

**PLANNING & ZONING COMMISSION
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
July 8, 2008
(Not yet approved by the Commission)**

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

2. ATTENDANCE:

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

COMMISSIONERS ABSENT: Cary Brownell-Chairman (regular member), David Hughes (regular member), John Matthew (regular member), Anthony Saraco (regular member)

OTHERS PRESENT: James Ventres and approximately 17 townspeople

Mr. Curtin appointed Mr. Gillis to vote in place of Mr. Matthew, and Mr. Matthews to vote in Mr. Hughes's absence.

3. ACKNOWLEDGEMENTS AND SET HEARING DATES

None

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

Mr. Thomas Pagley addressed the Commission. Mr. Ventres distributed the plans for review. Mr. Pagley stated the plans had been revised, but he believed this was a better plan for the site. Mr. Ventres advised the Commission that the proposed building was within the height limits. He stated he spoke with the fire chief regarding the attic windows, and was told that as long as the windows were egress-sized, it was acceptable.

Mr. Ventres read into the record a letter dated July 1, 2008 from Chatham Health District, which stated the demolition of the 2-bedroom house and construction of the new 3-bedroom house met the requirements of the Public Health Code. Chatham stipulated that the existing well must be abandoned, at the time of the building permit submission, the plan must be reviewed to show the leaching galleries,

etc. In addition, Chatham stipulated that the attic shall have no roughed-in mechanicals, and shall remain unfinished.

Mr. Thomas inquired about the plans for the existing concrete patio on the lakeside. Mr. Pagley was not sure what he would do with it. Mr. Thomas asked about the existing paved driveway, to which Mr. Pagley stated that would be removed. Mr. Thomas questioned the trees, and Mr. Pagley showed the trees on the plan. He stated there was one large double tree that hung over the house. He stated this tree might be removed, as part of it had already been removed due to rot. He stated he would plant trees around the yard.

Mr. Thomas asked about the shed across the street. Mr. Pagley confirmed that there would only be a shed there. He asked, however, if he could run power to the shed. Mr. Ventres stated the applicant would have to pull a permit for the electrical, and get an easement through the Town if he wanted it to go to the same meter.

Mr. Thomas asked if this house would be year-round, to which Mr. Pagley responded affirmatively.

Mr. Thomas stated the existing paved driveway would be removed, which would keep down the impervious surface area. He asked how the Commission felt about the patio. Mr. Curtin did not see how this would harm the lake, as it has been there. Mr. Gillis stated any time they could eliminate impervious surface near the lakes, it was beneficial. Mr. Curtin stated if the patio changed, was enlarged, etc., it would have to be reviewed by the IWWC. Mr. Pagley was unsure what he would do with it, and stated he may just want lawn.

Motion by Mr. Thomas to approve Application 08-04, Thomas Pagley, 59 East Shore Drive, Site Plan Review, demolition of existing home and construction of single-family residence, with the following conditions:

- All requirements stipulated by the Chatham Health District shall be met.
- The existing paved driveway shall be removed.
- Any changes to the site plan revised through June 24, 2008 will require approval by this Commission.

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

5. DISCUSSION

A) Zoning Regulation/Planning Projects

Mr. Curtin asked if Mr. Ventres would have the outline for the August meeting, to which Mr. Ventres responded affirmatively. Mr. Ventres distributed proposed draft documents from the Town of Lyme for the Eightmile watershed overlay system.

Mr. Ventres informed the Commission that the State of Connecticut and FEMA have revised the flood zone maps. They require local authorities to update their regulations. Mr. Ventres was given a model plan regulation, which Mr. Ventres revised and sent to the DEP and Attorney Branse for review. He hoped to have the reviews back for the next meeting so they could schedule a public hearing. Mr.

Thomas asked when the Commission would need to act on this mapping. Mr. Ventres stated the Commission should act at the second August meeting.

Motion by Mr. Thomas to change the order of the agenda, seconded by Mr. Barlow, and carried by unanimous vote.

7. OTHER

None

8. ZEO REPORT

Mr. Ventres distributed a letter from the Connecticut River Estuary Planning Agency (CREPA).

Mr. Ventres informed the Commission that they have reached an agreement with the property owner on Haywardville Road, and all of the junk cars have been removed.

Mr. Ventres stated he went to court yesterday regarding the site on Powerhouse Road. This issue is ongoing, and Mr. Ventres will give further updates as it proceeds.

Mr. Ventres distributed a complaint from Mr. Robert Laneri about Mr. Corbeil's property.

Mr. Ventres distributed a map for the new school property. He stated there was very little area outside the school property that is not upland review area, ledge, etc. The Commission briefly reviewed the school property maps. Mr. Curtin asked if all of the land would be turned over to the Board of Education for the school. Mr. Ventres believed it would be, as there was not much left.

9. MINUTES

Mr. Curtin gave instructions to file the minutes of the June 24, 2008 regular meeting minutes, with the following amendment:

- Page 2, Item 8, 4th paragraph, last sentence: Add "from us" after "without a permit", and add "demolition permit" before "for the building"

10. BILLS

<u>Vendor</u>	<u>Invoice</u>	<u>Amount</u>
Branse, Willis, and Knapp (general zoning, George Hindel)		\$888.35
Hartford Courant (legal notices)	5152	225.92
Suburban Stationers	3413450-0	71.66
Shoreline News (legal notices)	2295337/2295338	90.40

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

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

6. PUBLIC HEARING

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

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

Mr. Ventres distributed the plans to the Commission. He noted that notices had been sent via certified mail to property owners on upper Clark Gates Road and Elaine Drive.

Mr. Ventres stated the proposal was for a cul-de-sac on the upper side of Clark Gates Road, at the intersection of Clark Gates Road and Route 149. This came up for discussion during the school proposal. There have been several accidents in this location, so the proposal was to end Clark Gates Road at this intersection and make it a cul-de-sac.

Mr. Ventres stated that the Public Works Director, Mr. Fred Thumm, had spoken with the State DOT, and they were amenable to the project. He talked with Mr. Don Angersola, Fire Chief, and he was also in favor of it. The Ambulance Association suggested that signs be posted at the intersection of Andrews and Clark Gates Roads, with the house numbers and arrows. Mr. Ventres stated that Mr. Thumm was on vacation, or he would be here to discuss this project as well.

Mr. Ventres stated they would have to go onto Mr. Casner's property for part of this project. Mr. Robert Casner informed the Commission that he was actually deeding some land to the Town for this project.

Mr. Barlow reviewed the plan, and noted that this was 80-feet of pavement. He asked if there was any way to get by with less pavement. Mr. Casner stated that he looked at cul-de-sacs around town, and he took the average of a 40-foot radius. He believed this would serve the number of houses in this neighborhood. Mr. Ventres stated he could talk to the fire department to see if they could make the cul-de-sac into a teardrop shape, etc. to lessen the amount of pavement.

Mr. Curtin opened the hearing to the public.

Mr. Keith O'Mara, 134 Clark Gates Road, spoke in favor of the proposal. He stated there have been 40 accidents, 4 of which involved fatalities, in this area. More traffic with the new middle school will increase the occurrence of accidents. He stated he very strongly advocated for this cul-de-sac. He added that one warning sign has been knocked down recently.

Mr. Curtin asked if the fatalities were at this intersection, or in the neighborhood. Mr. O'Mara stated he contacted the traffic department, and he believed the information they gave him was 1,000 feet in either direction of this intersection. Mr. O'Mara pointed out that many accidents are not even reported to the

police. He stated he lives here now, but he recently retired from the New York City Fire Department. During his time with the NYCFD, he learned that many accidents occur in the same places.

Mr. Casner gave a brief history of this area. He stated that when the new middle school was discussed, the Town identified this area as a problem, and they came up with three possibilities for this intersection. The first was to construct the cul-de-sac, another suggestion was to make Clark Gates a one-way street, and the third possibility was to leave it alone. Mr. Casner believed this was one of the worst intersections in town. He stated the opportunity to do this is now, and he was donating the land. The Town needs additional land to make it work. He asked many of the neighbors what they would like to see done, and he submitted these petitions to the Commission. He had his engineer look at the area to see if it was possible, and the proposed plan was drawn. Mr. Casner believed this proposal made the most sense.

Mr. Thomas asked if Mr. Casner's lot would be accessed from the cul-de-sac, to which Mr. Casner responded affirmatively. Responsive to inquiry by Mr. Thomas, Mr. Casner stated that no one would lose their access from this project.

Mr. Thomas asked if any thought had been given to what would happen with the chunk of land that was near the cul-de-sac. He noted that it would have to be made very clear that this was no longer a road. Mr. Casner stated it would be up to the highway department as to how they wanted to handle this. Mr. Ventres suggested a temporary barricade, removal of the pavement and seeding the area. He suggested leaving this in the Town's hands. Mr. Casner preferred that as well.

Mr. Barlow asked if everyone would be amenable to having a smaller right-of-way area. Mr. Ventres stated he would have to talk with Public Works and the emergency services officials about this.

Mrs. Melanie Kolek, 133 Clark Gates Road, stated this was one of the most dangerous intersections in town, in addition to Trowbridge, and Falls Bashan. She stated this was not a question of if there would be an accident, but when. She was very concerned about this intersection, and stated the majority of the people would be mothers and children in minivans. She believed this proposal would be the most efficient way of correcting the safety issue that is present.

Mr. Arnie Davis, stated he has lived on Elaine Drive for 30 years. He did not believe there was an easy answer to this problem. He stated he was originally okay with the proposal, but he is now reconsidering. He voiced concern about the winters, and stated that trying to make a turn from Route 149 onto Clark Gates Road would be horrendous. He suggested a one-way road.

Mr. Curtin noted that there would already be more traffic coming down Andrews. He agreed that it would be difficult to go up hill onto Route 149 in the winter. Mr. Davis suggested for the traffic and busses turning right onto Andrews from Route 149, if it was made even slightly wider, it would help. Mrs. Kolek stated that making a bad intersection a little better does not solve the problem on the other road. It just means more traffic. Mr. Curtin stated it was not a perfect situation either way. Mr. Ventres believed most people and trucks would use North Moodus Road for access to the middle school.

Mr. Dick Haslam, North Plains, stated he was a former constable here, and he responded to a fatality in this area. He stated that speed would be a problem, but even if people drove the speed limit, this area would still be a problem. He believed the cul-de-sac was a great idea.

Mr. O'Mara stated he would prefer to see traffic use Andrews Road than Clark Gates at this intersection.

Mr. Rob Kolek, 133 Clark Gates Road, stated that while the crews were paving last week, he observed a tri-axle dump truck trying to exit Clark Gates Road onto Route 149. He watched the driver perform a three-point turn in order to get out onto Route 149. He believed to make this road one-way, in either direction, was not feasible.

Mr. O'Mara stated if this road was two-way until the last driveway, how many people would either understand or obey it. Ms. Nancy Haslam, North Plains, did not believe people should be confused with one-way for part and two-way for part. She agreed that Andrews Road was a difficult area, but most of the traffic would be in the morning. She stated the Town has an obligation to the school children to keep them safe.

Ms. Nancy Smith, Clark Gates Road, at the top of Andrews, stated that the intersection of Andrews and Clark Gates Road was still not adequate. She asked if anyone had ridden in a school bus, because the school busses are on the other sides of the road when they go through the area. She agreed that the cul-de-sac was needed.

Mrs. Laurie Paradis, Elaine Drive, stated she has lived here for 12 years, and she agreed that the cul-de-sac was a good idea. She stated she drives a Hummer, and the road is not wide enough. She questioned what would happen when it was her and a bus going opposite ways on the road.

Motion by Mr. Thomas to close the public hearing for Application 08-13, Town of East Haddam, Section 8-24 approval, creation of cul-de-sac on Clark Gates Road. Seconded by Mr. Matthews, and carried by unanimous vote.

Mr. Curtin stated the Commission would obviously need some time to discuss this.

Mr. Thomas suggested that whatever the Commission decides, that the Town engage a traffic engineer next spring, after the school has been on-line for a while. Mr. Curtin believed they already had a traffic engineer look at this area.

Mr. Barlow asked if Andrews Road had been upgraded yet. Mr. Ventres stated it had just been done. Mr. Curtin pointed out that it was not widened much. He agreed with the audience, that Andrews was not great, and there was not enough room.

Mr. Barlow agreed with Mr. Thomas' suggestion to have a traffic engineer look at the area again.

Mr. Curtin asked for a show of hands of how many people thought this proposal was a good idea. Nearly everyone in the room raised their hands. He then asked how many people felt like they would be losing out by this proposal. No one raised their hands.

Mr. Ventres advised that Andrews Road and the cul-de-sac on Clark Gates Road were two separate issues. He stated he would work with Mr. Thumm next week. They will talk to the school and review the bus routes. They will get in a bus and ride it too. If something needs to be fixed, now is the time to do so.

As for the section of Clark Gates Road that was going to be discontinued, Mr. Ventres recommended removal of the tar, that the area be seeded and mulched, and that a tree planting plan be presented.

Motion by Mr. Thomas to issue a favorable recommendation of the 8-24 application for closing Clark Gates Road, and establishing a cul-de-sac, in conformance with the general ideas of the Plan of Conservation and Development, with the following stipulations:

- **The existing pavement shall be removed, and the cul-de-sac shall be seeded and mulched.**
- **A traffic barricade shall be clearly placed to stop traffic.**

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

Mr. Curtin instructed Mr. Ventres to have Mr. Thumm check out the intersection of Andrews and Clark Gates Roads. Mr. Ventres agreed, and stated he wanted to get this issue resolved now before school begins.

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

B) 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: July 8, 2008

Last date: August 11, 2008

Mr. Gary Albanese addressed the Commission. Mr. Ventres distributed the plans to the Commission for review. Mr. Ventres noted that the only changes to the plan were from the Chatham Health District.

Mr. Ventres read into the record a letter dated July 8, 2008 from Ms. Liz Davidson of the Chatham Health District. The application met all of the requirements of the Public Health Code. All of the lots must be engineered and submitted for site plan review at the time of the building permits.

Mr. Ventres recommended that a rain garden planting plan be submitted with the building plan. He suggested a note for the record that this subdivision came with deed restrictions, when it was put in place in June 1988. Those restrictions came with a 20-year time limit, which has expired. This lot was excluded from the deed restrictions.

Mr. Ventres read into the record a letter from Mr. Clifford Hulsten, 129 Daniel Peck Road. In his letter, Mr. Hulsten preferred that no street signs be posted for the private road, no street light at the entrance of the private road, no trees cut on the strip of land between the private road and Daniel Peck Road.

Mr. Albanese stated he had no problem with not cutting the trees. Mrs. Joanne Hepp stated that Mr. Hulsten had flood lights, so no one else needed them.

Mr. Ventres recommended a condition of approval be stipulated that at the time of the mylar filing, the association language for the private road shall be filed.

Mr. Barlow asked if there was any detail on the rain garden soils. Mr. Ventres stated the test pits near the rain gardens are suitable. Mr. Barlow suggested the Commission may want to ask for soil details in the future. Mr. Ventres stated the Commission will see this on large subdivisions, including one that is coming to them soon. Mr. Ventres commented that they would have to augment the soils.

Mr. Gillis asked if the driveway would be gravel. Mr. Albanese stated it was currently gravel. Mr. Gillis asked if it would remain gravel. Mr. Albanese believed it was required to be paved. Both Mr. Ventres and Mr. Curtin noted that paving was not required for this driveway, as it was relatively level. Mr. Curtin informed the applicant it was up to him whether to pave it or not. Mr. Albanese stated he liked the gravel.

Mr. Ventres informed the Commission that the IWWC has already reviewed this application.

Mr. Matthews asked if the Commission should recommend no removal of trees along Daniel Peck Road. Mr. Curtin stated the applicant wasn't going to cut the trees.

Mr. Curtin opened the hearing to the public.

Ms. Joanne Hepp is a neighbor, and stated she had no problem with the application.

Motion by Mr. Gillis to close the public hearing for Application 03-08, Gary and Tracy Albanese, 136 Daniel Peck Road, Subdivision review for a proposed 2-lot subdivision. Seconded by Mr. Matthews, and carried by unanimous vote.

Motion by Mr. Thomas to approve Application 03-08, Gary and Tracy Albanese, 136 Daniel Peck Road, Subdivision review for a proposed 2-lot subdivision, with the following recommendations:

- **A 25-foot tree line buffer shall be kept along Daniel Peck Road**
- **A planting plan for the rain garden shall be submitted at the time of the building permit submission.**
- **At the time of the mylar filing, association language for the three lots on the private road shall be filed.**

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

8. ZEO REPORT (Continued)

Mr. Ventres informed the Commission that Camp Chomeish will not be opening this summer. The campers are going to Sunrise Resort, and the fire marshal has inspected the facility. Mr. Ventres informed the owners of Camp Chomeish that the campers are not to go to the Camp Chomeish site for any reason.

11. ADJOURNMENT

Motion by Mr. Barlow to adjourn at 9:00 p.m., seconded by Mr. Matthews, and carried by unanimous vote.

Respectfully submitted,

Holly Pattavina