

PLANNING & ZONING COMMISSION/  
TOWN OF EAST HADDAM  
LAND USE OFFICE  
REGULAR MEETING MINUTES  
June 11, 2013  
(Not yet approved by the Commission)

**1. CALL TO ORDER:** Mr. Curtin called the meeting to order at 7:15 p.m. at the Town Grange.

**2. ATTENDANCE:**

**COMMISSIONERS PRESENT:** Crary Brownell – Chairman (arrived 7:31 p.m.), 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:** Jim Ventres, and approximately 3 townspeople were present.

Mr. Brownell appointed Mr. Gubbins to vote in place of Mr. Brownell until his arrival in evening.

**3. MINUTES**

**Motion by Mr. Matthew, seconded by Mr. Matthews to approve the minutes of the May 28, 2013 meeting with the following amendments:**

- **Page 1, Attendance: Change Mr. Brownell to not present, Also add Mr. Matthews as present;**
- **Page 4, add “stated” after “Lubinek” in the first sentence of page 4.**

**Motion carried by unanimous vote.**

**4. BILLS**

Hartford Courant (legal notices)	\$586.53
Suburban Stationers	77.97

**Motion by Mr. Salicrup, seconded by Mr. Gillis, and carried by unanimous vote to approve payment of the bills.**

**5. ACKNOWLEDGMENTS AND SET HEARING DATES**

**A) Application 13-10, Maryla Radziszewski, applicant, CI Salvage, property owner, 62 Creamery Road. Special Exception Review to open a health fitness center. Assessor’s Map 17, Lot 55.  
First date: June 11, 2013 Last date: August 14, 2013**

Ms. Radziszewski addressed the commission. Mr. Ventres reported this is an application for use at the CoFish building, formerly approved for the brewery. This application is for a health fitness center. Mr. Ventres suggested a public hearing be scheduled for the next meeting. Mr. Ventres has spoken with Mr. Parady, the property owner about outstanding issues.

**Motion by Mr. Thomas to set a public hearing on June 25, 2013 at 8:00 p.m. in the Town Grange to hear Application 13-10, Maryla Radziszewski, applicant, CI Salvage, property owner, 62 Creamery Road, Special Exception Review to open a health fitness center. Motion was seconded by Mr. Gubbins, and carried by unanimous vote.**

## **6. LOT LINE REVISION**

**A) Application 13-09, Kevin Matthews, proposed lot line revision, 129 and 131 Tater Hill Road. Assessor's Map 22, Lots 51 and 36.**

Mr. Matthews recused himself from this application and left the building. Mr. Ventres presented the plan for the lot line revision. The proposal is to extend along the stone wall to the point depicted on the map, and then to the corner. The existing line runs directly to the west. The proposed property line runs along the stone wall to the large tree, then veers to the southwest to the lot labeled Lot 25.

Mr. Gillis asked what Mr. Matthews' interest is in this project. Mr. Curtin noted this is Mr. Matthews house lot. Mr. Ventres stated he wants to maintain the stone wall and tree line.

Mr. Thomas asked the net acreage in both lots. Mr. Ventres stated the net acreage is 0.4 acres. He stated both lots would still in be conformance. The only thing they have to do is to match the map and test pitting map on Lot 24, since the reserve is not shown in the correct location on the subdivision map.

Mr. Brownell arrived at this time.

**Motion by Mr. Thomas to approve Application 13-09, Kevin Matthews, proposed lot line revision, as depicted on the survey map submitted by Warren Surveying dated 6/4/13, with the conditions that the map be revised for Lot 24 to match the subdivision map with respect to the reserve septic area. Motion seconded by Mr. Gillis. Voting: Mr. Brownell abstained since he just arrived. All other voting members voted in favor, and the motion passed.**

**Motion by Mr. Thomas, seconded by Mr. Gubbins to change the order of business. Motion carried by unanimous vote.**

## **9. ZEO REPORT**

Mr. Matthews returned to the meeting at this time.

Mr. Ventres reported that the Fire Marshal has been to Camp Chomeish, but they have not had the engineer there yet, they have not contacted Chatham Health District. Mr. Ventres informed the contractor that this work needs to be reviewed by an engineer. Responsive to inquiry by Mr. Curtin, Mr. Ventres reported that he has not seen any advertising yet.

Regarding Shadybrook, they are in the process of reviewing the comments from the last meeting.

Mr. Brownell inquired about Mr. O'Meara and the hot dog cart at the launching area. Mr. Ventres has forwarded the information to First Selectman Walter. Mr. Matthews asked what happens when the Lions have their truck. Mr. Ventres stated they have taken out a special event permit, and they only last for a day or two. Mr. Ventres asked Ms. Davidson at the Chatham Health District about vendors who would come in with pre-packaged chips, cookies, etc. She will check into this. Mr. Brownell inquired if Mr. O'Meara could install a holding tank, to which Mr. Ventres reported they could not.

Mr. Curtin inquired about the fence on Petticoat Lane. Mr. Matthews stated the fence is stained, although it is not screened. Mr. Ventres asked what the Commission would like to do, since debris is contained at this point. Mr. Brownell asked if the property owner has met the requirements of the commission. The consensus of the commission was that as long as the material was not visible from the public way, and not presenting a health, safety, and/or welfare of neighbors, they would not pursue this matter at this time. They would re-address it in the future if necessary.

Mr. Ventres stated the Open Space commission hired a contractor from Essex to remove the barn, etc. from the Zeiller property. Mr. Gillis asked if the agreement was that the property owners had to clean up the property for the transfer to the Town, to which Mr. Ventres responded affirmatively. They added a fence, which will accommodate future open space. Responsive to inquiry by Mr. Brownell, Mr. Ventres stated that portions of this property could be used for fishing, hiking, and potential agricultural use. There is also a pond, to which the Town will have access. It was noted there are bass and sunfish in the pond. There are also some native fish in the brook.

Mr. Thomas stated on the last couple of weekends, the new coffee shop has opened. He asked if they were in compliance. Mr. Ventres has given the owner a checklist of items that need to be addressed. It was noted that the items on the list would be done by July 1, 2013.

Mr. Thomas asked about the center for community agriculture for the Harris property. The Town is in receipt of grants for a barn and greenhouses, and for fencing. Mr. Thomas asked since although this is Town-owned property, he believed they still needed to get permission of this commission. Mr. Ventres stated they have been working on it, but they know that they need to come in for a special exception application.

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) Application 02-13, R&M Investment Properties, 74 Leesville Road, subdivision review for a proposed 2-lot subdivision. Assessor's Map 55, Lot 19.**

**First date: June 11, 2013**

**Last date: July 15, 2013**

Mr. Bob Doane, P.E. and licensed land surveyor. He presented for a parcel that is 9+ acres. They propose to break off 5.51 acres. They have tested the soil for showing a Code-compliant system. He submitted the green, certified receipt cards to Mr. Ventres. Mr. Doane stated they do not have the Chatham Health District review yet. The proposal is for a 2-bedroom house, and the intent was to split off the lot for the house, and then to market the house.

Mr. Doane explained that they are not proposing any wetland activity within 100-feet. They had a site walk with wetlands, and he did not believe there were any issues with it.

Mr. Ventres read into the record a letter dated June 10, 2013 from the Wetlands Commission, which indicated that this application meets the conditions of that commission.

Mr. Ventres informed the commission that they do not yet have the Chatham review.

Mr. Salicrup asked why the small strip of land would be left. Mr. Doane stated this strip is at the top of the hill, and would be an important spot, in case they want to add a driveway there.

Mr. Brownell opened the hearing to the public.

Ms. Marie Golet, power-of-attorney for her mother, inquired about the lots. Mr. Doane stated the 9.05 acres would wrap around one lot. They are not proposing any activity for the 9-acres at this point.

***TAPE CHANGE (1B)***

Mr. Matthew asked what the requirements are for the small lot. Mr. Doane noted that this is in the R-1/2 acre zone.

**Motion by Mr. Curtin, seconded by Mr. Matthews to continue Application 02-13, R&M Investment Properties until the next meeting on June 25, 2013, 8:00 p.m. at the Town Grange. Motion carried by unanimous vote.**

**B) Application 13-08, Jon Peters, applicant, JR Johnson, LLC, property owner, 32 Main Street, proposed coffee shop. Assessor's Map 17, Lot 8.**

**First date: June 11, 2013**

**Last date: July 15, 2011**

Mr. Peters noted there may be a technical issue with the certified notices sent to abutting property owners, and owners within 100-feet. The green, certified receipt cards were given to Mr. Ventres. A brief discussion ensued regarding service.

Mr. Peters stated he went before the HDC, and received temporary approval for the signs, although he needs to tweak the signs. He has not received responses from Chatham Health District yet. He believed his biggest delay would be getting through the Chatham Health District.

Mr. Ventres distributed diagrams to the commission for the parking spaces. He also had one submittal that has gone to Chatham, but has changed since. He distributed copies of this to the commission. Mr. Peters submitted new plans to the commission.

Mr. Ventres stated this plan is different from the other plan. For instance, the newest plan shows an 8-inch rail, which could be problematic. He noted that these things need to be worked out to scale.

Mr. Peters stated that the maximum number of people for the building would be 15. Mr. Peters recommended the commission come for a tour this Saturday. Mr. Ventres informed the applicant that this is a public hearing, and they could not go anywhere the public could not go.

Several commissioners noted that this needs to be a scaled drawing, and needs to be well-labeled.

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

**Motion by Mr. Thomas, seconded by Mr. Matthews, and carried by unanimous vote to continue Application 13-08, Jon Peters to the next regularly scheduled meeting on June 25, 2013, 8:00 p.m. at the Town Grange.**

Mr. Peters asked for the green, certified receipt cards back so he could present them to the Historic District Commission. Mr. Ventres returned them to him.

Mr. Thomas asked Mr. Casner if the EDC had someone who could assist some applicants who are trying to navigate the system of drawings, presenting to commissions, etc. Mr. Casner stated it is the EDC's goal to assist small business owners who are trying to open local businesses.

## 8. DISCUSSION

### A) Minimum Buildable Square

Mr. Brownell inquired how the field walk went. Mr. Gubbins stated this was a very interesting piece of property. Mr. Gillis believed it was a beneficial walk, but did not know if it would accomplish the goal. Mr. Matthew saw risks if the regulations were relaxed. Discussion ensued.

Mr. Gillis believed the Elstrom property, as Mr. Matthew stated, is non-buildable with the current regulations. However, with some type of relief, it would be perfect for subdivisions of this sort. He believed this is where the commission should be directing their efforts. However, if they looked at a Castle Woods subdivision, they would see that certain people could chop this up into several lots. Mr. Curtin asked if it would be helpful to see this property, since Mr. Gillis knows this property. Mr. Ventres had this map, and he presented it to the commission.

Mr. Matthews believed the regulation was a bit restrictive, but they were only looking for a bit of relief. He had one parcel where he had all but one test pit. The trade-off would be double the acreage to get that one test pit. Mr. Matthew believed there should be some adjustment.

Mr. Ventres distributed draft regulations for minimum buildable land. A lengthy discussion ensued. The commission reviewed various subdivisions submitted over the years in town. Mr. Salicrup suggested they put together something with the three main issues – soil, slope, and ledge.

### ***TAPE CHANGE (2A)***

The discussion continued about minimum buildable square.

Mr. Matthews excused himself from the meeting at 9:00 p.m.

Mr. Matthews will revise the draft, send it to Attorney Branse and Brian Curtis at NL Jacobson.

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## 9. ADJOURNMENT

**Motion by Mr. Curtin, seconded by Mr. Gubbins to adjourn at 9:20 p.m., and carried by unanimous vote.**

Respectfully submitted,

Holly Pattavina