

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
February 13, 2007
(Not yet approved by the Commission)**

1. CALL TO ORDER The meeting was called to order by Chairman Harvey Thomas at 7:15 p.m. at the Town Grange.

2. ATTENDANCE:

COMMISSIONERS PRESENT: Harvey Thomas - Chairman, Laurie Alt, Crary Brownell, James Curtin, Bernard Gillis, Anthony Saraco

COMMISSIONERS ABSENT: Phillip Barlow, Nic Damuck, Frank Haage

OTHERS PRESENT: James Ventres and two applicants

Mr. Thomas appointed Mr. Gillis to vote in Mr. Damuck's absence.

3. ACKNOWLEDGEMENTS AND SET HEARING DATES

A) Application 07-01, EMOLLY, LLC, River Road, Proposed 12 lot subdivision, Assessor's Map 9, Lot 29.

First date: February 13, 2007

Last date: April 19, 2007

No one representing the applicant was present at this meeting. Mr. Ventres informed the Commission that there had been a glitch, and the applicant had not brought Chatham Health District out when they dug the test holes. He recommended the Commission schedule a public hearing for March 27, and suggested if the applicant could not resolve this issue by the time of the public hearing, that they could withdraw their application and the Commission could waive the fees for resubmittal.

Motion by Mrs. Alt to schedule a public hearing for March 27, 2007 for Application 07-01, EMOLLY, LLC, River Road, Proposed 12 lot subdivision, Assessor's Map 9, Lot 29. Seconded by Mr. Brownell. Voting: Ayes: Thomas, Alt, Curtin, Brownell, Saraco. Mr. Gillis abstained. Motion carried.

4. LOT LINE REVISION

A) Application 01-07, Dale King, 79 Sheepskin Hollow Road, proposed lot line revision. Assessor's Map 21, Lots 3 and 29.

First date: February 13, 2007

Last date: April 19, 2007

Mr. Dale King addressed the Commission. He stated this application was for a lot line change, and he presented the map to the Commission. Mr. Ventres explained that the areas outlined in yellow were the current lot lines. The green lines depicted the LLC holdings. The orange lines showed the proposal for a larger lot for Mr. King, and a smaller, 13-acre lot for the LLC. Mr. Ventres noted that Mr. King was basically switching land with the LLC.

Ms. Alt questioned the total acreage, to which Mr. King stated there would be 59 acres on his lot. He indicated that his other sister wanted to build a home on the other lot. He stated he was in negotiations with the Land Trust for the back area of the property. He stated it was park-like at the top of the land, and one could see Long Island Sound from the top. There would be a 25-foot easement to this property from his sister's lot.

Motion by Mrs. Alt to approve Application 01-07, Dale King, 79 Sheepskin Hollow Road, proposed lot line revision. Seconded by Mr. Saraco, and carried by unanimous vote.

Mr. King asked what the process was, and if he could now draw up a contract on the 13 acres. Mr. Ventres stated he would send an approval letter, and it would go on the mylar when it was filed.

Noting that the time was not yet 8:00 p.m., the Commission discussed other agenda items.

7. ZEO REPORT

Mr. Ventres stated that the Board of Education had written a letter to the Board of Selectmen inquiring about lights on School Drive, near the high school. Mrs. Alt recalled that the lights had been eliminated when the high school was built. Mr. Curtin believed the lights were eliminated because there were no sidewalks, and they did not want to encourage people walking without a sidewalk. Mr. Thomas suggested the old high school building committee minutes might still be available.

Mr. Ventres recalled at the last meeting, the Commission briefly discussed a landscaping business at the former What Not Shop. Mr. Ventres stated he spoke with the person who was interested in the shop, and told him of the Commission's concerns regarding backhoes and other equipment. He told Mr. Ventres that he could get rid of the trailer and most of the equipment. Mr. Ventres asked the Commission for input. Mr. Curtin stated if the person could comply with the zone, it might work. However, he believed it would be difficult because there was not much parking area, and the property dropped off in the back. Mr. Ventres stated he would talk with the person again. Mr. Thomas noted that if this person did open a landscaping business, the Commission would have to make sure that this and Yardscapes were treated the same. Mr. Ventres noted that the two buildings were located in different zones.

