

Town of East Hampton  
**Planning and Zoning Commission**  
**Regular Meeting**  
July 5, 2017 – 7:00 P.M.  
East Hampton Town Hall Meeting Room

**MINUTES**

**1. Call to Order and Seating of Alternates:**

Chairman Kuhr called the meeting to order at 7:00 p.m.

Present: Chairman Kuhr, Vice-Chairman Zatorski, Regular Members, James Sennett, Roy Gauthier, Roland Rux and Meg Wright. Alternate Member Michael Kowalczyk was present as well as Planning and Zoning Official Jeremy DeCarli. Chairman Kuhr seated Alternate Michael Kowalczyk.

Absent: Alternates Jason Jozefiak and Angelus Tamaro.

**2. Approval of Minutes:**

**A. June 7, 2017 Regular Meeting** – Vice-Chairman Zatorski made a motion to accept the June 7, 2017 minutes as written. Mr. Rux seconded the motion with the following correction: that his name be added to members who were present under Item #1 Call to Order and Seating of Alternates. *Vote: 6-Yes; 0-No. Motion passed.*

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

**Communications:** Mr. DeCarli presented the following communications: An agenda from the Central Region Water Utility Coordinating Committee for the meeting on July 19, 2017 at the MDC Training Center in Hartford, CT. The second communication is a memo for the Town Manager and Town Council regarding the purpose of an 8-24 Review.

**Liaison Reports:** Mr. Gauthier reported that the High School project is substantially complete. The site work will be finalized over the summer. The copper level in the water is still an issue. They will be submitting an 18 month plan and if accepted they will move forward with the plan as proposed. The ribbon cutting ceremony is still scheduled for September 8<sup>th</sup>.

Mr. Kowalczyk provided the following highlights from the Lower CT River Valley Regional Planning Commission May meeting minutes: a brief discussion about attendance and cancellation of meetings due to no quorum. There was 1 referral for inter-regional impacts from Wallingford. They are expanding their regulations for farm wineries in a rural residential district that abut RiverCOG towns. The RiverCOG voted to endorse the proposal but cautioned that there may be inter-urban impacts. Mr. Kowalczyk went on to provide the following highlights from the June meeting: there were no referrals, there was a great deal of discussion about the Plan of Conservation Development, they will be having small pop up events (Mr. Kowalczyk invited them to Old Home Days), they will be having 2 public workshops (Aug. 17 and Sept. 16) and they

will be inviting the public to answer survey questions and the results will be used to prepare agendas for public meetings.

Mr. Sennett attended the June 12 ZBA meeting and provided the following:

Application of Ralph Landino 32 Pine Trail, to reduce the side setback to 8' to construct a 7.05' x 31.96' addition. The members voted to table this application until the next regularly scheduled meeting. Application of Alan Chadwick 5 Sears Lane, to reduce the north side setback from 15' to 6' and to reduce the rear yard setback from 25' to 1' to set a prefab gazebo over existing patio and sea wall. The application was denied.

Vice-Chairman Zatorski stated that there was nothing to report.

Mr. Rux stated that he did not attend the Economic Development Commission meeting and there was no meeting for the Water Development Task Force.

Ms. Wright stated there was no report.

Chairman Kuhr said there was no meeting of the Conservation Lake Commission due to no quorum.

At this time, Chairman Kuhr asked if there were any public comments related to anything that is not a public hearing. Mr. Reinhard of 7 Jacobson Farm Road spoke of his frustrations regarding the traffic and parking issues along Jacobson Farm Road by the patrons of the Fat Orange Cat Brewery. He stated that mailboxes have been damaged, his granddaughter was almost struck by a car and the vehicles stay for 3-3 1/2 hours and it is not safe. He suggested they use an empty lot elsewhere and have a shuttle transport the patrons to the brewery. Ms. Jones of 3 Jacobson Farm read aloud a letter she wrote to the Commission (the letter will be filed with the minutes). The letter expressed her frustration over the parking situation along Jacobson Farm from the patrons of The Fat Orange Cat Brewery. The parking is on both sides of the street, cones get run over, mailboxes damaged and people crossing the street are at risk. Chairman Kuhr asked if there were any other public comments. There were none. Chairman Kuhr closed the portion of the meeting for public comments.

**4. Read Legal Notice for July 5, 2017:** The legal notice was read into the record by Mr. DeCarli.

**5. Public Hearings for July 5, 2017:**

**A. Continued: Amendments to East Hampton Zoning Regulations-** Section 8.4.M, Special Regulations, Standards For Specific Uses, Accessory Dwelling Units. Mr. DeCarli provided the members with a copy of the Public Act 17-155 and gave a brief summary.

Vice-Chairman Zatorski stated that there should be no action at this point considering the Public Act 17-155 has not been officially signed yet.

Chairman Kuhr stated he would like to see the regulation for 900 sq. ft. detached accessory dwelling unit changed to 1200 sq. ft. A brief discussion followed.

Chairman Kuhr opened it up to the public for comments. There were no comments.

Vice-Chairman Zatorski made a motion to continue the public hearing of Amendments to East Hampton Zoning Regulations – Section 8.4.M, Special Regulations, Standards For Specific Uses, Accessory Dwelling Units to the next regularly scheduled meeting. The motion was seconded by Mr. Sennet.

***Vote: 6- Yes; 0-No. The motion passed.***

Vice-Chairman Zatorski made a motion to continue the Application of Amendments to East Hampton Zoning Regulations –Section 8.4.M, Special Regulations, Standards For Specific Uses, Accessory Dwelling Units to the next regularly scheduled meeting in August.

The motion was seconded by Mr. Rux. ***Vote: 6-Yes; 0-No. The motion passed.***

## **6. New Business:**

### **A. Pre-Application Conference – Fat Orange Cat Brew Company – Possible**

Relocation – 000 Moodus Road – Map 08/Block 28/Lot 3. Sheila Mullen of 47 Tartia Road introduced herself along with the 2 other owners of Fat Orange Cat Brew Company: Mike Klucznik of 47 Tartia Road and Scott Cross of 39 Chatham Fields Road. Ms. Mullen stated she would like to purchase a 64 acre property on Moodus Road/Rte. 151 and relocate her business there. She provided a site plan and explained that she may have to revise the plan to indicate the new proposed location for the building due to an area of wetlands. She stated that she would like to have a public meeting to get feedback from the neighbors about having a brewery in that neighborhood and she would like to continue having private fundraising events at 47 Tartia Road. Mr. Rux stated that they would need IWWA approval and he suggested having a traffic study done for Moodus Road and to consider parking capacity. Mr. Gauthier said he would like to see a more definitive site plan. Mike Klucznik addressed the traffic and parking concerns.

## **7. Old Business:**

**A. Application of Main St Venture, LLC, 3 Main St, for a Text Amendment for PO/R Zone.** The applicant was not present. Mr. DeCarli informed the members that he received a written request for an extension of this Application to the next regularly scheduled meeting. Vice-Chairman Zatorski made a motion to continue the Application of Main St Venture, LLC, 3 Main St, for a Text Amendment for PO/R Zone to the next regularly scheduled meeting. Mr. Rux seconded the motion. Vice-Chairman amended his motion to include the reason for the motion is because the applicant stated in writing to Town Staff that he wishes to continue his application for a Text Amendment until the next regularly scheduled meeting. Mr. Rux seconded the amended motion. ***Vote: 6-Yes; 0-No. The motion passed.***

At this time, Mr. Rux asked if he could go back to item #6A and make a comment. Chairman Kuhr suggested the comment be under “Other” on the agenda. Mr. DeCarli suggested it be added to Item #8 “Planners Report”.

**8. Planner’s Report** – Mr. Rux asked if it was possible to revisit the regulations for “Farm Brewery” and possibly make changes now that we have experience and can identify the issues and address them. He went on to add that he is not opposed to the Brewery but he is concerned about the liability of the Commission due to the safety issues. He asked Mr. DeCarli to add the following

to the record for the next meeting: a copy of the public hearing that was published for the Fat Orange Cat Brewery and a copy of the Special Permit for the Brewery. Mr. Gauthier asked Mr. DeCarli if Town Staff can draft a letter for the owners of the Brewery stating they may be in violation of the special permit due to the parking issues.

Mr. DeCarli provided the following updates: Sports on 66 gave themselves 90 days to complete the site work and site plan once they received their Certificate of Occupancy. The 90 days has expired and the site work is not complete. Mr. DeCarli has sent 2 certified letters and has not received a response. NAPA was issued a building permit for the foundation only. 13 North Main received a wetlands permit and will be coming to PZC for a site plan modification, ECO Coffee House has withdrawn their application due to conflicts with the landlord and the proposed Fuel Island at 5 Gildersleeve will be coming to PZC so Mr. DeCarli asked the Commission to schedule a public hearing for it for the next regularly scheduled meeting.

**9. Set Public Hearing(s) for August 2, 2017** – Ms. Wright made a motion to set Public Hearing for August 2, 2017. The motion was seconded by Vice-Chairman Zatorski. Ms. Wright made an amendment to her motion: to set Public Hearing for the Municipal Fuel Island at 5 Gildersleeve Drive for August 2, 2017. The amended motion was seconded by Vice-Chairman Zatorski. ***Vote: 6-Yes; 0-No. The motion passed.***

**10. Adjournment:** Mr. Rux made a motion to adjourn at 8:51 p.m. The motion was seconded by Vice-Chairman Zatorski. The motion was unanimous in favor. The meeting was adjourned.

Respectfully submitted,

Christine Castonguay  
Recording Clerk