

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
May 13, 2008
(Not yet approved by the Commission)**

1. CALL TO ORDER: Chairman Crary Brownell called the meeting to order at 7:15 p.m. at the Town Grange.

2. ATTENDANCE:

COMMISSIONERS PRESENT: Crary Brownell-Chairman (regular member), Bernard Gillis (alternate member), David Hughes (regular member), Harvey Thomas (regular member), John Matthew (regular member), Kevin Matthews (alternate member)

COMMISSIONERS ABSENT: James Curtin (regular member), Phillip Barlow (regular member), Anthony Saraco (regular member)

OTHERS PRESENT: James Ventres and several individuals from the public

Mr. Brownell appointed Mr. Gillis to vote for Mr. Barlow, and Mr. Matthews to vote for Mr. Saraco.

3. ACKNOWLEDGEMENTS AND SET HEARING DATES

**A) Application 08-07, Claudia Mazzotta, 17 Cedar Meadow Road, Special Exception Review to hold private art lessons at residence. Assessor's Map 55, Lot 83.
First date: May 13, 2008 Last date: July 16, 2008**

No one representing the applicant was present at this meeting. Mr. Ventres recommended this application be continued, as the Chatham Health District, Fire Marshall, and Building Official are looking at the spaces that the applicant wants to use.

Motion by Mr. Gillis, seconded by Mr. Curtin, and carried by unanimous vote to continue Application 08-07, Claudia Mazzotta, 17 Cedar Meadow Road, Special Exception Review to hold private art lessons at residence until the next regularly scheduled meeting.

**B) Application 08-09, Town of East Haddam, Early Road, Special Exception Review to construct a salt shed. Assessor's Map 61, Lot 24.
First date: May 13, 2008 Last date: July 16, 2008**

Mr. Ventres explained that this was known as the Tanyard site. The plan was presented to Planning & Zoning sometime around 2000. The difference between the original map and the

new map is that the shed will be 30ft. x 30ft., rather than 24ft. x 24ft. The Director of Public Works will be ready to answer questions at the public hearing.

Responsive to inquiry by Mr. Brownell, Mr. Ventres explained that this proposal came to the Commission on an informal basis previously. He noted that the reason for the larger size was because the 24ft. x 24ft. building would accommodate the sand, but not the blocks on the inside to hold the sand in. Since this is a special exception, it would require a public hearing.

Motion by Mr. Matthew to schedule a public hearing on June 10, 2008, 8:00 p.m. at the Town Grange, to hear Application 08-09, Town of East Haddam, Early Road, Special Exception Review to construct a salt shed. Seconded by Mr. Gillis, and carried by unanimous vote.

C) Application 08-10, Consumer Union Auto Test Center, 4 Halls Kilbourne Road, Special Exception Review to construct a photographic studio. Assessor's Map 78, Lot 002.

First date: May 13, 2008

Last date: July 16, 2008

Mr. Ventres informed the Commission that because Consumer Union is located in the research and development zone, it requires a special exception permit and therefore, requires a public hearing.

Responsive to inquiry by the Commission, Mr. Ventres stated this would be a new building. Mr. Curtin asked the size of the building, to which Mr. Ventres stated it was 100ft. x 90ft.

Motion by Mr. Hughes to schedule a public hearing on June 10, 2008 for Application 08-10, Consumer Union Auto Test Center, 4 Halls Kilbourne Road, Special Exception Review to construct a photographic studio. Seconded by Mr. Matthew, and carried by unanimous vote.

4. SITE PLAN REVIEW

A) Application 08-04, Thomas Pagley, 59 East Shore Drive, Site Plan Review for demolition of existing home and construction of single-family residence. Assessor's Map 80, Lot 365.

First date: May 13, 2008

Last date: July 16, 2008

Mr. Pagley addressed the Commission. Mr. Ventres distributed copies of the plans to the Commission. Mr. Pagley submitted the green, certified mailing receipts to Mr. Ventres. He noted that one was missing. Mr. Ventres asked if the letter was mailed, but just the receipt card was missing. Mr. Pagley responded affirmatively.

Mr. Pagley stated there was an existing house that will be torn down. The new house was shown as the darker color on the plan. It was noted that there would be a walk-out basement. Mr. Ventres asked if the architectural plans were included.

Mr. Gillis asked the sizes of the existing and proposed buildings. Mr. Pagley stated the existing house was about 780 square feet. Mr. Thomas asked if the house was seasonal or year-round, to which Mr. Pagley stated it was year-round. It was converted in 1996. Mr. Ventres noted that the property is 1.14 acres. Mr. Gillis asked how far back from the lake this would be. Mr. Pagley stated the house would be set back, and would be no closer.

Responsive to Mr. Curtin's question, Mr. Ventres stated the existing house would be completely knocked down, and a new house would be built. He stated it was year-round. Mr. Curtin asked about the septic. Mr. Ventres showed the primary and reserve areas, and stated that it was currently under review by Chatham Health.

Mr. Brownell asked what the setback was, to which Mr. Ventres stated it was 50-feet. He added that he had a letter from the IWWC as well.

Mr. Ventres read into the record a letter from the IWWC dated April 1, 2008, which approved the application with conditions that the work shall be done in accordance with the plans dated March 14, 2008; the current bituminous walkway shall be replaced with an intermittent or pervious pavers; the deck shall remain open; appropriate plantings shall be installed along the shoreline.

Mr. Ventres read into the record a letter dated May 13, 2008 from The Chatham Health District. The letter stated the application met the Public Health Code. They stated the existing well must be abandoned, and a new well must be drilled. Additional leaching galleys must be installed to meet the 3-bedroom criteria. At the time of the building plan submission, the site plan must be revised to show the additional leaching galleys. The leaching galleys must be in line with existing contours. The septic tank may have to be relocated. There can be no footing drains within 25-feet of the septic tank or leaching area. At the time of the building permit, the plan must be reviewed for compliance with their approval letter.

Mr. Thomas stated it appeared the elevations were incomplete. It was noted that they got cut off on the copier.

Mr. Gillis noted that it appeared the distance from the galleys looked like they were the same distance from the lake as the screen porch. Mr. Curtin noted that it did not have to be 75-feet from the lake. Mr. Ventres stated the IWWC looked at this application. This has a gradual slope, so the water will not move fast. They did not have a nitrogen analysis done. It was noted that the Commission could condition the 75-feet distance.

Motion by Mr. Curtin, seconded by Mr. Matthew to continue Application 08-04, Thomas Pagley, 59 East Shore Drive, Site Plan Review for demolition of existing home and construction of single-family residence, until the next regularly scheduled meeting on May 27, 2008. Motion passed by unanimous vote.

B) Application 08-05, Zito Builders, 28 Falls Bashan Road, Site Plan Review for two family residence. Assessor's Map 66, Lot 310.

First date: May 13, 2008

Last date: July 16, 2008

Mr. David Zito addressed the Commission. He presented the proposed site plan, and stated that the septic has already been approved by Chatham Health District. Mr. Brownell asked about the driveway location. It was noted that the driveway was close to the end of Great Hillwood Road. Mr. Curtin questioned the size of the lot. Mr. Zito responded that it was 2.17 acres. Mr. Brownell asked the zoning in this area. Mr. Ventres stated it was a one acre zone.

Mr. Ventres read into the record a letter dated May 2, 2008 from Chatham Health District. The letter stated the site plan met the Public Health Code for a two-family structure, with a total of four bedrooms.

Mr. Ventres stated there were missing items from the plan. He spoke with Mr. Doane's office, and they informed him they were working on these items. Mr. Ventres stated they would need the location map, assessor's map and lot numbers within 100-feet, existing uses within 100 feet, location of septic and wells within 100 feet, percentage of lot coverage, and percentage of impervious surfaces.

Additionally, Mr. Ventres stated that neighbors came into his office on Friday to express their concerns about additional water from the site. The neighbor stated that all three lots experience sheet flow runoff during the winter. After reviewing the test pit data, Mr. Ventres stated that some of the test pit data was shallow to ledge. He attached a map, along with the houses of concern labeled 1 through 3, contours are 5-foot each. He asked if it would be possible to add rain gardens? The site plan should include the stone walls. Mr. Ventres asked them to demonstrate on the plan where the flow will go after the site is constructed. He stated they needed the report.

Mr. Ventres stated they needed this report before the Commission could act on the application. Mr. Brownell asked if the green, certified receipt cards had been received. Mr. Zito stated one letter had been returned as unclaimed.

Mr. Gillis asked if there was insufficient depth to ledge. Mr. Ventres stated they were okay for the septic. However, part of the reason there was sheetflow going onto the properties was that there was ledge there. One of the questions was if they could add rain gardens, etc.

Mr. Brownell asked if the applicant would be ready for the next meeting in two weeks. Mr. Ventres believed the report might be done at their office. However, he stated he would need some calculations, and he would still need to send it to NL Jacobson.

Mr. Curtin asked about limits of clearing. Mr. Ventres stated the silt fence was there, but that was all that was shown. Mr. Curtin asked if they could leave some of the trees along the road, toward the neighbors, etc.

Mr. Gillis asked how big the building was. Mr. Zito explained that each unit would be 30-feet left to right, 28-feet deep. The garage would be 24ft. x 24ft. Mr. Zito believed the square footage was approximately 1700 square feet. Mr. Ventres stated the applicant should checklist the site plan review application to make sure everything was done.

Mr. Brownell asked if there were comments from the public.

Ms. Saralyn Levesque, 8 Stocking Lot Road, expressed concern with runoff. She stated they have extremely wet back yards. Mr. Brownell stated those were some of the answers for which they were waiting. Ms. Levesque stated she was also concerned about parking with a two-family residence, septic, bathrooms, height, etc.

Mr. Ray Paquette, 8 Long Pasture Lane, stated that as it sits right now, the water comes right through their back yards. Mr. Zito stated there should be a substantial buffer of woods at the back of the property. The construction would be approximately 100-200 feet from the back of the property.

Ms. Levesque asked, with respect to the map they received, how the house would be situated on the site. Mr. Zito showed the area on the map. The septic system would be up in the front of the lot. The well would be in the back.

Mr. Levesque asked what the L zone was. Mr. Ventres stated it was the Lake Zone.

Responsive to inquiry by a neighbor, Mr. Zito stated they built a similar unit on East Kings Highway in Chester. On this site, each unit was 34-feet wide. These are only 30-feet wide. It was noted that this would be a two-family rental unit. Mr. Curtin explained that because it would be a two-family structure, they had to have double the acreage, which this application had.

Motion by Mr. Matthew to continue Application 08-05, Zito Builders, 28 Falls Bashan Road, Site Plan Review for two-family residence, until the next regularly scheduled meeting on May 27, 2008. Seconded by Mr. Gillis, and carried by unanimous vote.

**B) Application 08-06, Daniel Drezek, 75 Longwood Drive, Site Plan Review, for seasonal to year-round conversion. Assessor's Map 80, Lots 87, 88, and 89.
First date: May 13, 2008 Last date: July 16, 2008**

Mr. Wes Wentworth, civil engineer, addressed the Commission on behalf of the applicant. He submitted the green, certified receipt cards to the Commission. He presented the plan to the Commission.

Mr. Wentworth explained that currently, there is an existing seasonal cottage on the property. It was four lots, but they have been merged by deed. It is 0.546 acres. They plan to take the existing seasonal 3-bedroom house, put a small addition on the south side, and convert it to year-round use. As part of this application, he plans to put in a new well and a new septic system on the south side of the property. Test pits have been done, and Ms. Davison of Chatham Health

District has signed off on the plan. Building coverage for the existing house is 940 square feet, or about 4% of the property. It will be going up to 5.1%. It is a single story ranch. They plan to add on with a one-story addition. The total impervious coverage existing is 1540 square feet, and it will go up to 1820 square feet.

Mr. Wentworth showed the Commission a front elevation. The addition will be 20ft. x 24ft. The existing roofline was shown. There will be a deck off the addition. Mr. Brownell stated this deck appeared smaller than the other drawing. It was noted that it was 20ft. x 15ft.

Mr. Ventres read into the record a letter dated May 5, 2008 from Chatham Health District. In her letter, Ms. Davison stated the site plan substantially meets the Public Health Code. A conditional approval was granted; with conditions that the applicant must receive a well permit exception from the State of CT Drinking Water Division to drill a well, prior to signoff by the Health District. In addition, there cannot be a footing drain within 25-feet of the proposed septic tank and pump chamber; the building plans must show no larger than a 3-bedroom home, the existing septic must be properly abandoned; the proposed septic system must be installed per the site plan designed by Mr. Wentworth, P.E.. At the time of the building permit, they must undergo a review by Chatham Health

Mr. Brownell noted that the time was now 8:00 p.m., and the public hearing must begin. He stated the Commission could address this after the public hearing.

6. PUBLIC HEARING

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

**A) Continued: Application 08-03, Baron Smith Golec Post 156 of the American Legion, extension of hours for lighting of field Friday and Saturday nights until 11:00 p.m., and until 10:00 p.m. for Sunday evening games. Assessor's Map 55, Lot 34.
First date: April 22, 2008 Last date: May 25, 2008**

Mr. Brownell asked how this application was left at the last meeting. Mr. Curtin stated that they scheduled an on-site meeting, which several of the Commissioners were able to attend. They looked at the lights and the impacts. There was a game going on, so they were able to see some of the impacts. As they walked Neptune, there may be a couple of lights that could be redirected. He stated the lighting was really not bad. He stated as the leaves come out, it seems to be better. He noted this was the first game of the season.

Mr. Brownell asked Mr. Hughes what he thought about the lights. Mr. Hughes stated some of the lights might be slightly adjusted, which might help. The trees haven't filled out yet, but there was quite a lot of foliage, making the streets kind of dark. He did not see any lot that was truly affected. He believed with the exception of the lights, the concerns of the neighborhood could possibly be addressed with more coordination between the neighbors and the American Legion. As far as lights go, he did not see that to be a major factor.

Mr. Brownell asked if Mr. Matthews found that as well. Mr. Ventres presented the plan for the Commission to view. He stated it showed the existing buildings and addresses. The yellow dots represented the existing lights. The black dots were the old poles. He believed Mr. Matthews was referring to the one that was across the road from 26 and 28. Mr. Matthews stated that one was shining onto one house, and it might be able to be redirected.

Mr. Ventres noted for the record that Mr. Matthews, Mr. Hughes, Mr. Matthew, Mr. Gillis, Mr. Curtin, and himself were on site last night.

Mr. Gillis stated that the B2 light pole was shining down on the road. For some reason it seemed that they were using that light to shine all across the field. Mr. Curtin stated that Neptune was so much lower than the field that it may be hitting the back of the field, and the light might be continuing on. Mr. Gillis stated that the light by the clubhouse was shining over toward the O'Donnell property.

Mr. Ventres stated when this application came up, and even for the school, that lights have to shine in multiple directions. He stated that part of the previous application, gives a matrix for the lights. He distributed this information to the Commission. He stated that the light levels were what were submitted.

Mr. James Ventres, Sr. addressed the Commission. He stated that once the lights were installed, there was one light on the street. He called the company and they readjusted the light. He stated it had been going straight down the street, and he had it directed back into the field. He stated he was not informed of anything else.

Mr. Matthew stated that there was one light that was directed more toward the road than it probably needed to be. He could not imagine this was beneficial to the ball field. Mr. Hughes commented that this was the only place along Neptune that did not have tree cover. Mr. Matthew stated it appeared that light could be easily redirected.

Mr. Ventres asked Mr. Gillis to pass around the lighting diagram from the lighting company showing the directional lights from the original application.

Mr. Brownell asked Mr. Matthew for his input. Mr. Matthew believed there was one light on Neptune Avenue that could be redirected to reduce the lighting on Neptune Avenue. He stated the lighting from these two lights were probably what affects this one neighbor the most. For one of them, they needed that light for the field, so there was probably nothing they could do other than possibly buffering it somehow. Mr. Ventres, Sr. stated they plan to add another tree to the hill. Mr. Gillis stated the other side was heavily treed.

Mr. Ventres, Sr. stated there were many things on the list. He stated he replied to this, but he also distributed to the Commission a background on the American Legion program and use of the field.

Mr. Brownell asked if there were specific questions that needed to be answered from the prior meeting. He asked if the lights have been there for two years. Mr. Ventres, Sr. stated this will be the third year.

Mr. Ventres, Sr. emphasized the history of the veteran's memorial field. The field was constructed in 1946. They started playing baseball on this field at that time. The high school used the field for baseball and soccer until the new high school was completed in the 1990's. They had a softball league that played under the lights from 1970 to the 1980's. They played 5-6 nights per week, including weekends. In the late 1990's, after the new school was built, the field was in need of repair. They had the opportunity to sponsor American Legion baseball, but they had to rehabilitate the field. Reconstruction took place, they replaced the 4-foot fence with a 6-foot fence. They replaced the backstop fence, and installed an 8-foot fence from the backstop to the dugouts. They replaced the dirt infield with a grass infield. A well and sprinkler system was installed to maintain the field. The original lights were wooden, and were in danger of falling. They took them down in 2003, and continued programs with the middle school and the American Legion baseball program. When AT&T put in the cell tower, they raised funds to add lights on that pole. They also raised funds to add five other poles with lights. The six poles produce less glare than the previous eight poles they had.

Mr. Ventres, Sr. stated currently, the middle school uses this field for their baseball program, and the high school schedules a few games per year. The Legion sponsors a senior (ages 15-19) and a junior (ages 14-17) team, which plays from early June through July. August is usually shut down, and a short program usually runs in September for a junior team (ages 14-16).

Mr. Ventres, Sr. stated they need the lights to better accommodate the public and the players for their games. Lights have been on the field since 1970. The present lights are a vast improvement over the previous lights regarding the number of poles and light pollution. The lights are turned off by 10:00 p.m., if not sooner. One bank of lights behind the third base dugouts stay on for 20 minutes longer so participants can leave the premises safely.

Mr. Ventres, Sr. stated that they informed the umpires that the lights have to be turned off by 10:00 p.m., even if a game runs late. Most night games start at 6:30 p.m., so the lights do not have to be turned on at the start of the game. Last night, the game started at 7:30 p.m., and the lights were out by 9:45 p.m., including the bank of lights they leave on longer for people exiting. He stated it does not make sense to keep the lights on longer than necessary due to the costs of electricity.

Mr. Ventres, Sr. stated that traffic has not changed on Neptune Avenue in many years. It has always been a shortcut to Routes 149 and 151. Regarding trash, they have an adequate amount of trash containers, so they do not believe this is the source of the litter. He stated they did have a problem with music being played between innings. They have told the coaches to stop this practice, and they put up a sign at the concession stand. They were instructed to only play the National Anthem, and this is what they have been doing since. With respect to balls in yards and damage to vehicles, Mr. Ventres, Sr. stated they have never had a complaint about this, and have adequate insurance if the need arose. With a 6-foot high fence and the senior teams using wooden bats, he believed it would be practically impossible for the balls to leave the property.

Regarding the comment that the fence was an eyesore, Mr. Ventres, Sr. stated he did not understand this complaint. The previous fence was falling down and was dangerous for ball players.

To the comment about another Palmer Field, Mr. Ventres, Sr. stated that in previous years, this field was used from April through October, and sometimes into November. They have turned away other groups from using the field because they felt it would be too much of pressure on the premises. They have a small group to maintain the field, but still promote baseball for use by the town. Mr. Ventres, Sr. stated he also had a fact sheet on the American Legion, which he distributed to the Commission.

Mr. Brownell asked who was there during games to monitor the field. Mr. Ventres, Sr. stated he was a Legion member, and gets there as often as possible. If he is not there, the coaches are responsible. He also has some other Legion members that attend some games. Mr. Brownell asked who ran the concession stand. Mr. Ventres, Sr. stated that they have volunteers who run it. Brothers and fathers of players sometimes help out.

Mr. Curtin asked what the change would be with the tournaments. Mr. Ventres, Sr. stated if they have a big tournament, they might need a little more time for the games. Right now, they are feeling that the tournament might not even take place. If they did, he stated this would be a good fundraiser for the American Legion program. Mr. Curtin asked about use of the field, if the games would be on Saturday and Sunday, if they would start earlier, etc. Mr. Ventres, Sr. stated they might even start at 11:00 a.m.

One woman stated there are people there at 9:00 in the morning. Mr. Brownell asked her to please wait for comment.

Mr. Ventres, Sr. stated that previously, they had a group that was using the field, but they decided it was too much strain on the field. He stated that at 9:00 a.m., people might go down there to mow and get ready for the games.

Mr. Curtin asked if the games would extend into the evening, to which Mr. Ventres, Sr. agreed. Mr. Brownell asked then that the game play on a weekend could be 12 hours. Mr. Ventres, Sr. stated it could. Mr. Brownell asked if this was typical for fields of this type. Mr. Ventres, Sr. stated if they were tournaments, then yes. Mr. Curtin asked how many weekends would be like this, to which Mr. Ventres, Sr. responded this would be just one weekend. He stated they had too many other games that take place, and they did not want to over-schedule the pitchers, etc. He stated right now, they are looking at junior tournaments.

Mr. Brownell asked if they had looked at playing tournaments over a two-day period, rather than all just in one day. Mr. Ventres, Sr. stated they had. Mr. Brownell suggested if they spread the games out over a longer period, they would not have to play as late, and could keep more reasonable hours. Mr. Ventres, Sr. stated in the past, they have had eight teams. They had all the teams in their zone participate, and they played Saturday and Sunday. These were three games each day. The games typically last for two hours.

Mr. Brownell asked why they were asking for the extension then. Mr. Ventres, Sr. stated they did not want to get themselves into a bind. They still would like to turn lights off earlier, but on a Saturday night, they would like to have the extra hour.

Mr. Matthew asked if the schedule for the season was fairly well defined in advance, to which Mr. Ventres, Sr. responded affirmatively. He stated he had the schedule for the junior and senior teams, which went through July. It was noted that the Commission had last year's schedule. Last year's schedule included all of the night games. Mr. Matthew asked if this included all of the night games for last year. Mr. Ventres, Sr. stated these were all of the home night games.

Mr. Brownell asked, with the opening of the new middle school next year, if this would change their schedule. Mr. Ventres, Sr. stated the school fields would not be open next year. Mr. Hughes stated then, according to this schedule, last year, there were 17 night time home games. Mr. Ventres, Sr. stated between the juniors and the seniors, this was accurate. It was noted that the night games were counted as beginning at 5:30 p.m.

Mr. Hughes stated the lights seemed to be the number one issue. He asked if it was feasible to have a police presence at the field for night games. Mr. Ventres, Sr. did not see why not, if they felt it was needed. Mr. Hughes believed this might alleviate the neighbors' concerns about the noise, speeding, etc. Mr. Ventres, Jr. asked if they would want the police there for the whole night, or just for certain times. He did not know the cost.

Mr. Brownell opened the hearing to the public.

Mr. Charles Grillo thanked the Commission for coming to check the lights. At the last meeting, Mr. Ventres, Sr. was asked to bring a schedule. He stated he would like a schedule of practices and games. This would be so they could get a feel of what the neighbors really have to listen to as far as practices, game times, etc. Mr. Grillo stated this was a short time frame of June and July, so it could be quite a bit of time during the summer months, when the neighbors have to hear it while they sit on their decks.

Mr. Ventres, Sr. stated he did not realize this was requested. He stated it would be similar to last year's. Mr. Grillo stated this was in the minutes. Mr. Ventres, Sr. stated generally, once the season gets going, they generally they have a tryout practice right after the school season ends. Mr. Curtin noted that the middle school practices there and plays all of their home games there. The high school only comes down for some night games. After that, it is strictly the Legion schedule. Mr. Ventres, Sr. responded affirmatively.

Mr. Ventres, Jr. stated last year's schedule included 22 home games over two months. There were also 22 away games. That left 22 days available, or less. From a zoning perspective, the field is a field, and it has a right to be used during daytime hours.

Mr. Hughes stated after next year, there would be no middle school. Mr. Brownell asked how late practices go. Mr. Ventres, Sr. stated the middle school practices from 3-5 p.m. The Legion's practices are two hours. Mr. Brownell asked what time they start practices. Mr.

Ventres, Sr. stated they generally start at 5:00 p.m. Mr. Matthew pointed out that the lights would not even need to be on for practices.

Mr. Brownell asked how much it cost to run the lights for a game. Mr. Ventres, Sr. stated he would have to figure out how much, but he estimated approximately \$50 per game.

Mr. O'Donnell stated the leaves on the trees are not fully out yet. However, he asked what happens in the fall after the leaves drop. Mr. Ventres, Sr. stated they don't play in October. They play a few games with a junior team, and these are mostly on weekends in September.

Mr. O'Donnell stated the lights belong to the Legion, to which Mr. Ventres, Sr. confirmed this. Mr. O'Donnell asked why the lights are not staying on Legion property. He stated he went to the meetings at the high school. The people on Robbie Road were furious about the lights. Things were done for those people, and the lights stayed on that field. These lights at the Legion do not stay on the field, because they were inexpensive lights compared to what they put on the other field. Mr. Ventres, Jr. stated as staff, he would comment on this. He stated this was not true. The lights on the soccer field splash onto the Sikorski's property. The engineers from the school designed the lights, and there was going to be light spillage. The reason the lights were removed from the softball field was because Mr. Casner threw this Commission into a lawsuit, and there was an alternative from one softball field to another softball field.

Mr. Ventres also stated, as a staff comment, the quality of the lights have the same amount of shed. The maps produced by the engineers and the lighting splash are the same.

Mr. O'Donnell stated that the lights on paper are just that – lights on paper. He stated the lights that are on the field go on the Avenue and onto his back yard. He stated if it was not for him and Mr. Grillo going to Mr. Brad Parker, the lights would be lighting up the roads. Mr. Ventres, Sr. stated he was the only one who knew who to contact and how to get it done. Mr. O'Donnell asked why Mr. Ventres, Sr. did not do something on his own. Mr. Ventres, Sr. stated he would have, if he had known about it.

Mr. Ventres, Sr. stated the ball field has been there since 1946. Mr. Matthew stated there was no indication of night games after July 26. Mr. Ventres, Sr. stated that August was shut down completely. He did not know if they played any night games in September. Mr. Anthony Altomaro stated he could check the schedule, but he did not recall any. Typically, during the fall, it gets colder, and they try to play during the day.

Mr. Brownell noted that they play no games in August, but asked if they pick it back up in September and October. Mr. Ventres, Sr. stated they rehabilitate the fields in October. Mr. Matthew asked if there was lighting last year when the leaves were off the trees. Mr. Ventres, Sr. stated there was not.

Mr. O'Donnell commented that the current agreement states that the lights would go off by 10:00, but they don't go off until 10:30 or 10:35 p.m. He stated it doesn't allow for another bank of lights to be on for people to get off the field. It says 10:00 p.m., and that is when all of the lights are supposed to be off. Now, they want to extend it until 11:00p.m., and the lights won't

go off until 11:30 or 11:35 p.m. He stated that was not the agreement that was in place. Plus, it was in the minutes that it was supposed to be reviewed after one year. He asked how the Commission could move forward with a new proposal until the agreement was reviewed by the Commission and voted on. Mr. Brownell asked about this. Mr. Ventres, Jr. stated there is one staff person, and this was the same for the high school. He recommended the Commission not put this type of review dates. However, he stated initially, Mr. Grillo had some light issues, but from that point on, until this public hearing, he has not received any complaints that would prompt the Commission to say they should review it.

Mr. Brownell asked if Mr. Ventres, Jr. was informed about the issue when Mr. Parker went down there. Mr. Ventres stated that Mr. Parker didn't talk to him about it, and if Mr. Parker didn't talk to the American Legion about it, they didn't know about it either. He suggested it was possible that someone talked to Mr. Parker, and then the leaves came out on the trees. But, no one came to him, because his office would be the ones to take care of this type of issue.

Mr. Curtin asked if Mr. Parker went to Mr. Ventres, Sr. Mr. O'Donnell stated that had nothing to do with anything. Mr. Curtin and Mr. Thomas explained that they were trying to determine the facts of the case, and that something was or was not done. Mr. Thomas stated the lights are what they are now, and that people are okay with them or not.

Mr. Hughes asked for some of the July games, if it would be possible to start some of the games a little earlier. Mr. Ventres, Sr. asked what time. Mr. Hughes suggested maybe 5:00 p.m. Mr. Ventres, Sr. stated that this would not be possible, as many of these players work. In addition, parents work, other teams would be travelling here, etc.

Mr. Matthew asked if there was a way to change the schedule slightly, still accommodate the needs of the Legion, and improve the situation for the neighbors. Mr. O'Donnell stated there was, and he believed he submitted a signed petition. He stated that many people were not here because they were elderly, had very young children, etc. He stated they have not heard anything from the Commission about what could be done.

Mr. Thomas stated he was confused. He has a document titled "Legion Issues" that they were given. Mr. Ventres stated it was in the packet.

Ms. O'Donnell stated it was not just the lights; it was the noise with the lights. Every Saturday morning during the summer, there are people up there at 9:00 a.m. They might not start the games at 9:00, but people are arriving, and they are there until 10:00 or 11:00 p.m. People are going in and out, doors are closing, people are clapping, people yelling. She stated this was quite annoying to have this all summer. They are not able to enjoy being outside due to the continual noise. She stated there has been increased traffic because of the games. She stated her neighbor is terrified to let her children outside with the traffic. She stated they go to bed at 9:30 or 10:00 p.m., and they have to get up and go to work on Monday morning. She stated she had no problem with the middle school or the high school games during the week. She stated these games start at 7:00 p.m., and they are over by 9:00 or 9:30 p.m.

There was an inaudible section of tape, as many people in the audience were talking at the same time. Mr. Brownell asked everyone to speak one at a time. Ms. O'Donnell stated they have called the police many times. Mr. O'Donnell stated in a 20-year period, there were really only roughly 10 night games, and much of what was on the paper was "smoke and mirrors".

Mr. Grillo stated he believed what Rhonda said was really what they were concerned about. During the weekends, they want to be able to have their windows open. If they want to have night games, they do hear the car doors, etc. It is not just the lights, it is all of it. This is time they would be outside, trying to enjoy themselves. He stated it would be nice if there was nothing on Sunday night, and if there was nothing on Sunday, period. He did not believe every American Legion had a lit field. He wondered what the other teams do if they are not able to play games at night.

Mr. O'Donnell asked how many kids in town this affects, with Legion ball. He knew they were not just drawing from East Haddam. They also support surrounding towns.

Mr. Anthony Altomaro, general manager of the American Legion program stated he works with Mr. Ventres. He is the past president of the East Haddam/Moodus Little League. He has been on the board for 10 years. He is currently, the JV head coach at East Hampton High School. He still participates at the district level. He is also a current member of the Youth and Family Services in town. Keeping these programs alive is one of their strongest motives. Youth sports are important to the community and the town, and it keeps these kids involved. Most of these kids are 14-16 years old, don't drive, and are driven by their parents.

Mr. Altomaro stated there is some traffic for the games. He stated he closes this facility, and he does not see trash on the streets, or he would pick it up. They are proud of that facility, and so are the kids. The kids take care of the field. He commented that if a person lives near a school, they will hear children. There is some noise, but this is a respectful group of kids. He stated he is almost insulted by some of these allegations, because they take pride and responsibility in the facility. He stated that Mr. Ventres spends a lot of time there as well.

Mr. Grillo stated he is also a member of Youth and Family Services, he was president of the soccer club, and he believes in youth sports as well. He used to play ball, but they didn't play night games except at Palmer field. When he played junior Legion ball, they played their games in the afternoons. He hoped the Commission could figure out how the neighbors could have it so late at night, for the full weekend.

Mr. Matthew asked if the Commission had the petition that was submitted. Mr. Ventres stated that the packets have been mailed.

Mr. Gillis asked if Mr. Grillo believed that an adjustment of the lights would resolve some of his concerns. Mr. Grillo stated the lighting was one portion of it, and it would be helpful if it could be adjusted.

Mr. Matthew asked if Mr. Ventres, Sr. had looked at the petition, and how difficult it would be to do what he needed to do and accommodate some of these suggestions. Mr. Ventres read the petition into the record, which listed the following issues:

- Night games from 25 – 30 be reduced to 15
- Sunday tournament games lighted until 10:00 p.m. – No Sunday day or night games.
- Limits on Monday through Thursday to 10:00 p.m.
- Allow lights on Friday and Saturday until 11:00 p.m. for tournament games
- Lights are off at 9:30 p.m. from Monday through Saturday
- Keep the season from April 15 through October 1 – Shorten season from June 15 to August 30.

Mr. Matthew asked if the non-tournament games were mostly over well before 10:00 p.m. Mr. Ventres stated the application was for what it is, the extended hours, not for a counter-application. The Commission must make a decision on what was before them – the special exception application to extend the previously approved hours.

Mr. O'Donnell asked how they can move forward, when they know that it was in the meeting minutes that this was supposed to be reviewed after one year. Who is the responsible individual to make sure this was followed. Mr. Ventres stated this is the same as with the high school field. If there was a situation of damage, his office would be notified, or the Selectman's office would be notified. As staff, he stated he would not again have this type of language to state the Commission would go back and review something they approved. It was approved. Mr. O'Donnell stated they had this information in the minutes, and it needed to be addressed.

Mr. Brownell asked if there was any more information the Commission needed. He asked if Mr. Thomas had any input. Mr. Thomas stated he did not believe he or Mr. Brownell were eligible to vote on this. He was unable to attend the walk, and Mr. Brownell was not here for the first public hearing. Mr. Brownell confirmed this.

Mr. Brownell stated that Mr. Ventres brought up a good point. The Commission needs to vote on the application before them. Mr. Ventres advised that the Commission, as in any application, could approve, modify, or deny. He also noted that the Commission could close the public hearing and they would have 65 days to make a decision. Mr. Ventres stated the Commission could also ask for an extension. Mr. Curtin stated there was really no more information, the Commission just had a hard decision to make.

Mr. Gillis stated he would like to hear from an expert about the lights, and if they could be improved. Mr. Ventres stated the Commission could request that the installing engineers come back and review the lighting for all possible feasible improvements. Or, the Commission could have their own engineer go out and look at this. Mr. Matthews asked if this was really feasible. Mr. Curtin stated they could have someone go out and tell them if this was the best the lights can be.

Mr. Brownell stated the decision wasn't just for the lights, but for everything that goes along with it – Sunday, extended hours, etc. Mr. Gillis stated he heard now that the neighbors have

been empowered to notify the Legion if there are any problems with littering, noise, etc. He believed they needed to address the lighting problem. He agreed with Mr. Hughes' suggestion about having police there to address speed, etc.

Mr. Matthews thought Mr. Curtin had earlier suggested something about additional landscaping. Mr. Curtin stated that it looked like a couple of trees could be added along Neptune. Mr. Curtin stated the other thing was that someone had a complaint about the look of the fence. He stated there were some things like a ribbon that could be put through the fence that might look better to some people, but he did not know. Ms. O'Donnell stated that there were more petitioners than just the few that were present tonight. She stated some of them had the issue with the fence.

Mr. Brownell asked if the Commissioners needed any additional information, other than the packet. Mr. Ventres stated he would re-copy it.

Mr. Hughes asked how the Sunday games would really benefit the Legion. Mr. Ventres, Sr. stated this would really benefit the family structure. He believed Sunday was a really critical day, as this was the only day off many people have, and it is a family day. He could not imagine not having Sunday games. Responsive to inquiry by Mr. Brownell, Mr. Ventres, Sr. stated they have not played any Sunday night games. Mr. Matthews noted there were three Sunday games last year.

Mr. Hughes noted that Item 2 was for Sunday night games. Mr. Ventres, Sr. stated this was only for a tournament, if they needed to squeeze in a night game.

Mr. Matthew asked if he could have the official Legion response to the petition, and if that was additional information they could get. Mr. Ventres would send it. Other than what the Commission needed from Mr. Ventres' office, Mr. Brownell asked if the Commission felt they had everything they needed. The consensus was that they did.

Mr. Brownell stated he went to last night's game, but he had to leave early. He stated he did walk around, though. He called and requested tapes from the first meeting, but has not received them yet. Mr. Ventres noted that Mrs. Lombardo has been out sick. Mr. Brownell asked for a special exception, what they needed. Mr. Ventres responded that they needed a simple majority.

Motion by Mr. Curtin to close the public hearing for Application 08-03, Baron Smith Golec Post 156 of the American Legion, extension of hours for lighting of field Friday and Saturday nights until 11:00 p.m., and until 10:00 p.m. for Sunday evening games. Seconded by Mr. Matthew, and carried by unanimous vote.

Mr. Ventres stated he would re-send the packets, unless they receive them in tomorrow's mail. If they receive it, he asked the Commissioner's to call him.

4. SITE PLAN REVIEW (Continued)

C) (Continued discussion) Application 08-06, Daniel Drezek, 75 Longwood Drive, Site Plan Review, for seasonal to year-round conversion. Assessor's Map 80, Lots 87, 88, and 89.

First date: May 13, 2008

Last date: July 16, 2008

Mr. Wentworth believed they had all of the required information completed. Mr. Gillis asked if they had considered rain gardens, etc. for stormwater runoff. Mr. Wentworth stated that soils in the area are all 21 – 22 inches, which was not an ideal situation for groundwater recharge. He did not believe this would be very functional here.

Mr. Wentworth referred to the map, and stated the septic would be properly abandoned, although he was uncertain of the location at this time.

Mr. Brownell asked if they had everything they needed for this application. Mr. Ventres stated this application had square footage for the acreage and for the house. It complies with zoning for setback, coverage, impervious surface, and an approval from Chatham Health District. Mr. Brownell asked about the well. Mr. Ventres stated it would be the CT Water Company, so there was not a cross contamination issue. Mr. Gillis asked if this was an R1 zone, to which Mr. Ventres responded affirmatively.

Motion by Mr. Thomas to approve Application 08-06, Daniel Drezek, 75 Longwood Drive, Site Plan Review, for seasonal to year-round conversion, subject to the conditions of the Chatham Health District. Seconded by Mr. Gillis, and carried by unanimous vote.

5. DISCUSSION

A) Zoning Regulation/Planning Projects

No new information was discussed this evening.

7. OTHER

Mr. Brownell asked if everyone received the letter from the CT Landmarks about changing signs. The Commission had received this.

Mr. Brownell noted that many of the Commissioners attended last Saturday's roundtable meeting, and he would like to discuss this after the ZEO report.

8. ZEO REPORT

Mr. Ventres stated that Sunrise had set the dates for the Cajun/Zydeco Music Festival, which is scheduled for June 13 – 15. The fireworks are scheduled for July 2. The Jazz Fest will be July 25 – 27. He stated there have really been no issues.

The Commission held a brief discussion about deeds and roads around the lakes, and about seasonal to year-round conversions. Mr. Ventres consulted with Attorney Branse about merged non-contiguous lots, and those that are contiguous. Attorney Branse suggested the Commission could revise the regulations. Mr. Thomas believed the Commission should ask Attorney Branse for examples of how other towns handle this type of situation.

Mr. Ventres informed the Commission that he recently attended a two-day seminar on GPS systems, to connect with the GIS system. This system would allow him to go into the field, click on areas, and download the information through Google. This system would be beneficial for many groups, including Public Works. The Garmin unit costs approximately \$550, and he would like to purchase it.

Mr. Ventres stated the issue on Haywardville Road is going to court. The property owner finally contacted the attorney, and Attorney Knapp requested a letter, which was not received. They are proceeding to court.

Mr. Ventres stated there was another issue on Powerhouse Road. He was supposed to go to court on Monday, but the property owner has hired an attorney and asked for a continuance. They have now requested the file, which Mrs. Lombardo will prepare.

Mr. Brownell asked about the previously approved 2-lot subdivision on Neptune Avenue. Mr. Ventres stated he spoke with the surveyor today. The property owner instructed the surveyor to leave it as a 2-family structure and go back to one lot. They will now get one building lot, instead of two. They will have to come back to the Commission for a lot line revision.

9. MINUTES

Mr. Brownell gave instructions to file the minutes of the April 22, 2008 regular meeting as presented.

10. BILLS

| <u>Vendor</u> | <u>Invoice</u> | <u>Amount</u> |
|--|----------------|---------------|
| Suburban Stationers | 3401093-1 | \$ 59.00 |
| Branse, Willis, and Knapp (Alger Road, conference call with M. Walters) | 1175-85263 | 1435.40 |

| <u>Vendor</u> | <u>Invoice</u> | <u>Amount</u> |
|--|----------------|---------------|
| Valley Press (business cards – J. Lombardo) | 15793 | \$ 36.00 |
| Shoreline News (legal notices) | 2277705 | 26.00 |
| Hartford Courant (legal notices) | 4978 | 93.16 |

Motion by Mr. Gillis to pay the bills as presented, seconded by Mr. Matthews, and passed unanimously.

7. OTHER (continued)

Mr. Thomas stated they had the meeting on Saturday, May 10. Minutes of the meeting were taken by Ms. Emily Varkala, and will be sent out to each group.

Mr. Curtin asked how the meeting got separated. Mr. Ventres stated that they began talking about issues, and came up with five topics. They split into random groups for discussion. It was noted that Mr. Damon Hearne was an excellent moderator for this event.

Mr. Thomas stated they split into groups, and were asked to identify what they felt were the top issues. Mr. Curtin was amazed that different groups had totally different outlooks on one common issue.

It was noted that another meeting will be held in the future. Mr. Curtin stated one common thread was that the youth should be involved in this. Mr. Brownell asked if they got out of the meeting what they were hoping. Mr. Thomas believed it did serve the purpose for which it was intended. He stated there are many groups working on environmental things, and they wanted to just get all of these groups into one room to talk.

Mr. Lyman asked about contact information. Mr. Thomas stated this should be in the minutes. Mr. Lyman stated it would be helpful to have contact information.

Mr. Brownell asked if Mr. Ventres had drafted an outline for projects to discuss. Mr. Ventres stated he had not yet had time to do this.

Mr. Ventres asked Mr. Lyman if the Selectmen had discussed the Plan of Conservation and Development yet. Mr. Lyman believed this would be discussed at tomorrow's meeting.

Mr. Brownell stated he heard from a woman asking about activity at the Millington Green Cemetery. Mr. Ventres stated he received a call today about soil in the cemetery. Mr. Brownell stated he received a call two weeks ago. He asked who takes care of the cemeteries, as he needed to get back to this woman. Mr. Ventres stated he would go out there tomorrow to see what was happening, and would call Mr. Brownell.

Mr. Curtin asked if there was a written requirement for backfilling test holes. Every once in a while, he sees some that are not filled. Mr. Ventres stated he would check into this.

11. ADJOURNMENT

**Motion by Mr. Curtin to adjourn at 9:48 p.m., seconded by Mr. Matthews,
and carried by unanimous vote.**

Respectfully submitted,

Holly Pattavina
(Transcribed from tapes only)