

**East Hampton Planning and Zoning Commission**  
**Regular Meeting**  
**September 3, 2014**  
**Town Hall Meeting Room**

<b>Unapproved Minutes</b>
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1. **Call to Order and Seating of Alternates:** Vice-Chairman Rux called the meeting to order at 7:00 p.m.

Present: Vice-Chairman Rowland Rux, Members Peter Aarrestad, Roy Gauthier, Kevin Kuhr, James Sennett, Meg Wright, Alternate Members Gary Hall, and Geoff Ricciardelli were present.

Absent: Chairman Ray Zatorski and Planning, Zoning & Building Administrator James Carey were absent.

The Vice-Chairman seated Geoff Ricciardelli at this time.

2. **Approval of Minutes:**  
A. **August 6, 2014 Regular Meeting:**

*Mr. Sennett moved to approve the Minutes of the August 6, 2014 meeting as written.  
Ms. Wright seconded the motion. The motion carried unanimously.*

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

Mr. Gauthier reported that the E.H.H.S Building Committee is awaiting the States response to the plans and specifications submitted last month.

Mr. Hall reported he was unable to attend the August Design Review Board meeting. The Minutes for this meeting are on file in the Town Clerk's Office.

Mr. Aarrestad reported that the Salmon River Watershed Partnership held the second annual volunteer appreciation night on August 19<sup>th</sup>. The Eight Mile River Coordinating Committee joined the partnership in sponsoring this event. The Salmon River Watershed Partnership held its quarterly Steering Committee Meeting. It continues to work on bi-laws and open space maps for the area. East Hampton may be requested to revisit this mapping. The Steering Committee will also be seeking progress reports from towns regarding the Horsley Whitten report and its efforts in that regard. Finally, there will be a stream monitoring workshop by the Partnership this Saturday, September 6<sup>th</sup> at the E.H. Library.

Mr. Rux reported that he attended the EDC meeting in August. He provided staff with a draft report of the Survey conducted regarding the proposal to change the zone of the lower Main Street corridor from R-1 to PO/R. They are also currently working on the Business Incentive Ordinance with the Town Council. The Minutes for this meeting are on file in the Town Clerk's Office and available for viewing on the Town website.

Ms. Wright attended the Water Development Task Force on August 8<sup>th</sup>. At this meeting the Task Force continued to review reports and work with Mr. Susco until he retires in December.

Ms. Wright reported that the August meeting of the Lower Connecticut River Valley Council of Governments was cancelled.

**Public Comments:** The Chairman opened the meeting to the public.

Michael Maniscalco, Town Manager, was present and reported that the Lower Connecticut River Valley Council of Governments has been proceeding with its search for an Executive Director. He is on the search committee and believes that committee will have made an offer to its choice candidate by mid-October.

Mr. Maniscalco reported that the EDC is reviewing the proposed scoring criteria for the Assessment Deferral Ordinance.

Ursula Mascaro, 49 Wangonk Trail, stated that the Town is doing a wonderful job on the road paving. She discussed her concern regarding the high algae count in Lake Pocotopaug and how the residents will be notified in the future.

Mr. Aarrestad recommended that people refer to a document on-line at the State DEEP website. He explained that it was issued last summer by the State Department of Public Health and the Department of Energy and Environmental Protection largely in response to an algae bloom that had occurred on Lower (Middle) Bolton Lake in the Bolton/Vernon area.

There being no further public comments the Vice-Chairman closed the Public Comments portion of the meeting.

**4. Set Public Hearing for October 1, 2014:**

**A. Application of Po Fong, 97 Main Street,** for a Commercial Site Plan Modification Review and Special Permit pursuant to Section 5.1.C.1, Establishment for Retail Sales of Liquor for Consumption.

*Mr. Sennett moved, and Mr. Kuhr seconded, to schedule the public hearing for the application of Po Fong, 97 Main Street, for a Commercial Site Plan Modification Review and Special Permit pursuant to Section 5.1.C.1, Establishment for Retail Sales of Liquor for Consumption for the regularly scheduled meeting on October 1, 2014. Mr. Sennett seconded the motion. The motion carried unanimously.*

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

**6. Public Hearings for September 3, 2014:**

**A. Application of East Hampton Board of Education, East Hampton High School Additions and Renovations,** 15 North Maple Street, for a Special Permit, Lake Pocotopaug Protection Area, and Site Plan Modification – Map 01A/Block 39/Lot 5A - Continued from June 4, 2014:

Amy Samuelson of the SLAM Collaborative was present to discuss the application and distributed SLAM's response to concerns raised during previous meetings. She explained that there is only one change in the plan from the previous meetings. That change is to provide a safe pedestrian walkway on the north driveway of the High School. The Building Committee has accommodated that request in two ways. The first is to include an add alternate to the project. This will include a concrete sidewalk and a set of stairs up and across the front lawn of the facility to a crosswalk in the front parking lot and then on to the main entrance of the High School. This will only be constructed if the bid is awarded to a contractor who can include this piece within the bid criteria. In the event that the add alternate is not possible, the Building Committee has included, as part of the base bid, a

pedestrian and bike path on the side of the northern driveway. It will include striping and have signage for bikes and pedestrians.

Ms. Samuelson explained there are nine different alternates on the project. Alternates are not an unusual tool on a project of this scale and are used to keep costs down and help the Committee stay under budget. Not all nine are site plan related. Those that affect the site plan are this sidewalk, the photo voltaic panels, geothermal wells, and a fire loop with hydrants.

The Vice-Chairman opened the public comments portion of the hearing at this time.

Cliff Libby, 26 Hills Avenue, discussed his concerns for safety and the necessity for a walkway and sidewalk for pedestrians. He also discussed concerns regarding CREC.

Dot Wilde, 18 Sherry Drive, discussed the need to protect the athletic fields from being impacted by this project. She is pleased with the paving projects be conducted around the town and would like to see more police involvement and traffic safety, perhaps speed bumps.

Leslie O'Kelly read a letter from her husband and herself regarding stormwater runoff into their property and that of their neighbors into the record. The letter included photographs of a recent storm.

Will Walter, Professional Engineer, discussed the stormwater concerns of Ms. O'Kelly and suggested that maintenance would improve the runoff and intensity.

Sue Toce, 32 North Maple, discussed her concerns regarding the speed of cars on this road.

Sean Cox, Chief of Police, reported that the Town just received a \$5000 DOT grant for traffic enforcement.

Commissioner Gauthier explained that he is on the Building Committee and suggested that the High School Building Committee meeting on Thursday, September 11<sup>th</sup> at 5:30 in the High School Library would be the appropriate venue to discuss the necessity of a sidewalk for pedestrians on the north side of the property.

There were no further public comments.

*Mr. Aarrestad moved, and Mr. Kuhr seconded, to close the public hearing for the application of East Hampton Board of Education, East Hampton High School Additions and Renovations, 15 North Maple Street, for a Special Permit, Lake Pocotopaug Protection Area, and Site Plan Modification, Map 01A/Block 39/Lot 5A. The motion carried unanimously.*

*Mr. Gauthier moved, and Mr. Ricciardelli seconded, to approve the application of East Hampton Board of Education, East Hampton High School Additions and Renovations, 15 North Maple Street, for a Special Permit, Lake Pocotopaug Protection Area, and Site Plan Modification, Map 01A/Block 39/Lot 5A, as represented in the site plan dated 09/03/2014, including the memorandum of 08/06/2014 from the High School Design Team, because it meets all the requirements of the East Hampton Zoning Regulations and satisfies the concerns of Town Staff and Town Professionals. The motion carried unanimously.*

- B. Application of James Gworek, 38 West High Street, The Lucky Goat Market, for a Commercial Site Plan Modification for a Custom Butcher Shop – Map 1A/Block 39A/Lot 38:**

James Gworek, 38 West High Street, discussed the application before the Commission and asked Frank Magnotta to make the presentation.

Frank Magnotta, Professional Engineer from Portland, submitted the approval letter from the DOT and Staff read it into the record. The DOT requires that the existing sidewalk leading from the front door must be removed from the State right of way.

Mr. Magnotta distributed the revised site plan to the Commission and described the plans for a custom butcher shop. The first floor will include a 1900 sq. ft. addition on the back of the existing structure for the butcher shop. A portion of the addition will include a 274 sq. ft. porch to accentuate the feel of a country store. The second floor will continue to be used as a residential apartment. The parcel is 45000 sq. ft. with 165 ft. of frontage on Route 66. The existing driveway runs along the west side of the building to a large parking lot at the rear of the property. The remainder of the property is open lawn with landscaping that will be utilized as indicated in the plans. The new access and curb cut is also identified on the plans which utilizes a new parking lot along the east side of the building and continues on to the rear of the building for overflow and employee parking. The current impervious surface of the existing driveway and parking area will be removed. The old driveway will be seeded for lawn and the back parking area will be gravel. As requested by the DOT the portion of the existing driveway that is within the State right of way will be removed.

Mr. Magnotta explained that there are 18 existing parking spaces. They have proposed 26 parking spaces. Sixteen of the spaces are in the main parking area on the side of the building. The remainder is in the back. The proposal will fall within the 20% requirement for lot coverage. The site requires two handicapped parking space which will be located to the rear of the addition within close proximity to the handicap accessible ramps to the country porch. The road side of the porch will lead to a new sidewalk of pervious pavers.

Mr. Magnotta explained that property is not in the Lake Pocotopaug Watershed. He also explained that part of the rear lot has the potential to hold water as it is lower than the surrounding area. It is a bowl effect with no outlet. There are no wetlands soils present.

The lighting on the building, doors, ramps, and sidewalks will be residential in nature. The landscaping will include 25' to 35' of solid evergreen buffer along the property lines.

Commissioner Aarrestad discussed his concerns regarding the custom shop designation. Mr. Magnotta discussed the layout of the butcher shop and explained that the majority of the facility is in keeping with a custom shop and the manufacture of meat and butcher shop services and production. There will be no table service or wait staff. There is a full service deli and a waiting area. The majority of the business will be in the processing and production of kielbasa, hot dogs, and smoking meats for custom preorder and walk-in service. The seating area is not necessary for the custom butcher shop; however, the kitchen is a necessity for this type of business. Mr. Gworek indicated that the floor space will be evenly devoted to fresh and prepared foods including 24' of full service meat. The goal is to be a custom butcher shop and they will be preparing rib roasts, turkey, etc. The deli will compose of 33% of the full service cases. The majority of this will be for takeout. Customers will call, or stop in, order and take out their purchases.

Mr. Maniscalco reported that the Design Review Board reviewed this proposal on August 13<sup>th</sup> and passed on favorable commentary to the PZC.

The applicant explained it is not the intent of the applicant to be a restaurant or have that type of atmosphere. The hours of operation will be 8 a.m. to 6 p.m. Processing will be during normal business hours. During holiday periods when demand is high they may consider extended hours but nothing significant. There should be no potential interruptions to the residential component of the area. None of the equipment on the exterior or the building will be open so as not to disrupt the residential neighbors. The side of the property to be utilized for the exterior equipment abuts the existing commercial use to the west.

Commissioner Aarrestad discussed that this zone is a hybrid and uses have come in and been approved that are somewhat questionable. He understands the concept of fabricating meat and food products. The Commercial Zone requires a special permit specifically for a restaurant.

Mr. Magnotta discussed the site plan including the removal of all impervious driveway and parking area which allowed the applicant to maintain the 20% lot coverage requirement. He described the infiltration and ground water storage systems. There is a small, 6' deep, farm well on the site. In the rear of the property test holes were utilized to determine the actual ability of the site to process storm water. It was determined that there was a very large area of topsoil on the site. Beneath this layer they found a very well drained layer of sand and gravel. Tying into that well drained area will help to elevate the sluggish drainage; however, due to the topography certain times of the year there will be ponding in this area. There are no wetland soils on the site. No runoff will leave the property.

Mr. Gworek reported that there is a private well that passed all state health code regulations. There are three bedrooms in the apartment on the second floor. The property is on public sewer. Staff confirmed that all reviews have been positive and supportive of the application.

The Commission discussed the pervious asphalt that is proposed and the need for appropriate maintenance.

There will be one, exterior grease trap with a 1000 gal. tank. It will be located in the area of the existing driveway that is to be removed. The in-ground propane tank is in front of the grease trap tank and will be protected with bollards.

The Vice-Chairman opened the meeting to the public.

Pete Brown, 76 Barton Hill Road, expressed his concerns that the Commission was getting hung-up on semantics. He believes this application is a perfect use for this property. He suggested that the Commission refrain from jumping from "fabrication" to "restaurant".

Ursula Mascaro, 49 Wangonk Trail, believes it is a wonderful proposal.

Staff reported that the Fire Marshal, the CHD, and the State DOT have all indicated in writing their approval of this application.

*Mr. Gauthier moved, and Mr. Kuhr seconded, to continue the application and the public hearing for James Gworek, 38 West High Street, The Lucky Goat Market, for a Commercial Site Plan Modification for a Custom Butcher Shop, Map 1A/Block 39A/Lot 38, to the next regularly scheduled meeting on October 1, 2014. The motion carried unanimously.*

At 9:05 Vice-Chairman Rux recessed the meeting. The Vice-Chairman reconvened the meeting at 9:09.

**C. Application of William Rittman, 115 Mott Hill Road, for a 2-lot Subdivision – Map 24/Block 41/Lot 4-1:**

Charles Dutch, Licensed Surveyor, represented the application to the Commission. He provided updated plans to the Commission and explained that they are proposing a two lot subdivision. There will be one rear lot and one front lot. All the requirements of the R-3 Zone have been met and are indicated on the plan. The Conservation-Lake Commission reviewed this application and indicated that they have no comments. The CHD has conducted soil testing and indicated the proposed plan is acceptable. The IWWA has approved the proposal.

The Vice Chairman opened the meeting to the public at this time. There being no one present to speak to the Commission regarding this application, the Vice-Chairman called for a motion.

*Mr. Aarrestad moved to close the public hearing for the application of William Rittman, 115 Mott Hill Road, for a 2-lot Subdivision, Map 24/Block 41/Lot 4-1. Mr. Gauthier seconded the motion. The motion carried unanimously.*

*Mr. Gauthier moved, and Mr. Aarrestad seconded, to approve the application of William Rittman, 115 Mott Hill Road, for a 2-lot Subdivision, Map 24/Block 41/Lot 4-, as presented in the site plan dated 08/13/2014 because it meets all the requirements of the East Hampton Zoning Regulations. The motion carried unanimously.*

**D. Application of the Town of East Hampton Police Department, 205 East High Street, for a Special Permit pursuant to 5.2.C, Police Department Motor Pool – Map 19/Block 39/Lot 5A:**

Michael Maniscalco, Town Manager, was present and asked Sean Cox to represent the application to the Commission.

Sean Cox, Chief of Police, explained that as a result of the Northeast Utilities facility expansion the East Hampton Police Department has lost its parking for both personnel vehicles and cruisers. The Town has located a site for a temporary motor pool facility that will include 14 parking spaces, fenced in with a sliding gate on both the front and rear, locker room facilities with 2 benches, a weapons vault, and a weapon clearing station for safe loading and unloading of weapons. There will be a 1000 lb. vault on site for securing the weapons. The building is alarmed and will have interior metal barring on all windows.

Mr. Maniscalco reported that Middlesex Hospital has space in the building as well for a similar type of use for home healthcare employees who use the facility to pick up and drop off equipment.

The Police Department is renting 500 sq. ft. of interior space in addition to 14 parking spaces. This facility will never house people who have been arrested. It will never be used for processing of individuals from the public. The facility will be used only for officers to arrive at work, change their clothing, pick up their equipment and cruiser, and report to duty. There will be no desk space. The current police station will continue to function as it always has.

All the required notices to abutters and the public were made in the required timeframe. A sign was posted on the property as required by our regulations as well. Staff read a letter from Chief of Police Cox to James Carey dated 08/22/2014 into the record.

Chief Cox explained the gates will be motorized to the parking area. The area already has heavy metal doors but the locks will be changed to have a specially cut key. The Town has entered into a short-term, 12 month, lease.

The Vice-Chairman opened the meeting up to the public.

Town Council Member Mark Philhower, 212 White Birch Road, was present as an individual and explained that this was a temporary fix. He also discussed the need for a locker room and weapons vault with clearing station.

There being no further comments the Vice-Chairman called for a motion.

*Mr. Aarrestad moved, and Mr. Kuhr seconded, to close the Public Hearing for the application of the Town of East Hampton Police Department, 205 East High Street, for a Special Permit pursuant to 5.2.C, Police Department Motor Pool, Map 19/Block 39/Lot 5A. The motion carried unanimously.*

*Mr. Kuhr moved, and Mr. Sennett seconded, to approve the application of the Town of East Hampton Police Department, 205 East High Street, for a Special Permit pursuant to 5.2.C, Police Department Motor Pool, Map 19/Block 39/Lot 5A subject to the lease or any subsequent lease amendments. The motion carried unanimously.*

7. **New Business:** None.

8. **Old Business:** None

9. **Adjournment:** *Ms. Wright moved to adjourn the meeting. Mr. Sennett seconded the motion. The motion carried unanimously.*

The meeting adjourned at 9:38 p.m.

Respectfully submitted,

Daphne C. Schaub  
Recording Secretary