



Planning and Zoning Commission, Town of East Haddam Land Use Office

**Regular Meeting Minutes**

**January 24, 2017**

(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), Harvey Thomas (regular member), Martha Hansen (alternate member), and Richard Pettinelli (alternate member).

**COMMISSIONERS ABSENT:** Edward Gubbins (regular member), Kevin Matthews (regular member), and Louis Salicrup (regular member).

**OTHERS PRESENT:** Jim Ventres (Land Use Administrator), Attorney Scott Jezek, Roger Nemergut, Bruce Dutch, Debbie Annino, Cody Annino, Joanne Bernard, approximately 10 townspeople and Ruth Ziobron(Recording Secretary)

Mr. Brownell seated Mr. Pettinelli for Mr. Salicrup and Ms. Hansen for Mr. Gubbins.

**3. MINUTES**

**The commission voted unanimously to approve November 22, 2016 meeting minutes.**

**The commission voted unanimously to approve January 10, 2017 meeting minutes as amended.  
-correct spelling of "Pettinelli" under Attendance.**

**4. BILLS-**There were none.

**5. ACKNOWLEDGEMENT-**There were none.

**6. DISCUSSION**

**a. AP Gates Road (property owned by Robert Casner)**

Attorney Jezek informed the commission that he had completed the title work for the town for the property 13 years ago and that it was the same as had been submitted with the application. Mr. Jezek stated there was no reservation for an easement on the property.

Mr. Ventres confirmed with Attorney Roberts and Willis that any action by another division within the town office was not the responsibility of the Planning and Zoning Commission.

Mr. Brownell stated open space could be sold by a landowner.

Mr. Ventres stated the Conservation Commission would not like to accept conservation easements next to potentially new houses. He explained there would be conflict of the construct of the new house,



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making it difficult to maintain the conservation easement. The parcel had no designation and was considered an undetermined lot.

Mr. Brownell specified the commission needed to decide if the lot was open space and was designated as open space or if it was a lot that had been left open and let the owner try to re-subdivide it, to which the commission deliberated.

**Motion by Mr. Curtain for the property owned by Clark Gates LLC on AP Gates Road, the Commission does not find it to be an open space lot; it is to be considered a vacant lot, use of which is to be determined. In order to determine the use, the property owner will need to go through the re-subdivision process. Second by Mr. Gillis and unanimously passed.**

### **b. Trailer and RV Regulations**

Commission members reviewed and discussed draft Trailer and RV Regulations. The following additions were suggested:

- Determination of what should not be regulated.
- Sliding scale buffers.
- Mr. Ventres will drive around town to broadly inventory the types of trailers and units currently in town.
- Vehicle measurements.

**Motion by Mr. Curtain to change the order of the agenda and proceed to ZEO report. Second by Mr. Gillis and unanimously passed.**

## **8. ZEO REPORT**

Mr. Ventres provided the commission with the following:

- Chester application for assessors units.
- Connecticut Land Use law for Municipal Land Use Agencies, Boards and Commissions at Wesleyan on March 25, 2017.

### **East Haddam Swing Bridge**

The engineers will be meeting to discuss the feasibility study for the cantilever walkway this week.

**Sillmanville Road Court Cases**-nothing new.

**Powerhouse Road Court Case**-nothing new.

### **Violations**

Mr. Ventres informed the commission that the sign at the Wrassling Cats had been removed on Monday.

**Motion by Mr. Pettinelli to recess at 7:55 p.m. Second by Mr. Curtain and unanimously passed.**



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## 7. PUBLIC HEARING

**Continued - #16-22 – 40 WM F Palmer Road, Dutch 41, LLC, Special Exception Review for a change of use from warehouse to health club facility. Assessor's Map 65, Lot 140.**

**First Date: January 10, 2017**

**Last Date: February 13, 2017**

Bruce Dutch, property owner presented site plans. Debbie Annino would be the tenant operating the health club facility. The end most bay which is currently garage space would be turned into an exercise and strength and conditioning area. Chatham Health and the Building Inspector have approved the proposal.

Mr. Ventres read Chatham Health District's letter from Elizabeth Davidson dated January 24, 2017. A water meter on the well is required and it will be monitored by Steve Klobukowski of Aqua Compliance Specialists, LLC. Monitoring of the water could allow for future flexibility, based on usage, for the potential installation of a shower.

Mr. Ventres read a letter in support of the health club by Attorney Scott Jezek dated January 24, 2017. Mr. Ventres noted that the septic system had been increased in size, parking had been increased to deal with parking loads, and the signage would use the same existing sign area which was previously permitted.

Existing lighting will be used.

Mr. Brownell opened the hearing to the public.

There were no questions or comments.

**Motion by Mr. Curtain to close the public hearing. Second by Mr. Gillis and unanimously passed.**

**Motion by Mr. Gillis to approve #16-22 – 40 WM F Palmer Road, Dutch 41, LLC, Special Exception Review for a change of use from warehouse to health club facility. Assessor's Map 65, Lot 140 with the condition that a water meter be installed. Second by Mr. Thomas and unanimously passed.**

**Continued - #16-23 – 31 Grist Mill Road, Elizabeth Karter, Subdivision Review for a proposed 3 lot subdivision. Assessor's Map 65, Lot 34.**

**First Date January 10, 2017**

**Last Date: February 13, 2017**

Roger Nemergut reviewed revised plans. Mr. Nemergut explained the old mill foundation was near the wetlands and would fall within the authority of the Inland Wetlands Commission for new building. Mr. Nemergut indicated the land owner had agreed to allow the Historical Society access to the property to inventory the old mill foundation.



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Due to liability, the property owner did not agree to a conservation easement. Mr. Ventres noted this parcel would contribute to the long term goals of connecting the trails of the East Haddam Land Trust to the town open space parcels.

Building #1 on the original plan exhibited the septic system within the 75 foot well radius however further investigation by Bob Weaver L.S. shows on the revised plans that the septic system is outside the well radius and it will not be relocated.

Mr. Ventres read Chatham Health District's letter from Elizabeth Davidson dated January 24, 2017 regarding the Proposed 2 Lot Subdivision for 31 Gristmill Road. Ms. Davidson recommended that the septic system to building #2 be replaced due to concerns that it was failing. Mr. Nemergut instructed the commission that a failing septic systems was narrowly defined as effluent on the surface or back up in the house. Mr. Nemergut stated the system was not failing and could not be required to be replaced. He suggested having the Health District review the grounds and system; and if it was still their determination that it was failing, then they would take steps to replace it.

Mr. Ventres shared that Attorney Willis advised that the separation of the septic and open water would be required to meet the public health code and should be included as a condition of the approval.

Soil testing was reviewed.

Mr. Brownell opened the hearing to the public.

There were no members of the public present.

**Motion by Mr. Curtin to close the Public Hearing. Second by Mr. Pettinelli and unanimously passed.**

**Motion by Mr. Curtin to approve #16-23 – 31 Grist Mill Road, Elizabeth Karter, Subdivision review for a proposed 2 lot subdivision with condition that unit #4 have the septic system replaced because it does not meet the public health code; and conditional upon final determination of the Chatham Health District for unit #2. All septic systems necessary to be repaired are required to be repaired prior to filing of the final mylar. Second by Mr. Thomas and unanimously passed.**

### 9. Adjournment

**Motion by Mr. Pettinelli to adjourn at 8:52 p.m. seconded by Mr. Curtin and unanimously passed.**

Respectfully Submitted,

E. Ruth Ziobron  
Recording Secretary