

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
July 22, 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), Martha Hansen (alternate member), Kevin Matthews (regular member), Richard Pettinelli (alternate member), Louis Salicrup (regular member), Harvey Thomas (regular member)

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

OTHERS PRESENT: James Ventres, Conservation Commission representative and 18 members of the public were present

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

3. MINUTES

The minutes of the June 24, 2014 regular meeting were accepted as presented.

The minutes of the July 8, 2014 regular meeting were accepted with the following amendment:

- Page 7, paragraph 1, change first sentence to read “Mr. Pettinelli asked if Dutch Oil would enter into an agreement to maintain the pump system in the event that the Brownell Company did not, to which Mr. Dutch stated they would.”

4. BILLS

There were no bills to pay

5. ACKNOWLEDGMENTS AND SET HEARING DATES

A) Grandview Camp Resort, 89 North Moodus Road, amendment of existing approval. Assessor’s Map 73, Lot 10.

Mr. Donald Bergeron, 78 North Moodus Road, manager for Grandview Camp Resort, addressed the commission. He reviewed their wish to begin using a newly renovated area. He explained that they took over this project in 2012. They soon realized they should focus their efforts on the eastern section of the property that houses the existing resort building and the campground. Mr. Bergeron

indicated that all of the previous expansion plans have been abandoned. The vision has changed from a campground to a family campground. It would be considered a QC, or quiet campground.

Mr. Bergeron explained that in 2013, they focused on improvements to the campground and restrooms. They have reconfigured some of the areas, but are close to the original. They renovated a bathroom. They added three showers, toilets, and sinks in the women's facility. They have low-flow toilets, water efficient shower heads, etc. They removed the climbing wall and zip line. There were high intensity lights all around the basketball courts, which have been removed.

Another significant change Mr. Bergeron noted was the cut to the hill, where they added a level spreader to effectively stop the runoff. They have seen very little flow coming down below their buildings, and negligible runoff to the street. They also added more trees to Ms. Williams' property line. They added 10 more maple trees to provide shade in the summer time. Existing buildings that are not being used yet are being cleaned and analyzed for potential use. They added directional signs at the Fire Marshal's request. Another important change was the removal of the teepee platform. It had been originally aimed at having Scout groups. Their intent now is not to have that big of a group. Although they would not turn a group down, it is not their focus.

Mr. Bergeron stated they would like to keep the same number of tent sites, but to have them more spread out. He noted that tent campers generally like to have more privacy. He stated they would like to have flexibility with the camp sites as long as they did not infringe upon the 50-foot setback. He noted he lives across the street from the campground.

On Cedar Knoll, Mr. Bergeron stated they gutted the building, added a new roof, doors, repurposed pine walls, and upgraded the plumbing. The new toilets are low flow units. They have new electrical service, carbon monoxide and smoke detectors. They have parking. The building and fire officials have inspected and approved the work. They filled their cabins on 4th of July weekend. They could use more, and would like to have a few more. If they can open the additional area, they would have 15 additional rooms. This will also help with people who are looking for places to stay in East Haddam.

Mr. Curtin inquired how many sites the campground would have. Mr. Bergeron replied that they would have a total of 38, where they previously had 29. However, they have removed the teepee platform.

Mr. Brownell stated the Land Use office has received calls regarding "floating" tent sites. Mr. Bergeron stated they would like to have flexibility to switch sites around, depending on the campers' needs.

Mr. Ventres informed the commission that the campground is using approximately one-third of the septic capacity per site that had been estimated, which is beneficial to the septic system. Even with the additional sites, they would be well below the estimated usage assessed by the DEEP.

Mr. Brownell asked the maximum capacity. Mr. Ventres did not have that data with him this evening. Mr. Bergeron believed it was 100 for day use. Mr. Curtin asked the total number of camp sites

originally approved. He asked if they were looking for additional sites. Mr. Bergeron stated they were not looking for additional camp sites at this time, just flexibility in the locations.

Mr. Bergeron stated their bathrooms go to one septic system. The water is distributed between the systems. He had the systems pumped after the 4th of July weekend, and it was determined that they had plenty of space.

Mr. Brownell inquired about the total number of original sites. It was noted that there were 29 original sites.

Mr. Bergeron stated the swimming pool at the top of the hill has been removed.

Mr. Thomas believed the applicant was looking to make some modest corrections that need to be reflected on the existing drawing. They were also asking for flexibility to change the designated camp sites. He asked if the commission would require a public hearing. Mr. Gillis believed a lot of good things were happening, but he questioned the three sites near the road. Mr. Ventres noted that was the most shaded area. Mr. Salicrup asked how rigid the approval had been. Mr. Ventres stated the reason the approval had become rigid was because additional items kept creeping onto the plans, and there was somewhat of a lack of respect for the commission and its regulations. Mr. Curtin believed the general trend of what is currently happening is something the commission would like. He stated that business plans change. He added that the commission knew the building would eventually be renovated and that they would come back to be used. Mr. Thomas believed this is a significant improvement from where they were. He would feel more comfortable having a public hearing simply to allow neighbors to express any concerns. Mr. Matthews agreed, just to build good will amongst the neighbors. Mr. Bergeron suggested the commission ask the neighbor present this evening for her thoughts.

Mr. Brownell asked the neighbor present, Ms. Williams, how things are going there. Ms. Williams believed that Mr. Bergeron and his wife are much better business people and have been very accommodating. Last fall, Ms. Williams suggested they add additional trees, and they did. Ms. Williams stated they are trying to run a business. She stated she did not have a problem with the tent sites, but she is not the only neighbor. From the standpoint of procedure, given all the work that Mr. Bergeron has put into it, she suggested the commission might grandfather the cabin, and hold a public hearing to get input from the other neighbors. Mr. Salicrup believed after a public hearing, they should make the tent sites a rigid number.

Mr. Brownell asked for input regarding the existing 7-unit cabin. The commission was amenable to the use of the cabin, and they were aware that it would be renovated.

Motion by Mr. Thomas, seconded by Mr. Gillis, and carried by unanimous vote to amend the approval of Grandview Camp Resort to include the 7-unit cabin for use.

Motion by Mr. Curtin, seconded by Mr. Thomas to schedule a public hearing for Grandview Camp Resort for August 26, 2014, 8:00 p.m. at the Town Grange. Motion passed unanimously.

Motion by Mr. Gillis, seconded by Mr. Brownell at 7:56 to take a brief recess. Motion carried by unanimous vote. The meeting reconvened at 8:00 p.m.

Noting 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 14-14, 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: July 8, 2014 Last date: August 11, 2014**

Mr. Ventres noted the commission listened to a full round of presentation, along with the public's input. The hearing had been continued for the calculation of the number of gallons of the pond for fire protection.

Mr. Roger Nemergut, P.E. submitted one additional green card and one unclaimed notice, which accounted for all of the mailings.

Mr. Nemergut submitted the calculation. He stated they would dredge the pond by 2-feet. This would supply 330,000 extra gallons of water, just by the dredging. The calculations require 60,000 gallons. As part of this proposal, there will be five additional shut off buttons that can be activated by anyone. There will be one at the loading, unloading stanchions, a third button on the secondary gate that leaves the fenced in area. There is a pole that will house a security light, and will also house an additional button. They added another on the building, for a total of five. Beyond that, the plans have not changed.

Mr. Gillis asked about a security camera. Mr. Dutch stated there would be cameras shining on the tanks as well as the ground. He stated this information was included in the narrative.

Mr. Brownell opened the hearing to the public.

Mr. Scott MacKinnon, 24 Boardman Road, submitted a letter to the commission. He read his letter, dated July 12, 2014 into the record, which spoke in support of the application. He believed this application was thorough and would bring additional vitality to Moodus. He praised the water supply system, which far exceeded the requirements.

Mr. Dave Palmieri, thanked everyone for their responses to his family's safety concerns. He asked about the height of the tanks with respect to the line of arborvitaes. Mr. Nemergut stated they would be level with the arborvitaes. As the trees grow, people should see less and less of the tanks.

Mr. Mark Walter, First Selectman thanked Mr. Dutch and his family, and echoed Mr. MacKinnon's comments. Mr. Walter stated he wholeheartedly supported this application.

Mr. Brownell noted that Ms. Hansen could vote, as she was here at the last meeting, while all of the regular members were not.

Responsive to inquiry by Mr. Thomas, Mr. Nemergut explained that the regulations define a structure as anything fixed to the ground more than 8-feet high. Mr. Ventres looked at the approval of the Maus and Sons application from the late 1990's. The commission approved that application as structures.

Mr. Curtin questioned the list of suggested conditions, with the necessity for someone to be present during filling of the tanks. Mr. Ventres stated that Mr. Dutch had offered this at the last meeting, only when the large tankers came to fill the propane tanks.

Mr. Brownell inquired about the shared septic. Mr. Nemergut stated he was confident, by ramping up, this would not pose an issue. They would uncover and inspect the area. Mr. Pettinelli asked about the timing for this. Mr. Nemergut stated it was not on the plan, but he would certainly recommend it being done early in the process, so they could deal with any issues. He suggested this could be a condition, if the commission was inclined to approve this application.

Mr. Brownell stated they had talked about the yearly inspections. He recalled that Dutch Propane had agreed, should Brownell Company fail to inspect the system annually, and they would have it writing.

Motion by Mr. Salicrup, seconded by Mr. Pettinelli to close the 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. Motion carried by unanimous vote.

Motion by Mr. Thomas to approve 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 with the following conditions:

1. A trained representative from Dutch Propane Company shall be in attendance for the filling of the tanks.
2. The fire pump inspection shall be conducted annually by the owner and/or Dutch Propane, LLC. The annual reinspection and maintenance report shall be forwarded to the East Haddam Fire Marshal, the East Haddam Fire Chief, and the Land Use Office.
3. The sprinkler system and the tank system shall be inspected annually, at a minimum and more, if the National Fire Protection Association (NFPA) or State regulations require. All inspections and maintenance reports shall be forwarded to the East Haddam Fire Marshal, East Haddam Fire Chief and the Land Use Office.
4. Prior to construction, design calculations and design details for concrete and reinforcing steel associated with the cast in place concrete propane tank supports shall be submitted to the East Haddam Fire Marshal and East Haddam Building Official for approval.

5. The drawing detail sheet notes that soil boring investigations are required to verify that adequate soil bearing pressure is available for the concrete tank support footings. A licensed geotechnical engineer shall provide this evaluation.
6. Propane Tank Fire Protection Water Supply – Given the long pipe runs from the Brownell fire pump to the propane tanks (300 ft. underground + 265 ft. above ground). The applicant's engineer shall verify that the fire pump will produce adequate pressure to provide required pressure and flow rate at the distribution nozzles over the tank when taking into consideration the total dynamic head required (static head plus friction losses in pipes, valves and fittings).
7. Dry Hydrant – The East Haddam Fire Chief and Fire Marshal shall approve the specific design arrangement and pipe fittings proposed for the pond dry hydrant system.
8. The plan includes a note regarding investigation of the depth of cover provided over the subsurface sewage disposal system serving the Brownell building in order to ensure the system is protected from vehicle wheel loadings. The depth of cover is to be determined prior to the start of construction of the tank site. A similar note shall be provided where the proposed upper driveway crosses the existing sewage disposal system that serves the lower mill building.
9. Details shall be submitted to the Land Use Office for approval for any site lighting, building lighting, and security lighting in the propane tank area. Information should be included to address shielding of light fixtures to prevent off-site glare.
10. The documents and maps associated with all easements must be reviewed and approved by the Commission's attorney prior to recording on the land records. The applicant should also verify that the access easement for the fire protection facilities will also extend to the East Haddam Fire Department.
11. The Connecticut DOT recommendations must be adhered to.

Motion seconded by Mr. Gillis. Voting: Unanimous ayes, except Mr. Curtin and Mr. Matthews, who abstained.

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

B) Application 14-16, Cameron Family Farm, 405 EH Moodus Road, special exception application to open a retail store and small scale hatchery. Assessor's Map 55, Lot 68.
First date: July 22, 2014 **Last date: August 24, 2014**

Mr. Cameron addressed the commission. He distributed revised packets to the commission. Mr. Brownell stated he was surprised to see that the applicant was open for business today. Mr. Cameron noted that the chickens outgrew the inside area.

Mr. Cameron presented a GIS map, with parking spaces. The blue areas are proposed chicken coop areas. The point is to make somewhat of a village, with coops set into the natural areas with trees, etc. He receives calls from school groups, etc. to tour the facility. Mr. Pettinelli asked if these groups would come on a school bus. If so, he asked where the bus would park. Mr. Cameron stated they would have to do this as a special event on a weekend or a Monday, for staffing purposes.

Mr. Pettinelli asked about handicap parking. Mr. Cameron stated he spoke with Mr. Darin, the Building Official, and he stated since it was an existing use, they are not required to make the building handicap accessible. Mr. Cameron stated he would have one handicap space.

The commission discussed noise. Mr. Cameron has had no issues with the birds at his residence, and stated his closest neighbor came over today and wished him good luck. Mr. Salicrup asked about processing, to which Mr. Cameron stated that he removed this from the application. He will have an internet business and will mail out many of the birds.

Mr. Cameron, in response to Mr. Curtin's inquiry, stated that deliveries will be through the front.

Mr. Pettinelli asked about security lighting. Mr. Cameron would prefer not to have lights, but would install them in if the commission wanted them. Mr. Brownell explained that any proposed lighting would have to be added to the plan. Mr. Ventres stated there is a street light on the corner. Mr. Brownell inquired about screening. The commission reviewed the plan and the proximity to neighbors. It was noted that there will be lights on the insides of the coops.

Mr. Curtin asked if the buffer would be adequate year-round. He commented that any approval should be contingent upon an enhanced buffer, if it needs to be thickened.

Mr. Brownell opened the hearing to the public.

Ms. Marilyn Gleeson asked about the types of birds. Mr. Cameron explained that he would have a wide variety of birds. Many of these birds will be shipped through the U.S. Postal Service.

A neighboring property owner asked about composting. Mr. Cameron stated he did not plan to compost on site.

Mr. Scott MacKinnon, 24 Boardman Road noted that East Haddam used to be the largest poultry producer in Connecticut. He was encouraged.

Mr. Matthews asked about signage. Mr. Cameron had not considered signage. He did not plan to add any additional lighting outside. They will have lights inside the coops.

Motion by Mr. Thomas, seconded by Mr. Matthews, and carried by unanimous vote to close the public hearing for Application 14-16, Cameron Family Farm, 405 EH Moodus Road, special exception application to open a retail store and small scale hatchery. Assessor's Map 55, Lot 68.

Mr. Curtin wanted to ensure there was enough buffer. Mr. Ventres suggested they could condition that the buffering in the fall be revisited by the Land Use Administrator with the applicant, and if additional evergreen buffer is needed, the applicant will plant it. A brief discussion ensued.

Motion by Mr. Curtin to approve Application 14-16, Cameron Family Farm, 405 EH Moodus Road, special exception application to open a retail store and small scale hatchery. With the following conditions:

- 1. The buffer shall be maintained, and the buffer shall be revisited in the fall by the Land Use Administrator, with the applicant. If additional evergreen buffering is needed, the applicant shall plant it.**
- 2. Screening be installed around dumpster, with a gate if necessary.**
- 3. Changes in lighting and signage will require approval.**

Motion seconded by Mr. Thomas and carried by unanimous vote

7. DISCUSSION:

Mr. Ventres was asked by Mr. Walter how to deal with semi-abandoned roads. Mr. Ventres stated this has been in the Plan of Conservation and Development; analyze sections of road, and declare if necessary them as recreational roads. Mr. Curtin noted the neighbors have to be in agreement for access. Mr. Ventres stated if they become recreational roads, the Statute does allow for the road to be re-opened.

Mr. Ventres has given this section of the POCD to Mr. Walter for discussion at a Board of Selectmen meeting. He anticipates this may come back to the commission or discussion at a future meeting.

Mr. Ventres stated that Mr. Cais has picked up much of the material. Mr. Ventres is working with the attorney to place a lien on the property. The judge has 120 days in which to make a decision, which is getting close.

Mr. Ventres mailed to each commissioner sample regulations from Attorney Branse for helicopter landing pads.

Mr. Brownell asked about the definition of a structure with respect to the Dutch Propane application. They discussed the regulation, and the word "explosive". Mr. Salicrup stated he asked at the previous meeting about the risk of explosion, and was told by the expert that the risk of explosion was minimal.

A brief discussion ensued. Mr. Ventres will look at other towns to review the regulation language. Mr. Matthews referred to the NL Jacobson review letter, which referenced Section 9.1 of the regulations.

10. ADJOURNMENT

Motion by Mr. Thomas to adjourn at 9:12 p.m. Motion seconded by Mr. Salicrup and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina

