

**PLANNING & ZONING COMMISSION/
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
November 22, 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: Crary Brownell–Chairman, James Curtin (regular member), Bernard Gillis (regular member), Edward 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)

Mr. Brownell appointed Ms. Hansen to vote for Mr. Matthews this evening.

OTHERS PRESENT: Jim Ventres, and 8 townspeople were present

3. MINUTES

- Tabled until the next meeting.

4. BILLS

EH News (legal notices) \$96.75

A motion was made by Mr. Curtin to pay the above listed bill. The motion was seconded by Mr. Gubbins and carried by unanimous vote.

5. SITE PLAN REVIEW

A) New: Application 16-21, 15 Catchfly Pointe, Bruce & Elizabeth Butler, Site Plan Review for a new, single-family home. Assessor's Map 66, Lot 401.

First date: November 22, 2016

Last date: January 25, 2017

Mr. Ventres reported that Mr. Butler did not send the notices, so this will be listed again on the next agenda.

6. DECISION

A) Application 16-15, 1 Banner Road, WMC 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.

Mr. Ventres noted that a draft for discussion was sent in the mailed packets.

Mr. Gillis asked about Attorney Branse’s comments from January 2016. He questioned what the CT DOT would be looking at in Section 4 – Traffic. Mr. Pettinelli explained that they basically get permitted for the capacity of the proposal.

Mr. Pettinelli suggested language under the general conditions that limits their ability to start new phases until the previous section is substantially complete. Mr. Thomas suggested the project must be conditioned upon 80% completion, including plantings. Discussion ensued regarding paving base courses, top coats, and consideration for the timing of the base course. They discussed whether it might be one year or two years, etc. Mr. Curtin stated two years did not bother him, but then they need to consider the timing. Mr. Pettinelli indicated they might have to reset the base course after the construction trucks repeatedly travel over them. Mr. Curtin suggested they might want to look at bonding after two years. Mr. Salicrup suggested looking at other towns for input. Mr. Pettinelli suggested that Mr. Ventres look at Berlin (ask for Maureen), as they had a multi-phased project that had conditions imposed upon it.

Mr. Pettinelli asked if there were conditions for stormwater maintenance and plantings. Mr. Thomas referred to Section 8A. He would like to add “Professional Engineer” here.

Mr. Brownell asked if Mr. Pettinelli was satisfied with the stormwater management. Mr. Pettinelli suggested adding “within 24 hours of every one (1) inch of rain” to section 8A, page 4. Mr. Pettinelli asked if the wetlands conditions included inspection of the bio retention basins. Mr. Ventres stated there was an entire section on maintenance and bonding for the plantings. Mr. Ventres read from the wetlands approval, page 4, Sections 5.a., 5.b., and 5.c. Mr. Pettinelli asked if they require monitoring of the underground detention systems, to which Mr. Ventres stated they did not. Mr. Pettinelli asked if they had a vortex unit, to which Mr. Ventres stated they did not. Mr. Pettinelli suggested they look at the underground detention systems every two years during construction. Mr. Ventres read from the wetlands conditions and stated it was there.

Mr. Pettinelli asked if there was anything in the conditions about the buffer. Mr. Ventres referred him to page 6, Item 11c. of the draft. Mr. Pettinelli asked about the adjacent wells. Mr. Salicrup stated there was a lot of concern about water for the neighbors and he suggested they have some type of action plan in place. Mr. Brownell noted that that was really out of this commission’s purview, and it was with the State.

Mr. Gillis noted the mylar has to be filed within 90 days. Mr. Ventres stated they could ask for extensions (two 90-day extensions) before they have to go to a Town Meeting with a conservation easement.

Mr. Thomas asked, after they review this draft again, if the skeleton of this draft has been reviewed by Attorneys Branse and/or Willis. Mr. Ventres stated they looked at it two years ago when this application was before the commission.

The commission discussed: 1) Phasing under construction (conditions); 2) Conditions or incentives to put final paving in place as the phasing is completed; 3) Edit for typos/grammar; 4) add buffering. Mr. Ventres will send a new draft to the commission for the next meeting, and he will also send it to Branse & Willis again.

The commission discussed the 80% completion rate. Mr. Curtin suggested they could come back and request a change if necessary.

7. DISCUSSION

A) AP Gates Road (property owned by Robert Casner)

Mr. Brownell indicated he did speak with the attorney about this lot. He asked what would have to be done for a resubdivision approval that would remove the open space designation and to have it approved as a building lot. The attorney advised it would have to go through Wetlands Approval and Chatham Health Approval.

Mr. Casner stated he was asking the board to make a determination as to whether there was or was not a conservation easement. He stated after he did the title search that there was nothing to be found. He was asking for the commission to make a determination whether there is or is not a conservation easement on the property, since there is no documentation whatsoever. This supposedly went on 25 years ago. He has to get that resolved before he goes anywhere else. Mr. Brownell apologized for the misunderstanding. He will talk with the attorney to see if the conservation easement in place is legal or not. Mr. Casner stated once that is resolved, he can go forward.

Mr. Pettinelli thought the proposal was to put part of the land in conservation easement. Mr. Curtin stated he looked at it that this is a unique situation created by the town. Mr. Thomas preferred the attorney be asked what process to go through to agree that there is no easement and we acknowledge that, or that there is an easement, and how to go about changing it. Mr. Pettinelli voiced concern about creating a precedent.

Motion by Mr. Curtin, seconded by Mr. Gubbins for a 3 minute recess. Motion carried by unanimous vote. The meeting reconvened at 8:03 p.m.

Noting the time was now 8:00, the public hearing began.

7. PUBLIC HEARING

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

A) Application 16-18, 1 Plains Road, Town of East Haddam, Special Exception Review for the conversion of the Nathan Hale Ray Middle School to the new Town Hall facility.

David Stein, AIA (Silver Petruccelli Associates), and Frank Vacca, PE (BAC Group), addressed the commission.

Mr. Stein stated that his team has been working on the concept of this project since 2007. As part of this plan, they plan a demolition of the Ray portion of the existing building. This portion was originally vacated in 2008. This concept is to remove the Ray portion and to convert this building into a municipal use structure, primarily under the Building Code – as a business use.

Mr. Stein reviewed the departments that will be housed in the new building, which include: Finance, Board of Selectmen, Town Clerk, Assessor, Land Use, Building, IT, Parks & Recreation, Registrar of Voters, Board of Education, Shared Services, and Resident State Trooper/East Haddam Police. The gym will remain and be renovated to be used by Parks & Recreation. The lower level will be fully gutted, and no program function is intended to go there at the moment. They plan a roof replacement, some windows, full remediation repairs to brick, and other masonry repairs. They will be gutting the interior, so it will be a full renovation.

Mr. Stein indicated there will be an addition to the East. The vault will meet the requirements of storing the Town's records, and will be a slab on grade one-story addition. They plan to restore the front of the building, with new modernized lighting, handrails, and guard rails that are brought up to modern code. The existing cupola will remain but will be refinished.

Mr. Stein indicated that they do plan abatement of any hazardous materials. There will be full window replacements along the back of the building from the 1960's renovation and energy efficient windows will be installed. Windows on the side of building are newer and will match the architectural intent of the building. There is an outbuilding to store police vehicles, town equipment, etc.

Mr. Stein summarized that the physical additions will include the vault and proposed pre-engineered building to store police vehicles, town equipment, etc.

Mr. Vacca addressed the commission. They are coordinating issues with the CT Department of Transportation (DOT) for a new entrance onto Plains Road and also with Chatham Health District for re-use of septic systems. They are coordinating with the CT Department of Public Health (DPH) for a new domestic water service. The two existing wells will be abandoned.

Mr. Vacca stated the entrance off Wigwam Road will remain. They will remove the access off the Plains Road side. The bituminous material will be removed from this area and the area will become lawn.

Mr. Vacca stated there will be a landscaped courtyard. He reviewed the parking area. There will be handicap ramps for egress with rails. Because there are some planned meeting spaces, they are providing pervious parking area for overflow for large events. There will be a cordoned off area. There will be some type of fence preventing people from driving onto the septic area.

Mr. Vacca noted the drainage was shown on the plan, as well as the direction of flows into water quality swales. The remaining drainage from parking will be collected by side catch basins and will discharge to the south of the building. It will discharge onto the Town parking area to the northwest. Because of the removal of impervious materials, they are reducing the flows from the site.

Mr. Vacca explained that the landscaping will be all native species, and should be low maintenance. It was advised that they have enhanced screening by plants along the police side of the building.

Mr. Vacca stated as far as coordination with the Chatham Health District, there were four separate leaching fields. Because they are converting to a town office occupancy, they removed the need for three of the old systems. They will reuse one leaching field. They completed an analysis through coordination with the Chatham Health Department. This system has sufficient capacity, and Ms. Davidson agreed with the analysis.

Mr. Vacca stated there are two separate well heads that feed the building. As the Public Health Code was updated, they can no longer have the well heads inside a building. They need to find a new place for the domestic water. They are on step 2 of the 4 step process with the CT Department of Health.

Mr. Vacca received comments, a good portion of which have been addressed. They also addressed a good portion of the comments from Nathan L. Jacobson & Associates (NLJ). Within the next couple weeks, they plan to finish addressing the concerns brought to them.

Mr. Salicrup asked how much usable office space there is, to which Mr. Ventres responded there are approximately 10,000 square feet and 7000 square feet for the gym. He added that Ms. Davidson of Chatham Health District suggested meters be installed on the water system in case they build out the basement area sometime in the future.

Mr. Thomas questioned the utility courtyard. Mr. Vacca stated it would be gated so it would not be readily accessible. Mr. Stein stated there is an existing courtyard, so they are utilizing this area.

Mr. Pettinelli asked if the septic required a reserve area. Mr. Vacca stated he did not see anything for the Public Health Code for this.

Mr. Brownell asked if they would need a pumping station for bathrooms on the south side. Mr. Vacca stated they would have a pumping station to get to that septic tank. Mr. Brownell asked then if the whole building would be on a pumping station, to which Mr. Vacca stated it would.

Mr. Curtin asked if there would be a new septic tank connected to the existing field. Mr. Vacca had a certified tank inspector come out and they determined it was acceptable. However, since the septic will be in the parking area, they will have an H-20 cap over it.

Mr. Curtin asked the size of the outbuilding. Mr. Gillis stated it was 109' x 40'. Mr. Stein echoed this. It will have bays in the front, and is intended to store patrol cars, speed trailer, boat, tractors, mowers, jet ski, etc. Responsive to inquiry by Mr. Curtin, Mr. Vacca stated this outbuilding will have no bathrooms. Mr. Curtin inquired about the height, and Mr. Stein responded that it would be 19.4'.

Mr. Stein stated they would look at landscape buffering for the utility courtyard, etc.

Mr. Brownell stated the access to the field looked small. Mr. Vacca stated they were keeping that area at approximately 12-feet, the same as is there now.

Mr. Pettinelli asked where the roof leaders off the main building were going. Mr. Vacca stated they will ultimately tie into the drainage structures that are located around the parking area.

Responsive to inquiry by Mr. Pettinelli, Mr. Vacca explained that where the plantings are, there will be a 2' x 2' area drain. The swale is designed to slow the flow down and the plantings will absorb all of the harmful nutrients. Anything over a 2-year storm will enter the drainage system and flow to the West.

Mr. Brownell asked about lighting. Mr. Ventres distributed the photometric plan to the commission.

Mr. Pettinelli inquired about the entrance, to which Mr. Stein stated the main entrance will remain as it was. He showed the areas around the building.

Mr. Pettinelli asked the estimated construction time, to which Mr. Stein believed it would take approximately 12 months. Responsive to inquiry by Mr. Pettinelli, Mr. Stein responded that they believed they would be able to work around the tennis courts and skate park. He believed they would only have to shut down that area during paving. The area surrounding the tennis courts and the skate park will have a construction fence.

Mr. Ventres distributed the NLJ comments. Since they will be addressed in two weeks, he did not read this into the record.

Mr. Ventres read into the record a letter dated 11/22/16 from Chatham Health District, which indicated the current system is sized to accommodate 1,246 gallons per day. The total estimated calculated flow is 1230 gallons per day. Chatham Health District would require a water meter for future expansion, and installation of a 59lb cover for the septic tank.

Mr. Ventres asked if Mr. Stein wanted to address the lights. Mr. Stein stated they know they are in a residential neighborhood. They looked at LED fixtures that would match the architecture of the building. They stayed away from shoebox fixtures. They proposed small bollards at the front entrance. Any lighting on the building would be for means of egress, and would be somewhat decorative rather than large floodlights, other than getting to the parking areas, which will need lighting for safety. They proposed no additional lighting for the skate park or tennis courts. Any light fixtures will be only on the front of the outbuilding. There will be no lights on the back. Mr. Pettinelli asked if there would be any lights at all on the back, to which Mr. Stein responded there would not. Mr. Pettinelli suggested something be added to the back, or kids would hang out back there. Mr. Stein stated they would introduce cameras there as well.

Mr. Brownell opened the hearing to the public.

Mr. Casner asked the number of current parking spaces. Mr. Vacca noted there would be 126 spaces, including handicapped.

Mr. Casner commented that this proposal seemed like very basic architecture for the outbuilding. He asked if that design was simply for cost. Mr. Stein stated cost is always a factor in municipal buildings. However, he indicated that they had tried to keep a low profile. It is a very simplistic building, similar to a barn. Mr. Curtin believed it looked more like a warehouse. He stated the rest of the project looked good, but that outbuilding did not. Mr. Casner stated a gabled roof would look much better. Mr. Stein stated a gabled roof would be expansive and they tried to consider the neighbors. Mr. Curtin did not believe anyone would want to live next door to this basic box.

Mr. Ventres stated they had a discussion with Chatham Health District. There is a system underneath the tennis courts. The camera show showed it was deteriorating. His recommendation was that if the tennis courts are ever renovated, they put in some galleys for the reserve area.

Ms. Nancy Pinkus asked how deep they would have to drill for the well. Mr. Ventres stated he had no idea until they began drilling. There was nothing in the file on record that he has seen for the depth of the existing system.

Mr. Ted Stump asked about the egress from Plains Road, and whether there would be a traffic light, etc. Mr. Vacca stated there would be a stop sign.

Ms. Pinkus asked if that exit location from Plains Road could be a no left turn for safety. Mr. Vacca stated they ran calculations for the sight triangle. By lifting the intersection 8-inches, the present visual issues should be eliminated. Mr. Stein stated from a safety perspective they need ingress and egress access. They have to demonstrate to the DOT that they can meet the requirements.

Ms. Hansen asked if the mural would be preserved. Mr. Stein stated it would remain. They are hiring a restoration manager to protect it during construction.

Motion by Mr. Curtin, seconded by Mr. Salicrup to continue the public hearing for Application 16-18, 1 Plains Road, Town of East Haddam, Special Exception Review for the conversion of the Nathan Hale Ray Middle School to the new Town Hall facility until the next regularly scheduled meeting on December 13, 2016, 8:00 p.m. at the Town Grange. Motion carried by unanimous vote.

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

**B) 16-19, 36 Falls Road, John Kananowicz (agent), Johannes & Cornelia B. Paardenkooper (owners), map amendment requesting to be added to the C/B/EG District (currently in the R1/2 Zone). Assessor's Map 65, Lot 130.
First date: November 22, 2016**

No one representing the applicant was present at this meeting.

Mr. Ventres stated that Mr. Kananowicz has withdrawn his application.

Motion by Mr. Gubbins, seconded by Mr. Gillis to close the public hearing for Application 16-19. Motion carried by unanimous vote.

9. ZEO REPORT

Mr. Ventres reported that Attorney Bennett has filed paperwork for foreclosure on Powerhouse Road. The property owner has already filed an appeal.

Mr. Ventres reported that he went to a Water Utility Coordination Committee (WVCC) meeting with the water companies. He believed they should have asked for water restrictions earlier in the year. Many environmental groups have been attending the meetings. Discussion ensued. The water companies are not happy with rural areas that have water systems where they have no place to hook up, although they

are technically regulating them. The commission discussed area wells that have gone dry and people have had to drill new wells.

Mr. Ventres went to a FEMA meeting, for discussion about surveys and flood zones. They have to determine elevations for lake zones. Mr. Ventres will coordinate with First Selectman Lyman and Craig Mansfield for emergency management concerns. This impacts flood insurance rates for many people who are quite removed from water sources.

The commission discussed the Dutch propane tanks. Mr. Gubbins asked if there was water in the suppression pond, to which Mr. Ventres stated there was.

Mr. Curtin asked about an exercise facility across from the bank that Dutch just purchased. This building was owned by Mr. Fisher.

9. ADJOURNMENT

Motion by Mr. Gubbins to adjourn at 9:10 p.m. Motion seconded by Mr. Curtin, and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina