

East Hampton Planning and Zoning Commission  
Regular Meeting  
July 1, 2009  
Town Hall Meeting Room

Unapproved Minutes
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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 Richard Gosselin, Mark Philhower, James Sennett, and Alternate Member Darin Hurne were present. Planning, Zoning and Building Administrator, James Carey, was also present.

**Absent:** Members Peter Aarrestad, Roy Gauthier, and Alternate Member Michael Brogan were absent.

No Alternates were seated at this time.

2. **Approval of Minutes:**

**A. June 3, 2009 Special Meeting/Workshop:**

*Mr. Philhower moved, and Mr. Rux seconded, to approve the minutes of the June 3, 2009 as written. The motion carried unanimously.*

**B. June 3, 2009 Regular Meeting:**

*Mr. Philhower moved, and Mr. Rux seconded, to approve the minutes of the June 3, 2009 regular meeting. The motion carried unanimously.*

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

**Communications:** Nothing at this time.

**Liaison Reports:**

Mr. Philhower reported that the Midstate Regional Planning Agency has not met yet in July.

Mr. Sennett reported on the June 8, 2009 meeting of the ZBA. These minutes may be viewed online and in the Town Clerk's Office.

The Chairman seated Alternate Member Darin Hurne at this time.

Chairman Zatorski reported on the meeting of the "Mother Board" on June 30, 2009. At this meeting he reported that the PZC's priorities at this time were continued review of the POCD, Zoning and Subdivision Regulations, and Incentive Housing Grant/Affordable Housing. He explained that at the Mother Board meeting it became apparent that it would be necessary to have another joint workshop with the EDC on a Home Based Business Regulation. This workshop will take place in the fall.

**Public Comments:** The Chairman opened the meeting to the public for comments at this time. There were no comments made by the public at this time.

4. **Read Legal Notice:** Mr. Carey read the legal notice into the record.

5. **Set Public Hearing for August 5, 2009:** None.

6. **Public Hearing for July 1, 2009:**

A. **Application of Christopher Jordan, Gregory Jordan & Jean-Marie Lapiene, Jordan Family Subdivision, for a 3-Lot Subdivision & Lake Pocotopaug Protection Area Permit – Map 18/Block 44/Lot 10-1:**

Chris Jordan, 66 Midwood Farm Road, was present to discuss the application. Mr. Carey explained that the wetlands have been delineated; however, there is no activity in the wetlands. Mr. Jordan discussed the plans for the family subdivision and the plan was viewed by all. The total parcel is 54.53 acres. The two lots that are being split off are 4.5 acres. There will be a total of three lots. Most of the property is in the Lake Pocotopaug Protection Area. The Commission did not have any further questions for the applicant. Mr. Carey read a letter from the Lake Pocotopaug Commission dated June 25, 2009 supporting the subdivision. He read a letter, with conditions, from the Chatham Health District dated June 1, 2009. Mr. Carey also read a message from Glen Gustine, an abutter, stating that he would like the Commission to know that he is most satisfied with the plans for the Jordan Family Subdivision.

The Chairman opened the public hearing at this time. There being no comments, *Mr. Philhower moved to close the public hearing. Mr. Rux seconded the motion. The motion carried unanimously.*

*Mr. Zatorski moved to approve the Application of Christopher Jordan, Gregory Jordan & Jean-Marie Lapiene, Jordan Family Subdivision, for a 3-Lot Subdivision, Map 18/Block 44/Lot 10-1, with the condition that all Chatham Health District requirements are met. This application is being accepted because it meets all of the East Hampton Planning & Zoning Commission regulations. Mr. Sennett seconded the motion. The motion carried unanimously.*

*Mr. Zatorski moved to approve the Application of Christopher Jordan, Gregory Jordan & Jean-Marie Lapiene, Jordan Family Subdivision, for a permit under Section 7.12, Lake Pocotopaug Protection Area, Map 18/Block 44/Lot 10-1, with the condition that all Chatham Health District requirements are met. This application is being accepted because it meets all of the East Hampton Planning & Zoning Commission regulations. Mr. Sennett seconded the motion. The motion carried unanimously.*

7. **Old Business:**

A. **Discussion – POCD Subcommittee:** Mr. Gosselin reported that the Implementation Table to the POCD has been distributed to the Chairmen of the commissions, boards, agencies, and departments responsible for tasks as indicated in the POCD. They have been requested to report the status of each task and to make any comments regarding the plan. He explained further that the purpose of this request is to keep the PZC apprised of the functionality, status, and considerations of the POCD by the Town at large. No comments made at this point will affect the POCD except as a possible catalyst for change down the road. Yearly request for similar information will be made.

**B. Discussion – Buildable Land Definition:** Mr. Carey explained he had been asked to provide an overview of the legal status regarding the appeal of the adoption of the Buildable Land Definition text change to the East Hampton Zoning Regulations. He distributed copies of the Stipulation dated March 19, 2008 and signed by Judge Holzberg on April 8, 2008. This Stipulation sets aside the approval of this text amendment. Any effort to revisit will require entirely new application, public hearing, and deliberation processes. This Stipulation was granted because the Town Planner, at the time, failed to file a copy of the proposed amendment with the Town Clerk at least ten days prior to the public hearing on the proposed amendment. Mr. Carey suggested that this definition belongs in the Subdivision Regulations, not the Zoning Regulations. He further believes that when this definition is finally addressed, it should be in conjunction with redrafting the Subdivision Regulations. After some discussion the Commission agreed to table this amendment until such time as it is appropriate in conjunction with the revisions to the Subdivision Regulations. \*Attachment 1\*

**C. Update – Incentive Housing Grant:** Mr. Carey updated the Commission on the Incentive Housing Grant and distributed copies of three booklets from Planimetrics. He explained that each booklet addresses a different aspect of the study Planimetrics is conducting. Chairman Zatorski, Town Manager O’Keefe, and Mr. Carey met with Planimetrics and discussed their approach. The research is ongoing and Planimetrics continues to meet with the Town’s GIS people. Booklet No. 1 addresses East Hampton’s housing needs including an analysis of the mix of housing, the level of affordability, the types of housing, and the demographics of what we make as opposed to what we spend on housing. It is clear that most people who work in East Hampton can’t afford to live in East Hampton. These results bolster the belief that the Town does need to address its affordable housing needs. \*Attachment 2\*

Booklet No. 2 is geared to the public. It discusses the Incentive Housing Program and its goals and standards. It also addresses issues East Hampton must consider and responsibilities East Hampton has. \*Attachment 3\*

Booklet No. 3 is very preliminary; however, it does indicate that the Village Center best meets the criteria established for appropriately locating a potential incentive housing location in Town. \*Attachment 4\*

Chairman Zatorski tasked the Commission with reviewing the criteria for landing the zone and considering the location with “common sense” knowledge of the area. He further explained that the Incentive Housing Program is a specific program with the State of Connecticut which granted the Town \$50,000 to conduct the study being discussed. The Town is combining its affordable housing issues with the Incentive Housing Study to ensure that the full depth of the Town’s responsibilities is met. Mr. Zatorski continued to explain that in order to hold the affordable housing requirements, §8-30g, at bay, the Town must increase affordable housing by 2%. By increasing the affordable housing by 2% the Town will be exempt from the demands of §8-30g for two years. He would like to see the Town put together a plan including any combination of the Incentive Housing Program, conversion of the current affordable housing stock, and other methods

available for the purpose of exemption from affordable housing projects by stipulation.

Mr. Carey further explained that his office and this Commission will be exploring, with the help of Planimetrics, all the options available to the Town to address the affordable housing issue. He further explained that Planimetrics is still working on this study and the additional information will be made available as soon as possible. The study is expected to provide information on how to maintain affordable housing under the Incentive Housing Zone requirements but also to provide a comprehensive picture of how to attain affordability in a town like East Hampton.

**D. Discussion – Amendment to Section 20 – Accessory Buildings and Uses:**

Mr. Carey distributed and discussed the amendments he recommends for this regulation. \*Attachment 5\*

The Chairman asked that a public hearing be set for this amendment in September.

8. **New Business:** None

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

The meeting adjourned at 8:08 p.m.

Respectfully submitted,

Daphne C. Schaub  
Recording Secretary