East Haddam Planning and Zoning Commission
Town of East Haddam
Land Use Office

Regular Meeting Minutes
(Not yet approved by the Commission)
June 14, 2022

1. CALL TO ORDER: Crary Brownell called the meeting to order at 7:15 pm.

2. COMMISSIONERS PRESENT: Crary Brownell (Chairman), James Curtin (Vice Chairman), Richard Petinelli (secretary), Justin Anderson (regular member), Bernard Gillis (regular member), Ed Gubbins (regular member), Susan Kinsman (alternate member) and Deborah Langdon (alternate member)

   COMMISSION MEMBERS ABSENT: Lou Salicrup (regular member)

   Crary Brownell appointed Deborah Langdon to vote for Lou Salicrup

3. MINUTES - The May 24, 2022, minutes were accepted as amended.

   Page 2, last paragraph: *"Mr. Brownell question if there were any other projects that any of the members would like to talk about and the members did there were none."* Should read *"Mr. Brownell questioned if there were any other projects that any of the members would like to talk about and the members stated there were none."*

   Page 3, fourth paragraph: "In addition, Mr. Pettinelli references Page 3, Section D. Prohibitions, Subsection 2, suggesting that it reads *"Temporary Cannabis events, including but not limited to private marijuana vending events, cannabis trade shows or public cannabis events are prohibited unless authorized by state law and Zoning Regulations.*" Should read *"Temporary Cannabis events, including but not limited to private marijuana vending events, cannabis trade shows or public cannabis events are prohibited unless authorized by state law and Zoning Board."*

   Page 3, fifth paragraph, first sentence: *"Mr. Brownell begins a discussion regarding an email that was sent by Mr. Casner about possibly of the Moodus Subcommittee together at a future at some point."* Should read, *"Mr. Brownell begins a discussion regarding an email that was sent by Mr. Casner about the possibility of getting the Moodus Subcommittee together in the future at some point."*

   Page 3, sixth paragraph: ***"Motion was made by Mr. Pettinelli to take a 5-minute recess. Seconded by Mr. Brownell and unanimously approved."*** Should read, ***"Motion was made by Mr. Pettinelli to take a 5-minute recess. Seconded by Mr. Gillis and unanimously approved."***

   Page 5, fourth paragraph: *"The following goals and strategies, which is the real heart of the plan, where developed…"* Should read, *"The following goals and strategies, which is the real heart of the plan, were developed…"*

   Page 6, first paragraph: "*Determine suitability, the Town should assess the properties with respect to the following conditions: evaluate site constraints, determine density that can be supported by*

on-site septic system, evaluate market conditions to determine highest-and-best use, and conduct a fiscal impact study as port of the identification of highest-and-best use." Should read, "Strategy Three: *Determine suitability, the Town should assess the properties with respect to the following conditions: evaluate site constraints, determine density that can be supported by on-site septic system, evaluate market conditions to determine highest-and-best use, and conduct a fiscal impact study as port of the identification of highest-and-best use."*

Page 7, ninth paragraph: "*Mr. Brownell ensues a conversation regarding if someone comes in with an application and puts in Affordable Housing, the Commission is unable to do anything because of the State and meeting quotes…"* Should read, "*Mr. Brownell ensues a conversation regarding if someone comes in with an application and puts in Affordable Housing, the Commission is unable to do anything because of the State and meeting quotas…"*

Page 8, last paragraph: *"I conversation ensued regarding class 2 being split into A and B."* should read, *"A conversation ensued regarding class 2 being split into A and B."*

4. BILLS

Two bills from Halloran & Sage. First bill is for general legal in the amount of $166.50 and the second bill is for *Robert Casner v. Town of East Haddam* in the amount of $185.00.

Ms. Kinsman questions the legal billing from last month from Halloran & Sage in the amount of $1,553.00 and inquires if the other party would be responsible for paying the bills. Mr. Ventres explains that this was after the application, and they wouldn't pay unless the Town went back to court to recover the funds. This would only be done if it was a large sum of money.

A discussion ensued on if the Planning and Zoning Commission should pursue reimbursement of legal fees and filing fees in the *Robert Casner v. Town of East Haddam*. Mr. Ventres will investigate this and call the attorney. There is also a question as to if the Commission or the First Selectman would make this decision. This will be discussed at a later time.

Motion was made by Mr. Gillis to pay the bills. Seconded by Mr. Gubbins and unanimously approved.

5. ACKNOWLEDGEMENT
None

6. SITE PLAN REVIEW
None

7. REGULATION DISCUSSION

A. CAMPGROUNDS
Mr. Casner reports that this came up at their meeting and this was reviewed. The board felt that they would like to see this expand. He reports that Wolf's Den is 75% seasonal and Grandview is 100% transient. They do not want anyone there longer than 7 days. Grandview does have room to expand but not sure if the owners are interested in this. The EDC felt that the resort zone was best for expansion on camping. This would also help with Moodus businesses.

A conversation ensues regarding different locations near Devil's Hopyard, Gillette's Castle and Chapman Pond. Mr. Casner states that if the Board had any ideas on where it would like to see additional campgrounds, then he would be more than happy to take it back to the EDC.

B. PARKING and C. MOODUS COMMERCIAL DISTRICT GUIDELINES
Mr. Ventres begins a discussion indicating that this was going to get linked to the Moodus Commercial District. Parking Guidelines were provided at the last meeting and Mr. Ventres was waiting for some feedback.

Mr. Ventres inquires as to the name of the individuals on the Subcommittee from Planning and Zoning. The Subcommittee includes Richard Pettinelli, Ed Gubbins, Lou Salicrup and Crary Brownell (There were only going to be 3 members). Mr. Ventres will get out an email to try and set up a time and date for the meeting.

Mr. Gillis endues a conversation regarding the Moodus Parking Guidelines. He references, page 3, 2A "Create small, dispersed parking areas that are easily found interconnected by pedestrian access ways and accessible to businesses and other village venues." He questions if there must be some type of plan before incorporating this. Mr. Ventres response with if someone comes in this will already be in place. A short conversation regarding small parking areas and the need for this to be added. This more for pedestrian access. Mr. Pettinelli brings up the fact that if giving pedestrians access from the back of building parking, then it will not bring business to other businesses as the businesses will not be seen. A conversation continues regarding the pros and cons of allowing this access.

Mr. Gillis begins a discussion regarding parking on Route 149 and questioning how do we achieve this? Mr. Pettinelli responses with first step would be a Master Plan. Would need to get approval from the State as it is a state road. A short conversation ensues regarding what type of parking that the State would allow. Mr. Ventres indicates that approximately 15 years ago, when the sidewalks were installed, from the post office to the monuments. A discussion on reducing the road width was conducted with CT DOT. CT DOT did not agree at that time. It is thought that the CT DOT has now evolved, and it may be a possibility. There is a thought to bring them in again and get their thoughts. It is suggested, the first step is to go to River Cog to draw up some plans to go to the State for a grant.

Mr. Brownell suggests getting the Moodus Subcommittee back together, start looking into how River Cog could help and get in contact with Robert Hara to see if he would like to sit in on the meeting or discuss this over the phone.

Ms. Langdon inquires if the plan would follow the old Moodus Village or if this would be a new design. A short conversation ensues on what the possibilities might be and the possibility of hiring a architect and how that would take place.

Motion was made by Mr. Pettinelli to take a 5-minute recess. Seconded by Mr. Gillis and unanimously approved.

9. PUBLIC HEARING 8:00 pm

Mr. Petinelli read into the record the legal notice.

A. #22-01 – West Road & Sara Baker Road Residential Subdivision, Integrity Properties Group, LLC (applicant & property owner). Map 004, Lot 015

Bob Deluca from CLA Engineers representing Integrity Properties Group, LLC. This is a 3-lot subdivision on West Road & Sara Baker Road. This is straightforward, with 3 frontage lots that will have access from West Road. The parcel itself is 9 acres and it slopes from West Road to Burnham Brook. The Wetlands Commission has signed off. The Health District asked for engineer comments on Friday, and they did address responses on Monday. The rain garden has been sized for a 10-year volume, on each parcel 2.50 acres 2 acres is going from woods to mostly lawns.

Mr. Ventres indicates that he received a question via email. This isa Residential 2 Acre District, R2. Brian Curtis called Mr. Ventres and said that they have addressed all the comments except for one minor item. He goes on to state that this has met the criteria of the Wetlands Commission, but they asked that erosion control measures be put in place prior to construction as the slope on the hillside does drop off quickly. The certified mail receipts have been received, signage has been posted on the subdivision as required, and the town of Salem has been notified. No comments have been received.

Mr. Pettinelli inquires as to what was done with the time of concentration. A reply from Mr. Deluca indicates he believes that there was some confusion as to what was being analyzed which was about 500 feet from the lot. It was thought that it was a smaller area of concentration. Mr. Deluca believes that the time of concentration was correct. He indicates that it was done on a more conservative side.

Mr. Gillis requests that Mr. Deluca describe what time of concentration. Mr. Deluca responds as that it is one of the items that is used to perform drainage count with the rational method showing peek flows.

There were two questions received via email. First, are these 3 separate lots on West Road? This was discussed and answered by Mr. Deluca. The second question was what are the size of the houses? Mr. Ventres indicates that the size is not required on the plans, it just has to be demonstrated that the site is suitable for a single-family home. Mr. Ventres does go on to say that he believes that the house plans show 4-bedroom houses.

Ms. Langdon inquires as to what is the separation in feet of the rain gardens? Mr. Deluca responds that it is approximately 20 feet between the two. Ms. Langdon questions if there is a chance that the two could combined and develop into something unanticipated? Mr. Deluca does not believe so. A short conversation ensues regarding this.

Mr. Curtin inquires as to the if overhead power was due to the polls being on the other side of the road. Mr. Deluca did not know at this point the reason. This is usually left up to the developer.

This was opened to the public for questions or comments, and there were not any.

Mr. Pettinelli addresses overflows and their location for the rain gardens. They will be placed 6 inches below the rain gardens.

Motion was made by Mr. Curtin to continue the Public Hearing to June 28, 2022. Seconded by Mr. Pettinelli and unanimously approved.

B. Proposed new Zoning Regulation Section 32. Cannabis Regulation and Moratorium Status on Cannabis Use.

Mr. Pettinelli read into the record the Legal Notice.

Mr. Ventres begins by stating that there is a new section, Proposed Cannabis Regulation Section 32. It has been written to match the Connecticut General Statutes. This does include the definitions. The Commission has decided to eliminate Cultivators and mega buildings. He goes on to explain the different requirements and the allowed locations. The hours of operation should be Monday through Saturday 8:00 a.m. to 10:00 p.m. and 10:00 a.m. to 6:00 p.m. These businesses are prohibited in any residential districts. Temporary Cannabis events are prohibited unless authorized by State law, Town Ordinance and Zoning Regulations.

Mr. Ventres advises that he spoke with Attorney Willis regarding this, and he has indicated that he has no issues with the Regulations, but that this was up to the Commission.

Mr. Ventres did get two comments. First comment was from the Southeastern Council of Governance which stated there will be no intermunicipal impact.

The second is from Lower Connecticut River Valley Council Governments stated that the Regulations are consistent with thee enabling legislation and will have no intermunicipal impacts. They did have questions.

Torrance Downs

Mr. Ventres indicates that he did as Mr. Downs if any other town had written anything about water use and he indicated no. Mr. Ventres did look at other towns and nothing was found. A short conversation ensues regarding the water use. May need to look at other states.

Opened to the public for questions and comments.

Bob Casner from the audience indicates that although there are distances from certain businesses in which a cannabis facility cannot be located, he thinks that a map should be made which will show exactly where the facilities can be locate. Mr. Ventres indicates that he can put this together.

Mr. Gillis ensues a discussion regarding delivery serves and transporting licenses. They are listed under cannabis establishments. This is found in the definition section. Several questions were brought up regarding the delivery and the process.

Mr. Ventres did get comments via email. They are from same person. The first one, please do not extend the moratorium on cannabis in East Haddam. I am glad you excluded cultivators as it does get odorous. I am new resident in East Haddam, and I think the Regulations are very well written. Second, since you're not doing cultivation other than micro cultivation water should not be an issue other than those individual sites.

She wanted to point out that Drizzly currently delivers alcohol your house for a fee.

Motion was made by Mr. Curtin to continue the Public Hearing to June 28, 2022. Seconded by Mr. Gubbins and unanimously approved.

A discussion ensued regarding the continuance of the Moratorium for 90 days from the date of this meeting.

Motion was made by Mr. Curtin to continue the Cannibas Moratorium for 90 days. Seconded by Mr. Anderson and unanimously approved.

C. Annual review of the 2019 Planning & Conservation Plan of Development
Mr. Ventres reports that Mr. Olin reports that the Conservation Commission had a discussion regarding climate resiliency and asked that this be kept open until the July 5, 2022 meeting in order for them to provide a report.

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

Mr. Petininelli read into record the Public Hearing Notice.

Mr. Ventres reviews where it was left off at the last hearing. Short conversations ensued regarding same.

Mr. Brownell comments on 27.3 Approval Procedure: He suggests that prior a signature from the Land Use Officer, notice should come to the Commission. A short conversation ensued regarding same. Mr. Ventres will bring these to each meeting if applicable.
Open to the public for comment and questions.

Bob Casner suggests that this be signed off by the Chairman. Mr. Ventres believes that it would be best for it to be brought to the Commission and get a consensus, rather than him and the Chairman making the decision.

Motion was made by Mr. Curtin to continue the Public Hearing to June 28, 2022. Seconded by Mr. Pettinelli and unanimously approved.

Mr. Brownell brings up an issue with the Sanibel sign still sitting there. This has been this way for 2 years. Mr. Ventres advises that he will speak to them.

Mr. Brownell also brings up Two Wrasslin' Cats. He indicated he had a talk with the owner regarding the signs sometime ago. Now he is putting more up. He is a business in town and is regulated by the Planning and Zoning Regulations. This needs to be addressed. Mr. Ventres advised that he would have a discussion with Attorney Willis. A short conversation ensued regarding if the regulations will be enforced or if this is freedom of speech.

8. LAND USE ADMINISTRATOR REPORT

Mr. Ventres reports that he just received a Memorandum from the Connecticut Gateway last night. Looking for towns to adopt the new language. A short conversation ensued regarding the document.

9. ADJOURNMENT

A motion was made by Mr. Pettinelli to adjourn. The motion was seconded by Mr. Anderson and passed by unanimous vote.

Respectfully submitted,
Lenice Tripputi
Recording Secretary