

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
November 23, 2010
(Not yet approved by the Commission)**

1. CALL TO ORDER

The meeting was called to order at 7:15 p.m. by Chairman Crary Brownell.

2. ATTENDANCE

Present: Crary Brownell – Chairman (regular member), James Curtin (regular member), Harvey Thomas (regular member), Bernard Gillis (regular member), John Matthew (regular member), Louis Salicrup (alternate)

Absent: Anthony Saraco (regular member), Kevin Matthews (regular member), Elizabeth Lunt (alternate)

Mr. Brownell instructed that Mr. Salicrup would be voting in Mr. Matthews' absence.

3. MINUTES

The Commission reviewed the meeting minutes from November 9, 2010. The following changes were made:

Page 3, the sixth paragraph should read, "Mr. Matthew reiterated his position that in this area, on this road, there are no multi-family uses now. He did not believe an entire mile long road would constitute a single neighborhood. He stated this section of road had a very rural feel with several houses from the 1800's, and he did not believe there was adequate buffering. He stated there was grossly inadequate separation between this and the other houses in the immediate neighborhood."

Page 3, eighth paragraph, third sentence, change "application" to "applicant".

Page 6, fifth paragraph, should read, "Mr. Ventres stated he has received numerous inquiries from owners of lakefront properties on the Moodus Reservoir."

Page 7, Section 15.4.2, last sentence, should read, "but the buffer may contain passive recreational uses if said areas are landscaped in such a way as to prevent possible adverse effects on adjacent properties [and structures]."

Page 7, sixth paragraph, first sentence should read, "Mr. Ventres suggested he revise this regulation, bring a list of the regulations that have to be addressed at a public hearing."

Mr. Brownell directed that the minutes be filed as amended.

4. BILLS

	<u>Invoice</u>	<u>Amount</u>
Suburban Stationers	3556519-0	\$85.48

A motion was made by Mr. Curtin to pay the bills as presented. Seconded by Mr. Gillis and carried by unanimous vote.

5. ACKNOWLEDGEMENTS AND SET HEARING DATES

No acknowledgements.

6. SITE PLAN REVIEW

**A) Application 10-15, Jeffrey Ohr, 23 Woodland Road, Site Plan Review to demolish and rebuild year round residence. Assessor's Map 66, Lot 90.
First date: November 23, 2010 Last date: January 26, 2011**

Mr. John Ohr and Jeffrey Ohr presented plans to remove an existing residence and to rebuild a year round structure.

Mr. Ventres read into the record a letter from the Chatham Health District requesting additional information.

Mr. John Ohr stated that his engineer would respond to the Chatham Health comments.

Ms. Marianne Whapples, 29 Woodland Road, expressed concern about the right of way and the small size of the lot.

Mr. Ventres explained that the existing house and lot were preexisting and the applicant was required to meet the Connecticut Public Health Code, side yard requirements of zoning, but not the minimum acreage requirements.

Mr. Curtin noted that the plans met the zoning requirements. He read the separation distances that were noted on the plans.

Mr. William Cantrell, 52 Falls Bashan Road, expressed his concern about the separation distance from his property line.

Mr. Curtin stated that the new house would be 26 feet from his property line, where 25 feet is required.

A motion was made by Mr. Thomas to continue the application to the December 14, 2010 meeting. Seconded by Mr. Salicrup and carried by unanimous vote.

A motion was made Mr. Curtin to change the order of business. Seconded by Mr. Matthew and carried by unanimous vote.

9. DISCUSSION

A) Signage

Mr. Gillis felt that the latest revisions from the Economic Development Commission should be reviewed by the entire Commission. Mr. Casner agreed and will supply the latest version.

B) Campground

Mr. Ventres handed out revised draft regulations based on the latest comments. He also provided the Commission with GIS maps of the former Sunrise Resort, Klar Crest Resort, Cave Hill Camp, and the 4H Camp so that the Commission could compare densities of the cabins. It was determined that the average was one cabin per acre, but many of the properties have unbuildable land.

At this time, noting the time, the call for the public hearing was read.

8. PUBLIC HEARING

A) Continued: Application 10-10, Hadlyme Hills, LLC (Franklin Academy), 14 River Road, Special Exception Review for the placement of portables on the property. Assessor's Map 9, Lot 28.

First date: October 26, 2010

Last date: November 29, 2010

Roger Nemergut, P.E., stated that the applicant was recently granted a variance for lot coverage and impervious surface coverage from the Zoning Board of Appeals. Mr. Nemergut noted that the emergency access has been added to the plans and the electric and water will be underground. He stated that he has not yet received a determination from the building inspector as to whether bathrooms can be remote. Mr. Ventres stated that he has not heard anything.

It was noted that the portable classrooms at the elementary school do not have bathrooms.

At this time, Mr. Brownell opened the hearing to the public. No comments were offered.

A motion was made by Mr. Thomas to close the public hearing. Seconded by Mr. Gillis and carried by unanimous vote.

A motion was made by Mr. Curtin to approve Application 10-10, Hadlyme Hills, LLC (Franklin Academy), 14 River Road, Special Exception Review for the placement of portable classrooms on the property, based on the site plan last revised November 19, 2010. Seconded by Mr. Salicrup and carried by unanimous vote.

B) Application 08-10, Charles Burdick and Stephanie Award, 174 Clark Hill Road, Subdivision Review for a proposed 2-lot subdivision. Assessor's Map 12, Lot 18.

First date: November 23, 2010

Last date: December 26, 2010

Darcy Collins, P.E., from Doane Collins Engineering presented plans for a two lot resubdivision at the corner of Florida and Clark Hill Roads. One lot has an existing house and septic, while the other lot

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has an existing barn.

Ms. Collins stated that there would not be an increase in runoff from the new lot, the only changes would be the conversion of scrub areas to lawn. The plans called for the creation of swales along the road and noted the underground power on Florida Road.

Mr. Curtin asked if the new house would use the old foundation. Ms. Collins answered no.

Mr. Brownell opened the hearing to the public.

Robert Casner asked the size of the swale that was to be constructed. Ms. Collins stated that it would be two feet deep, two feet wide at the bottom, and six feet at the top.

Mr. Salicrup asked if the driveway would go over the septic system. Ms. Collins answered that the Galleries were designed to allow traffic over the top. She noted that the area would be protected to prevent compaction of the soil.

A motion was made by Mr. Thomas to close the public hearing. Seconded by Mr. Curtin and carried by unanimous vote.

A motion was made by Mr. Curtin to approve Application 08-10, Charles Burdick and Stephanie Award, 174 Clark Hill Road, Subdivision Review for a proposed 2-lot subdivision with the condition that the requirements of the Chatham Health District must be adhered to. Seconded by Mr. Thomas and carried by unanimous vote.

At this time Mr. Matthew left the meeting.

9. DISCUSSION (continued)

A) Buffering

Not discussed

B) Campgrounds

Melissa Ziobron stated that there were some points that were of concern to the Economic Development Commission. The biggest issue being the limitation of a conference for only fourteen days. All agreed that the language should be more specific, the intent was for each session to last only fourteen days.

Paul Nedovich stated that he felt that the Commission should look at the premade units that look like a Cabin but are on a trailer.

A lengthy discussion ensued as to what was considered a structure. Mr. Curtin noted that in most zones, a 10% coverage is the maximum.

Mr. Ventres noted that the Commission has been waiting to set a public hearing for several proposed regulation changes. He passed out an updated sheet that listed the regulations that were in draft form.

A motion was made by Mr. Thomas to set a public hearing for January 25, 2011 at 8 P.M. at the Town Grange to hear the following proposed changes:

- (1) Interior lots – New Section 10.1.h – creation of interior lots to allow flexibility in site design.
- (2) Requirement for filling of test pits. Section 14A.3.G.
- (3) Special Exception Review for 2, 3, and 4 family dwellings instead of Site Plan Review – Section 5 Definitions, Section 9 Permitted Uses
- (4) Redefine accessory units – consider allowing accessory unit / in-law unit with less acreage with Special Exception Review - Section 10.2 Accessory Units
- (5) Revision to the Building Height language in the Conservation and Lake Districts – Section 5 Definitions and Section 10.1.4 Building Height
- (6) Seasonal Use Language and extension of time – Section 5 Definitions, Section 7 General requirements.
- (7) Merger of lots separated by street - add language that requires deed restrictions - New Section 8.1.5
- (8) New Section 21 for the Regulation of Outdoor wood burning furnaces.
- (9). Campgrounds and Recreational Camps – Section 5 Definitions, Section 7 General Requirements, Section 15 Campgrounds – 1. Remove regulations that are covered by the Connecticut Public Health Code, the International Building Code, The Connecticut Fire Safety Code, and the Connecticut General Statutes. 2. Increase days of use to 200 days per year. 3. Amend buffering language. 4. Add Recreational Camps

Proposed amendments to the East Haddam Subdivision Regulations are as follows:

- (1) Requirement for filling of test pits. Section 4.04.
- (2) Buffers for Rural, Residential, & Agricultural Areas – Section 4.18

Seconded by Mr. Gillis and carried by unanimous vote.

10. ZEO REPORT

Mr. Ventres stated that the Connecticut Siting Council ruled that the proposed telecommunications facility located at 33 Neptune Avenue on the American Legion field would not have a substantial adverse environmental impact.

A draft notice for a public hearing for the annual review of The Plan of Conservation and Development was handed out.

Mr. Ventres noted that a Motion for Summary Judgment was filed by Michael Harris in The Morgan Estates/Orchard Road case. It was Mr. Ventres' understanding that the case was scheduled to be heard at the end of November and that this motion was not filed in the appropriate time period.

Mr. Ventres submitted diagrams for a proposed pavilion on the Senior Center property. The Commission noted that a site plan for the entire site was still needed.

Mr. Ventres distributed a letter from Mr. Todd Gelston dated November 22, 2010 regarding Taylor Lane stormwater issues. The Commission requested time to review the letter.

The Commission briefly discussed the letters from the Boardman House. One letter was concerned with the potential microbrewery on Creamery Road. The Commission felt that as there was no application before them, that this was not the time to discuss the letter. The second letter expressed their concerns with the activities at the Hayden Package Store. Mr. Ventres reported that the store is in compliance. The lighting may have increased due to the replacement of broken bulbs and the Commission does not control the color of buildings.

11. ADJOURNMENT

A motion to adjourn at 10:15 p.m. was made by Mr. Curtin. Seconded by Mr. Gillis and carried by unanimous vote.