

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
January 10, 2012
(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, James Curtin (regular member), Bernard Gillis (regular member), John Matthew (regular member), Harvey Thomas (regular member), Kevin Matthews, Louis Salicrup

COMMISSIONERS ABSENT: Ed Gubbins (alternate member), Jessica Stone (alternate member)

OTHERS PRESENT: Emmett Lyman, James Ventres (arrived 9:25 p.m.)

3. MINUTES

The minutes of the December 13, 2011 were accepted as presented.

4. BILLS

<u>Vendor</u>	<u>Invoice</u>	<u>Amount</u>
Valley Press	16528	595.25
Suburban	3628312-0	115.00

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

5. ELECTION OF OFFICERS

Motion by Mr. Curtin, seconded by Mr. Gillis to re-elect Crary Brownell as Chairman. Motion passed unanimously.

Motion by Mr. Brownell, seconded by Mr. Salicrup to re-elect Jim Curtin as Vice Chairman. Motion passed unanimously.

Motion by Mr. Brownell, seconded by Mr. Curtin to re-elect Kevin Matthews as Secretary. Motion passed unanimously.

6. ACKNOWLEDGMENTS AND SET HEARING DATES:

A) Application # 12-01, Robert and Beverly Ventres, 29 Mt. Parnassus Road, Home Occupation/Special Exception Review for an extermination business to be run from their home. Assessor's Map 27, Lot 93.

First date: January 10, 2012

Last date: March 14, 2012

No one representing the applicant was present at this meeting. Mr. Brownell distributed a packet of information to the Commission.

Motion by Mr. Curtin to set a public hearing for January 24, 2012, 8:00 p.m. at the Town Grange. Motion seconded by Mr. Gillis, and carried by unanimous vote.

Mr. Brownell asked anyone with questions about this particular project to direct them to either him or Mrs. Lombardo.

Motion by Mr. Thomas, seconded by Mr. Curtin to change the order of business. Motion carried by unanimous vote.

9. ZEO REPORT

Mr. Brownell reported that the Besek case was continued by the Court until January 31, 2012.

Mr. Brownell stated that nothing has changed with the Lipka matter.

Mr. Brownell stated that Milan Cais will be filing an appeal in his case.

Mr. Brownell reported that nothing more has happened on Wickham Road.

The Commission discussed a property on North Moodus Road. It had been reported that there was debris, but the property is off the road, so it is difficult to see from the road.

Mr. Brownell noted that Mr. Ventres had prepared a very large map for planning purposes. The Commission reviewed the plan at length, in particular, the triangular area and the road that goes by the Amasa Day House. The Commission discussed parking, rights of way, septic issues, etc. It was noted that the Town wanted to change the configuration of this area. Mr. Brownell suggested the Commission wait to learn what the proposal actually is for this area. Mr. Thomas asked who would be responsible for bringing the proposal to the Commission. Mr. Curtin believed that Mr. Nemergut was drawing something up for this area.

Mr. Thomas asked if this project was being driven by the Public Works department, the Selectmen's office, etc. Mr. Lyman stated that the Selectmen discussed this area and agreed it would be a good idea

to move forward with changing the one-way area. Mr. Matthew stated it would be good to have a comprehensive plan for the village before changes are made.

The Commission discussed the sidewalks, both existing and proposed. Mr. Brownell noted that Mr. Ventres was not present this evening because he was at a meeting to try to obtain funding for sidewalks.

The Commission reviewed the areas of proposed sidewalks, and discussed what they believed the best areas would be for the next set of sidewalks. Discussion ensued regarding the senior housing on W.F. Palmer Road extending to the senior center.

Mr. Matthew asked about the potential for residential development/cluster housing in a village setting. It was noted that really the only potential was for the corner of W.F. Palmer Road onto Joe Williams Road, or possibly the Brownell site.

Mr. Curtin suggested it might be more feasible to install sidewalks from the high school down into the center of Moodus, rather than from the elementary school. He stated there is quite a bit of foot traffic from the high school. Mr. Matthew suggested sidewalks could possibly extend from the convalescent home. Mr. Brownell suggested possibly from the church or the Shadybrook site.

**Motion by Mr. Curtin, seconded by Mr. Matthews to take a 5 minutes recess at 7:55 p.m.
Motion carried by unanimous vote. Mr. Brownell reconvened the hearing at 8:00 p.m.**

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

7. PUBLIC HEARING

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

A) Continued: Application 04-11, Patricia McNamee, Wickham Road, Subdivision Review for a proposed 2-lot subdivision. Assessor's Map 51, Lot 8.

First date: November 22, 2011

Last date: January 25, 2012

Attorney Scott Jezek addressed the Commission on behalf of the applicant. He stated he appeared before the Commission in November, 2011. At that time, everything was in order except the letter from Chatham Health District. In order to address one concern from Chatham Health, they made revisions. They still need the letter from Chatham, but it has not been received yet. Mr. Brownell confirmed that he did not have the letter.

Attorney Jezek requested an extension until January 24, 2012.

Mr. Brownell opened the hearing to the public. Mr. Rick Oldaci asked for an explanation of the lots. Attorney Jezek explained that although the application was for two lots, one was the existing property with the house on it. One new lot was actually being created.

Motion by Mr. Curtin, seconded by Mr. Gillis to grant the request to continue this application until January 24, 2012, 8:00 p.m. at the Town Grange.

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

B) Application 05-11, Averum Sprecher, Parker Road, Subdivision Review for a proposed 2-lot subdivision (re-subdivision of previously approved lot #5). Assessor's Map 29, Lot 19.

First date: January 10, 2012

Last date: February 13, 2012

Attorney Jezek addressed the Commission on behalf of the applicant, who was also present. Mr. Richard Couch was also present. Attorney Jezek stated he received calls from the certified letters he sent out to abutting property owners. He explained that for the notices, because of the way the regulations are written, they had to notice this as a 2-lot subdivision, when in fact there is only one new house proposed.

Attorney Jezek distributed the green, certified receipts as well as a sample of the notice that was sent.

Attorney Jezek stated again, he is awaiting the Chatham Health District approval letter.

Attorney Jezek distributed one letter he received, that would be read into the record during the public portion of the hearing.

Mr. Richard Couch, P.E. of Rocky Hill reviewed the parcel. He explained that since the time of previous approval of 5 lots. Since that time, one large portion of this land has been transferred to the Town. He explained that one of the lots encompasses approximately 25 acres. There will still be a 25-foot access strip to the rear lot, which is to the East of Parker Road.

Mr. Couch reviewed the title page of the set of plans, and showed the green colored area in the southwest corner of the proposed 25-acre re-subdivided lot. This would be the area that would be disturbed under this proposal.

Mr. Couch noted the plan shows the access to the parcel. On Sheet C 2, Mr. Couch showed the driveway, which was a gravel driveway.

TAPE CHANGE (1B)

Mr. Couch stated because Parker Road is not paved, they requested that the apron not need to be paved. He is making a similar request on this proposal. The well and septic are both shown on the plan. The plan is shown as a 3-bedroom house. They have submitted the plans to the Chatham Health District, but they do not have the approval letter yet.

Mr. Couch explained the sloping on the plan. Mr. Curtin asked what was shown at the entrance to the driveway. Mr. Couch stated there was a proposed utility pole at the entrance, but no drainage. He recalled on the other lots, there was an existing ditch along the side. There is no such ditch in this area. They would allow the water to sheet flow the way it is proposed now.

Mr. Salicrup asked about the other small access strip shown on the plan. Attorney Jezek explained that the other access strip would be used for access to the other remaining land. The area shown in green on the plan was the access specifically for this proposal.

Mr. Couch reviewed the roof drainage for the house. It would be recharged. They have done extensive test pits and perc tests. The water will be recharged into the ground. This is further outlined on the detail sheet of the plan.

Mr. Brownell asked if the remaining area was mostly wetlands, to which Mr. Couch responded it was not. He reviewed the plan and identified the wetland areas. He noted that most of the land was an upland area.

Mr. Brownell asked Mr. Couch to show the proposed septic system area. Mr. Couch reviewed the plan and located the septic area on it. He stated they have submitted a report showing how the stormwater will be managed. There will be no increase in the runoff from the development.

Mr. Salicrup asked what was directly across the street from the proposed driveway. It was noted that there is a driveway across the street. Attorney Jezek confirmed there was a driveway across the street, and that driveway is gravel.

Mr. Thomas asked about the area that was transferred to the Town. He asked if this was put under conservation easement to the Town. Attorney Jezek stated this was a standard warranty deed that would be deeded to the Town. He noted that the Town has a conservation easement to the south of this property on the Dean property. In addition, the Town has interests in the property to the north. This land would serve as a connector for those two properties.

Attorney Jezek stated he had the checklist that he could review with the commission if it so desired. Mr. Curtin asked about the access strip.

Mr. Brownell stated the Commission would have to continue this for the Chatham Health District report. He would like the Commission to have an opportunity to review the checklist before acting on it.

Mr. Brownell read into the record the IWWC approval letter dated January 6, 2012.

Mr. Brownell read into the record a letter of support for this project from Mr. Scott Tierney, dated January 9, 2012.

Mr. Brownell opened the hearing to the public.

No public comments were offered.

Mr. Thomas asked if the applicant was asking for a variance for using gravel driveways. The Commission was unsure if the back lots would have to be paved. Attorney Jezek asked that if pavement

was required, they would ask for a waiver of the pavement for the main part of the driveway. It was noted that this area was quite flat with a crest.

Motion by Mr. Curtin, seconded by Mr. Gillis, to continue this application until January 24, 2012, 8:00 p.m. at the Town Grange. Motion carried by unanimous vote.

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

C) Application 06-11, Donald Angersola, 71 AP Gates Road, Subdivision Review for a proposed 3-lot subdivision. Assessor's Map 31, Lot 34.

First date: January 10, 2012

Last date: February 13, 2012

Mr. Roger Nemergut addressed the Commission on behalf of the applicant, who was also present. This is for a 3-lot subdivision. He distributed plans that had minor revisions. He stated the revisions were minor notes and configurations of the primary leaching systems. He stated they do have letters from the IWWC and the Chatham Health District.

Mr. Nemergut oriented the property. He stated this was a 7.19 acre parcel in the R2 zone. He stated there is a small parcel that will be conveyed to the neighbor to the south. The reason for this is that the neighbor has a shed that is slightly over his property line. This conveyance would make this shed in conformance.

Mr. Nemergut stated there is another parcel that was intended as a privacy buffer for Mr. Angersola. Taking both of these areas off the parcel acreage, they still end up with 6.74 acres.

Mr. Nemergut stated there is a waiver request of the stormwater management program, because this wetland flows into a 50-acre wetland and eventually into the Roaring Brook. They are asking for a waiver because it is not really warranted on this parcel. The house and septic are located outside of the upland review area.

Mr. Nemergut stated the proposed Lot 2, which is the center lot, is in the upland review area, and they received an approval for a variance from the IWWC for this.

Mr. Nemergut stated there are no 20% grades on the parcel. The driveways are all 8% grade or less, which means they will not be required to be paved for sloping requirements.

The construction will be near the rear of the lots. This subdivision backs to the Ridgebury subdivision.

Mr. Nemergut stated there is an existing structure on Lot 1, which is a shed. The proposed driveway has been shifted to the south for an improved sight line. By doing this, they were also able to keep this driveway completely out of the upland review area. The sight lines for the other lots are good.

Mr. Brownell read into the record a letter of approval from the IWWC dated January 6, 2012.

Mr. Brownell read into the record a conditional approval letter from the Chatham Health District dated January 3, 2012 from James Karrenberg. Mr. Nemergut stated they will comply with the requirements of the Chatham Health District. He stated the extensions requested are 2 feet and 5 feet, so they are minor revisions. He discussed these revisions with Mr. Karrenberg, and it was noted that these were minor enough revisions that could be submitted at a later time in another revision, etc.

Mr. Brownell noted the applicant has asked for a variance of the stormwater runoff. He asked about the IWWC approval. Mr. Nemergut explained the flow patterns. He stated the runoff was collected on their property. If it was necessary, they could add a detention basin, but Mr. Nemergut did not feel it was warranted.

Mr. Thomas asked where a detention facility would be accommodated, and where it might be located. Mr. Nemergut stated they had not really looked at this yet, but he showed one possible area.

Mr. Curtin asked Mr. Nemergut about the footing drains. Mr. Nemergut reviewed the footing drains and footing drain outlet pipes. He directed Mr. Curtin to the note on the plan. Mr. Curtin was satisfied with this response.

Mr. Brownell opened the hearing to the public.

Ms. Tracy Purdue asked how far the houses were from the back property line. Mr. Nemergut responded that the closest one was approximately 40 feet from the back line. Ms. Purdue stated during heavy rains, they have standing water in her back yard. She voiced concern about water issues with a new development. Mr. Nemergut stated this property was actually lower than Ms. Purdue's property. He stated they would receive water from her property, but no water from this property would discharge onto Ms. Purdue's property.

Responsive to inquiry from Mr. Curtin, Mr. Nemergut responded that the area between the fence and the wall was actually on the Purdue's property.

Mr. Gillis stated this was a frequent concern of his, but the neighbors' wells and septic systems were not shown on the plan. Mr. Nemergut stated there was a note on the plan that there were no septic or well issues. He noted that the well radius for this parcel to the back properties abutted, and then the septic for the other properties was in the front.

Mr. Brownell asked if the Commission was comfortable with the stormwater runoff request, or if they would like to wait for Mr. Ventres to comment on this.

Mr. Matthew asked about the contours, and believed this would be the only area for stormwater runoff. Mr. Nemergut showed on the plans that there would not be a lot of runoff flowing down the driveway. He estimated approximately 90% of the runoff would drain to the wetland.

Mr. Thomas stated from what he could see, he would be in favor of granting the waiver. Mr. Gillis asked when this stormwater would be an issue. Mr. Curtin believed if the land was steeper, it would be more of an issue. He stated that detention basins would be in front, and they were not generally attractive.

Susan Adams stated she and her husband were located across the street from this property. She stated they had no issues with this project.

TAPE CHANGE (2A)

Mr. Thomas stated at the back of each lot there was a limited clearing. He asked if Mr. Nemergut could talk about what was not being cleared. Mr. Nemergut stated this was lightly wooded with saplings, etc. There were not mature trees in this area.

Ms. Purdue stated they had a fence almost to their property line, within approximately 10 feet of it. She asked if the new houses could have decks, etc. on the back of their properties. Mr. Nemergut stated the setback here was 40-feet. The proposed houses were at 42 and 45 feet. If they wanted decks, they would have to move the house locations.

The consensus of the Commission was to continue this hearing for the Land Use Administrator's input and to look at runoff, buffering, etc.

Motion by Mr. Thomas, seconded by Mr. Gillis, and passed unanimously to continue this hearing until the January 24, 2012 meeting, 8:00 p.m. at the Town Grange.

Mr. Thomas asked that Mr. Ventres prepare a GIS map for the back properties.

8. REVIEW OF REGULATIONS:

Mr. Brownell recalled that they would wait to discuss the buildable square discussion until the NEMO presentation. Mr. Thomas asked that Mr. Ventres talk to the NEMO staff regarding this.

Mr. Curtin stated he would try to get some example properties for the 20% slopes. He stated they should be fair and reasonable. Mr. Gillis recalled that Mr. Ventres had stated people could go for a variance on this. Mr. Curtin stated this was not the type of issue that ZBA typically dealt with. He stated they should just make the restrictions clear.

Mr. Brownell stated down the road, the Commission would talk about gravel pits. He suggested they might want to get some other gravel pit operators to come in to talk about them. Mr. Curtin stated they always used the same type of excavation, which is beneficial for erosion. He stated the operators know ways to excavate that work well.

Mr. Gillis asked if Mr. Curtin could look at the current regulations and highlight things for review. One topic was the review process. Mr. Curtin stated that gravel pit operations began in the 1950's.

Mr. Ventres arrived at this time (9:25 p.m.)

Mr. Ventres stated the Besek case was continued until the end of the month because the defendant told the judge the neighbor had no problem with the activity.

The Commission talked about the Seaquist property. It was believed that some of the cars have been moved.

The Commission asked Mr. Ventres to bring a GIS map for the Angersola site for the backyards and setback locations for possible buffering.

Mr. Ventres updated the Commission on the Milan Cais matter. There are two separate issues being appealed at this time.

The Commission briefly discussed the map Mr. Ventres put together. They stated they would like to add to this map to bring in the high school and up to the Congregational Church.

Mr. Brownell asked the status of Grandview. Mr. Ventres stated they received approval from the State for the pool, so they are installing the pool. They sent Mr. Ventres an email asking to discuss additional uses. Mr. Ventres will look at the list and then talk with them. He wants to ask if the current work will be finished first before they ask for additional uses.

Mr. Ventres received a call from someone who wants to hold a 3-day music festival, where people would stay. Mr. Ventres stated they would have to look at septic capacity for the campground, etc. to make sure the facility had enough capacity to handle the number of people staying.

The Commission briefly discussed Sunrise, and its potential for a sustainable campground.

10. ADJOURNMENT

Motion by Mr. Thomas, seconded by Mr. Matthew to adjourn at 9:44 p.m., and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina