East Haddam Planning and Zoning Commission
Land Use Office

Regular Meeting Minutes
April 13, 2021

1. **CALL TO ORDER:**

Chairman Brownell called the meeting to order at 7:15pm at the Municipal office Complex.

2. ATTENDANCE:

COMMISSIONERS PRESENT: Crary Brownell (chairman), James Curtin (Vice Chairman), Justin Anderson (regular member), Bernard Gillis (regular member), Ed Gubbins (regular member), and Susan Kinsman (alternate member)

COMMISSION MEMBERS ABSENT: Richard Pettinelli (Secretary), and Louis Salicrup (regular member)

Chairman Brownell appointed Ms. Kinsman to vote for Mr. Pettinelli.

OTHERS PRESENT: Rob Smith (First Selectman), James Ventres (Zoning Enforcement Officer), Bob Casner (Economic Development Committee member)

3. **MINUTES:**

The March 23, 2021 minutes were tabled until the next meeting.

4. BILLS:

No bills received.

5. ACKNOWLEDGMENT:

1. **New – #21-05 –38 Wm. F. Palmer Road, Dutch Investments LLC, Special Exception Review to construct a 40' x 42' addition to a commercial building. Assessor's Map 65, Lot 139.**

   Mr. Ventres outlined that the addition would be to the existing building that houses the pharmacy now, and would be in the back. The plan is substantially complete and would be ready for Public Hearing at the May 11th meeting.

   A motion was made by Mr. Anderson to schedule the public hearing for May 11, 2021. The motion was seconded by Ms. Kinsman and passed by unanimous vote.

6. REGULATION REVIEW

1. Agricultural Regulations

Per a request at the last meeting, Mr. Ventres talked with the building inspector to ascertain why 5000 square feet was chosen as the building size. Per the building inspector, anything over that size requires an engineer's stamp to ensure the building can handle snow weight, etc. The 5000 square foot requirement for an engineer's stamp is part of the International Building Code. Discussion ensued related to the 5000 square foot parameter and the comfort level of the commission members with using that size in the regulations.

There are 2 sections where this size would go; under Section 29 and in the Agricultural regulations; there is size included right now. Mr. Ventres noted the next steps would be to make inquires of area towns and receive a response from them as to how they handle this scenario, and also schedule a Public Hearing in June to allow the regional planning agencies time to review and comment.

Under commercial slaughtering facilities in Section 29, Ms. Kinsman asked for clarity as to what is allowed under the regulations. Right now, a farmer can raise, slaughter and sell their own animals, but cannot bring in another farm's animals to slaughter. The concern raised is the set-back changes, and how that would be interpreted for a commercial farm versus a hobby farm. The Commissioners asked Mr. Ventres to review other town regulations and revise the wording to ensure that it is clear as to what is allowed and what is not. Mr. Ventres' focus is to ensure that future farmers are protected in their right to slaughter animals on their properties. The topic will be reviewed again at a future meeting

7. ZEO REPORT

Mr. Ventres provided a copy of the seasonal regulations per Mr. Curtin's request at the prior meeting for review and consideration. He reviewed that most towns rely on Public Health Code to address seasonal requirements.

The concern is that existing seasonal cottages cannot convert to year-round dwellings, while a vacant lot can be purchased and a year-round house could be built upon it as long as the building and lot meets the Public Health Code.

Discussion ensued as to how to ensure that those seasonal cottages that meet the regulations can convert to year-round if desired.

Mr. Ventres also provided a list of scenic roads in town.

Mr. Brownell asked Mr. Smith for an update on Beebe Road. Mr. Smith relayed Public Works brought in gravel and graded it with a bulldozer and added crown. It is within the 16" road width they were looking for and there will be a delineation on the side they were looking to have in place.

Mr. Brownell noted that the sub-committee needs to be made aware of the work being done prior to it being done so that the sub-committee can review it and discuss with the full Commission.

