

**East Hampton Planning and Zoning Commission  
Regular Meeting  
January 6, 2016  
Town Hall Meeting Room**

<b>Unapproved Minutes</b>
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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 Roy Gauthier, Gary Hall, Kevin Kuhr (7:03), James Sennett, Meg Wright, Alternate Members Jason Jozefiak, Michael Kowalczyk, and Planning and Zoning Official, Jeremy DeCarli, were present.

Absent: All members were present.

Alternate Michael Kowalczyk was seated at this time.

2. **Election of Officers:**

Mr. Zatorski opened the nominations for the position of 2016 Chairman.

*Mr. Sennett nominated, and Mr. Rux seconded, Mr. Zatorski for the position of 2016 Chairman.*

*There being no other nominations for the position of 2016 Chairman, Mr. Rux moved to close the nominations for the position 2016 Chairman. Mr. Gauthier seconded the motion to close the nominations for the position of 2016 Chairman. The motion carried unanimously.*

*The vote to elect Mr. Zatorski for the position of 2016 Chairman was unanimous.*

Mr. Zatorski opened the nominations for the position of 2016 Vice Chairman.

*Mr. Gauthier nominated, and Ms. Wright seconded, Mr. Rux for the position of 2016 Vice Chairman.*

*Mr. Sennett nominated, and Mr. Rux seconded, Mr. Kuhr for the position of 2016 Vice Chairman.*

*Mr. Rux moved to close the nominations for the position of 2016 Vice Chairman. Ms. Wright seconded the motion to close the nominations for the position of 2016 Vice Chairman. The motion carried unanimously.*

*Mr. Rux withdrew his name from the nominations for the position of 2016 Vice Chairman.*

*The vote to elect Mr. Kuhr for the position of 2016 Vice Chairman was unanimous.*

The Chairman unseated Alternate Kowalczyk and seated Member Kuhr at this time.

3. **Approval of Minutes:**

**A. November 4, 2015 Regular Meeting:**

*Mr. Rux move, and Mr. Kuhr seconded, to approve the Minutes of the November 4, 2015 meeting as written. The motion carried unanimously.*

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

**Communications:** Staff welcomed Jeremy DeCarli, Planning and Zoning Official to the Commission and the Town.

Staff congratulated and thanked Mr. Sennett for 34 years of service to the Commission and Community (It was reported at the meeting that Mr. Sennett served for an incorrect number of years).

Updated member information is included in tonight's packages as are copies of letters regarding Mr. Ricciardelli's resignation from the Commission and Mr. Kowalczyk's appointment to the RiverCOG RPC.

**Liaison Reports:**

Mr. Gauthier reported that the East Hampton High School Consumer Sciences Wing was opened on Monday, January 4, 2016. The new gymnasium and the completely renovated auditorium will be completed the end of this month. The High School Building Committee is confident that with the input of the parties involved and some careful phasing of the project the completion date for the project will not change. The next meeting will be at 5:30 on January 21, 2016. There will be a site walk at 4:00 on that day.

Mr. Hall was in attendance at the last Design Review Board meeting. He reviewed the questions and recommendations to the Guidelines with Chairman Burnham. The DRB will be following up on these recommendations. The Minutes of this meeting are on file in the Town Clerk's Office and are available online.

Mr. Kowalczyk reported that the RiverCOG RPC did not meet last month.

Mr. Sennett reported that he was in attendance at the last ZBA meeting. There were two applications on the agenda; however one was removed due to defective signage notice. An application was granted for property on Depot Hill Road for frontage, width, side yard, and length of access way variances. The variances were granted with a vote of 3-2-0. The Minutes of this meeting are on file in the Town Clerk's Office and are available online.

Mr. Kuhr reported that there was a meeting of the Conservation-Lake Commission in November and December. Neither of these meetings discussed matters that were pertinent to this Commission. The Minutes of the November Conservation-Lake Commission are on file in the Town Clerk's Office and are available online. The December meeting did not have a quorum.

Mr. Zatorski reported that there is nothing to report for the IWWA this month. These Minutes are on file in the Town Clerk's Office and are available online.

Mr. Rux reported that he attended the November EDC meeting. They are progressing with a plan to select and spotlight a small local business on a monthly basis. They continue to encourage development of small businesses in town. The Minutes of this meeting are on file in the Town Clerk's Office and are available online.

Mr. Rux briefly reported on the Water Development Task Force. The Minutes of this meeting are on file in the Town Clerk's Office and are available online.

Ms. Wright reported that the RiverCOG Regional Planning Committee is seeking input on small regional meetings to be held in April, May, and June on the Regional POCD. Suggestion for venues are welcome, as are time frames, publicity, media, etc.

**Public Comments:**

Glen LeConche, Building Official, was present to meet the Commission. He distributed business cards to the Members.

5. **Set Public Hearing for February 3, 2016:** None.
6. **Read Legal Notice:** Staff read the legal notice into the record.
7. **Public Hearings for January 6, 2016:**
  - A. **Application of Sheila Mullen & Michael Klucznik, Fat Orange Cat Brew Company, 47 Tartia Road,** for a Special Permit Pursuant to Section Nos. 4.4.D.2 (Roadside Stand) and 8.4.L (Farm Brewery) – Map 27/Block 55/Lot 2:

Sheila Mullen and Michael Klucznik were present to discuss the application. They posted a display board specific to the Fat Orange Cat Brew Company. It will be located at 47 Tartia Road. A site map was presented to the Commission. All abutters have been notified and all are very supportive of the application. The goal is to have a seasonal farm brewery open for the grow season. They have been working with the UCONN Agricultural Extension program for a waste management plan for the project. DEEP has verbally approved the application. The hours of operation will be Saturday and Sunday afternoons during the grow season. During this time they will provide tastings and growler fills.

The Fat Orange Cat Brew Company will grow some hops. They will not produce enough hops initially but will pursue 20% of the grains from local growers within 50 miles of the proposed site. The Agricultural Commission is extremely excited about this project and has been working with tobacco farmers to switch to growing wheat for brewing. The micro-brewery business is booming in Connecticut; however, there is a little hole in this area of the State. The Economic Development Commission is supportive of the project as well. Ms. Mullen has been invited to speak at the next Regional Agricultural Committee meeting. Chatham Health District is also supportive of this project and will be working in conjunction with the DEEP on the waste management plan. The State Building Official has granted the Fat Orange Cat Brew Company a restroom waiver. Ms. Mullen has consulted with the Fire Marshal and has made all the adjustments to the tasting area he has suggested. The applicants have been working very closely with the Tobacco Trade Bureau and are almost finished with the process. They have received verbal approval from the Bureau but are waiting for a written approval. Ms. Mullen is happy to report that she has wonderful water. All the water tests and laboratory results have been submitted and are more than satisfactory. In addition to brewing the beer, she will be making Belgian candy sugar, the dwarf goats on the property are eating the used grains from the brewing process, and 24 rhizomes have been planted to begin the farming enterprise. The parking plan allows six 9'x18' spaces in the vicinity of the barn.

Town Staff read the reviews of the Chatham Health District, Public Works, Police Department, Fire Marshal and Fire Department into the record. Staff further explained that documentation for the sources of materials produced within 50 miles of the brewery could be a condition of the approval and the federal forms and reports may serve that function as well as address the federal requirements.

The Chairman opened the meeting to the public at this time.

Carlin Klucznik, Middletown CT, spoke in support of the project and what it has to offer the community.

William Dinunzio, 40 Spice Hill Drive, discussed the economic opportunities this application and the craft beer market will bring to East Hampton.

Tom Sawyer, 156 Wopowog Road, spoke in support of this project.

Jay Swanton, 40 Colchester Avenue, spoke in support of the applicants, project, and location.

Jacob Kravitz, 34 Walnut Avenue, spoke in favor of the application and the craft beer boom. He is supportive of this location for the project.

Robert Berlin, 14 Sunset Drive, spoke in support of the applicants and the project. He is supportive of this new endeavor.

Sherry Engel, Tartia Road, was present to represent her family and its support of the applicants and the project.

Katia Porter, Middletown, spoke in favor of the applicants, location, and the project.

Benjamin Travers, Middletown, spoke in favor of the location, project, and award winning quality of the product.

David Joselin, 10 Lakewood Road, discussed support for the project and the high integrity of the applicants. He spoke of the economic opportunity this project will be to the Town.

Jennifer Shaffer, Portland, spoke in support of the application, location, and award winning product. She and her husband enjoy coming to East Hampton for the quaint restaurants and look forward to this business as well.

Ms. Mullen described in detail the parking plan and explained that there is ample room for parking considering that the tasting and growler fill plan is for about a 20 minute visit per vehicle from noon to 5 p.m. on Saturday and Sunday. There will be approximately four beers on tap and visitors will have the opportunity to taste each and fill a growler. Other than a tasting, there will be no consumption on the property. The driveway is long and there is turn-around space.

Tom Sawyer, 156 Wopowog Road, shared that there is sufficient area for overflow parking on the property as well.

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

*Mr. Zatorski moved that the East Hampton Planning and Zoning Commission approve the application of Sheila Mullen & Michael Klucznik, Fat Orange Cat Brew Company, 47 Tartia Road, for a Special Permit Pursuant to Section Nos. 4.4.D.2 (Roadside Stand) and 8.4.L (Farm Brewery), Map 27/Block 55/Lot 2, with the following conditions:*

- *Hours of Operation are seasonal from April thru December, Saturdays and Sundays, from 11 a.m. to 5 p.m.;*
- *Compliance with all Federal, State, and local laws, rules, and regulations;*

- *Town Staff, including but not limited to Building, Planning, Health & Fire Marshal, must be notified prior to and upon completion of construction and prior to commencement of operations;*

*This application is approved because it meets the requirements of the Zoning Regulations for Special Permit Uses and the Plan of Conservation and Development. The project will promote area business, agriculture, and economy. Mr. Rux seconded the motion. The motion carried unanimously.*

## **8. New Business:**

### **A. 8-24 Review - 2 Bevin Boulevard Purchase:**

The Chairman asked Town Council Liaison, Mark Philhower, to discuss the purchase.

Mr. Philhower discussed the purchase of the property for potential parking in the vicinity of Center School. The field adjacent to Center School was deeded to town for park use only and can never be used for anything but a park. Regardless of future use of Center School there is a shortage of parking. Purchase of this property for the sole purpose of a parking lot will be beneficial for the school, public events, and is in compliance with the Town's practice of considering property available for purchase adjacent to Town owned property. Mr. Philhower does not believe this property is on the Brownfields Site Inventory List. Soil testing will be conducted. If the Town determines that there are contaminants in the ground, the ground would be sealed in much the same manner as the parking area was capped at the 103 Main Street parking area. The original house has been altered such that there is no historical value. The heating and plumbing systems have been ripped out.

The Chairman read the Resolution into the record. **\*\*Attachment 1\*\***

*Mr. Zatorski moved, and Mr. Gauthier seconded, to forward the Resolution as read, and signed by the Chairman of the Planning and Zoning Commission on this date, to the Town Council. The motion carried unanimously.*

### **B. 2016 PZC Meeting Calendar:** The Chairman discussed the proposed meeting calendar and explained that the deadline dates are four weeks prior to meetings. **\*\*Attachment 2\*\***

*Mr. Rux moved, and Mr. Kuhr seconded, to accept the 2016 PZC Calendar. The motion carried unanimously.*

## **9. Old Business:**

### **A. Extension of Permit - Application of Rechovos Corporation for Salmon Run Open Space Subdivision:** Staff explained that original permit was issued on April 4, 2007. That permit will expire on April 4, 2016.

Scott Bayne was present to represent the applicant, Rechovos Corporation. He explained that the applicant would like a five year extension. He discussed the project as it has been developed to date. Phase 1 is completely built out. Phase 2 is about half way built out. The roadway and infrastructure for both Phases 1 and 2 are complete. There are no violations or concerns of record on this development.

Staff discussed the bonding process with the Commission. The Commission will receive a recommended bond amount from the developer when they are ready to proceed with the next phases. The Town's engineer will review and approve the recommended amount. The Commission will have the opportunity to accept that bond. The Commission will

review the bond amount every two years to ensure that it is sufficient under the conditions at the time.

There are wetlands on the subdivision. All the open space has already been deeded to the State of Connecticut. Because the subdivision was approved by both the IWWA and the PZC the extension must approved by both the IWWA and the PZC. The IWWA will not review this application until the meeting at the end of January.

*Mr. Rux moved, and Mr. Sennett seconded, to continue the application of Rechovos Corporation for an extension of the Salmon Run Open Space Subdivision to the next regularly scheduled meeting.*

- B. Update: POCD – Status and Plan for Mandatory Update:** Mr. DeCarli discussed the steps he foresees being necessary to successfully update the POCD on a timely basis. The Commission discussed its use of the Workshops to update the POCD in 2006. The Commission feels strongly that the process be conducted in a public arena through public workshops with the opportunity for all to participate. Staff agreed to have a full status report on specific amendments that must be made and a schedule of workshop dates and places to meet all required deadlines by the February meeting of this Commission.
- C. Update - Design Review Board:** Mr. Hall reiterated his comments from his liaison report that he was in attendance at the last Design Review Board meeting. He reviewed the questions and recommendations to the Guidelines with Chairman Burnham. The DRB will be following up on these recommendations by the next meeting.

Mr. DeCarli introduced himself and reported that he has a Master's degree in geography with a concentration in Planning from Central Connecticut State University. He was with the RiverCOG for four years where he worked on natural hazard mitigation planning for all 17 towns in the region. He was responsible for emergency management planning and grant oversight throughout the region. He also worked on Corridor Studies for the Valley Railroad corridor from Old Saybrook to Middletown. Prior to working in planning he was a teacher in Hartford for two years.

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

The meeting adjourned at 8:42 p.m.

Respectfully submitted,

Daphne C. Schaub  
Recording Secretary