

East Hampton Planning and Zoning Commission
Regular Meeting
March 3, 2010
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, Members Peter Aarrestad, Roy Gauthier, Richard Gosselin, Mark Philhower, James Sennett, Alternate Members Darin Hurne, Kevin Kuhr, Meg Wright, and Planning, Zoning & Building Administrator James Carey, were present.

Absent: Vice-Chairman Rowland Rux was absent due to a business engagement. Alternate Member Darin Hurne was seated at this time.

2. **Approval of Minutes:**

- A. **February 3, 2010 Regular Meeting Minutes:**

Mr. Aarrestad moved, and Mr. Rux seconded, to approve the minutes of the February 3, 2010 regular meeting as amended. The motion carried unanimously.

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

Communications: Chairman Zatorski welcomed Meg Wright to the Commission. She will be serving as an Alternate Member for the commission.

Chairman Zatorski reported that the Connecticut Federation of Planning & Zoning Agencies has chosen to award Planning, Zoning and Building Administrator James Carey the Lifetime Achievement Award to be presented at the Annual Conference to be held at the Aqua Turf Country Club on Thursday, March 18th at 6 p.m. All are welcome to attend. Information will be distributed by email. Please respond by March 16, 2010.

Liaison Reports:

Mr. Zatorski reported that a number of items will be discussed regarding IWWA during the specific agenda items.

Mr. Philhower reported that the Midstate Regional Planning Agency's meeting was held on the previous night. The Agency heard a Rocky Hill zoning text change application, a North Branford zoning text change application, an East Haddam Village Center Zone extension application, and a Marlborough new regulation creating a new zone. None of these were considered to be of regional significance. He does have a copy of the new regulation proposed by Marlborough if anyone is interested.

Mr. Aarrestad reported that the Water Development Taskforce has not met since the last regular meeting of the Commission and therefore he had nothing to report. There will be a meeting this coming Friday morning at 7 a.m. at the Waste Water Treatment

Plant. This is the normal meeting time. The Agenda is posted both on the Plant's wall and on the front door of the Town Hall.

Mr. Aarrestad also reported on the Open House held the previous evening by the Salmon River Watershed Partnership. They planned three of these open houses in the Watershed. One was already held in Hebron. The East Hampton Open House was well attended and included people from East Hampton, Haddam, Marlborough, as well as other towns. Shelley Green led the discussion and Jim Carey was heavily involved in presenting an overview of the process and status of the opportunity available to East Hampton. East Hampton is hopeful to be one of two pilot towns in the watershed to obtain additional assistance for land use planning including reviewing regulations and addressing conservation elements espoused by the Partnership.

Mr. Sennett reported that the ZBA did not meet in the past month.

Mr. Gauthier reported that there was no report from EDC.

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

Frank Costanzo, 10 North Hollow, questioned the P&Z's involvement in the Town's Master Plan.

Chairman Zatorski and Mr. Carey explained that the Plan of Conservation and Development is the Town of East Hampton's Master Plan and they would be happy to speak to Mr. Costanzo regarding recommendations for future revisions.

4. **Read Legal Notice:** Mr. Carey read the legal notice into the record at this time.
5. **Set Public Hearing(s) for April 7, 2010:**
 - A. **Application of Pelletier Development Company LLC**, 140 Colchester Avenue, Chatham Forest, for a 15-lot Conservation Subdivision and Special Permit pursuant to Section 30 of the Zoning Regulations for a Conservation Subdivision – M 27/B 90/L 3; and
 - B. **Application of Hull Forest Products Inc**, 45 Champion Hill Road, Smith Timber Harvest, for a Special Permit per Section 24 of the Zoning Regulations for a Timber Harvest – M 12/B 40A/L 20B.

Mr. Philhower moved, Mr. Sennett seconded, to schedule the Applications of Pelletier Development Company LLC, 140 Colchester Avenue, Chatham Forest, for a 15-lot Conservation Subdivision and Special Permit pursuant to Section 30 of the Zoning Regulations for a Conservation Subdivision, M 27/B 90/L 3, and Hull Forest Products Inc, 45 Champion Hill Road, Smith Timber Harvest, for a Special Permit per Section 24 of the Zoning Regulations for a Timber Harvest, M 12/B 40A/L 20B, for public hearings at the next regularly scheduled meeting on April 7, 2010. The motion carried unanimously.

6. **Public Hearing for March 3, 2010:**
 - A. **Application of Manafort Family LLC**, 19 & 23 Lake Drive, Anthony Cove, for Residential Site Plan Review, Special Permit for Change in Use, and Lake Pocotopaug Protection Area – M 03A/B 44C/L 59, 18 & 2B:

Attorney Matthew Willis, of Branse, Willis & Knapp, was present to represent the applicant. He introduced Frank Magnotta to discuss the proposed plans as they have been revised to address comments made at the last hearing.

Frank Magnotta, Consulting Engineer, was present to represent the applicant. He briefly summarized the presentation from the last meeting. He reported the last few pages of the documentation on the pervious concrete covering suggested maintenance which had been omitted are now available to the Commission. He also provided a separate maintenance recommendation which is on Sheet No. S-3 of the recent plan submission.

Mr. Magnotta referred to a letter from the Chatham Health District requiring some minor revisions to the plan. All of the revisions have been made. He also explained that the WPCA has indicated that their concerns have been addressed as well. These letters are both available in the Planning & Zoning File.

Mr. Magnotta distributed a calculation which he prepared to show the result of the changes made to plan. He explained that the new plan eliminates a small garage and a large driveway area on the northwest corner of Parcel No. 23. The use of West Avenue has been eliminated entirely. The flea market structure will be removed entirely. In its place the plan proposes a much smaller structure setback from both West Avenue and West Street. This change provides for adequate sightline at this intersection. The new building will now have only one unit. As a result of these changes the overall impervious surface area has been reduced by 1100²ft. The proposed plan includes changes to the landscaping design to accommodate changes at the intersection to accommodate the changes to that building. The new building will be a 1½ story single-family structure.

Mr. Carey clarified that the town does not own West Avenue. Any improvements that have been made to the road in recent history have been to accommodate safety needs for the neighbors, first responders, and school bus company.

Rick Staub of Point One Architects was present to discuss the revised elevations for Unit No. 1 on Parcel No. 23. The cottage theme of the development is continued in this unit. The maximum height is 28ft. The siding and roof materials will be the same.

The Chairman asked for public comments at this time.

Bill Pound, 18 West Street, distributed a letter to the Commission regarding his comments and concerns with this project. He stated his main concern is still the density. He is also concerned about the area residents losing of use of the beach parcel. He believes road work on West Street should be included in the project.

Bob Gagnon, 12 & 14 West Street, spoke in favor of the project and believes that it is needed. He is in favor of the project.

Fred Shores, 7 West Street, is concerned about an adequate water supply.

Nancy Fatcher, 29 Lake Drive, likes the project, believes it will beautify the area and hopes everyone can step back and let the P&Z do its job. A lot of money will be going into this project and it will definitely improve the area property values.

Peggy Hobson, 8 West Street, is concerned about the outcome of the use of the beach by area residents.

Mr. Carey explained to the Commission that use of the beach parcel of this project is completely outside the jurisdiction of this commission. This is a private property matter and completely outside the purview of the Planning & Zoning Commission. Action on this application cannot be swayed by this issue at all. The Commission discussed ownership of the beach to be known as Parcel No. 2-B. It is necessary that the units be held under two separate condominium associations to ensure that they are not viewed as a public water system.

Attorney Willis reported that Parcel No 2-B will be held in joint ownership between the condominium association that will own Parcel No. 19 and the condominium association that will own Parcel No. 23. This application will forever bind these parcels. No new lots will be created. The condominium documents will forever bind the two associations together as well.

Mr. Gauthier views the project in its entirety as less non-conforming regarding density. He believes it is a good project and should be viewed as one piece for this project.

Mr. Magnotta clarified that the application does not include any plans to improve West Street in any way.

Mr. Carey pointed out that from the beginning the application has been driven to be as environmentally friendly as possible. The goal has been to bring the area back into a conforming use for the area. The fire hazard that exists on the site presently far exceeds any concern that might exist due to the narrow road width.

Steven Wing, Landscape Architect, described the plants that have been added to the plan for the intersection of West Street and West Avenue. Grass in this area would be difficult to maintain and they have planned for low shrubs, specifically junipers which average 15" in height. These plants would cause no sightline issues and emergency vehicles would be able to drive over them.

Kim Parker, 31 Lake Drive and 7 West Avenue, spoke in support of this project. He believes it is a long time coming and thanked Mr. Manafort for making the effort.

The Commission discussed the potential density as the use exists. They also discussed the proposed density. The Commission would like Parcel No. 2-B to be labeled as not a building lot on the mylar. Mr. Carey reviewed town staffs' and consultants' final comments for the Commission.

Mr. Carey recommended that if the Commission should rule favorably upon this application, they should require a bond of \$2,500 for erosion and sedimentation control.

Mr. Philhower moved, and Mr. Hurne seconded, to close the public hearing. The motion carried unanimously.

Mr. Philhower moved to approve the application of Manafort Family LLC, 19 & 23 Lake Drive, Anthony Cove, for Residential Site Plan Review, Special Permit

for Change in Use, and Lake Pocotopaug Protection Area, M 03A/B 44C/L 59, 18 & 2B, continued from 2/3/2010 with the following conditions:

- *An E&S Bond in the amount of \$2,500;*
- *All three parcels must be bound by deed;*
- *All conditions of the Chatham Health District must be met;*
- *Town staff must be notified prior to start of construction;*
- *E&S controls must be in place prior to the start of construction; and*
- *Parcel No. 2-B must be labeled "Not A Building Lot" on the Mylar.*

Mr. Hurne seconded the motion. The Commission would like the record to show that although this application is of a non-conforming use, it is a less non-conforming use than the current and historical use. This Commission believes that this will be an improvement to the neighborhood and the Town. The motion carried unanimously.

The Chairman recessed the meeting at this time.

The meeting reconvened at 8:10 p.m.

B. Application of Peter Marlow Forest Products LLC, 29 Waterhole Road, Lanou Timber Sale, for a Special Permit per Section 24 of the Zoning Regulations for a Timber Harvest – M 35/B 95/L 11:

Peter Lesmerises, Licensed Forest with Peter Marlow Forest Products, was present to represent the applicant. He explained that the property is 36 acres that will have a selective harvest. The timber has been marked. There is one crossing on the property. A portable bridge made out of timbers in three sections will span the stream so that no damage will be done to the bank. This property was logged in 2001 conducted by this company as well. Small patch cuts were done at that time. This harvest will address the areas that were not harvested in 2001. Three hundred and 95 trees have been marked. Best management practices will be employed to control any water or soil movement that may happen during and after the harvest. Upon completion water bars will be installed on steep slopes on the skid trails to stop further erosion.

The Commission questioned and received the following answers: Skidders will be used, steeper slopes in excess of 10 to 15% will not be logged, logging will take place on slopes up to about 10%, existing skid trails and crossings will be used, most soils are well drained, there is one wetland soil in the area of the stream, and the wetlands area will not be harvested.

Mr. Lesmerises explained that this is a rural area. State Forest abuts three quarters of the property. The other side is a large landowner. This large parcel has not been developed yet. There are no houses adjacent to the property.

The Chairman opened the public hearing at this time. There were no comments from the public at this time.

Mr. Carey reported that the IWWA approved the application with conditions that the harvest is done during a frozen or dry time of year, trail areas with steep slopes must have water bars installed, and Town Staff must be notified prior to harvest.

Mr. Philhower moved to close the public hearing. Mr. Hurne seconded the motion. The motion carried unanimously.

Mr. Philhower moved to approve the application of Peter Marlow Forest Products LLC, 29 Waterhole Road, Lanou Timber Sale, for a Special Permit per Section 24 of the Zoning Regulations for a Timber Harvest, M 35/B 95/L 11, with the requirement that all wetlands comments be made a condition of this approval. Mr. Gosselin seconded the motion. The motion carried unanimously.

C. Applications of Hampton Woods Development LLC, 206 East High Street, Route 66, Hampton Woods, for a Zone Change from DD to HOD, an Amendment to the Zoning Regulations, and Residential Site Plan Review – Map 32/Block 86/Lot 4:

Attorney David Sherwood was present to represent the applicant. Mr. Sherwood reported that the property in question is 206 East High Street. He distributed an 11x17 rendering of the project to the Commissioners and certificates of mailing and resumes to Town Staff. He discussed the documents submitted for this application and the Town's Index of all submissions regarding this application. Mr. Sherwood distributed to the Commissioners the most recently revised plans, dated 10/1/2009, 1/14/2010, and revised 1/25/2010, Cover Sheet and Pages RP-1 and RP-2. He explained that the reason for this revision is the IWWA asked for more open space. The applicant agreed to this revision.

Mr. Sherwood reported that the Water and Sewer Commission will hold a public hearing in the beginning of April. The public hearing will be completed by the next meeting of this Commission. The WPCA considers the water for the project to be adequate and will be moving forward on an application for a certificate of public convenience and necessity. The wells have been drilled and the pump tests have been conducted. Mr. Susco was satisfied with the results.

Mr. Sherwood reported that Tom Cummings of CLA has indicated that he is satisfied with the engineering. This required three rounds of revisions.

Mr. Sherwood reported that they have been before the Conservation/Lake Commission and explained the outcome of that meeting. Milone and MacBroom has contacted David Poirier, State Historian and Nick Bellantoni, State Archeologist for the reports that the Conservation/Lake Commission has requested in the project site. These reports are still pending. The verbal response has been that there is nothing of concern on the site.

Mr. Sherwood explained that Mr. Russo of CLA has indicated that the drainage and crossings have been satisfactorily addressed. The IWWA has approved this application.

Mr. Carey reported that the Fire Marshal has responded that he and the Fire Chief have no objections to the project plans. He also confirmed that the IWWA has approved the application and the permit will be made a part of the record.

Mr. Sherwood discussed the three applications before the Commission. He began by explaining why the applicant believes the site is an appropriate site for a zone change and for an affordable housing development. He submitted a set of documents including an overview of the Need for Affordable Housing in East

Hampton, the 2009 Affordable Housing Appeals List, newspaper article from *The Hartford Courant* entitled Fighting the Odds Lack of Affordable Housing Hits Home for a Family published 12/3/09, newspaper article from *The Hartford Courant* published 12/16/09 entitled Town to Explore Zone for Affordable Housing, newspaper article from *the Hartford Courant* published 2/1/10 entitled Welcome Mat for Affordable Housing, Implementation Section of the 2006 Plan of Conservation and Development(POCD), and the six booklets prepared by Planimetrics associated with the HOMEConnecticut grant.

Mr. Sherwood stated that this area is appropriate for an affordable housing zone because there is public water, public sewer, the site is located on an arterial road, it is not in the Lake Pocotopaug Watershed, it is not in an historic district, it is not in an aquifer protection area, it is not in a natural diversity area, there is no flood plain, there is no environmental contamination, it is a very large lot, the density is lower than that which would be required under the HOMEConnecticut program, and there is a willing landowner. The applicant believes that the location is ideal for an affordable housing development. It will be less dense, offer more affordable units, and fewer potential concerns than many other sites in Town.

Mr. Zatorski requested that the record show that it is the opinion of the applicant that this site is a better site than the proposed IHZ overlay zone.

Ted Hart, Profession Engineer with Milone and MacBroom, will discuss the engineering aspects of the proposed plan. The site is primarily wooded, it has been extensively logged, there are numerous logging roads, it is gently to moderately sloping over most of the site it slopes to the south and east, there are several ridgelines that are short but drop at about a 20% slope or so. There are two main wetland corridors which come together as a brook at the southern property line which continues down to Cattle Lot Brook which flows easterly into Dickenson Brook.

The proposed development is 253 townhouses in 53 buildings. There is an additional building which is a community center up to the front of the site. The buildings range from three to six townhouses per building. The entrance to the project will be just south of 210 East High Street. There will also be two emergency access roads. There is short emergency access road from Bear Swamp Road and a 1600' long emergency access road to Route 66 from the eastern side of the project. There is a total of 4900 linear ft of 24' wide road. All the main roads are 24'. The emergency access roads are 16' wide paved roads. There are several smaller windy well access roads. There are five well sites located throughout the property. The emergency access roads will be gated but accessible by the Fire Department.

All the turning maneuvers for the fire trucks have been tested. The sightline to the left of the main entrance is in excess of 588' and to the right is in excess of 566'. There will be 568 parking spaces of which 62 are visitor spaces. Sidewalks are provided throughout the site. All sidewalk crossings of driveways will be in stamped concrete.

The landscaping plan includes 183 shades trees consisting of maples, ash, oak, and one or two others. There will be 230 ornamental trees, 136 evergreen trees,

and a foundation planting plan with several more appropriate shrubs. There will also be a playground area by the amenity building. There is 23 acres of open space which is 36% of the overall site. This is significantly over the required 15% or 9.5 acres. This doesn't include other areas that are protected by wetlands.

The developable area is 44.5 acres per the town's regulations. The density per developable acre is 5.6 units per acre. The overall density is 4.0 units per acre taking into account the total site area. The development has been clustered to allow for wetlands and other open space areas to remain undisturbed.

The townhouses are 17' by 36'. They will be three stories. The first-floor is a garage, utility, and storage room. The second-floor is a kitchen, dining, living, and deck area. The third-floor is two bedrooms. They will all be two-bedroom units.

This parcel lies within the town's sewer service area. The applicant has been working with the WPCA to prepare the final plans for approval of the sewer pump stations of which there will be two. The pump stations will collect by gravity and be pumped up to a manhole in a 4" pipe.

Six wells have been drilled. A five day pump test has been performed. They pumped 95,000 gallons a day. The safe yield is 71,000 gallons per day. The development requires 49,000 gallons per day. The WPCA has indicated that there is a sufficient quantity of water. Tate & Howard will be reviewing the plan.

All utilities including electric, telephone, and cable television is available on Route 66.

There will be a detailed storm drain system that has been thoroughly reviewed by CLA. Minor adjustments have been made as a result of CLA's review. CLA is satisfied with this system as is planned now. The system consists of catch basins and yard drains to collect the runoff and storm sewer pipes to convey the water to the stormwater basins. Prior to the stormwater basins there will be stormseptors to collect the oils and the sediment. There are six storm water basins. They will be wet bottom basins with wetland vegetation. These will basically be created wetland habitat. All the basins will adhere to DEP water quality according to the DEP Stormwater Quality Manual.

All roof leaders from all the buildings will run into underground infiltrations systems. These systems are designed to provide zero increase in the rate of runoff and also the volume of runoff. CLA has indicated that they are satisfied with these systems.

The sedimentation control plan consists of hay bales, filter fence, woodchip berms down slope of any disturbances, a construction entrance on Route 66, erosion control blankets on slope, temporary stockpile areas, temporary sediment traps, and inlet protection around all catch basins.

There are rock outcrops on the site and they will be using some of this rock onsite for road base and bedding for the pipes. This will reduce the amount of truck traffic on and off of the site. The rock will be processed in two locations on site.

Mr. Hart explained that the water was calculated based on the need for 49,335 gallon per day to serve the people who will be living in this community. This figure is based on 65 gallons per day per person at three people per unit. Cape Cod curbing will be the standard curbing used throughout.

Mr. Carey explained that there are two different requirements based on who at the State level you are dealing with. The State Health Department bases the water requirement at 75 gallons per person per day with a certain number of people allowed for a unit of a certain size. The DEP calculates the water requirement based on different requirements.

David Murphy, Milone and MacBroom, explained that water use was calculated two ways with a requirement of 65 gallons per person per day and 75 gallons per person per day. Either way you do it there is enough water. The safe yield was 71,000 gallons per day. The margin of safety using 75 gallons per day is 25%. Using 65 gallons per day per person is 45%. The 49,000 gallons per day is based on the 65 gallons per day calculation. The 75 gallons per day calculation would exceed 50,000 gallons and would require a diversion permit from DEP. The applicant will be obtaining a diversion permit from DEP due to the Town's regulation that the 1.5 factor is multiplied by the average daily demand.

Mr. Carey clarified that the applicant has agreed to submit to DEP for any necessary diversion permits caused by this projects.

Rob Baltramaitis, Consulting Traffic Engineer and Licensed Professional Engineer, explained that Route 66 would be widened along Route 66 to accommodate a left turn bypass.

Mr. Carey explained that the size of this project does necessitate an STC report and approval. This information is in the Traffic Report located at tab 9 of the application submission package. An encroachment permit will also be required.

The Commission expressed concerns about insufficient parking and would like the Traffic Engineer to review what is to be expected from a development of this type and consider the number of cars in relation to the density and consider improving the parking plan.

Mr. Carey explained that since the beginning of this application the applicant and the Town have been in disagreement and as to what the application fee would be for this project. He read an opinion letter from Town Attorney, Jean D'Aquila into the record. He further explained that the Town has followed our attorney's advice. He hopes that by the next meeting date this disagreement has been worked out because he must recommend that any approval, if there be, considered by this Commission be conditioned by the fact that those fees be paid. The Town of East Hampton has spent a tremendous amount of money and time reviewing and processing this application. It is not fair to the tax payers of this town to allow this fee to go unpaid. The fee in question totals \$26,300. The Commission discussed the issue.

Mr. Carey reported that towns have successfully denied 8-30g applications based on the fact that they were applied for in industrial zones. It is his opinion after discussing it with the Town Attorney and reviewing the case law in question that

the fact that we have allowed for relatively higher density housing in this zone, and we have continued to allow housing in this zone, diminishes the argument that this zone is being preserved for non-residential use.

Attorney Sherwood will provide the information regarding the standing of the Town's affordable housing statistics for the next meeting.

Mr. Sennett discussed the town's regulations regarding length of cul-de-sac and number of units on a cul-de-sac.

The Chairman opened the public hearing at this time.

Rick Cheevers, 207 East High Street, discussed the problems he had with his well as a result of the yield tests conducted by the developer. This testing drew his well down to the silt. It took him at least 48 hours to back flush and clean his water. He has been living there for 16 years and this never happened before.

Frank Costanzo, 10 North Hollow, discussed his concerns for the impact of a development like this on the community.

The Chairman explained that the law is specific that the impact of HOD projects on town service, school, taxes, and emergency services cannot be considered by this Commission. Health and safety are the only issue that can be considered.

Mr. Costanzo also discussed the size of the development.

John Perra, 8 South Hollow, disagrees with the applicant position that this project will not have a huge impact on the community. He is also very concerned about traffic, water, blasting, and a school bus stopping on Route 66.

Rena Daigle, 16 South Hollow, is concerned about the water issue in the area. She questioned the number of people allowed in a unit and wanted more information about the diversion permit.

