PLANNING AND ZONING
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
October 27, 2020
(Not yet approved by the Commission)

There is access to this meeting via a YouTube Live link from the Town's website:
www.easthaddam.org

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

2. COMMISSIONERS PRESENT: James Curtin (Vice Chairman), Bernard Gillis (regular member), Ed Gubbins (regular member), and Susan Kinsman (alternate member).

COMMISSION MEMBERS ABSENT: Crary Brownell (Chairman), Richard Pettinelli (Secretary), Justin Anderson (regular member), Lou Salicrup (regular member), and Joe Zaid (alternate member).

Mr. Curtin appointed Ms. Kinsman to vote for Mr. Brownell.

OTHERS PRESENT: James Ventres, Land Use Administrator, Rob Smith, First Selectman, Carleen Quinn, Selectwoman, and George Scrivener, Sr.

3. MINUTES:

The October 13, 2020 minutes were accepted with the following amendments:
Page 3, #6 Camp Grounds and Recreational Camps, delete: at a tourism park, add: to expand tourism; delete the apostrophe in owners.

4. BILLS:

Suburban Office Supplies for $81.43.

> **A motion was made by Mr. Gillis to pay the bill as presented. The motion was seconded by Ms. Kinsman and passed by unanimous vote.**

5. Lot Line Revisions:

1. **New - #20-05, Parker Road, George Scrivener, Sr., Lot Line Revision, Map 29, Lots 28 & 31.**

Mr. Ventres referenced the Lot Line Revision Plan between N/F Scrivener-Parker Road and 156 Parker Road, East Haddam, CT, Weaver and Associates, P.C. Engineers and Surveyors, John Paul Garcia, Bethany, CT, dated 10/5/2020. Discussion ensued regarding the lot line revision to create a new 8.593 acre lot at 156 Parker Road.

A motion was made by Mr. Gillis to approve application #20-05 Parker Road, George Scrivener, Sr., Lot Line Revision, Map 29, Lots 28 &31. The motion was seconded by Ms. Kinsman and passed by unanimous vote.

2. **New - #20-06, 137 West Road & 141 West Road, Michael & Paula LaChance, Lot Line Revision, Map 44, Lots 7 & 9.**

Mr. Ventres referenced the Lot Line Modification Plan, Land Now or Formerly of Michael LaChance and Paula LaChance, 137 and 141 West Road, East Haddam, CT, Bennett & Smilas Associates, Inc., Higganum, CT, dated 10/15/2020. Mr. Ventres explained that Michael and Paula LaChance purchased 141 West Road to convey some of the land to their 137 West Road property. Discussion ensued in regard to the removal of the existing chicken coup, the driveway easement and one-acre zone in a conservation subdivision.

A motion was made by Mr. Gillis to approve application #20-06, 137 West Road & 141 West Road, Michael & Paula LaChance, Lot Line Revision, Map 44, Lots 7 & 9. The motion was seconded by Mr. Gubbins and passed by unanimous vote.

6. REGULATION REVIEW: Mr. Ventres distributed the following regulations to all commission members to reference:

1. **Agricultural Regulations** – Mr. Ventres stated that the Agricultural Commission will meet in the first week in November to discuss proposed regulation changes.

2. **Minimum Square Footage Requirements for Living Units** – Mr. Ventres referenced the Accessory Units Section 10.6 - page 55, Section 10.2.3.2a.2 - page 58, Section 10.5.5 - page 61; Planned Recreational Developments Section 17.4.6.2 - page 102, Section 17.5.6.2 - page 103, Section 17.6.6.2b - page 104, Section 17.7.6.2 and Section 17.7.6.3 - page 106; Seasonal to year-round conversion living space Section 24.1.2 - page 143 and the August 2020 email from Attorney Mark Branse regarding zoning minimums.

3. **Section 8 – Conformance and Non-Conformance** - the commission has to revise the removal of the abandonment clauses to match statutes for site plan review time limits. Reference Section 8.2.2 - page 30, Section 8.2.4 - page 30, Section 8.3.2 - page 31, Section 8.5 - page 31.

4. **Section 2.7 – Administration and Enforcement** – The commission has to revise this regulation to match statutes for site plan review limits.

5. **Section 16. Intent: – Historical Parks** – Discussion ensued to determine what constitutes a historical building or a period in time or preservation of what is considered exceptional. Suggestions were made to consult Architect George Fellner, the East Haddam Historical Society and the State of CT Department of Economic Community Development Trust for Historic Places, to devise language for this regulation.

6. **Section 15 - Campgrounds and Recreational Camps**. Mr. Ventres continued his discussion to devise language to amend this regulation which would allow winter use "not to exceed two weeks during November 1st to April 14th". Discussion ensued regarding the current statutes and public health codes to comply with at seasonal campsites and the potential use for minimum square foot units and self- contained campers during winter months. Mr. Curtin suggested to continue this discussion with all commission members before amending this regulation.

7. **Section 10.1.4.1 Building Structures – Height and Occupancy** – page 56, Cupola Sizing Guidelines – "2. Most architects would agree that the formula of 1" to 1 ½" of cupola BASE per foot of roofline is pleasing to most eyes." Discussion ensued regarding the size of an acceptable cupola.

Mr. Curtin referenced the East Haddam Democratic Town Committee letter of October 5, 2020, addressed to all members of the Planning and Zoning Commission. On behalf of Chairman Brownell, Vice Chairman Curtin stated that Chairman Brownell requests that this letter be read into record when he is present at the next meeting. Mr. Curtin continued by stating that it is a good idea for everyone on the commission that was present at the August 25, 2020 Planning & Zoning Commission meeting, be present when this letter is read into record. Mr. Curtin recounted that himself, Mr. Gubbins and Mr. Gillis were present at the August 25, 2020 meeting. No further comments were made.

Mr. Ventres referenced the 2021 Schedule of Meetings for the Planning & Zoning Commission. Commission members reviewed the schedule. Mr. Ventres mentioned that the second December meeting is usually canceled every year. Mr. Curtin indicated that the cancelation of the 12/28/2021 meeting is acceptable.

A motion was made by Ms. Kinsman to accept the annual 2021 Meeting Schedule for the Planning & Zoning Commission with the deletion of the 12/28/2021 meeting. The motion was seconded by Mr. Gubbins and passed by unanimous vote.

A motion was made by Mr. Gubbins to change the order of business. The motion was seconded by Ms. Kinsman and passed by unanimous vote.

ZEO REPORT:

Mr. Ventres informed the commission that if East Haddam receives a grant award from the Connecticut Community Connectivity Grant Program for the Moodus Green/Sidewalk/Plains

Road Abandonment Project; Nemergut Consulting will then submit final engineered drawings for the CT Department of Transportation's approval.

Selectman Rob Smith commented that during the summer of 2022, construction work will begin to install a bike path and extend the sidewalk in front of the Municipal Office Complex south to Wigwam Road. Discussion ensued regarding the grade of the sidewalk.

Mr. Ventres reported that the Land Use office is amazingly busy responding to numerous inquiries pertaining to a variety of building renovations and real estate sales.

Mr. Curtin inquired about the Fall, 2020 Connecticut Federation of Planning and Zoning Agencies quarterly newsletter on the Proposed Changes to Zoning Laws "Endangered Single-Family Zone" article. He asked Mr. Ventres to clarify what is meant by "balanced living patterns". Mr. Ventres explained that the proposed legislation for balanced living patterns suggests affordable housing in the vicinity of transit areas and commercial zones. Mr. Ventres stated that he will distribute the most current Affordable Housing General Statutes to the commission when this proposed legislation is finalized.

Mr. Gillis inquired about the Connecticut Public Health Code Section 19-13-B100a regulation for Building Conversions/Changes in Use, Building Additions, Garages/Accessory Structures, Swimming Pools and Sewage Disposal Area Preservation, that was distributed to commission members. Mr. Ventres asks commission members to review this public health code for clarification on winterizing seasonal use buildings, particularly regulated heat sources. He stated that proper heat and ventilation in a dwelling is enforced by the CT Public Health Department, not the Zoning Commission. Mr. Gillis suggests inserting clear and distinctive language in the camp ground regulations for code compliant components, including permanent stationary structures.

PUBLIC HEARING

A. New – Proposed amendment change to the floating zone regulations for the Planned Recreational Development/Resort Zones. The proposal is to allow more than four units to a building that existed prior to the floating zone application.

Mr. Ventres read into record a letter dated October 26,2020, from Attorney John S. Bennet of Gould, Larson, Bennet, Mc Donnell & Quilliam, P.C. of Essex. The letter is to inform Mr. Ventres that Attorney Bennet cannot report resolution of issues between his client, Banner Associates and the existing Condominium Association. Therefore, he requests that tonight's public hearing be continued to November 10, 2020, which will be the final continuance date.

> **A motion was made by Mr. Gillis to continue the public hearing for the application for amendment to the Floating Zone Regulations for Planned Recreational Development/Resort Zones to November 10, 2020. The motion was seconded by Mr. Gubbins and passed by unanimous vote.**

ZEO REPORT continued

Mr. Gillis inquired about the town of Salem's proposed zoning special event regulation that Mr. Ventres distributed to the commission on October 13, 2020. Mr. Ventres explained that this proposed regulation pertains to a floating zoning on a state highway around a lake. He proceeded to give examples for commission members to ponder for potential income on large parcels of land.

A motion was made by Ms. Kinsman to incorporate the October 5, 2020 letter to the East Haddam Planning and Zoning Commission members from the East Haddam Democratic Town Committee into these minutes. The motion was seconded by Mr. Gillis and passed by unanimous vote.

A motion was made by Mr. Gubbins to adjourn at 8:15 p.m. The motion was seconded by Ms. Kinsman and passed by unanimous vote.

Respectfully submitted,
Toni Marie Dumaine
Recording Secretary

Attachment: 10/5/2020 letter from the East Haddam Democratic Town Committee

COMMUNITY FIRST
East Haddam Democratic Town Committee
P.O. Box 357
East Haddam, CT 06423

RECEIVED
OCT 14 2020
BY:_____

October 5, 2020

To: East Haddam Planning & Zoning Commission:

Crary H. Brownell, Chairman	James M. Curtin, Vice Chairman	Louis H. Salicrup
Bernard J. Gillis	Edmund J. Gubbins, Jr	Justin Anderson
Richard Pettinelli	Joseph Zaid	Susan E. Kinsman

NOTE: We acknowledge that Susan E. Kinsman and Joe Zaid were not present at the August 25, 2020 meeting. We also acknowledge that Bernard J. Gillis provided important historical information on racism as it relates to planning and zoning at the August 25, 2020 meeting.

As a result of the August 25, 2020 Planning & Zoning Commission (P&Z) meeting and its having been viewed 1,372 times (and counting), the East Haddam Democratic Town Committee feels compelled to write to you and ask that this letter be read and recorded into your meeting minutes.

We were angered by your disrespect towards Selectwoman Theresa Govert at that meeting. As residents of East Haddam and elected members of the Planning & Zoning Commission we expected more from you. Selectwoman Govert graciously attended the meeting at P&Z's request. She listened and apologized, multiple times, for the gross misunderstanding of her words spoken at a rally in support of Black Lives Matter in June. During the meeting it was acknowledged by P&Z that it was social media that stirred up the controversy. We all need to understand the role that social media can play in "stirring the pot" and creating misunderstanding, especially now. None of us are immune to this. We depend on our elected officials to rise above it, clarify matters, and move forward in a positive direction.

In spite of the acknowledgement of the impact of social media on the misinterpretation of her words, Selectwoman Govert was told that there is no racism in East Haddam, and was ignored or criticized when she attempted to educate or offered to provide materials about the history of zoning and racism to P&Z. There are still (illegal) discriminatory restrictions against Blacks, Jews, Catholics, Italians, and others in many Connecticut property deeds, including some in East Haddam. Instead, belittling her knowledge and ignoring her offer to provide you with facts, you squandered an opportunity to be educated. We strongly suggest that you reconsider her offer.

Throughout the meeting Selectwoman Govert maintained her dignity, patience, and respect toward P&Z, which was not reciprocated. She deserves an apology. Therefore, we are asking the Planning & Zoning Commission to respect her and the citizens of East Haddam who elected you and deserve better from you, by giving her one. Please do so at your earliest convenience.

Sincerely,
Mary Murphy, Chair
Harvey Thomas, Vice-Chair
Martha Hansen, Treasurer
Marilyn Gleeson, Secretary

CC: James Ventres
Board of Selectmen