

**PLANNING & ZONING COMMISSION  
TOWN OF EAST HADDAM  
LAND USE OFFICE  
REGULAR MEETING MINUTES  
July 9, 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:** Crary Brownell – Chairman, John Matthew (regular member), Bernard Gillis (regular member), Louis Salicrup (regular member), Harvey Thomas (regular member), Ed Gubbins (alternate member)

**COMMISSIONERS ABSENT:** James Curtin(regular member), Kevin Matthews (regular member)

**OTHERS PRESENT:** James Ventres, and approximately 7 townspeople were present.

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

**3. MINUTES**

The minutes of the June 25, 2013 regular meeting were filed with the following amendments:

Page 3, Item 7A, 3<sup>rd</sup> paragraph, 5<sup>th</sup> sentence: Change “in this location” to “to the west of the proposed lot.”

**4. BILLS**

Hartford Courant	\$541.41
(legal notices 6/7 – 6/28)	

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

**5. ACKNOWLEDGMENTS AND SET HEARING DATES**

None

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

**7. DISCUSSION**

**A) Consumer's Union, 4 Hall Kilbourne Road, modification to previously approved office addition.**

No one on behalf of the applicant was present. Mr. Ventres showed the plan, and informed the commission that they would like to expand the addition. The intent is to make the offices larger. Responsive to inquiry by Mr. Brownell, Mr. Ventres stated the commission could amend the special exception application if the commission deems it minor in the scope of things.

It was noted that the commission approved an addition of 96' x 68'. They are now asking for an additional 30' x 68', bringing the total to 126' x 68'.

Mr. Salicrup asked if the applicant could add additional offices. Mr. Ventres stated there is a calculation done by Chatham based on septic, bathrooms, etc.

**Motion by Mr. Salicrup to amend the approval to increase the size of the addition to 126 x 68, with all of the conditions previously ordered. Motion seconded by Mr. Matthew. Voting: All voting members voted Aye, except Mr. Thomas, who was opposed. Motion carried.**

**B) Ray of Light Farm – Accessory uses discussion**

Mr. Ventres stated a representative from Ray of Light Farm came for an event. The State informed them that they needed a temporary liquor permit to hold a wine tasting event. They asked for sign off by Mr. Ventres as the Zoning Enforcement Officer. Mr. Ventres spoke with Attorney Knapp, and he believed that Mr. Ventres should sign if it has been done in the past. If not, he should discuss it with the commission.

Mr. Ventres stated the people running this event are volunteers, and have not come across this before. They have already set a date.

The commission discussed the application, and if it is approved, that this be addressed for future applications.

Mr. Thomas suggested if the commission allows this, then language should be drafted to specifically give permission for this one time.

Mr. Ventres reviewed the original approval for Ray of Light back in the 1980s. It was approved for a barn.

Mr. Thomas asked if the commission wanted to authorize Mr. Ventres to give written approval for this one-time event, and then review the regulation for barns, events, etc. so there is language outlining what can and cannot be done at farms. Mr. Gillis believed they needed to go beyond barns, and look at churches, private houses, etc. Mr. Ventres stated that churches would not need this approval, as they would be covered under accessory uses commonly associated with a church. Private parties at homes would not need this either.

**Mr. Thomas moved to authorize Mr. Ventres to write a letter and sign an application for Ray of Light Farm for the specified dates, and that the approval shall specify that this is a one-**

**time authorization. If future events are planned, the applicant would have to come before the commission for a special exception. Motion seconded by Mr. Gillis, and carried by unanimous vote.**

Mr. Gillis noted that a couple years ago, Mitchell Farm in Salem was holding concerts, with proceeds used to support the horses. He asked if Allegra Farm could do something similar. Mr. Ventres stated when the original application was approved, they asked the owner of Allegra Farm if he wanted anything in addition to what was requested. He declined, so anything else would have to be reviewed by the commission.

Mr. Thomas asked if the approval ran with the land, to which Mr. Ventres responded affirmatively. He stated then that Mr. Allegra did not have approval to perform the same functions at his new location on Lake Hayward. It was decided that the commission would send Mr. Allegra a courtesy letter.

Mr. Matthew asked about I-Park. Mr. Ventres stated this property owner is coming to the commission in the near future.

#### **C) Minimum Buildable Square**

Mr. Ventres distributed new draft regulations. This has been reviewed by the attorney. The consensus of the commission was to table this discussion until such time that Mr. Curtin is present to discuss it.

#### **D) Gateway Height Regulation**

Mr. Ventres is still awaiting Mr. Torrence Downe's response to the drafts.

#### **E) Other regulations and ordinances to review**

Mr. Ventres informed the commission that a Boy Scout, Cole McCormack, as part of his Eagle Scout project, was proposing to build and sign for the Town Meeting and Grange Halls. Mr. Ventres stated that the Historic District did not approve the original plan, so the plan has been revised. Mr. Ventres asked the commission for input.

**Motion by Mr. Thomas, seconded by Mr. Gillis to take a brief recess at 7:55 p.m. Motion carried by unanimous vote.**

**The meeting reconvened at 8:00 p.m.**

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

### **7. PUBLIC HEARING:**

**A) Continued: 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**

No one representing the applicant was present at this meeting.

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

Mr. Ventres located the existing septic and dry well on the map. He stated the commission was awaiting a letter from the Chatham Health District. Mr. Ventres read into the record a letter dated 7/9/13 from Chatham Health District which stated this subdivision meets the requirements for site suitability as per the Public Health Code.

Mr. Brownell recalled that the main concern was that they wanted to make sure the septic was approved.

Mr. Brownell opened the hearing to the public.

Mr. Kevin Conway asked if he could get a copy of the revised plan, to which Mr. Ventres responded affirmatively.

Mr. Ventres stated the property owner has scheduled a meeting with him to review Phase 2. He stated it seemed like the property owner planned to go forward sooner rather than later. Mr. Conway noted that his well is located quite close to the area that could be used for a new right of way. Mr. Ventres noted this for the record.

**Motion by Mr. Salicrup, seconded by Mr. Gillis to close the public hearing for Application 02-13, R&M Investment Properties. Motion carried by unanimous vote.**

**Motion by Mr. Thomas to approve Application 02-13, R&M Investment Properties, 74 Moodus Leesville Road. Motion seconded by Mr. Gillis and carried by unanimous vote.**

**C) 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 25, 2013 Last date: July 29, 2013**

Ms. Radziszewski stated she has had a business for approximately 5 years as a massage therapist and personal trainer. She proposed to open a health center at 62 Creamery Road. It will encompass massage therapy, with personal training. She will offer membership. She will not have typical gym equipment, but will have free weights, balls, etc. She applied to the State Health District to offer health shakes. She plans to purchase local produce, and offer fresh fruits, and vegetables.

Mr. Richard Pettinelli, P.E. addressed the commission to review the plan. It is essentially the same plan as previously approved for the brewery, with some minor modifications to square up the area to make the equipment fit.

Mr. Ventres stated the fire marshal indicated that conceptually, it would work, but it would have to be reviewed upon the actual building permit. Mr. Ventres distributed a plan showing the few items that

would be changed. Overall, the plan would not be changed from what was approved for the brewery. The sign will change, but will be similar.

Mr. Salicrup asked the hours of operation. Spring/fall, M-f 5:30 – 9:00, Sat 6:30- 8:30, Sun 8-8. Winter: M-F 5:30 a.m. – 8:30 p.m., Sat. 6:30 a.m. – 6:30 p.m. Sun. 8:00 a.m. – 6:00 p.m.

Ms. Radziszewski stated if she did not have enough clients on a particular day, she would close early that day. Mr. Salicrup asked about membership. Ms. Radziszewski stated if she had clients with memberships, she would stay open.

Mr. Thomas asked about Chatham for the food. Mr. Ventres stated they were waiting for the State Health department, before Chatham could review it. He recommended conditions, rather than holding up the application. If approval is given, they could open, and hold off on offering the smoothies and salads.

Mr. Ventres suggested that they announce that offsite parking is available at the Town facilities. He suggested that any brochures and/or the website should indicate this alternative parking area. He noted that there are 10 spaces available on site.

Mr. Brownell opened the hearing to the public.

Mr. Robert Casner stated the EDC has been encouraging this type of business in the village area. Any time they can reuse an existing building, it is beneficial. He noted that it has been time consuming for the State regarding the water approval. The EDC is working on trying to make this process work as smoothly as possible.

Ms. Claudia Radziszewski stated she played volleyball in high school here in East Haddam. She wished there had been something like this during her high school. She believed it was helpful for all student athletes and residents.

Ms. Kathy Vogel stated Ms. Radziszewski is committed to this town, and believed it would be beneficial to the town.

**Motion by Mr. Thomas, seconded by Mr. Matthew to close the public hearing for Application 13-10, Maryla Radziszewski, applicant, CI Salvage, property owner, 62 Creamery Road.  
Motion carried by unanimous vote.**

**Motion by Mr. Thomas to approve Application 13-10, Maryla Radziszewski, applicant, CI Salvage, property owner, 62 Creamery Road 13-10 with conditions:**

- 1) Before fresh food and drinks are served, the State Department of Health must approve the well, and the Chatham Health District must approve the operation.**
- 2) This approval is for occupancy of the first floor.**
- 3) The applied for hours of operation shall be the maximum hours of operation.**
- 4) Brochures should indicate alternative parking areas.**

**Motion seconded by Mr. Salicrup, and carried by unanimous vote.**

**C) Application 13-11, John Tirone, 17 Southwinds Road, Special Exception Review to allow an in-law apartment in the basement. Assessor's Map 66, Lot 4.**

**First date: June 25, 2013**

**Last date: August 28, 2013**

Mr. Tirone addressed the commission. He presented Mr. Ventres the green, certified receipt cards and a copy of what was sent to the abutting property owners.

Mr. Tirone stated the outside of the building would not change, but simply wished to add an in-law apartment in the basement for his mother-in-law in the fall.

Mr. Ventres stated this application was to work within the existing floor plan. The basement has a walk-out basement. They are going with an open floor plan. This house's setic system was built with the capacity for four bedrooms. The existing structure has three bedrooms.

Mr. Tirone presented the commission with drawings of the house.

Mr. Brownell opened the hearing to the public.

Mr. Casner believed it was nice that they were able to use the existing layout.

**Motion by Mr. Gillis, seconded by Mr. Gubbins to close the public hearing for Application 13-11, John Tirone, 17 Southwinds Road, Special Exception Review to allow an in-law apartment in the basement. Motion carried by unanimous vote.**

**Motion by Mr. Salicrup to approve Application 13-11, John Tirone, 17 Southwinds Road, Special Exception Review to allow an in-law apartment in the basement. Motion seconded by Mr. Matthew, and carried by unanimous vote.**

## **8. ZEO REPORT**

Mr. Ventres reviewed the possibility of switching to an alternative source for legal notices. He will contact the Reminder to inquire about their distribution.

Mr. Ventres spoke with Mr. Davis, regarding his Grove Street properties. Mr. Davis told Mr. Ventres that he will be completing the work required by the commission soon. He was in the process of moving back into his Ray Hill Road house. Mr. Ventres indicated the State has issued a letter requiring the water system be re-done and re-submitted. This will be a lengthy process. Mr. Thomas believed Mr. Davis could convert this application, should he desire to do so, to a 5 or 6 house subdivision.

Mr. Ventres was informed by the marshal that Mr. Cais was served with paperwork. Mr. Ventres still has not heard from Attorney Bennet, despite repeated attempts.

***END OF TAPE***

Mr. Matthew asked about the article of Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter. He asked about the conversion from seasonal to year-round use. Mr. Ventres explained that this was due to the conversion from residential to commercial use. A brief discussion ensued about conforming and non-conforming uses. Mr. Ventres stated that Sec. 8-2 of the regulations covered this. Mr. Ventres will print off the court case referenced in the Newsletter.

## 9. ADJOURNMENT

**Motion by Mr. Gubbins, seconded by Mr. Matthew to adjourn at 8:44 p.m., and carried by unanimous vote.**

Respectfully submitted,

Holly Pattavina