

**East Hampton Planning and Zoning Commission
Regular Meeting
August 5, 2015
Town Hall Meeting Room**

Unapproved Minutes

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

Present: Chairman Ray Zatorski, Vice-Chairman Rowland Rux, Members Gary Hall, Kevin Kuhr, James Sennett, Meg Wright, Alternate Members Jason Jozefiak, Michael Kowalczyk, and Town Staff Daphne Schaub were present.

Absent: Member Roy Gauthier and Alternate Member Geoff Ricciardelli were absent.

The Chairman seated Jason Jozefiak at this time.

The Chairman asked the newest member of the Commission to introduce himself at this time. Michael Kowalczyk was recently appointed to the Commission as an Alternate Member. He is a lifelong resident and is working on earning his master's degree in civil engineering at the University of Connecticut.

2. **Approval of Minutes:**
A. **July 1, 2015 Regular Meeting:**

*Mr. Sennett moved to approve the Minutes of the July 1, 2015 meeting as amended.
Mr. Rux seconded the motion. The motion carried unanimously.*

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

Communications: Staff reported that updated member contact information sheets and information regarding a potential reorganization of the Planning, Zoning and Building Department have been included in tonight's packages.

Liaison Reports:

Mr. Hall reported the regular DRB meeting was cancelled.

Mr. Sennett reported that there was no ZBA meeting in July. There is a ZBA meeting scheduled for August 10, 2015.

Mr. Kuhr reported that there was a meeting of the Con-Lake Commission and the Minutes are on file in the Town Clerk's Office and are available online.

Mr. Zatorski reported that there was nothing to report on the IWWA. The Minutes of the recent meeting are on file in the Town Clerk's Office and available online.

Mr. Rux also reported that the EDC did not have a meeting

Ms. Wright reported that she and Mr. Rux attended the Water Development Task Force meeting. They continued to discuss the recommendations to be made to the Town Council regarding the development of and provisions for water availability in East Hampton.

Mr. Smith provided updates on community and non-community water systems in Town. He was requested to further update that information with details on the newer systems including capacity, safe yield, and quality of each system for the next meeting.

Ms. Wright reported that the Regional Planning Committee meeting did not meet in July and they will not be meeting in August.

Mr. Jozefiak reported that the Salmon River Watershed Partnership Steering Committee will be holding a meeting at the end of August and he will be attending.

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

No one was present to speak to the Commission at this time.

4. Set Public Hearing for September 2, 2015:

A. Application of Sheila Mullen, 47 Tartia Road, for an Amendment to Section 8.4.B, Special Regulations, Standards For Specific Uses, Alcoholic Beverages and Section 8.4.L, Special Regulations, Standards For Specific Uses, Farm Brewery:

Mr. Rux moved, and Mr. Kuhr seconded to schedule a public hearing for the application of Sheila Mullen, 47 Tartia Road, for an Amendment to Section 8.4.B, Special Regulations, Standards For Specific Uses, Alcoholic Beverages and Section 8.4.L, Special Regulations, Standards For Specific Uses, Farm Brewery. The motion carried unanimously.

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

6. Public Hearings for August 5, 2015:

A. Application of Valerie Greco, 42 Young Street, for a 2-Lot Subdivision – Map 20/Block 51/Lot 2:

Val Greco, applicant, of 42 Young Street was present to discuss her application. She explained that she is subdividing her property with the intention of selling the proposed new lot to a neighbor.

Staff reported that the applicant has been granted variances by the ZBA on the “homestead” piece. The non-conforming status of the front yard setback as has been historically recognized and a new side yard setback reduction for the proximity of an existing barn to the new lot line due to demands of the sight line at the street. The new lot has been designed to include a proposed single-family home, a septic system with a reserve area, and a well. The new lot has 90’ of frontage which is 65’ over the requirement for a rear lot. It is necessary to create the lot with the additional frontage to provide appropriate sight lines at the street. The IWWA approved the subdivision at the meeting of July 29, 2015.

The Chairman opened the meeting to the public at this time. No one was present to speak for or against this application.

Mr. Sennett moved, and Mr. Hall seconded, to close the public hearing for the application of Valerie Greco, 42 Young Street, for a 2-Lot Subdivision, Map 20/Block 51/Lot 2. The motion carried unanimously

Mr. Kuhr moved, and Mr. Sennett seconded, to approve the application of Valerie Greco, 42 Young Street, for a 2-Lot Subdivision, Map 20/Block 51/Lot 2, as presented because it meets the Regulations. The motion carried unanimously.

B. Application of Main Street Venture LLC, 3 Main Street, for a Zone Change from R-1 Zone (Lakeside and Village Residential) to C Zone (Commercial) – Map 05A/Block 62/Lot 11 – Continued from the July 1, 2015 Meeting:

Attorney Timothy Furey was present to discuss the application. He provided a brief overview for those present.

The Chairman requested the applicant to indicate the proposed uses for this site in the event that the Commission approved a zone change.

Mr. Furey explained that office/retail uses have proven to be appropriate and effective in the area.

Robert V. Baltramaitis, Certified Traffic Engineer and Professional Engineer, was present to discuss the Traffic Report dated 08/03/2015 which he submitted for the Commission's consideration. Typical peak periods during the week and on weekends were used to generate potential site traffic. Mr. Baltramaitis believes that a maximum building size on this site would be less than 10,000 square feet. The most conservative analysis, using peak traffic times and intensity of use, would indicate that this area would continue at a Level of Service B. The site driveway would also operate at a Level of Service B. The Commission discussed the site and the traffic flow with Mr. Baltramaitis.

The Chairman opened the public hearing at this time.

Pamela Maynard, 42 Main Street, questioned the timing of the study.

Rich Vesce, 56 Main Street, discussed the character of Main Street and desires that it be protected. He also expressed the need to know potential use of the site to conduct a reliable traffic study. He believes the traffic congestion at the light is already too crowded.

Loren Moody, 188 White Birch Road, discussed his history and business in the town. He doesn't have faith in the traffic study. His life experience is that when he pulls up to the traffic light he is seven cars back. Mr. Moody stated that people live here in East Hampton because it is not a highly commercialized town.

Ty Sweet, 7 Main Street, is an abutting neighbor to the subject site. He would like to see appropriate signage. He has no specific objections and believes the change is inevitable. He believes the traffic is already a problem. The proposed project could not make it any worse.

Beverly Vesce, 56 Main Street, discussed concerns over traffic, signage, and her desire for the character of Main Street to be preserved. She is against this zone change.

Bill Lawler, 14 Main Street, explained that he timed the lights at the intersection and the cycle of the traffic flow including school bus stops. He is concerned about pedestrian traffic as well.

Bill Grady, 8 West High Street, discussed the destruction of the historic integrity of the entire area. The PZC had the wisdom to zone the area residential and that zoning should be retained to preserve the character. Inevitability is the wrong position.

Mr. Vesce, 56 Main Street, agrees with Mr. Grady.

Ms. Maynard, 42 Main Street, also agrees with Mr. Grady.

The Commission would like to have time to review the traffic study and would like the EDC to review the application with the benefit of a quorum.

Attorney Furey discussed the need for a continuation with the applicant, who agreed to consent to a continuation of the public hearing to the next regularly scheduled meeting.

Mr. Kuhr moved, and Mr. Hall seconded, to continue the public hearing of Main Street Venture LLC, 3 Main Street, for a Zone Change from R-1 Zone (Lakeside and Village Residential) to C Zone (Commercial), Map 05A/Block 62/Lot 11. Motion carried unanimously.

Mr. Kuhr moved, and Mr. Rux seconded, to continue the application of Main Street Venture LLC, 3 Main Street, for a Zone Change from R-1 Zone (Lakeside and Village Residential) to C Zone (Commercial), Map 05A/Block 62/Lot 11, with the extension granted by the applicant. The motion carried unanimously.

C. Application of RadHay, LLC, 193 East High Street, for a Commercial Site Plan Modification and Lake Pocotopaug Protection Area Special Permit – Map 09A/Block 76/Lot 11-5 – Continued from July 1, 2015 Meeting:

The Chairman briefly explained the application.

Staff is in receipt of reports from the Chief of Police, the Director of Public Works, the WPCA, the Chatham Health District, and the Conservation-Lake Commission.

David Hughes, Professional Engineer, briefly reviewed the application as it has been presented and discussed concerns with the plans ability to meet the Regulations.

Mr. Hughes submitted revised plans to the Commission and Staff at this time. He explained that he has provided 9' of vegetative buffer and 10' of one-way traffic.

The Commission discussed the traffic flow and stormwater drainage plan. Staff did provide written commentary for presentation to the Commission this evening; however, the plan submitted tonight has changed since the most recent conversation between the applicant and staff. The Chairman chose not to receive these comments at this time as they apply to a plan that was not ever formally submitted.

William Choma, 20 Namonee Trail, discussed his concern regarding the grades. Also he would not like commercial traffic on the residential street. He has no objections to increasing the store size. His concerns are with the current state of erosion and stormwater leaving the property and the commercial traffic on the residential street.

The Commission spoke with Mr. Hughes regarding steps that could be made to improve non-conformities on the site.

The applicant provided the Commission with permission to extend the public hearing to the next regularly scheduled meeting.

Mr. Sennett moved, and Mr. Rux seconded, the continuation of the public hearing for the application of RadHay, LLC, 193 East High Street, for a Commercial Site Plan Modification and Lake Pocotopaug Protection Area Special Permit, Map 09A/Block 76/Lot 11-5. The motion carried unanimously.

Mr. Rux moved, and Mr. Kuhr seconded, to continue the application of RadHay, LLC, 193 East High Street, for a Commercial Site Plan Modification and Lake Pocotopaug Protection Area Special Permit, Map 09A/Block 76/Lot 11-5. The motion carried unanimously.

7. New Business:

A. 8-24 Review: O'Neill Camp Unit #7 Gift to Town for Potential Stormwater Runoff Improvements

Staff reported that for several years the O'Neill Camp has offered a piece of land located at the intersection of Old Marlborough Road and O'Neill Lane to be used to improve the stormwater drainage issue in the Lake Pocotopaug watershed.

Chairman Zatorski read the resolution to the Commission.

Mr. Zatorski moved, and Mr. Rux seconded to resolve that the Planning and Zoning Commission of the Town of East Hampton approves the following project pursuant to Section 8-24 of the General Statutes of Connecticut:

O'Neill Camp, Inc. for no consideration received of the Town of East Hampton have remised, released and forever quit-claimed unto the Town of East Hampton all right, title, interest, claim and demand whatsoever which O'Neill Camp, Inc. has to a certain parcel of land known as Unit #7, O'Neill Cove. Reserving unto O'Neill Camp, Inc. and the owners of Units 1 through 6 of O'Neill Cove, the non-exclusive and perpetual right of way and easement over and on that portion of an established private road known as O'Neill Lane. Further, O'Neill Camp, Inc. its successors and assigns covenants and agrees that the said Unit #7 shall remain in a natural and undeveloped state in perpetuity; except that Unit #7 may be improved by the Town in order to develop municipal infrastructure that will allow for the conveyance and filtration of stormwater and detention;

Provided that, this resolution is for the approval of conceptual plans only. The project is subject to and shall comply with all applicable laws, regulations and permit approvals, and this resolution shall not be a determination that the project is in compliance with any such applicable laws, regulations, or permit approvals. The motion carried unanimously.

8. Old Business:

A. Presentation - Design Review Board Guidelines: No one was present to discuss the Guidelines. The Chairman asked that the Guidelines remain on the Agenda.

C. **POCD** – Status and Plan for Mandatory Update: Town Staff reported they had no update on the POCD at this time.

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

The meeting adjourned at 8:48 p.m.

Respectfully submitted,

Daphne C. Schaub
Recording Secretary