East Haddam Planning and Zoning Commission
Land Use Office

Regular Meeting Minutes
May 25, 2021

1. CALL TO ORDER: Vice Chairman Curtin called the meeting to order at 7:14 pm.

2. COMMISSIONERS PRESENT: James Curtin (Vice Chairman), Richard Pettinelli (Secretary), Bernard Gillis, Ed Gubbins, Louis Salicrup, Susan Kinsman

   COMMISSION MEMBERS ABSENT: Crary Brownell (chairman), Justin Anderson

   OTHERS PRESENT: James Ventres (Land Use Administrator), and Bob Casner.

   Vice-Chairman Curtin appointed Ms. Kinsman to vote in Mr. Brownell's absence.

3. MINUTES: The May 11, 2021 minutes were accepted as written.

4. BILLS

   No bills received.

5. REGULATION REVIEW

   1. **Agricultural Regulations – Proposed New Section 29**

      Mr. Ventres provided the changes to Attorney Willis, and reviewed the changes he made.

      Related to hobby farms, Mr. Willis asked for clarity on the total number of animals allowed (20 or 40 animals) as that was not overly clear. Discussion ensued related to the total number of animals and what the regulations are created for, which is to help address neighbor complaints. Mr. Ventres noted that mainly the complaints he receives are related to roosters. The commission discussed limiting hobby farms to a total of 25 animals.

      Mr. Ventres noted the Agriculture Committee did meet and provided feedback to him on the proposed regulation for a hobby farm to be 75 feet from the property line. Mr. Ventres will provide Agriculture Committee minutes once he receives them.

   2. **Seasonal to Year-Round Conversion – Section 24**

      Mr. Ventres reviewed the changes with the Building Inspector and provided the commission with an overview of his comments. The Building Inspector noted that upon an upgrade, building inspectors look at if the building is insulated as best as it can be, it has smoke and CO2 alarms, and that structural changes are reviewed by a licensed engineer. Mr. Gillis noted that home inspection services are not the best option to leverage for ensuring changes are sound, but having a structural engineer, electrician and architect review the upgrade offer the best chance to ensure that the upgrades are safe.

Mr. Curtin noted that leaving any decisions up to the discretion of a building inspector does not provide the most protection and clarity around what is needed for homeowners who want to convert their seasonal dwellings to year-round dwellings. The goal is not to provide updated regulations that are impossible to meet. The focus is to ensure that most of the seasonal dwellings can convert with reasonable upgrades.

Mr. Ventres can specify current codes related to safety and health but not the full building code, as most of the town's seasonal structures cannot meet the current building code. The commission noted the bar needs to be high enough to be safe but not so high to block the ability to convert any structure.

Mr. Casner noted that the energy component of the building code is so high that it would be impossible for older dwellings to meet them. He noted that the goal needs to focus on safety and health. The goal should be for the building to be structurally sound, but the regulations should not include the energy portion of the building code as no one could meet that.

Mr. Ventres noted that code-compliant septic systems are required. The present regulations require septic systems to be 75 feet or more from the lake. Wetlands requests a nutrient analysis to determine if the water would be harmed by a system that is in close proximity to wetlands/watercourses.

On Lake Hayward, to convert to a year round dwelling, access to public water must be addressed. CT Water Company owns the rights to the water underneath the Lake Hayward area. Drilling a well requires permission from CT Water. The water system at Lake Hayward right now is seasonal. CT Water is working on installing a new system that is at the proper depth, which would move the seasonal water system to year-round.

3. **Customary Home Occupations – Section 27**

Mr. Ventres provided other town regulations for review and reference.

The Coventry regulations were split into low, moderate and high impact. Discussion ensued related to the different levels, and that the trades and heavy trucks are typically what would cause complaints.

Mr. Casner noted he likes the two levels option for regulations and highlighted that including a delineation of state versus local roads would provide clarity for residents. He suggested protecting residential areas that have been designed for children and outdoor family life and not for heavy trucks and traffic.

Discussion ensued related to road delineations and types. Mr. Curtin noted the commission needs to have the road delineations outlined as those may be able to provide better clarification within the regulations as to what home occupations are allowable in which areas of town.

Mr. Curtin outlined that the commission would like to go with two levels. Mr. Ventres indicated outlining the road type distinction within the levels will provide a further level of clarity to residents.

6. ZEO REPORT

Mr. Ventres provided the House bill 6107 and an overview of it, outlining where the major changes are that the commission should be aware of. There is a section related to AirbnBs and affordable housing that he called to the commission's attention.

7. DISCUSSION

1. Moodus Center Regulation & Mapping Review

Mr. Pettinelli noted that the goal of the Moodus Center regulations is to create a village that is more closely akin to East Haddam Village. The sub-committee is going to review the East Haddam Village regulations to see what can be copied over into the Moodus Center regulations to fix the mistakes of the past. There are several items that are being looked at like proposing regulations that move the parking to the back of buildings and slowing down traffic thru the center. There are several vacant 2nd and 3rd floor properties in existence already and converting those to apartments and housing could bring more life into Moodus.

The sub-committee is looking at a very large area, but the focus needs to be on a manageable section first. The sub-committee is looking at the first section of Rt. 149 (from around Great Hillwood down to the old Cumberland Farms location). The goal of the sub-committee is to address small sections at a time.

Mr. Ventres noted that "character of the neighborhood" does not work within regulations any more, but now the architectural style must be articulated to provide clarity.

Mr. Pettinelli noted the Simbury regulation talk about the amount of glass and how a building is located on a lot, which is a good example of what needs to happen in the Moodus Center regulations. The focus is not to build another commercial building that is faced sideways with a sea of parking next to it.

Mr. Pettinelli noted that the DEEP needs to reconstruct Rt. 149 to slow traffic down.

Ms. Kinsman noted that having architectural style outlined would promote the village feel.

Mr. Casner noted the sub-committee is made up of three Economic Development members and three Planning & Zoning members. The goal is to protect "Main Street" in Moodus and create regulations that outline to builders what the overall plan needs to look like. P&Z outlining that architectural review, layout of the parking and layout of the traffic flow comes under their purview will drive developers to create a much better plan than what is in existence today. The focus needs to be for P&Z to have the authority to approve the overall plan versus just components of the plans. Doing so will provide a community center that the town can be proud of.

Mr. Curtin asked Mr. Ventres to contact Mr. Brownell and determine when the Special Meeting needs to be held on the Moodus regulations.

The commission discussed the components of the regulations, which include architectural review, no single family homes/residential stand-alone structures, no bed and breakfasts and inns, retail commercial on the 1st floor, design that promotes foot traffic, residential or professional office on the 2nd floor, real estate and others. Setbacks need to be changed.

Mr. Casner noted that having 2nd floor residential provides income smoothing to the owner/developer in the case of a business vacancy on the 1st floor.

Ms. Kinsman noted that Essex Village or a shoreline town like Clinton or Westbrook both have a major thoroughfare running through them and are walkable, so it is achievable. Those towns may have additional regulations that would work for Moodus.

Mr. Pettinelli said that the sub-committee is highly focused on getting the regulations right to correct the mistakes of the past and also have a positive impact to the future.

Mr. Ventres noted he can create a draft to review at the Special Meeting and asked the commission for clarity on what they would like included. Mr. Curtin asked Mr. Ventres to review the East Haddam Village and cull out the things that do not make sense given the difference between the two areas and add in items from other towns that make sense and hone the spirit of the regulations to create a walkable village.

Mr. Ventres will distribute the Simsbury regulations to the commission for their review.

8. PUBLIC HEARING

1. **New - #21-06 – 33 Whitewood Drive, Christopher & Nicole Herold, Special Exception Review for an accessory apartment in a new detached garage. Assessor's Map 40, Lot 13.**

Mr. Ventres noted the applicant has requested an extension and therefore the public hearing will move to the next regularly scheduled meeting. The application does not have final plans or the septic plans.

A motion was made by Mr. Pettinelli to continue the public hearing to the next regularly scheduled meeting. The motion was seconded by Mr. Gubbins and passed by unanimous vote.

9. ADJOURNMENT

A motion was made by Mr. Gubbins to adjourn at 8:39pm. The motion was seconded by Mr. Salicrup and passed by unanimous vote.

Respectfully submitted,
Shannon A. Goyette
Recording Secretary