

**PLANNING & ZONING COMMISSION  
TOWN OF EAST HADDAM  
LAND USE OFFICE  
REGULAR MEETING MINUTES  
June 10, 2014  
(Not yet approved by the Commission)**

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

**2. ATTENDANCE:**

**COMMISSIONERS PRESENT:** Crary Brownell–Chairman, Bernard Gillis (regular member), Martha Hansen (alternate member), Kevin Matthews (regular member), Richard Pettinelli (alternate member), Louis Salicrup (regular member), Harvey Thomas (regular member)

**COMMISSIONERS ABSENT:** James Curtin (regular member), Ed Gubbins (alternate member), Jessica Stone (alternate member),

**OTHERS PRESENT:** James Ventres, and 8 members of the public were present

**3. MINUTES**

The minutes of the May 27, 2014 regular meeting were tabled.

**4. BILLS**

	<u>Invoice</u>	<u>Amount</u>
Hartford Courant	001336943	\$491.31
Branse and Willis, LLC	35939	\$462.50

A motion was made by Mr. Thomas to pay the bills as presented. Seconded by Mr. Salicrup and carried by unanimous vote.

**5. ACKNOWLEDGMENTS AND SET HEARING DATES**

**A) Application 14-13, David Passamano, 134 Tater Hill Road, Subdivision Review for a proposed 2-lot subdivision in the R2 zone. Assessor's Map 22, Lot 35.**

**First date: June 10, 2014**

**Last date: August 13, 2014**

No one representing the applicant was present at this meeting. Mr. Ventres briefly reviewed the application, and recommended a public hearing for June 24, 2014.

**Motion by Mr. Gillis, seconded by Mr. Salicrup, and carried by unanimous vote to schedule a public hearing for Application 14-13, David Passamano, 134 Tater Hill Road, Subdivision Review for a proposed 2-lot subdivision in the R2 zone for June 24, 2014, at 8:00 p.m. at the Town Grange.**

**B) Application 14-14, Dutch Propane, LLC, Applicant, Brownell and Company, Inc., property owner, 423 East Haddam Moodus Road, Special Exception application to install two 30,000 gallon above-ground propane storage tanks and related facilities. Assessor's Map 64, Lot 49.**

**First date: June 10, 2014**

**Last date: August 13, 2014**

Mr. Roger Nemergut, P.E., addressed the commission on behalf of the applicant. He reviewed the proposal for two 30,000 gallon, above-ground propane tanks. The shaded building shown on the plan is the old mill building. All of the Brownell buildings are to the right on the plan. He explained that the transports, which are the larger vehicles that fill the tanks would come in off a cut section, through the Brownell side by easement, and then exit onto Route 149. The smaller tanks that deliver to homes would come in from a lower cut area, where they would fill the tanks, and then leave. As part of the operation, they have a fire safety analysis. He submitted three copies to Mr. Ventres, one for the commission and two for the fire officials. They are going above and beyond the FSA requirements.

Mr. Nemergut explained that these will be protected by sprinklers. They would use the same pump that Brownell uses, and it is inspected annually. Mr. Nemergut stated the safety officials will explain this in depth at the public hearing. They will also provide a dry hydrant, dredge the pond, etc. This automatic activation system could benefit the town, as there have been issues with water in this section of town.

Responsive to inquiry by Mr. Brownell, Mr. Nemergut stated they will remove part of the old building.

The tanks will be approximately 5-feet above existing grade. The bottoms of the tanks are 4-feet higher than the 100-year flood levels. They are 2-feet above the 500-year flood. In addition, they will be bolted to pads.

Mr. Gillis asked if these tanks ever explode. Mr. Nemergut stated he is not an expert in this area, but he is told that should there be a leak, it would be a very slow leak. Mr. Gillis asked about secondary containment. Mr. Nemergut stated there was no requirement for secondary containment, as it is liquid and would turn to vapor.

Mr. Ventres stated that a question came up about how the tanks would look from the street. He asked Mr. Nemergut to address this at the public hearing.

Mr. Brownell asked when they would be ready for a hearing. Mr. Nemergut believed July would be best for the public hearing, since they have not yet heard from the Fire Marshal.

Mr. Brownell asked for permission to visit the site. Mr. Dutch stated they could call him and he would work out a time with Tony from the Brownell Company. Mr. Ventres stated they should post this as a site visit.

Mr. Nemergut stated they have also submitted a waiver within their application for structures.

Mr. Brownell stated he has heard that some townspeople have had issues with Mr. Brownell as chairman, since this is on the property of Brownell. Mr. Brownell stated his family sold this company in 1976, and they have not been involved with Brownell Company since that time. He asked if Mr. Dutch had any problem with him sitting as chairman during this application, to which Mr. Dutch stated he had no issue with it. Mr. Brownell stated he would make a public statement at the public hearing, but he felt no need to recuse himself from this hearing.

Mr. Gillis inquired where he could see similar tanks. Mr. Dutch stated there are some in Colchester at Amerigas.

Mr. Gillis asked about lightning. Mr. Nemergut stated he would have the experts address this at the hearing.

**Motion by Mr. Thomas, seconded by Mr. Matthews to schedule a public hearing for Application 14-14, Dutch Propane, LLC, Applicant, Brownell and Company, Inc., property owner, 423 East Haddam Moodus Road, Special Exception application to install two 30,000 gallon above-ground propane storage tanks and related facilities on July 8, 2014, 8:00 p.m. at the Town Grange. Motion passed by unanimous vote.**

**Motion by Mr. Pettinelli, seconded by Mr. Matthews to change the order of business. Motion carried by unanimous vote.**

## **7. ANNUAL REVIEW OF THE PLAN OF CONSERVATION AND DEVELOPMENT**

No information has been submitted to Mr. Ventres.

## **8. DISCUSSION**

Mr. Pettinelli asked about the status of Shagbark. Mr. Ventres has a tentative meeting scheduled for tomorrow with Shagbark and Attorney Jezek. Attorney Jezek would like to discuss the conservation easement that was part of the wetlands approval. Mr. Thomas asked if Mr. Darin was invited to tomorrow's meeting. Mr. Ventres stated that Mr. Darin was not invited to this meeting, as Mr. Ventres believed this meeting was only supposed to be regarding the conservation easement.

Mr. Brownell asked about drive-through windows. Mr. Matthews stated the subcommittee has recently discussed this. More information will follow at a future meeting.

Mr. Ventres stated he recently looked at regulations for parking requirements on multi-unit dwellings. A brief discussion ensued. This was prompted by Mr. Curtin's comments at the last meeting. Mr. Ventres will draft a regulation for the commission's review that will include two to three cars.

Mr. Ventres distributed Section 9.7.3 – 9.7.3.6 of the regulations. The commission discussed professional offices in light industrial zones. Mr. Thomas believed they should consider what types of professional offices would be allowed. Mr. Ventres believes R.A. Parady would likely be coming to the commission for an application for fill. Mr. Ventres received a complaint, and they have stopped dumping fill in this area. They will be coming before the commission with an application if they take any additional material. Mr. Thomas stated they should also have a mitigation plan with seeding, etc.

Mr. Ventres stated that Mr. Walters asked about what would be required for a helipad for residential use. Mr. Ventres has been looking for regulations from other towns. Mr. Thomas stated the commission should consider whether or not the town wants this type of regulation in town. Mr. Ventres noted that there is a registered helipad on Clark Hill Road.

Mr. Ventres noted that Clinton has an application for propane tanks, but the tanks are ten times the size of what this applicant is proposing.

Mr. Ventres sent Mr. Cais a notice of violation to remove the material per the court order.

Mr. Brownell asked if the property on Mill Road had been cleaned up. Mr. Matthews stated they had.

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

## **6. PUBLIC HEARING**

Mr. Matthews read the call for the following public hearing:

**A) Application 14-12, Sarah Crosby, applicant, Felciano Plumbing and Heating, LLC, property owner, 30 Falls Road, Special Exception application to establish a veterinary hospital in an existing commercial building. Assessor's Map 65, Lots 132 and 17.**

**First date: June 10, 2014**

**Last date: July 14, 2014**

Mr. Ventres read into the record an email from Mr. Nemergut, which withdrew this application.

**Motion by Mr. Thomas, seconded by Mr. Matthews, and carried by unanimous vote to accept the withdrawal of Application 14-12, Sarah Crosby, applicant, Felciano Plumbing and Heating, LLC, property owner, 30 Falls Road, Special Exception application to establish a veterinary hospital in an existing commercial building**

Mr. Matthews read the call for the following public hearing:

**B) Application 14-11, Mary Rozwadowski, 49 Eli Chapman Road, Special Exception application for an accessory apartment above the garage. Assessor's Map 74, Lot 162.**

**First date: June 10, 2014**

**Last date: July 14, 2014**

Mr. Rozwadowski addressed the commission. Mrs. Rozwadowski left to get the green cards, which were at their house.

Mr. Ventres distributed the plan and depictions of what the structure would look like. Responsive to inquiry by Mr. Thomas, Mr. Ventres confirmed that this was a street view.

Mr. Brownell questioned the access to the apartment. Mr. Rozwadowski stated there would be access from inside the garage, as well as from the outside deck.

Mr. Pettinelli asked if there were septic system change requirements. Mr. Ventres stated they received approval from Chatham Health District.

Mr. Gillis asked if there was a floor plan. Mr. Ventres distributed the floor plan to the commission. Mr. Matthews inquired about the size of the existing house, to which Mr. Ventres stated it is currently a 3-bedroom home.

Mr. Gillis inquired about the zone. Mr. Ventres stated it is in the R-1 zone. Mr. Gillis asked if they met the requirements, which they had.

Mr. Brownell opened the hearing to the public.

No public comments were offered.

Mr. Matthews questioned the roof line. Mr. Ventres stated there would be a step-back before the expansion. Mr. Pettinelli asked if the Fire Marshal needed to review this. Mr. Ventres stated that they review proposals for third floor occupancy only.

Mr. Rozwadowski submitted the green, certified receipt cards to the commission.

**Motion by Mr. Thomas, seconded by Mr. Salicrup to close the public hearing of Application 14-11, Mary Rozwadowski, 49 Eli Chapman Road, Special Exception application for an accessory apartment above the garage. Motion carried by unanimous vote.**

**Motion by Mr. Thomas to approve Application 14-11, Mary Rozwadowski, 49 Eli Chapman Road, Special Exception application for an accessory apartment above the garage. Assessor's Map 74, Lot 162. Motion seconded by Mr. Gillis, and carried by unanimous vote.**

Mr. Brownell asked about the bridges project. Mr. Ventres stated a beaver dam breached near Shagbark, spilling approximately 2 million gallons of water in Succor Brook and down Route 82 toward East Haddam Village. Mr. Ventres stated the project manager was there approximately one hour before the dam breached. Mr. Brownell asked why they allow the beavers to continue to build these dams. Mr. Ventres stated there was actually a beaver deceiver on this dam so the water would not flood Daniels Road.

Mr. Brownell asked about the status of the local camps. Mr. Ventres stated that Mr. Angersola and Mr. Blaschik were inspecting the camps today.

Mr. Brownell asked about paving of a State road in town. Mr. Ventres was not aware of any planned paving.

Mr. Brownell inquired about the other two bridges, one over Hungerford Brook and one by Hemlock Valley Road.

## **9. ADJOURNMENT**

**Motion by Mr. Matthews to adjourn at 8:32 p.m. Motion seconded by Mr. Salicrup and carried by unanimous vote.**

Respectfully submitted,

Holly Pattavina