

**PLANNING & ZONING COMMISSION/  
TOWN OF EAST HADDAM  
LAND USE OFFICE  
REGULAR MEETING MINUTES  
February 23, 2016  
(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), Harvey Thomas (regular member)

**COMMISSIONERS ABSENT:** Louis Salicrup (regular member)

**OTHERS PRESENT:** Jim Ventres, and 4 members of the public

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

**3. MINUTES**

The minutes of the February 9, 2016 meeting were accepted with the following amendments:

- Page 1, Item 5, 1<sup>st</sup> motion: Change “Pettinelli” to “Gillis”
- Page 3, 5<sup>th</sup> paragraph, 17<sup>th</sup> sentence: Add “the” after “If”, change “were” to “was”, and add “they” before “could”
- Page 4, 7<sup>th</sup> paragraph, 1<sup>st</sup> sentence: Add “distribution boxes” before “would”
- Page 6, 2<sup>nd</sup> paragraph, 7<sup>th</sup> sentence: Change “someone else” to “another development”
- Page 7, 5<sup>th</sup> paragraph, 1<sup>st</sup> sentence: Add “are” before “any”; and Paragraph 8, add “parking area” before “needs”
- Page 8, 4<sup>th</sup> paragraph: Replace “with was” with “which should have”, Paragraph 5: change “they” to “the developer”, and strike Paragraph 7.

**4. BILLS**

NL Jacobson (bond cost update)	\$347.00
(Banner review)	1299.53
 NLJ (Lukie subdivision)	 428.68

Mr. Pettinelli asked if there was a set time rate allotted for subdivision reviews. Mr. Ventres stated he has never done this. Mr. Curtin did not believe this would work either.

Mr. Ventres noted that he has spoken with Mr. Curtis of NL Jacobson about the bond cost update. He will speak with Mr. Curtis about this.

**Motion by Mr. Curtin, seconded by Mr. Gubbins to pay the \$1299.53 and the \$428.68 NL Jacobson bills. Motion carried by unanimous vote.**

## **5. REVIEW OF THE PLAN OF CONSERVATION AND DEVELOPMENT**

It was noted that notice was sent to the various boards and commissions, although no one was present for input.

Mr. Casner was not present to report. Mr. Gelston was asked by the commission, but was not prepared to present on behalf of the Conservation Commission this evening. He will present in March.

Mr. Casner suggested the commission review the Chapter 8 draft that was previously submitted by the Economic Development Commission (EDC). Mr. Ventres stated the Planning & Zoning Commission previously conducted a review of the Moodus area, and this data should be added to this section of the Plan of Conservation and Development (Plan). The EDC did a review of the Route 82 corridor area. Mr. Curtin noted that there is more vacant space in Moodus than in East Haddam.

Mr. Ventres believed the language should be expanded in Chapter 8 to include the joint efforts between East Haddam and Haddam. Mr. Curtin stated the meetings that are occurring between East Haddam and Haddam should be listed in this section. Mr. Gubbins noted that page 8 is missing. Further review by the commission showed that only the odd-numbered pages were included. Mr. Ventres will check with Mr. Casner on this.

Mr. Gillis asked if a subcommittee was looking at the sewer expansion. It was noted there had been a subcommittee formed previously. Mr. Curtin asked what the new committees were discussing for sewer. Mr. Brownell stated that Haddam has good soils for sewer, but that is not part of the discussions.

Mr. Ventres noted that the WPCA is statutorily in charge of any sewer expansion, and should be included in Chapter 8. They look at the needs, cost benefits, etc. They would have to be the driving force for a sewer expansion. Mr. Ventres stated that Andrew Lord contacted him regarding the addition to this chapter.

Mr. Thomas asked notwithstanding the fact that they only have the odd pages of this document, if the plan for the next meeting was to include the even numbered pages, and add the changes discussed this evening.

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

## **8. ZEO REPORT**

### **A) Helistop Regulations – Request for Zoning Regulation Language Change**

Mr. Ventres reported that they now have an official application for a regulation change to add helistops. Mr. Robert Knakal submitted his application, along with draft regulations. Mr. Ventres suggested a public hearing on April 26, to allow sufficient time for notices.

**Motion by Mr. Curtin to schedule a public hearing on April 26, 2016, 8:00 p.m. at the Town Grange to hear the application of Robert Knakal, application for a regulation change to include helistops. Motion seconded by Mr. Pettinelli, and carried by unanimous vote.**

#### **B) Shagbark Solar Panel Project**

The commission discussed the recent presentation from Shagbark. Mr. Brownell was unhappy with the way this was presented, and did not feel comfortable writing a letter of support of this project. Mr. Pettinelli stated he would have liked to have seen a viewshed map. Mr. Thomas voiced concern that doing nothing gives the appearance that this commission has no objection at all.

Mr. Brownell asked when Shagbark would go before the Connecticut Siting Council. Mr. Ventres responded that because of the size of this project, they submitted to the Connecticut Siting Council, but did not have to go before that Council. However, comments are to be submitted to the Connecticut Siting Council by March 4, 2016.

Mr. Ventres stated that this is not the last of these applications the commission will see. He believed more people will submit applications for solar panel arrays, he also stated that this is not how preservation of agricultural land was designed to be handled under the State Plan of Conservation and Development.

Mr. Curtin agreed with Mr. Brownell that they should say nothing at this point. Discussion ensued. Mr. Brownell suggested they write what their conditions would be, had the commission had the opportunity to review this application. The commission suggested if they had the opportunity to conduct a field walk, they would have asked the applicant to provide a viewshed analysis, the neighbors' opinions, etc. Mr. Thomas suggested the commissioners send a list of concerns to Mr. Ventres, and to let Mr. Ventres draft the letter. Mr. Thomas also suggested the commission state in that letter their concerns about whether this installation is consistent with the Plan of Conservation and Development's definition of agriculture.

#### **C) New England Hatchery/Shady Brook**

Mr. Ventres stated there is nothing new to report at this site. It was recommended that this item should be removed from the agenda at this point.

#### **D) East Haddam Swing Bridge**

No new information added

#### **E) Sillmanville Road Court Cases**

No new information added

## **F) Powerhouse Road Court Case**

Mr. Ventres stated that the Milan Cais matter is scheduled for April 15. Attorney Bennet is working on the foreclosure.

## **G) Violations**

Mr. Ventres stated that Mr. Anderson is working on cleaning up.

## **Other:**

Mr. Ventres included a brochure for the 2016 CT Land conference in each member's packet. If anyone is interested, please contact Nancy Talbot as soon as possible to reserve a space.

Mr. Ventres emailed information to the commission on the "frog whisperers" Conference to be held by the Eight Mile River Wild and Scenic Watershed. He passed this brochure for the commission's review.

Mr. Ventres reported that the new owner on Grove Street is moving ahead with this project as approved. He has constructed the community center so he could add the water supply. He is working with the engineer to revamp the plans and move forward with this project. His biggest obstacle will be getting the water system approved for the site through the State.

Mr. Thomas stated that a number of the conditions given when they approved the Grove Street application needed to be addressed. He asked if the Mr. Ventres was satisfied that the new owner is working on this. Mr. Ventres stated the owner is working with Mr. Davis to remove his items and materials. If Mr. Davis fails to remove his items, the materials will be removed from the site. Mr. Ventres stated that Mr. Davis is aware of this.

Mr. Ventres went to a presentation for the GIS program. They are getting a complete state flyover. The Commission has been carrying this line in the budget for a while. The State finally put out the bid, and they are going to do the flyover in 3-4 weeks. East Haddam is not interested in the 3D imagery data. Mr. Ventres has emailed Sewell to have them review the available information. He did not believe East Haddam needs the full re-creation of data, so there should be a reduction in the cost. The base information will be available to us, it is just a matter of which contractor can convert the information for us.

## **7. ECONOMIC DEVELOPMENT COMMISSION REPORT**

Mr. Casner not here to report

## **6. DECISIONS**

**A) 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: January 27, 2016**

**Last date: March 31, 2016**

Mr. Ventres distributed the following draft documents:

- Mr. Curtis' February 18, 2016 review comments letter;
- an email from Mr. Curtis dated February 22, 2016;
- staff comments and notes as of February 23, 2016;
- Mr. Pettinelli's review comments dated February 23, 2016;
- Section 16-262m of the Connecticut General Statutes.

Staff Comments and Notes as of February 23, 2016:

Mr. Ventres reviewed his staff comments. Mr. Ventres he has spoken with Mr. Messier at the Department of Public Health regarding the water, and he is still waiting for some information about what happens if the water source is depleted. Mr. Pettinelli stated they asked the applicant for timelines for what happens if someone's well has problems, and a length of time. The applicant did not respond to this.

Mr. Ventres reviewed the traffic section.

Mr. Brownell asked about Section C. regarding the 136 units. Mr. Ventres stated that would be 136 total units, not 136 new units before construction of Spyglass Hill Road.

The commission discussed Banner Road and the 136 units. Mr. Ventres commented that both Mr. Curtis and Mr. Angersola stated there is not a problem with having these units access through Banner Road. The commission discussed the roads. Mr. Ventres stated he can put concerns of having only one access road in writing to Mr. Angersola. Mr. Pettinelli and Mr. Gillis both believed this should be addressed. Mr. Ventres stated it really comes down to what testimony was received at the public hearing, expert witnesses, etc.

The commission discussed Banner Road. Mr. Gillis voiced concern about the steepness of Banner Road. He believed this is a dangerous intersection. He asked if Bubaris was aware that North Moodus Road is a collector road. Mr. Pettinelli stated that Bubaris was aware of this.

Mr. Ventres stated there was prior discussion about what happens if the project takes 20 years to complete. He recalled that Mr. Curtis had pointed out that the original analysis included the original planned numbers for Grandview Campground, which had parking for 353 vehicles. This was before Mr. Bergeron purchased the campground and reduced the number of units and vehicles per day.

The commission discussed fire safety with respect to the turning radius on the roads. Mr. Ventres stated that Mr. Angersola voiced no concern with the radius of the roads.

b) The commission discussed this item and recommended that the sloping behind the buildings information should be put on the plan. Mr. Pettinelli stated that included 12 buildings.

e) The fire official requested this language regarding the tanks.

5.) Sidewalks: Mr. Ventres reviewed the areas where sidewalks would be needed. Mr. Pettinelli stated they do not distinguish their stations. The commission discussed the sidewalk locations. Mr. Pettinelli

had pointed out the handicapped spaces. Mr. Curtis suggested at a minimum, ramps and warning strips shall be provided where sidewalks intersect with streets. Mr. Pettinelli stated he actually prefers driveway governs. However, he stated these could also become tempting ramps for skateboarders.

6.) Lighting: Mr. Ventres reviewed the draft lighting conditions.

7.) Parking and existing private roads: Mr. Ventres reviewed this section. Mr. Pettinelli suggested in item 7.a., they use “completed” rather than “constructed”.

Mr. Gillis asked what sections would complete the 86 units, to which Mr. Ventres responded Section A, B was to be a portion of Banner Lane section. He showed these areas on the plan. Mr. Pettinelli stated their phasing does not match everywhere.

8.) Dumpsters: They should label them and possibly relocate, and orient the units so that the doors do not open into the road.

9.) Landscaping: Mr. Ventres reviewed this section. It was noted that b) was Mr. Curtis’ comment. Mr. Pettinelli stated there is a second index on page LL3. He suggested that language be dragged up to this section.

10.) Detention Basin Detail Sheets. Mr. Ventres stated this was from the Wetlands Commission. The commission reviewed sheet SG1. Mr. Pettinelli stated if they have to do more test pits, they should require the applicant to dig another test pit at Detention Basin 110 to make sure it is not rock. Mr. Curtin asked when the test pits were done on the underground basins. Mr. Ventres reviewed the plan and responded on June 27, 2012, they went down 135 inches. They found water at 114, and no ledge. Mr. Pettinelli asked if there was any indication of mottling. Mr. Ventres reported there was not. Mr. Ventres stated the other pit was at 108. Mr. Pettinelli stated the applicant was digging on average 11 feet, but then they stated that Eagle Ridge would be rock. Mr. Curtin stated the time of year the test pits are dug is critical. If they are not done at the right time of year, they really don’t tell you anything.

Mr. Ventres and Mr. Curtin reviewed the plan. It was noted that the basin units are 60-inches deep. Mr. Curtin voiced concern about possible high water table for Spyglass Hill. It is not marked on the plan.

Mr. Pettinelli referred back to the fire marshal’s review. He stated there is a propane tank in the middle of the cul-de-sacs. He asked if the fire marshal was amenable to this. He also recommended more than one bollard in these areas.

11.) Conservation Easement – Mr. Ventres reviewed this information. He spoke with Attorney Branse, who agreed that this is covered. Therefore, when feasible, they can provide public access. Mr. Gillis was in favor of providing public access to this area. Mr. Ventres stated the Conservation Commission would look at the property for potential trails.

12.) Other: Mr. Ventres noted these were many of Mr. Curtis’ notes. Mr. Pettinelli noted that the sequencing doesn’t match for OS-1. The hatching and the label do not match. They should just go through all of them to make sure they are correct.

Regarding the Road Profile Plans, Item 1, Mr. Pettinelli stated if the posted speed limits are to be 25 and 15 mph, they should be designed for 30 and 20.

Mr. Ventres noted that #7 was a condition of the Wetlands Commission for the arch span culvert.

General construction:

Mr. Ventres stated these were general carryover comments from the Inland Wetlands and Watercourse Commission approval.

d) Mr. Ventres reported that Mr. Curtis had broken this down in his report on page 2 at the bottom. The commission discussed bonding. Mr. Pettinelli suggested the bonds roll with each phase. The commission discussed the bond estimate provided, and suggested, "for each phase" be added. Mr. Curtin agreed that phased bonding was a good idea.

e) Erosion Control – Mr. Curtis bumped this up to 20%. The consensus of the commission was to be consistent and add the phasing language for this bond as well.

The commission discussed limitations on whether a certain number of units should be sold, or if they should require a Certificate of Occupancy for them instead, before building more units. Mr. Ventres will make a chart to break out this information if it was approved.

Mr. Brownell asked if they would meet the requirements for the condo association, etc. Mr. Ventres will talk with Attorney Branse about this and the number of units sold versus Certificates of Occupancy.

Mr. Pettinelli reviewed various Americans with Disabilities Act (ADA) issues. He stated if they are going to put in sidewalks, they should be ADA compliant. He referred to sheet SG-2, and stated there is a 9.5% grade. He asked why not snake the sidewalk, put in some nice shrubs, and make it a path. He stated he would not want to be in a wheelchair and have to maneuver down a 9.5% grade. He stated this is a large issue that needs to be revisited.

Mr. Pettinelli stated there are no decks on several of the units shown on Sheet LL-5. Also, the pump station on PS-10 is very well screened, but there is no access to it.

Mr. Brownell asked Mr. Ventres to summarize these issues for the next meeting. Mr. Ventres will get this information to the commission in advance of the next meeting.

Mr. Pettinelli asked Mr. Ventres to speak with Mr. Curtis about the transformers, to see if they should be on the plan by this point.

## **10. ADJOURNMENT**

**Motion by Mr. Gubbins, seconded by Mr. Matthews to adjourn at 9:28 p.m. Motion carried by unanimous vote.**

Respectfully submitted,

Holly Pattavina