

**PLANNING AND ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
May 28, 2019
(Not yet approved by the Commission)**

1. CALL TO ORDER: Mr. Brownell called the meeting to order at 7:15 p.m. at the Municipal Office Complex.

2. ATTENDANCE:

COMMISSIONERS PRESENT: Crary Brownell (Chairman), James Curtin (Vice Chairman), Kevin Matthews (regular member), Harvey Thomas, (regular member), Bernard Gillis (regular member), Louis Salicrup (regular member), Ed Gubbins (regular member), Joseph Zaid (alternate member), and Richard Pettinelli (alternate member) who arrived at 7:20 p.m.

COMMISSIONERS ABSENT: None

OTHERS PRESENT: James Ventres - Land Use Administrator, Robert Casner, Chairman - Economic Development Committee, Robert Smith – Selectman, and approximately fifty members of the public.

3. MINUTES: The May 14, 2019 minutes were accepted as amended:

Public Hearing 3rd paragraph add: Members of the commission agreed to have traffic control.

4. BILLS: None

5. ACKNOWLEDGMENT: None

6. DISCUSSION:

A. Plan of Conservation and Development - Commission members referenced the plan adoption procedure and sequential steps. Discussion ensued with Mr. Ventres in regard to the POCD May 12, 2019 draft plan that was accepted by the commission, delivered to the Board of Selectman and posted to the East Haddam Municipal website. It is noted that the adoption procedure is on schedule. The Planning & Zoning public hearing is set for July 23, 2019. Mr. Thomas asked for a copy of the executive summary to review before the July public hearing. Mr. Ventres stated that Mr. Zuba from Milone and MacBroom will have an executive summary at the next Planning & Zoning Commission meeting.

B. Accessory Use for Single Family Dwelling - Mr. Brownell indicated that the commission will discuss in detail the Accessory Uses and Buildings Unit Size regulation (Section 10.2 - 10.2.3.2) in preparation for the July public hearing. It was asked that the commission members review this regulation before the public hearing.

C. Cemetery Land Procurement- Mr. Brownell asked Mr. Ventres to send a letter to the Board of Selectman, informing them that the Planning & Zoning commission will research existing and potential properties for cemetery plots. Discussion ensued in regard to various cemeteries in town that have potential land for additional plots. Mr. Gillis indicated that he will conduct the research for cemetery plot allotment.

7. ZEO REPORT:

- A. Mr. Ventres stated that he and Chatham Health District Sanitarian Liz Davidson will hold a land use seminar entitled “Things You Should Know About Your Property But Didn't Know Who To Ask.” The seminar will be Wednesday, May 29, 2019 at the Municipal Office Complex.
- B. Mr. Ventres stated he recently contacted a town planning office in North Carolina for a completed build grant application to compare information submitted. The CT Department of Transportation postponed the design and repair work for the swing bridge until further notice.
- C. Mr. Brownell asked for an update on proposed traffic circles in the area of Haddam. Mr. Ventres stated he did not have information on traffic circles. Discussion ensued in regard to the efficiency of traffic circles in the area. Mr. Pettinelli stated that a traffic circle improves traffic flow opposed to a traffic light.
- D. Mr. Gillis asked for an update on the bridge construction work at Devil's Hopyard State Park. Mr. Curtin stated there is a delay in the delivery of the steel beams for the bridge. The completion date is to be determined.
- E. Mr. Ventres referenced the East Haddam Village Sewer District Operation and Maintenance Report from the Water Pollution Control Authority's May 20, 2019 meeting. There is a proposed sewerage usage fee increase of \$25.00 per single family home/EDU. A public hearing is scheduled for June 17, 2019.
- F. Mr. Ventres informed the commission of an issue he is trying to resolve in regard to flooding at Launching Area Road, Upper Moodus Reservoir public boat launch and Lakeside Dan's Bait Shop. This property, south of the boat launch, is part of an association that was never legally formed. Mr. Ventres proceeded to explain that he spoke with Mr. Omara of Lakeside Dan's in regard to flooding of his property and to offer assistance in replacing drain pipe that is Mr. Omara's responsibility to maintain. Mr. Omara contacted the Connecticut Department of Environmental Protection and officials from the adjacent Moodus Lakeshore Association claiming that the flooding to his property and the boat launch parking lot is caused by rain water drainage from the 30 acre Moodus Lakeshore Association. Mr. Ventres held a meeting with Mr. Omara and Moodus Lakeshore Association Officers to clarify responsibility for installation and maintenance of the drain pipe on the Launching Area Road and bait shop property. Mr. Omara responded by sending a letter to Mr. Ventres informing him that he contacted the DEEP, citing a lawsuit against the Town of East Haddam to resolve the flooding issue to his property.

Discussion ensued with commission members in regard to property owners to the north and south of the public boat launch area and the maintenance of their lakeside roads. Mr. Ventres performed title and deed research for this area and determined that the lakeside properties north and south of the public boat launch are privately owned. Mr. Ventres stated that this issue was discussed at the May 21, 2019 Inland Wetlands and Watercourse Commission meeting. Mr. Dill, Chairman of the IWWC concluded that the flooding issue is between the Connecticut Department of Energy and Environmental Protection and property owners adjacent to the public boat launch.

Mr. Ventres continued to explain the difficulty to find property line maps for private properties, as many of the deeds are vague and don't have complete metes and bounds in the descriptions. He stated that he receives frequent phone calls from the public works department to determine if a dead tree is on town or private property. The public works department is assessing the tree blight that effected thousands of trees in the town.

There were no more questions for the Zoning Enforcement Officer.

A motion was made by Mr. Curtin to take a ten minute recess at 7:50 p.m. The motion was seconded by Mr. Gubbins and passed by unanimous vote.

8. PUBLIC HEARING 8:00 p.m.

A. #19-04 - 29 Daniels Road, Winthrop H. Jr. & Carolyn Guptill Trustee, Re-Subdivision of 2 lots, Assessor's Map 37, Lot 72.

Mr. Ventres distributed to the commission copies of a Re-Subdivision of Land Map, Thomas E. Metcalf, P.E. and Richard W. Gates, L.S., January 15, 2019 and an aerial map of the property depicting the lot separation. Mr. Metcalf explained to the commission that the purpose of dividing the fifty-two acre property is to file an estate plan. One parcel will have 6.6 acres with the adjoining house and the 45.2 acre parcel will have the adjoining residence in the barn and indoor horse riding ring.

Mr. Ventres read the following letters into record:

Inland Wetlands Watercourse Commission stating that the property meets requirements of the commission.

Chatham Health District stating that the properties meet septic regulation with no conditions.

Mr. Pettinelli asked where the utility lines are located. Mr. Metcalf explained that the utility lines are posted along the 50' driveway.

Mr. Brownell opened the hearing to the public.

Mr. Casner, Chairman EDC, supports the subdivision stating that it is a wonderful neighborhood. He has been a neighbor of this property for many years.

Mr. Smith, of Boardman Road asked for the location of the tack shop. Mr. Metcalf pointed out that the tack shop would be on the smaller lot.

A motion was made by Mr. Thomas to close the public hearing. The motion was seconded by Mr. Matthews and it passed by unanimous vote.

A motion was made by Mr. Thomas to approve application #19-04, 29 Daniels Road, Winthrop H. Jr. & Carolyn Guptill Trustee, Re-Subdivision of 2 lots, Assessor's Map 37, Lot 72 with no conditions. The motion was seconded by Mr. Gillis and passed by unanimous vote.

B. #19-05 - Commerce Drive - Scully Land Development, LLC, Special Exception Review to construct a commercial building for warehouse and retail as an accessory use. Assessor's Map 27, Lot 66.

Mr. Ventres received the green certified mail receipts.

Mr. Ventres distributed to the commission copies of an Improvement Location Survey Plot Plan, Richard F. Mihok, P.E. Consulting Engineer, April 5, 2019. Mr. Mihok distributed a picture of the proposed building that will be located at Lot 6 Commerce Drive. Mr. Mihok described the pervious gravel driveway that will be installed around the entire building. A paved apron will be installed from the road to the gravel driveway. There will be designated customer parking in the front of the building with a paved handicap parking space. Landscaping vehicles and equipment will be parked in the rear of the building. Storage bunkers for landscaping material will be located on the south side of the building.

Mr. Ventres read the following letters into record:

Inland Wetlands Watercourse Commission approved the proposed septic system with the condition that prior to construction erosion control be installed.

Chatham Health District approved the installation of the well and septic system with no conditions.

Mr. Curtin asked about the driveway entrance from the road. Mr. Mihok explained that the driveway will have a three to four foot rise from the road. The underground utilities will not be disturbed.

Mr. Pettinelli asked how deep the storage bunkers will be and if there will be a railing in front for child safety. Mr. Mihok answered that the bunkers will be set in to a sloping hill and will be four feet deep and some protections will be constructed.

Mr. Thomas asked to describe the type of lighting on site. Mr. Mihok referenced page 2 of the site plan and stated that there will be three 10' pole down splash luminaire lights on the property and two down splash lights on the building. The free standing Scully Land Design sign will also be lit. The lighting will be installed per regulation specifications. Mr. Thomas asked Mr. Mihok to describe the landscaping pertaining to the building and parking lot. Mr. Mihok referenced the site plan in relation to the proposed building and described where shrubs will be planted.

Mr. Gillis asked if this is a retail business. Mr. Curtin asked what type of product will be sold. Mr. Scully explained that once the site is established, he aspires to sell landscaping materials such as mulch and topsoil and to also have patio block displays.

Mr. Brownell opened the hearing to the public.

Mr. Casner, Chairman, EDC stated that this application is a welcomed commercial business for the existing industrial area. Mr. Scully's landscaping business is exactly what the Economic Development Commission is promoting to enrich the community and tax base.

Mr. Denison, of Stony Brook Drive, a neighbor of Lot 6 Commerce Drive, indicated he is happy to hear that the commission will ensure that all lighting will be installed per regulation specifications. Mr. Denison asked about the setbacks of the building from the property lines. Mr. Mihok clarified that Mr. Scully also owns the 4.77 acre lot 7 that tracks behind the proposed commercial building on lot 6. Lot 7 will provide a two hundred foot buffer to adjacent properties. There are no plans to develop lot 7 at this time.

Mr. Smith of Boardman Road concurs with Mr. Casner that this commercial landscaping business is a practical use for Commerce Drive as long as it meets zoning regulations.

Mr. Brownell asked the commission if there were any additional questions pertaining to lighting or landscaping. There were none. Mr. Brownell asked Mr. Scully if lights will remain during the night. Mr. Scully stated that for security purposes dimmed lights will remain on.

A motion was made by Mr. Gillis to close the public hearing. The motion was seconded by Mr. Gubbins and passed by unanimous vote.

A motion was made by Mr. Salicrup to approve application #19-05 - Commerce Drive - Scully Land Development, LLC, Special Exception Review to construct a commercial building for warehouse and retail as an accessory use. Assessor's Map 27, Lot 66 with conditions from the Inland Wetlands Watercourse commission. Mr. Thomas seconded the motion and passed by unanimous vote.

C. #19-06 - 40 Johnsonville Road, Iglesia Ni Cristo Church of Christ, Special Exception review to convert an existing 5 bedroom residence into a religious seminary. Assessor's Map 27, Lot 182.

Mr. Ventres distributed to the commission copies of the following: a Site Plan & Erosion and Sediment Control Plan, Proposed Seminary Building Conversion, Nemergut Consulting, April 19,2019, and a Proposed Elevations for Seminary at Johnsonville, Fellner Architects, November 12, 2018.

Mr. Nemergut presented the green certified mail receipts to Mr. Ventres.

Mr. Nemergut proceeded to describe the 40 Johnsonville Road residence location in relation to the chapel, the pond and Moodus River. Mr. Nemergut explained that the 1.47 acres east of Johnsonville road is where the residence will be, however, most of the 42 acre Johnsonville property is located on the west side of Johnsonville Road. The existing 3,500 sq. foot house footprint will not increase except for a proposed dormer over the garage. Mr. Nemergut explained that there will be a six space parking area, including a handicap space located near the garage. Mr. Nemergut explained that a new septic system will be installed to code for a ten bedroom residence and that the Inland Wetlands and Watercourse Commission approved the septic system with conditions. Also, the Chatham Health District approved the application without conditions.

Mr. Fellner described the proposed interior alterations. This application is a special exception for educational and religious purposes. The remodeled residence will accommodate two teachers and their families and ten year round students. Mr. Fellner explained that he met with the building inspector and the fire marshal to ensure that his plan meets regulation code. The lights on site will be down splash at door entries.

Mr. Ventres read the following letters into record:

The Inland Wetlands and Watercourse Commission approved the septic system with conditions that a water meter and aeration system be added.

Chatham Health District approved the May 23, 2019 revised site plan of Nemergut Consulting.

Mr. Salicrup asked about food preparation. Mr. Nemergut explained that the students will prepare their own food as they would in a dormitory.

Mr. Epifanio Maniebo, Jr. of Iglesia Ni Cristo Church of Christ concurred that the students will prepare their own food in a separate kitchen as in a dormitory setting.

Mr. Curtin asked the age of the students attending the seminary. Mr. Nemergut stated the age range is 18 to 30 years old. Mr. Curtin asked if they would have cars. Mr. Nemergut stated that they would not.

Mr. Nemergut added that he received a call from Bruce Dutch, a neighbor on the southern corner of Cove and Johnsonville Road supporting this application.

Mr. Thomas asked if the proposed parking meets regulation for a multifamily house. Mr. Nemergut explained that there is a forty space parking lot in walking distance to the house for additional parking.

Mr. Pettinelli asked how many parking spaces are required for a multifamily residence. He thinks the proposed parking is adequate but if the residence changes use, more parking may be required. Mr. Thomas recapped the discussion and noted that there is adequate parking on this parcel of land for the multifamily residence.

Mr. Pettinelli asked if the plan meets fire rating codes. Mr. Fellner stated he met with the fire marshal and reviewed the plan in detail prior to completion of his plan.

Mr. Brownell opened the hearing to the public.

Mr. Smith of Boardman Road asked for the location of the well. Mr. Nemergut pointed to the well location near the saw mill building which is not on 40 Johnsonville Road. Mr. Nemergut explained that Chatham Health District asked him to execute an easement to continue to use the well. Mr. Smith asked if water was flowing to the saw mill. Mr. Nemergut responded no. Mr. Smith asked in case of a flood where the water exits in relation to the fields. Mr. Nemergut explained that there is a pipe that drains straight out to the fields.

Mr. Smith asked if the three car garage will be used as a garage. Mr. Nemergut stated yes.

Mr. Smith asked if there will be a sprinkler system in the residence. Mr. Fellner stated no, that it is not

required by code. Mr. Smith added that for insurance purposes it would be beneficial.

Mr. Casner, Chairman, EDC expressed his approval for adaptable re-use of a 6000 sq. foot house. He is grateful that the church is re-purposing this piece of real estate utilizing and maintaining its original architect. Mr. Casner thanked church members that are present.

A motion was made by Mr. Gubbins to close the public hearing. The motion was seconded by Mr. Gillis and passed by unanimous vote.

A motion was made by Mr. Thomas to approve application #19-06 - 40 Johnsonville Road, Iglesia Ni Cristo Church of Christ, Special Exception review to convert an existing 5 bedroom residence into a religious seminary. Assessor's Map 27, Lot 182 with conditions stated in the Inland Wetlands Watercourse Commission letter dated May 21, 2019 and to execute an easement for the continued use of the well as required by the Chatham Health District. The motion was seconded by Mr. Gillis and passed by unanimous vote.

D. #19-07 - 90 Maple Avenue, James A. Reilly (applicant), Ballek Realty Associates (owner), Special Exception Review for the addition of a portable food service unit. Assessor's Map 37, Lot 88.

Mr. Ventres stated that Mr. Reilly was not prepared for tonight's meeting therefore he recommends to continue this public hearing on June 11, 2019.

Mr. Matthews opened application #19-07 - 90 Maple Avenue, James A. Reilly (applicant), Ballek Realty Associates (owner), Special Exception Review for the addition of a portable food service unit. Assessor's Map 37, Lot 88 to be continued.

A motion was made by Mr. Curtin to continue this public hearing on June 11, 2019. The motion was seconded by Mr. Thomas and passed by unanimous vote.

9. ADJOURNMENT:

A motion was made by Mr. Gubbins to adjourn at 9:10 p.m. The motion was seconded by Mr. Matthews and passed by unanimous vote.

Respectfully submitted,
Toni Marie Dumaine