

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

**Absent:** Vice-Chairman Mark Philhower was absent.

Alternate Members Kevin Kuhr was seated at this time.

2. **Approval of Minutes:**

A. **October 20, 2010:** The minutes of this meeting have not yet been presented for approval.

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

**Communications:**

Mr. Carey reported that a scan of the latest Connecticut Federation of Planning and Zoning Agencies Quarterly Newsletter has been forwarded by email to the Commissioners.

**Liaison Reports:**

Mr. Zatorski indicated that the IWWA report will be covered during the meeting as it relates to each agenda item.

Mr. Rux reported that there has not been a Water Development Task Force meeting nor are there any scheduled.

Mr. Sennett reported that the ZBA has not met since the last PZC meeting

Mr. Gauthier reported that the EDC was pleased that the Town has received a third STEAP grant that will be used to extend the Airline Trail into the Village Center. This will extend the Trail from the East Hampton Village Center to the Willimantic River. The EDC is also very supportive of the IHZ for the Village Center. They would like to see the extension of the POR Zone on the PZC agenda. They have also been requested to re-draft a Blight Ordinance by the Town Council.

**Public Comments:** The Chairman opened the meeting to the public for comments. There were none.

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

5. Set Public Hearing(s) for December 1, 2010:

- A. **Application of Little League of East Hampton**, 20 Smith Street, Seamster Park, Site Plan Modification for Illumination Plan, Map 27/Block 87A/Lots 19C & 20: This public hearing was scheduled previously at the October 20, 2010 meeting.

6. Public Hearing for November 3, 2010:

- A. **Application of K Enterprises LLC**, 363 West High Street, Special Permit Pursuant to Section 20.7, Commercial Tag Sales (Flea Markets), of the Zoning Regulations – Map 01C/Block 10/Lot 2: As the Applicant was not yet present the Chairman requested that the Commission reordered the meeting.

*Mr. Rux move, and Mr. Kuhr seconded, that Agenda Item No. 6.B, Application of Angelo Simoni, 0000 West High Street, Simoni Subdivision, for a 2-Lot Subdivision, Map 06/Block 6/Lot 3B, is heard before Item No. 6.A. The motion carried unanimously.*

- B. **Application of Angelo Simoni**, 0000 West High Street, Simoni Subdivision, for a 2-Lot Subdivision - Map 06/Block 6/Lot 3B:

David Erlundson, Professional Engineer, was present to discuss the application. He described the parcel to the Commission and explained the application was for a 2-Lot subdivision in an R-2 Zone. The slope runs east to west at a rate of 8 to 10%. There is an existing sanitary easement for a sanitary line for the discharge of the WPCA plant to the Connecticut River. To the north and west there is an existing stream and associated wetlands. The applicant received a wetland permit for the regulated activity on October 27, 2010.

The proposal includes a common driveway which will eliminate the need for any severe cuts or fills. The sight lines from the common drive are several hundred feet in both directions. Each lot will be served by an individual well and septic system. Both lots will meet all the zoning requirements for this zone.

The Chairman opened the public hearing. There were no comments made by the public.

The applicant has requested that subdivision name should be changed to Simoni Subdivision II for clarity in the land records.

*Mr. Aarrestad moved, and Mr. Rux seconded, to close the public hearing at this time. The motion carried unanimously.*

*Mr. Kuhr moved to approve the Application of Angelo Simoni, 0000 West High Street, Simoni Subdivision II, for a 2-Lot Subdivision, Map 06/Block 6/Lot 3B, with the condition that Town Staff be notified prior to completing the subdivision. This application is approved because it meets the standards of the Town's Zoning Regulations and the regulations for a subdivision within the Pine Brook Aquifer. Mr. Sennett seconded the motion. The motion carried unanimously.*

- A. **Application of K Enterprises LLC**, 363 West High Street, Special Permit Pursuant to Section 20.7, Commercial Tag Sales (Flea Markets), of the Zoning Regulations – Map 01C/Block 10/Lot 2:

Pat and Jerry Knislis were present to discuss their application. Pat Knislis explained that she and her husband are the owners of the property where Jerry's Market is located. There is quite a bit of unused space that they have been utilizing by running a commercial flea market without the benefit of a special permit. After being notified that they were required to obtain a special permit, they have made application and obtained a survey of the property.

Mr. Carey reported that to date the operation has been of low impact to the area. There have been between four and nine tables with china, collectibles, and various other items. The hours have been from 7am to 4 pm. Historically it has not been a traffic generator. The regulations do call for a standing tag sale of this type to have a special permit; although, there are no standards in the regulations to use as approval criteria.

