewed the complaint re Maiden Lane and that according to state statute the Planning and Zoning Commission has the right to approve any proposed road alterations in the town.

The First Selectman asked for any public input re Maiden Lane, in addition to what was said at the meeting between town officials and Maiden Lane property owners on July 12, 1982.

Judy Bertz presented a petition by citizens who "...oppose the Town's proposed plan to widen Maiden Lane from the Sullivan's to Bear Rock Road."

Judy Bertz requests the Board of Selectmen consider an alternate plan to the one presently proposed to widen Maiden Lane (which will increase speed) and fix the dangerous curve. She favors a bike path, but as proposed now which is to separate the bike path by only a white line at the side of the road, is very dangerous.

Louis Calamari fears that widening of road will only add to the speed problem, stop signs do not control it. A White line for a bike path will not work.

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Maryann Boord stated that she was under the assumption that a bike path area was not acceptable to property owners.

John Juhase noted that according to state statute, bike traffic must go with traffic--would need path on both sides of road.

Louis Calamari noted that Charlie Wimler had raised the road which avoided cutting into the bank.

Mr. Bardwell prefers use of speed bumps.

G. Curtis noted that on the state highway going north out of Durham, 2 combined auto lanes are 22' wide--with two 3' wide bike paths totalling 28' and the bike paths are respected by motorists.

Carol Juhase said we are talking about a country road--widening Maiden Lane to 28' is making it a main road. She said she had never seen the petition requesting a bike path (referring to the petition discussed at the B/S meeting July 9, 1981.)

Thomas Ryan said if you separate the road and the bike path by a curb, it would have to be on both sides. He doesn't want it in front of his house.

Ted Bertz questioned the width of the road and asked if the town had a deed of title to Maiden Lane; if not, the town could have a legal fight.

Starr Barnum asked if the B/S will be sending a letter to PZC for approval of Maiden Lane road alterations.

F. Mather responded yes.

S. Barnum asked if PZC will have a hearing.

F. Mather said "likely."

G. Curtis asked what happens if PZC votes one way and the Board of Selectmen votes the other way.

F. Mather responded that Statute 8-24 says the PZC decision can be overruled by a majority vote at special or regular town meeting.

M. Boord asked if a bike path was separated from the road by a curb, would it be necessary to have it on 1 or 2 sides.

J. Juhase said there would still have to be 2 sides; if bike path is only 3' on both sides it would allow for free flow of bike traffic.

M. Boord asked the public for any other solutions.

J. Bertz said the petitioners are asking the board for other solutions - the bike path must be a separate entity - 8' off the road.

T. Bertz said people they spoke with while getting the petition are not opposed to bike path, but the main concern is the turn at the top of the hill. There are bike paths in Middletown that go around trees, across streams, etc. He questioned again if the town owns Maiden Lane.

F. Mather responded that it was a layed out road in the 4th division of the town - proprietors layed out the town and left allowances for the road. It belonged to the town to start with and the town didn't give it away.

M. Boord noted that she has spoken with many in favor of bike path so that more children could bike to school.

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T. Bertz asked if bike path would end at Bear Rock Road or go all the way to Herzig's and Haddam Quarter Road.

Nat Church wondered if the bike path petitioners knew it would entail widening of the road. She said residents are mostly concerned with speed.

Shirley Platt asked if the original petition was a request to widen the road or to have a bike path.

F. Mather said his impression was that it was for more visibility and safety for bicyclists.

N. Church asked to see the original petition.

Lars Gumz said the Maiden Lane section from Guire Road west is wide and he feels it is safe enough for his children to ride or walk. He doesn't allow them to use the section east of Guire road.

J. Juhase wondered if the town could widen the road to the blind side of the bank (on Church's side).

F. Mather said that is the town's proposal.

M. Boord said the road would be widened northerly at the area of Ryan's house so that his front yard would not be altered.

N. Church asked if it would be in the paper when PZC is to make a decision.

Patt Berten remarked that it must appear in the paper.

L. Calamari asked if the road will be widened in front of Herzigs. F. Mather responded no.

L. Gumz asked for the breakdown in the \$40,000 allocation.

F. Mather responded that the Town Engineer has the figures--complete pavement restoration is not called for. The town will build with what exists and add to it.

Mr. Bardwell noted he has heard the same argument since 1969. He wants speed bumps.

Louise Scott said Maiden Lane from Route 17 east to the school road is a walkway in both directions--increase in safety needed. Pedestrian traffic is in a very dangerous situation--has this been a concern of the town in conjunction with the school.

F. Mather responded that this is in conjunction with the original petition--he has been in contact with Midstate re bike traffic.

James Scott would like white demarcation lines on Maiden Lane. . . speeding is terrible.

N. Church observed that it sounds as if the bike path is a major problem - if it means that the road will be widened for that--she wants to go on record that she doesn't favor bike path--speed only increases hazard of children.

J. Scott observed that the speed on Maiden Lane is awful especially on the school road--suggested putting back in some pot holes.

F. Mather reminded Mr. Scott of the liability suit against the town. We can't be negligent in the care of our highways.

Several residents remarked on the terrible speeding conditions and deep concern expressed in this area. Mr. Calamari wondered how the situation had exploded so much. F. Mather said the Board is responding to a long list of people who

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requested it and this is the Board's proposed solution.

Charles Mauro suggested sidewalks.

T. Bertz asked if the center line of Maiden Lane changed during the new survey.

F. Mather responded that yes, the line moved within the right of way--50' total - center line meanders within the 50'.

Motion G. Curtis, second M. Boord to close Town House Road to traffic and make Maple Ave. one way for the Connecticut Agricultural Fair on July 23, 24, 25, 1982; 3 ayes.

Relative to the Conservation Commission's request for an ordinance controlling motorized ultralight air traffic in recreation areas: motion G. Curtis, second M. Boord to request Town Counsel to develop an ordinance; 3 ayes.

Discussion re blind driveway Rt. 157. The First Selectman will reinvestigate the area.

F. Mather asked the Board if they had formed any opinions re Maiden Lane Project.

G. Curtis said that in view of the comments of the people to limit the roadway to 24' and not include a bike path--the Board of Selectmen should meet with the first petitioning group. He would suggest making the road 28' wide at the bank and leave the rest of the road 24' curb to curb.

M. Boord suggested notifying Bike Path Petitioners by letter. She wants to save the tree at Bertz's place; curve should be straightened out to increase visibility; favors bike path.

G. Curtis noted that the Tree Warden's advise can be requested for suggestions about the trees.

Discussion by the Board of Selectmen re PZC jurisdiction over roads. The Statute will be reviewed. The Board of Selectmen will make a proposal to the PZC for their review. G. Curtis inquired if the PZC decision was final. F. Mather responded that it can be over-ridden by majority vote at town meeting.

G. Curtis complimented the First Selectman on his way of involving residents in the decision making process.

Motion by F. Mather, second G. Curtis to go into Executive Session at 9:05 P.M. to discuss personnel. D. White present for part of the session. No votes taken. Executive Session and Meeting adjourned at about 10 P.M.

Respectfully submitted,


Donna White
Secretary

Recd 7-5-82