

PLANNING & ZONING COMMISSION/
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
May 26, 2015
(Not yet approved by the Commission)

1. CALL TO ORDER: Mr. Curtin called the meeting to order at 7:15 p.m. at the Town Grange.

2. ATTENDANCE:

COMMISSIONERS PRESENT: 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: Crary Brownell–Chairman, Jessica Stone (alternate member)

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

OTHERS PRESENT: Jim Ventres, 12 members of the public

3. MINUTES

The minutes of the last meeting were distributed and tabled until the next meeting.

4. BILLS

None

5. ACKNOWLEDGMENT

A) Application #15-09, Daniel O'Brien, 277 Tater Hill Road, 3 lot subdivision. Assessor's Map 31, Lot6 83.

First date: May 26, 2015

Last date: July 30, 2015

No one representing the applicant was present at this meeting. Mr. Ventres explained that this application is for 10 acres to be split into three lots. This application will go to the Inland Wetlands and Watercourses Commission (IWWC) in June, but the meeting will not be until June 24, 2015. Mr. Ventres recommended a public hearing be scheduled for July 14, 2015.

Mr. Ventres informed the commission that he sent the stormwater plan to Brian Curtis of NL Jacobson & Associates for review. The soil scientist will go back to look at the wetlands flagging.

Motion by Mr. Salicrup, seconded by Mr. Gubbins, and carried by unanimous vote to set a public hearing for Application #15-09, Daniel O'Brien, 277 Tater Hill Road, 3 lot subdivision on July 14, 2015, 8:00 p.m. at the Town Grange.

6. REQUEST FOR EXTENSION

A) Application #14-22, Russell Vile, Re-subdivision. Request for a 90-day extension to record approved subdivision plans. Approval was granted at the February 10, 2015 meeting. A 90-day extension will make the new due date to record on August 9, 2015.

No one representing the applicant was present at this meeting. Mr. Ventres explained that when the applicant filed the map, he actually transferred some easements to the Town; therefore, the transfers have to go to a Town Meeting for acceptance. Mr. Ventres indicated this has been sent to the attorneys for review.

Motion by Mr. Gubbins, seconded by Mr. Matthews to grant the request for Application #14-22, Russell Vile, Re-subdivision a 90-day extension to record approved subdivision plans. Motion carried by unanimous vote.

7. REVIEW OF CONSERVATION & DEVELOPMENT PLAN

Mr. Ventres stated the commission had been given copies of this draft at the last meeting with the proposed changes. He asked if there were any questions about the plan, to which there were none.

Mr. Gubbins believed the subcommittees went through the sewer discussions some time ago. He asked why this kept coming up. Mr. Casner stated this was basically educational and informational for any business person looking at a restaurant, business, etc. to bring a sewer line up Route 82. He asked that this language stay in the Plan of Conservation and Development to show we have investigated it, and the knowledge will be captured in the report. He stated they are awaiting a report from the EDC's engineer. This report will encompass the Shagbark four corners, as well as the Moodus area.

Mr. Gubbins was concerned that someone might read this in the Plan of Conservation and Development, and think the town was considering running the sewer lines up to the four corners.

Mr. Casner stated their engineer's report would be available early next month. Mr. Ventres suggested the commission wait for this report, since it is not critical that this be done tonight. Mr. Curtin noted that Mr. Brownell had asked that this not be approved tonight, since he was not available to be present. Mr. Gubbins reiterated his concern that he did not want anyone to think this is a promise.

Responsive to inquiry by Mr. Thomas, Mr. Ventres stated he has asked Loretta Zdanys to fill in the numbers for this section. There are more numbers that will be provided. Mr. Thomas suggested they get Ms. Zdanys' numbers by the next meeting.

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

9. ZEO REPORT:

Mr. Ventres distributed a copy of a Cease & Desist order for Forest Way, East Haddam. This is for a camp trailer being used for residential use, along with junk cars.

Mr. Ventres will soon take a trip around the lake to document unauthorized work being done. Mr. Ventres noted that the IWWC had discussed a dock and several large rocks that were moved from the lakebed. This work was done without a permit. Mr. Curtin stated he has been looking at a job on Fletcher's Cove.

Mr. Curtin questioned the status of the dam. Mr. Ventres stated he is still hearing July 1st for completion. Mr. Gubbins noted that concrete had been poured. There is still scaffolding in place.

Mr. Ventres informed the commission that he has been receiving numerous false claims and calls recently.

Mr. Ventres distributed an email from Andre Cameron of Cameron Family Farms. They recently had a meeting in the field with various local and state officials, as well as one investor. The email outlined the status. Discussion ensued.

A) Shagbark

Mr. Casner stated that the new building official, Jerry Russ, has given Shagbark until July 1, 2015 to have the bathroom done. There was a question about the new leaching fields, and whether or not the new leaching fields also had to be done by July 1. Mr. Pettinelli noted that commercial entities go by fixtures for the septic calculations.

Mr. Ventres stated he went to Town Tavern to inquire about the dumpster. The owner was not there, but the people agreed that the dumpster should be taken care of. He will talk to the owner. Mr. Ventres left diagrams, etc. for the dumpster and oil tank screening.

Mr. Ventres stated that Franklin Academy goes out into the community for one week each year and works on projects. They are now painting Two Wrasslin' Cats coffee shop and moving tons of mulch at the Harris Community Garden.

Mr. Ventres stated the CT General Statutes does not have a noise ordinance in the statute book. Section 22a 69-1 are regulations developed by the DEEP but are not statutes.

Mr. Ventres indicated that any noise ordinance has to be approved by the Commissioner of the CT DEEP. The State has not had an enforcement action in approximately 15 years. Mr. Ventres spoke with the DEEP about this, but it is not listed in the statutes book. Mr. Ventres stated that the swing bridge is technically in violation of the noise statute at 10:00 at night. Mr. Ventres is waiting for an answer from the DEEP. The DEEP approved the regulation, but it does not appear as though it ever made it to the statutes book. He even called Branse & Willis and they do not know the status.

Mr. Gubbins stated the Goodspeed had a band there last night and they were moving around to try to determine the best place for them to be. They directed the band toward the airport.

Mr. Pettinelli asked the status of the trailer issue on East Haddam Colchester Turnpike. Mr. Ventres responded the man renting from Ballek's is the same as the person on East Haddam- Colchester Turnpike. The person is moving two of the trailers this week.

Mr. Ventres stated he has also spoken with Mr. Anderson on Town Street about his accumulation. He hoped to see some progress on this site.

Mr. Curtin asked about the little house on the corner of Newberry and Wickham Roads. Mr. Ventres stated this is Phase 1 of the house. The property owner is building the entire house, but this is the first part with a garage and work shop.

Motion by Mr. Matthews, seconded by Mr. Gubbins to take a 5-minute recess. Motion carried by unanimous vote. The meeting reconvened at 8:00 p.m.

8) PUBLIC HEARING:

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

A) Application #15-08, Donald Donner, 121 Hopyard Road, 2 lot subdivision. Assessor's Map 23, Lot 1.

First date: May 26, 2015

Last date: June 30, 2015

Mr. Donald Donner – property owner, Mr. Matt Montano, and Mrs. Kelly Montano – applicants addressed the commission. Mr. Donner stated he has approximately 25 acres of land, and is proposing a lot to be split off for the Montano's. He submitted the green, certified receipt cards to the commission.

Mr. Ventres noted that this application was reviewed by the IWWC, and there is a letter on file. There was a question about the wetland in the southeast corner of the property. It was determined this area was not a vernal pool. All of the activity is outside of the wetland review, except the back toward Babcock Road, which is a gravel road and will remain a gravel road.

Mr. Ventres read into the record a letter dated May 26, 2015 from Ms. Liz Davidson of Chatham Health District. The letter concluded that this subdivision plan meets the requirements for site suitability as per the Public Health Code. A site plan and building plans are to be submitted for review for the new lot at the time of building permit submission.

Mr. Matthews recused himself from this application, as he knows the applicant.

Mr. Curtin opened the hearing to the public. No public comments were offered.

Mr. Salicrup asked if this is the first split from the original parcel. Mr. Ventres stated they previously used the free split.

Motion by Mr. Matthews to close the public hearing for Application #15-08, Donald Donner, 121 Hopyard Road, 2 lot subdivision. Motion seconded by Mr. Gubbins, and carried by unanimous vote.

Mr. Pettinelli asked if they would have to submit a new site plan if they change the footprint. James Ventres responded that the new site plan would be submitted to his office.

Mr. Gubbins asked if there would be any liability to the town for Babcock Road, to which Mr. Ventres stated there would not. A brief discussion ensued.

Motion by Mr. Gillis to approve Application #15-08, Donald Donner, 121 Hopyard Road, 2 lot subdivision, with the condition that all requirements of Chatham Health District be met. Motion seconded by Mr. Salicrup, and carried by unanimous vote.

Mr. Gubbins asked what happened on East Haddam-Colchester Turnpike. It was believed a tree came down and took out some wires. Mr. Ventres stated that sidewalk crossings are being installed in East Haddam Village across from Rathbun and the Sweet Shop.

9. ADJOURNMENT

Motion by Mr. Gubbins, seconded by Mr. Matthews, and carried by unanimous vote to adjourn at 8:30 p.m.

Respectfully submitted,

Holly Pattavina