

Town of East Hampton
Planning and Zoning Commission
Regular Meeting
December 6, 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, Meg Wright, Rowland Rux and Angelus Tammaro. Alternate Members Michael Kowalczyk and Tim Puglielli were present as well as Planning and Zoning Official Jeremy DeCarli.

Absent: Alternate Jason Jozefiak.

2. Approval of Minutes:

A. November 1, 2017 Regular Meeting – Vice-Chairman Zatorski made a motion to approve the November 1, 2017 meeting minutes as written. The motion was seconded by Mr. Sennet. *Vote: 5-Yes; 0-No; 2-Abstain (Mr. Rux and Ms. Wright).*

3. Communications, Liaison Reports, and Public Comments:

Communications: Mr. DeCarli presented 2 letters regarding the equipment upgrades at the cell phone tower at 151 Young Street (2 letters from The Siting Council and 1 letter from Robinson Cole.

Liaison Reports: Mr. Gauthier reported that he attended the East Hampton High School Building Committee meeting and that they are still trying to resolve the blue water issue. Mr. Kowalczyk stated that the Lower CT River Valley Regional Planning Commission did not have a meeting.

Mr. Sennett stated that the ZBA did not meet.

Vice-Chairman Zatorski stated that Inland Wetlands and Watercourse Agency had nothing that concerned the Planning and Zoning Commission this evening.

Mr. Rux missed the Economic Development Commission meeting and stated that the Water Development Task Force did not meet.

Ms. Wright: Water Development Task Force did not meet.

Mr. Tammaro did not attend the Design Review Board meeting.

At this time, Chairman Kuhr opened the meeting to public comments regarding anything that is not a public hearing. There were no public comments so Chairman Kuhr closed the public comments at this time.

4. Read Legal Notice for December 6, 2017: A legal notice was not required.

5. Public Hearings for December 6, 2017:

A. Continued: Amendments to East Hampton Zoning Regulations: Section 8.4.M, Special Regulations, Standards For Specific Uses, Accessory Dwelling Units. Vice-Chairman Zatorski made a motion to continue the Amendments to East Hampton Zoning Regulations until the next regularly scheduled meeting. Mr. Rux seconded the motion. *Vote: 7-Yes; 0-No. The motion passed.*

6. New Business:

A. Harry Freeman, PZC-17-019, Amendment to Zoning Regulation: DHD Zone – Diverse Housing Development. Mr. Freeman reminded the members of the previous approval of the Hampton Woods project (a 253 unit –Townhouse Development) on East High Street and that the project has sat dormant for many months due to lack of funds. Mr. Freeman was asked by the bank to investigate whether or not it is a viable project. He stated that the project has suffered due to the lack of experience of the developer and that they have been working with Town and State staff to complete the work required for a C.O. Hampton Woods was required to have water and sewer systems which they have done and that they have received approval from the regulatory officials for the work that has been done. They would like to move forward with the project and are looking to have closings within the next 2 weeks. He explained that it is difficult to comply with the regulations for affordable housing and that they have modified the current HOD Zone regulation which he presented to the Commission. Some of the changes he made were to add the availability to construct single family units, to construct a building with a maximum of 3 stories high, contain a maximum of 18 units, removal of public roads from current regulation with a requirement of a homeowner association for maintenance of private roads and a requirement for elevators in multi-family units. The modified draft would make it possible to increase the affordability and give them more flexibility as far as the requirements are concerned. He offered to do a comparison document for the members to review. He stated that they did not consider making it a DD Zone because it is a difficult market to target and that the project was originally geared towards residential use. Mr. DeCarli explained that he met with Mr. Freeman on several occasions to try to create a regulation that would work for this site as well as future sites.

Chairman Kuhr asked for a visual of what would be allowed in the DHD Zone. Vice-Chairman Zatorski made a motion to continue the Application of Harry Freeman, PZC-17-019, Amendment to Zoning Regulation: DHD Zone – Diverse Housing Development to the next regularly scheduled meeting. The motion was seconded by Mr. Gauthier. *Vote: 7-Yes; 0-No. The motion passed.*

B. Global Self Storage, LLC., PZC-17-021, East High St. for a Zone Change from DD to Commercial. Map 32/Block 85/Lot 7B. Ashley Rand presented on behalf of Global Self Storage, LLC. She stated that they would like to set a public hearing to

change the 8.15 acre lot from a DD Zone to Commercial. She stated that the lot is currently DD but is surrounded by Commercial. Mr. DeCarli explained that they purchased 2 lots: one of the lots is a 2 acre parcel that is zoned Commercial and the other lot is 8.15 acres that is zoned DD so they would like to change the DD Zone to Commercial for future development. Vice-Chairman Zatorski stated that he would like clarification of the proposed project and made a motion to continue the Application of Global Self Storage, LLC., PZC-17-021, East High St. for a Zone Change from DD to Commercial. Map 32/Block 85/Lot 7B to the next regularly scheduled meeting. The motion was seconded by Mr. Rux. ***Vote: 7-Yes; 0-No. The motion passed.***

C. Eleven West High Street, LLC., PZC-17-022, 11 West High St., for a site plan modification for unpermitted paving of front parking lot up to sidewalk. Map 01A/Block 47/Lot 6B. Mr. Serra presented. He explained that he purchased this site 7 or 8 years ago and at the time he purchased it he met with the previous Zoning Official to discuss adding 2 parking spots in front and was told that he could not regulate it if it was 2 or less and that the regulation stated that 3 or more parking spaces requires a buffer. He received a letter of violation in 2011 and contacted the Planning and Zoning office but did not get a response. The parking lot deteriorated so Mr. Serra hired someone to pave it and received a letter of violation from Mr. DeCarli. He asked the board to approve the paved area so that vehicles will not have to back out onto Rte. 66. He added that he believes he has room to add a 3' buffer from the sidewalk to the parking spaces. Mr. Serra said that the water runs to the back of the house due to the pitch and that he has not seen any puddling or icing. Mr. DeCarli said that the parking spaces are needed but that he needs formal approval of a site plan modification. Vice-Chairman Zatorski made a motion to approve the Application of Eleven West High Street, LLC., PZC-17-022, 11 West High St., for a site plan modification for unpermitted paving of front parking lot up to sidewalk. Map 01A/Block 47/Lot 6B with the following conditions: that a site plan drawing is submitted to Town Staff meeting the general requirements as outlined at our regularly scheduled meeting on December 6, 2017 based on the drawings and photographs submitted as part of the application and that this site plan meets with the approval of Town Staff with an effective date of December 20, 2017. The motion was seconded by Mr. Rux with the addition of the requirement of painted hash marks on the pavement. Chairman Kuhr added to the motion that the required site plan show all pavement and that the paved parking area is safer for people pulling in and out of Rte. 66. ***Vote: 7-Yes; 0-No. The motion passed.***

D. Tammy Strong, PZC-17-023, 78 Mott Hill Rd., for a re-subdivision for 2 lots. Map 24/Block 64/Lot 4D. Thad King presented on behalf of Snyder Civil Engineering and Tammy Strong. He provided a brief overview of the proposed project: there

are 2 lots proposed; both with full frontage along Mott Hill. One lot is 80,000 sq. ft. with the original property at 78 Mott Hill Rd. along with an L shaped property approximately 76,000 sq. ft. with a house towards the rear of the property. They did soil testing in the rear based on the prior sub division plan. The issue with the front of the lot is that there is a drainage ditch that runs along the front of the lot that has been filled with the approval of IWWA to carry water from an adjacent lot across 78 Mott Hill Rd. to that area. The topography and shape of the land is an issue as well due to a steep slope in the rear, a gradual slope in the front and wetlands in the middle. The location that was chosen was the best for well and septic. They are currently revising the plans to incorporate the changes that were suggested by IWWA. Vice-Chairman Zatorski made a motion to set a public hearing for the Application of Tammy Strong, PZC-17-023, 78 Mott Hill Rd., for a re-subdivision for 2 lots. Map 24/Block 64/Lot 4D at the next regularly scheduled meeting on January 3, 2018. The motion was seconded by Mr. Rux. ***Vote: 7-Yes; 0-No. The motion passed.***

E. Approval of the 2018 PZC Meeting Dates – Vice-Chairman Zatorski made a motion to approve the 2018 PZC meeting dates as submitted on December 6, 2017. Mr. Rux seconded the motion. ***Vote: 7-Yes; 0-No. The motion passed.***

7. Old Business:

- A. Continued: Preston and Ryan Roth, PZC-17-020**, 8 Main Street, for a Zone change from R-1 to PO/R. Map 01A/Block 47/Lot 12: **Application withdrawn by applicant.** Mr. DeCarli stated that the applicant withdrew their application because they were required to go before ZBA and chose not to.
- B. Discussion of Temporary Health Care Legislation and associated changes to the Zoning Regulations.** Mr. DeCarli provided the members with a draft of the proposed changes to each residential zone based on Public Act # 17-155. He explained that the revisions allow administration the ability to request a bond, request verification of residency, allow inspection of the property and to require removal if in violation. A brief discussion followed about formatting issues with the draft. Vice-Chairman Zatorski made a motion to set a public hearing for the next regularly scheduled meeting on January 3, 2018 for updates on existing Planning and Zoning regulations to include Temporary Health Care legislation and associated changes included in Public Act 17-155. The motion was seconded by Mr. Rux. ***Vote: 7-Yes; 0-No. The motion passed.*** Mr. Gauthier suggested changing the bond from cash to a lien on the property. Mr. DeCarli said he would review the Statute and the Town Attorney to see if it is a possibility.
- C. Farm Brewery Regulations/Discussion** – Mr. DeCarli provided the members with a preliminary draft for the members to review and discuss at the next meeting.

8. Planner's Report – The trailer at Sports on 66 has been removed and they are working on clearing the site. The bond will be released when they finish. The PZC decision for the Application of Dollar General at 197 East High Street has been appealed and has gone to the courts. Some of the businesses in the Village Center have moved to new locations within the Village Center: Eco Coffee House, Airline Cycle and the Old Bank Flower Shop. The COG has approved the upland GIS layer throughout the region and are reviewing topography and developed surfaces within flood zones. Chairman Kuhr inquired about the status of the bond for Skyline Estates. Mr. DeCarli stated that he has met with the developer and engineers and that there is extensive work to be done and that the owner was made aware of the items that need to be addressed. He went on to add that the status of Whispering Woods remains the same.

9. Set Public Hearing(s) for January 3, 2018 – Public hearings were previously set under Agenda Items# 6D and 7B.

10. Adjournment: Vice-Chairman Zatorski made a motion to adjourn 9:28 p.m. The motion was seconded by Mr. Rux. The vote was unanimous in favor. The meeting was adjourned.

Respectfully submitted,

Christine Castonguay
Recording Clerk