Mr. Ventres stated that Bistro by Beningo has submitted a sign application. The owners came into his office on Thursday and stated they would have everything done by May 1. Mr. Ventres stated he spoke with Attorney Branse about this case, since it is still an active court case.

Mr. Ventres discussed Shagbark. He stated the construction of the addition was going well.

However, Shagbark now would like to put a propane tank inside the yard to sell propane. Mr. Brownell asked what size propane tank was proposed. Mr. Thomas noted that the plan called for a 500-gallon tank. Mr. Ventres stated that the propane tank would be inside a fenced area. He asked the Commission if they would like to treat this proposal as an amendment to the special exception approval, or if they wanted a new special exception application.

Mr. Curtin stated that fuel was much different than lumber, and asked if this could be done here. He stated that it seemed like propane was another business. Mrs. Alt voiced concern about how big this business would become and how the growth would be controlled. Mr. Gillis asked who would oversee this. Mr. Ventres responded that the fire marshall would have to sign off on it. Mr. Ventres read the regulation from page 43 of the East Haddam Zoning Regulations.

Mr. Thomas questioned if the Commission wanted to allow retail propane on the premises. Mr. Ventres suggested the Commission could allow it, but they could also stipulate that the size of the tank not be larger than 500 gallons. Mr. Curtin asked if this could turn into a fuel business. Mr. Ventres stated Shagbark could not start a fuel business because it would go beyond retail, and into wholesale. Mr. Thomas asked if the Commission was comfortable with the proposal, with the addition of explicit wording. Mrs. Alt stated she was comfortable with specific wording, and believed it could be approved as an accessory to the already approved permit.

Mr. Brownell asked about Wolf's Den, if they wanted to add propane. Mr. Ventres stated this was put in years ago for an accessory use.

Mr. Ventres informed the Commission that Wolf's Den wanted to hold a Harley Davidson rally. They anticipated 300 – 400 people over two-and-one-half days. They planned to have vendors selling pin striping, etc., and it would be similar to a tag sale.

Mr. Ventres stated that this same rally was held in East Hampton last year, and 300 people attended. Mrs. Alt noted that 300 people for this event was no more than a large wedding party. Mr. Saraco asked if there had been any issues last year in East Hampton, to which Mr. Ventres stated he was not aware of any issues. Mr. Thomas asked what paperwork they would need to complete. Mr. Ventres did not believe they would need to fill out any paperwork. Mrs. Alt stated the parameters should be in writing.

Mr. Gillis asked how many people attend the annual Jazz-fest in town. Mr. Ventres stated that 5000 – 6000 people typically attend this event. Mrs. Alt asked at what time of year the rally was planned. Mr. Ventres stated it was scheduled for June 21 – 23, 2007, and would be a one-time event. He asked if the Commission would like him to send a letter to Wolf's Den confirming the parameters of the event. Mrs. Alt responded affirmatively. Mr. Thomas agreed, noting that there were stipulations on tag sales.

Mr. Ventres informed the Commission that construction was scheduled to begin at the end of the month on the new school. He stated he went through the old minutes, as he believed there was discussion about keeping the stones on site. Mr. Curtin stated there was plenty of space to keep the stone on the property. Mrs. Alt stated she did not want the stones removed and sold. Mr. Ventres stated he would contact the school building committee.

Mr. Ventres stated he had people come to his office today to talk about the Fox Hopyard Golf Course, and the possibility of constructing some type of motel/inn/building for groups. Mr. Ventres recalled that the Commission wrote the regulation 4 or 5 years ago based on the Fox Hopyard owner's need for residential, clubhouse, and maintenance buildings. At the time, the Commission stipulated that all accessory buildings should not be more than 20%.

Mr. Thomas questioned what the rationale had been for the total square footage of 20%. Mr. Ventres stated at the time, he had simply asked if 20% would cover the needs. Mr. Thomas suggested if the owners would be willing to give up pod space for an inn, they should consider it. Ms. Alt agreed. The Commission briefly discussed water issues, and it was noted that there was a water issue in the dry season. Mr. Ventres informed the people that came to his office that they would need a DEP permit for water. He stated these people were not Fox Hopyard, but someone looking to invest in it. Mr. Thomas stated there would be a number of issues that would need to be addressed.

Mr. Ventres informed the Commission that this would require a regulation change, and he cautioned that if they changed the regulation for the zone, it would apply to any other applicant with 100 or more acres who wanted to bring forth an application. Mr. Gillis asked how large this building would be, but Mr. Ventres stated this had not yet been determined. Mr. Ventres stated he had informed the people that they would not need engineered drawings at this point, but they would need some type of conceptual drawings with scale, placement, etc.

Noting that the time was now 8:00 p.m., the public hearing began.

5. PUBLIC HEARING

A) Application 06-13, Stephen and Kathleen Osterling, Cherry Swamp Road, subdivision review for a proposed 2-lot subdivision in the R zone. Assessor's Map 72, Lot 30.

First date: January 23, 2007

Last date: February 27, 2007

Mr. Stephen Osterling addressed the Commission. It was noted that Mr. Ventres has the green certified receipt cards on file already.

Mr. Ventres read into the record two letters. The first letter was from NL Jacobson and Associates dated February 12, 2007, which stated that all review comments had been addressed on the revised plans. The second letter from Ms. Davidson at Chatham Health District, dated January 26, 2007, stated that this application met the site suitability requirements of the Public Health Code. Chatham did recommend that individual, engineered site plans be submitted and reviewed for each lot at the time of the building permit. Ms. Davidson noted that further review may be needed at that time.

Mr. Ventres noted that the driveway is to be paved, and that is now reflected on the drawings. This had been an outstanding IWWC issue.

Mr. Thomas opened the hearing to the public. No public comments were offered.

Mr. Thomas noted that an approval should be conditioned that Chatham's recommendation be incorporated. Mr. Osterling stated there was only one new lot, and that would not be a problem.

Motion by Mr. Brownell to close the public hearing for Application 06-13, Stephen and Kathleen Osterling, Cherry Swamp Road, subdivision review for a proposed 2-lot subdivision in the R zone. Seconded by Mr. Curtin. Voting: Ayes: Brownell, Curtin, Gillis, Thomas; Abstentions: Alt, Saraco. Motion carried.

Motion by Mr. Brownell to approve Application 06-13, Stephen and Kathleen Osterling, Cherry Swamp Road, subdivision review for a proposed 2-lot subdivision in the R zone with the condition that Chatham Health District's recommendations be followed, as outlined in their January 26, 2007 letter. Seconded by Mr. Gillis. Voting: Ayes: Brownell, Curtin, Gillis, Thomas; Abstentions: Alt, Saraco. Motion carried.

7. ZEO REPORT (Continued)

Mr. Thomas noted that he had received a memorandum from Mr. John Pagnani. He asked Mr. Ventres to explain this to the Commission. Mr. Ventres explained that Mr. Pagnani had bought four parcels of land in the R2 zone on Lake Hayward. Together, the lots total 1.38 acres. The previous owners had received a variance from the ZBA to build a home by combining the four lots. Mr. Pagnani bought the lots from these owners, built a house, and has lived there for approximately 20 years. The assessor had been sending bills for two lots all of this time. The property owner then thought he could build another house, so Mr. Ventres wrote him a denial letter for the second house. Mrs. Alt asked if this would be grandfathered, to which Mr. Ventres explained they could not grandfather a septic that was not Code compliant. Mr. Thomas asked if Attorney Branse reviewed the letter that Mr. Ventres sent. Mr. Ventres responded affirmatively.

Mr. Thomas recalled at the last meeting, Mr. Brownell had asked about disposal of road sand and salt. Mr. Ventres stated he checked into the property in question, and Mr. Puska had signed off on this a long time ago. He checked with the Public Works Department, and they did not feel the quantity was over the 300 cubic yards that would require a permit.