Ms. Knislis reported that to date they have had jewelry, collectibles, fishing tackle, retail buyouts, and local residents' private tag sales. The maximum number of vendors on any given day would be 25 to 30. Restrooms are open at the Best Burger Drive-In and at Jerry's Market and available to the vendors and the patrons. The hope is to run the Flea Market year round.

Commissioner Rux has visited this Flea Market and believes it to be a good use of this property. He has witnessed no problems and suggests that the permit be issued for one year and then reviewed.

Commissioner Gauthier also believes this a good use of the property which requires no Town services.

The Chairman opened the meeting to the public at this time. There were no comments from the public or the Commission.

*Mr. Rux moved, Mr. Aarrestad seconded, to close the public hearing. The motion carried unanimously.*

*Mr. Zatorski moved, and Mr. Rux seconded, to approve the Application of K Enterprises LLC, 363 West High Street, Special Permit Pursuant to Section 20.7, Commercial Tag Sales (Flea Markets), of the Zoning Regulations, Map 01C/Block 10/Lot 2, with the following conditions:*

- *Permit is good for a term of one year;*
- *Maximum of 30 vendors;*
- *No firearms, armaments including swords, tobacco, alcohol, or other permitted products;*
- *No permanent signage; and*
- *Hours of operation will be year round Saturday and Sunday from 7am to 4 pm.*

*The motion carried unanimously.*

## **7. New Business:**

- A. Road Acceptance - Royal Oaks Phase II:** Mr. Carey read into the record a letter from Keith Hayden, Director of Public Works, recommending acceptance of the Royal Oaks, Phase II roadway. Mr. Carey indicated that he concurred with Mr. Hayden. A 10% maintenance bond will be required of the developer.

*Mr. Rux moved, and Mr. Sennett seconded, that the PZC forward a recommendation to the Town Council that they accept the roadway of Royal Oaks, Phase II. This referral is deemed appropriate because the roadway meets the Town of East Hampton Road Standards and has been reviewed by CLA Engineers and Town Staff who have recommended acceptance. The motion carried unanimously.*

- B. Adoption of Regular Meeting Dates (1<sup>st</sup> Wednesday):** Mr. Carey explained that the recommended calendar of meeting dates for the PZC in 2011 has been reviewed for conflicts with holidays and distributed to the Commissioners for approval. In 2011 the meetings will be held on the first Wednesday of every month. There were no conflicts. \*Attachment 1\*

*Mr. Gauthier moved to adopt the PZC Calendar for 2011 (1<sup>st</sup> Wednesday of every month) as drafted. Mr. Rux seconded the motion. The motion carried unanimously.*

**8. Old Business:**

- A. Discussion Re - Incentive Housing Zone Planned Presentation to the Public for January 19, 2011:** The Chairman reported that the presentation to the public of the Incentive Housing Zone has been scheduled for Wednesday, January 19, 2011 in the Middle School Media Center at 7pm.

Mr. Carey reported that we will issue press releases, as well as, invitations to all boards, commissions, and abutters. All booklets have been placed on the Town website for the public to review.

- B. Update - Salmon River Watershed Partnership:** Mr. Carey reported that he has not been able to reach Shelley Green in a number of weeks. He is waiting for draft regulations. He will be following up with her this week.
- C. Update -- Review Design Development Zone:** Mr. Carey discussed the history of the DD-Zone. He explained that one of the main reasons the DD-Zone was initially utilized was to attempt to reduce the inventory of area available for further residential development. This worked well until active adult housing was allowed in the zone. The current figures for the DD-Zone are as follows:

- Contiguous DD-Zone property 400 acres
  - Hamptonwoods 63 acres
  - Laurel Ridge 42 acres
- Currently Residential 25%
  - Walkable Neighborhood 78 acres
- Current & Proposed Residential 45%

These figures do not take into account substantial wetlands to the rear of these properties which will not be developed. There are also some very steep slopes. Additionally, of the 63 and 42 acre parcels developed, not every acre is developed. The Commission discussed the potential and proposed uses in this zone. They indicated concern about continued residential development and traffic. The Commission would like to revisit the Design Review Zone and consider the effects of allowing for continued residential development and a

mechanism to limit that type of development in an effort to save land for future commercial/industrial development.

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

The meeting adjourned at 8:06 p.m.

Respectfully submitted,

Daphne C. Schaub  
Recording Secretary