

**East Hampton Planning and Zoning Commission
Regular Meeting
September 5, 2012
Town Hall Meeting Room**

Unapproved Minutes

1. **Call to Order and Seating of Alternates:** Chairman Philhower called the meeting to order at 7:00 p.m.

Present: Chairman Mark Philhower, Vice-Chairman Ray Zatorski (7:09), Members Peter Aarrestad, Roy Gauthier, Richard Gosselin, Rowland Rux, James Sennett, Alternate Members Paul Hoffman, Scott Sanicki, and Meg Wright were present.

Absent: Planning, Zoning & Building Administrator James Carey was not present.

The Chairman seated Ms. Wright.

2. **Approval of Minutes:**
A. **August 1, 2012 Regular Meeting:**

Mr. Aarrestad moved, and Ms. Wright seconded, to approve the Minutes of the August 1, 2012 meeting as written. The motion carried unanimously.

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

Communications:

Staff reported that James Carey would not be in attendance this evening.

Staff also reported that updated pages to the Commissioner's P&Z Regulations reflecting the revisions made in July regarding requirements for notification of abutters are in the packages for this meeting.

Liaison Reports:

Mr. Philhower reported that Midstate Regional Planning Agency cancelled their meeting this month.

Mr. Aarrestad stated that he has nothing to report for the Salmon River Watershed Partnership.

Mr. Sennett reported that the ZBA granted three variances in August. A variance to reduce the southern sideyard setback from 25' to 22' on proposed Lot 1 and reduce the lot width from 150' to 148' and the minimum lot frontage from 100' to 63.61' on proposed Lot 2 was granted at 2 South Main Street. A variance to reduce the rear-yard setback from 25' to 4' to construct an addition for a 3-season sun porch was granted for 25 Emerson Road. A variance was granted to reduce the sideyard setback from 15' to 11' to construct a garage at 5 Sears Lane. The Minutes of this meeting are available for viewing in the Town Clerk's Office and online.

Mr. Gauthier reported that the EDC did not meet in August.

Ms. Wright reported that the Conservation-Lake Commission met on August 9, 2012. The owner of 5 Sears Lane addressed the Commission regarding his plans for a new garage. The Commission supported his application. The Commission continues to await the management plan for Lake Pocotopaug by Ken Wagner. The water temperature of the Lake in the

beginning of August was between 80° and 83°F. The Minutes of this meeting are available for viewing in the Town Clerk's Office and online.

Mr. Rux reported that the Water Development Task Force has not met.

Mr. Gauthier explained that he is a member of the East Hampton High School Building Committee and reported that the Committee has selected an architect and an environmental company for the phase one study. The next step will be to hire a construction manager and plan for the funding of the first phase. The project will go to referendum sometime in February or March of 2013. The Town must apply to the State by June 30th for funding. The funding will take another year to secure from the State. Plans will be available for viewing before the referendum. Reimbursement by the State is on a per student basis. With the declining enrollment at the high school the reimbursement will also decline. The project is a Renovate as New Project and it is anticipated that the Town will be reimbursed 65% by the State. The building will be virtually new on the same footprint.

Public Comments:

Stephen Lockwood, 15 Beechcrest Drive, was present to discuss Rollingwood Estates, Subdivision 1 and 2. He explained that the subdivision was begun in 1952 and has continued to be developed until as recently as 2010. He purchased his home in 2000 and had no idea anything was amiss. In 2005 he started to have problems with water. He is now inundated with water. He believes it is due to poor development standards, poor wetlands management, and poor oversight by the town. He has brought the problem to the attention of the town officials and they have not helped him. He has not been received by the Town as he would expect a citizen to be. He believes that this development has been in violation of the Town Charter, local and state codes and regulations, since day one.

The Chairman unseated Ms. Wright and seated Mr. Zatorski.

4. **Set Public Hearing for October 3, 2012(s):** None.

5. **Read Legal Notice:** Staff read the legal notice into the record.

6. **Public Hearing for September 5, 2012:**

A. **Application of MazzCor, LLC, MazzCor Subdivision Phase 1, 105 Colchester Avenue, for a 4-Lot Subdivision - Map 27/Block 87A/Lot 12:**

Staff read a letter from the applicant dated August 28, 2012 to the P&Z Commission requesting that the opening of the public hearing for this application be postponed until the next regularly scheduled meeting.

Mr. Zatorski moved to postpone the opening of the public hearing for the application of MazzCor, LLC, MazzCor Subdivision Phase 1, 105 Colchester Avenue, for a 4-Lot Subdivision, Map 27/Block 87A/Lot 12, until the next regularly scheduled meeting to be held on October 3, 2012.

The Commission requested that staff obtain a corrected letter from the applicant clarifying the date requested for the opening of the public hearing.

Mr. Rux left the meeting at this time.

Mr. Sennett seconding the motion on the floor.

Chairman Philhower re-seated Ms. Wright at this time.

The Chairman called for the vote. The motion carried unanimously.

7. New Business:

A. 8-24 Review - Improvements to Intersection White Birch at Lake Drive: Keith Hayden, Director of Public Works was present to discuss the improvements with the Commission. The Commission had previously received documentation from Mr. Hayden to review. Mr. Hayden explained that the project has been planned due to inconsistencies including the stop sign is about 70' back from where it should be, and it is not possible for a driver to stop at the stop sign and reasonably make a decision whether it is safe to pull out into the intersection. The proposed project will remove the excess pavement and redesign the intersection in a more traditional "T" shape and form. The stop sign will be moved closer to Lake Drive. The intersection will be curbed and excess pavement will be removed. CLA Engineers has prepared the plans for the improvements. The Police Chief has reviewed the lines marked on the existing pavement, observed traffic at this intersection, and is in agreement with proposed plans.

Mr. Rux returned to the meeting at this time.

Mr. Philhower discussed his knowledge of the intersection and does not believe that there is a high frequency of accidents at this intersection. He does believe that the S-curves further up White Birch should be addressed as they have been the scene of fatalities.

Mr. Hayden reported that his road crew is also presented with the added problem of plowing this large intersection.

Mr. Philhower and Mr. Aarrestad expressed concern that if the intersection is tightened up winter driving will become difficult with the grade heading north and west off the intersection. They would anticipate traffic problems in the winter if the changes are made. The Commission discussed the grade of the intersection with Mr. Hayden and posed alternatives. They also discussed the history of the intersection and the evolution of the existing intersection. The Commission discussed different options for road improvements and provided practical information and experience with the road for consideration when proceeding with this project.

The Chairman unseated Ms. Wright and re-seated Mr. Rux.

Mr. Hayden reported that CLA provided several options for the improvements to this intersection and this plan was preferred by CLA, the traffic authority, and himself.

Mr. Aarrestad moved that the P&Z Commission does not deem this proposal for improvements to the intersection at White Birch and Lake Drive appropriate due to the lack of demonstrable evidence of traffic accidents and hazards and the likelihood that if it is constructed winter driving conditions would be imperiled over the current situation.

Mr. Zatorski seconded the motion. The motion carried unanimously.

B. Revision to P&Z Bylaws - Article XII, Section 4: Staff provided the Commission with the recommended revision to Article XII, Section 4 of the P&Z Commission Bylaws. The Commission reviewed the changes and believes the recommendation addresses their concerns.

Mr. Zatorski moved that the P&Z Commission accept the recommended changes to Article XII, Section 4 of the P&Z Commission Bylaws, "The Chairman shall first call for

statements from the applicant. The public shall be given equal opportunity to comment". Mr. Arrestad seconded the motion. The motion carried unanimously.

8. Old Business:

C. Update – State Conservation & Development Plan: Staff read a memo from V. Susco, Public Utilities Administrator, dated August 7 2012 into the record. (Attachment 1)

Staff reported that Thad King, Director of Chatham Health District, had been requested to review and approve the requested changes to the State Conservation and Development Plan. James Carey, Administrator of Planning, Zoning & Building, is in receipt of a memo from T. King, dated September 5 2012 indicating Mr. King's agreement with the service area change. (Attachment 2)

Chairman Philhower asked staff to bring the issue to the attention of the Town Manager and request he be placed on the Town Council agenda to present the desired changes to the Future Sewer Service Areas in a time frame compatible with the State of Connecticut Office of Policy and Management requirements for municipal plans of conservation and development and interim changes to the State Plan of Conservation and Development.

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

The meeting adjourned at 8:16 p.m.

Respectfully submitted,

Daphne C. Schaub
Recording Secretary