Mr. Thomas distributed the proposed budget to the Commission for review. Mr. Ventres stated this budget was relatively unchanged from last year. He did switch the engineering lines for P&Z and IWWC, as they had worked in reverse. He stated he had added money to cover the writing and copying of the Plan of Conservation and Development, and for the postage for this. The Commission had no questions on the budget at this time.

Mrs. Alt submitted her registration form for the upcoming Wesleyan University conference on March 17, 2007 to Mr. Ventres.

9. BILLS

<u>Vendor</u>	<u>Invoice</u>
<u>Amount</u>	
U/z/P&Z/min/2007/021307	

Branse, Willis, and Knapp (general zoning, representing Mr. Ventres as a non-party witness, Rodowicz v. Moodus Sportsman's Club)		\$642.58
Suburban Stationers	3320693-0	83.60
Suburban Stationers	3322604-0	57.50
NL Jacobson & Associates (Seafield Estates)	12283	236.70
Hartford Courant (legal notices)	122	81.90

Motion by Mr. Curtin to pay the bills as presented. Seconded by Mr. Saraco, and carried by unanimous vote.

8. MINUTES

Mr. Thomas gave instructions to file the minutes of the regular meeting on January 23, 2007 with the following amendments:

- Page 4, last paragraph, third sentence: Change “and moved the wetlands into the open space area” to “so the wetlands were now located in the open space area.”
- Page 7, Bills: Add “as a non-party witness” after “represent JV”

Mr. Thomas gave instructions to file the minutes of the special meeting on January 30, 2007 with the following amendments:

- Page 1, first paragraph, fifth sentence: Change “the regulations” to “East Haddam’s regulations”
- Page 6, last paragraph, sixth sentence: Change “the percentage” to “20%”
- Page 7, last paragraph: Strike the second and third sentences

Motion by Mr. Gillis at 8:32 p.m. to take a brief recess, seconded by Mr. Saraco, and carried by unanimous vote.

Mr. Thomas reconvened the meeting at 8:37 p.m.

6. DISCUSSION – Plan of Conservation and Development

Mr. Ventres distributed copies of the revised draft Plan of Conservation and Development. He advised that revisions had been made to the cover, as well as sections 2, 3, 4, and 7.

Item 2. Rural Character

Mr. Thomas suggested if the populations were added for 1900 and 2000, then they should add the year in which they would get to the buildout number. Mr. Ventres stated this was a

subjective number, and they would not know in what year that would occur. Mr. Curtin agreed, stating that a lot would depend on the economy, the percentage of open space that was purchased, etc.

Mrs. Alt asked if there was any other place in town where a village could be established. She stated there used to be a village near the Millington green, and also farther out on Route 82 toward Salem, in the North Plains section. Mr. Curtin understood that centers did exist previously, but they would have to change the zoning. Mr. Thomas noted that “areas of historic centers” were included, and that someone could make an argument for a village. Mr. Curtin noted that someone could apply for a village and a zone change.

Item 3. Cultural Life

Mr. Thomas stated this section basically stated that the Commission and the Town should encourage cultural activities. Mr. Ventres stated he added background information to this section. Mr. Thomas believed it may be worthwhile to look at the planning process for this section, and to speak with Youth and Family Services, Parks and Recreation, etc. He believed the controversial item might be the swimming pool.

Mr. Thomas stated he attended the recent Youth and Family Services forum. One thing that was discussed was that young people, unless they play sports, feel quite isolated in this town.

Mr. Thomas suggested that East Haddam might want to consider an arts council. Mrs. Alt agreed. She stated she has talked before about possibly using the former Williams Chevrolet building for an arts center, where children could learn various forms of art. She believed this would also boost economy in the village, as parents would be waiting for their children to complete their lessons.

Mrs. Alt questioned what the status of the skateboard park was. Mr. Ventres believed it was held up due to funds.

The Commission briefly discussed Brainard State Park, which is located off Creek Row. Mr. Brownell suggested the Open Space Committee might want to consider this parcel. Mr. Curtin noted that this parcel was quite overgrown. Mrs. Alt commented that the State has traditionally let farmers use this parcel for hay. She stated she had seen a photo journal of this area, and it has grown up over the years. She noted that this area used to be used for pasturing sheep.

Mr. Thomas briefly discussed the two libraries. This section was ongoing.

Mr. Curtin discussed #10 of the Cultural Life section. He asked if there was a list of parcels from the Conservation Commission. Mr. Ventres noted that the survey was conducted in 1977, and the list would not be extremely helpful without knowing every area in town, as they have changed over the years. Mr. Curtin stated he would still like to review the list. Mr. Ventres indicated the list was in the red binder that was given to Commissioners.

Item 4. Sense of Community

Mrs. Alt asked why the Commission could not stipulate space for walking along the sides of roads when they approve subdivisions and roadways. Mr. Ventres stated they require a snow

shelf, so they are walk-able. Mrs. Alt stated they never mention that the areas should be walk-able.

Mr. Gillis suggested a walking/bike path all the way from the Moodus Green to Shagbark. Mr. Curtin noted there was a lot of pedestrian activity along Route 82, and in some places, there was not enough room to get around walkers and joggers.

The Commission discussed the Moodus Green. Mr. Brownell stated our green was quite small. Mr. Curtin stated that the point of the Tyrsek property was to get it finished, and it could have been a nice town green. He asked if the sidewalks would eventually up to the green. Mr. Ventres responded that the sidewalks up to the Tyrsek property would be part of Phase 2. Mr. Ventres added #12 to the Sense of Community and Volunteerism section, to review the greenways.

Mr. Thomas noted that #5 of the Sense of Community section came from Youth and Family Services. He stated that there was a lot of information from the Historic District Commission, Plan of Conservation and Development, and other groups/commissions in town that needed to be converted to digital equipment. He suggested a possible internship for credit, etc. might be a way to get younger people involved.

Mr. Ventres stated that there used to be a Student Apprentice Program, in which students were involved with various tasks. Mr. Curtin noted that even at the Board of Education meetings, the students really don't participate. Mr. Gillis believed it would be beneficial to have high school students update photographs of various buildings in town.

Item 7 – Historic Character

Mr. Ventres indicated that he added a new introduction to this section, but the most of the information was taken from the original. The policies were basically the same as in the original version. He added the districts and structures to the appendix.

The Commission discussed Policy #9 of the Historic Character section. Mr. Gillis believed it was important to map the cemeteries in some way. Mr. Ventres stated that a list of the cemeteries was included on page 9. It was noted that Mr. Brownell was on the Town Cemetery Committee.

Other

Mr. Thomas asked what pieces of the POCD were still missing. Mr. Ventres stated he did not yet work on the Quality of Education section to add in all of the web pages, etc. He was working on the Municipal Facilities section, as well as the Transportation section.

Mrs. Alt asked if changes could still be made to any of the other sections. Mr. Curtin stated that none of these sections were cast in stone yet, as they still had to go to public hearings. Mrs. Alt stated she would like to see regulation changes for energy efficient house designs. Mr. Ventres would check into the State's language regarding energy efficiency. Mrs. Alt also asked if there were any State regulations on wind farms. Mr. Ventres stated he would check into this as well. The Commission briefly discussed wind farms and water power.

Mr. Thomas suggested for the next meeting, they review all of the parts that are not done yet, and then format all of them the same. He believed they should all be put into one document with page numbers. Mr. Ventres suggested for the next meeting, he would send the four missing sections to the Commission. The Commission could then review them at the next meeting, and he would incorporate them all into one document for the first March meeting. Mr. Thomas agreed.

Mr. Thomas suggested once the Commission has a working draft document, that they begin scheduling meetings with other Boards and Commissions in March and April. There was a brief discussion about when the Commission would bring in the public for input. Mr. Saraco suggested that once the draft is prepared, that it be added to the Town's website. Mr. Brownell noted that all of these meetings are open to the public, although no one was in attendance tonight. Mr. Thomas recommended that the Commission think about the process, and they could discuss it further at the next meeting. He preferred to invite the other commissions first to make sure they were in agreement.

10. ADJOURNMENT

Motion by Mr. Curtin to adjourn at 9:55 p.m., seconded by Mr. Brownell, and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina