PLANNING AND ZONING
TOWN OF EAST HADDAM
LAND USE OFFICE
REGULAR MEETING MINUTES
(Not yet approved by the Commission)
November 23, 2021

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

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

2. COMMISSIONERS PRESENT: Crary Brownell (Chairman), Richard Pettinelli (Secretary), Bernard Gillis (regular member), Lou Salicrup (regular member), Susan Kinsman (alternate member) and Debbie Langdon (alternate member) arrived at 7:25 p.m.

COMMISSION MEMBERS ABSENT: James Curtin (Vice Chairman), Ed Gubbins (regular member) and Justin Anderson (regular member).

Mr. Brownell appointed Ms. Kinsman to vote for Mr. Gubbins and Mrs. Langdon to vote for Mr. Anderson.

OTHERS PRESENT: James Ventres, Land Use Administrator.

3. MINUTES: The November 9, 2021 minutes were accepted with the following amendment: Pg. 2, 3rd paragraph, last sentence should read: If they chose to use a site like Sunrise State Park.

4. BILLS: None

5. ACKNOWLEDGEMENT: None

> **Mr. Pettinelli motioned to change the order of business. The motion was seconded by Mr. Gillis and passed by unanimous vote.**

7. LAND USE ADMINISTRATOR REPORT:

In response to Mr. Brownell's inquiry based on the 2008 Plan of Conservation and Development report designating 10,000 acres for open space; Mr. Ventres distributed to the commission the November 2021, Town of East Haddam Developed and Undeveloped Land, Committed Open Space report. According to the East Haddam Open Space Ordinance, *the town, with assistance from State and private organizations, shall continue to pursue open space acquisitions of properties that meet the criteria of the ordinance. Efforts should continue to be made with the Conservation Commission, The East Haddam Land Trust, the State of Connecticut, The Nature Conservancy, and other conservation organizations to educate the public about various options*

and resources available to preserve land as open space. See Appendix VIII – Parks and Preserves with Public Access. Mr. Ventres informed the commission that the combined total of conserved open space is 23.4% of the designated 10,000 acres. Discussion ensued in regard to economically conserving various parcels of land and a referendum on future land conservation to be included on ballot with local elections.

Mr. Salicrup inquired about the status of the My Father's House site. Mr. Ventres stated that it is a religious retreat center that was converted from seasonal to year-round use. Mr. Ventres explained that he and Fire Marshall Donald Angersola, recently walked the site to confirm code compliant renovations. Mr. Ventres indicated that the required permits have been pulled by the contractors performing the renovations.

In response to Mr. Pettinelli's request, Mr. Ventres distributed a copy of the General Parking Requirements, Section 11 regulation, for review. Mr. Pettinelli referenced Section 11.8.c, requesting that the Engineer of the pending #21-14 application in Moodus Center review this regulation. Mr. Pettinelli suggests modifying the number of parking spaces, within endcaps, for smaller parking lots. He cites safety and parking lot esthetics, especially for Moodus Center. This discussion will continue.

In response to Mr. Curtin's inquiry, Mr. Ventres distributed a copy of the Campground and Recreational Camps, Section 15 regulation for review. He referenced sections 15.4.1, 15.4.2, 15.4.7 and 15.4.8. Discussion ensued regarding the density of various campsites in Connecticut. Mr. Ventres will research what other states are allowing for buffering in campsites that are larger than 20 acres. This discussion will continue.

Mr. Brownell asked the commission to think about other regulations to review over the winter months.

Mr. Salicrup inquired about the progress of the Getaway Outpost site. Mr. Ventres explained that Getaway is finishing the requirements stipulated by the Department of Transportation regarding the relocation of electrical lines and the driveway entrance. Mr. Ventres indicated that pending remaining inspections, the Outpost opening is scheduled for January 1, 2022.

Mrs. Langdon inquired about the campground noise ordinance. Discussion ensued regarding recommended decibel levels by the State of CT.

Mrs. Langdon expressed safety concerns about the number of bicyclists exploring East Haddam. Mr. Brownell stated that State roads are not Planning & Zoning's jurisdiction. Mr. Pettinelli stated that the Department of Transportation is installing bike path markers throughout the state. Mr. Gillis stated for an example, that there is nothing the town can do about bicyclists camping at Wolfs Den then traveling to Gillette's Castle on the dangerous River Road. Mr. Ventres stated that a large group of bicyclists is safer traveling together than a solo bicyclist.

Mr. Gillis inquired about activity at the Banner Lodge site. Mr. Ventres stated that the renovations have begun with the interior demolition of the clubhouse.

Mr. Pettinelli motioned to take a recess at 7:55 p.m. The motion was seconded by Mr. Gillis and passed by unanimous vote.

PUBLIC HEARING 8:00 p.m.

A. #21-14- Special Exception Application Review – Rae Palmer Road, Greg McKenna (Applicant), RXINVCO, LLC (Owner). To review for construction of a commercial building. Map 65, Lots 163, 164, 165, 169 & 170.

Mr. Ventres informed the commission that he received an email from Mr. Christopher G. Bell, P.E., requesting to continue application #21-14 site plan review, at the December 14, 2021 meeting.

Mr. Salicrup motioned to continue application #21-14 site plan review at the December 14, 2021 meeting. The motion was seconded by Mr. Gillis and passed by unanimous vote.

B. #21-17 – Robert Casner, 382 Town Street, Special Exception for retail sale of cannabis products. Map 027, Lot 088.

Attorney Scott Jezek addressed the commission on behalf of Mr. Casner. Attorney Jezek explained his position regarding the November 9, 2021 meeting and the commission's decision to impose a moratorium on cannabis regulation. Attorney Jezek said that the First Selectman at the last meeting voiced her opinion on cannabis retail and poke in favor of the moratorium. Since she is an ex-officer member of every board and commission, she has predetermined her thoughts on the issue and should be asked to leave the room. Attorney Jezek also asked the Chairman to pole the commission members seated to ask if they could fairly act on this issue. Chairman Brownell stated that he would like to consult with Attorney Willis and continue this public hearing at the December 14, 2021, meeting. Attorney Jezek stated that he does not consent to this decision and asked to speak with his client Mr. Casner. Attorney Jezek returned to the public hearing and stated that he would like to review a few preliminary issues with the commission and then continue this hearing at the December 14, 2021 meeting. Attorney Jezek explained that the proposed location of cannabis retail is adjacent to a liquor store and the state statues require his client to apply for a special permit license. The state only allows one cannabis retail establishment per 25,000 residents and potentially the application will be entered into a lottery, within the community, with possible review by the Social Equity Council. Attorney Jezek stated that currently there is no precedent to refer to regarding cannabis retail. Attorney Jezek presented the green certified mail receipts to Mr. Ventres.

Mr. Salicrup motioned to continue application #21-17, Robert Casner, Special Exception for retail sale of cannabis products. The motion was seconded by Mr. Gillis and passed by unanimous vote.

C. Revisions of the Customary Home Occupations – Section 27 of the East Haddam Zoning Regulations.

Mr. Brownell asked the commission if they are ready to amend sections of this regulation as noted and hi-lighted in yellow by Mr. Ventres. Commission members feel they should wait until all commission members are present to vote on the amendments. Mr. Ventres referenced the July 15th draft with November 2021 notes and explained that he and Mr. Casner discussed and agreed upon what is hi-lighted in yellow. Mr. Ventres referenced section 27.4 and 27.6 and informed the commission of a recent court decision that declared that a special exception approval is not forever. Mr. Pettinelli clarified that the July 15th draft with November 2021 yellow hi-lighted amendments is what should be voted on. Discussion ensued regarding minimum land requirements, buffering, filtering moderate home occupations through special exception review and the number of employees that qualifies a moderate home occupation.

Mr. Brownell opened the hearing to the public.

Mr. Casner explained that the regulations should not be stretched to a point where a moderate home business can operate out their home, especially a construction business. Mr. Casner stated that the Economic Development Commission encourages new businesses to invest in commercial space to grow their business. He remarked that there are eight units available to rent in the industrial park.

Mr. Gillis would like to take more time to review and discuss with all members of the commission before voting on these amendments.

Ms. Kinsman motioned to continue this discussion on the revisions of the Customary Home Occupations – Section 27 to the December 14, 2021 meeting. The motion was seconded by Mr. Salicrup and passed by unanimous vote.

Mr. Pettinelli motioned to adjourn at 8:45 p.m. The motion was seconded by Mr. Gillis and passed by unanimous vote.

Respectfully submitted,
Toni Marie Dumaine, Recording Secretary