

East Hampton Planning and Zoning Commission
Regular Meeting
December 3, 2008
Town Hall Meeting Room

Unapproved Minutes

1. **Call to Order and Seating of Alternates:** Chairman Philhower called the meeting to order at 7:02 p.m.

Present: Chairman Mark Philhower, Vice-Chairman Ray Zatorski, Members Peter Aarrestad, Roy Gauthier, Rowland Rux, James Sennett, Alternate Member Michael Brogan, Richard Gosselin and Darin Hurne were present. Town Manager Jeffery O'Keefe; Planning, Zoning, and Building Administrator, James Carey; and Town Attorney, Janet Brooks were also present.

Absent: No members were absent.

Mr. Hurne was seated as a voting member at this time.

2. **Approval of Minutes:**

A. November 5, 2008: *Mr. Zatorski moved, and Mr. Rux seconded to approve the minutes of the November 5, 2008 meeting as written. Motion carried unanimously.*

3. **Communications, Liaison Reports, and Public Comments:**

Communications: Mr. Carey discussed that he has provided the Commissioners with a copy of the memo from William Hogan, Municipal Facilities Section of DEP regarding the development of a Water Pollution Control Plan with a Sewer Service Area Map.

Mr. Carey also reported that he is in receipt of a letter from John Ciriello, Chairman of the Lake Pocotopaug Commission regarding a revision they would like made to the Plan of Conservation and Development (POCD). This information will be forwarded to the Commission.

Mr. Carey explained that he has included in the Commissioner's packets a copy of Analysis of Open Space Conservation Subdivisions, prepared for the Newtown Planning and Zoning Commission by Harrall-Michalowski Associates, Hamden, Connecticut. He believes this report will be extreme useful in rewriting the Open Space Subdivision Regulation. He requested that the Commissioners review this document for a future discussion.

Liaison Report: Mr. Zatorski explained that there was nothing to report at this time for the IWWA.

Mr. Aarrestad reported that he was unable to make the last meeting of the Water Development Task Force.

Mr. Sennett reported that there has not been a meeting of the ZBA since the last meeting of this Commission. There will be no meeting of the ZBA this month.

Mr. Brogan reported that the Conservation Commission has some new projects in the works. He will be reporting on these projects as they develop.

Mr. Gauthier reported that the EDC has had a discussion regarding a zone change on Main Street from Route 66 to Route 16. The zone in this area is primarily Residential (R2) now and they are considering requesting the area be rezoned as Professional/Office/Residential (POR). They have made a motion to draft a letter to the PZC requesting this change. This letter should be forthcoming.

Public Comments: The Chairman opened the meeting to the public for comments at this time.

John Hines, 38 South Main Street discussed his disappointment with the Main Street Bridge Project. He also discussed his dissatisfaction with the water sampling and the process for disseminating the results.

Bill Reardon, 55 South Main Street, commented on his disappointment with the whole process for the South Main Street development.

Mary Ann Dostaler, 56 William Drive discussed her approval of the conversation being held between the WPCA and the PZC. She encourages the Commission to continue to consider the elimination of the Sewer Density Bonus. She also encouraged them to amend the POCD to reflect what the PZC wants for future Sewer Use Areas. She also discussed her concerns regarding an unresolved zoning enforcement issue on the corner of Hog Hill Road and Route 16.

Rob Lazor, 40 South Main Street, discussed his concerns with the handling of the South Main Street development. He would like to submit information on his grievance which he has filed with the State DPH and DPUC.

Ellen Nosal, 150 Main Street, is concerned with the zone change being pursued by the EDC for Main Street. She is also concerned about the absence of information regarding the test results for the water testing on South Main Street. She would like to know who will fund the water company operating the proposed water system. She would also like to know if the water will be made available to others in the area whose wells have been compromised by this water system and development.

Donna Fiederlein, 49 South Main Street, would like to have the water system available to her and her neighbors for use if this development takes place.

James Downey, 1 Watrous Street, discussed his concern regarding inequities in the way the Town has treated him compared to his neighbors and other residents.

The Chairman closed the Public Comments portion of the meeting at this time.

4. Set Public Hearing for January 7, 2009:

A. Application of Global Self Storage, 11 Hog Hill Road, Special Permit under Section 7.6.2 of the Zoning Regulations for Storage/Self-Storage Uses. *Mr. Zatorski moved that the PZC schedule a public hearing on January 7, 2009 for the Application of Global Self Storage, 11 Hog Hill Road, Special Permit under Section 7.6.2 of the Zoning Regulations for Storage/Self-Storage Uses. Mr. Rux seconded the motion. The motion carries unanimously.*

5. **Old Business:**

A. **Executive Session: Belltown Place:** *Mr. Zatorski moved the PZC enter executive session at this time. Mr. Rux seconded. The motion carried unanimously.*

The executive session began at 7:35 p.m.

The Commission came out of executive session at 8:10 p.m.

B. **Discussion/Possible Action: Proposed Settlement and Stipulated Judgment – Belltown Place:** *Mr. Zatorski moved that the PZC retain a consultant to, at minimum, review Sections 5.2 and 5.3 of the submitted report from Milone & MacBroom dated December 3, 2008 or updated reports, and, at minimum, address the appropriateness and the validity of the selected peaking factor. Further, determine if this is sufficient to address the issues concerning the proposed settlement. Mr. Rux seconded the motion. The motion carried unanimously.*

6. **Read Legal Notice:** None.

7. **Public Hearings for December 3, 2008:** None.

8. **New Business:**

A. **Discussion: Road Waivers and Re-Alignment for Skyline Estates:** Postponed at applicants request.

B. **Set 2009 Calendar:** Mr. Carey presented the proposed calendar for next year's meeting and deadline schedule. ***Attachment 1***

Mr. Zatorski moved to accept the 2009 Calendar of the PZC schedule of meetings and deadlines for submissions. Mr. Rux seconded the motion. The motion carried unanimously.

9. **Adjournment:** *Mr. Zatorski moved to adjourn the meeting. Mr. Rux seconded the motion. The motion carried unanimously.*

The meeting adjourned at 8:12 p.m.

Respectfully submitted,

Daphne C. Schaub
Recording Secretary