1. **CALL TO ORDER:** Mr. Brownell called the meeting to order at 7:15 p.m. at the Town Grange.

2. **ATTENDANCE**

   **COMMISSIONERS PRESENT:** Cray Brownell-Chairman (regular member), James Curtin-departed 7:55 (regular member), Bernard Gillis (regular member), Richard Pettinelli (alternate member), Martha Hansen (alternate member), Kevin Matthews (regular member), Louis Salicrup (regular member), and Ed Gubbins (regular member).

   **COMMISSIONERS ABSENT:** Harvey Thomas (regular member).

   **OTHERS PRESENT:** Jim Ventres (Land Use Administrator), 6 citizen, Irene Haines, Myron Bernstein, Roger Nemergut, Jacqueline Kelsey, and Ruth Ziobron (Recording Secretary).

   Ms. Hansen was seated for Mr. Thomas. Mr. Pettinelli was seated for Mr. Curtin when he departed.

3. **MINUTES**

   Motion passed to approve the June 13, 2017 minutes as amended.
   - Correct spelling “Curtin” throughout.
   - Under Discussion, 3rd item, after “date” add “for questions”.

4. **BILLS**

<table>
<thead>
<tr>
<th>Company</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>Gould, Larson, Bennett</td>
<td>$962.50</td>
</tr>
<tr>
<td>Jacobson</td>
<td>203.51</td>
</tr>
</tbody>
</table>

   Motion by Mr. Salicrup, seconded by Mr. Matthews to approve the bills as presented. Motion passed unanimously.

5. **ACKNOWLEDGEMENT**

   **A) New - #17-01-Monique Kananowicz, 16 Rae Palmer Road, special exception review for a change of use under Section 14.B.1 of the East Haddam Zoning Regulations. The proposed change of use is from doctor’s office to fitness center. Assessor’s Map 65, Lot 166.**

   A site plan was reviewed. Mr. Ventres stated water usage would be less than when the building was a doctor/dentist’s office and that there was plenty of parking. The applicant intends to have a small fitness center on the first floor which would service 10 to 12 clients a day 6 a.m. to 8 p.m. There will be one shower. Upstairs will be offices and is not a change of use. Mr. Ventres stated if the commission considered the application to be a substitution of use equal to or less than the original use under Section 14.B.1 then they could approve it without a public hearing. Mr. Ventres stated the applicant was aware that Chatham Health review was necessary before the building is occupied. It was decided that a public hearing was not necessary.
Motion by Mr. Pettinelli to accept the change of use for # 17-01-Monique Kananowicz, 16 Rae Palmer Road, special exception review for a change of use under Section 14.B.1 of the East Haddam Zoning Regulations. The proposed change of use is from doctor’s office to fitness center. Assessor’s Map 65, Lot 166. Outdoor signage and exterior changes will require review from the Land Use Office. Second by Mr. Gubbins and unanimously passed.

B) New - #17-02 – Samantha Chapman, 26 Falls Road, special exception review for a change of use under Section 14.B.1 of the East Haddam Zoning Regulations. The proposed change of use is from a retail space to a tanning salon. Assessor’s Map 65, Lot 133.

A site plan was reviewed. There will be 8 tanning rooms, an eyebrow waxing room and a manicure/pedicure area. Mr. Ventres stated the original septic design was for 7 employees. The applicant anticipates 2 employees working per shift and a maximum of 35 customers per day. Mr. Ventres stated there was plenty of parking. The plans have been forwarded to the Building Official and Fire Marshal. It was decided that a public hearing was not necessary.

Motion by Mr. Salicrup to approve #17-02 – Samantha Chapman, 26 Falls Road, special exception review for a change of use under Section 14.B.1 of the East Haddam Zoning Regulations. The proposed change of use is from a retail space to a tanning salon. Assessor’s Map 65, Lot 133. Outdoor signage and exterior changes will require review from the Land Use Office. Second by Mr. Gubbins and unanimously passed.

C) New - #17-03 – La Vita Restaurant, 9 Main Street, special exception modification to include musical entertainment on the outdoor patio. Assessor’s Map, 17, Lot 03.

Commission members reviewed a letter from the applicant, Jacqueline Kelsey, dated July 11, 2017, letter dated October 30, 2003 from Harvey Thomas of approval for indoor music, site plan map, and photos of the area. Jacqueline Kelsey stated there would be acoustical music. Indoor music was previously approved for Thursday thru Sunday. Ms. Kelsey requested the addition of Tuesday and Wednesday indoor music and outdoor music Tuesday to Sunday until 10 p.m. Outdoor music would be soft acoustical and sometimes with percussion instruments.

Motion by Mr. Salicrup for a public hearing on August 8, 2017 to amend the special exception, previously approved, to increase the indoor usage to Tuesdays and Wednesdays and add Tuesdays thru Sundays for outdoor music until 10 p.m. for application #17-03 – La Vita Restaurant, 9 Main Street. Assessor’s Map, 17, Lot 03. Second by Mr. Gubbins and unanimously passed.

Motion by Mr. Curtin, second by Mr. Matthews to change the order of the agenda and proceed to Discussion and ZEO Report before the Public Hearing. Motion passed unanimously.

6. DISCUSSION
   a. Plan of Conservation & Development (PCD)

Mr. Ventres reviewed the 2017-2018 P of C & D Update – tentative schedule. It is filed at the Land Use Office.
8. **ZEO REPORT**

   **East Haddam Swing Bridge** - Mr. Ventres will be attending a meeting with Haddam and the State regarding the Swing Bridge.

   **Sillmanville Road Court Cases** - Nothing new.

   **Powerhouse Road Court Case** - Mr. Ventres is waiting for an appraisal.

   **Violations** - Nothing new.

Mr. Ventres reviewed conversations with the new owners of Johnsonville.

Motion by Mr. Salicrup, second by Mr. Curtin and unanimously passed for a 5 minute recess.

7. **PUBLIC HEARING**

   A) **New - #16-26 – Myron Bernstein, Falls Bashan Road, subdivision review for a proposed 2 lot subdivision. Assessor’s map 75, lot 181.**
   
   First Date: July 11, 2017         Last: August 14, 2017

   Mr. Bernstein was present. Mr. Nemergut reviewed site plans and explained the application was for a 1 lot subdivision of 1.9 acres. Mr. Nemergut stated soil testing indicated sufficient soil. Mr. Nemergut stated the applicant requested a waiver for storm water management because drainage would not involve another property and the soils were extremely well drained dry soils. Mr. Nemergut stated the driveway had favorable site lines.

   Mr. Ventres read the following documents into the record. They are filed at the Land-Use-Office.
   - Inland Wetlands Watercourses Commission letter dated July 10, 2017 from Randy Dill indicating approval of the application.
   - Chatham Health letter dated July 6, 2017 from Elizabeth Davidson indicating approval of the application.

   Mr. Nemergut presented the green cards.

   Responsive to a question by Mr. Pettinelli, Mr. Nemergut explained the driveway would be a processed aggregate and would drain towards Bashan Road. The driveway will be crowned so that water sheds on either side into the sand and gravel. Mr. Pettinelli suggested sloping the driveway westerly so that the water does not run onto the road. Mr. Pettinelli voiced concern with the water running on Bashan Road and freezing in the winter. Mr. Nemergut stated that he would make that change.

   Mr. Brownell opened the public hearing for public comment.

   Tim Varriale asked if the proposal was for a single family home. Mr. Brownell replied yes. Mr. Nemergut reviewed the house location on the site plan.

   Denise Dombroski stated she lived on the property down below and voiced concern with drainage. Mr. Nemergut reviewed the drainage system, noting there was a catch basin located between the properties which discharged to a culvert outlet on the Bernstein property. Mr. Brownell stated the catch basins and swales were owned by the town and it was a town issue, not the property owner’s issue. Responsive to a question by Ms. Dombroski, Mr. Ventres replied the application was for one proposed building lot, the remaining land would be unbuildable.
Responsive to a question by Sam Guy, Mr. Brownell replied the application was for one proposed building lot, if the applicant should decide in the future to build on the other lot, an application with the Planning and Zoning Commission would be necessary.

**Motion by Mr. Gubbins to close public hearing #16-26 – Myron Bernstein, Falls Bashan Road, subdivision review for a proposed 2 lot subdivision. Assessor’s map 75, lot 181. Second by Mr. Matthews and unanimously passed.**

**Motion by Mr. Gillis to approve application #16-26 – Myron Bernstein, Falls Bashan Road, subdivision review for a proposed 2 lot subdivision. Assessor’s map 75, lot 181. With the condition that the driveway is sloped to the west away from Falls Bashan Road. Second by Mr. Gubbins and unanimously passed.**

Motion passed to cancel the July 25, 2017 meeting.

9. **ADJORNMENT**  
Motion by Mr. Gubbins to adjourn at 8:28 p.m. seconded by Mr. Matthews and unanimously passed.

Respectfully Submitted,

E. Ruth Ziobron  
Recording Secretary