

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
April 24, 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) (arrived 7:43 p.m.), Bernard Gillis (regular member), Ed Gubbins (alternate member), Harvey Thomas (regular member), John Matthew, Kevin Matthews, Louis Salicrup, Jessica Stone (alternate member)

COMMISSIONERS ABSENT: None

OTHERS PRESENT: James Ventres, Emmett Lyman, and approximately 15 townspeople were present.

Mr. Brownell appointed Mr. Gubbins to vote in place of Mr. Curtin until his arrival this evening, and if Mr. Matthews leaves early.

3. MINUTES

The minutes of March 27, 2012 were accepted as presented.

The minutes of April 10, 2012 were tabled until the next meeting.

4. BILLS

Vendor

Amount

No bills were presented

5. ACKNOWLEDGMENTS AND SET HEARING DATES

Nothing to acknowledge.

6. SITE PLAN REVIEW

A) Continued: Application 12-05, Alan Collette, 26 Hilltop Road, Site Plan Review for second floor addition. Assessor's Map 67, Lot 180.

First date: April 10, 2012

Last date: June 13, 2012

Mr. Ventres stated that Chatham Health District gave him a copy of the permit to discharge that had been referenced at the prior meeting. There was a sketch included in everyone's packet.

Mr. Matthews asked if the footprint was changing, to which it was noted that it was not. Responsive to inquiry by Mr. Salicrup, Mr. Collette noted there would be approximately 6-12 inches on the second floor that would overhang the rest of the house. He noted this was simply for aesthetics. Mr. Ventres stated this would make the house more nonconforming, since it is approximately 18-feet from the road. He noted the Commission could not approve this, and he asked Mr. Collette if he would like to amend his application to make the house straight up and down. Mr. Collette stated he would amend it if that was what was needed to approve it.

Mr. Scott Russo, 30 Hilltop Road, stated he is an abutting homeowner, and he welcomed this change. He believed this benefits everyone in the neighborhood.

Motion by Mr. Brownell to approve this application within the setbacks already in place, seconded by Mr. Thomas, and carried by unanimous vote.

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

9. ZEO REPORT:

Mr. Ventres stated that the Building Official wrote an order for the Powerhouse Road foundation and fence. Mr. Ventres distributed a letter from Milan Cais dated April 20, 2012, addressed to First Selectman Mark Walter. Since this is a safety issue, Attorney Bennet will respond to this letter.

Mr. Ventres updated the Commission on Petticoat Lane, at Mr. Lipka's residence. Mr. Carlson has been working with Mr. Lipka, and hopes to report progress soon.

Mr. Ventres stated Mr. Pettigrew Flynn is making slow progress at 135 Sillmanville Road.

Mr. Gillis inquired about the status of the barn on Plains Road that is falling down. Mr. Ventres stated there have been tests run for asbestos. The original bids came in with the thought that there was asbestos. Now that the tests have come back negative, they need to get new quotes without the asbestos surcharge. Mr. Ventres stated this work would be done, and then a lien would be placed on the property.

Mr. Salicrup inquired about Sims Lane and Bogel Road. Mr. Ventres stated the property owner has hired Mr. Dave Rozniak to remove the junk vehicles. The property owner will cover the cost of this work.

Mr. Salicrup asked about the airport status. Mr. Ventres stated the U.S. Supreme Court denied hearing it. The Town has been reimbursed for its costs in the amount of \$263,000.00 for the wetlands violation.

Mr. Ventres reported that the airport owner is currently appealing the tax assessment through the Board of Assessment Appeals.

Mr. Gillis inquired about the status of the Moodus green. Mr. Ventres just received the numbers from Mr. Nemergut. He will report further on this at a future meeting.

Mr. Curtin arrived at this time (7:43 p.m.).

Mr. Brownell inquired about the status of the regulations. It was noted that bonding, gravel regulations, and home occupations were ready for public hearing. The Commission briefly discussed cul-de-sacs. Mr. Curtin believed the teardrop shape would work well for the types of cul-de-sacs we have seen. He stated in large cul-de-sacs, it may not work well, but for the type that this commission has seen, they work well.

Mr. Gillis stated he would have to see a strong argument for not having an island. He preferred islands, and liked to see them used for some type of retention. Ms. Stone could not think of any type of situation where they should not be used.

Mr. Gubbins asked about mosquitoes. Mr. Ventres explained that rain gardens, are designed to allow the water to drain within 24 hours, which would not provide a suitable habitat for mosquitoes.

Mr. Ventres will ask Mr. Curtis if he has a final diagram for the cul-de-sacs.

Mr. Brownell asked about resort zones. Mr. Ventres had the regulations in his vehicle. It was noted that he had previously given the commission the lighting regulations. Mr. Brownell asked if anyone had reviewed the lighting regulations. Mr. Matthew believed shielded lighting should be addressed in greater detail within the regulation. He stated the lighting could be annoying. Mr. Brownell noted the commission could not go back on previously approved applications.

Mr. Curtin suggested the street lights in Moodus are bright. Mr. Ventres stated they were designed with the public safety in mind. They were designed for the maximum light. Mr. Ventres could check these lights for footcandles.

Mr. Thomas asked if staff could incorporate the better aspects from other towns and present the commission with a draft before they begin discussing this regulation.

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

First date: April 10, 2012

Last date: May 14, 2012

Mr. Jim Martin, architect, Mr. Chad Frost, landscape architect, and Mr. Steven Somosky addressed the Commission.

Mr. Martin stated this property is located at 35 Creek Row. The concept was to be at the river and not see the house. This site has a steep slope. They have oriented the driveway so that cars would not be visible. The proposal called for an area that was terraced, with cut and match fill. There would be a pool and a great deal of landscaping. Mr. Martin noted that Mr. Somosky has a landscaping business, and he understands the need for landscaping.

TAPE CHANGE (1B)

Mr. Martin stated that materials would be used to blend into the hillside as much as possible. The roof would be natural colored cedar and faux slate, which is made from two recycled materials.

Mr. Frost stated the biggest challenge of this site is the topography. From the front to the back of the house, there is a 30 foot grade change. They cut approximately 6-feet into the hillside for the driveway. This would allow the basement to have a walk-out.

Mr. Frost stated they spent a lot of time trying to blend the house into the site. All of the large circles on the site are for trees. They tried to save as many trees as possible. He stated this house will capture 100% of the rain for every one-inch rainstorm. They have several rain gardens, catch areas, and retention basins. Mr. Brownell asked if they had a plan showing this. Mr. Frost referred to the grading plan.

Mr. Frost reviewed the areas of the rain gardens. There are two on the northern side, one on the southeast side, and the fourth on the south, southwest side of the property.

Mr. Frost stated they have tried to reforest what they could. There are many evergreen screening plants going between the house and the road. They will blend in native plantings where possible. They have very little lawn in this plan. They have a couple lawn terraced areas. Everything else will be planted. They were aware that lawns take a great deal of chemicals to maintain.

Mr. Frost indicated there would be several evergreens, as well as red maples, paper birches, redbuds, dogwoods, Japanese maples, as well as service berries, blueberries, arrowwood, switchberries, etc.

Mr. Frost stated the proposed pool was turned toward the house, rather than looking at the view, in order to minimize the impact as much as possible.

Mr. Ventres read into the record the review letter dated April 2, 2012 from Mr. Brian Curtis of NL Jacobson & Associates.

Mr. Ventres noted the systems are 25-feet away from each other. He read into the record the letter from Chatham Health District dated April 9, 2012, which noted the current plan is compliant with the Public Health Code. Approval would be contingent upon final structure drawings.

Mr. Ventres read into the record a letter from the Zoning Board of Appeals dated April 4, 2012 which granted the variance for the building height.

Mr. Ventres read into the record the letter dated February 27, 2012 from the Connecticut River Gateway Commission. The Commission voted to oppose the granting of the requested variance.

Mr. Ventres read into the record a letter dated March 14, 2012 to Mr. Stuart Wood from the Conservation Commission, which opposed approval for the height variance.

Mr. Gillis asked if all of the recommendations made by NL Jacobson had been addressed. Mr. Martin stated they would all be in the construction plans, and were all able to be done.

Mr. Ventres asked Mr. Martin what area of the house was over the height limit. Mr. Martin stated there was a small area of the roof that would be 3 ½ feet higher than the Gateway Commission's regulation allowed. Mr. Frost stated he had presented to the Gateway Commission.

