

PLANNING & ZONING COMMISSION/
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
April 14, 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), Ed Gubbins (regular member), Martha Hansen (alternate member), Louis Salicrup (regular member) Harvey Thomas (regular member)

COMMISSIONERS ABSENT: Bernard Gillis (regular member), Richard Pettinelli (alternate member), Jessica Stone (alternate member)

OTHERS PRESENT: Jim Ventres, 4 members of the public

Mr. Brownell appointed Ms. Hansen to vote in place of Mr. Gillis this evening.

3. MINUTES

The minutes of the March 24, 2015 regular meeting were accepted with the following amendments:

- Page 1, change attendance to reflect that Ms. Hansen, Mr. Salicrup, and Mr. Gubbins were absent.
- Page 3, 1st sentence: strike “of the” before “thinking”

4. BILLS

Suburban Stationers	\$41.48
Suburban Stationers	39.48
Hartford Courant	432.41
Branse & Willis	TABLED

Motion by Mr. Curtin, seconded by Mr. Gubbins to pay the bills, with the exception of the Branse & Willis, P.C. bill. Motion carried by unanimous vote.

5. REVIEW OF PLAN OF CONSERVATION AND DEVELOPMENT

Mr. Ventres has to still clean up some information in the 490 open space, and exempt should read “open space”. Mr. Brownell noted that several members were not present at the last meeting, and would likely want to review the information before discussing.

Mr. Pete Simmons, Economic Development Commission (EDC) Coordinator, briefly reviewed the reasons for their draft. He stated they began with a proposal last year. They re-wrote the section based on feedback provided by the commission last year. They are looking at seven action items. He referred to the draft Chapter 8 – Economic Strengths & Opportunities – Chapter Summary dated March 24, 2015. The seven proposed elements on the right side of the table are the elements within which this section is organized.

Mr. Robert Casner, EDC, stated every year, the Planning & Zoning Commission reviews this Plan of Conservation and Development. The EDC decided to re-write it to use as a benchmark for yearly guideline to see what they have accomplished, as well as where they are going.

6. ACKNOWLEDGMENTS

Mr. Ventres distributed an application for a landscape business in the Grist Mill complex. Mr. Ventres recommended a special exception review/public hearing because the applicant wants to install mulch and pea stone bins. He can be ready for the next meeting.

Motion by Mr. Curtin, seconded by Mr. Matthews to schedule a public hearing for Ryan Sully for April 28, 2015, 8:00 p.m. at the Town Grange. Motion carried by unanimous vote.

Mr. Brownell acknowledged that there were some people in the audience today he was surprised to see. He thought the Rotary Club was reviewing the pond information before speaking again. He did not want the audience to speak about this topic this evening, since it was not an agenda item, and the Rotary Club was not present.

Ms. Tonucci stated she agreed and understood. They came tonight just in case they were put on the agenda. She stated she sent a letter to the commission. Neither Mr. Brownell nor Mr. Ventres had received any letter. Mr. Ventres stated Atty. Jezek called earlier to see if it was going to be on the agenda.

7. ZEO REPORT

A) Shagbark

Mr. Robert Casner reported on behalf of Shagbark. The building is now in full compliance with the fire code as of the last inspection. The commission should receive a letter shortly.

Mr. Casner stated they have been trying to meet with the building official. Mr. Casner stated he and the architect had a meeting with the building official. They reviewed the entire file, going back to 1996, and it was a very productive meeting. The building official has put any new work on hold until he has had a chance to review everything. Mr. Casner reported that the building official is satisfied with the structural part of the building. He has also given approval to install one handicap bathroom. It was also determined that only one handicap bathroom is required. The building official wants to get this resolved, and he will give Shagbark a certain number of days to install the bathroom, and have it approved by him. Mr. Casner assumed a copy of the building official's letter will be going to Mr. Ventres soon. Mr. Casner noted that the building official is taking a very active role in this issue.

Responsive to inquiry by Mr. Salicrup, Mr. Casner stated the architect, Robert Fellner is working on an as-built for Shagbark. He believed it would be a good base document.

It was noted that the septic system still needs to be installed; however, it has been designed and just needs to be installed.

Mr. Ventres stated he and a few others went to a planning meeting for Tylerville last week. The presenters invited the neighbors, and there was a good turnout for the meeting. They talked about their additional plans for the river front, rather than a boat launch. They discussed the possibility of a walkway over the bridge.

Mr. Brownell asked what they were proposing for Route 82. Mr. Ventres replied that they did not propose anything. However, there were 15 engineering students at the meeting, and they were tasked with coming up with plans for the area. Mr. Thomas asked if the purpose of the meeting was to come up with a cohesive plan for Tylerville, to which Mr. Ventres responded affirmatively.

Mr. Thomas asked about a cohesive plan for the area up to the four corners. From the perspective of East Haddam Village, it is close to the same era architecture. He believed East Haddam should have a “dog in the fight”, so that the approach to East Haddam would be not detrimental to our town. Mr. Ventres stated the people at the tables where he was sitting were concerned with being sensitive to the surroundings. Mr. Thomas believed the fact that others were concerned about this was good because when we have gotten people together in East Haddam, it has worked out reasonably well.

Mr. Salicrup stated he travels quite a bit, and East Haddam is one of the nicest places he has been. He believed we should try to keep it that way. Mr. Thomas stated they should encourage their neighbors to do the same.

Mr. Ventres reported that the follow up meeting is scheduled for April 30, 2015.

Mr. Curtin commented that he had heard rumors, and asked if there was a CT Department of Energy and Environmental Protection (DEEP) order that the lakes in Connecticut had to be sewered within 5 years. Mr. Ventres responded no. He stated that if the DEP gives an order, it typically has to be completed within 3 – 5 years.

Motion by Mr. Curtin, seconded by Mr. Salicrup and carried by unanimous vote to recess briefly at 7:56 p.m. The meeting reconvened at 8:00 p.m.

8. PUBLIC HEARING

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

A) Continued – 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 Residency Artist Program. Assessor's Map 61, Lot 12.

First date: March 10, 2015

Last date: April 14, 2015

Mr. Roger Nemergut, P.E. addressed the commission. He stated that Mr. Ralph Crispino was on his way from New York City, and hoped to be here by 8:30 p.m.

Mr. Nemergut distributed revised plans to the commission. He submitted a waiver request for the stormwater management requirements. He explained that this drains away from Hopyard and Haywardville Roads, through a very large area. They will be mitigated by the wetlands and the river that runs through this area.

Mr. Nemergut explained the major features of construction were to increase the number of artist's residency units. Currently, there are 6 in the farmhouse now, and they propose construction of a 12-unit residency facility. In addition, they want to create a workshop area that will be partly for the staff to use, and partly for the artists to use.

Mr. Nemergut noted that the revised plan, based on extensive input from the owner, is very close to the ultimate layout for what they want to do here. The individual units will be served by underground propane tanks.

Mr. Nemergut stated that all of the individual units will have underground electrical service. They will be fed in different ways, but will all likely come from existing buildings. Only four of the individual units will have water. The plumbing facilities for these "wet studios" will be sinks, not bathroom facilities. The water will be piped into septic systems. The State Health Department has the authority to grant an exception to do this. They have been trying to get a response to this question. He did not expect a problem with this, but they do not have approval yet.

Mr. Nemergut stated the ADA compliant units are clarified on the plans. These areas are noted on the plan as "HA". The workshop, residency buildings, as well as 3 of the 12 studios will be ADA compliant. They have 106 parking spaces, the majority of those are temporary. Mr. Nemergut noted there had been a question about whether those spaces needed to be calculated for handicapped spaces; however, they have provided 5 handicapped spaces, and he reviewed the plan and the location of them.

Mr. Nemergut showed the area of the portable sanitary facilities when they are utilized. There was a question about the special events. He will ask Mr. Crispino to speak to this.

Mr. Nemergut stated from the entrance, there is approximately a 400-foot sightline to the left, and approximately 800-1000 foot sightline to the right from the driveway. He stated as part of this plan, he proposed widening the driveway to 18 feet. Mr. Nemergut stated they have delivery service access, as well as emergency access. This is a gravel process material. They will screen the dumpsters on three sides.

Mr. Nemergut reviewed the stone walls. He stated as far as they can see, the walls are directly on the property lines. The applicant would have to notify the State before doing anything to the stone walls.

Mr. Nemergut stated there is a desire down the road to provide a dry hydrant to this pond. He showed the logical place to do this. He asked if this would be significant enough to trigger a special exception review for this. Mr. Curtin stated it was an additional safety measure. Mr. Nemergut stated they would work this out with the Inland Wetlands and Watercourses Commission. Mr. Thomas asked if this was the only concern for future changes. Mr. Nemergut stated there are plans for a future water tower. Mr. Crispino believed this would be 25-30 feet high. Mr. Ventres stated the maximum is 35-feet. Mr. Curtin stated it is already shown on the plan so they would just need a building permit.

Mr. Nemergut reviewed a permanent structure with a canvas skin, etc. for temporary use. This structure could be moved around the property, depending upon the desired use at the time. Mr. Curtin stated they would need a building permit for this. Mr. Ventres stated it would be similar to a tent.

Mr. Nemergut stated he has worked very closely with Ms. Davidson of Chatham Health District on this application. She has sent this application to the State, but he has not received any feedback yet.

Mr. Curtin asked if the only pavement would be the apron off Haywardville, to which Mr. Nemergut responded affirmatively.

Mr. Brownell asked if 8-feet was the minimum for emergency access. Mr. Curtin stated the most they would need was to add additional gravel. Mr. Brownell stated as long as the fire department was satisfied with the design, he had no issues with it.

Mr. Thomas asked where the sanitary facilities were located for the outlying studios. Mr. Nemergut stated there will be composing toilets. Mr. Thomas asked if there was any signage expected to be erected for the normal course of events. Mr. Nemergut stated there will be a sign, as there is now, identifying I-Park. He asked if there would be a larger sign, etc. Mr. Nemergut stated it would comply with the existing sign regulation. Mr. Thomas asked about lighting for everyday access. Mr. Nemergut stated they are low level, and they point downward. There are also low-level, hard-wired, programmable path lights. Mr. Crispino stated the paths were very well lit. He stated for special events, they would bring in two or three light towers. Mr. Ventres stated all the fixtures have to be dark sky compliant. He stated there is no stadium area, and there is no lighting for the parking lot. Mr. Nemergut stated the lighting would be the low level lighting for the pathways. He further noted there is no plan to put pole lighting in for everyday use.

Mr. Thomas asked about special events. Mr. Crispino stated they have signs in the basement they bring out for special events. He stated they may need additional lighting for special events, which is when they would bring in the light towers. Mr. Thomas stated it would make sense to have it in a narrative, etc. and get it approved within this special exception rather than coming back again. Mr. Curtin asked

what type of events would need the large lights. Mr. Crispino stated they usually put 3 of these large lights in the field for cars.

Responsive to inquiry by Mr. Brownell, Mr. Crispino stated all of the buildings would have lights. Mr. Nemergut stated they would clarify in a narrative the lights and signage.

Mr. Thomas understood there is a lot of acreage, but the wetlands to the east and the south are basically where the water goes, which eventually goes to the Eightmile River. He asked if Mr. Nemergut was comfortable enough asking for the waiver, and that they are not anticipating the Eightmile oversight committee to be harmed by this and come back to this commission. Mr. Nemergut was comfortable with this. He added that it was his opinion was that it would not be appropriate or necessary here. Mr. Ventres stated he sent this to Pat Young of the Eightmile River committee.

Mr. Curtin stated the soils by the buildings are particularly good there, and are very well-drained soils.

Mr. Thomas suggested in terms of the special events, if it was built it into this application now, it will be easier for everyone in the long-term. Mr. Nemergut will review this. Mr. Thomas suggested lights, frequency, signage, etc. be considered.

Mr. Brownell opened the hearing to the public.

Mr. Robert Casner stated one thing the Economic Development Commission (EDC) is looking to expand is tourism. He believed this application would be a perfect use for this. He stated it is a wonderful experience. It seems that they are opening this more and more to the general public, and he believed they have done a fabulous job. It is a real gem and he hoped to work with the owners to make this happen. He believed this would be a major attraction for East Haddam.

Mr. Ventres stated they are waiting for input from Chatham and the State.

Mr. Nemergut submitted a request for an extension of 30 days, although he hopes to have everything done in two weeks.

Motion by Mr. Gubbins, seconded by Mr. Matthews, and carried by unanimous vote to grant the extension request and to continue the public hearing until April 28, 2015, 8:00 p.m. at the Town Grange for 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 Residency Artist Program.

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

B) Application #15-06, Ronald Zahecefski, 31 Alexander Road, special exception review for an accessory apartment. Assessor's Map 71, Lot 102.

First date: April 14, 2015

Last date: May 19, 2015

Mr. Zahecefski addressed the commission. Mr. Ventres presented the plans for the accessory apartment, which has already been built. Under the regulations, the accessory use has to be by special exception approval. He stated this property is an interior lot on 4 acres. Mr. Ventres stated that the apartment exists, and the property owner cannot get the required additional permits without approval from this commission.

Mr. Ventres read into record the approval letter from Chatham Health District. He noted that this accessory unit meets the square footage requirements, etc. of the regulations. The green, certified receipt cards were submitted to Mr. Ventres.

Mr. Brownell opened the hearing to the public.

Mr. Christian Bozul, 35 Alexander Road, asked if it would still be considered a single-family. Mr. Ventres explained that it is one bedroom accessory unit. As such, the owner would be required to occupy either the main house or the accessory unit under the regulations. Mr. Bozul was satisfied with this response and stated he had no further questions.

Motion by Mr. Salicrup, seconded by Mr. Matthews, and carried by unanimous vote to close the public hearing for Application #15-06, Ronald Zahecefski, 31 Alexander Road, special exception review for an accessory apartment.

Motion by Mr. Curtin, seconded by Mr. Thomas, and carried by unanimous vote to approve Application #15-06, Ronald Zahecefski, 31 Alexander Road, special exception review for an accessory apartment as presented.

9. ZEO REPORT (Continued)

Mr. Ventres stated he went out today to take photographs of Milan Cais's property. They have to go to Norwich court next week, instead of Middlesex Superior Court this time.

Mr. Ventres took photographs of five properties today because the selectmen want to revisit the blight ordinance. Discussion ensued regarding various properties in town.

Mr. Ventres reported on the Shadybrook property. When they talked last year, they had to talk to the State with a plan for manure management. The business owner was told that he needed plans for the building official before any reconstruction was done, but he built the entire thing without any permits. The State has called for a meeting next week with everyone involved. The State has been contacting the business owner since October, 2014.

Mr. Thomas asked about the copies of articles in their packets. Mr. Brownell noted that Mr. Casner had submitted them.

Mr. Gubbins asked about the dumpsters at the Town Tavern. He asked if Haddam Pizza was responsible for these, to which Mr. Ventres responded affirmatively.

Mr. Ventres stated he had someone come in yesterday to report there was sewage going into Lake Hayward. Mr. Ventres went out there, and Connecticut Water was there flushing their lines.

Mr. Ventres distributed copies of the regional planning agencies Chapter 2 on Demographics.

Mr. Ventres distributed copies of the CT River Gateway Commission regarding the annual Gateway Boat Trip, scheduled for June 4, 2015 5:00 p.m. to 8:00 p.m. The Gateway Commission is looking for one representative from each commission.

10. ADJOURNMENT

Motion by Mr. Gubbins, seconded by Mr. Matthews to adjourn at 9:20 p.m. Motion carried by unanimous vote.

Respectfully submitted,

Holly Pattavina