8. DISCUSSION

1. Moodus Center Regulation & Mapping Review

Mr. Gubbins reviewed the work of the Moodus Center subcommittee and the focus on consolidating zoning for mixed use (commercial and residential). Some buildings can be up to 3 stories but requires Fire Marshall approval. The zone would extend from the old Grist Mill Market down to where Rt. 151 and Rt. 149 meet, then up Wigwam Road and to Joe Williams Road. Mr. Gubbins noted there would not be a large amount of property changes in terms of zoning designation changes. The focus of the plan is to provide for long-term revitalization and options for Moodus. There is a focus to slow down traffic through Moodus, much like Deep River center. Next Thursday will be the next Sub-committee meeting to review and discuss further.

Discussion ensued around the need to ensure three story buildings do not impede on the character and overall village feel that the Commission is trying to accomplish.

Mr. Brownell asked Mr. Casner if he had any feedback. Mr. Casner noted the focus is to see if there is a way to get back to what Moodus used to be prior to the 1960s revitalization effort, with stores on the first floor and living space on the second floor. The focus is to make sure the site will provide an investor a positive rate of return. Architecture is a big part of making this a success. If the Planning & Zoning Commission can provide some guidance as to what the town wants, it would help a developer know what is acceptable and pleasing in the eyes of the townspeople. The parking also requires focus; the road is very wide and contributes to the lack of a village feel. The community needs to make a place where investors can invest in multi-purpose and multi-family areas. Overall there is a need for professional help to create a plan that can educate the public as to what is possible, after the sub-committee has completed it assessment.

2. Customary Home Occupations

Mr. Brownell asked the Commission for feedback on the regulations. Mr. Curtin would like to see them tightened up. Mr. Ventres talked through various items that can be added – gross vehicle weight, more clarity on existing structures, etc. Mr. Ventres asked the Commission to provide feedback on what could be included, what is missing, etc. Mr. Brownell noted that he would like to see all applications to come before the Commission; that would enable the Commission to determine if the application requires Commission review versus the Land Use Officer review.

Discussion ensued related to the home office scenario for people who work for a company versus themselves and if it makes sense to have those applications reviewed by the

Commission. There is a concern related to those types of scenarios that could grow into larger businesses that could impact the neighborhood. To differentiate from those home offices where people work for other companies, Mr. Ventres will update the last line of the regulation to outline that businesses with more use than just office use and/or that entertain clients need to come before the Commission.

Mr. Casner asked the Commission to consider a two-tier review for what is allowed on a state highway versus a residential neighborhood. Mr. Brownell outlined the existing regulations require special review for home-based businesses to ensure there is no neighborhood impact. Separate regulations could be difficult to manage. Mr. Ventres highlighted neighboring towns have similar regulations to East Haddam.

Mr. Brownell also brought up that the home occupation is retained with the property and not with the owner, as it is a use of the property. Mr. Ventres will double check to make sure that special exemptions stay with the property and report back to the Commission.

Mr. Gillis asked if there is a thought about changing the limitation of using only 25% of the property for the home occupation. The regulation states it is the lessor of either 750 square foot or 25% of the property. Mr. Curtin referenced how having examples of what works and does not work allows for fulsome discussion.

Mr. Ventres noted there are no business regulations on the state level other than the business must pay the business fee.

Mr. Brownell stated there will be further discussion at a future meeting.

3. **Beebe Road/Scenic Road Discussion**

Previously discussed earlier in the meeting under ZEO Report.

4. **Other**

Ms. Kinsman provided an update on the Open Space grant awards. Several grants were awarded. Mr. Ventres will provide the entire package for notification so the commissioners are aware of the process.

9. ADJOURNMENT

A motion was made by Mr. Gubbins to adjourn at 8:27pm. The motion was seconded by Mr. Anderson and passed by unanimous vote.

Respectfully submitted,
Shannon A. Goyette
Recording Secretary