Thomas asked a procedural question regarding the possibility of an appeal from the Gateway Commission. Should an appeal be filed, and should the court uphold it, it would render this commission's approval null and void. Mr. Ventres noted that this commission cannot make its decision based on what might happen in the future.

Mr. Ventres noted that when the village district was created, they made an exemption just beyond the property of this application for the height. Mr. Frost added that this property is one property away from the village district.

Mr. Thomas noted since the ZBA granted the height variance, much of this discussion is moot.

Mr. Matthew asked about rainstorms over 1-inch. Mr. Frost noted there were overflow pipes, and the water would go down the hill and eventually daylight. Mr. Matthew noted this runoff enters a small brook that traverses Landing Hill Road, which becomes problematic, particularly in the winter. Mr. Frost believed this may be better with this application, since they will be capturing the first inch of water and retaining it.

Mr. Curtin inquired about the trails shown on the plans. Mr. Frost stated these would be walking/hiking paths. Mr. Somosky and Mr. Frost responded that the surface of these trails would be either wood chips, or the natural ground surface.

Mr. Matthews exited the meeting at this time (8:38 p.m.)

Mr. Frost reviewed the areas of slope on the plan. Mr. Curtin stated this went to his example of how slopes can be done well.

Mr. Brownell opened the hearing to the public.

Mr. Todd Gelston, 50 Bogel Road, voiced concern about the trees that were left, and how they will be sustained. He was impressed by the amount of stormwater retention. He stated the more infrastructure you put on a site, the more maintenance they require. He stated the Commission should be cautious of this, as this property owner may not live there forever, and the next owner may have no idea what an infiltrator is.

Mr. Gelston noted this property basically sits on a shelf. He asked what would happen in the winter with freezing and thawing on this slope. He stated this would be a sizable dwelling on this site, and he questioned what would be anchoring it to the ledge. He asked what would keep the structure from sliding off the shelf over time.

Mr. Frost responded to the trees that are being kept. He stated many of the trees that are left are lollipops. They typically do root fertilization treatments to protect them. He stated no one could guarantee that they would survive, but they would do what they could to preserve them and help them survive.

Mr. Frost stated the infiltration maintenance plan was a good idea. He stated they could provide an annual maintenance plan, which could be a stipulation of approval, if the Commission were to approve the plan.

Mr. Frost replied to the comment about the water that falls. He stated by spreading the water around, you put the water back into the soil as close to where it came down.

Mr. Martin responded to the slope concerns. He likened it to the rice fields in China. Everything will be terraced. They expect to find shale, etc. when they begin excavating. In any event, the foundations will be physically pinned to the ledge with steel. They will have waterproof walls, with sheetflow to the basins.

Mr. Gelston asked if the pinning of the foundation will be witnessed. Mr. Curtin stated any time you hit ledge, Keith Darin, the Building Official comes out and witnesses the work.

Mr. Brownell asked if the Commission would like to walk the site. Mr. Martin would be happy to take the Commission on a field walk. It was noted that because the public hearing was already open, it would have to be scheduled here. It was decided that a field walk would be conducted on April 26, 2012 at 6:00 p.m. Mr. Ventres noted that the Commission could only ask where they were in connection to the map during the field walk.

Mr. Gubbins asked if the proposed tennis court was created at a later date, if they would have to come back before the commission. Mr. Ventres asked if the tennis court was included within the stormwater calculations, to which Mr. Frost responded it was.

TAPE CHANGE (2A)

Mr. Frost stated there was a 6-foot grade change between the two sides of the proposed area.

Motion by Mr. Curtin, seconded by Mr. Matthew to continue this application until May 18, 2012, 8:00 p.m. at the Town Grange, and to schedule a field walk. Motion passed unanimously.

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

B) Continued: Application 12-04, 89 North Moodus Road, LLC, Special Exception Review to use theater for special events. Assessor's Map 73, Lot 10.

Chris Bell, P.E. stated the drain going toward Banner Road has been removed.

Mr. Bell stated he received a letter from Chatham Health District today. Mr. Bell read this letter dated April 24, 2012 from Chatham Health District into the record. This letter noted that the off-season extended use, youth day camping, and food service had not been approved. The following uses were approved: In-season resort reopening 4 cottage units, 1 teepee campsite, 15 RV sites, 9 tent sites, and theater use capped at the applicant's maximum of 100. In addition, to keep daily flows less than 5,000 gallons of water per day, the maximum use for off-site visitors cannot exceed the following: theater – 100; day time visitors – 82; and daily total – 182. These were in addition to the maximum uses already approved. Mr. Knauf also believed it was very important to install water meters.

Mr. Brownell stated there was a building behind the hotel that has an existing shower house that is being rehabilitated. There will be a full set of showers and bathrooms in the shower house, as well as another set of bathrooms. The showers serving the campsites are located closer to the campsites. There are existing shower facilities in the cabins.

Mr. Ventres stated until they have a new system, they have the current design. Mr. Ventres highly recommended to the Commission that an approval be conditioned upon requiring water meters. Mr. Curtin asked if the applicant was in agreement with Chatham's letter for numbers of people. Mr. Bell stated they were.

Mr. Brownell asked if this applicant was coming right now only for use of the theater. Mr. Ventres stated they were coming for the theater, as well as other activities on the sheet that states "Introduction" at the top. He added that some of the noise producing activities have no buffering provisions for sound. There are buffers for views, etc. He stated there is discussion about archery, but there is no proposal for it. He stated it is not this commission's job to design buffers if the applicant does not present a proposal for it.

Mr. Salicrup asked if there was ADA compliance. Mr. Ventres confirmed they have met the ADA requirements for this.

Mr. Matthew stated they have not addressed the issue of day use.

Mr. Terry Thomas, manager of Grandview Resort addressed the Commission. He stated if they have activities that create excessive noise, they will take steps to minimize the noise levels, or possibly even move the activity. He stated they were trying to be good neighbors.

Mr. Terry Thomas recalled there had been talk about the baseball diamond. He believed the activity here would be more likely to be wiffle ball. Mr. Curtin asked if the applicant would be averse to having a stipulation for waffle ball. Mr. Terry Thomas was not.

Mr. Salicrup asked how they would keep their numbers. Mr. Gillis stated they would be required to keep accurate numbers of visitors, per the regulations.

Mr. Salicrup voiced concern that this application has morphed from a family campground to an amusement park. Mr. Terry Thomas stated they did not want a crazy place, nor did he want to manage such a place.

Mr. Terry Thomas referred to the comments about archery. He stated this would be a roped off, controlled area, with oversight. This would not be a bunch of kids playing with bows and arrows. Mr. Salicrup stated today's bows are high tech, deadly weapons. Mr. Terry Thomas stated with hunting tips, they could be dangerous.

Mr. Gillis asked if they should go through the activity list and discuss which activities would be appropriate and which would not.

Regarding outdoor sports, Mr. Terry Thomas stated this could be Frisbee, Nerf ball, waffle ball, etc. Mr. Curtin did not believe this commission would need to restrict this. Mr. Curtin believed this would be more for organized sports. Mr. Terry Thomas had not intent to have organized sports.

The commission discussed the list. There was concern about the list, noise levels, etc. The dodge ball court would be located central to the property, since this would be a noisy activity. Mr. Ventres cautioned that the Commission needed to remember that the Commission approved this application previously as a campground, and it would have noise. What the Commission needed to consider was mechanical noises, etc.

Mr. Matthew believed the concern would be how to regulate the number of people coming in off the street. He believed this would be very difficult to control.

Mr. Gillis asked if the plan was to charge people to come in, to which Mr. Terry Thomas stated it was.

Ms. Stone asked, with one or two people supervising the area, about the numbers. She was concerned that the numbers listed may be low. Mr. Terry Thomas stated of the day use, they would manage the numbers. For instance, the zip line could only have a certain number of people at a time.

Mr. Thomas suggested not allowing outside movies, and various other activities. Discussion ensued. The Commission discussed day time visitors. It was noted that there would be a maximum of 182, with a combination of campers and day time visitors.

Mr. Curtin asked what the ropes course was. Mr. Terry Thomas explained that a ropes course was an educational, team building type of activity. They would consist of cables, with an individual moving on

the cable, and then having discussions, etc. about it. Mr. Curtin asked if this would be part of the adventure course. Ms. Stone stated this was where she would look at possible noise buffering.

