

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
February 26, 2013
(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: Cary Brownell – Chairman, James Curtin (regular member), Bernard Gillis (regular member), Ed Gubbins (alternate member), John Matthew (regular member), Louis Salicrup (regular member), Harvey Thomas (regular member)

COMMISSIONERS ABSENT: Kevin Matthews (regular member), Jessica Stone (alternate member)

OTHERS PRESENT: James Ventres, and one townspeople were present.

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

3. MINUTES

The minutes of the February 12, 2013 meeting were accepted with the following amendment:

- Page 2, Paragraph 3: Change date to March 16, 2013
- Page 2, Item 7A, 1st paragraph: Move the first sentence to the beginning of the second paragraph. Strike the remainder of paragraph 1.

4. BILLS

None

5. ACKNOWLEDGMENTS AND SET HEARING DATES

A) Application 13-02, Philip and Sheila Benoit, applicants, 27 WM F Palmer Road, Special Exception Review for a proposed vintage vehicle restoration business. Assessor's Map 65, Lot 157.

First date: February 26, 2013

Last date: May 1, 2013

No one representing the applicant was present at this meeting. Mr. Ventres informed the commission that the applicants wish to convert the building of the former funeral home and more recently the daycare center, into a showroom for vintage vehicles. He recommended the commission schedule a public hearing for this application.

Mr. Thomas questioned where the vehicles would be restored, and where the work would be done.

Mr. Brownell asked what zone this was categorized as, to which Mr. Ventres stated it was the C/B/IG zone.

Mr. Thomas asked about the locations for shows, and if they would be held on-site or elsewhere. He added that if this type of activity would be done, that would have to be a separate application. There was some question about where all of the cars would park. Mr. Salicrup stated this would be the same as if a separate entity wanted to hold a car show at the airport, that they would need a separate review.

Mr. Gubbins asked how this would differ from Moodus Auto. Mr. Ventres stated if Moodus Auto came before the commission today, the commission would require additional landscaping.

Mr. Salicrup asked who the neighbors were. Attorney Jezek stated he is a neighbor. There is also a two-family house and a two-unit condominium across the street. There is a vacant lot adjacent to the other side of the building.

Motion by Mr. Curtin, seconded by Mr. Gillis to schedule a public hearing for Application 13-02, Philip and Sheila Benoit, for March 12, 2013, 8:00 p.m. at the Town Grange. Motion passed by unanimous vote.

6. LOT LINE REVISION

A) Application 13-03, Starr Champion, 100 Hemlock Valley Brook Road, proposed lot line revision. Assessor's Map 2, Lot 22.

First date: February 26, 2013

Last date: May 1, 2013

Attorney Scott Jezek addressed the Commission on behalf of the applicant. He reviewed the plan for his client's application for a lot line revision. He indicated the neighbor has been using a portion of the Champion property, with permission. The Champions are relocating, and proposing to sell this portion to the neighbor, Mr. Elfstrom. The parcel in question is 0.99 acres.

Mr. Curtin recused himself from this discussion due to his association with Mr. Elfstrom.

Mr. Ventres received a letter from Chatham Health District dated February 20, 2013, which indicates the proposed lot line revision is approved and meets CT PHC Section 19-13-B100a.

Attorney Jezek stated both closings were scheduled to occur in March. Responsive to inquiry by Mr. Thomas, Attorney Jezek believed both closings would occur. A brief discussion ensued. Mr. Ventres informed the commission that an approval could be conditioned upon the merging of the two lots, so that a small piece of land would not be left "hanging". Attorney Jezek believed even if the house closing fell through, the small parcel closing could still occur.

Mr. Salicrup asked if this would affect the frontage of the other lot, to which Mr. Ventres stated it would not.

Motion by Mr. Thomas to approve Application 13-03, Starr Champion, 100 Hemlock Valley Brook Road, proposed lot line revision, as depicted on the survey by Bob Weaver dated 10/12/03, provided that the proposed merger with the property now or formerly owned by Elfstrom occurs. Motion seconded by Mr. Gillis. Voting: All members voted Aye, except Mr. Curtin, who abstained from voting.

7. ANNUAL REVIEW OF THE PLAN AND CONSERVATION AND DEVELOPMENT

Mr. Ventres has not received any input from any board or commission.

Mr. Thomas stated at the last Agriculture Commission meeting, he requested input, and he received nothing.

Mr. Brownell asked if it made sense for the commission to review it this evening. Mr. Ventres stated nothing has changed this year. It was noted that it has been five years since the Plan was implemented. In four more years, everyone should be given notice to come for the 10-year review.

Mr. Thomas suggested rather than at eight years or nine years, requesting people come to the Planning & Zoning Commission, the commission could go to the other meetings and request input. He suggested when the time comes to re-draft the Plan, that the commission form a subcommittee to go out to talk to each board and commission, take notes, draft something for that committee to review, and then bring it to the commission for incorporation into the Plan. Mr. Curtin did not believe there have been drastic changes. It was noted that the commission reached out quite aggressively to try to get the word out and obtain input when this Plan was drafted. This included Saturday morning environmental roundtable discussions, etc. They tried to be guided by the issues that were the most important to people.

It was decided that at Year 8, the commission should take this approach and begin meeting with the committees/boards.

The commission discussed conducting another survey before the 10-year time frame. The last survey was conducted approximately two years before the last draft.

Mr. Thomas stated for those things that were assigned as the responsibility of P&Z and someone else, it might make sense to ask staff to write a memo to document what was going to be done, and what has been done.

TAPE CHANGE (1B)

Mr. Brownell asked Mr. Gubbins if he had a copy of the Plan, to which he responded affirmatively.

8. DISCUSSION

A) Minimum Buildable Square

Mr. Curtin stated he forwarded a copy of the draft to Mr. Nemergut, so he can give some input.

Mr. Curtin still believes there should be some relief on the size of the lot in the R1 zone.

Mr. Curtin also believed there should be some relief on the slope. He stated that 20% is the perfect walk-out basement level.

Mr. Brownell asked why the level was originally set at 20%. Mr. Ventres stated this number came from Milone & Macbroom. Mr. Ventres stated he would not be opposed to a change to 25%, which would also make it easier for the Chatham Health District when reviewing leaching field installations.

Mr. Brownell did not believe the slope limitations should begin at the perfect size for a walkout basement. A lengthy discussion ensued. Mr. Ventres stated they talked some time ago that they could change the MBL at 25%. Mr. Thomas suggested that if no more than 25% of the MBL for 2-acre, 4-acres, etc., if everyone would be amenable to this.

Mr. Matthew had a letter to Mr. Ventres from Land Tech Consultants from several years ago. This letter stated that the Public Health Code standards were not necessarily a one size fits all standard, and the Commission could have a more stringent standard. Mr. Curtin stated that the important part was that the stormwater runoff could be handled. He noted that the 20% slope did not affect the Health Code.

The Commission discussed the Somosky parcel, and the erosion control challenges he is facing. Mr. Matthew stated if a parcel was big enough, it might not matter how steep the slope was.

Mr. Brownell indicated that Mr. Matthews called him, and he took issue with Item F if the draft.

The question arose about utility easements. It was noted that even if the utilities were underground, there would be an easement above it. It was decided the commission would wait for the next meeting when Mr. Matthews would be present.

Mr. Brownell asked what was waiting on this draft. Mr. Curtin stated that he was waiting for some information from Mr. Nemergut. The commission will also take a field trip to view various examples.

B) Gateway Height Regulation

Mr. Ventres is waiting for information.

C) Blight Ordinance

Mr. Ventres stated this was forwarded to the Board of Selectmen, and would have to go to a Town Meeting. He stated the commissioners may want to attend a Selectmen's meeting.

9. ZEO REPORT:

Mr. Ventres is still working on Mr. Lipka's property.

The certified mail was returned from Mr. Cais as not picked up.

Mr. Ventres went on a Saturday, and it appeared that some people had come to their cottages to get the snow off the roofs. He will check additional seasonal uses.

Mr. Brownell noted that the new restaurant has a dynamic neon sign. It was noted that they were allowed to have neon signs, but they are not allowed to by dynamic. Mr. Ventres will speak with them.

Mr. Gubbins asked if there was any information on the dam on Bashan Lake. Mr. Ventres stated he spoke with the engineer, and he would check into it.

It was noted that the site walk for Mr. Davis was still on for March 10, at 9:30 a.m.

10. ADJOURNMENT

Motion by Mr. Matthew, seconded by Mr. Gubbins to adjourn at 8:41 p.m., and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina