

**PLANNING & ZONING COMMISSION/
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
February 22, 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: Crary Brownell – Chairman (regular member), James Curtin (regular member), Bernard Gillis (regular member), John Matthew (regular member), Kevin Matthews (regular member), Louis Salicrup (Alternate), Harvey Thomas (regular member)

COMMISSIONERS ABSENT: Anthony Saraco (regular member), Elizabeth Lunt (alternate member),

OTHERS PRESENT: James Ventres, Emmett Lyman (arrived 9:15 p.m.), and approximately 5 townspeople were present.

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

3. MINUTES:

The minutes of the January 11, 2011 meeting were approved as written.

The minutes of the February 8, 2011 meeting were filed as written.

Mr. Matthew asked what happened to the document he read into the record at the last meeting. Mr. Ventres explained that the letter is filed with the documents for the public hearing.

4. BILLS

<u>Vendor</u>	<u>Invoice</u>	<u>Amount</u>
NLJ (Bond cost updates)	73582	Tabled until next meeting
Suburban	3570941-0	\$ 36.58
Suburban	3572187-0	140.00
Branse, Willis, and Knapp (Besek)	1175-10132	43.50
(general zoning)	1175-85263	217.50

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

5. ACKNOWLEDGEMENTS AND SET HEARING DATES

A) Application 01-11, Joseph Yandacka, 170 North Moodus Road, Subdivision Review for a proposed 2-lot subdivision. Assessor's Map 81, Lot 63.

First date: February 22, 2011

Last date: April 27, 2011

No one representing the applicant was present at this meeting. Mr. Ventres recommended that the Commission table this application until the next meeting, as there is a wetland that the IWWC has not yet had the opportunity to review.

Mr. Gillis inquired whether the Commission needed to know what was happening on the adjacent property, which is located in East Hampton. Mr. Brownell stated we notify the Town of East Hampton.

Mr. Ventres hoped the Commission and the soil scientist would be able to walk this site.

Motion by Mr. Curtin to continue this hearing until the next regularly scheduled meeting. Seconded by Mr. Salicrup, and carried by unanimous vote.

6. LOT LINE REVISION

A) Application 11-02, Robert Casner, proposed lot line revision, Casner Hill subdivision/School Drive; Assessor's Map 56, Lot 121.

Mr. Robert Casner addressed the Commission, and explained his proposal to slightly revise the lot line for the driveway on Lot 2 of this subdivision. He noted that this will simply clean up the driveway lines. It was subdivided approximately 20 years ago, and was laid out for a common driveway.

Responsive to inquiry by Mr. Matthew, Mr. Casner explained that this was just the way this particular driveway was laid out. The common driveway was not a stipulation of the approval. Mr. Matthew asked the history of this. Mr. Ventres agreed that the common driveway would not have been a stipulation of the approval. He stated from 2003 forward, there might have been stipulations, but not before 2003. Mr. Matthew preferred to see the records from the original approval.

Mr. Casner stated he would not be able to wait until the next meeting for this. He stated he would have to sell this lot, and he could not hold up the closing for this. He would prefer to clean up the lot line before it was deeded; however, it was not necessary for the closing. Mr. Matthews asked what Mr. Casner's recollection of the approval was. Mr. Casner stated the common driveway was not a stipulation. Mr. Matthew suggested they review the original approval. Mr. Thomas suggested they approve this application tonight, with a condition for the review.

Motion by Mr. Thomas to approve Application 11-02, Robert Casner, proposed lot line revision, Casner Hill subdivision/School Drive, with the condition that upon review of the original subdivision, the original approval did not require a shared driveway. Seconded by Mr. Gillis, and carried by unanimous vote.

7. PLAN OF CONSERVATION AND DEVELOPMENT

A) Annual Review of Plan of Conservation and Development

Parks & Recreation:

Mr. Ventres read into the record and distributed an email from Tiffany Quinn, dated February 22, 2011. This email was sent on behalf of Dean Anderson. The email suggested possibly adding a dog park to the Plan. In addition, the email addressed the potential for a second ambulance facility, which had been outlined originally in the Plan. In this email, Mr. Anderson concluded that such a facility is not warranted at this time.

Responsive to inquiry by Mr. Gillis, Mr. Ventres stated that there is a potential plan for a dog park, but at a different site.

EDC:

Mrs. Deb Mathiasen referred to the EDC bullet points, as outlined on page 142 of the Plan. They are continuing to work on the bridge walkway plan. The website they implemented receives many hits per day. They plan to continue to work toward goals, through the part-time EDC Coordinator, as long as the hours are funded. They plan to continue to work with the Land Use Office on the permitting process.

Ms. Mathiasen spoke about the Agricultural Commission – she believed they could share additional farmers markets with the Agricultural Commission. Mr. Brownell asked who was on the Agricultural Commission. Mr. Thomas stated that Scott Mackinnon, Jed Cone, Jess Stone, Mr. Thomas, and Peter Dean are on this commission. Responsive to inquiry by Mr. Brownell, Mr. Thomas stated they began meeting in December, and their first goal is to identify all of the agricultural operations in town.

No other public comments were offered regarding the Plan of Conservation and Development. Mr. Curtin asked if any other written correspondence had been received, to which Mr. Ventres stated they had not received anything else. Mr. Curtin asked about the 10 year period for re-writing the Plan. Mr. Ventres stated if the Commission reviews the Plan consecutively every year, which is part of the Plan, at the end of the 10-year period, they can report that. Unless something in the landscape dramatically changes, the Commission will not have to re-write it.

The Commission briefly discussed the Plan. Mr. Salicrup asked about the 10-year time frame. Mr. Ventres explained that each time the Plan is reviewed, the 10-year time frame begins again. Mr. Thomas suggested that if they find changes that require a public hearing in a couple of years that they go through to update out-of-date numbers, etc.

Conservation Commission:

Mrs. Nancy Mackinnon was present on behalf of the Conservation Commission. She stated they continue to encourage the purchase of open space. They continue to encourage people to use the published pamphlets and the nature trails. With the help of a forestry student, they are working on a forestry management plan for trees that need to be removed, etc. They are working with the Land Trust on a trail that connects the properties from the Lyons property to the Firestone property, etc. She believed this would help people understand the importance of green belts. They will likely sponsor the showing of a video of a natural grass fracturing.

Mrs. Ziobron, EDC Coordinator appreciated the updated pamphlets.

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

8. PUBLIC HEARING

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

A) Proposed Amendments to the East Haddam Zoning Regulations are as follows:

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

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

Proposed amendments to the East Haddam Subdivision Regulations:

Continued - Buffers for Rural, Residential, and Agricultural Areas – Section 4.18

Mr. Ventres distributed copies of comments from Attorney Branse regarding interior lots and buffering.

TAPE CHANGE (1B)

Referring to the comments from Attorney Branse, Mr. Curtin commented that it appeared there was more conflict from environmental issues with through roads. Mr. Ventres stated this was more of an issue in other towns.

Mr. Ventres reviewed the comments submitted by Attorney Branse. Section 2 – Requirements, and noted these were basically “wordsmithing” Item 2. The word “remaining” was deleted.

Mr. Ventres stated that Attorney Branse disagreed with the draft language in Item 6. Mr. Curtin stated he was content with the interior lots. He noted that there were not many really large parcels remaining. He stated they were trying to give an alternative for the roads versus driveways, based on the topography. Mr. Ventres referred to Catchfly Drive. Mr. Gillis stated their intent was to decrease impervious surfaces. Mr. Curtin stated the idea for interior lots was to give the Commission more flexibility, not the developers. He stated it would have to be beneficial to the Commission. Mr. Curtin believed the Commission would like

this regulation. He stated that the Town of Lyme has done this for years. Mr. Gillis asked if Lyme had a maximum number of lots on a private drive. Mr. Ventres stated they did not, but they have different requirements. Discussion ensued. Mr. Ventres noted that the subdivision regulations refer to four lots on a common drive.

Mr. Ventres reviewed Attorney Branse's comments on Item 9.

The Commission reviewed Item 2 again. Mr. Curtin believed the word "remaining" should be there.

Mr. Brownell opened the hearing to the public.

Mr. Casner believed they would be able to work with this regulation.

The Commission decided that Item 6 would remain as written in the draft.

Motion by Mr. Thomas, seconded by Mr. Matthews to close the public hearing for Interior Lots – New Section 10.1.h. - creation of interior lots. Motion carried by unanimous vote.

Motion by Mr. Curtin to approve the regulation change for Interior Lots – New Section 10.1.h. - creation of interior lots, as amended, finding that it meets the criteria of the Plan of Conservation and Development. Motion seconded by Mr. Matthews, and carried by unanimous vote.

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

Mr. Ventres read into the record a letter from Mr. Paul Nedovich, of Grandview Camp Resort and Cottages. In his letter, Mr. Nedovich thanked the Commission for its work on this regulation.

Mr. Brownell questioned the 11:00 p.m. quiet time on holidays. Mr. Brownell asked how the Commission felt about it. Mr. Gillis asked if Monday holidays would be celebrated on Sunday nights. The Commission discussed summer holidays, and noted that there are really only 3 or 4 holidays that would impact this regulation – Memorial Day, 4th of July, and Labor Day.

Mrs. Ziobron did not believe the campground owner's intention was to stop at 10:00 p.m. on a holiday weekend.

It was decided to change the draft language to read "...Unless expressly approved by the Commission....10:00 p.m. Monday through Thursdays, 11:00 p.m. for Fridays, and Saturdays, and 11:00 p.m. on Sundays preceding a holiday, and 11:00 p.m. on holidays.

Mrs. Mathiasen questioned the definitions, what a recreational camp was. Mr. Ventres stated they had no definition for the 4-H Camp, nor what was going to be Camp Chomeish, which would have been a

recreational campground. He stated they had tried to keep the definition simple. They decided to not limit the term to youth 4-H, etc. Mr. Thomas did not believe it would do any harm, and might be good. Mr. Ventres stated that campgrounds are self-sufficient, cooking your own food, etc. Mrs. Mathiasen stated then that it had to do only with supervision, to which Mr. Ventres agreed.

Mrs. Mathiasen referred to the campground definition – to change “there” to “their”. She also asked for a change under special events to include “band/DJ”. The Commission noted that this was mentioned elsewhere in the regulation.

Mrs. Ziobron stated what Wolf’s Den was doing now for music was an existing activity.

Mrs. Mathiasen referred to Accessory Uses – Conferences: She suggested the language be revised in Section 15.3.3.a. to read “....programs, not limited to....”

Mr. Salicrup asked if the off-season access for snow removal, etc. had been added. Mr. Ventres stated it had been added. Mr. Ventres stated the owners could have access, but they could not make it a permanent residence.

Mr. Brownell asked if the Commission wanted to see a final draft before approving this. Mr. Curtin believed the changes were very minor tonight.

Motion by Mr. Thomas, seconded by Mr. Gillis, and carried by unanimous vote to close the public hearing for Campgrounds and Recreational Camps – Section 5 Definitions, Section 7 General Requirements, Section 15 Campgrounds.

Motion by Mr. Thomas to approve the proposed regulation for Campgrounds and Recreational Camps – Section 5 Definitions, Section 7 General Requirements, Section 15 Campgrounds, with the language changes proposed tonight for Section 15.4.4., finding that it is consistent with the Plan of Conservation and Development. Motion seconded by Mr. Curtin, and passed by unanimous vote.

Buffers for Rural, Residential, and Agricultural Areas – Section 4.18

Mr. Ventres distributed comments he received today from Attorney Branse regarding buffers.

Mr. Thomas asked Mr. Ventres to read this regulation the way it would be written. Mr. Thomas believed these comments changed the intent.

TAPE CHANGE (2A)

Both Mr. Curtin and Mr. Brownell questioned the last sentence of Attorney Branse’s suggested change to 4.18.01 (“...and approved in final version by its legal counsel.”) Mr. Curtin stated the Commission may want to send something out for review by legal counsel, but there may also be times when they might not want to. Mr. Ventres stated in the current regulation for performance bonds, it also states that there shall be

review by counsel. Mr. Ventres stated he would prefer to have these reviewed by Attorney Branse, since these were approvals that would go on the land records, and would be a document used forever.

Mr. Ventres read the proposed language after the deletions, brackets, etc. listed in the draft were made. The Commission changed agricultural buffer areas 4.18.03, last sentence. "If the abutting actively farmed land changes use, then these requirements shall be void, and the implementing declaration and covenant shall so provide."

Mrs. Ziobron asked if page 5 would put the emphasis on the buffer area, to which the Commission confirmed it would.

Mr. Salicrup asked if everyone was happy with 25-foot buffers. Mr. Matthew stated he would like to have 50-foot minimums.

Mr. Matthews asked for a clean copy of this draft regulation. Mr. Ventres stated he would prepare one. Mr. Brownell stated he planned to call Attorney Branse for clarification on his comments for legal review. Mr. Thomas stated once they get a clean version, the commission would still be faced with the issue of 25 or 50 feet. Mr. Brownell believed the Commission was clear on this, although Mr. Matthew had a different idea of what he would like to see.

Mr. Thomas distributed his thoughts, based on some of Mr. Gelston's prior comments for a checklist.

Mr. Lyman arrived at this time.

Mr. Brownell asked Mr. Ventres if he had seen a checklist like this before. Mr. Ventres stated he had not. Mr. Thomas stated Ms. Judy Preston had a checklist format in the past, to which Mr. Ventres recalled there had been one. Mr. Ventres believed this would be complicated, in that if a landscape architect submitted a plan, he/she might have different opinions than that of the Commission. Mr. Thomas suggested they could make a photo book of what a zero would be, 25, 50, 75, etc. Mr. Brownell suggested everyone think about this, for discussion at the next meeting.

Motion by Mr. Curtin, seconded by Mr. Matthews, and carried by unanimous vote to continue the public hearing for Buffers for Rural, Residential, and Agricultural Areas – Section 4.18 until the next regularly scheduled meeting on March 8, 2011, 8:00 p.m. at the Town Grange.

Motion by Mr. Curtin to set an implementation date of April 1, 2011 for the changes listed in the public hearing that were approved tonight or at the last meeting. Seconded by Mr. Gillis, and passed by unanimous vote.

Mr. Brownell asked if Mr. Lyman had any information to report. Mr. Lyman did not.

Mr. Ventres suggested getting through this set of regulations, and then see what makes it through the Legislation regarding affordable housing, etc. There are numerous proposals at this time. Mr. Ventres

reviewed the list of proposed Bills.

There were no other comments regarding the Plan of Conservation and Development. It was decided that tonight's meeting will end the Commission's 2011 review of the Plan of Conservation and Development.

Mr. Brownell stated he received a call from Patty Stricker. Mrs. Ziobron believed this needed to be handled by the commission or land use. Mr. Brownell stated that Mrs. Stricker wanted to sit down and talk about empty buildings, etc. Mr. Casner stated they were trying to figure out what to do with some of the empty buildings in town. He believed they needed to look at some buildings in a different way. Mr. Brownell stated there was interest from the Commission, acknowledging that everyone was busy. Mrs. Ziobron stated they had been discussing a light ordinance, which was a separate issue.

Mrs. Ziobron stated the EDC has a new member, Ed O'Dell, and they were working on a new link from the website to showcase vacant buildings. She stated they hope to have this live within a couple weeks.

10. ZEO REPORT

Mr. Ventres distributed a list of items for consideration or review in 2011. He suggested everyone take a look at this and identify either their top 3 or top 5, for discussion at a future meeting.

Mr. Brownell asked what was coming at the next meeting. Mr. Ventres stated there would be acknowledgments for Yandacka, the Food Bank, and a dog park. He stated there might also be a site plan review for a single family residence.

Mr. Brownell asked if the roads with duplicate names had been discussed at the last Selectmen's meeting. Mr. Lyman stated they had discussed it, and they would create a subcommittee to review it. Mr. Brownell asked how many members from P&Z they would like. Mr. Lyman stated they had not decided that yet.

Mr. Ventres stated he went to court a few days ago for the Mellon case.

Mrs. Ziobron asked if signage would be discussed tonight. Mr. Brownell stated they were waiting for the subcommittee members to meet.

9. ADJOURNMENT

Motion by Mr. Curtin, seconded by Mr. Matthew to adjourn at 9:39 p.m. Motion carried by unanimous vote.

Respectfully submitted,

Holly Pattavina