

**East Hampton Planning and Zoning Commission
Regular Meeting
December 5, 2012
Town Hall Meeting Room**

Unapproved Minutes

- 1. Call to Order and Seating of Alternates:** Chairman Philhower called the meeting to order at 7:00 p.m.

Present: Chairman Mark Philhower, Vice-Chairman Ray Zatorski, Members Roy Gauthier, Richard Gosselin, Rowland Rux, James Sennett, Alternate Members Scott Sanicki (7:05), Meg Wright and Planning, Zoning & Building Administrator James Carey were present.

Absent: Member Peter Aarrestad and Alternate Member Paul Hoffman were not present.

The Chairman seated Ms. Wright.

- 2. Approval of Minutes:**

A. October 3, 2012 Regular Meeting:

Mr. Zatorski moved to approve the Minutes of the October 3, 2012 meeting as written. Mr. Gauthier seconded the motion. The motion carried (6-0-1). (Yes votes: Gauthier, Gosselin, Philhower, Sennett, Wright, Zatorski. No votes: None. Abstentions: Rux.)

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

Mr. Carey reported that the Commissioners received in October a scan by email of the Connecticut Federation of P&Z Agencies Quarterly Newsletter. In October the Commissioners also received a scan of a letter sent to property owners in the vicinity of the Christopher Brook Culvert Replacement under North Main Street and a scan of a letter sent to property owners on Brewer Road regarding the Brewer Road Pavement Rehabilitation.

Mr. Carey reported that the Town Council repealed Section 88-1 of the Ordinance of the Town of East Hampton and replaced it with a new Section 88-1, Participation in Lower CT River Valley Council of Governments: The Town of East Hampton adopts the provisions of Sections 4-124i through 4-124p, inclusive, of the Connecticut General Statutes, and joins in the creation of the Lower Connecticut River Valley Council of Governments. The representative of the Town of East Hampton on said Lower Connecticut River Valley Council of Governments shall be the Chairperson of the Town Council, provided said Chairperson may designate the Town Manager to be the Town's representative. In the absence of said Chairperson or Town Manager (if so designated), the Vice Chairperson of the Town Council shall be the Town's representative. This ordinance shall take effect 20 days after publication. Publication was 09/21/2012. Effective date is 10/11/2012.

Finally updated Bylaws including revisions made at the 09/05/2012 meeting are included in this evening's packages.

Liaison Reports:

Mr. Zatorski reported that the IWWA met on October 24th. He requested Staff to update the Commission on the IWWA Cease and Correct action taking place at Island No. 3, Scraggy Island. The Minutes of this meeting are available for viewing in the Town Clerk's Office and online.

Mr. Carey reported that the IWWA Cease and Correct action continues to be in place and is being overseen by the Wetlands Enforcement Officer, Ruth Plummer.

Mr. Sennett reported that he attended the ZBA meeting of November 5th. At that meeting they heard and acted on seven applications. All variances requested were granted. The Minutes of this meeting are available for viewing in the Town Clerk's Office and online.

Mr. Gosselin attended the October EDC meeting. During that meeting the EDC discussed their budget, parking for Bevin Bell, the tax deferral program, 82 Main Street renovation and parking lot, the Christmas Parade, Goff service station, and the Community Events Calendar for the holiday season. Mr. Gosselin attended the November EDC meeting and reported that the Commission discussed the budget of approximately \$11,000. The Minutes of this meeting are available for viewing in the Town Clerk's Office and online.

Mr. Gauthier reported that he has been meeting regularly with the East Hampton High School Building Committee. The Committee has requested and received \$200,080 to bring the High School renovation plans to referendum. With these funds the Building Committee has hired SLAM Architectural Firm and their engineers to begin meeting with the school administrators and teachers to begin to draft the plans that will be brought to town-wide referendum in early spring. The Building Committee also hired CREC for project management.

Ms. Wright reported that the Conservation-Lake Commission met on November 8, 2012. At this meeting the Commission vowed that the year 2013 is the year they will take action. Dr. Wagner is no longer working on Lake Pocotopaug project. The new representative is Dr. George Knoecklien whose priorities will be to validate Dr. Wagner's reports and to develop an action plan for proceeding with remedies for the lake. The Minutes of this meeting are available for viewing in the Town Clerk's Office and online.

Mr. Philhower reported that he attended the Midstate Regional Planning Agency meeting last night. At that meeting the name of the Agency was changed by vote to Midstate Regional Metropolitan Planning Organization (MPO). The COG has been formed and is in place. It consists of 17 members consisting of CEOs, First Selectman, or Town Chairperson. The 17 members will be granted one vote for each town. The COG must have a planning element. Estuary and Midstate have been retained and renamed. They are MPOs. Federal law requires communities to work through an MPO to obtain federal funding for roads. The majority of the communities in the MPO have indicated that they are not interested in the planning aspect. They want local planning agencies to have their representatives on the MPO and make the planning decisions. The Bylaws are written to include a member from each planning agency and an alternate. Currently operations are continuing with two separate boards, the MPO and the COG. The plan is for each town to provide their two members so that when the MPO is finalized there will be 34 members. Under the law, and to continue being eligible for funding, Midstate and Estuary continue to exist until the new MPO is formed. All funding is being directed through the COG. Middletown has realized that they will be losing leverage by switching to the one vote per town and has to date refused to join the new MPO.

Mr. Zatorski moved to add Item No. 7.a. to the Agenda under New Business to vote for the Midstate Regional Metropolitan Planning Organization membership. Mr. Rux seconded the motion. The motion carried unanimously.

Public Comments: The Chairman opened the meeting up to the public at this time. There was no one present to make any comments.

4. Set Public Hearing for January 2, 2013(s):

A. Application of Joan Youngs, 134 West High Street, for a 2-Lot Subdivision - Map 12/Block 38/Lot 7; and

B. Application of MazzCor LLC, MazzCor Subdivision Phase 1, 105 Colchester Avenue, for a 4-Lot Subdivision – Map 27/Block 87A/Lot 12A.

Mr. Zatorski moved, and Ms. Wright seconded, to schedule the applications of Joan Youngs, 134 West High Street, for a 2-Lot Subdivision, Map 12/Block 38/Lot 7, and MazzCor LLC, MazzCor Subdivision Phase 1, 105 Colchester Avenue, for a 4-Lot Subdivision, Map 27/Block 87A/Lot 12A, for public hearings at the January 2, 2013 regular meeting of the Planning & Zoning Commission. The motion carried unanimously.

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

6. Public Hearing for December 5, 2012:

A. Application of John Cooper, 2 South Main Street, for a 2-lot Residential Subdivision – Map 07A/Block 55/Lot 24: John Cooper of 2 South Main Street was present to discuss his application. Mr. Carey explained that the applicant has been before the ZBA and has been granted the variance requested for Lot 1, a sideyard setback reduction from 25’ to 22’, and the variances requested for Lot 2, a minimum frontage reduction from 100’ to 63.61’ and a minimum width variance from 150’ to 148’. These variances were granted at the ZBA meeting of July 13, 2012.

Mr. Cooper explained that the layout of the lot has become a hardship for maintenance. Each lot would meet all requirements of the existing zoning regulation for the R-2 Zone with the exception of the three variances granted by the ZBA.

Mr. Carey reported that previously this home had been converted to a two-family. The owners at the time attempted to sub-divide the lot and failed because the lot was already viewed as a two family and the density was a concern. Subsequent to that application the house was converted back to its original use as a single-family and the sewer has been brought through the neighborhood, thus eliminating the concerns regarding density. In light of the variances granted in July, this sub-division complies with the Planning & Zoning Regulations. It will be served by sewer and private wells.

At this time the Chairman opened the meeting to the public. Hearing no comments from the public, the Chairman called for a vote.

Mr. Zatorski moved, and Mr. Gauthier seconded, to close the public hearing for the application of John Cooper, 2 South Main Street, for a 2-lot Residential Subdivision, Map 07A/Block 55/Lot 24. The motion carried unanimously.

Mr. Zatorski moved, and Mr. Rux seconded, to grant the application of John Cooper, 2 South Main Street, for a 2-lot Residential Subdivision, Map 07A/Block 55/Lot 24, as variances have been granted allowing creation of the subsequent lots as proposed. The motion carried unanimously.

7. **New Business:** Mr. Carey asked the Commission to add Agenda Item No. 7.b, New Business: 2013 P&Z Calendar.

Mr. Zatorski moved to add Agenda Item No. 7.b, New Business: 2013 Calendar. Mr. Rux seconded the motion. The motion carried unanimously.

- A. **Midstate Regional Metropolitan Planning Organization Membership:** Mr. Zatorski nominated Mark Philhower to fill the open position in the Midstate Regional Metropolitan Planning Organization (MPO).

Mr. Rux moved to close the nominations. Mr. Zatorski seconded the motion. The motion carried unanimously.

The Chairman called for the vote. The Commission voted unanimously to elect Mark Philhower as the P&Z Commission's representative to the MPO.

- B. **2013 P&Z Calendar:** Mr. Carey explained that the only change to the typical P&Z monthly meeting night was in January 2014. In 2014 New Years Day is on the first Wednesday; therefore, it is suggested that the regular monthly meeting for January 2014 will be on January 8, 2014.

Mr. Zatorski moved to approve the P&Z Meeting Calendar as presented tonight for the year of 2013. Mr. Rux seconded the motion. The motion carried unanimously.

8. **Old Business:**

- C. **Update – State Conservation & Development Plan:** Mr. Carey explained that the OPM has not yet responded to the requests for updates to the State Conservation & Development Plan. Staff will continue to monitor the OPM site for a response.

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

The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Daphne C. Schaub
Recording Secretary