

**East Hampton Planning and Zoning Commission
Regular Meeting
August 7, 2013
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 Peter Aarrestad, Rowland Rux, James Sennett, Meg Wright, Alternate Member Scott Sanicki, and Planning, Zoning & Building Administrator James Carey were present.

Absent: Member Roy Gauthier and Alternate Member Paul Hoffman were not present.

The Chairman welcomed Ms. Wright as the new Regular Member of the Planning and Zoning Commission to fill the seat vacated by the resignation of Commissioner Gosselin.

The Chairman seated Mr. Sanicki as voting member at this time.

- 2. Approval of Minutes:**

A. July 3, 2013 Regular Meeting:

Mr. Zatorski moved to approve the Minutes of the July 3, 2013 meeting as written. Mr. Rux seconded the motion. The motion carried (5/0/2). (Yes votes: Aarrestad, Philhower, Rux, Wright, and Zatorski. No votes: None. Abstentions: Sanicki and Sennett.)

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

Communications: Mr. Carey reported that the Town has received notification from the DOT regarding the submittal of an application to the Connecticut DEEP for a general permit for water resource construction activities relative to State Project No. 41-113 for the intersection and safety improvements on Route 66 at Route 196 and Old Marlborough Road.

The Town has received its first bill from the River COG for the fiscal year 2014 in the amount of \$8,579.34 which includes a credit of \$2,920.16 from the merger funding.

Next month the Commission will be conducting an 8-24 Review of the East Hampton High School Athletic Field Lighting and a Site Plan Review for the same.

The Commission has received a request from the applicant to re-schedule the public hearing for the Guerrero Equestrian application. The applicant failed to properly notice the abutters by certificate of mailing and to notify the public by posting signage on the roadway of the pending public hearing. The public hearing may not be opened tonight.

Liaison Reports:

Mr. Zatorski reported that the IWWA met in the past month and heard several applications for seawall repairs. The Minutes of this meeting are on file in the Town Clerk's Office and online on the Town's website.

Ms. Wright reported on the June and July meetings of the Conservation-Lake Commission. The Commission finalized its plans for the Old Home Day celebration. It has also completed the signage for the Airline Trail. Dr. George Knoecklien made a presentation to the Town Council on July 23rd. Finally, they reviewed seawall repair applications for the IWWA. The Minutes of this meeting are on file in the Town Clerk's Office and online on the Town's website.

Ms. Wright reported that she attended two meetings of the River COG Regional Planning Commission (RPC) where they reviewed three different proposals. The first was for parking lot lighting in Old Saybrook. Portland has requested review of a plan to change the zoning along the Connecticut River. Finally, Chester has requested review of a plan to expand the facilities of Aaron Manor. The first two requests were reviewed with a favorable commentary by the RPC. The third request was addressed by forwarding a letter to Chester regarding concerns for the town's eligibility for State and Federal funding should they proceed with the expansion plan due to concerns regarding compliance with their Plan of Conservation and Development. The RPC requested East Hampton provide insight to its POCD and how it has addressed plans for providing utilities in the future. It has also requested this Commission to provide questions regarding demographics.

Mr. Sennett reported that the ZBA did not meet in the month of July. They will have a meeting in August.

Mr. Aarrestad reported that the Salmon River Watershed Partnership is holding a joint volunteer recognition celebration with the Eight-Mile River Coordinating Committee on August 19, 2013 at the Moodus Sportsman's Club.

Mr. Carey reported that the EDC has been working the revision being made to the tax deferral program. It will be provided to the Town Council for a public hearing when it is available. When a draft is available for the public it will be made available to the Commission. The Minutes of this meeting are on file in the Town Clerk's Office and online on the Town's website.

Public Comments: The Chairman opened the meeting up to the public at this time.

Mr. David Lord, 2 Flanders Road, was present to attend the Guerrero Equestrian public hearing. He wished to discuss his questions regarding the application; however, the Chairman directed him to return when the application has been rescheduled.

There were no other persons present to make commentary at this time.

4. Set Public Hearing for September 4, 2013:

A. Application of Melissa Guerrero, Guerrero Equestrian, 2A Flanders Road, for a Special Permit per Section 17.10 of the Zoning Regulations for Commercial Stables – Map 06A/Block 59/Lot 24A:

Mr. Zatorski moved, and Mr. Rux seconded, to schedule a Public Hearing at the September 4, 2013 Regular Meeting of the East Hampton Planning and Zoning Commission to hear the application of Melissa Guerrero, Guerrero Equestrian, 2A Flanders Road, for a Special Permit per Section 17.10 of the Zoning Regulations for Commercial Stables, Map 06A/Block 59/Lot 24A. The motion carried unanimously.

5. Read Legal Notice: Cancelled.

6. Public Hearings for August 7, 2013:

A. Rescheduled: Application of Melissa Guerrero, Guerrero Equestrian, 2A Flanders Road, for a Special Permit per Section 17.10 of the Zoning Regulations for Commercial Stables – Map 06A/Block 59/Lot 24A:

7. New Business:

A. Application of BJT Fitness LLC dba Schedule II CrossFit, 4 North Main Street, for a Commercial Site Plan Modification Review – Map 05A/Block 63A/Lot 14:

Bryan Polsonetti, 88 Viola Drive, was present to represent the application. They would like to open a crossfit personal training facility at 4 North Main Street. He described the sport and the business to the Commission. The building is currently being rehabilitated. The applicant has signed a lease with the owner of the building for the rear portion of the building. The owner will be dealing with the repairs and structural concerns that need to be addressed and has already pulled the necessary permits.

The applicant will refurbish the interior of the portion of the building they will occupy. This will include cleaning, washing, painting, and installing rubber flooring. The hours of operation are variable. Generally they will be early morning and evening. The facility will be closed during the day. The hours are planned now to be 5 to 6 or 7 a.m. and 5 to 8 p.m. It will also be open a couple of hours on Saturdays and Sundays.

Mr. Polsonetti discussed the plans for the exterior and the parking. The parking will be diagonal and primarily in the area of an easement on the north side of the building. This easement is provided by Landmark East Hampton LLC which is the owner of the property where Stop & Shop is located. The applicant is working with Mimi Signs to create an aluminum sign about 4' x 4' or 4' x 5' on the north side of the building to the left of the door. It will be either 2-tone or in full color with the company logo.

Mr. Philhower indicated that the signage in the area is typically wooden and engraved. There is no allowance for a backlit sign.

Mr. Aarrestad discussed his concerns regarding the site plan as presented and sufficient parking. He stated that the Commission would be unable to make an appropriate conclusion based on the limited information provided. He would like to see a more detailed scaled site plan.

Mr. Polsonetti referred to the map in the agreement from Landmark East Hampton LLC which indicates the dimensions of the access easement. The parking area is asphalt with grass surrounding it and immediately abuts the building.

Mr. Carey discussed the parking, the easement, and the requirements for parking spaces.

Mr. Aarrestad is concerned that the parking area will require cars to be backed out onto North Main Street.

Mr. Carey explained that the Town is very anxious to see this building rehabilitated. It suffered heavy damage in an electrical fire over four years ago and this is the first attempt that the owner has made to repair the building. Requiring a full site plan would very much diminish the owner's willingness to proceed and dramatically increase the applicant's

business start-up costs. Mr. Carey fully agreed that backing out onto North Main Street would not be at all acceptable.

Mr. Rux suggested that the applicant look into an agreement with the church for ingress and/or egress.

Mr. Polsonetti discussed an agreement available to him with Century 21, located across East High Street, for additional parking.

The Commission requested that the applicant provide a plan view schematic of the parking configuration with dimensions of the spaces, turn area, flow of traffic, area of the building to be utilized by the applicant, drawn to scale, and the surrounding properties identified by name. The applicant should also provide copies of the agreement with Century 21 and the church if they are, in fact, formalized.

Mr. Carey explained that the future use of the front of the building is unknown. The owner is repairing the building at the behest of the Building Department after four years for the sole reason as he has a tenant for the rear portion of the building. The building does not have enough parking area for anything more intensive than this application. This building virtually covers the entire parcel. It is one of the few urban lots with no parking in this Town.

Mr. Zatorski moved to continue the application of BJT Fitness LLC dba Schedule II CrossFit, 4 North Main Street, for a Commercial Site Plan Modification Review, Map 05A/Block 63A/Lot 14, to the next regularly scheduled meeting of September 4, 2013. Mr. Rux seconded the motion. The motion carried unanimously.

8. Old Business:

A. Update - Edit and Reformat Zoning Regulations: Mr. Carey provided the recommendations of Planimetrics for proceeding with the revisions to the Commission, including definitions, diagrams, and formatting with ability to revise in the future without disrupting the flow of the document. It is anticipated that the Commission will receive a working product at the next meeting. The Commission may want to consider scheduling workshops to finalize this document. With the use of workshops the Commission can reasonably plan obtaining review of area planning groups, holding public hearings, and adopting the regulations with an effective date of January 1, 2014.

The Commission agreed that based on the product provided to them in September, they would consider scheduling a Special Meeting Workshop(s) during the month of September dedicated specifically to this project with Planimetrics in attendance.

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

The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Daphne C. Schaub
Recording Secretary