

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
March 13, 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), Ed Gubbins (alternate member), Harvey Thomas (regular member), John Matthew, Kevin Matthews, Jessica Stone (alternate member)

COMMISSIONERS ABSENT: Louis Salicrup

OTHERS PRESENT: Emmett Lyman, James Ventres

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

3. MINUTES

The minutes of the February 28, 2012 meeting were accepted with the following amendment:

- Page 3, 8th paragraph, 1st sentence: Add “Moodus” before “green”

4. BILLS

<u>Vendor</u>	<u>Invoice</u>	<u>Amount</u>
NLJ (Bond cost updates)	75512	\$127.81
Branse, Willis, & Knapp (Beseck)	1175.10132	78.80
(General legal)	1175.85263	264.00

Motion by Ms. Stone to approve the bills as presented, seconded by Mr. Gubbins, and carried by unanimous vote.

5. ACKNOWLEDGMENTS AND SET HEARING DATES

A) Application 12-02, Steven Somosky, Creek Row, Special Exception Review to construct a single family residence. Assessor's Map 26, Lot 41.

First date: February 14, 2012

Last date: April 18, 2012

No one representing the applicant was present at this meeting. Mr. Ventres recommended the public hearing be set for April 10, 2012. Mr. Ventres informed the Commission that he would get the minutes, but the Conservation Commission and the Gateway Commission denied the variance request for height. The ZBA will next review this.

Mr. Thomas noted that he had recused himself from the Gateway Commission review of this application.

Motion by Mr. Curtin, seconded by Mr. Matthews to set a public hearing for April 10, 2012, 8:00 p.m. at the Town Grange. Motion carried by unanimous vote.

6. LOT LINE REVISION

A) Application 12-03, Thomas Smith, 26 and 36 Great Hillwood Road, proposed lot line revision. Assessor's Map 65, Lots 117 and 119.

First date: March 13, 2012

Last date: May 16, 2012

No one representing the applicant was present at this meeting. Mr. Ventres explained that the applicant would like to move the lot line from his parents' former property and move it to the west 110 feet, essentially reducing his parent's lot by 0.8 acres. These lots are located in the R-1 zone.

Mr. Matthew asked if Chatham had to review this application, to which Mr. Ventres stated that the Chatham Health District review had already been completed.

Mr. Gillis asked the purpose of this lot line revision. Mr. Ventres explained that the applicant wanted to market the other lot, but keep the excess acreage.

Motion by Ms. Stone to approve the lot line revision, seconded by Mr. Gillis, and carried by unanimous vote.

7. DISCUSSION

A) Plan of Conservation and Development

Mr. Ventres stated the Commission heard from various boards, but he advised that the Commission needs to formally accept the proposed additions before it becomes official.

Mr. Matthew asked if anything could be added to the plan by addendum at any time. Mr. Ventres explained that anything that changed the policies, goals, or objectives would have to go to a Town Meeting.

Motion by Mr. Curtin to include the proposed additions and inclusions from the Agriculture Commission to the Plan of Conservation and Development. Seconded by Mr. Gillis, and carried by unanimous vote.

Mr. Brownell noted that both Mr. Thomas and Ms. Stone sit on the Agriculture Commission. When the Agriculture Commission projects come before the Commission, he stated they will have to make a decision about which board they plan to act on, so that it does not pose a conflict of interest.

Ms. Stone announced that the Agriculture Commission planned to make a presentation on April 18, 2012 at the Grange regarding the Harris property.

Mr. Thomas stated that the Planning & Zoning Commission would have to hold a public hearing and make a referral on any use of Town-owned property. He believed this use of the Harris property would fall under this category. Responsive to inquiry by Mr. Curtin, Mr. Ventres stated it would be acceptable for the Commission members to attend this hearing. Ms. Stone stated the initial meeting would be for everyone to be invited to attend this presentation, under one roof.

Mr. Brownell asked if the Commission felt that once a year was sufficient for reviewing the Plan of Conservation and Development. The consensus was that once per year was sufficient.

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

8. REVIEW OF REGULATIONS

Tabled until later this evening.

9. ZEO REPORT

Mr. Ventres informed the Commission that Mr. Carlson continues to work on the Milan Cais property. Thus far, he has taken approximately 30 tri-axles of debris off the property.

At the last meeting, Mr. Ventres was instructed to issue a cease & desist order on 134 Sillimanville Road, for debris that is being deposited at a house which Mr. Cais plans to purchase. Mr. Ventres received a visit from the property owner's attorney. Mr. Ventres showed the photos of the 134 Sillimanville Road property to the attorney, and the attorney has stated that he will work on this project.

Mr. Ventres reviewed another building owned by Mr. Flynn. There was a meeting with Mr. Ventres, Mr. Puska, and the building official regarding debris. Mr. Ventres will report further at the next meeting.

Mr. Ventres is working with Attorney Bennet regarding fees, etc. for the Powerhouse Road property owned by Mr. Cais. When all work is done, Mr. Ventres will take additional photo documentation for the file.

Mr. Thomas asked what would happen if the property is cleaned to the Commission's satisfaction, and then in the future there are additional problems. Mr. Ventres stated they could go back to court for contempt.

Mr. Gubbins asked what would bring such an action. He asked if it was a neighbor, etc. Mr. Ventres stated that typically it begins with a complaint from a neighbor. In Mr. Gubbins' case, where he purchased property where the house was destroyed by fire, there are typically delays due to insurance companies, etc.

Mr. Ventres distributed a document from The Sanctuary at Shepardfields. They are requesting modifications to their approval. Mr. Ventres asked if the Commission would like to set a public hearing for this. Mr. Curtin recalled that several neighbors came to the last public hearing when this application was originally approved, so he believed it would have to go to public hearing.

The consensus of the commission was that this should go to public hearing.

Mr. Ventres stated he reviewed Grandview Resort with the applicant's engineer, Christopher Bell today. Right now, they need to seed and mulch disturbed areas. They have new basins on the property that need to be repaired. The berm has not been mulched and planted. All of the trees that were planted were 4-foot white pine trees, where the plan called for 6-foot trees. Mr. Bell asked what the Commission wanted him to do. The consensus of the Commission was that the property owner should add 6-foot trees, in a saw tooth pattern.

TAPE CHANGE (1B)

Mr. Brownell asked if the Commission would be amenable to the additional 6-foot saw tooth pattern. Mr. Curtin believed there would have to be a plan that the Commission could look at. Mr. Thomas asked if it should be in a written memo from Mr. Ventres to Mr. Bell, outlining exactly what needed to be done, in writing.

Mr. Lyman stated he was on this property last fall during the heavy rains, and there was water pouring off the hillside.

Mr. Thomas asked if a memo could be written stating to follow the plan, which means that the following things must be done, and then list them. Mr. Brownell stated the applicant could not obtain a C.O. until the work was done to completion.

Mr. Ventres stated Mr. Bell dropped off a new application today. It did not appear on tonight's agenda because it was just received today.

Mr. Thomas suggested that Mr. Ventres write a letter stating the things that were required, reiterate what still has to be completed.

Mr. Matthews asked why Mr. Ventres accepted the new application when the first application was not yet complete. Mr. Ventres explained that he had to accept the application and the fee.

Ms. Stone stated if the 4-foot trees look really bad, they should not stay. Mr. Ventres stated they were still alive after the fall planting.

8. REVIEW OF REGULATIONS

Mr. Ventres distributed a new list of regulations. It was noted that Items 1 and 2 were done and ready to go. Item 3, Mr. Ventres needs to contact the UCONN Extension Center.

Mr. Curtin still has to do some additional work on the gravel operations regulation. Mr. Ventres reviewed draft language for this regulation. The consensus of the commission was that they were amenable to 500 cubic yards.

It was decided that the next regulations to be reviewed should be Items 5, 6, and 7. It was also decided that once the Items 1-4 are complete and ready to go, the Commission would proceed to a public hearing.

Mr. Curtin suggested the Commission consider allowing home occupations, with detached buildings, to be rented. He referred to the former Curds & Whey application. Mr. Ventres stated this caused red flags from Attorney Branse on this issue. Mr. Ventres will pull the email from this discussion to see what the reasoning was behind it.

Mr. Ventres stated the Curds & Whey application was the only application where this type of request was made in the past 15 years.

Mr. Gillis asked how difficult it is for people to renew their home occupation applications. Mr. Ventres stated that some mail them in, but there is an application fee each time.

After a brief review of Item 8, child day care centers, it was agreed that this could be added to the next review set with Item 5, 6, 7, 8.

The Commission reviewed Item 10. The consensus of the Commission was to go forward with the teardrop design, with a bio detention garden island in the middle. Mr. Brownell asked Mr. Ventres to find a specific design for the teardrop design. Ms. Stone asked if they were talking about replacing the current design with the teardrop design, which they decided they were.

Mr. Ventres reported that he will be meeting with the emergency management officials regarding roads with like names.

9. ADJOURNMENT

Motion by Mr. Curtin, seconded by Mr. Thomas to adjourn at 8:55 p.m., and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina