

**PLANNING & ZONING COMMISSION/  
TOWN OF EAST HADDAM  
LAND USE OFFICE  
REGULAR MEETING MINUTES  
December 8, 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:** Cary 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:**

**OTHERS PRESENT:** Jim Ventres, and 12 members of the public

**3. MINUTES**

Tabled

**4. BILLS**

Suburban	\$38.52
Branse & Willis (violations/correspondence)	536.50
Hartford Courant	145.83
NL Jacobson (Banner review)	3,144.58

Mr. Pettinelli asked when the commission would get some value from this review. In his professional opinion, this report was a piece of garbage. Several things were missing from this review. Mr. Gillis asked how many hours this bill represented. Mr. Ventres stated it was for 24 hours of review.

The commission discussed tabling the NLJ invoice. The consensus of the commission was to have Mr. Ventres discuss the NLJ review bill with them.

**Motion by Mr. Curtin, seconded by Mr. Gubbins to pay the bills, with the exception of the NLJacobson bill. Motion carried by unanimous vote.**

## **5. SITE PLAN REVIEW**

**New: Application #15-24 – 98 Bailey Road, Lawrence McClure, single family residence.**

**Assessor's Map 57, Lot 26**

**First date: December 8, 2015**

**Last date: February 10, 2016**

Attorney Scott Jezek addressed the commission on behalf of the applicant, along with Mr. Roger Nemergut, engineer. This application has been reviewed by both the Inland Wetlands and Watercourses Commission (IWWC), and the Zoning Board of Appeals (ZBA), and has received the necessary approvals from both.

Mr. Roger Nemergut submitted plans to the commission. He stated this is a 1 ¼ acre parcel on Bailey Road. The road frontage is to the west, and Bashan Lake is to the east. There are three buildings on the property. They are all seasonal cottages. The total bedroom count is 7 bedrooms. The vintage cottages date back to the early 1900's, and they have been in the owner's family since that time. The plan is to raze the two cottages that are closest to the lake. They would be replaced with a new, 4-bedroom single-family residence. The furthest 2-bedroom seasonal cottage will be converted to a one-bedroom accessory unit. This unit will be used for storage and spillover guests.

The septic systems are of unknown origin. There are small septic systems on the property. As part of this proposal, they will remove all of the septic systems and replace them with a single septic system at the west end of the property, which will put it approximately 300-feet from the lake. They reduced the number of bedrooms from 7 to 5, moved it farther from the lake, and propose a code-compliant septic.

The new building will increase from approximately 2500 to 4000 square feet. In the existing buildings, there is no opportunity for infiltration or runoff. The new proposal will have buried infiltration systems, and will have a drip edge infiltration system. What runs off the eaves will fall down and hit a dedicated area. There is more roof runoff, but in terms of runoff, they are giving it a better area to get back into the ground.

Mr. Nemergut showed a dedicated area of groundcover plantings and shrubs. He noted that the IWWC asked them to add some trees, so they have added some white oak trees to the planting plan. There was a fairly good sized bluestone patio. They proposed to remove some of the patio and turn it into a planting area, per the IWWC's request. All of the patios will be comprised of a permeable paver system, through gaps between the paver stones.

Mr. Nemergut stated they have a relatively flat area at the edge of Bashan Lake. This house will be approximately 10-feet farther back from the lake than the existing cottage. There is a fairly steep grade once you get to the house. The area drains from Bailey Road to Bashan Lake. The area is flat, steep, and then flat again. This house has been designed for this lot. The architect took into account the grading for this specific site. This house is a series of finished floors that steps down toward the lake. There is very little change in grade required for this construction. With few exceptions, they have met the grade. In terms of disturbance during construction, it should be minimal because of the minimal grading.

Mr. Nemergut stated the McClure's plan to keep the groundcovers, etc. rather than to have large areas of lawn. They received a variance from the ZBA in July. They also received a permit from the IWWC last month. Additionally, they have a letter from the Chatham Health District for the septic system. They are putting the house and the existing cottage into the same system. This requires an exception from the State Health Department. Mr. Nemergut stated he has spoken with the State, and they have approved this.

Ms. Brooke Gurdy, architect, addressed the commission. She stated the McClure's have been here for so long, they knew where the best views were, parking areas, etc. This is a modern interpretation of the two existing cottages. She showed the areas of the parking, the wooded area, and the house. They have incorporated the same uses. She tried to break up the roof form. The siding would be wood and native stone. She showed a covered walkway to get to the front of the house.

Mr. Salicrup asked about the walkway down to the front door, and inquired about the paver material. Ms. Gurdy stated this is a stone walkway area.

Mr. Curtin asked if there would be a garage. Ms. Gurdy stated there would be no garage.

Mr. Gillis asked if they had achieved all of the height requirements, etc. Mr. Ventres stated it was in compliance, and they had undergone an extensive review earlier on in the process. Attorney Jezek stated this is before the commission because it is in the Lake zone.

Mr. Thomas asked about the structure and whether it will be seasonal or year-round. It was noted that the new house will be year-round, and the other cottage will be seasonal.

Mr. Thomas asked about plantings. Attorney Jezek stated that Nancy Mackinnon had been before the IWWC to present the entire list of plants that were used in this plan. Mr. Nemergut stated their directive was to use indigenous plantings.

Mr. Curtin inquired about slopes. Mr. Nemergut showed these areas on the plan.

Mr. Nemergut stated the original parcel was 1.09 acres. The additional piece was acquired last month, .151 acres. The total is just under 1.25 acres. Mr. Salicrup asked if the other parcel that was purchased impeded any setbacks for the neighbor. Mr. Nemergut stated this is part of a large, undeveloped tract of land. Responsive to inquiry by Mr. Gillis, Mr. Ventres stated this would not come before the commission because there was no subdivision previously, it is undeveloped land.

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

Mr. Ventres read into the record a letter from Chatham Health District, which determined that this plan meets the requirements of the Public Health Code.

Mr. Ventres read into the record the approval letter from the ZBA dated September 2, 2015.

Mr. Ventres stated this plan now incorporates the conditions of the IWWC, which was reviewed in November.

Ms. Jennifer Fournier, asked the construction timeline, demolition, and removal. Her concern was based on the fact that her driveway has been utilized for past construction projects in the area. Her retaining wall has been damaged in the past. Mr. Salicrup suggested she take pictures of the existing conditions.

Mr. Gillis asked if this was a seasonal dock. Mr. Nemergut stated this is an existing seasonal dock. Both of the docks are vintage from when the cottage was built in the 1940's. One is removable and one is fixed.

Mr. Nemergut submitted the green, certified receipt cards to Mr. Ventres.

**Motion by Mr. Salicrup to approve Application #15-24 – 98 Bailey Road, Lawrence McClure, single family residence, with the condition that all requirements of the IWWC and Chatham are followed. Motion seconded by Mr. Gillis, and carried by unanimous vote.**

## **7. PUBLIC HEARING**

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

**Continued: Application #15-16 – 1 Banner Road, Banner Lodge Enterprises, LLC, Under Section 14B and Section 17 – Planned Recreational Development – Resort Zones PRD-R. Additional 247 units. Assessor's Map 73, Lot 32.**

**First date: October 27, 2015**

**Last date: January 28, 2016**

Mr. Ventres stated he had a meeting with WMC (the engineers) and the owner last week. They asked that the commission table this application until the next meeting on January 12, 2016.

**Motion by Mr. Salicrup, seconded by Mr. Matthews to continue Application #15-16 – 1 Banner Road, Banner Lodge Enterprises, LLC, Under Section 14B and Section 17 – Planned Recreational Development – Resort Zones PRD-R, additional 247 units until the next regularly scheduled meeting on January 12, 2016, 8:00 p.m. at the Town Grange. Motion carried by unanimous vote.**

## **6. SUBDIVISION REVIEW**

**New: Application #15-25 – 50 Cove Road, Attorney Scott Jezek (Agent), Marilyn Lukie (owner), 3 Lot subdivision. This property abuts the old Klar Krest Resort. The other lot is on the right as you proceed up Johnsonville.**

Mr. Nemergut addressed the commission. This is almost 9 acres on the corner of Cove and Johnsonville Roads. The property is a proposed 4-lot subdivision. It has two existing single-family residences on it. The Gray residence, and another existing residence. There will be two newly created vacant lots, which have frontage on Johnsonville Road. This is in the R-1 zone. As part of this, they will transfer an "L" shaped parcel to the Gray property, which will make the Gray property a conforming lot. There would be no proposed construction for Lots 1 and 2.

Mr. Nemergut explained that there would be two new driveway cuts off Johnsonville Road. On the first cut to the south, the grade is moderate. The second driveway, farther to the North, the driveway is pushed to the north to gain sight line. As you proceed north, the grade increases. This is very well drained soil. To accommodate the Public Works Administrator, instead of a center line crown, they agreed to pitch both driveways to the north. They will introduce a stone swale, as deep as the driveway base, in order to allow water to collect and infiltrate into the base.

Mr. Gillis asked if they could effectively pitch a gravel driveway. Mr. Nemergut stated any gravel driveway has to be maintained. Mr. Gillis asked if this would spill out onto Johnsonville Road if it was not properly taken care of. Mr. Nemergut stated this was acceptable to the Public Works Director.

Mr. Ventres stated this is an acknowledgement.

