

East Hampton Planning and Zoning Commission
Regular Meeting
December 1, 2010
Town Hall Meeting Room

Unapproved Minutes

1. **Call to Order and Seating of Alternates:** Chairman Zatorski called the meeting to order at 7:01 p.m.

Present: Chairman Ray Zatorski, Vice-Chairman Mark Philhower (7:35), Members Peter Aarrestad, Roy Gauthier, Richard Gosselin, James Sennett, Alternate Members Kevin Kuhr, Darin Hurne, Meg Wright, and Planning, Zoning & Building Administrator James Carey were present.

Absent: Member Rowland Rux was absent.

Alternate Members Kevin Kuhr was seated at this time.

2. **Approval of Minutes:**

A. **October 20, 2010:** *Mr. Gauthier moved, and Mr. Sennett seconded, to approve the Minutes of October 20, 2010 as amended. The motion carried unanimously.*

B. **November 3, 2010:** *Mr. Aarrestad moved, and Mr. Sennett seconded, to approve the Minutes of November 3, 2010 as amended. The motion carried unanimously.*

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

Communications:

Mr. Carey reminded the Commission that the IHZ Presentation will be held on Wednesday, January 19th at 7 pm. Notices will be mailed and press releases will be issued. He also reported that scans of the October Connecticut Town & City Magazine and of the November/December Connecticut Preservation News have been forwarded by email to the Commissioners.

Liaison Reports:

Mr. Zatorski indicated that the IWWA report will be covered during the meeting as it relates to each agenda item.

Mr. Sennett reported that the ZBA met on November 8th at which time a variance was granted to Kevin St. James for reductions of the front yard setback, side yard setback, and lot coverage. The minutes of this meeting are on file in the Town Clerk's Office and may also be viewed online.

Public Comments: The Chairman opened the meeting to the public for comments. There were none.

4. **Read Legal Notice:** Mr. Carey read the legal notice into the record.

5. **Set Public Hearing(s) for January 5, 2011:** None.

6. Public Hearing for December 1, 2010:

A. Application of Little League of East Hampton, 20 Smith Street, Seamster Park, Site Plan Modification for Illumination Plan – Map 27/Block 87A/Lots 19C & 20:

Kyle Muncy, President of the Little League of East Hampton, 38 Mott Hill Road, was present to discuss the application. He explained that the Board of Directors of the East Hampton Little League is seeking to add lighting to their existing fields which is one of the preeminent Little League facilities in the state of Connecticut. Over the past four summers East Hampton has hosted nearly 200 All Star Tournament games featuring teams from over 75 towns and communities from throughout Connecticut. The local Little League runs from April to June and again from September through October. The Seamster Park facility is maintained on a completely volunteer and self-sufficient basis. Mr. Muncy further explained that it is the hope of the League that by providing the requested lighting additional families will be able to participate due to a more flexible schedule. They believe that this enhancement will benefit the Town for years to come.

Ted Fravel, Musco Sports Lighting, 105 Center Wood Road, Newington, presented the Commission with a PowerPoint Presentation on the proposed project. Musco is a member of International Dark Skies and is very successful at eliminating sky glow, spill, and glare. He addressed the challenges with this project and discussed the plan with the Chairman.

Chairman Zatorski requested that the applicant provide the Commission with the light temperature and a breakdown of the spectrum by the next meeting. This information is important because it speaks to the foot candle and the throw of the light.

Mr. Fravel proceeded to explain that the system is totally maintained by Musco. The Little League will only be asked to change the fuses when necessary. After that the control and monitoring system will indicate when problems arise or maintenance is necessary. Musco offers 24 hour/7 day a week support. It can be scheduled by phone or internet. It is real time and there is no extra charge. The League will be sent an email and a Musco technician will come to the facility to address the problem. There will be no responsibility to the Town or the League. The pole sits on a base of 9,000 spun psi concrete. The base sits in the ground. It is backfilled with concrete. The pole is lifted off the ground and placed on the base. It is pre-aimed at the factory. Musco is certified by the State of Connecticut for structural engineering in regard to the IBC Wind Code and wind speeds. Mr. Fravel finished his presentation by explaining that the higher the pole the more control they will have over spillage.

The Chairman discussed with the applicant the desire of the applicant to light all four fields and at what time they would like to begin this project. Mr. Muncy explained that the League would begin fund raising upon approval of the application. Chairman Zatorski explained that the Commission would not be able to rule on this application this evening. Staff needs to have the opportunity to thoroughly review the application, the applicant needs to provide the

additional information the Chairman has already requested, the applicant needs to consider lighting two fields as opposed to four, and a variance must be granted by the Zoning Board of Appeals for both the setback requirement and maximum height.

Mr. Reed discussed the schedule for the lighting at Seamster Park. There will be a maximum of 35 night games, no Sunday night games, a maximum of three night games per week, no lights past 10 pm, and the season will run from April 1st to October 31st.

The Chairman opened the meeting to the public at this time.

Bill Matterazzo, 10 Smith Street, is very concerned about having a 70' pole in his backyard.

Walt Farren, 181 Wopowog Road, is very supportive of Little League and stated that for kids playing baseball under the lights is the greatest experience.

Carol Galvin, 2 Smith Street, is most concerned about the lights and increased noise which is already terrible. The lights will increase the time they have to live with the noise and the 70' poles is a large concern.

John Beal, 12 Smith Street, has always been a strong supporter of Little League. He is not interested in installing light to benefit other town's children. The traffic is a real concern of his. He has had rude parents in his yard causing him to put up a fence.

Rod Schlosser, 59 Colchester Avenue, agreed that the activity at the facility gets very loud. He gets a tremendous amount of Little League garbage in his yard. He believes keeping this facility open later will generate more garbage. He also stated that the parents have been a concern for him. When he told a child not to walk on his fieldstone wall, the child's mother called the police on him.

Martin Bartell, 12 Harlan Place, agrees with everything that has been stated by his neighbors. He is very concerned by the traffic and noise.

Valerie Hylas, 32 Harlan Place, lives adjacent to the playscape. She is most concerned about the noise and people speeding and parking on her street, even in front of her driveway. The lighting will increase the noise and the parking problems by extending the time the facility is operating.

Ken Doney, 57 Colchester Avenue, is concerned about the 35 night games from April 1st to October 31st.

Robert Pawlak, 9 Harlan Place, is unhappy about the noise being extended by the longer hours.

Brian Riley, 19 Smith Street, is a board member of the Little League and stated that the Board has never had a noise complaint lodged with them for this facility. He indicated that the later hours would be on weekends. He lives across the street from the school and he hears kids that aren't associated with Little League much later than this.

Kimberly Siena, 11 Harlan Place, abuts the softball field. The noise, garbage, trespass, and unsupervised kids in the playscape are her concerns. There is no

one to complain to. She supports the facility but do not appreciate the new P.A. system that went in last year with no notice. She is appreciative of the notice regarding this lighting. The National Anthem is wonderful and the announcer during the games is one thing but the various music during times when there are no games is another. Ten o'clock will be too late for these activities. The neighbors put up with a lot in support of Little League. They should not have to put up with it until that late at night.

Adam Michaud, 271 Young Street, discussed his memories of playing ball and supports the lights.

Wendy Mullaly, 26 Harlan Place, indicated that she is concerned that the light will exacerbate the noise problem.

Susan Matterazzo, 10 Smith Street, stated that when the fields first went in there were no games on Sundays, no late games, and no P.A. system. The neighbors here have given up their quiet time on Sundays. She does not want to give up her quiet time in the evening until 10 pm. Plenty of other surrounding towns have fields with lighting in appropriate locations where the kids can get their time under the lights.

Peter Zawisza, 8 Old Flatbrook Road, supports the Little League program. Based on this presentation it appears that the lighting issue should be acceptable.

Stephanie Schneider, 8 Dogwood Drive, is most concerned about parking. People park all the way down Dogwood Drive in her driveway. Kids who get dragged to a siblings' game wander and get into mischief. The lights will extend this into later hours of the evening.

Ted Shumbo, 261 Young Street, doesn't believe there will be more games. He believes the games will be spread out more. Instead of being a Friday afternoon game, it will be a Friday night game.

Austin Wosleger, 75 Childs Road, supports the lighting because it will give parents more time. The technology will address glare on peoples' properties. Anyone who can live on Route 16 can deal with the P.A. system.

Kim Sevigny, 11 Elmwood Drive, is a board member and believes the board members work very hard for the Little League to benefit the kids. She is concerned about the complaints regarding noise and garbage. They do try to address these concerns and will continue.

Auggie Art, 25 Lake Boulevard, believes kids are better off at the facility than out roaming the streets. He believes the League's Board of Directors are the most courteous people you could be around. They would never do anything to cause problems for these neighbors.

Al Royce, 10 Harlan Place since 1964, wants to make it clear that the neighbors are not against the kids. They never have complained about the facility because it is for the kids. The Board of Directors should come spend a weekend on Harlan Place and they will see the activity in a different light.

Gary Pierko, 8 Smith Street, discussed his mixed emotions about the facility. His son would love to play under the lights. He would love to see it happen. He

doesn't want a 70' pole in his backyard. Seamster Park is one of the reasons he bought his property. This abuts peoples' backyards on three sides. If it was in a commercial area it would be different.

Brian Timmes, 13 Portage Trail, has been coaching Little League for 8 years. He takes teams to play on lighted fields. He suggests that it would benefit the community to work together to pull this off.

Fernand Martin, 6 Smith Street, is concerned about his property value. He is not in favor of having a 70' pole in his backyard. Lifestar lands at Memorial School and 70' poles may be of concern to them. He doesn't mind the kids playing ball at this facility until they leave at 8 pm and he is thankful when they leave.

Joe Lagenfield, 16 Maplewood Drive, questions whether the Town's master plan addresses issues with the Town's growth and need for athletic fields. This area seems to have noise and traffic issues. Musco's product seems great so their shouldn't be any light issues. The Town should be addressing the noise and traffic issues.

Chairman Zatorski explained that we do have a Plan of Conservation and Development that speaks to additional areas for recreation and facilities.

Mr. Carey explained that the Town is constantly looking for opportunities to acquire appropriate land for these uses.

Mr. Lagenfield, 16 Maplewood Drive, suggested that the Commission consider mitigation since there is apparently a shortage of good athletic fields.

Bob Riley, 15 Chatham Fields Road, is very supportive of the League and sympathizes with the neighbors regarding the noise but he does not believe the League is breaking any ordinances and he hopes the Commission will consider that when considering this application.

Jim Galvin, 2 Smith Street, has lived in town about 65 years. He is sorry for the kids if they can't get what they want but the neighbors pay taxes in this town and they should be able to have some quiet.

Terri Schlosser, 59 Colchester Avenue, questioned how close to her property line the poles will be and how many feet from the pole the light will spread.

Dominic Bendzinski, 7 Smith Street, lives across the street from the light tower. He believes it is unnecessary. He is a real estate appraiser and believes it will negatively affect the property values. There is no buffer zone between this park and peoples' property. Traffic and noise are already problems that will increase. These lights are not necessary. This facility has a T-ball field that has dugouts. Those are not necessary either.

Walt Farren, 181 Wopowog Road, doesn't know what the neighbors suspect the League of attempting to sneak in and he loves to hear the Star Spangled Banner. He personally is in charge of the garbage at the facility and he will happily give people his phone number and will pick it up himself.

Mr. Reed discussed the importance of the concession stand and pointed out that the League does not go to the Town for money. The League will be very happy

work with the neighbors and only asks that the neighbors are willing to work with them. If the neighbors want the League to stop announcing the kid's names and their numbers, the League will consider that. The League wants to work with the Town.

The Chairman recapped the concerns brought up. They include but are not limited to the height and location of the poles, fall-off of light, and radius of poles if they were to fall.

Mr. Carey reported that he is in receipt of letters supporting this project and will have them forwarded to the Commissioners.

Al Royce, 10 Harlan Place, is concerned about how far the light will spread.

Mr. Carey explained the next meeting will be on the first Wednesday of January.

John Beal, 12 Smith Street, is concerned about the location of the poles.

Mr. Fravel explained that the taller the pole, the more control over the area where the light falls.

Bill Matterazzo, 10 Smith Street, explained that when the ball fields were built it was specified that no games would start after 8 pm.

Walt Farren, 181 Wopowog Road, stated that the Middle School has poles taller than 17' high.

Jennifer Hull, 6 Holly Drive, stated she is not very close to the ball field but with a pole that high they will be affected as well.

Mr. Philhower moved, and Mr. Aarrestad seconded, to continue the public hearing. The motion carried unanimously.

Mr. Philhower moved, and Mr. Gauthier seconded, to continue the Application of Little League of East Hampton, 20 Smith Street, Seamster Park, Site Plan Modification for Illumination Plan, Map 27/Block 87A/Lots 19C & 20, to the next regularly scheduled meeting on January 5, 2011. The motion carried unanimously.

The Chairman recessed the meeting for five minutes.

The meeting reconvened at 8:54 pm.

7. New Business:

A. Review and Discuss Draft Amended SECTION 30 – CONSERVATION SUBDIVISION (PLANNING & ZONING), as submitted by The Nature Conservancy and Horsley Witten:

Mr. Carey explained that this is related to the commitment the Commission made to the Salmon River Watershed Partnership to review and make recommendations on ways to improve the Town's Conservation Subdivision and Parking Regulations and Road Standards. He has notified Shelley Green that his plan is to have the PZC review this draft of the Conservation Subdivision Regulations (Parking and Street Standards to be reviewed separately) and ultimately meet with the Horsely Whitten Group.

The Commission discussed the incentives recommended in the draft, as well as other changes suggested for the regulation. The Chairman requested that staff schedule a workshop in January, if possible, or February for this Commission to meet and work these issues out. At a later time they will meet with the Horsley Whitten Group for joint workshop. Mr. Sennett provided the Commissioners with a handout to consider for the next workshop on this matter.

8. Old Business:

A. Discussion – Review Design Development Zone: Mr. Carey reported that about a third of the DD Zone is dedicated to 55 and older housing units which has been allowed by special permit in the zone. He referred to literature he has distributed tonight regarding age restricted housing in New England and New Jersey's new law allowing 55 and older housing projects to convert out of the age restricting requirement. This law is happening all over the country.

Attachments 1 & 2

Mr. Carey recommended eliminating this use in the DD Zone. The reasons for this recommendation are: 1) It is not a viable housing type at the present time, 2) There is no data that there is a need for it, nor is it selling, and 3) Had the Town not allowed 55 and older housing in the DD Zone, it may have had a chance to stop the 8-30g application in the zone. Areas reserved for industrial development have been able to successfully fight 8-30g applications. The initial intent of the DD-Zone was specifically to preserve land for economic development. The over-lay zone that has been discussed will need to gain a substantial consensus with the Commission and necessary changes will be considered.

Mr. Carey also discussed data provided in the literature that indicates that when enrollments of school districts went down and the cost of running the school went up 26%. The literature also demonstrates that those who bought 55 and older housing units vacated family homes to buy these units. The previous houses in turn were purchased by new owners with children.

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

The meeting adjourned at 9:29 p.m.

Respectfully submitted,

Daphne C. Schaub
Recording Secretary