Mr. Brownell opened the hearing to the public.

Mr. Dan Alexander, 117 North Moodus Road, stated part of the issue was that there is a lot of vagueness. He stated it was easier to tell people what they want to hear at a meeting like this. He voiced concern about the theater use. He referred to the regulation. He believed the application was silent on health and safety issues. For instance, would there be a fire route. Has the fire marshal been informed about the use as a theater, the theater's construction of wood, etc. Mr. Ventres stated this was reviewed prior to the first application. There were two fire marshals on site, and some changes were made as far as doorways, etc. There were changes made to the loop road. He stated this was considered an assembly group, so the use remained the same, and did not constitute a change of use to make fire suppression required.

Mr. Alexander asked about the gravel parking area. He asked if these spaces would have handicap parking, to which Mr. Ventres responded affirmatively. Mr. Alexander believed the handicap spaces would have to be paved, as outlined on page 65 of the regulations.

TAPE CHANGE (2B)

Mr. Alexander believed they could use brick pavers, or some other hard surface that handicap people would be able to get across safely. Mr. Terry Thomas did not believe the ADA requirements required pavement.

Mr. Chris Bell stated the parking spaces are adequate. He stated they talked about the seasonal use, and they talked about pea stone and process surface. He stated they could pave it, but they thought it would be better to use pervious pavement. He stated they discussed this last year. Mr. Ventres stated this would be the building official's final determination.

Mr. Alexander asked what seasons they would be utilizing this area. Mr. Ventres stated it would be April 15 to October 31st.

Mr. Alexander referred to the zoning regulations for lighting. He stated the rental use of the theater would constitute commercial use, and he saw no provisions for this. Mr. Chris Bell stated they submitted a lighting plan as part of last year's application, which was approved. There is no proposed landscaping down lighting. There are several small solar landscaping lights around the parking area.

Mr. Alexander asked about the usage for the theater as a commercial venue. Mr. Thomas stated it was a theater, and it still is a theater.

Mr. Alexander believed it was up to the applicant to make a case that the theater is appropriate in a residential neighborhood. The proposed theater use would clearly create more traffic, noise and light pollution, leaving it up to the Commission to figure out this plan.

Mr. Alexander believed the right to quiet use of one's land has been compromised already. He believed the plan was deficient, and he encouraged the Commission to deny this application.

Mr. David Carpenter, 100 North Moodus Road, stated he agreed with many of Mr. Alexander's comments. In addition, he heard the commission struggling with some of these issues. He stated when the Torah Institute was in this location, there were wild weekends. However, it was not that often, and he believed there was an unknown frequency in this application. He encouraged the commission to cross off as many activities as it believes are at issue.

Mr. Carpenter stated they were equating noise to how much use the septic can hold. He believed this site should have ongoing monitoring. He asked if there were criteria for the number of feet away from another residence. Mr. Ventres stated there was not, except for large activities, such as airports, etc. Mr. Carpenter wished there was a way to review this in a year.

Ms. Debra Williams, 30 Banner Road, stated she agreed largely with her neighbors from the last meeting, and tonight. She asked what this was approved for, a campground or a resort. Mr. Ventres stated this was a campground, with resort uses. This was why this board reviewed parking, the cabins, etc. It is a mixed use application. Ms. Williams believed cabins were allowed in a campground. She stated it was designed more as a campground, with tents and seasonal use.

Ms. Williams stated they discussed buffers. She did not believe lighting was addressed. Mr. Brownell stated they did review lighting. He stated any new uses or new buildings, this would come into play again.

Ms. Williams stated when they talk about day use, these are not necessarily passive recreational activities. She did not believe they could mix an application for camp, resort, and day use on 20 acres. She believed there were many structures in the language that stated "or". She noted they had stretched the season.

Ms. Williams looked at the trees on the border. She stated they were beautiful, but she did not know if there were enough. She thought there might be 30 there now, when they were supposed to have 81. She stated there is a lit coffee room that is lit 24 hours per day. She stated there is a soda machine that is on all the time. There is no reason this could not be put inside the game room.

Ms. Williams stated the application from July 12 should have listed all of the uses. She believed the expanded uses were put in the end of February. She would like someone to define passive recreational use.

Ms. Williams did not believe there was any requirement for day use. Sunrise had day passes, which included two meals and day use of the facility. She stated with this property, people would be dropping off their teenagers, who will likely not have supervision. She did not believe the day use people would have the same oversight as the campers. She believed there would be kids coming from all around, and would be the ultimate hang out.

Ms. Williams understood they have met the conditions of Phase 1 and were open. Mr. Brownell stated

that was accurate. Ms. Williams believed that should have been done at a hearing.

Mr. Matthew stated in the regulations for the resort zone, the uses permitted (page 31), the use shall be subject to the approval of the commission by special exception. Mr. Ventres explained there are several uses. Mr. Matthew stated there are now other types of resort uses. Mr. Ventres believed if there was a 200-foot buffer, they would have less concern. Because they are looking at day use, the applicant provided the a la cart menu.

Mr. Brownell asked if there was a definition of passive recreational use. Mr. Ventres stated this was typically hiking, etc., not setting up a baseball field.

Mr. Brownell stated there was one more meeting before they would have to request an extension. Mr. Brownell stated this commission has requested what they would do to buffer the neighbors. At the next meeting, the applicant should demonstrate a buffer plan and what they would do for the neighbors. Otherwise, this commission would have to really look hard at this activity list.

Mr. Terry Thomas stated that Ms. Williams spoke about the Coke machine. He has tried three times to get the bulbs out of the machine. They are not trying to have an amusement park.

Mr. Terry Thomas stated they are not trying to be vague, but they feel like they are getting knocked back and forth between the neighbors and the commission. He stated they put more trees around Ms. Williams' property than the print asked for.

Mr. Gillis asked if they liked where the batting cage plan was. Mr. Terry Thomas stated it did not have to be there. Mr. Gillis asked that they really look at this. Mr. Brownell stated they have a list of activities, but not so much for the neighbors. Mr. Terry Thomas stated they would do their best to keep activities away from the neighbors.

Mr. Brownell asked if Mr. Ventres had some information regarding buffers to help the applicant. Mr. Ventres stated he had some information.

Mr. Curtin stated if there are certain nets, etc. that would help reduce noise for the batting cage, then tell the commission that so the commission members can possibly buy into it.

Ms. Stone suggested if the applicant could look at other models where campgrounds have been located in neighborhoods, that might be helpful.

Motion by Mr. Thomas, seconded by Mr. Matthew to continue this public hearing until May 8, 2012, 8:00 p.m. at the Town Grange. Motion passed unanimously.

C) Application 12-06, Sanctuary at Shepardfields, Inc., Special Exception Review for amendment to times permitted. Assessor's Map 38, Lot 9.

First date: April 24, 2012

Last date: May 28, 2012

Ms. Laurie Alt and Mr. Justin Good addressed the Commission. Mr. Ventres distributed the approval from 2009. He stated 2009 approval allowed the following hours of operation: 4:00 p.m. to 9:00 p.m. March through November 7th, excluding Sundays when the hours will be 11:00 a.m. to 12:00 p.m. for meditation in addition to the regular 4:00 p.m. to 9:00 p.m. The new proposed hours would be: March through November 7th expand hours to 11:00 a.m. to 9:00 p.m., except for Sunday meditation and Board of Directors meetings, which may be held throughout the year.

#3, they deleted the April deadline of notification to the Commission of annual events requirement. Sometimes, they do not know by April. They wished to change their approval to state that the Commission shall be notified as to when the three large events are expected to be held.

Relating to Item #4, Mr. Ventres stated this proposal increases from 20 to 30 cars for a large event. Mr. Brownell asked if they ever had a problem with people getting stuck. Mr. Good stated last winter, one plow got stuck. Ms. Alt stated if the fields become muddy, etc., they just don't have services. She stated they do not want to damage the fields, as they use them for hay also.

Mr. Salicrup asked how large of a parcel this is, to which Ms. Alt stated it was 40 acres.

For #7, it was noted that there are a total of 5 visitors, plus staff now. Mr. Matthew asked how many staff could be staying over, to which Ms. Alt responded there would be two staff members. They wished to amend this item to allow a total of five people, plus two staff members to be allowed to stay over night at any given time.

Mr. Good stated for the large fundraisers, per the recommendation of the commission, they hold this event off site. Their big fundraiser is being held at the Deep River Town Hall. Ms. Alt stated they have people come and go during the day.

Responsive to inquiry by Mr. Gillis, Mr. Good stated the largest event they have held had approximately 80 people at one time.

It was noted that the green cards are in, and there are no issues to report.

Mr. Brownell opened the hearing to the public.

Mr. Casner stated when this came three years ago, there was some concern about what would happen. This has not been a problem at all. He stated his biggest concern was if cars parked on the road, because he drives trucks. This has not been a problem either.

Mr. Thomas stated this was a three year approval. He suggested they eliminate this requirement.

TAPE CHANGE (3A)

Ms. Alt stated they are a nonprofit organization, and the application fee is burdensome. She stated they had a neighborhood meeting, and got input. From that meeting, they made adjustments. She stated they always want to be good neighbors, and want input if something they are doing bothers their

neighbors.

Motion by Mr. Curtin, seconded by Mr. Thomas to close the public hearing. Motion carried by unanimous vote.

Motion by Mr. Thomas to approve Application 12-06, Sanctuary at Shepardfields, Inc., Special Exception Review for amendment to times permitted as presented with two additions:

- A total of 5 people plus 2 staff may stay overnight at one time.
- Paragraph 9 of the original approval letter be eliminated.

Motion seconded by Mr. Curtin, and carried by unanimous vote.

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

D) 12-07, Rock Soucy, dba Rock Oil, LLC, applicant, Shainacam, LLC, property owner, 38 Wm F Palmer Road, Special Exception Review to use rear parking area for oil delivery truck parking, and change the permitted sign. Assessor's Map 65, Lot 139.

First date: April 24, 2012

Last date: May 28, 2012

Mr. Rock Soucy and Joe Albuquerque addressed the commission, to review the application for a parking space at Yardscapes.

Mr. Ventres stated the previously approved landscaping business will still be there. Both sides of the driveway are fenced and screened.

Mr. Soucy submitted the green cards to the Commission.

Mr. Ventres stated he received a call regarding the oil truck storage.

Mr. Gubbins asked about discharge, in case the truck leaked. Mr. Albuquerque stated the back of the parking lot is a permeable surface. Mr. Soucy added that there are three inspections required annually.

Mr. Albuquerque stated they were in and out of the building all weekend.

Mr. Brownell asked why Dutch Oil was required to put in an underground tank. Mr. Gillis noted this was because they were washing their trucks, and because they were storing the trucks inside.

Mr. Salicrup noted that Mr. Matthews had to leave early, but had left some questions with him. Mr. Salicrup questioned the parking and dumpsters located in the front of the building. Mr. Albuquerque stated he would prefer to keep the dumpsters in back. He would like to leave one up front, as these are rented out to people. Mr. Ventres believed Mr. Matthews was wondering if more dumpsters would be coming out front.

Regarding signage, Mr. Ventres stated if they kept the same size sign, it did not need further review.

Mr. Salicrup stated that Mr. Matthews' notes indicated the overall site was messy.

There was a discussion about the location of the truck. The proposal was for storage of the truck in the back of the building. Mr. Ventres stated on the chance that there was a leak, the surface on the back was pervious, as compared to the front which was paved.

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

Motion by Mr. Curtin, seconded by Mr. Gubbins to close the public hearing for 12-07, Rock Soucy, dba Rock Oil, LLC, applicant, Shainacam, LLC, property owner, 38 Wm F Palmer Road, Special Exception Review to use rear parking area for oil delivery truck parking, and change the permitted sign. Motion passed unanimously.

Motion by Mr. Curtin, seconded by Mr. Gillis, and passed unanimously to approve 12-07, Rock Soucy, dba Rock Oil, LLC, applicant, Shainacam, LLC, property owner, 38 Wm F Palmer Road, Special Exception Review to use rear parking area for oil delivery truck parking.

Mr. Brownell asked what was scheduled for the next meeting. It was noted that the campground and Somosky applications would come back at the next meeting.

REVIEW OF REGULATIONS

The commission discussed which regulations would be reviewed at the next meeting. It was decided that lighting and minimum buildable square regulations would be discussed at the next meeting.

9. ADJOURNMENT

Motion by Mr. Gubbins, seconded by Mr. Gillis to adjourn at 10:54 p.m., and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina