

PLANNING & ZONING COMMISSION/
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
March 10, 2015
(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), Richard Pettinelli (alternate member), Louis Salicrup (regular member) Harvey Thomas (regular member)

COMMISSIONERS ABSENT: Kevin Matthews (regular member), Jessica Stone (alternate member)

OTHERS PRESENT: Jim Ventres, Emmett Lyman, and 17 members of the public

Mr. Brownell appointed Mr. Pettinelli and Ms. Hansen to vote this evening.

3. MINUTES

Minutes

The minutes of the February 10, 2015 meeting were accepted with the following amendments:

- Page 4, Item A, 4th paragraph, 1st sentence: Remove “that”
- Page 5, , Item B2 add “creation for a single-family home” after “site plan”
- Page 10, Item D, 3rd paragraph, 1st sentence: Change “had” to “hat”
- Page 11, 2nd paragraph, strike “to”

The minutes of the February 24, 2015 meeting were accepted as presented.

4. BILLS

CT Federation of P&Z agencies (annual dues)	\$90.00
Branse & Willis, P.C. (review of subdivision extension, open space designation research)	592.00
Suburban Stationers (envelopes)	10.59
Suburban Stationers (ink cartridges)	29.08
Hartford Courant (publishing of 2/10/15 decisions)	132.41

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

5. ZEO REPORT

a) Shagbark

Mr. Ventres reported that Mr. Casner is still on vacation. Mr. Fellner stated they are ready to meet with the building official. It was left that they received the approval from IWWC for septic. Now reviewing building plans to put in the handicapped bathrooms and then septic is next.

Mr. Brownell asked if the beams were checked out, to which Mr. Fellner nodded affirmatively.

b) Roof mounted solar panels

Mr. Ventres distributed a draft to the commission. He read into the record new text, listed in item “g” of the draft.

Mr. Pettinelli suggested joining the first two sentences of section G with “and”, and remove the second “no special exception approval is required”. Mr. Thomas suggested they carry out the above change in each section.

Mr. Thomas asked if this language only applies in the IG district. Mr. Ventres replied that it is the IG, C/B/IG, and is by Special Exception Review.

Mr. Ventres suggested they could set a public hearing this evening. He needs 35 days to send to the regional planning agency.

c) Food vending units

Mr. Ventres distributed a draft to the commission. He noted that Chatham Health District refers to them as mobile food units. Mr. Ventres suggested changing this language to “mobile food unit” to match Chatham Health District’s description.

Mr. Gubbins noted the title should be Mobile, to correct the typographical error in the draft.

Mr. Gubbins asked about the sale of bait. He believed a vendor was a vendor. Mr. Gillis did not want to open the door to anything else at this time. Mr. Gubbins stated they were opening the door already. Mr. Curtin suggested moving forward with food at this time, and adding other items for consideration at future meetings.

Mr. Brownell asked who would enforce this. Mr. Ventres responded that Chatham Health District would. The commission discussed the “Revised:” section, and suggested a change from “fixed location and with” to “without connection.....”

The commission reduced the end time for closing from 8:00 p.m. to 7:00 p.m. The draft had 10:00 p.m. as the end time.

Mr. Gillis asked what Chatham Health District was revising. Mr. Ventres reviewed their changes, which included definitions, streamlining the items and referencing the statutes.

Mr. Thomas stated he had a problem with this. He believed it would be reasonable to have food vending units in commercial areas, and for East Haddam Village in the commercial areas only. However, he did not believe they should be allowed in farming areas, nor in the L district, because it is primarily residential. Mr. Brownell thought the crux of this regulation was for the Lake District. Mr. Curtin noted that people wanted this near the lakes because people vacation there. He noted that anyone wishing to have a cart would still need permission from a landowner. Mr. Curtin added that they wrote the entire regulation for the lake district.

Mr. Ventres stated as with any parcel, you would still need Special Exception Review. Mr. Gillis asked if Lake Hayward's beach had an area where a vendor could be located. Mr. Thomas stated the beach area was owned by an association, and they would have to grant permission. Discussion ensued.

Mr. Gillis asked if it would be possible to pinpoint this to the areas owned by an association. Mr. Ventres and Mr. Gubbins stated this would be spot zoning.

Mr. Thomas stated he would defer to see what happened at a public hearing. He asked about the IG district. Mr. Ventres stated this would exclude the area surrounding Balleck's, as well as the top of Mount Parnassus Road.

Mr. Thomas questioned the same for East Haddam Village area. He suggested the allowable area be restricted to the highest use part.

Mr. Ventres will revise the regulations with the changes made this evening.

Motion by Mr. Curtin, seconded by Mr. Gubbins to set a public hearing for May 12, 2015, 8:00 p.m. at the Town Grange for Mobile Food Unit Vending Machines and Roof Mounted Solar Panels. Motion carried by unanimous vote.

Mr. Ventres reported that he has seen very little progress on Bashan due to the weather. The wastewater treatment plant work is nearly completed so he can submit for reimbursement to the State.

Mr. Brownell asked if Mr. Ventres had an opportunity to talk to the people at the restaurant with the dumpster. Mr. Ventres stated there is water coming across the road at the Town Tavern Restaurant. Mr. Curtin reported that the State came out for this. Mr. Ventres spoke with the restaurant owner about the dumpster, and they asked to revisit it in the Spring.

Mr. Ventres stated there is a Town Meeting on Thursday for open space acquisition. Mr. Ventres stated the referendum is coming up on March 24, 2015.

It was noted that parking in the Grange's lot is an issue since the paving and curbing was installed.

Mr. Brownell asked if there were any other items that the commissioners wanted to review. It was noted that gravel roads were still on the list, but it was difficult to review these with the winter weather.

Motion by Mr. Curtin to take a brief recess at 7:55 p.m. Motion seconded by Mr. Gubbins, and carried by unanimous vote. The meeting reconvened at 8:00 p.m.

6. PUBLIC HEARING

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

A) Application #15-03, DRA LLC, (Radek Associates), 428 Hopyard Road, creation of an educational/philanthropic not-for-profit artist-in-residence program to include new structures and new programs. Expansion of current I-Park General Residence Artist Program. Assessor's Map 61, Lot 12.

First date: March 10, 2015

Last date: April 14, 2015

Mr. Roger Nemergut addressed the commission. Also with him was the owner, Mr. Ralph Crispino, and George Fellner, architect. This parcel is located at the corner of Haywardville and Hopyard Roads. It is an existing residential building in the R2 zone.

Mr. Nemergut stated the first topic was to explain what I-Park is. The second is what improvements were proposed. Mr. Ralph Crispino, Jr., one of the founders of I-Park stated this was a private artists in residence program. In 2009, they became a not-for-profit organization. Their mission is to nurture the creative process. Typically 50-60 artists per year come through the program, from artists, composers, filmmakers, etc. They are provided with residence in the house, private studios. They pursue their creative projects and spend a great deal of time together. They are seasonal, from April through typically Thanksgiving. Their specialty is creative uses of the land. In 2007, they created the environmental art program. This is a 3-week session with a focus on the land. These are temporary works. It is not a sculpture program. They hope to expand the program. Right now, they can handle 6 artists at a time. They would like to expand to 12 more. They aspire to be better known in the field, and to upgrade their facilities. They renovated chicken coops, etc.

Mr. Nemergut clarified that the proposal is for 12 additional units, plus the original 6, for a total of 18 artists at a time. Mr. Nemergut stated the I-Park parcel is approximately 45 acres. He reviewed the areas for the artists to stay, the offices, and the red barn. There are several smaller sheds and barns used mainly for storage. They would like to house 18 artists at a time, which

would be an increase of 12. They proposed a 12-bedroom unit. Meals would be served in that building as well. In addition, there would be a workshop, split half for the staff, which is expected to be 3 permanent employees and 3 part time employees. The other half would be for the artists.

Mr. Nemergut presented a rendering of the workshop. The size would be 32-feet x 54-feet, with a 12-foot overhang in the back. The residency facility would be about 7,000 square feet, two story. The addition on the back of the office would be approximately 900 square feet. He showed drawings of the workshop, as well as the residency facility.

Mr. Nemergut stated generally, the operation is quite low-key. They have the artists come for three month periods. Their statement of use would outline the special events. There is a once per year event that would draw approximately 100 people. There are also one-day exhibitions, which could draw quite a few people. They have a rental agreement with the neighbor across the road to park in the field. They are proposing a substantial area for parking. It would be informal, because the operation really closes down at the end of the fall. They feel they can handle the parking without any paving or process material. From the operational experience they have, and projecting an increase, they believe they have a pretty good idea of what they will need for parking; therefore, 107 parking spaces are proposed.

Mr. Nemergut explained that this is a fairly level site, with some sloping at the end. Off the property is the Eightmile River, which has a wetland review area. There is an intermittent watercourse on the property. There is also a mowed area that has wetland soils. The Eightmile River has a 50-foot overlay area, and the IWWC has a 100-foot setback. Recognizing the setbacks, they tried not to formalize the parking in order to minimize the disturbance. They propose a pedestrian bridge that crosses over the waterway. They only spaces that will be formalized will be 9 spaces adjacent to the facility. These will have grass pavers, and may be used on a more frequent basis.

They went before the Inland Wetlands and Watercourses Commission (IWWC) last year. In May of 2014, the IWWC did issue an approval. He submitted this letter indicating approval for the permit.

Mr. Nemergut stated there is an existing water supply. They proposed a second well, which should be adequate for the facilities being proposed. The residency unit will have a separate system. The workshop has very low flow. The only thing in the workshop is a bathroom and a sink. These facilities are shared between the staff and artists. They propose to tie the septic into the new system. There is substantial capacity in the existing system to handle the workshop. This is under review by Chatham Health District. Mr. Nemergut stated as soon as you tie in two systems, they need approval from the State. They do not yet have Chatham approval because they have not received the approval from the State. He believed this was simply a procedural issue.

There are a couple minor improvements they would like to do as well. There is a stone wall that runs along Haywardville Road. They would like to take the wall down and rebuild it in a way that would be more stable in the coming years. They proposed a new sign, which would be 16-square foot maximum.

Mr. Nemergut stated the other rectangles shown on the plan are studios for the artists. They are scattered throughout the site. They are 16x20 or 18x20, and there are 12 proposed. There will be no bathrooms, etc. in these studios, but are simply for the artists to work on their art.

Mr. Nemergut stated they proposed a composting toilet system. He submitted a product sheet for these systems. This information has been given to Chatham Health District. These systems are frequently used in state parks, etc.

Mr. Nemergut stated they were hoping for some guidance on a temporary performing arts center. This is not shown on the plan at this time. He envisioned something with a canvas skin on it. It is mentioned in the statement of use. He believed the location for this may change depending upon what the use is at any particular time.

Mr. Nemergut stated at the end of each artist residency, there is a public showing. Generally, they currently get approximately 60 people at these events. With the expansion, they anticipate 75-100 once per month. There is an annual event for a fundraiser, which could draw 150-200 people. There are also a couple special events including fundraisers, which take place 2-3 times per year.

Mr. Brownell asked about handicap parking. Mr. Nemergut stated it is one for every 25 spaces. He stated that would be designated on the plan.

Mr. Brownell asked about the freestanding studios. Mr. Nemergut stated it would be placed on a slab, on grade.

Mr. Ventres believed the building official would treat the temporary canvas structure as a tent.

Mr. Thomas asked Mr. Nemergut about the parking spaces and access. Mr. Nemergut showed the area of the parking and where the curb cuts would be located. Mr. Thomas asked what the sight lines on Haywardville were. Mr. Nemergut stated he would provide this for the next meeting, but they would be approximately 200-feet to the left, and approximately 400-feet to the right.

Mr. Curtin asked how they would get to the housing. Mr. Nemergut showed this area on the plan. There is no driveway up to the building. Mr. Curtin asked how they would get food, garbage, etc., to and from the building. Mr. Nemergut stated this would be more of a service road, not formalized. He stated he would provide this information. Mr. Nemergut stated this was a driveable road now to the studios for emergencies. However, they are not trying to encourage driving to the studios. It is intended to be informal.

Mr. Curtin asked if the driveway to the main house was large enough for vehicles to go both ways. Mr. Nemergut stated they could widen that area. Mr. Brownell stated the concern was to get emergency vehicles in there if needed. Mr. Nemergut stated they could provide a service road, and to accommodate emergency vehicles.

Mr. Pettinelli asked about sanitation for large events. He asked if portable bathrooms would be brought in, to which Mr. Crispini stated they do bring in portable bathrooms for these events.

Mr. Pettinelli asked if the studios would have power. Mr. Crispini stated all of the units would have power, and there would be a lighted path.

Mr. Pettinelli asked about ADA accessible units. Mr. Crispini stated they would have three ADA accessible units within the next few weeks.

Mr. Pettinelli asked about sinks for people painting, etc. Mr. Nemergut stated a few of the studios would have water service. They are currently talking with Chatham Health District about this.

Mr. Pettinelli shared Mr. Curtin's concern about garbage pickup, etc. Mr. Nemergut stated he will address this.

Mr. Pettinelli asked about stormwater runoff. Mr. Nemergut stated from a volume standpoint, they are not proposing any stormwater runoff measures. He asked if they needed to request a waiver. Mr. Ventres stated they should request a waiver, since they are on over 400 acres.

Mr. Curtin asked about the parking spaces. Mr. Nemergut stated these areas are grass-mowed hay fields. Mr. Curtin asked about the walkway off the bridge. Mr. Nemergut confirmed this is also grass.

Mr. Thomas asked Mr. Nemergut to point to each of the new structures. Mr. Nemergut reviewed the locations of each structure. Mr. Curtin asked about M1. Mr. Nemergut stated this was a music studio.

Mr. Curtin asked about the special events, particularly the monthly events. Mr. Crispini stated at the end of each session they hold an exhibit. They would like to get the community more involved in these events. For the monthly events, they do not use the overflow parking areas.

Mr. Thomas asked the commission if it would make sense to separate out the couple special events and deal with those like they deal with other large public gatherings, where they review them for the first couple years.

Joan Paradise, co-founder of I-Park stated they have approximately 150 people for the open studio events. They usually start around 2:00 p.m., and the people generally disperse between 5:00 and 6:00 p.m. For the special events, they typically disperse by dusk. Mr. Crispini stated they have been holding these events for 14 years. They have only used the overflow parking area a couple times.

Mr. Ventres stated the building official would have comments at the time of construction, but Mr. Angersola had no comments right now.

Mr. Gillis asked the size of the propane tank. Mr. Crispini stated it is an above ground propane tanks that are used for heating of the studios. Mr. Brownell asked how the tanks would be filled. Mr. Crispini stated they would have a service, and they would use the service road.

Mr. Brownell opened the hearing to the public.

Ms. Darlene Ganley, Foxtown Cemetary Road stated this is a beautiful place, and everything is tastefully done. It is really at one with nature. They care for the environment. What they show on paper and what you see is phenomenal. She stated parking has never been an issue. She and her husband have tried to go to most of their events. Even when they put up their signs, they are on pieces of trees. She suggested people attend to see it. She stated they have small gatherings. She believed it would be to the town's advantage to help them grow.

Mr. Mark Walters, First Selectman stated he has worked with Mr. Crispini and Ms. Paradise for several years. He believed this would put East Haddam on the map as a place to visit.

Mr. Pete Govert stated East Haddam used to have a slogan that read "East Haddam...alive with history and art". He stated they want to help people preserve land and protect nature. He stated I-Park is trying to help do that, through art.

Mr. Mark Thiede, owner of Two Wrastling Cats, stated that one of his missions is to bring art to his place of business. He believed this proposal would be a benefit to the town. He believed East Haddam has a treasure in this facility.

Ms. Leslie Wohl, stated there is not much other than the Goodspeed for children interested in the arts. They are building bridges with the high school vo-ag programs. She wholeheartedly supported this proposal.

Ms. Melissa Ziobron submitted her testimony in support of I-Park. She was very proud to have them in East Haddam. She could not stress enough what a world-class organization this is.

Ms. Kandy Karle, 31 Sims Lane, stated they have experienced the art on the outside of the property. She believed they were not only supporting artists, but they are also respectful of the environment. She is incredibly proud as a member of the community that East Haddam has this type of facility here. She hoped to work with I-Park for the performing arts as well.

Ms. Marie Golet lives directly across from I-Park. Three generations of her family have been caretakers of that property. She is very pleased with them as neighbors. They have put a great deal of effort into restoring the property. She hoped they are able to preserve grass parking. She believed pavement there would be a terrible thing. She encouraged people to go visit I-Park. She wished them the best.

Mr. Pete Simmons, EDC coordinator spoke in support of this proposal. He hoped to see it better publicized.

Ms. Debra Mathiason spoke in support of I-Park. They are adding I-Park to the tourism brochure this year.

Mr. Nemergut stated the comments received are addressable and will submit for the next public hearing.

Motion by Mr. Thomas, seconded by Mr. Gubbins, to continue application of Application #15-03, DRA LLC, (Radek Associates), 428 Hopyard Road, creation of an educational/philanthropic not-for-profit artist-in-residence program to include new structures and new programs. Expansion of current I-Park General Residence Artist Program until the next regularly scheduled meeting on March 24, 2015, 8:00 p.m. at the Town Grange. Motion carried by unanimous vote.

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

**B) Application #15-04, Jon Peters (applicant), Jim Johnson (owner), 32 Main Street, change of use from coffee shop to restaurant. Assessor's Map 17, Lot 18.
First date: March 10, 2015 Last date: April 14, 2015**

Mr. John Peters addressed the commission. He submitted the green, certified receipt cards to the commission.

Mr. Peters proposed extended hours until 10:00 p.m. every day. They would be open from 6:00 a.m. – 2:00 p.m.; and then from 5:00 p.m. to 10:00 p.m., 7 days per week. They are testing a burger bar on Mondays, and they are trying to go for a beer and wine permit.

Mr. Brownell asked about floor plans, for a conversion to a restaurant. Mr. Peters stated the floor plan is not changing. Mr. Ventres stated the floor plan is not changing. Mr. Ventres also noted it would be easier to have permitted hours from 6:00 a.m. to 10:00 p.m., 7 days per week. Responsive to inquiry by Mr. Curtin, Mr. Ventres explained the beer and wine permitting process with the State of Connecticut.

Mr. Brownell asked about the seating. Mr. Ventres stated for the building, there is a 12-seat maximum. It was noted that there are two tables outside. Mr. Peters stated there would be no additional lighting. Mr. Brownell asked about serving alcohol outside. Mr. Peters explained the serving of alcohol has a sliding fee schedule and each additional area has additional permitting fees.

Mr. Gillis asked about parking. Mr. Ventres stated the parking has not been an issue as of yet. Mr. Curtin asked if there were any changes to the building. Mr. Peters stated none were proposed.

Mr. Brownell opened the hearing to the public.

Mr. Mark Walter spoke in support of the application. He stated there was nothing but positive from this application.

Ms. Kandi Carle stated this is responsible growth. It was nice to hear someone want to expand.

Mr. Peter Simmons submitted a letter of support to the commission. He stated this is a classy little eatery that brings in people. This exactly what the village needs, and he supported it.

Mr. Curtin asked if there would be additional staffing. Mr. Peters stated he has done it solo so far, but may need to bring in help at some point.

Ms. Deb Mathiason spoke in support of this application. She stated this is one of 50 small businesses serving approximately 500,000 visitors to East Haddam annually.

Mr. Ventres read into the record a letter from State Representative Melissa Ziobron in support of this application.

Motion by Mr. Pettinelli to close the public hearing of Application #15-04, Jon Peters (applicant), Jim Johnson (owner), 32 Main Street, change of use from coffee shop to restaurant. Motion seconded by Mr. Gubbins, and carried by unanimous vote.

Mr. Ventres noted that the following conditions should be added if approved:

1. Menu item change be brought for approval through CHD
2. Liquor license be obtained through the State before operating.

Motion by Mr. Curtin to approve Application #15-04, Jon Peters (applicant), Jim Johnson (owner), 32 Main Street, change of use from coffee shop to restaurant with the following conditions:

- Menu item changes must be brought for approval to the Chatham Health District.
- A liquor license must be obtained through the State before operating.

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

C) Application#15-05, Donald Bergeron, 89 North Moodus Road, LLC, 89 North Moodus Road, expansion of camp sites. Assessor's Map 73, Lot 10.

First date: March 10, 2015

Last date: April 14, 2015

Mr. Don Bergeron representing 89 North Moodus Road Realty addressed the commission. He stated there are two adjacent property owners who could not be here, but he submitted letters of support from them. He submitted the green cards from all but one. He spoke with that person, and he received it, but does not have the green card to submit.

Mr. Bergeron presented the plan to the commission. He stated they eliminated one basketball court, and would keep one for daytime use. They removed the tall lights as well as the lighting on the building. They reshaped the access road coming up to the dumping station, and then brought it around for easier access. They moved the road and enlarged the turns. The hotel building was demolished last fall, and the land has been graded. They dismantled a 13-unit building and repurposed all of the wood from it. They are proposing 8 new sites where there had been 13-units previously with the structures.

They added more trees to Banner Road. There is a bank for a buffer, and there is significant tree growth for buffering.

The 8 proposed sites are for RVs. Mr. Curtin asked how they would be accessed. Mr. Bergeron showed the access on the plan. Mr. Bergeron stated the fire pits would be in front of the vehicles. He stated there had been a concern about fire pits in the past. To control this, they controlled the size of the fire rings. It limits the size and amount of wood that can be used.

Mr. Bergeron explained that the Emerald Ash Borer beetle has invaded the state. As a result, Connecticut no longer allows any wood to be brought in from outside of the state. Mr. Bergeron sells local wood, and can control the smoke by using seasoned wood.

Mr. Ventres stated that the engineer, Chris Bell has submitted information for the water usage. They are still below the 2,000 gallons per day, so they do not have to go to the State for review.

Responsive to inquiry by Mr. Gillis, Mr. Bergeron stated there were additional sites approved in 2014.

Mr. Brownell asked about the buffer. Mr. Bergeron stated they added trees to the north.

Mr. Brownell opened the hearing to the public.

Mr. Walter Lewis, Banner Lodge, asked about the buffer from the property line. Mr. Ventres stated there was nothing being proposed along the Banner property line at this time. Mr. Bergeron stated there is a basketball court there that is paved, and nothing is addressed there at this time. The pool is gone and has been filled in.

Mr. Mark Walter stated he is proud of the quality of businesses in East Haddam. There has never been an issue with police, etc. It is a quiet, pleasurable place to go enjoy the beauty of our town. He thanked Mr. Bergeron for his investment in our town.

Mr. Peter Simmons submitted a letter of support for this application.

Ms. Kandi Carle stated this property had gone from neglect, and it has been turned into something positive, with a respectful use. What originally put East Haddam on the maps was resort facilities. She believed Mr. Bergeron was bringing this back with a modern approach. They repurposed the wood from one of the buildings. She is very proud that this is happening in her town. It draws positive attention to Moodus and East Haddam, and brings the natural beauty of the town to countless people. She wholeheartedly supported this growth in their business.

Mr. David Carpenter, 100 North Moodus Road stated he had a tour of the property and was impressed. He has not reviewed these plans. He asked if the new sites were closer to Banner, to which Mr. Bergeron stated it was. He asked about fire pits. Mr. Bergeron stated there would be a fire pit for each site. Mr. Carpenter stated it would find the lowest spot, and it comes down into the hollow sometimes. Mr. Bergeron stated they planned to control the fires by the size of the fire pits and what they burn.

Ms. Deb Mathiason, tourism representative supported the expansion of the re-use of the space. She stated this was a welcome addition to East Haddam, and she thanked Mr. Bergeron.

Mr. Ventres read into the record an email from Mr. Edward Kronberg, which spoke in support of the renovations. Mr. Ventres noted this was from the person for whom they had not received the green card.

Mr. Ventres read into the record a letter from Mr. Stephen Beseck which spoke in support of the application.

Ms. Debbie Williams stated she usually goes along with things. She has had patience for many years while they decided what to do with the buildings. She stated the pool is a very active spot. She believed the theatre would be too. She did not remember the parking being approved for the theatre. She showed the location of her property. She stated her property is raised up, so she hears many things that occur on this property. She stated the smoke sometimes comes onto her property. She stated she has asthma, and the smoke sometimes bothers her.

Ms. Williams stated there are alternative tent sites. Mr. Bergeron stated those were from the previous approval, and trees had to be added before use. They have not been used yet.

Ms. Williams stated she would like a couple things done. She distributed copies of her proposal. She stated she would like them to amend the drawing to include within 100-feet from the property onto her property. She has a guest house on her property. There is a septic behind it and a well. She asked that this be put on the drawing. She stated this is a small request, and she has verbally asked for this.

Mr. Gillis asked if there was an as-built for her septic system. Mr. Ventres stated there is no definite record of it. When a surveyor works, they need to have something verified. Ms. Williams stated she would like this to say guest house or cottage.

Ms. Williams provided photographs of the well house to the commission. She stated she does not know the formalities of engineering, but she had supporting documentation. Mr. Pettinelli stated the field was what was important. He stated a surveyor has a license and cannot put unknown information on a plan. He stated the guest house could be added, and probably the well.

Ms. Williams stated her house is a historic property, and is part of the town's listing, and the State of Connecticut's historic resource. It was formally done by Dr. Stofkos. She submitted documentation to the commission entitled Percival Family of East Haddam. She stated the person who lived there was an inventor and a dentist. He invented the first repeating revolver, although Colt's version was more popular. He also made instruments. The house has been modernized before she owned it. However, it has older features too.

Ms. Williams stated her house directly faces the 8 RV sites. The building was removed, and the hotel. This is starting afresh with a new request for 8 RVs and parking to be there. The trees they ended up agreeing on were originally supposed to be a berm and trees. They have a wire fence and a line of pretty healthy white pines. There were a few at the end. She stated an RV is like a trailer, and to look out of her historic house at a trailer, she did not feel was fair.

Ms. Williams stated the RVs are very modern. She referred to a court case many years ago - Karen v. East Haddam. It is considered to be a problem aesthetically to have trailers. These are trailers on wheels. She could not have said anything if they replaced the building. She asked for either a much thicker, higher barrier, or a 200-foot setback. She stated they could plant trees on her property if they wanted.

Mr. Steve Williams, Ms. Williams' husband, stated Mr. Bergeron was doing a pretty good job. However, they do hear a lot of noise, and the smoke does come onto their property. He voiced concern about his property value when and if they try to sell their property.

Mr. Brownell asked about the setback. Mr. Ventres stated the use was approved by the previous owner. It was noted the building there before was there prior to zoning. He stated there is a requirement for a suitable buffer. He read from the regulations from page 95 regarding buffering. There is presently a buffer. Mr. Bergeron stated there is 140-150 feet to where there would be any parking, and the parking is a grassed area. Mr. Ventres stated the commission has discretion about buffering, from 200-feet to a minimum of 50-feet.

Mr. Pettinelli suggested a fence as a sound barrier. Mr. Ventres stated if they put a 10-foot fence, it would still be under the point of the house. In the discussion of buffers, they have always said vegetated buffers that could grow.

Mr. Curtin stated the question was whether the sites would change the property value. He stated this was a vast improvement from what this site used to look like. Mr. Pettinelli asked about the parking. Mr. Bergeron stated the parking is grass. He stated the previous owner had to demonstrate the parking area. Mr. Ventres stated there was no plan to put gravel in the parking area, to which Mr. Bergeron stated there was not.

The commission discussed moving the parking area. The commission noted the building that was removed is the flat area, which is where they would need to park RVs.

Mr. Pettinelli suggested a solid fence. This would create a sound barrier. Ms. Williams stated this approval runs with the land, not with the owner. She stated the burden was on the applicant to show why it should be less than 200-feet. She stated this has always been a peculiar piece of property.

Mr. Pettinelli believed interior units would not generate as much noise as an RV. Mr. Bergeron stated that the RVs would not use generators since power is at each site.

Mr. Ventres stated the closest unit on the corner is about 95-feet. From the house, the closest unit is 187 feet to the house. The problem is that the house is on an angle.

Mr. Gillis asked if there was another area where 4 of the RV sites could be located. Mr. Bergeron stated he has invested a tremendous amount of money into demolishing the buildings and this is where he proposed the sites.

Mr. Brownell asked if there was a way to better buffer it, as well as accommodating the units. He asked if Ms. Williams would be willing, which she indicated she would be, if trees could be

planted on her property. Mr. Ventres stated if the well is there, he did not want the trees planted there. He added from experience, the buffer needs to be maintained by the person who planted it, on their property.

Mr. Curtin asked about a fence along the RVs near the road. He believed this was the only thing to create anything of a sound barrier. Mr. Gubbins asked if the sound issue is from these 8 campers. It sounds like the sound is from the entire site. He did not believe the sound from these 8 campers would dramatically increase the sound on the site. He stated the neighbors might hear some sound from these 8 campers. He stated it would be a nice thing to do, but it is not feasible to require a business owner to do. He likened it to putting a band aid on a large wound. He stated while he feels badly for the neighbor, it is a business.

Mr. Ventres agreed with Mr. Gubbins. He stated this was a resort. He stated the septic capacity would be there if they rebuilt, and there would be noise if they built another 13 unit structure. He also removed a basketball court, which generates noise. Mr. Bergeron added that they also removed a zip line.

Ms. Williams stated she spoke with Mr. Ventres about the dirt when then demolished the building. She believed over 300 cubic feet of dirt were moved. She stated some things in law are gray, and some are black and white. When you take down something that was grandfathered, it does not give a person the right to do something else and have it grandfathered.

Mr. Thomas suggested closing the public hearing.

Mr. Gillis asked if they parked the RVs diagonally, and then had the fire pits on the side, if that would create a sound barrier. Mr. Bergeron stated they would have to utilize the property somehow.

Mr. Williams stated he understands that Mr. Bergeron spent a great deal of money, but Mr. Williams spent a great deal of money on his property too.

Mr. Carpenter asked what the end game was. He stated he would be concerned if the number of RVs doubled over the next 5 years. Mr. Bergeron stated he has been working very hard to keep the activity clustered where it had been. He believed the RV sites would be a more passive use than putting 13 units in there. Mr. Carpenter asked the number of sites. Mr. Curtin read from the plan and determined that the combination of cottages, tent sites, and RV sites total 57 sites.

Mr. Curtin asked about the septic. Mr. Ventres stated they would reach a limit soon where they would have to go to the State for further review.

Ms. Williams suggested more trees for the Williams property line, just below the fence on the applicant's property.

Motion by Mr. Curtin to close the public hearing for Application#15-05, Donald Bergeron, 89 North Moodus Road, LLC, 89 North Moodus Road, expansion of camp sites. Motion seconded by Mr. Gubbins, and carried by unanimous vote.

Discussion: Mr. Gillis asked if the cabins were an approved use. Mr. Ventres stated they were. Mr. Gubbins asked about the planting of additional trees, and if it would help. Mr. Ventres stated that if people plant a staggered tree line, it would grow in. However, he noted that when that happens, the smoke will go upward.

Motion by Mr. Curtin to approve Application#15-05, Donald Bergeron, 89 North Moodus Road, LLC, 89 North Moodus Road, expansion of camp sites with the following conditions:

- **A tree buffer of white pines planted in a double row, in a zigzag staggered pattern shall be planted along the eastern boundary of the Williams' property.**
- **The buffer shall be installed the length of the north/south fence before the RV sites are used.**

Motion seconded by Mr. Thomas, and carried by unanimous vote.

7. ADJOURNMENT

Motion by Mr. Gubbins, seconded by Mr. Curtin, and carried by unanimous vote to adjourn at 10:31 p.m.

Respectfully submitted,
Holly Pattavina