Attorney Jezek stated a free cut has been sold. He stated it always really was a separate lot, but the town has put them all on one tax bill.

Mr. Nemergut stated they would ask for two waivers. The first would be a waiver for the field topography for the 2-foot contours. The second was regarding the stormwater management for detention. It is basically two new houses on 9 acres. When looking at the flow contours on this site, it actually travels north. It does not go through property that is not part of the subdivision. When it gets to Cove Road, there is a river on the other side. There is a catch basin on Johnsonville Road. There is enough land to provide it if the commission feels strongly that it is necessary.

Mr. Gubbins asked how far the catch basin was from the outlet of the driveway. Mr. Nemergut showed the area of the catch basin on the plan.

Mr. Brownell asked about the runoff. Mr. Nemergut stated right now, it is field.

Mr. Salicrup asked for a letter from Beth Lunt.

**Motion by Mr. Thomas, seconded by Mr. Matthews, to set a public hearing for Application #15-25 – 50 Cove Road, Attorney Scott Jezek (Agent), Marilyn Lukier (owner), 3 Lot subdivision on January 12, 2016, 8:00 p.m. at the Town Grange. (This will be the first public hearing on the agenda). Motion carried by unanimous vote.**

## **8. ECONOMIC DEVELOPMENT COMMISSION REPORT**

Mr. Bob Casner stated that the Chapter 8 revision for the Plan of Conservation and Development was sent out. He just wanted to go through a couple items. This gives us a lot of goals, as well as expectations of what they would like to accomplish in the next year.

Mr. Casner reviewed the document with the commission. Discussion ensued. They would like to explore what they can do to grow the Grand List. The EDC would like to have a meeting with the Goodspeed. They also want to look at accommodations in East Haddam, as the choices are very limited. The Town Office site would be a great place for this. They are looking for access to the downtown village area. Mr. Gubbins referred to Ivoryton, and noted how beautiful this area is. Mr. Casner agreed

that they had done a wonderful area. It was noted that it would also be a great asset to have a place to anchor in the village district. The commission discussed the Town garage and possible future removal. EDC is also now meeting with Haddam's EDC to keep each other informed about the goings on with each town. The commission discussed the Gateway Commission's role in development.

Mr. Casner discussed the Moodus area. The mill space is still sitting there. There are existing businesses that are on the market in this area. They hope that the person who owns several buildings in Moodus Center will do something there.

Mr. Casner discussed the four corners area. There is some demand for commercial sites in this area, but people want 10,000 square feet or more, and they want to own the property. The EDC has put together a proposal for the zones in this area of town.

Mr. Casner stated they would like to support our businesses that are here. Water is huge issue here. If there are more than 24 people, the state requires a water supply application be submitted. The application period may take six (6) to twelve (12) months. This is a big problem. A lengthy discussion ensued surrounding obstacles new business owners would face, particularly water.

Mr. Casner stated the EDC would focus on tourism as well, in order to grow this facet of economic development.

Mr. Casner discussed agriculture. The farmer's market has done well.

Mr. Thomas stated now that the commission has gone through this draft. He asked the next step. Mr. Ventres believed between now and the second February meeting, any questions could be asked, revised, etc. This should be the first item on the February review meeting.

Ms. Gleason asked if the EDC had considered something for accommodations such as hostels, etc. She referred to the Shanagan property. Mr. Casner stated they have discussed this. They also talked about bike races, etc. at Grandview.

## **9. ZEO REPORT**

Mr. Gillis asked the status of the Anderson property. Mr. Ventres stated he is putting a fence in, because he believed his stuff is disappearing. Mr. Ventres stated that Mr. Anderson responded, but Mr. Ventres wanted to know where they stand. If the situation is not remedied, they will have to proceed to court.

The bids will go out for Milan Cais on Powerhouse Road. Hopefully people will show up tomorrow at the site to go over the property. The bids are due on December 17<sup>th</sup>.

Mr. Ventres stated that there is a property on Sillimanville Road where people are living in an illegal trailer, and are using car batteries for electricity. This will likely require court action.

Mr. Ventres stated the rooster on 72 Oak Road has disappeared.

Mr. Ventres reported that there are a few other issues on which he is working, but they are manageable at this point.

Mr. Ventres distributed packets, which include heliport regulations and stormwater regulations with possible revisions to the subdivision regulations, parking, site plan and special exception.

Mr. Thomas asked if they still need to list Shagbark on the agendas. Mr. Ventres stated that they should have asked Attorney Jezek about this tonight.

## **10. ADJOURNMENT**

**Motion by Mr. Gubbins, seconded by Mr. Matthews to adjourn at 9:33 p.m. Motion carried by unanimous vote.**

Respectfully submitted,

Holly Pattavina