

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
March 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), Kevin Matthews (regular member), Louis Salicrup (regular member), Harvey Thomas (regular member)

COMMISSIONERS ABSENT: Jessica Stone (alternate member)

OTHERS PRESENT: James Ventres, and approximately 16 townspeople were present.

3. MINUTES

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

- Page 2, Item 7A, 1st paragraph: Add “areas” after “easements”

The minutes of the March 21, 2013 field walk meeting were accepted with the amendment to add John Matthew as present.

4. BILLS

Suburban	\$132.58
(printer cartridges)	

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

Mr. Ventres reported that Attorney Branse’s rates will increase from \$165 to \$185 per hour for their municipal rate.

5. ACKNOWLEDGMENTS AND SET HEARING DATES

None

6. OLD BUSINESS

A) Acceptance of withdrawal request – 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.

Mr. Ventres read into the record an email from Philip Benoit, wherein he withdrew his application. Mr. Ventres informed the Commission that he spoke with the Department of Motor Vehicles, and they stated this application would have been considered a dealership.

Motion by Mr. Thomas, seconded by Mr. Salicrup to accept the withdrawal of Application 13-02, Philip and Sheila Benoit. Motion passed by unanimous vote.

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

Mr. Ventres reported that Mr. Puska has talked to one business that has a dynamic neon sign. He also plans to go to another business in Moodus.

Mr. Ventres and Mrs. Lombardo have been reorganizing the Land Use office. They have moved several file cabinets. Eventually, one will be able to access zoning maps, etc. from a computer in the office designated for public use.

Mr. Brownell received a letter regarding the bridges project in East Haddam Village. Mr. Curtin asked the estimated time for the road to be closed. Mr. Ventres stated the estimate is 9-12 months. Responsive to inquiry by Mr. Brownell regarding the houses in between, Mr. Ventres stated that vehicles would have to go Ray Hill Road, and around.

Mr. Ventres discussed the milfoil problem on Bashan Lake. He stated that since the DEEP plans to work through the winter, draining the lake may reduce milfoil problem. They plan to drain the lake down to the old coffer dam.

Mr. Ventres stated there is a Town Meeting on Thursday, during which voting will occur on two open space parcels, as well as going out to bid on a firm to review four potential municipal projects. They are the two fire houses, the old middle school, and the elementary school. The open space referendum will be on April 9, 2013.

8. DISCUSSION

A) Minimum Buildable Square

Mr. Ventres noted that Attorney Knapp's comments, as well as Brian Curtis's comments on the minimum buildable square were included in each commissioner's packet.

The commission reviewed Attorney Knapp's comments first. In response to Attorney Knapp's comment on 10.4.2, the attorneys reviewed this in 2003 when this regulation was implemented, and there have been no issues with it. The commission decided to keep this section as is.

The commission next reviewed Mr. Curtis's comments. Regarding comment 4, Mr. Curtin noted that he had no issue with this.

Noting that 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 13-01, Rodney Davis, Green Village Heights, Grove Street, Special Exception Review for a 33-unit retirement community. Assessor's Map 55, Lot 126.
First date: February 12, 2013 **Last date: April 15, 2013**

Mr. Ventres reported that he received a letter from Christopher Bell, P.E. He distributed copies of this letter to the commission. Mr. Ventres read this letter into the record.

Mr. Ventres stated that Mr. Brownell, Mr. Curtin, Mr. Gubbins, Mr. Matthew, Mr. Matthews, Mr. Ventres, Mr. Davis, and a neighbor walked this site for a public hearing field walk.

Mr. Ventres also went on site on March 18 with Mr. Bell, Mr. Davis, and Mr. Curtis.

Mr. Ventres distributed copies of Mr. Curtis's review letter for this site.

Mr. Ventres stated that since Mr. Davis is trying to secure financing for this project right now, he does not have the entire plan revised to address Mr. Curtis's comments. He stated that at each phase, the review comments should be met.

Mr. Matthew inquired about the comment regarding the septic review.

TAPE CHANGE (1B)

Mr. Ventres stated at the time of review, they would look at all existing regulations. Mr. Matthew stated this would not normally be acceptable. Mr. Ventres stated Mr. Curtis was a new engineer to this project. He stated this is a changed landscape from the original application before any work began. His recommendation would be that each item be addressed phase by phase. Mr. Matthew preferred to have something on file from Mr. Curtis. Mr. Ventres stated he could get this, and he thought he would have had it.

The commission reviewed the catch basins. Mr. Ventres asked if the catch basin in front of Area 33 was installed yet. Mr. Davis stated this was the only one that was not installed. Mr. Ventres stated this was the area that could be improved. Mr. Davis was amenable to this.

The commission reviewed each section of the review letter.

Mr. Matthew again stated that Mr. Curtis needed to send a letter regarding this.

On page 4, the under-drains have already been removed. On page 5, it was noted that topography would be part of the new plan. On page 5, Item C regarding the water supply, this has been in each approval and will need to be addressed. On page 6, second paragraph, Mr. Salicrup asked about this. Mr. Davis stated that his engineer, Mr. Bell, is working on this. Mr. Ventres stated that if they do not get the approvals from the State, they cannot proceed further with the project. Mr. Ventres stated that the Department of Health must approve these water systems. They have to be built and bonded. It was noted that this must be re-approved. Mr. Thomas asked if this approval had been received yet, to which Mr. Davis stated it was not. Mr. Thomas noted then that the commission would have to condition any approval that nothing would happen until this approval was received. Mr. Curtin asked if this approval had been received in the past, to which Mr. Davis stated he had.

Mr. Thomas stated that the underlying approach would be to get things “squared away” phase by phase. Mr. Ventres distributed a draft letter of approval. He noted that the commission still needs Mr. Curtis’s letter.

Mr. Salicrup asked if this gets approved, how long it would be effective. Mr. Ventres stated it would be good for 36 months, by special exception approval. Mr. Salicrup asked if this time frame could be shortened. Mr. Ventres stated the 36 month approval is taken from the regulations.

Mr. Brownell asked if there was a planting plan. Mr. Ventres stated there is a landscaping sheet in the plan. Mr. Gillis noted there was a note regarding the western property boundary. He asked if Mr. Davis was disputing this, to which he responded affirmatively. Mr. Ventres stated what they were not able to talk about it in the field, is that the proposed buildings on the north end are lower than the property line. He believed there was an opportunity to buffer the property line to hide the tops of the roofs. This may be able to be accomplished by shrubs, etc.

Mr. Matthew asked about the phasing. Mr. Ventres stated this project has gone on for some time, and they have to be completed in phases. Mr. Matthews asked about bonding. Mr. Ventres stated the bonding requirements have changed since the last approval, so they can require phasing. Mr. Ventres will not issue a Certificate of Occupancy until Phase 1 is completely finished.

Mr. Matthew suggested an approval of Phase 1 only at this time. Mr. Curtin believed it was important to see the entire plan. Mr. Salicrup asked how long it took to get to this point, to which Mr. Brownell responded 10 years. Mr. Salicrup stated that after 10 years, Phase 1 is not complete.

Mr. Thomas stated the commission needs an updated letter from Mr. Curtis. Mr. Thomas believed that based on the length of time this project has taken, and based on the site walk, this state of the current construction area is something that needs to be attended to before any work gets done on anything. There is a lot of debris lying around, and he would not be happy if he lived adjacent to this parcel. He believed something must be done to clean up this site.

Mr. Gillis asked about the financing. Mr. Davis stated he is working with a private investor for financing. Mr. Gillis stated if he was a neighbor, his priority would be to get siding on the units already

built, and removal of debris. Mr. Curtin stated until this commission gives some type of approval, he cannot even do this.

Mr. Brownell asked what the applicant can offer to help the neighbors. Mr. Davis stated he has to move a rock pile before he can do Phase 1. This would be moved farther down.

Mr. Curtin stated the biggest thing to the neighbors might be buffering. Mr. Davis stated he would like to do the buffering by phase. Mr. Salicrup stated this was affecting the neighbors' property values.

Mr. Brownell indicated that this application has to be continued. He suggested in two weeks, Mr. Davis come back and tell the commission how he can help the neighbors.

Mr. Matthew asked about the town agreement to take on the water supply. He asked if the town really wanted to do that. Mr. Ventres explained that they have no choice in taking this over once it is done. He explained how this came to be through the Water Utility Coordinating Committee.

Mr. Thomas stated the commission would need to continue this application for Mr. Curtis's letter, and also for Mr. Davis's written plan as to how he can help his neighbors.

Mr. Davis submitted a written request for continuance.

Motion by Mr. Curtin to approve the request for a 14 day extension for Application 13-01, seconded by Mr. Mr. Gillis, and carried by unanimous vote.

Motion by Mr. Thomas, seconded by Mr. Salicrup to continue Application 13-01, Rodney Davis, Green Village Heights to April 9, 2013, 8:00 p.m. at the Town Grange.

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

B) Continued: Application 01-13, Maria Misenti, 52 Mott Lane, Subdivision Review for a proposed 3-lot subdivision. Assessor's Map 76, Lot 106.

First date: March 12, 2013

Last date: April 15, 2013

Mr. Ventres read into the record a written request from Atty. Jezek for a continuance to April 9, 2013.

Motion by Mr. Curtin, seconded by Mr. Matthews to accept the continuance request for Application 01-13, Maria Misenti. Motion carried by unanimous vote.

TAPE CHANGE (2A)

7. DISCUSSION

A) Minimum Buildable Square (Continued discussion)

The commission returned to the review of Mr. Curtis's comments on the Minimum Buildable Square. The commission disagreed with the comments from #14, and the commission preferred their language. The same applied to #15. For comment #17, the commission intended to make it obvious for applicants. Regarding comment #19, the commission decided to increase the 20% to 25% of the lot area, per Mr. Curtis's comment. The same applied to section (e), comment #21, which increased from 20% to 25% of the lot area. Mr. Ventres will make these changes and submit a clean copy for the next meeting.

B) Gateway Height Regulation

None – Mr. Ventres had to cancel this meeting with the Gateway Commission due to this Thursday's Town Meeting.

Other:

The commission reviewed the list of regulations on which to begin working.

Mr. Ventres will review the scenic road regulation to ensure it matches the State regulations. He will report on this at a future meeting.

Mr. Curtin suggested working on the commercial stables regulation.

Mr. Ventres stated if people see activity at the Harris property, they are clearing the access road, the access between the stone walls so there is public access. The agriculture commission is clearing fields and getting bids for fencing. They are also looking at a building for a municipal use building. They received a grant for \$435,000 toward this. Mr. Brownell asked why this would be necessary. Mr. Ventres stated this is being done in other New England states where people and farmers are able to bring their produce, etc. to prepare it in a commercial kitchen for commercial sale.

10. ADJOURNMENT

Motion by Mr. Gillis, seconded by Mr. Matthews to adjourn at 9:17 p.m., and carried by unanimous vote.

Respectfully submitted,
Holly Pattavina