

PLANNING & ZONING COMMISSION/
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
September 23, 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, James Curtin (regular member), Bernard Gillis (regular member), Ed Gubbins (regular member), Kevin Matthews (regular member), Richard Pettinelli (alternate member), Harvey Thomas (regular member)

COMMISSIONERS ABSENT: Martha Hansen (alternate member), Louis Salicrup (regular member), Jessica Stone (alternate member)

OTHERS PRESENT: Jim Ventres, and 4 members of the public

Mr. Brownell appointed Mr. Pettinelli to vote in place of Mr. Salicrup this evening.

3. MINUTES

The minutes of the September 9, 2014 regular meeting were approved as presented.

4. BILLS

Hartford Courant	\$190.50
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Motion by Mr. Curtin, seconded by Mr. Gubbins to pay the bill as presented. Motion carried by unanimous vote.

5. ACKNOWLEDGMENTS AND SET HEARING DATES

A) Application 14-19, Kenneth Purdue, 8 Ridgebury Road, Special Exception Review for an assessor's Map 31, Lot 42.

First date: September 23, 2014

Last date: November 26, 2014

No one representing the applicant was present at this meeting. Mr. Ventres explained that there is already a garage there, and now the owner wants to convert the upstairs to an accessory apartment.

Mr. Ventres stated this will be ready for a public hearing by the October 14, 2014 meeting.

Motion by Mr. Thomas, seconded by Mr. Gillis to set a public hearing for Application 14-19, Kenneth Purdue, 8 Ridgebury Road, Special Exception Review for an assessor's apartment on October 14, 2014, 8:00 p.m. at the Town Grange. Motion carried by unanimous vote.

5. SITE PLAN REVIEW

A) Application 14-17, Jonathan Peters, Hilltop Road, Site Plan Review to construct a single-family residence. Assessor's Map 67, Lot 170.

First date: August 12, 2014

Last date: October 29, 2014

Mr. Jonathan Peters addressed the commission. Mr. Ventres distributed plans. Mr. Ventres stated that the changes for Chatham Health District have been made. He noted there had been a question about the septic depth from the last meeting, and this has been resolved. Mr. Ventres stated the actual structure is now on the plan. The signature block has been added to the plan. The rain gardens have been added to the plan. The architectural drawings would need to be conditioned. He informed the commission that the applicant would like to come in at the time of the building permit with someone who has a CADD system for the building height. Mr. Peters indicated that the footprint would not change. This application has been reviewed by IWWC, and NL Jacobson & Associates. Notifications have been sent to all abutting property owners, and the green, certified receipt cards are on file.

Mr. Ventres read into the record a letter dated September 23, 2014 from Chatham Health District, which approved the plan with the following conditions: 1) The building plans must be reviewed at the time of the building permit, and be no more than 3 bedrooms; 2) The site plan review fee will be required; 3) No footing drains within 25 feet of the septic tank or leaching areas; 4) It is recommended to have the well protected from vehicular traffic with close proximity to the driveway.

Mr. Pettinelli stated the rain gardens are shown as clouds on the plans. He stated there is no detail of how they will be constructed, or any other detail. Mr. Ventres stated this could be a condition of approval. Mr. Pettinelli stated the rain garden should at least be sized. Mr. Peters stated there is a note on the plan. Mr. Ventres read the note on the plan, stating that it is 10 x10. Mr. Ventres stated this will not work on side hill.

Motion by Mr. Curtin to approve Application 14-17, Jon Peters, Hilltop Road, Site Plan Review to construct a single-family residence, with the following conditions:

- **Height of the single family home is to be modified to meet the standards of the Lake District at time of building permit.**
- **All provisions of Chatham Health District must be met.**
- **Rain garden dimensions and sizing calculations shall be reviewed at the time of the building permit.**

Motion seconded by Mr. Matthews and carried by unanimous vote.

B) Application 14-18, James Bailey, 6 Hilltop Road, Site Plan Review to reconstruct existing year-round home. Assessor's Map 66, Lot 361.

First date: August 26, 2014

Last date: October 29, 2014

No one representing the applicant was present at this meeting.

Mr. Ventres distributed the plans and photographs. Mr. Ventres stated that demolition had already begun before permits/approvals were in place. The building official and the IWWC have been on site. The property owner has since hired a landscape designer, and the IWWC accepted the plan at their last meeting. Mr. Ventres stated the original plans for a garage have been eliminated. There is a patio with pervious pavers. There is an existing house. The berm and landscape garden will have some effect on holding back sheet flow. The IWWC conditioned its approval that the plan comes before the P&Z and the rain gutters and plants be in place before a building permit is given, or a bond be put in for the plantings. There is a letter from Chatham Health District. Mr. Ventres read into the record letter from Chatham Health District dated September 23, 2014, which approved the plan with the conditions:

- 1) The dwelling be rebuilt on no more than a 40' x 28' footprint - same interior square footage;
- 2) There shall be no more than 2 bedrooms;
- 3) The owner obtain a permit to discharge and pay any applicable fee;
- 4) The septic tank must be pumped, inspected, and approved by Chatham Health District;
- 5) The existing well shall be tested as potable before use;
- 6) Any increased use will not be approved due to the proximity of wells.

Discussion ensued regarding the septic.

Mr. Gubbins asked about erosion control. Mr. Ventres explained that the proposal is for a matting that one can be plant with plugs. The matting stays in place and eventually breaks down.

Mr. Brownell asked about the use. Mr. Ventres stated there have not been people using this structure in probably 20 years. The house has deteriorated and raccoons were living inside it.

Motion by Mr. Thomas to approve Application 14-18, James Bailey, 6 Hilltop Road, Site Plan Review to reconstruct existing year-round home, with the following conditions:

- **Chatham Health District's requirements must be met.**
- **All IWWC conditions must be met and the planting be completed before the time of the building permit, or a bond secured to accomplish this.**

Motion seconded by Mr. Gillis and carried by unanimous vote.

7. DISCUSSION

A) Gateway Standards

Mr. Curtin indicated he has not had a chance to go over the draft in depth yet. Mr. Gillis has not had an opportunity to review them either. Mr. Ventres asked if Gateway was holding a hearing, and if so, on what date. Mr. Thomas's understanding was that Gateway wanted to meet with other planning and zoning commissions. Thus far, Gateway has met with three towns, but still needs to meet with other towns.

Mr. Thomas read the minutes from the meeting when Mr. Pettinelli had comments. A lengthy discussion followed about various scenarios and what the implications might be. Mr. Ventres suggested that Mr. Torrance Downes could look at maximum coverage in all towns and possibly use the largest one.

Mr. Pettinelli referred to structural change, which was Item C under Standards. Discussion ensued, during which Mr. Pettinelli stated that "structurally altered" technically means they cannot do any type of renovations. He stated that windows could be considered structural. Mr. Ventres stated that zoning protects reconstruction. Mr. Pettinelli also questioned drainage. Mr. Ventres stated the language needed to say that the drainage is approved by the local wetlands.

Mr. Thomas referred to Item 5. Mr. Pettinelli stated that building height should be measured from the entire back of the house. He stated this requirement will force houses to be shifted to an odd angle just to make it fit on the lot, and they would not match other houses, etc. Mr. Ventres stated they talked about this about two years ago. Mr. Thomas asked if it would be beneficial to measure the height from the back of the existing grade.

Mr. Thomas questioned the 5-foot pathway that Mr. Pettinelli had addressed in his comments. This is a question about 5-feet. Discussion ensued. Mr. Brownell believed they were going to gather all the

comments and then send something to Gateway. Mr. Thomas will prepare something for this commission to review at a future meeting.

8. ZEO REPORT

Mr. Ventres has found no better language on outside emissions from industrial uses. Mr. Thomas stated there are very few of these applications. It was decided they should not worry too much about it at this point.

Mr. Ventres stated he would add Mr. Casner's application onto the next agenda. The IWWC has scheduled a public hearing. Mr. Curtin recalled that this parcel has a vernal pool. Mr. Ventres stated during Phase 2, it came back as open space. Mr. Gubbins questioned the size of the lot, to which Mr. Ventres stated it was 2.3 acres. Mr. Ventres stated this lot fell through the cracks. The bank owned it, it was foreclosed, the bank did not pay the taxes, and Mr. Casner purchased the parcel some time ago. Mr. Ventres stated there is an active application with the IWWC, but this commission needs to make a determination as to whether or not this is actually a lot of record.

Responsive to inquiry by Mr. Brownell, Mr. Ventres stated that the IWWC meets next on October 21, 2014. Mr. Brownell asked if the P&Z could make a determination without a formal application. It was decided that the commission should review the information and make a determination at their next meeting. Mr. Ventres stated there still has not been a determination as to whether or not this lot can meet the Public Health Code. Discussion ensued.

Mr. Ventres stated there have been rumors about the bridge not re-opening on time. Mr. Curtin heard they were planning to open one lane.

Mr. Ventres stated they opened Bashan Lake yesterday to begin the draw down. Mr. Brownell asked if they had a contractor yet. Both Mr. Gubbins and Mr. Brownell heard they do not have a contractor yet.

Mr. Ventres reported that they would be interviewing next Monday and Tuesday for Ms. Lombardo's vacancy.

Mr. Brownell reported about next Thursday's meeting on the Harris property. Mr. Brownell spoke with Attorney Branse about this commission's attendance. If commissioners attend this meeting, and then an application comes in, each commissioner must be comfortable stating on the record that he/she is not influenced either way.

It was noted that there had been round tables some time ago regarding agricultural uses. A grant accepted at a Town Meeting a year ago. Mr. Curtin asked what would be built on the Harris property. Mr. Ventres stated there would be a number of rooms, including an incubator kitchen for processing large quantities of foods for jams, sauces, etc. Part of this would be a site plan, etc. The Harris property does have a municipal open space area. The kitchen would be open to the public with conditions. You must have insurance, an operator's kitchen license, etc. Public facilities include schools, transfer stations, fire houses, etc. Discussion ensued surrounding the question of whether it is considered a commercial kitchen or an incubator kitchen. Mr. Ventres believed it should be called an incubator kitchen. It was noted that it is commercial grade. Mr. Ventres stated if there is a facility, it would be open to the public, and could go in a residential zone. Just like open space, when the town buys open space, anyone can walk on it.

Mr. Brownell asked why Chatham overruled this commission for the food stand. Mr. Gubbins believed this commission should have some type of language in their regulations. Mr. Curtin stated this is an illegal operation. Mr. Brownell stated the commission needed to address what they have.

Mr. Gillis asked about the municipal space at the Harris property, and that there had been talk about a future fire department. Mr. Ventres stated he had them do two separate sets of test pits don on, just in case this does come in eventually.

Mr. Pettinelli asked the status of Shagbark. He stated the paint department is still there. The handicap bathrooms and septic system has not been installed. Mr. Ventres stated they had until October 15. The commission can send a letter to the building department after the next meeting.

8. ADJOURNMENT

Motion by Mr. Matthews, seconded by Mr. Gubbins to adjourn at 9:04 p.m. Motion carried by unanimous vote.

Respectfully submitted,

Holly Pattavina