

PLANNING & ZONING COMMISSION/  
TOWN OF EAST HADDAM  
LAND USE OFFICE  
REGULAR MEETING MINUTES  
October 14, 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), Martha Hansen (alternate member), Kevin Matthews (regular member), Richard Pettinelli (alternate member), Louis Salicrup (regular member), Harvey Thomas (regular member)

**COMMISSIONERS ABSENT:** Jessica Stone (alternate member)

**OTHERS PRESENT:** Jim Ventres, and 3 members of the public

**3. MINUTES**

The minutes of the September 23, 2014 regular meeting were approved with the following amendment:

- Last page, 1<sup>st</sup> paragraph, last sentence: Change “don on” to “done on these”

**4. BILLS**

Branse & Willis (various projects)	\$407.00
NL Jacobson (54 Ray Hill Road)	\$228.39
Hartford Courant (legal notices)	\$263.37

**Motion by Mr. Curtin, seconded by Mr. Matthews to pay the bills as presented. Motion carried by unanimous vote.**

**5. ACKNOWLEDGMENTS AND SET HEARING DATES**

**A) Application 14-20, Kris and Ann Marie Pszczolkowski, 54 Ray Hill Road, subdivision and special exception review for a 3-lot subdivision with interior lots. Assessor’s Map 18, Lot 37. First date: October 14, 2014 Last date: December 17, 2014**

No one representing the applicant was present at this meeting. Mr. Ventres distributed the previously submitted plans to the commission. This application has gone through the IWWC and has received a positive review. Chatham Health District has also reviewed this application, and has written their outstanding items, which has been forwarded to the engineer already. Mr. Ventres informed the commission that this application would be ready in two weeks.

Mr. Ventres has asked Mr. Curtis P.E. to look at the site lines for compliance with the regulations. It is approximately 400 feet from the crest of the road.

Mr. Thomas asked if this application had two interior lots. Mr. Ventres confirmed this, and noted there would be a common driveway.

**Motion by Mr. Curtin to set a public hearing for Application 14-20, Kris and Ann Marie Pszczolkowski, 54 Ray Hill Road, subdivision and special exception review for a 3-lot subdivision with interior lots on October 28, 2014, 8:00 p.m. at the Town Grange. Motion seconded by Mr. Salicrup, and carried by unanimous vote.**

Mr. Pettinelli noted for the record that he used to work at the same company with this applicant's engineer.

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

## **7. DISCUSSION**

### **A) Gateway Standards**

Mr. Curtin asked how would be best to let the Gateway Commission know that they do not like the current regulation. Based on the comments at the last meeting, Mr. Thomas made some notes for distribution to the commission. He asked if the commission would be more comfortable measuring height from the average grade. Mr. Curtin stated the current regulation did not work. Mr. Pettinelli stated it becomes cumbersome to the property owner when you need to try to move around a house to fit on a particular lot.

Mr. Brownell asked how the rest of the commission felt about this. Mr. Ventres stated right now, they use the average, except in the Gateway zone. Mr. Thomas asked if the height was measured from the average of the original grade, if that would work. Both Mr. Curtin and Mr. Pettinelli believed it would.

Responsive to inquiry by Mr. Salicrup, it was noted that this commission can only make recommendations to the Gateway, but that the Gateway Commission is not bound to it. Mr. Gillis believed the average would be a smarter approach. He believed the Gateway's focus should be on clear cutting, ridgeline protection, and waterfront buffers. Mr. Salicrup and Ms. Hansen agreed. Mr. Pettinelli commented that Mr. Thomas's notes covered his points.

The commission reviewed the notes Mr. Thomas put together. As far as coverage is concerned, Mr. Pettinelli stated he did not know how often this happens, but it does happen. Mr. Ventres stated Gateway is separating lot sizes within the same zone. By statute, Planning & Zoning is prohibited from working that way. Mr. Thomas asked if it would be preferable for the table to be done by zone, rather than parcel size, to which Mr. Ventres responded affirmatively.

Regarding repair/renovation of buildings less than 4,000 square feet: It was noted that this was on page 8. Mr. Pettinelli stated that according to the current regulation, if one's house burns down, he/she cannot rebuild. Mr. Thomas read his note with the proposed suggestion for language. Mr. Pettinelli believed this type of language is helpful, but that the standard needed to be re-written. Mr. Thomas suggested this proposal would change the standard to include a section that would talk about renovations and repairs. Mr. Ventres offered to prepare a draft paragraph for this section.

Regarding Cutting/Clearing Limitations: Mr. Pettinelli referred to Item F.c. He questioned whose jurisdiction this was, because he believed it was the CT DEEP's. Mr. Thomas attempted to write something to help this. Mr. Pettinelli questioned the development aspect. Mr. Gillis agreed. Mr. Ventres stated this would need to be quite a structure. Mr. Thomas suggested language. Mr. Pettinelli will look at the DEEP's regulation after tonight's meeting.

Regarding Vegetative Buffers: Discussion ensued regarding a serpentine pathway and trying to get a boat, etc. along such a path. Mr. Pettinelli asked if this was just to protect the buffer. Mr. Ventres stated it was that and to prevent the straight runs down to the river. The commission considered requesting 10-feet, in order to accommodate a full-sized truck and a boat.

Mr. Pettinelli suggested looking at page 11, Item F. He asked who would judge this, such as the comment regarding "unreasonable".

Mr. Thomas asked if it would be acceptable to draft a letter for review by the commission at the next meeting. The consensus was that this would be helpful.

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

## **6. PUBLIC HEARING**

**A) Application 14-19, Kenneth Purdue, 8 Ridgebury Road, special exception review for an accessory apartment. Assessor's Map 18, Lot 37.**

**First date: October 14, 2014**

**Last date: December 17, 2014**

Mr. Purdue addressed the commission. Mr. Ventres distributed photographs of the existing structure. Mr. Purdue submitted the green, certified receipt cards to the commission.

Mr. Ventres stated he received a letter from the State. In its letter, the State granted an exception for a central subsurface sewage disposal for the home and the proposed accessory unit. Exception granted.

Mr. Ventres noted the acreage of the lot, which was 1.63 acres. The square footage complies with the regulations. Mr. Brownell asked where the stairs were located, to which Mr. Purdue stated they were inside. It was noted that all of the work would be done inside the structure.

Mr. Gillis asked about parking. Mr. Purdue stated a renter could park in the driveway. Mr. Ventres stated the regulation for this would be that the owner would have to occupy one of the units.

Mr. Brownell opened the hearing to the public. No comments from the audience were offered.

**Motion by Mr. Curtin, seconded by Mr. Matthews to close Application 14-19, Kenneth Purdue, 8 Ridgebury Road, special exception review for an accessory apartment. Motion carried by unanimous vote.**

**Motion by Mr. Curtin to approve Application 14-19, Kenneth Purdue, 8 Ridgebury Road, special exception review for an accessory apartment with the condition that the applicant must follow the accessory apartment regulations. Motion seconded by Mr. Thomas and carried by unanimous vote.**

## **7. DISCUSSION (Continued)**

### **B) Request of change of use in the IG District**

Mr. Ventres stated there was a verbal request from the industrial park to add uses. The Commission felt the property owner should forward the request as an application

### **C) Report to IWWCC – Designated open space parcel**

Mr. Ventres reported that property that was part of the Gates Warner Subdivision Phase II Open Space is now before the East Haddam Inland Wetland and Watercourse Commission. The property owner is Robert Casner. The open space is noted on the subdivision maps on file on the land records. Mr. Curtin noted he was on the Planning and Zoning Commission during the Phase I application and the lot was mostly wetlands.

Mr. Ventres reported that Attorney Willis advised that the easement holder should be notified sixty days prior to when there is a proposal to build on designated open space. This commission is the easement holder of the open space easement, because the open space was never conveyed to anyone. It was noted that minutes of the old meeting were included in the packet.

Mr. Ventres read into the record a draft letter from the P&Z commission to the IWWC. It was noted that this draft was not included in each commissioner's packet. Mr. Thomas asked if this letter was reviewed by counsel. Mr. Ventres reported that Attorney Willis reviewed this letter and did not change it at all.

As of today, there is no approval as a building lot. The consensus of the commission was to instruct Mr. Ventres to send this draft letter as a final letter to the Inland Wetlands Commission.

**Motion by Mr. Thomas to send the draft letter reviewed this evening in a final format, referencing open space to Mr. Dill. Motion seconded by Mr. Matthews. Voting: Unanimous ayes, except Mr. Gillis, who abstained. Motion passed.**

## **8. ZEO REPORT**

### **A) Disc Golf Course**

Mr. Ventres stated there has been some interest in a disc golf course at Nichols field. There would be a friends group to maintain it. Responsive to inquiry by Mr. Salicrup, it was unclear as to whether there would be a cost to the town at this point.

### **B) East Haddam Dock – Connecticut River – Lumberyard Road**

Mr. Ventres reported that this would have to be taken in every winter. People could actually launch there. Mr. Gubbins asked about moorings in the river. It was noted that most of the river south of the bridge was designated as the sea plan landing area. DEEP has already approved the dock.

## C) Shagbark

The commission asked if a letter from the building department went out. Mr. Darin plans to have the State Building Official contact Shagbark. Mr. Gillis asked about the paint room. Mr. Ventres stated the plans that were submitted and approved included handicap accessible bathrooms.

It was noted that they are in violation of their special exception approval, because they indicated they would have the work done by October 15. The commission also discussed the grain room, which was supposed to be cleaned out. The commission stated this was a potential liability issue.

The commission discussed the draft cease & desist order for the hotdog/sandwich stand on Launching Area Road. Mr. Pettinelli suggested they add the signage to the cease & desist order. Discussion ensued. Mr. Gillis asked where in our regulations it says that people cannot have food carts. Mr. Ventres stated our regulations only list what is permitted, and can't list what isn't permitted. Mr. Curtin stated he could not imagine that this would be taking away from the local restaurants. Mr. Gillis believed the boat launches would be a good area to have food carts such as this, but Mr. Brownell previously believed this would be spot zoning. Mr. Ventres stated this was conditioned as snacks, based upon Chatham Health approval. Mr. Gubbins did not believe it would be permissible to have food carts at boat launches because it would be on either state or town owned land.

Mr. Thomas asked about the Rte 82 bridges. Mr. Ventres stated they planned to open one lane tomorrow. Mr. Thomas asked when they would be completed. Mr. Ventres and Mr. Pettinelli reported that they are on schedule.

Mr. Brownell announced that Mr. Puska has submitted his resignation. He also reported that there is a new administrative assistant in the Land Use Office. Mr. Ventres reported that Ms. Nancy Talbot has joined East Haddam's Land Use office. Mr. Ventres recommended a paid internship with local colleges in lieu of hiring a new zoning enforcement officer at this time. He also planned to ask Wetlands about a paid internship. It is within the budget, and it would be 20 hours per week. Mr. Brownell believed this would be a good idea. Mr. Thomas asked if that would fit with Mr. Ventres' needs. Mr. Ventres stated that he could spend some time in the field.

## 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