

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
May 25, 2010
(Not yet approved by the Commission)**

1. CALL TO ORDER: Vice Chairman Jim Curtin called the meeting to order at 7:15 p.m. at the Town Grange.

2. ATTENDANCE:

COMMISSIONERS PRESENT: James Curtin (regular member), Bernard Gillis (regular member), Elizabeth Lunt (alternate member), Kevin Matthews (regular member), Harvey Thomas (regular member)

COMMISSIONERS ABSENT: Crary Brownell-Chairman (regular member), Louis Salicrup (Alternate), Anthony Saraco (regular member), John Matthew (regular member)

Vice Chairman Curtin appointed Ms. Lunt to vote for Mr. Brownell this evening.

OTHERS PRESENT: Jim Ventres, Emmett Lyman

3. MINUTES:

The minutes of the May 11, 2010 meeting were filed with the following amendments:

- Page 1 Attendance: Replace “Mr. Salicrup” with “Ms. Lunt”

4. BILLS

<u>Vendor</u>	<u>Invoice</u>	<u>Amount</u>
NL Jacobson (gen. bond unit update)	72316	\$92.44
Branse, Willis, and Knapp (gen. zoning)	1175.85263	304.50

Motion by Mr. Matthews to pay the bills as presented, seconded by Mr. Gillis, and carried by unanimous vote.

5. ACKNOWLEDGMENTS AND SET HEARING DATES

A) Application 04-10, Mark McWilliams, Subdivision Review for a proposed 3-lot subdivision, Clark Gates and North Moodus Roads. Assessor’s Map 74, Lot 7.

First date: May 2, 2010

Last date: July 28, 2010

No one representing the applicant was present at this meeting. Mr. Ventres presented the plan to the Commission and reviewed the proposal for the 3-lot subdivision. There are 6 acres of open space. The first lot is 4.2 acres, the second lot is 6.8 acres, and the owner will retain 5 acres. This application has been through the IWWC. Mr. Ventres sent a copy of the plan to Mr. Thumm for review of the piping. The

application is currently being reviewed by Chatham Health District.

Motion by Mr. Thomas to schedule a public hearing for June 22, 2010, 8:00 p.m. at the Town Grange to hear Application 04-10, Mark McWilliams, Subdivision Review for a proposed 3-lot subdivision, Clark Gates and North Moodus Roads. Seconded by Mr. Matthew, and carried by unanimous vote.

7. DISCUSSION

A) Discussion of existing subdivision regulations – interior lots

Mr. Ventres distributed a draft packet from The Eightmile River Coordinating Committee. The Commission also reviewed Attorney Branse’s comments on the Commission’s draft regulation.

Mr. Ventres reviewed the changes in the draft. Mr. Thomas asked what the next step would be. Mr. Ventres stated they could finalize the draft, send it to Midstate 35 days prior to the set public hearing date.

B) Additional regulations under consideration

The Commission reviewed the requirements for test pits, which was a proposed regulation change. It was decided that the Commission would move this along with the other proposed regulations.

Mr. Emmett Lyman arrived at 7:46 p.m.

The Commission reviewed the May 17, 2010 draft from The Eightmile River Wild and Scenic Coordinating Committee. Mr. Curtin stated there was not much difference from the Commission’s language for the purpose and intent. A brief discussion occurred regarding the second page of the draft, regarding impervious surfaces. Mr. Gillis asked if he could build a 3000 foot driveway under the new regulation. Mr. Matthews suggested they could, if the emergency services personnel approved it. Mr. Curtin did not believe that adding an arbitrary number would be beneficial. A lengthy discussion ensued regarding the document.

Mr. Thomas stated there were only a couple of minor changes to be made to the document.

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

6. PUBLIC HEARING

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

**A) Continued: Application 10-06, Gelston House Restaurant, 8 Main Street, Special Exception Review to construct a deck to existing Beer Garden. Assessor’s Map 17, Lot 91.
First date: May 25, 2010 Last date: July 28, 2010**

Mr. Ismet Dedusaj from the Gelston House, and the contractor, Mr. Jeff Zajac, addressed the Commission. Mr. Zajac reviewed the proposal to extend the beer garden and the patio a bit. They would like to add a deck, but he explained that it would not impede the views to the water.

Mr. Ventres distributed the plans to the Commission. Mr. Zajac reviewed the plans, and showed the area for the existing patio, stairs, etc. Mr. Zajac stated he was concerned about the distance from the stairs, the road, etc.

Mr. Curtin asked how much lower the deck would be from the beer garden. Mr. Zajac stated it would be four feet. Mr. Zajac stated they would lower the deck so it would be safer, and they would still have the view. In keeping with the design of the railings, they would use some Plexiglas so they would not need as many railings.

Tape Change (1B)

Mr. Curtin asked if there would be lattice, to which Mr. Zajac responded affirmatively. Mr. Curtin asked if access to the deck would be strictly from the beer garden. Mr. Zajac confirmed it would. Mr. Zajac planned to avoid cutting down the existing tree.

Mr. Curtin asked about lighting. Mr. Zajac stated there was an existing light. He stated they did not have a plan at this time for lighting. He believed there would be enough lighting. Mr. Thomas asked if there would be any additional lighting added as a result of this proposal. Mr. Dedusaj stated there would be enough lighting. No new lighting was proposed.

The Commission discussed the structure, and purview of the HDC. Mr. Ventres suggested they could condition an approval upon the HDC conformance for the structure.

Mr. Curtin opened the hearing to the public.

Mrs. Melissa Ziobron, EDC Coordinator, stated the EDC was here to support the Gelston House proposal.

Mr. Thomas asked if the hours of operation would change with this application, to which Mr. Zajac stated it would not.

Mr. Ventres stated he received the green cards.

Motion by Mr. Thomas, seconded by Mr. Matthew, and carried by unanimous vote to close the public hearing for Application 10-06, Gelston House Restaurant, 8 Main Street, Special Exception Review to construct a deck to existing Beer Garden.

Motion by Mr. Thomas to approve Application 10-06, Gelston House Restaurant, 8 Main Street, Special Exception Review to construct a deck to existing Beer Garden, with the condition that any comments or conditions by the HDC must be adhered to. Seconded by Mr. Matthews, and carried by unanimous vote.

First Selectman Mark Walter came into the meeting at 8:13 p.m. to announce that the budget was just approved.

7. DISCUSSION (Continued)

B) Additional regulations under consideration (continued discussion)

The Commission discussed the regulations for accessory units and multi-family dwellings. There was talk about splitting accessory and two-family dwellings. Currently all 3 and 4 family dwellings are required to follow site plan review approval procedures. Mr. Ventres reviewed the proposed changes that have been discussed. It was decided that the Commissioners would think about it and discuss it further at the next meeting.

Mr. Curtin asked what the Commission felt about the accessory units, and if they should consider reducing the acreage for accessory units. Mr. Salicrup, Mr. Matthews, Mr. Saraco, Ms. Lunt, Mr. Gillis, Mr. Matthew, believed they should consider it. Mr. Thomas thought it was probably really only an issue in the R1/2 and R1 areas. Mr. Curtin agreed. He stated that families need to take care of relatives, and keep families together, so the Commission should consider it.

Mr. Ventres stated that some communities have not only minimum, but also maximum sizes for the accessory units. Mr. Curtin stated that right now, they were limited to double acreage, or it was not possible to do it.

Some Commissioners expressed concern about enforcement of accessory units. Mr. Ventres stated that a living unit consists of a bedroom, bathroom, and kitchen.

Mr. Gillis stated that these houses could be sold eventually as a house with an accessory unit. Mr. Curtin stated that the Commission could require that the property owner must occupy one of the units of the property. Mr. Matthew asked if the house would be a two family. Mr. Ventres stated that a two-family could be a rental. An accessory unit would have to be owner occupied.

Mr. Gillis asked what the square footage was for the newly constructed two-family units on Mott Lane. Mr. Ventres believed they were 1100 square feet each.

The Commission reviewed the Gateway height regulations. Mr. Salicrup asked if the height requirement was for the looks, or for the fire department. Mr. Ventres stated from the P&Z's perspective, it was both the visual impact as well as the fire department requirement. Mr. Curtin believed this could create problems if the lowest point on the lot is used. Mr. Ventres reviewed the sketch, and stated that they require the finished grade to be on the plan.

The Commission discussed the heights, mean roof height, averages, etc. The Commission discussed slopes, retaining walls, etc. Mr. Ventres stated he would ask the Gateway Commission to send him some photos for the next meeting. Mr. Ventres will also pull the Stolarz house information on Ray Hill Road. Mr. Curtin noted that that house would not be legal if it was built today.

Mr. Curtin stated that many houses in East Haddam exceed the height limitation. Mr. Ventres stated that was why they had the exceptions in the Village District, for blending purposes.

Item 7 – Seasonal Use Language – The Commission briefly discussed the seasonal use regulation. Mr. Thomas suggested they used May 1 to October 31. The Commission discussed April 15 to October 31, to accommodate fishing season. They also discussed granting the same allowance to campgrounds, etc.

C) Outdoor wood burning furnaces (OWF's)

Tabled until the next meeting.

8. ZEO REPORT

Mr. Ventres distributed copies of the letter dated May 19, 2010 from Attorney Knapp to Ms. Elgart, regarding the cell phone tower application.

Mr. Ventres stated that Mr. Corbiel submitted a report for this month.

Mr. Ventres stated within the next month, he should have the final conversion floor plan design for the old middle school. It should include the removal of the portables.

9. ADJOURNMENT

Motion by Mr. Gillis to adjourn at 9:14 p.m., seconded by Mr. Matthews, and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina