

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
September 25, 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), John Matthew (regular member), Harvey Thomas (regular member), Louis Salicrup (regular member), Jessica Stone (alternate member)

COMMISSIONERS ABSENT: Kevin Matthews (regular member),

OTHERS PRESENT: James Ventres. No townspeople were present.

Mr. Brownell appointed Mr. Gubbins to vote in place of Mr. Matthews this evening.

Ms. Stone arrived at 7:18 p.m.

3. MINUTES

The minutes of the September 11, 2012 regular meeting were accepted as presented.

4. ACKNOWLEDGMENTS AND SET HEARING DATES

A) Application 01-12, Noreen Blaschik, EH Moodus Road, Subdivision review for a proposed 2-lot subdivision, Special Exception Review for an interior lot and a proposed lot line revision. Assessor's Map 45, Lot 2.

First date: September 25, 2012

Last date: November 28, 2012

Mr. Ventres distributed plans to the Commission. He stated the application has no wetlands, and is currently being reviewed by the Chatham Health District.

Mr. Thomas asked if this was one existing lot and one additional lot. Mr. Ventres responded that this application was for two new lots in addition to the existing house.

Mr. Brownell inquired as to which cemetery this was adjacent. Mr. Ventres replied that it was next to Old Cove Cemetery. Mr. Brownell noted this was very close to the cemetery. Mr. Ventres believed one might be able to see the stones through the trees from the garage location.

Responsive to inquiry by the Commission, Mr. Ventres stated he would ask Mr. Nemergut to have the GIS map available at the next meeting.

Motion by Mr. Thomas, seconded by Mr. Matthew to schedule a public hearing for the next meeting, October 9, 2012, 8:00 p.m. at the Town Grange. Motion carried by unanimous vote.

B) Addition: Alan Hanks, 43 Laurel Cove Road , Site Plan Review for a single family home. Assessor's Map 48, Lot 34.

First date: September 25, 2012

Last date: November 28, 2012

Mr. Ventres reported that this has had an extension already, in addition to the original approval. Statutorily, they cannot grant an extension, so it must be a new application. Discussion ensued regarding changes to regulations, etc., and their impact on applications that were approved, but never built.

Motion by Mr. Gubbins, seconded by Mr. Gillis to schedule a public hearing for October 23, 2012, 8:00 p.m. at the Town Grange. Motion carried by unanimous vote.

5. BILLS

NLJ

\$116.95

(General consultation – cul-de-sacs)

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

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

8. ZEO REPORT

Mr. Ventres distributed a GIS printout for the Moodus sidewalk project for Phase II. This will be Falls Road Post Office to Great Hillwood Road, Plains Road to Wigwam Road, and the Moodus Green area.

The Commission discussed drainage, etc. in the Moodus Green area. Mr. Gillis inquired if the homeowners were on board with the reconfiguration, etc. Mr. Ventres indicated the State was on board with it, and they own the road. The Town has applied for a grant for this project. Mr. Ventres also went to the Board of Finance, and he received an authorization for 22% of the cost, or \$136,250. The grant requested is for an additional \$500,000.

Mr. Ventres distributed a copy of the emergency management minutes with recommendations for road name changes. Mr. Brownell noted that this Commission had recommended changes years ago.

Mr. Ventres stated that a copy of Grandview's letter was included in everyone's packet. He stated that no action was necessary.

Mr. Brownell asked if there had been any progress at Camp Chomeish. Mr. Ventres stated that Mr. Carlson has not yet been contacted to hook up the septic system.

Mr. Brownell asked if Mr. Ventres called the Health Department regarding a property on Mill Road. Mr. Ventres stated that the Chatham Health District has been contacted and people have been advised not to go there without a police escort.

Mr. Ventres reported that the trees have not yet been installed at the skateboard park. He stated the public works staff has been finishing the paving of Falls Bashan Road, and they are installing the plantings.

Mr. Ventres has received calls regarding the chipping on Creek Row. He reported that they have hit granite, so the process has been significantly slowed.

7. DISCUSSION

A) Lighting:

Mr. Ventres distributed copies of the draft lighting regulation for the Commission to review. Mr. Thomas referred to the draft regulation, under "Applicability" and asked if this should also apply in the Resort Zone.

Mr. Thomas referred to Section 26.6.4, event lighting and traditional seasonal lighting. He explained a situation where there is a significant lighting issue for one month during the year.

Ms. Deborah Williams stated if this was greatly limited, there may be a First Amendment infringement.

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

6. PUBLIC HEARING:

A) Proposed change in the use table in the IG zone, subzone 10 for properties known as Lots 28, 28-1, and 29 on the IG subzone/wetlands map Appendix Z. The Commission will consider adding restaurant and bed and breakfast to the table of permitted uses.

Mr. Ventres stated this issue was brought to the Commission as a request from the Economic Development Commission. He distributed letters and read into the record the following letters: A memorandum dated August 2, 2012 from the EDC.

TAPE CHANGE (1B)

Mr. Ventres continued to read into the record the August 2, 2012 meeting from the EDC, which voiced support for this project.

Mr. Ventres distributed and read into the record an email from George Greider dated September 5, 2012, in support of this application.

Mr. Ventres read into the record and distributed an email dated September 23, 2012 from Susan Pagnano, President of the East Haddam Business Association.

Mr. Gillis asked what a "positive meeting" meant with the State, as outlined in the EDC's memorandum. Mr. Ventres stated they had to look at septic, and at the proximity of the stop sign and intersection. Mr. Brownell asked if they had adequate septic, and Mr. Ventres stated this has been demonstrated.

Mr. Ventres read into the record a letter dated September 6, 2012 from Mr. Norman Miller, P.E., State of CT DOT, which gave comments relating to this application.

Mr. Brownell opened the hearing to the public.

Mr. Joseph Janecek, owner of Sanibel Market submitted a letter to Mr. Ventres. Mr. Ventres read this letter into the record, which asked for a change for his business also.

Mr. Janecek stated now that they were opening this area to additional business, he hoped they would be able to have one zone to accommodate all of the businesses.

Mr. Robert Casner stated that all of the businesses on that particular corner are for sale. He stated these houses are historic houses, and this proposal would be beneficial to that corner. He stated it is very difficult to sell these houses when there are such limited uses. He stated if they could find good uses, and they can find people willing to invest in them, they will continue to look nice and remain upkept.

Ms. Kandy Carle voiced support for using these historic houses for art galleries, cafes, etc. She voiced concern about having these parcels clear cut and the buildings razed. Mr. Brownell responded that the only proposal was for a bed and breakfast, restaurant, not for an industrial area. Mr. Thomas added that there is architectural oversight in this area. Mr. Ventres read from the regulations about permitted uses which require architectural review.

Mr. Thiede stated he is proposing buying this property, and he intends to maintain this structure and the ambience of the area.

Mr. Ventres suggested that the IG-4 could include antique shop and sales, retail of craft, arts and crafts, studio, workshop for artist, sculptor, photographer, or crafts person.

Mr. Janecek stated 10 years ago, there was a discussion about spot zoning. He asked if this change would qualify as spot zoning. Mr. Ventres stated this was a community based idea brought to the Commission. There were group discussions. Mr. Ventres stated this change would actually create more "generality" use.

Responsive to inquiry by Mr. Matthew, Mr. Ventres stated the original request by the EDC was for restaurant and bed and breakfast. He stated they could not add other areas to this or expand this area, since the notices went out for this specifically.

Mr. Ventres spoke with Mr. Torrence Downs from the Lower Connecticut River Valley Council of Governments, although they are not within the Council's purview.

It was noted that the Commission could review these three lots separately, or they could merge the three lots with the lot across the road, which is the IG-4 zone. Discussion centered around adding these three lots to the IG-4 zone, and add studio, etc. The Commission discussed possible uses. Mr. Thomas suggested adding these three properties to the IG-4 zone, and adding the uses from the IG-10 zone that are not now listed in IG-4.

Ms. Debbie Williams stated there are antique buildings/historic buildings, stone walls, etc. She stated in East Hampton, there is an art studio with many sculptures outside. This may be a down side. Mr. Salicrup stated there is nothing to prohibit anyone from adding a sculpture to their yard now.

The consensus of the Commission was to add these three properties to the IG-4 zone, and to add the uses from the IG-10 zone. Mr. Thomas asked if this was in opposition to the notice, to which Mr. Ventres stated it was not.

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

Motion by Mr. Thomas, seconded by Mr. Matthew to adopt the changes to the zone, The IG-4 district will now include Maps 28, 28-1, 29, 29-1 will also include the language from IG-10 be added to IG-4, which will be single and two-family dwellings, antique shop, retail of crafts and products associated with East Haddam's Traditional Agricultural Heritage Arts and Craft Galleries, and Studio. Motion carried by unanimous vote.

7. (continued)

A) Lighting (continued)

The Commission discussed temporary lighting, under Section 26.2.9. Mr. Salicrup recalled there had been some discussion about tennis courts and how they are lit. He reviewed some information he found online. Mr. Matthew noted that this would come before the Commission for special exception review.

B) Minimum Buildable Square:

Mr. Curtin suggested the Southwinds subdivision. He also asked Mr. Nemergut and Mr. Casner to each come up with something for review.

Mr. Curtin suggested looking at Killingworth's regulations. Mr. Ventres distributed copies of Killingworth's zoning regulations for minimum buildable lot area.

Mr. Gillis asked if it would premature to ask Chatham to look at Killingworth's regulations. Mr. Curtin stated the Health Code doesn't change. He stated they were concerned with septic areas and reserve areas.

Mr. Curtin will attempt to have Mr. Nemergut attend the October 23 meeting for purposes of this discussion.

Mr. Brownell stated right now, the Commission has four more regulations to review and revise. He asked if the Commissioners would like to finish the four they are working on.

Mr. Brownell would like to begin discussion on off-street parking and regulations for stables.

Motion by Mr. Curtin to set a public hearing for Lighting, Resort District Mapping for November 13, 2012. Seconded by Mr. Salicrup, and carried by unanimous vote.

Mr. Salicrup suggested an ordinance to address blight and debris. Mr. Ventres stated this went to the Board of Selectmen approximately 6-months ago. Mr. Salicrup believed this was a growing problem. Mr. Ventres stated he has more time to address these issues now, since there are few subdivision applications.

Mr. Ventres believed a blight ordinance may help with the old Cumberland Farms or other commercial properties.

Mr. Salicrup believed it would be cheaper to fine people than to pay an attorney. Mr. Thomas would be interested in exploring a blight ordinance, and what the fines would be. Mr. Ventres has notes from one case, which he previously gave to the Selectmen.

TAPE CHANGE (2A)

9. ADJOURNMENT

Motion by Mr. Gubbins, seconded by Mr. Salicrup to adjourn at 9:13 p.m., and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina