

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
June 10, 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), James Curtin (regular member), Bernard Gillis (alternate member), David Hughes (regular member), Harvey Thomas (regular member), John Matthew (regular member)

COMMISSIONERS ABSENT: Phillip Barlow (regular member), Kevin Matthews (alternate member), Anthony Saraco (regular member)

OTHERS PRESENT: James Ventres and 5 townspeople

Mr. Brownell appointed Mr. Gillis to vote for Mr. Barlow.

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 informed the Commission that the Chatham Health Department, Fire and Building officials have submitted letters. He recommended a public hearing be scheduled for June 24, 2008.

Motion by Mr. Thomas, seconded by Mr. Curtin, and carried by unanimous vote to schedule a public hearing for June 24, 2008 to hear Application 08-07, Claudia Mazzotta, 17 Cedar Meadow Road, Special Exception Review to hold private art lessons at residence.

- B) Application 08-13, Town of East Haddam, Section 8-24 approval, creation of cul-de-sac on Clark Gates Road**

No one representing the applicant was present at this meeting. Mr. Ventres presented a map, and recommended that the Commissioners visit this area in person. He noted there is a sight line issue, and the Town desires to create a cul-de-sac to close off the end of Clark Gates Road.

Mr. Curtin asked if the Town had talked to the residents of the neighborhood. Mr. Ventres stated they were putting it out for a public hearing. Mr. Matthew asked who initiated this. Mr. Ventres stated the Planning & Zoning Commission initiated it when the new school was being discussed. He stated he would pull copies of the meeting minutes where this was discussed.

Mr. Curtin asked how much Andrews Road would be widened. Mr. Ventres responded that it would be widened from 18 feet to 22 feet.

Mr. Thomas did not believe it would be useful to hold a public hearing unless the Public Works Director, Mr. Fred Thumm, attended. Mr. Curtin asked if they could send notice to the people who live there. Mr. Ventres stated from a Planning & Zoning perspective, the only notice that was required was notice in the paper. Mr. Curtin believed this was a critical thing to change, and people who live there will be directly affected. Mr. Ventres suggested they could send out certified mailings to these people. Mr. Curtin noted that the people on Clark Gates Road, Andrews Road, and Elaine Drive should be notified.

Mr. Brownell asked if the Town has done something like this in the past. Mr. Ventres stated the Town has done similar things from time to time.

Motion by Mr. Curtin to scheduled a public hearing for July 8, 2008 to hear Application 08-13, Town of East Haddam, Section 8-24 approval, creation of cul-de-sac on Clark Gates Road, and to send out certified mailings. Seconded by Mr. Gillis, and carried by unanimous vote.

**C) Application 03-08, Gary and Tracy Albanese, 136 Daniel Peck Road, Subdivision Review for a proposed 2-lot subdivision. Assessor's Map 59, Lot 27.
First date: June 10, 2008 Last date: August 13, 2008**

No one representing the applicant was present at this meeting. Mr. Ventres presented the plan to the Commission. He stated this application has already been through the IWWC, and the stormwater calculations have been sent to Mr. Curtis at NL Jacobson for review. He noted that this is really a one-lot subdivision, but it is a re-subdivision.

Mr. Thomas asked Mr. Ventres to walk the Commission through the application. Mr. Ventres explained that this parcel was originally an 11-acre lot on the south side of Daniel Peck Road. The property owner had it flagged for wetland soils, and found that there were two acres that were upland soils, not wetland. They would create a private road for frontage, so there would actually be three lots, where there are now two.

Mr. Curtin asked if the applicant would set up a fund and an association, to which Mr. Ventres responded affirmatively. Mr. Brownell asked why there was only a 30-foot easement. Mr. Ventres stated this was an error on the plan, as it should be a 50-foot right-of-way for the private road.

Mr. Thomas stated it would be helpful to have a location map on the plan. Mr. Curtin asked how many lots were being created. Mr. Ventres stated there are two lots now, and the proposal was for three lots.

Motion by Mr. Curtin to schedule a public hearing for July 8, 2008 to hear Application 03-08, Gary and Tracy Albanese, 136 Daniel Peck Road, Subdivision Review for a proposed 2-lot subdivision. Seconded by Mr. Matthew, and carried by unanimous vote.

4. SITE PLAN REVIEW

A) Continued: Application 08-04, Thomas Pagley, 59 East Shore Drive, Site Plan Review, 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

No one representing the applicant was present at this meeting. Mr. Ventres explained that the applicant had decided to substantially redesign the house. He stated there was still time to submit, and the applicant could request an extension. He recommended this be continued to the next meeting.

Motion by Mr. Curtin to continue Application 08-04, Thomas Pagley, 59 East Shore Drive, Site Plan Review, demolition of existing home and construction of single-family residence, until the next regularly scheduled meeting on June 24, 2008. Seconded by Mr. Gillis, and carried by unanimous vote.

B) Application 08-08, Joe and Kathy Kastrup, 259 East Haddam Colchester Turnpike, renovations and additions to existing single-family residence in the L zone. Assessor's Map 67, Lot 1.

First date: May 13, 2008

Last date: July 16, 2008

Mr. and Mrs. Kastrup addressed the Commission. Mr. Ventres distributed plans and an aerial photograph. He explained that the existing coverage was 2.5%, the proposed coverage was 7%, and the driveway/impervious surface was 4%.

Mr. Ventres read into the record a letter dated June 10, 2008 from the Chatham Health District. In her letter, Ms. Davidson stated this application meets the Public Health Code for the addition on this 2-bedroom home, but any changes to the site plan or building plan must be approved by them.

Mr. Brownell recalled that the applicant was to put the location on the plan. Mr. Kastrup stated that Mr. Weaver was supposed to do this. Mr. Ventres distributed the revised plans, which had the location noted. Mr. Brownell stated this application was really just waiting for the Chatham letter and the location map.

Mr. Thomas asked if the new building met the average peak to eave maximum height. Mr. Ventres stated he talked to the architect, and the architect fully understands the height requirements. In addition, the architect understands that if the building height is not in accordance with the regulations, it must go back.

Mr. Ventres stated when the building plan comes in; he will see it again as a desk review.

Motion by Mr. Curtin to approve Application 08-08, Joe and Kathy Kastrup, 259 East Haddam Colchester Turnpike, renovations and additions to existing single-family residence in the L zone, with the following conditions:

- **Chatham Health District will review the final plans.**
- **The appropriate height requirements must be met by the architect.**

Seconded by Mr. Thomas, and carried by unanimous vote.

5. DISCUSSION

A) Zoning Regulation/Planning Projects

Mr. Brownell asked Mr. Ventres if he had prepared an outline for discussion. Mr. Ventres stated he had not yet. Mr. Brownell asked that this outline be prepared for the first August meeting. Mr. Curtin stated Mr. Ventres should add the plan for Mr. and Mrs. Albanese to the list of why we need back lots.

Mr. Ventres informed the Commission that he needed to get the flood plain mapping approved by the end of August. This was due to the new FEMA regulations. Without approval by this Commission, no one would be able to buy flood insurance.

Motion by Mr. Curtin to take a brief recess before the public hearing. Seconded by Mr. Thomas, and carried by unanimous vote.

Mr. Brownell reconvened the meeting at 8:00 p.m.

6. PUBLIC HEARING

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

A) Application 08-09, Town of East Haddam, Early Road, Special Exception Review to construct a salt shed. Assessor's Map 61, Lot 24.

Mr. Fred Thumm, Public Works Director, addressed the Commission. He reviewed the proposal for a salt shed/covered storage building at the property commonly known as the tanyard. He stated that salt is currently stored outside. Approximately two years ago, the Town and the East Haddam Fish and Game Club had a land swap, and the Town now has enough room to go forward with this project.

Mr. Thumm stated he researched different styles of structures. The proposal was for 8-feet high concrete walls. On top of this would be a wood frame structure with trusses, and then asphalt shingles for the exterior roof. In talking with Mr. Ventres and the First Selectman, it was suggested they should not have exposed concrete walls. The building that is there now has vertical siding, and Mr. Thumm planned to duplicate that for this new building.

Mr. Thumm stated the site plan showed a 24ft. x 24ft. building; however, due to the thickness of the concrete, the interior size would be inadequate for the storage of the Town's salt. Therefore, he asked for approval of a 30ft. x 30ft. shed. He noted that the interior storage area would still be 24ft. x 24ft.

This revision would not deviate from the rear yard setback, as the additional area would be toward the front and to the side. He showed this area on the plan.

Mr. Thumm concluded that this was a good project, and it would be beneficial to get the salt under cover.

Mr. Brownell asked the use of the existing building. Mr. Thumm replied that it was used for storage of equipment. Mr. Curtin asked what would be stored in the new building. Mr. Thumm stated they would store salt and a mix. Mr. Curtin asked if the proposed shed would be large enough. Mr. Thumm explained that this shed would give them the capacity they need, to hold enough salt for three or four storms.

Mr. Brownell asked if the shed would be painted red, like the other building that is currently on the site. Mr. Thumm believed it would be, as he would try to keep both buildings looking similar.

Mr. Matthew asked what the clearing span would be. Mr. Thumm stated it would be approximately 16 feet, but less than 20 feet. Mr. Hughes asked what the floor surface would be, to which Mr. Thumm stated it would be asphalt, most likely with a membrane underneath it.

Mr. Ventres asked if the parking lot would be paved. Mr. Thumm stated that paving was not part of the plan, and he didn't know if they really needed paving. Mr. Thomas asked about exterior lighting. Mr. Thumm stated he had not really thought about this, but there would be one light over the door, which would shine downward. He did not believe they would need any lighting on the side of the building. Mr. Thomas asked if the light would be on when someone was there, and then turned off when no one was there. Mr. Thumm responded affirmatively.

Mr. Ventres distributed and read into the record a letter dated June 10, 2008 from Mr. Damon Hearne of the Eightmile River Wild and Scenic Coordinating Committee. In his letter, Mr. Hearne stated they appreciated the salt being moved under cover. They encouraged the following items:

- Consider pervious concrete for the outdoor section of pad.
- Consider light colored substrate for paving material
- They asked if this application met the zoning regulations (Mr. Ventres stated it did)
- An updated stormwater remediation plan
- Is there a need for stormwater oil separation?
- Keep the disturbance footprint as small and efficient as possible.
- Landscaping or revegetation should be done with native species that would promote natural hydrology and better wildlife habitat.

Mr. Ventres stated for bullet #2, if they were not paving, this was fine. For bullet #4, he stated he went through the entire stormwater manual. He could work with Mr. Hearn and Ms. Goodfriend on this, but he suggested they put in a section of riprap, and then leave it natural, whether in the form of a rain garden or infiltrator. They may be able to let it go across grassland. There was an opportunity for overland flow, and possibly planted with salt-tolerant grasses.

Mr. Matthew stated it seemed the best way to keep this out of the water was to keep it under cover. Mr. Curtin agreed that this building was an ecologically vast improvement.

Mr. Roger Nemergut, P.E., and Mr. Eric Dill, Facilities Manager – Consumer Union, addressed the Commission. Mr. Nemergut submitted the green, certified receipt cards to the Commission. He noted that there were two unclaimed cards.

Mr. Nemergut explained that they were here tonight for a special exception permit to construct a 90ft. x 100ft. photography building. He noted that the Consumer Union property is approximately 325 acres, and extends almost to the Colchester town line. He referred to the plan, and noted the areas of wetlands and existing buildings. This project is over 500-feet from the building to the nearest wetland. The proposed building would be located adjacent to Building #4. It meets all of the setback requirements. The entire development is in the Research and Development zone. The total building coverage is well below the limits for impervious surface.

Mr. Nemergut indicated that the proposed building would be one story, constructed slab on grade. He submitted architectural drawings for review. He explained the purpose of this building would be to photograph cars for the Consumer Reports magazine articles. This photography takes place once or twice per month, over a two-day period. The photography requires a photographer and two assistants, so there would be no additional traffic.

Mr. Dill explained that the use would be the same as it is now. They are just doing the photography in another building currently.

Mr. Nemergut explained that the site was very flat, so it was at grade. He submitted a waiver request for the existing features. Since this is a 325 acre site, to prepare the topographic maps, etc. would be costly. He has shown the wetland boundaries and soil types on the plans. In the area of the proposed construction, he does have the field topography, but it was based around the area of disturbance.

Regarding pavement, Mr. Nemergut explained that they really only proposed pavement at the entrance, which was on the south side. This area has a garage door and a man way. There would be no free-standing exterior lighting. They did propose two building lights, which would be 150-watt, shielded lights. He stated there should not be any off-property light spillage.

Mr. Nemergut explained that there is a line of fir trees, so the plan calls for relocation or replacement of the evergreen screening on the west side of the building. The well is located in the vicinity of Building 4. Building 4 has an existing septic with excess capacity, which is more than enough for the new building. He spoke with Chatham Health District, and they were amenable to connecting; however, this would require a waiver from the State Health Department. They have applied for this waiver, and it has been granted. He believed a letter from Chatham Health should be on file.

Because of the increase in impervious surface with approximately 9,000 square feet of roofing, they plan to connect roof leaders into a rain garden on the west side. He distributed a detail for this.

Mr. Nemergut stated they had heard from the neighbors, and they really just wanted to know where the building would be located. He stated this would be a free-standing building, clustered with the other buildings. He hoped the Commission would grant approval so they could begin the project.

Mr. Ventres read into the record a letter dated June 2, 2008 from the Chatham Health District. In her letter, Ms. Davidson stated they have notice of approval from Mr. Bob Scully at the State. In addition, the building permit must be submitted to Chatham for approval.

Mr. Brownell asked if any chemicals would be used. Mr. Dill stated that everything was digital, and no chemicals would be involved in the process. The pictures went from the camera directly to a laptop computer.

Mr. Curtin noted that this building is quite close to the road. He asked what would be done to the exterior. Mr. Dill stated they plan to shield the building with white pines, which would give excellent year-round coverage. In addition, they would add foundation plantings. Mr. Brownell asked if they had submitted a planting plan, to which Mr. Dill responded they had not.

Mr. Matthew asked why this application needed a special exception permit. Mr. Ventres explained that any new structure in the R&D zone needed a special exception review.

Mr. Brownell stated they needed stormwater calculations for the roof runoff. Mr. Nemergut stated the area of the rain garden was 900 square feet, and 1-inch deep. This would provide the required storage volume of 750 cubic feet. The rain garden was designed to catch the first inch of rainfall. Mr. Matthew asked where the water would go after it entered the rain garden. Mr. Nemergut explained that rain gardens were designed to take the first inch of rainfall, and infiltrate it into the ground. Mr. Matthew asked where the water would go if the rain garden overflowed. Mr. Nemergut stated most of the flow goes west to east. The bulk of the drainage was to the back of the property. He noted that the area is so flat, they would not see the contours on the plan. Mr. Ventres noted that this area was a drag strip. Mr. Matthew was amenable, as long as the rain garden was not placed so it would overflow into the road. Mr. Ventres noted that the rain garden would be located over 100-feet back from the road.

Mr. Gillis asked if there was any stormwater detention on site. Mr. Nemergut stated there was no formal detention, but there was a centrally located wetland. Mr. Brownell asked if there were rain gardens for the other buildings. Mr. Nemergut stated there were not, as the other buildings were constructed before anyone knew about rain gardens. Mr. Dill stated there were roof leaders that went into the catch basins. Mr. Nemergut explained the flow patterns. Mr. Brownell asked why they would use a rain garden here. Mr. Nemergut stated with the new building, this was the proper thing to do.

Mr. Brownell asked what was located on the other side of the building. Mr. Nemergut stated the east side of the building has been re-graded for a drag strip. They did the soil testing, and found that the perc rates were 50-60 minutes per inch, which was very slow.

Mr. Brownell opened the hearing to the public.

Mr. Kevin Cone, 74 Hall Kilbourne Road, asked if there would be any construction done during the evenings. Mr. Dill stated there would not be any construction in the evenings to their knowledge. Mr. Cone asked if the building would be leased out, or if there would be any increase in traffic flow. Mr. Dill stated there would not. He stated this building was for current use, and it will just be replicated in the new building. Mr. Brownell stated there were standard hours for construction. Mr. Ventres indicated the standard hours were 7:00 a.m. to 10:00 p.m.

Mr. Nemergut referred back to the earlier comment about stormwater calculations. He stated the roof runoff will be 9,000 square feet. This would be 750 cubic feet of runoff, exactly the capacity of the rain garden.

Mr. Curtin stated the plantings were his only concern. Mr. Brownell stated that 150 watt lighting seemed like a lot. Mr. Nemergut stated 150 watts was really not a lot, and it would be a downsplash fixture.

Motion by Mr. Curtin to close the public hearing for Application 08-10, Consumer Union Auto Test Center, 3 Hall Kilbourne Road, Special Exception Review to construct a photographic studio. Seconded by Mr. Matthew, and carried by unanimous vote.

Motion by Mr. Thomas to approve Application 08-10, Consumer Union Auto Test Center, 3 Hall Kilbourne Road, Special Exception Review to construct a photographic studio, with the following conditions:

- **Chatham Health District shall conduct a final review**
- **The applicant shall provide a planting plan for screening of the building, prior to construction, which satisfies the Land Use Administrator.**

Seconded by Mr. Curtin, and carried by unanimous vote.

7. OTHER

None

8. ZEO REPORT

Mr. Ventres distributed a letter dated May 28, 2008 from the EDC to Shagbark. Shagbark will be going to the ZBA for a variance regarding their 10,000 square foot building footprint. He noted that Mr. Hunt has plans for another building, but they cannot move forward until they finish the first project.

Mr. Ventres announced that he will go back to court in early July regarding the site on Powerhouse Road. The attorney was going to talk to his client regarding his options.

Mr. Ventres stated they were waiting for a court date on the issue on Haywardville Road. He understood that some of the material had been moved.

Mr. Ventres stated he was scheduled to go before the Board of Finance tomorrow to talk about budgets for Planning & Zoning, IWWC, and OSC. He stated he had been asked to give back 4%, and he reduced the legal and engineering lines. He stated if they get additional business, they can make some of this back in fees. Mr. Puska's position was also on the deck for discussion.

Mr. Ventres stated that the Town, the IWWC, Land Trust, Mr. Ventres, Mr. Dill, Ms. Merrow had all received notice of a judgment from Judge Berger on the Mellon case. Mr. Brownell asked whose budget would pay for this. Mr. Ventres stated this would be the insurance company.

Mr. Brownell asked Mr. Ventres to email him with the budget and the changes. Mr. Ventres stated it was the same budget he had emailed previously, but he reduced the legal and engineering lines by \$8,000. However, he noted that the BOF would have the final say in these lines.

9. MINUTES

Tabled until the next regularly scheduled meeting.

10. BILLS

<u>Vendor</u>	<u>Invoice</u>	<u>Amount</u>
Shoreline News	2286627	\$28.88
Shoreline News	2288800	42.32
Hartford Courant	5126	77.32
Branse, Willis, and Knapp (Haywardville Rd, American Legion, Alger Rd. homeowner's association)		899.00

Motion by Mr. Curtin to pay the bills as presented, seconded by Mr. Matthew, and passed unanimously.

11. ADJOURNMENT

Motion by Mr. Thomas to adjourn at 9:28 p.m., seconded by Mr. Matthew, and carried by unanimous vote.

Adjournment was at 9:35 pm.

Respectfully submitted,

Holly Pattavina