

**PLANNING & ZONING COMMISSION/
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
January 25, 2011
(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 (regular member), James Curtin (regular member), Bernard Gillis (regular member), John Matthew (regular member), Kevin Matthews (regular member), Louis Salicrup (Alternate), Elizabeth Lunt (alternate member), Harvey Thomas (regular member)

COMMISSIONERS ABSENT: Anthony Saraco (regular member)

OTHERS PRESENT: James Ventres, Emmett Lyman, and approximately 18 townspeople were present.

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

3. MINUTES:

Tabled until the next meeting.

4. BILLS

<u>Vendor</u>	<u>Invoice</u>	<u>Amount</u>
Nathan Jacobson (general consulting)	73449	\$84.68

Motion by Mr. Curtin, seconded by Mr. Thomas to pay the bill as presented. Motion carried by unanimous vote.

Motion by Mr. Curtin, seconded by Mr. Gillis, and passed unanimously to change the order of the agenda.

5. ACKNOWLEDGEMENTS AND SET HEARING DATES

None

8. ZEO REPORT

As requested at the last meeting, Mr. Ventres distributed copies of documents he prepared on roads with duplicate names. This package included research back to 1997 for ways to discontinue roads, etc. The Commission briefly discussed the documents. Mr. Thomas stated this issue has been passed back and forth between the Commission and the Board of Selectmen. He stated this commission has made a good faith effort to get this issue resolved, and they can really do no more at this point.

Mr. Brownell asked if this has been kicked back to this Commission. Mr. Ventres replied that this issue was sent to the Selectmen. Mr. Brownell asked what else can be done. Mr. Gillis suggested that the commissioners could go to a Selectman's meeting and raise the issue. Mr. Brownell suggested the Commission draft a letter to the Selectmen, and possibly set up a subcommittee to discuss the issues. He asked Mr. Ventres to draft a letter to the Selectmen. Mr. Ventres suggested they also include the fire and ambulance officials in this letter. Mr. Curtin suggested they take one of the most egregious roads, and try to work on it. Then they can work on some of the others.

Mr. Ventres noted that when this issue had arisen previously, because it involved address changes, townspeople voiced concern about changing their checking accounts, etc. Mr. Brownell stated that the issue really came down to safety. He stated he would be looking for volunteers for a subcommittee.

Mr. Ventres informed the Commission that the reservoir dam project is still being worked on, even during the inclement weather.

Mr. Ventres reported that he and Mr. Puska are continuing to work on seasonal/year-round use issues.

Mr. Curtin asked Mr. Ventres to call the contractor about the tree on the Bernstein property.

Mr. Ventres stated he was going to try sending all of the application/plan information before the meetings, based on a discussion with Attorney Branse and Randolph Dill, chairman of the IWWC. Mr. Ventres stated he would try this to see how it would work. Mr. Ventres stated he ordered a mail bin for these applications. Mr. Brownell asked if they should stop in before a meeting to save some postage. Mr. Ventres stated if they were there anyway, they could stop in.

7. DISCUSSION

A) Signage

Mr. Gillis stated he would need some convincing regarding the interior lit signs. He noted that Sanibel's closes at 8:00 p.m. He commented that if the owner of Sanibel's had a shielded exterior lit sign; it could be lit all night. He believed that everything else in the regulation looked pretty good.

Mr. Brownell asked Ms. Lunt for input. She did not have a problem with letting people leave a light on all the time, if it was exterior lit. She stated she did not have a problem with an interior lit sign either, in an approved area.

Mr. Matthew stated he did not have a strong preference, although his preference would be externally lit signage. He stated if it had a significant impact on a business, he could be convinced that it could be okay. In the absence of that, he would prefer externally lit signs.

Mr. Thomas believed for internally lit signs, what has been drafted somewhat limits the geographic area to areas that are moderately commercial. As far as the issue of internally lit versus externally lit signs, they have historically had issues enforcing them. He did not have a problem with internally lit signs. He noted they have made the sandwich boards more realistic. He commented that one open sign, and one internally lit sign that cannot exceed 6 square feet, only on when the business is open shouldn't be too much of a problem. He would have a problem with multiple internally lit signs.

Mr. Curtin believed the regulation was conservative enough to be acceptable, and to protect the people. He noted in this environment, they should be a bit accommodating to the people.

Mr. Salicrup agreed with Mr. Curtin and Mr. Thomas. He stated the signs would only be on when the business was open, and it would be small signage.

Mr. Matthews stated he was comfortable with the regulation. He believed they had to be accommodating to the businesses, they would only be small signs.

Mr. Brownell stated he was not comfortable with it. He agreed more with Mr. Matthew. Mr. Gillis stated he was not okay with it. He did not believe it made sense. He referred to Susan's Salon, and he did not believe it made sense from a business perspective.

Ms. Lunt stated at least it would give them the option if they chose to do it. Mr. Gillis asked if this was what the business community wanted. Mr. Curtin stated they probably wanted a bit more, but this was what they could get.

Mr. Brownell excused himself from the meeting at this time.

Mr. Thomas stated the signs could be expensive. He did not think everyone would do it, unless they felt it would help their business. He stated if they wanted to invest it, they could try it.

A discussion about the signs, other than the open sign, ensued. Mr. Brownell returned to the meeting.

Mr. Salicrup stated business might change, and a new owner might want or need the signage. Mr. Matthew voiced concern about real property values, and what the appeal of the community might do to home values. He stated the reason people come to East Haddam is because it embodies rural character. He did not believe they should penalize a small group; however, on the other hand, he did not want to penalize the other group, approximately 85%. Mr. Salicrup questioned the percentage. Mr. Brownell asked Mr. Ventres the percentage of the community that wanted rural character. Mr. Ventres reviewed the Plan of Conservation and Development. He noted that 39% of people listed rural character as their number one priority. Mr. Curtin stated that a little help here and there would be good.

Mr. Brownell asked about future businesses. Mr. Curtin stated that he and Mr. Brownell have lived here all of their lives, and businesses have come and gone. Mr. Thomas stated that one big problem with business in East Haddam is that there is not a lot of places to put businesses. Mr. Matthews stated the business areas were fragmented. Mr. Thomas stated there were not large parcels where people could buy and build a large business.

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

6. PUBLIC HEARING

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

A) Continued: Application 10-16, Special Exception Review for the two-year renewal of existing gravel excavation permit, Mazer Gravel Pit, Hopyard Road.

Assessor's Map 14, Lot 62.

First date: January 11, 2011

Last Date: February 14, 2011

Attorney John Bennet addressed the Commission on behalf of the applicant. He stated they have come before the Commission every two years, he believed 15 times now. He explained the use of the gravel pit. He stated there is relatively light haul from the gravel pit. He previously submitted the green, certified receipt cards to Mr. Ventres, but noted that not all of them were returned.

Mr. Gillis asked if there was any type of reporting requirements, as far as how much material was removed each year. Attorney Bennet stated they had never been required to report. Mr. Ventres noted that everything was in order for this permit. Attorney Bennet stated they give a bond to the Town each year.

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

Motion by Mr. Curtin, seconded by Mr. Thomas, and passed unanimously to close the public hearing for Application 10-16, Special Exception Review for the two-year renewal of existing gravel excavation permit, Mazer Gravel Pit, Hopyard Road.

Motion by Mr. Curtin to approve Application 10-16, Special Exception Review for the two-year renewal of existing gravel excavation permit, Mazer Gravel Pit, Hopyard Road. Seconded by Mr. Matthew, and passed by unanimous vote.

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

B) Proposed Amendments to the East Haddam Zoning Regulations

- 1) Interior Lots – New Section 10.1.h. - creation of interior lots**
- 2) Requirement for filling of test pits. Section 14.A.3.G.**

- 3) **Special Exception Review for 2,3, and 4 family dwellings instead of Site Plan Review – Section 5 Definitions, Section 9 Permitted Uses**
- 4) **Redefine accessory units – consider allowing accessory unit/in-law unit with less acreage with Special Exception Review – Section 10.2 Accessory Units.**
- 5) **Revision to the Building Height language in the Conservation and Lake Districts – Section 5 Definitions and Section 10.1.4 Building Height.**
- 6) **Seasonal Use Language and extension of time – Section 5 Definitions, Section 7 General requirements.**
- 7) **Merger of lots separated by street – New Section 8.1.5**
- 8) **New Section 21 for the Regulation of Outdoor wood burning furnaces**
- 9) **Campgrounds and Recreational Camps – Section 5 Definitions, Section 7 General Requirements, Section 15 Campgrounds**

Proposed amendments to the East Haddam Subdivision Regulations:

- (1) Requirement for filling of test pits. Section 4.04.**
- (2) Buffers for Rural, Residential, & Agricultural Areas – Section 4.18**

Mr. Brownell opened the hearing to the public. He stated he would like to limit tonight's meeting to 10:30 p.m. Mr. Ventres suggested they go one at a time. He stated notice was sent to the abutting towns, Gateway, and all municipal agencies. Mr. Ventres stated he had some comments from the public, and would read those as they got to each one.

Interior Lots – New Section 10.1.h. - creation of interior lots

Mr. Ventres stated these are all proposed regulations/changes. They are not set in stone.

TAPE CHANGE (1B)

Mr. Brownell asked, as they finish each section, if they should vote on it. Mr. Ventres believed it may be best to come back after they have gone through all of them.

Mr. Ventres reviewed the purpose and intent of the interior lot regulations. He stated that the proposal was to go back to 25-foot access strips, as outlined in Item #5 of the proposed regulation. He stated they have a requirement for interior lot driveways, maintenance, etc. He stated that #9 included a requirement for buffering. This would allow for buffers between structures, to alleviate issues between neighbors that can see items in the other's yards.

Mr. Gillis asked if they never put a minimum size on the buffering. Mr. Ventres stated it could be part of the language, but the way it is written now, it would be a case-by-case situation, based on topography, what needed to be planted, etc. Therefore, there is no minimum as this is written right now.

Mr. Brownell opened this hearing to the public.

Mr. Bob Casner stated the whole idea of having interior lots is helpful in putting together plans. He believed it would be simpler if interior lots were just part of the process, to prove to the Commission that their layout was feasible. He noted that #3 imposed a lot of “ifs, ands, and buts”. He did not know how he would prove to the Commission that it was feasible, etc. He asked the Commission to look at paragraph 3 to determine if it was absolutely necessary. He commented that the rest of the regulation was clear to determine what the Commission was looking for, but #3 was not.

Mr. Todd Gelston, Bogel Road stated he had a number of questions about this regulation. He asked about the legal notices. He stated he heard through the grapevine about this. He noted this was noticed in the Hartford Courant on January 11 and 20. He believed for something this big, it should be better noticed, perhaps on the website, etc. so that more people would have a chance for input.

Mr. Gelston asked why the Commission proposed to go back to allowing interior lots. He stated they have regulations for many reasons. He stated the people who move to town to buy homes don’t want any trouble with their neighbors. He stated when people start sharing driveways and lawns, they start to have problems. He asked what effect this would have on new residents moving to towns.

Mr. Gelston asked why the Commission was proposing to go back to allowing interior lots. He asked if the Commission had a list of pros and cons, records of complaints, etc., and compares it to the new regulations to see if they corrected the problems of the past.

Mr. Gelston asked if this proposal for interior lots would only allow the developer to have more lots. He asked what this would do to the rural character, and he found that very troubling. He asked the Commission to keep in mind buffering. He stated this was extremely important, and at the very least, they should have a minimum amount for buffering.

Mr. Gelston asked if the Commission had a record of complaints. Mr. Ventres stated he did not have a written catalog of issues, but he has been here since 1995. There have been a couple of court cases, because people did not have a written document of who was responsible for what. He stated this was a double-edged sword. When they took the interior lots out, they received input that people had to build a road. The Commission had to weigh impervious surfaces from roads, etc. He stated if an applicant meets the subdivision regulations, they must approve it. Under a special exception application, the Commission has some discretion in the review process.

Mr. Gelston asked if setting a minimum buffer would be beneficial. Mr. Ventres stated that may be a good point, and that was why they were holding the public hearing. Mr. Matthew questioned this. Mr. Ventres stated this was not set in stone, so the Commission could discuss it.

Mrs. Melissa Ziobron, Petticoat Lane, agreed that buffering is important. She stated she received 10 acres of land as a wedding present, on a shared driveway with her father-in-law. She stated when additional land became available, they purchased it. She believed there were some cases where interior lots would allow benefits. She believed there were many long-time residents who value rural character the opportunity.

Mr. Wyley Peckham, Babcock Road, stated his grandparents had only land. He was able to give each of his children a parcel of land. He stated when he tried to give his son a lot, back lots were not allowed. Because he owns frontage on Babcock Pond, he could have constructed a road, subdivided the land, sold a lot to pay for the cost of the road. Fortunately, the ZBA approved his application to build a back lot, which is much more appealing than having three houses there. He encouraged the Commission to think of the elderly, who may have to sell some land to pay for medical bills, etc.

Requirements for filling of test pits – Section 14.A.3.G.

Mr. Ventres briefly reviewed the reasoning behind this regulation. The Chatham Health District does not have the authority to order people to fill the test pits in after they have been dug. This has resulted in many deep holes being left open.

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

Special Exception Review for 2, 3, and 4 family dwellings instead of Site Plan Review – Section 5 Definitions, Section 9 Permitted Uses

Mr. Ventres briefly reviewed this proposed regulation. He stated this included a definition of bedrooms, which was taken from the Public Health Code. As far as the use of 2, 3, and 4 family dwellings, presently, it goes under Site Plan Review. If the applicant meets all of the criteria of site plan review, it is automatically approved by the Commission. Under special exception, the Commission has more latitude to review landscaping, etc. He stated there has been a concern from the public in previous applications that the Commission should have more authority to regulate these types of structures. Mr. Brownell added that other than that, not much else had changed in this regulation.

Mr. Brownell opened the hearing to the public.

Mr. Bob Casner stated especially with the 2-family units, particularly with in-law apartments, if this would come under this, or the other section. Mr. Ventres stated it was addressed in the other section.

Mr. Matthew stated accessory buildings and uses would apply in this section. Mr. Ventres stated it was further defined in the other section. Mr. Matthew suggested they take out the use component of the accessory use in the second paragraph. Mr. Ventres believed that language belonged in this section. Mr. Curtin suggested they make a note to look into this.

Mr. Todd Gelston asked the difference between site plan and special exception. Mr. Ventres explained that special exception allowed the Commission to look at architecture, buffering, traffic flows, etc. He stated under site plan, there is no flexibility. If an application met the requirements, the Commission would have to approve it.

Mr. Gelston stated that special exception review would put the burden on the Commission to make the right decision. Mr. Ventres stated under the special exception, the Commission would have much more latitude with the regulations. Mr. Gelston stated then the Commission could dictate to the applicant what is

acceptable. Mr. Thomas explained that under site plan, the applicant would have to meet the side yard requirements, septic requirements, etc. Under special exception, the Commission really got to review if an application met the character of the neighborhood, traffic, etc. Mr. Ventres read excerpts from the book “What’s Legally Required”, which explained that there is much more latitude in special exception.

Mr. Gelston asked if this opened it up to spot zoning, to which Mr. Ventres stated it did not. Special Exception was another method of reviewing an application.

Mr. Wyley Peckham stated when he built his house, he made it handicap accessible, with wider doorways, septic, etc. He stated he has 3.8 acres, which did not allow him to have an accessory unit. He stated he was fortunate because he had enough land around him to accommodate an accessory unit if necessary. However, he stated many people do not have enough land to accommodate this. Many elderly people need assistance, and this may benefit the Town to allow this accessory unit. Mr. Brownell stated accessory units were addressed in the next section.

Redefine Accessory Units – consider allowing accessory unit/in-law unit with less acreage with Special Exception review – Section 10.2 Accessory Units

Mr. Ventres stated this section spoke to Mr. Peckham’s earlier plea. Mr. Ventres stated he gets this type of request more than any other. There has clearly been a cry from people looking for accessory units. He stated that a combination of kitchen, bathroom, and bedroom would be an accessory unit, which currently requires double the acreage. He reviewed scenarios for this. He explained under this proposed regulation, if there is an attached accessory unit with one bedroom between 300 and 500 square feet, no additional land would be needed. A detached unit with 1 or 2 bedrooms, with a square footage of 300 – 700, you would need an additional half acre. If an accessory dwelling was proposed that was detached and greater than 700 square feet, an applicant would still require double the acreage.

Mr. Brownell opened the hearing to the public.

Mr. Bob Casner believed this was exactly what people are looking for. There are people needing to have family members brought in. He stated these are usually around 500 square feet. He believed this was an excellent idea, and he hoped the Commission would move forward on this.

Revision to the Building Height language in the Conservation and Lake Districts – Section 5 Definitions and Section 10.1.4 Building Height

TAPE CHANGE (2A)

Mr. Ventres reviewed the regulation. He explained that the Gateway recently discovered there was a glitch in their regulation, whereby people were excavating under the natural grade to create a larger visible façade from the river. This also created a concern for fire fighters. He stated this is just a definition of how you measure the height of a building.

Mr. Brownell opened the hearing to the public.

Mr. Bob Thomas, Clark Hill Road, thanked the Commission for the time they have put in on the Town's behalf. Mr. Thomas voiced concern about walk-out basements. He asked if the height of the building would now be measured from the walk-out basement to the peak. Commissioner Harvey Thomas stated if you are not reducing the natural grade, this would not apply. Mr. Thomas asked if you would now measure from the downhill side, rather than the uphill side. He stated if it was the wish of the Commission that there be no walkout basements, and the Commission may be making architectural decisions, possibly unaware of it. He stated the math did not work if the Commission wanted to allow an applicant to have a two-story house with a walk-out basement in this area. He stated some homes would have to have a 4-pitch roof.

Mr. Brownell asked what the original premise was for this. Mr. Ventres stated it was from the Gateway Commission originally. Commissioner Thomas understood that an applicant could have a walk-out basement, as long as it fit within the natural grade. If you are working with the natural terrain, without digging down the terrain to get a more elaborate façade. He stated this was what this regulation was intended to prohibit.

Mr. Matthew stated it was the intent of the Gateway Commission to limit the façade. Mr. Ventres stated a two-story structure with a walk-out basement. He suggested it might be beneficial to go back and discuss this with the Gateway Commission, at 40-feet. Mr. Ventres noted that this regulation would apply only to a very small portion of town, as the town has an exemption for the East Haddam Village District. Mr. Ventres believed the intent of the regulation was to not have 3-story structures. Mr. Thomas believed going back to the Gateway Commission was the appropriate thing to do.

Commissioner Thomas suggested that Mr. Thomas go to the Gateway Commission to bring this matter to their attention. Mr. Thomas stated he had gone through this in Lyme. Mr. Brownell suggested they could possibly go back to the Gateway Commission to discuss this concern, etc. Commissioner Thomas suggested they deny this regulation and go back. Ms. Lunt stated this would also apply to the lake districts.

Mr. Gelston stated he was a member of the Gateway Commission for many years. He believed the intent was to require the developer/land owner to build within the lay of the land. He noted that the reason the Gateway Commission has to be consistent with the neighboring towns, so there is consistency along the river. He stated the Commission could go back to the Gateway Commission and talk to them, but this has been around for 25 years. Mr. Gelston stated he supported this change, as he felt it was the right thing to do.

Mr. Curtin stated one could not build a two-story house with a walkout basement. He was not certain this worked. A two-story colonial was a standard in New England. If it was a walkout basement, it could not be built facing the river. He stated this would restrict the most common house in New England, if it was built facing the river. He believed this was a big limitation. He stated it did not fit the village, so why should the other areas in town be restricted. He believed the Commission should go back to the Gateway Commission.

Mr. Bob Casner agreed with Mr. Thomas. He stated the typical colonial would have to have a 4-pitch or 6-pitch roof. He believed it would be beneficial to advise the Gateway Commission that they could not get a normal roof on a colonial house.

Seasonal Use Language and extension of time – Section 5 Definitions, Section 7 General Requirements

Mr. Ventres stated this was a very simple change. They were proposing a change to back up the allowable date to April 15, for people who use their cottages for fishing. He stated this also defined the 200-day period, which made it easier to keep track of.

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

Merger of lots separated by street – New Section 8.1.5.

Mr. Ventres explained that with the seasonal lots, some property owners merge lots across the street from the original property. He stated they have never had criteria for this. Without criteria, some people have actually put deposits on parcels down the street from their own property. This regulation would give the public criteria to determine what is acceptable, so that no one wastes their resources. He read the requirement for this regulation.

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

New Section 21 for the Regulation of Outdoor wood burning furnaces

Mr. Ventres stated this was a new section of the regulations. There was a possibility that the State was going to take oversight of this. This proposed regulation was adapted from Killingworth's regulation.

Mr. Ventres explained that the Commission would require the unit to be 200-feet from the property line. They would require a site plan. The chimney would have to be 2-feet more than the height of the roof peaks of the residents within 500-feet. In addition, there would be limits imposed to allow the units to be used only between the periods of September 15 and May 15.

Mr. Ventres stated he received written testimony from Mrs. Jean Breuler, Olde Field Drive and a letter from Mr. Robert Smith, Moodus Leesville Road.

Mr. Brownell asked if people have existing furnaces, the only thing this would limit them to would be the dates of operation. Mr. Ventres cautioned that as long as the existing units were permitted, this would apply.

Mr. Brownell opened the hearing to the public.

Mrs. Ziobron stated she was upset about a letter from Mrs. Breuler to the editor. Mrs. Ziobron stated she was here as a private citizen. She read into the record the letter from Mrs. Breuler. Mrs. Ziobron believed the tone of this letter creates an unbelievably adverse reaction. Mrs. Ziobron stated she burns wood exclusively. She stated the tone of this letter was an absolute assault on the rural character of this community. She stated she has had many people talk to her about this letter. She stated there are people who cannot afford to buy oil, and/or who are cutting wood from their own property. Mrs. Ziobron stated she has done some research, and has learned that there are new furnaces coming online by 2012.

Mrs. Ziobron stated she has neighbors who have horses, and have manure piles. She asked the Commission to keep a balanced attitude when they are debating this.

Mr. Todd Gelston stated he supported these regulations. He stated these regulations were not specific to East Haddam. Maine, Vermont, New York, have requirements. He stated the idea was to burn responsibly, and that is a good thing. He believed these regulations would allow more people in East Haddam to use wood burning products.

Mr. Arnie Liscombe, Mott Lane stated he experiences this frequently. He stated the wood furnaces are different from people using a wood stove. The first time he experienced the smoke from a wood furnace in his neighborhood, he thought there was a fire at the transfer station. He stated if they have their windows open, sometimes they have to close them because the smoke is toxic. He stated he has nothing against people burning wood in a woodstove. He stated there are nine communities in Connecticut that have banned outdoor wood burning furnaces. He stated this has really changed their lives. He suggested the Commission make the regulation 500-feet, make the smokestack higher, and make the limit to 6 months.

Mrs. Liscombe stated the smoke was awful. She asked who regulates this. She stated the one in their neighborhood is on Eli Chapman Road. Mr. Brownell stated this has come up previously. Mr. Ventres stated he has experienced this, and the DEP has been there on several occasions. Mrs. Liscombe stated they have a two-and-a-half year old grandson, and he gets a runny nose every time he comes to visit.

Responsive to inquiry by Mr. Gillis, Mr. Ventres responded that for the unit on Eli Chapman Road, there are requirements from the State that are not met. Mr. Brownell asked if the DEP could come in. Mr. Ventres stated if it is not operating per the DEP's requirements, they can come in.

Mr. Gillis asked if something other than wood was being burned. Mr. Liscombe stated he did not know what was being burned, but he believed it was all wood.

TAPE CHANGE (2B)

Mr. Salicrup asked if pallets were treated with anything, to which Mr. Brownell responded they were not.

Mr. Liscombe stated there is a pile of cut wood in the person's yard. He read an article that was in the newspaper approximately one year ago.

Mrs. Ziobron stated this sounded like a totally egregious situation, and she would have called the Land Use Office. She stated she has several friends who use them, and you would never know it was there. She stated when she burns wet wood, you can certainly see smoke. She found information on the internet yesterday that required chimney heights the same height as what the Commission was proposing. She stated there are a few bad apples, but there are many people who use them properly. She cautioned the Commission to not let the few bad apples ruin the rural character.

Mr. Gillis asked how the Commission came up with the May 15 end date. Mr. Ventres stated this was the annual frost date.

Campgrounds and Recreational Camps – Section 5 Definitions, Section 7 General Requirements, Section 15 Campgrounds

Mr. Ventres reviewed the changes, as outlined in the draft that was available to the audience. This included defining start and end dates. They added the ability to use the facilities for conferences, etc. Mr. Ventres reviewed the language in each section of the regulation.

Mr. Brownell opened the hearing to the public.

Mr. Glen Gustine stated he and his brother have owned and operated Wolf's Den Campground since 1993. He stated they have always tried to be good neighbors. Their goals are the same as the Commission, and they have many requirements for their campers, such as length of stay, etc. He received a draft of the proposed changes. They are in agreement with the dates, although they may stay with the 6-month timeframe. There are some areas in which he had concerns.

Mr. Gustine referred to 15.4.4 regarding noise. Currently, there is no regulation as to timing for noise. He believed it is important to have a time. They currently enforce 10:00 p.m. during the week, and 11:00 p.m. on the weekends. They go around the campsite at 10:30 p.m. during the week. He asked that the Commission adjust the time to 11:00 p.m. on Friday, Saturday, and Sunday nights. He stated it has been a long time since they have had any complaints from neighbors.

Regarding 15.4.5, Mr. Gustine stated the 200-day season is welcome. He supported the deletions regarding trailer sizes. The phrase "registered motor homes and camper trailers" concerned him. He stated there are many unregistered tents, etc. that are not offensive. He stated there are State requirements for camping units. He stated all of their units comply with the National standards. He stated their units did not meet the HUD standards, as they are not permanent structures. He stated this line was what was very important, so that no one tries to use their camper as a permanent structure. He stated he has copies of his notes.

Mr. Gustine did not believe they needed to reinvent the definition for the campers. He stated all of the campers, whether they be tents or other units, are within their developed areas.

Referring to 15.4.6, Mr. Gustine stated each camper notifies them upon arrival of who they are, their addresses, etc. If motor vehicle registration is implied in the registration section, they cannot register tents, etc. He voiced concern about motor vehicles.

Mr. Gustine noted that the State requires them to test their water before the season opens, and if they are not permitted to turn on the water, they are not able to have the water testing done before opening for the season. He asked the Commission to eliminate the section requiring gates, etc. Mr. Gustine stated he supported a seasonal use. He stated two-thirds of their campers are seasonal campers. Many of these campers are stored on site for many years. They become East Haddam taxpayers, since their campers are stored in East Haddam. They often hold open days in the fall, etc. for people to remove leaves, pick up items left, remove snow from the roofs, etc. He was not sure if he was reading this regulation correctly, but he wanted to make sure they did not bar people from entering the campers they own.

Mr. Gustine stated at the minimum, he would like to amend the regulation. Mr. Gustine requested a change in the language to 15.4.6.

Mr. Gustine asked for clarification of 15.4.7. He asked if the Commission was trying to eliminate subletting. Mr. Gillis believed this was the case. Mr. Matthew believed they were trying to eliminate the high school or college kids having a wild weekend. Mr. Gustine stated they require their registered guests to be of legal age. He asked the Commission to consider this section. He believed if the guests complied with the noise regulations, then the rest should be between him and his guests.

Mr. Gustine stated they have always tried to be good neighbors. Their guests support local businesses. Their seasonal campers pay taxes to East Haddam. He stated if this was not acted on tonight, it might be beneficial to meet in person with one or more of the members. He stated he was not versed in regulatory language, but he has a good understanding of the industry, and he wished to be part of the process.

Mr. Gillis asked in the off season, if they do lock the facility. Mr. Gustine stated they have a chain and a padlock, but they do allow people to come in to pick up items, etc. Mr. Curtin stated that no one was objecting to that type of thing. Mr. Gustine stated he did not believe they were, but the way the regulation was written, he was concerned.

Mr. Gustine asked the intent of the locking of the facility. Mr. Curtin stated the Commission wanted to make sure that no one was living there. Mr. Ventres explained that this regulation was written in the 1970's. When the Commission went through this, they tried to address what they thought might be issues. Now Mr. Gustine has brought a number of issues, so they can discuss that. Mr. Gustine stated he would be happy to meet with someone. Mr. Curtin suggested he meet with Mr. Ventres. Mr. Lyman stated he was on the P&Z Commission back in the early 1990's, and there were housing issues at the time.

Mr. Brownell asked the EDC how much time they needed for comments. Mrs. Ziobron stated the EDC planned to introduce a letter for consideration at the end. Ms. Deb Mathiasen asked why the definitions were as they were on the first page. Mr. Gustine noted that the State language could clean this up. Mrs. Mathiasen stated the way it is written, they would miss things, such as bike rallies, etc.

Ms. Mathiasen suggested under section 15. 3.3 accessory uses – that they just say “conference”, rather than 14-day conference. Mr. Ventres explained that there have been some towns that have had outdoor music conferences that never seem to end. Mr. Curtin noted this was just an attempt to have an ending date.

Mrs. Ziobron suggested that she, Mr. Ventres, and Mr. Gustine could meet before the next meeting.

Responsive to inquiry by Mrs. Mathiasen, Mr. Curtin explained that they were trying to address conferences, resorts, etc. Mr. Ventres stated there have been requests for weekend conferences. There is currently no mechanism for this.

Mrs. Mathiasen referred to 15.4.7, and asked why that was not also recreational camps. Mr. Ventres stated it should be.

Mr. Curtin asked if this regulation may be modified to the point that it should possibly be pulled from this list. Mr. Ventres stated as long as it does not change the intent or substantial content, it would be acceptable to continue.

TAPE CHANGE (3A)

Motion by Mr. Curtin, seconded by Mr. Salicrup to continue the public hearing for proposed amendments to the East Haddam Zoning Regulations until the February 8, 2011 meeting, 8:00 p.m. at the Town Grange. The motion passed unanimously.

9. ADJOURNMENT

Motion by Mr. Curtin, seconded by Mr. Salicrup to adjourn at 10:40 p.m. Motion carried by unanimous vote.

Respectfully submitted,

Holly Pattavina