

**PLANNING & ZONING COMMISSION/  
TOWN OF EAST HADDAM  
LAND USE OFFICE  
REGULAR MEETING MINUTES  
June 14, 2011**

(Not yet approved by the Commission)

**1. CALL TO ORDER:** Mr. Curtin called the meeting to order at 7:15 p.m. at the Town Grange.

**2. ATTENDANCE:**

**COMMISSIONERS PRESENT:** 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:** Crary Brownell – Chairman, Anthony Saraco (regular member), Elizabeth Lunt (alternate member)

**OTHERS PRESENT:** James Ventres, Emmett Lyman, and approximately 41 townspeople were present.

Mr. Curtin appointed Mr. Salicrup to vote in place of Mr. Saraco this evening. Mr. Ventres stated the Town Clerk and Selectmen have received the official resignation letter from Ms. Lunt.

**3. MINUTES:**

The minutes of the May 24, 2011 meeting were filed with the following amendments:

- Page 2, 3<sup>rd</sup> paragraph, last sentence: Add “Lunt” after “Liz”
- Page 4, Item 7A, 1<sup>st</sup> paragraph, 9<sup>th</sup> line: Add “not” before “deleted”
- Page 4, last paragraph, 1<sup>st</sup> sentence: Change “church” to “First Church”
- Page 5, 1<sup>st</sup> paragraph, 2<sup>nd</sup> sentence: Change “add” to “use”

**4. BILLS**

<u>Vendor</u>	<u>Amount</u>
Branse, Willis, and Knapp (Orchard Road appeal, general zoning/signage regulations)	\$1116.50
Hartford Courant (legal notices)	249.50
Suburban Stationers	206.99
Suburban Office Furniture (chair)	249.99

**Motion by Mr. Thomas, seconded by Mr. Salicrup to pay the bills as presented. Motion carried by unanimous vote.**

## **5. ACKNOWLEDGEMENTS AND SET HEARING DATES**

None

Mr. Ventres informed the Commission that late this afternoon, he received an application for Grandview Campground.

He distributed copies of this application to the Commission. Mr. Ventres stated the engineer's checkmarks are on the left side of the application, and Mr. Ventres' comments are listed to the right. He reviewed his comments with the Commission. Mr. Bell, the engineer, acknowledged to Mr. Ventres that he did not have the narrative today. Mr. Puska told the applicant last Friday to put in additional erosion control. Mr. Ventres reviewed the location of various items on the map. The yellow highlighted areas show what the applicant plans to use for area as part of Phase 1. The RV sites do not come with any grading proposal. Mr. Ventres does not have any comment on the water system, nor does he have comments from Chatham Health District.

Mr. Ventres stated he did not add this to tonight's agenda, since he did not have the water/septic information. He asked the Commission if they would want to acknowledge this before it was complete.

Mr. Curtin asked how the applicant plans to drive the RVs onto the campground. Mr. Ventres believed they planned to drive the RVs across the grass.

Mr. Thomas stated if Chatham's review was not done, it is considered incomplete. Mr. Ventres stated the Commission has 65 days from the date of receipt in which to schedule the public hearing. There was concern amongst the commissioners about hooking RVs up to septic, traveling across the grass with RVs, etc. A brief discussion ensued. Responsive to inquiry by Mr. Thomas, Mr. Ventres believed since he received the application this evening, after the agenda had been printed, that it would be better to add it to the next agenda.

Mr. Ventres distributed a letter dated April 18, 2011 from the State Department of Public Health to Mr. Nedovich. Mr. Ventres noted that the meeting referenced in this letter was held without the applicant's engineer being present.

The consensus of the commission was that they would like this to appear on the next agenda, under Acknowledgments and Set Hearing Dates.

Mr. Ventres distributed page 9 of a document from James G. Bubaris, P.E. of Bubaris Traffic Associates.

**Motion by Mr. Thomas, seconded by Mr. Gillis to change the order of business. Motion passed unanimously.**

## **8. ZEO REPORT**

Mr. Ventres reported that the Orchard Road appeal was dismissed by the court, as it was not filed in time.

Mr. Ventres announced that the Mellon case has come back again in favor of the Town, and this case should finally now be complete.

Mr. Ventres hoped within the next 30 days, the Milan Cais case should be dismissed.

Mr. Ventres distributed a letter dated June 13, 2011 from the State DPH to Mr. Ralph Parady, regarding the East Haddam Brewing Company. The water issue appears to be resolved.

Mr. Ventres stated that most of the proposed legislative Bills did not pass. Small items such as the special exception permits time limits went through. Site plans will now be extended to nine years.

## **7. DISCUSSION**

### **A. Signage:**

Mr. Curtin reviewed the changes from the minutes to the new draft of the regulations.

Mr. Ventres stated he will add the definitions for ingress and egress to the next draft.

Mr. Curtin reviewed the May 24 minutes for the other changes made to the regulations.

Mr. Thomas stated that the Commission agreed whether there was a non-profit, religious, or commercial institution; they are allowed 20-square feet for signage.

Mr. Thomas inquired if Mr. Ventres has a clean, straightforward copy of the draft regulation, without the comments, etc. Mr. Ventres will provide this.

Mr. Gillis asked if the temporary commercial signs were deleted. The commission stated this was not deleted, but portable signs which were the same as temporary signs were. Mr. Curtin asked that the minutes for page 4 of 5/24/11 be amended.

Noting that 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 02-11, Daniel Scroggin, 16 Leesville Road, Subdivision and Special Exception Review for a proposed 3-lot subdivision. Assessor's Map 55, Lot 58.**  
**First date: April 26, 2011** **Last date: June 29, 2011**

Mr. Daniel Scroggin addressed the Commission. Mr. Ventres stated this was a special exception and subdivision application. Mr. Ventres noted they had been waiting for a letter from the Chatham Health

District. He received this letter today, and he read the letter from Mr. Steven Knauf into the record. Mr. Knauf stated they would need a revised plan before issuance of a septic permit, but this could be done at a later date. The site did meet the Connecticut Public Health Code.

Mr. Ventres stated the only outstanding issue was the new wells to go in under the CL&P easements.

***TAPE CHANGE (1B)***

Mr. Curtin noted that this area is mostly gravel, so it should be fine. Mr. Gillis asked for clarification of the house encroachment on the road. Mr. Ventres explained that title insurance would cover this. He stated this house has been existing for 50-years or greater.

Mr. Curtin opened the hearing to the public.

Mr. Mike Higby, 26 Neptune, understood that the 75-foot well radius would encroach on his property. He voiced concern that if he ever needed to do anything, the land would be tied up. Mr. Curtin asked Mr. Higby to come up and identify the area on the plan. Mr. Higby located his property on the plan, and noted that they share an artisan well with the Burkharths. Mr. Ventres stated this was identified as the Wilson property, and is shared with the Burkhart property. Mr. Ventres noted there was space outside of the 75-foot radius. Mr. Curtin explained they could continue to use the area they have used. He did not believe this would hinder Mr. Higby in the future; however, the setbacks are determined by whoever comes first for application. Mr. Gillis asked if the septic system is shown on this map. Mr. Ventres and Mr. Curtin both responded this was not shown on the map. Mr. Curtin explained that Mr. Higby's well would be constrained by his own septic also.

Mr. Curtin stated that the applicant would have to meet the requirements of the Chatham Health District in the future or they would not be able to build.

**Motion by Mr. Thomas, seconded by Mr. Gillis to close the public hearing for Application 02-11, Daniel Scroggin, 16 Leesville Road, Subdivision and Special Exception Review for a proposed 3-lot subdivision. Motion passed by unanimous vote.**

**Motion by Mr. Thomas to approve Application 02-11, Daniel Scroggin, 16 Leesville Road, Subdivision and Special Exception Review for a proposed 3-lot subdivision, upon the condition that all of the conditions of the Chatham Health District be met. Motion seconded by Mr. Salicrup, and carried by unanimous vote.**

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

**B) Application 11-05, Town of East Haddam/East Haddam Parks and Recreation, 1 Plains Road, Special Exception Review to construct a skateboard park at the old Middle School. Assessor's Map 56, Lot 38.**

**First date: June 14, 2011**

**Last date: July 18, 2011**

Mrs. Tiffany Quinn, Ms. Toni McCabe, and Mr. Jeff Paprocki addressed the commission. Mrs. Quinn stated that no taxpayer money would be used to build this park.

Mrs. Quinn stated she received one phone call from a lady who lives next to the school. Her concern was that people will hang out there at night. Mrs. Quinn informed the caller that if people were there when they should not be, they should call the police.

Ms. McCabe stated this has been a long time coming. She stated they have had money in CDs for 10 years, and she believed it would be beneficial to the town.

Mr. Jeff Paprocki addressed the Commission, as the builder. He stated he has been skateboarding since he was in the third grade, and he has built several with his company.

It was noted that the tennis courts would be worked on this summer. The proposed area for the skateboard park is 60ft. x 120ft., or approximately half of the size of the tennis courts. Mr. Paprocki stated they would carve out some of the earth, and sculpt the earth for the park. They would cover the area in concrete and rebar. Mr. Curtin asked if this would be similar in shape to a swimming pool, to which Mr. Paprocki responded affirmatively. Any water that would fall into the park area would be pitched to drain out.

Mr. Curtin asked what would happen in the winter. Mr. Paprocki stated they would do nothing in the winter. He stated that typically, the kids shovel the area.

Responsive to inquiry by Mr. Matthew, Mr. Paprocki stated the way he lays the rebar, if something shifted, the entire area would have to shift.

Mr. Gillis asked Mr. Paprocki for a site he built recently. Mr. Paprocki stated he built a park in Middlefield. He stated every park he builds is unique. He also noted that he gives a two-year warranty.

Mrs. Quinn stated there would be no fencing; this would really look like a park. She would post the rules, just as with the dog park.

Mr. Curtin opened the hearing to the public.

Ms. June Shea stated she lives next door to the proposed park, and she was totally against it. She did not understand why the town would put money into this location, when the town does not maintain the property, and when they do not know what they are doing with this property yet. She believed this would open many problems. She also questioned the insurance coverage. Mrs. Quinn stated she has a \$2 Million policy for Park and Rec, just as she does for any other facility.

Ms. Melissa Nichols stated she has seen many kids skateboarding down the streets lately, because they have no other place to go. She stated they have been told by teachers at the elementary school that skateboarding is not allowed. She stated this money has been here for 10 years, sitting idle, and there is no place in this town for skateboarding. Hopefully, in the near future, that idle school may be a youth center. She stated the young people in this town have nothing. There is a jungle gym at Nichols field, and it is tiny. She stated

most of the opposition is coming from the older population. She stated the kids in town need someplace to go, and they have nothing right now. She stated kids loiter in the 7-11 parking lot, and if they had someplace to go, it might help.

A female from the audience (name unknown) stated she actually had her house on the market because there was nothing in this town for the children. She stated this was not a town that is conducive to young people. There is no reason for many people to stay here.

Mr. Ed Blaschik had no problem with a skateboard park. He stated the plan at the front of the building is from the middle school conversion committee. He believed the skateboard park was an example of spot zoning. He stated that a good portion of the parking lot would be used for this park. He questioned how the stormwater runoff would be handled.

Ms. Trish Tarnowski stated this is not town money. It is the money from the people 10 years ago. She stated the kids in town need a positive place to channel their energy. Otherwise, the kids will grow up and leave and not come back.

Mr. Phil Barlow was very much in favor of the park. He stated there needs to be something for kids in this age range. He would like to hear how this fits into the middle school conversion committee.

Ms. June Shea asked why this park was not put by the ball field.

Mr. Ventres responded to several comments. He stated there is an existing drain for stormwater runoff. He stated that he and Mr. Curtin, in 1993, put in a proposal to convert the lower section into fields. He understood that things do go slowly. He stated they looked at the area where the metal shed was located. This area did not work due to septic constraints. They looked at three other sites. One is Nichols field on Route 149. This had no sidewalks and was on a busy road. He stated this site came out of the Selectmen's review.

Mr. Ventres stated he worked on the conversion committee. He believed this gave another entity to convert this area for public use. He stated this would be adding another entity.

Ms. Melissa Nichols believed this would get the ball rolling, and this facility could be used for many.

Mr. Thomas asked if, by installing this now, if it would suck up any future area. Mr. Ventres stated this was the area for it.

Officer Craig Mansfield stated he was also on this committee. From an enforcement perspective, there would be sidewalks from the 7-11 store, up to the park. He believed this would be the safest spot for the kids, but also that it made the most sense. He believed the skateboard park is a great idea, because the kids need a safe spot, in a contained area, and this is for what it is designed.

Mr. Curtin asked about enforcement, and the neighbors' concerns. Officer Mansfield encouraged people to call if kids are there when they should not be. He stated their feedback from other towns with skateboard parks is that the kids really police themselves, because they have waited a long time for it.

Ms. Nichols stated she has spent a lot of time at the park in Deep River. She stated the kids have a great respect for the park, and there is a great range of ages there. She did not believe there would be an increase in vandalism from these kids who are looking for somewhere to go. She stated no matter what there is, there will be some kids who will do something they should not, but she did not believe it would be from these kids.

Mr. Frank Shea stated he has complaints, and has complained and it takes an hour for someone to come. Officer Mansfield stated that complaint needs to be addressed with the Selectmen.

Ms. Erin Roberts stated most of these kids know each other, and the parents know each other. She stated the parents are now driving their kids to other towns, and they will be doing much of the supervision. She stated the kids are there to skate, and that is what they want to do when they are there.

Mr. Frank Shea stated he would like the commission to take this into consideration. He suggested putting it to the ballfield or some other place. Mrs. Quinn responded stating that one attraction is that this is open, and if people are doing something they should not, people will see it.

Mr. Dan D'Amelio stated he was in favor of a skateboard park. He was concerned that the middle school conversion committee did not have input to this application. He believed this committee needed to have notice and some input. He suggested possibly this area could be gated and locked at night to keep people out.

An unidentified townsperson stated she was in support of this project. She stated the parents would be there, and there would be a lot more adult supervision.

Mr. Timothy Roberts asked if BMX bikes would be allowed, to which Mrs. Quinn stated they would not be allowed, as the area was not big enough.

Mr. Paprocki stated if there were no lights on the park, kids will leave because they can't see. He stated if people were hanging out there after dark, they would be hanging out other places as well.

Mr. Roberts stated at every park he has been to, they have started out as skateboard parks, but have ended up as skateboard/BMX areas.

Mr. Thomas asked if Mrs. Quinn met with the conversion committee. Mrs. Quinn stated she has not met with them as a whole, but has spoken with Mr. Ventres and Mr. Mansfield. She asked if the conversion committee still meets, to which Mr. Ventres stated they do not. Mr. Thomas asked if this application is inconsistent with the plan for the conversion committee. Mr. Ed Blaschik suggested possibly the conversion committee needed to have a meeting. He stated that geothermal wells were a concern. Mr. Ventres stated the geothermal wells were in the front yard, and this was not a huge issue.

Mr. D'Amelio stated he was in favor of the park, and he believed it was in a good location. However, he believed as representatives of the town, they needed a better plan. He stated originally, they had grading plans, etc., and he wondered why this was not being done now. He stated it would be easy to do. He did not believe there was a comprehensive plan, per the regulations, and he believed it was needed.

Mr. Thomas stated if they were considering approving this in the future, he would like to talk about the commission's amenability to conditions. He stated in 2002, they set hours of operation. He stated he would want it understood that this was for daylight hours only. He would request restoration of the site at the senior center. He was not inclined to think that fencing and locking the area from sunset to sunrise would do a lot of good. He believed it would be better to have an answer from the conversion committee. He also believed it would not be a bad idea for a site plan, prepared by a professional engineer.

Mr. Curtin stated he was not against it being there, but he asked if there would be a skateboard park at the entrance to the town office site. Mr. Curtin believed it would be beneficial to run this by the conversion committee.

Mr. Ventres stated in everyone's package, they received a letter from Mrs. Quinn, a letter of support, and an interoffice memorandum from the Board of Selectmen which unanimously approved this site. Mr. Ventres stated there was also included a packet from Paprocki Concrete.

Mr. Ventres stated he also received an email from Selectman Pete Govert dated June 8, 2011. Mr. Ventres read this letter of support into the record.

Mr. Curtin asked how many people are on the conversion committee. It was noted that there are 9 members.

Ms. Nichols responded to a comment by Mr. Curtin. She stated Mr. Curtin's comment about a skateboard park at the entrance to the town hall was archaic. She stated this was 600 square feet of asphalt.

Mr. Ed Blaschik stated he has been on the conversion committee, and there were times when they met weekly. All he was seeking was a cohesive plan.

Mr. Paprocki suggested people may go visit the park in Middlefield. Mr. Gillis stated he was looking forward to seeing it. Mr. Paprocki stated he was currently building a skateboard park in Plainfield right now, with approximately the same budget. He invited people to look at it.

Mr. Salicrup asked about the comment regarding spot zoning. Mr. Ventres clarified that recreational activities were allowed on municipal property. He also stated they should look at the Plan of Conservation and Development. He referred to this plan, and read an excerpt from the Plan.

Mr. Matthew stated it did not sound like anyone was really opposed to a skateboard park, but it was that location. He asked about fencing. Mrs. Quinn stated they were not required to fence the area. Mr. Matthew asked if the building official would be involved. Mr. Ventres stated the building official would be involved. Mr. Matthew stated then that if the building official required a fence, he could require it.



Mr. Ventres spoke of landscaping. Mrs. Quinn stated that they would have to be careful that there were no sticks, etc., as that would pose a safety hazard. Mr. Curtin asked who would clean out the area/drains, to which Mrs. Quinn responded that Public Works would do this.

Mr. Paprocki stated they should probably have trash cans on site, as kids would come with drinks, etc.

Mr. D'Amelio asked about a memorial sign for the original kids for whom this park would be named.

Mr. Thomas stated the commission should have a letter from the conversion committee, the size, location, etc. of the signs, hours of operation, etc. He asked if the applicant could get an actual plan. Mr. D'Amelio stated they could.

Mr. Jeff Cox asked for a timeframe on a response. Mr. Curtin stated this will be here for the commission's next meeting.

**Motion by Mr. Thomas, seconded by Mr. Gillis, to continue this public hearing until the next regularly scheduled meeting on June 28, 2011, 8:00 p.m. at the Town Grange. Motion carried by unanimous vote.**

**Motion by Mr. Gillis at 9:35 p.m., seconded by Mr. Thomas, and carried by unanimous vote to take a 5-minute break. The meeting reconvened at 9:39 p.m.**

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

**A) Application 11-06, Janet Kelly, 61 Main Street, Special Exception Review to remove an existing house, expand the existing foundation to construct new home with a one-car garage with a room above, addition of a patio, deck, and sidewalks. Assessor's Map 26, Lot 9.**  
**First date: May 24, 2011** **Last date: July 27, 2011**

Mr. Robert Smith addressed the Commission.

Mr. Ventres stated this application has been through the IWWC and HDC, and has received approval and a certificate of appropriateness, respectively. He stated this property is on the sewer system.

Mr. Smith stated that Mr. Richard Gates has prepared survey drawings. He distributed the plans to the commission. He stated per Mr. Ventres' suggestion, they have added everything onto one plan. Mr. Smith reviewed the proposal for the drainage and new construction, seeding, etc.

Mr. Smith stated they would add a vegetated buffer, but they would like to wait until the silt fence is up to do this. Responsive to inquiry by Mr. Gillis, Mr. Smith stated there is a stone wall, but it is really only one stone high.

Mr. Gillis asked Mr. Smith to identify the locations of the neighbors. Mr. Smith located the neighboring properties on the map. Mr. Ventres presented the GIS map of the area. Mr. Gillis asked what the side yard

setback was here. Mr. Ventres explained that this is part of the East Haddam Village District, so many of the side yard setbacks were omitted.

Mr. Ventres stated he has referred this application to the Gateway Commission. They have had the application for approximately one month, and he has not yet heard back from them.

Much of this discussion was held at the other end of the table, and was inaudible to this writer, and therefore, these minutes cannot outline many of the specifics of this project.

Mr. Ventres stated he actually petitioned for different height restrictions for the East Haddam Village District which was approved a few years ago.

***TAPE CHANGE (2B)***

Mr. Ventres stated that since this meets our regulations, the fire department could reach it.

Mr. Smith presented the green, certified receipt cards to the commission.

Mr. Curtin opened the hearing to the public.

Mr. Dave Johnson stated he was happy with this proposal. He stated that Ms. Kelly had done a good job across the street, before she sold that property.

**Motion by Mr. Thomas, seconded by Mr. Matthews, to close the public hearing for Application 11-06, Janet Kelly, 61 Main Street, Special Exception Review to remove an existing house, expand the existing foundation to construct new home with a one-car garage with a room above, addition of a patio, deck, and sidewalks. Motion carried by unanimous vote.**

**Motion by Mr. Thomas to approve Application 11-06, Janet Kelly, 61 Main Street, Special Exception Review to remove an existing house, expand the existing foundation to construct new home with a one-car garage with a room above, addition of a patio, deck, and sidewalks, provided that all requirements of the IWWC and the HDC are met. Motion seconded by Mr. Gillis, and carried by unanimous vote.**

Mr. Thomas stated that there is an upcoming land use seminar in Salem. Mr. Ventres noted that this seminar was scheduled for the next P&Z meeting.

Mr. Salicrup and Mr. Matthews noted they would not be present at the next meeting.

It was noted that Grandview would be discussed at the next meeting.

## 10. ADJOURNMENT

**Motion by Mr. Matthew, seconded by Mr. Gillis to adjourn at 9:59 p.m. Motion carried by unanimous vote.**

Respectfully submitted,

Holly Pattavina