Kim Sullivan Clark, 210 East High Street, lives next to the location for the primary entrance to the project. Her primary concern is the well. She is interested in being allowed to connect to the proposed water system for the project. She suggested that this system be added to the town's water system. She is also concerned about the schools, busing, noise, exhaust, traffic, and safety. She suggests the primary entrance to the project be off of Bear Swamp Road. She is concerned for the safety of area children with a water basin immediately behind her house. This should be enclosed. She was unable to participate in the well pumping test because the ground was frozen.

Lisa Motto, 207 Hog Hill Road, stated that she is not in support of or against the project. She asked that someone ensure that the project is economically feasible. The burden of completing this project if abandoned would be astronomical.

Denise Kelly, 250 East High Street, lives adjacent to the longer emergency access road. She is specifically concerned with safety regarding the increased traffic. She is concerned about the impact on the schools. She doesn't believe the school bus stop should be on or near Route 66. The emergency access road should be monitored by the police. She would like the opportunity to be hooked up on the community water system that will be created for this development.

Mr. Carey explained that assisted housing (elderly housing), CHFA mortgages (state & federal dollars), and deed restricted houses (per §8-30g) are the only houses are included in the Affordable Housing List figures.

Terry Sprankle, 13 South Hollow is concerned about the density of the project and the traffic conditions it will produce. Route 66 is the major artery in and out of town and it will have a major impact on traveling with another 500 cars added. He is also concerned about water for the area. He doesn't believe this is the right development to put in this town.

David Murphy, Milone & MacBroom, discussed the water questions and reported that they did monitor Mr. Cheever's well and apologized for the inconvenience. He explained that the well's last reading was higher than the original reading and therefore it appears that the well was unaffected by the testing. He further explain that frequently when wells that have been exposure to the air and oxidized over time are opened pieces of the rusty well casing will fall into the well. This is what happened to the Cheever's well. No draw down occurred in this well during the pumping test. The testing period for this well was limited to 24 hours

Mr. Murphy further reported that the yield test was a five-day test that included 4 wells. The Cheever's well was eliminated from the test after about 24 hours. The details of the testing are included in the report. They contacted 42 landowners inviting them to participate in the study. They only heard from 10 to 15% of those contacted. Some of the wells were not accessible. They were only able to monitor 4 wells.

Mr. Murphy explained that the 75 gallons per day per person is a DPUC design criteria. This is required to meet the DPUC certificate regulations. When it comes to actual water usage the DEP, Inland Water Resource Division, has said no one uses that much water. The more appropriate allowance is 50 to 60 gallons per day per person. He explained that with new more efficient equipment water usage has come down significantly. Water use per unit is based on the census which is 2.7 for East Hampton and they rounded up to 3 people per unit.

Mr. Philhower moved to continue the public hearing for the Applications of Hampton Woods Development LLC, 206 East High Street, Route 66, Hampton Woods, for a Zone Change from DD to HOD, an Amendment to the Zoning Regulations, and Residential Site Plan Review, Map 32/Block 86/Lot 4. Mr. Gauthier seconded the motion. The motion carried unanimously.

Mr. Philhower moved to continue the Applications of Hampton Woods Development LLC, 206 East High Street, Route 66, Hampton Woods, for a Zone Change from DD to HOD, an Amendment to the Zoning Regulations, and Residential Site Plan Review, Map 32/Block 86/Lot 4. Mr. Hurne seconded the motion. The motion carried unanimously.

7. New Business: None.

8. **Old Business:**

A. **Discussion & Possibly Approve Task Priorities for 2010:** Mr. Carey explained that this is specific to the Implementation Table distributed earlier in the year. The Department is still collecting information.

B. **O'Neill Camp Update:** Open piece of property offered to the Town. The property is owned by the association and must be released from the association prior to transfer by the property. The association has been notified. The release and subsequent transfer are pending.

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

The meeting adjourned at 10:09 p.m.

Respectfully submitted,

Daphne C. Schaub
Recording Secretary