

**East Hampton Planning and Zoning Commission
Regular Meeting
March 5, 2014
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, Vice-Chairman Rowland Rux, Members Peter Aarrestad, Kevin Kuhr (7:04), James Sennett, Meg Wright, Alternate Members Gary Hall, Paul Hoffman, Scott Sanicki, and Planning, Zoning & Building Administrator James Carey were present.

Absent: Member Roy Gauthier was not present.

The Chairman seated Messrs. Hoffman and Sanicki at this time.

2. **Approval of Minutes:**
A. **January 8, 2014 Regular Meeting:**

*Mr. Rux moved to approve the Minutes of the January 8, 2014 meeting as written.
Mr. Sennett seconded the motion. The motion carried unanimously.*

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

Communications: Mr. Carey reported that East Hampton will be featured in the Salmon River Watershed Partnership Newsletter who will be recognizing the Salmon Run Subdivision as an example of low-impact, conservation-minded development.

Mr. Carey recognized Meg Wright whose first meeting was in March 2010.

He reported that updated contact information sheets are in this evening's packages.

The annual meeting of the Connecticut Federation of Planning & Zoning Agencies will be held on Thursday, March 13, 2014 at the Aqua Turf Country Club in Plantsville, Connecticut at 5:00 pm. The Commissioners are all invited to attend.

Liaison Reports:

Mr. Zatorski reported that there was nothing to report regarding IWWA. The Minutes for this meeting are on file in the Town Clerk's Office and available for viewing on the Town website.

Mr. Sennett reported that he attended two meetings of the ZBA since the last PZC meeting. At the first meeting on January 13, 2014 the ZBA heard a request for a variance to reduce the front yard setback from 25' to 7' to construct an addition. The variance was denied. At the February 10, 2014 meeting of the ZBA the same applicants applied for different variances. The new application was granted. The ZBA also heard the application of an auto repair and dealer for location approval as required by the Connecticut State Statutes. The location was approved. The Minutes for these meetings are on file in the Town Clerk's Office and available for viewing on the Town website.

The Chairman unseated Mr. Sanicki and seated Mr. Kuhr at this time.

Mr. Aarrestad discussed the Salmon River Watershed Partnership's upcoming newsletter which will feature the Salmon Run Subdivision. Another area of interest is the Salmon River Watershed Open Space Map which will also be in the newsletter. The percentage of East Hampton open space in the Salmon River is of interest. This Map should be a helpful tool in the future. Finally, the Town has budgeted to support the Partnership again this year which it has done consistently for years.

Mr. Carey reported that the Design Review Board is being reconstituted and is in a formative stage. When he is made aware that they are ready to meet with the PZC he will set up a meeting to help encourage a working relationship with them.

The Chairman explained that the WPCA has been extremely active and requested a volunteer for a liaison position between the PZC and the WPCA. Mr. Hoffman has volunteered and will begin attending these meetings.

Mr. Carey explained that the Water Development Task Force was also in the process of being reconstituted and he would be providing the Commission with more information as it became available.

Ms. Wright reported that the Conservation-Lake Commission did not meet in February.

Ms. Wright attended two meetings for the RiverCOG. They reviewed a referral from Clinton regarding the sales of mulch on non-commercial, -industrial, or -manufacturing zones. The RiverCOG deemed that this activity would adversely affect the adjoining municipalities. They also heard referrals from West Brook and East Hampton. Both were deemed to have no regional impact. At the February meeting the RiverCOG heard referrals from Essex, Salem, and Haddam. Of these referrals only one was deemed to have any regional significance, which was regarding a medical marijuana producer in a residential zone and the RiverCOG did not endorse that project. Finally, she reported that Public Act 13-247, Section 390 has eliminated regional planning commission (RPC), and effective January 1, 2015 the RPC will not exist. The RiverCOG will take over the tasks and responsibilities of the RPC; although, they plan on opposing the elimination.

Public Comments: As no one was present in the audience for Public Comments, the Chairman moved ahead on the Agenda.

4. **Set Public Hearing for April 2, 2014:** None

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

6. **Public Hearings for January 8, 2014:**

A. **East Hampton Zoning Regulations - Comprehensive Reorganization:**

Mr. Carey explained that the Town contracted with Planimetrics to refine, reorganize, and identify redundancies and contradictions. With that information the regulations were reorganized. The regulations themselves remained the same. Mr. Carey reviewed the new format and structure with the Commission and recommended that the Commission adopt the draft Zoning Regulations as presented with an effective date no earlier than April 1, 2014.

The Commission discussed their satisfaction with the final draft of the reorganized regulations.

Mr. Rux moved to close the public hearing for the East Hampton Zoning Regulations, Comprehensive Reorganization. Mr. Kuhr seconded the motion. The motion carried unanimously.

Mr. Arrestad moved to adopt the East Hampton Zoning Regulations, Comprehensive Reorganization, as presented in the Final Draft of December 4, 2014, with an effective date of April 7, 2014 for the reasons that the document is an effective and sound guidance tool for the Commission, staff, citizen, and developer. Mr. Rux seconded the motion. The motion carried unanimously.

B. East Hampton Zoning Map – Amended:

Mr. Carey explained that as the GIS is becoming more and more useful the zoning map has been updated and corrected to reflect the changes that have been made to the Official Zoning Map over the years. The following changes have been recommended for the Official Zoning Map:

1. 33 West High Street, Map 01A/Block 47/Lot 3, R00369 – Change from POR to C;
2. 35 West High Street, Map 01A/Block 47/Lot 3A, R00368 – Change from POR to C;
3. 37 West High Street, Map 01A/Block 47/Lot 3B, R007373 – Change from POR to C;
4. 50 East High Street, Map 05A/Block 85/Lot 18-2, R06487 – Change from R-1 to C;
5. 58 East High Street, Map 05A/Block 85/Lot 18-1, R01433 – Change from R-1 to C;
6. 26 Lakeview Street, Map 05A/Block 85/Lot 18-A, R04839 – Change from R-1 to C;
7. 249 West High Street, Map 05A/Block 12/Lot 1B, R02790 – Remove from the Pine Brook Aquifer

Mr. Carey further reported that since the legal notice was published and the map was posted for the public to view one additional error has been brought to the attention of this Commission. The owner of 8 West High Street has brought to his attention that this property has been identified incorrectly on the current Zoning Map. Mr. Carey explained the confusion to the Commission. The Official Zoning Map identifies the parcel as being in the R-1 Zone. In the late 1980s the line for the Commercial Zone became the western boundary line of 8 West High Street when parcel based zones were adopted by the Planning and Zoning Commission. Previous to that the zone lines had been hand-drawn, and in this case, through the middle of this property. The Commission requested that the draft map be updated to include the proposed correction to the official zoning map and the public hearing on the official zoning map be continued to allow staff to provide any additional information available regarding the history 8 West High Street.

Mr. Rux moved, and Mr. Arrestad seconded, to continue the public hearing for the East Hampton Zoning Map Amendments and Correction to the next regularly scheduled meeting of April 2, 2014. The motion carried unanimously.

7. New Business:

- A. Lower Connecticut River Valley Area Council of Governments - Appoint Members to Regional Planning Commission:** Mr. Carey reported that the Planning and Zoning Commission nominates two members to the Lower Connecticut River Valley Area Council of Governments' Regional Planning Commission. One appointment must be a member of the PZC. Previously, the regular member's seat was filled by Mark Philhower and the alternate member's seat was filled by Meg Wright. They have agreed to trade positions to satisfy the requirements of each seat.

Mr. Zatorski moved, Mr. Rux seconded, to nominate Meg Wright as the Regular Member and Mark Philhower as the Alternate Member. The motion carried unanimously.

B. Discussion Regarding - Strengthening Requirements of Special Permits (Industrial and Commercial Zones – Controlled Substances – Growing, Processing & Distribution): The Chairman requested Mr. Carey review the requirements for these types of facilities. Mr. Carey provided the Commission with the DEA Drug Schedule. Subsequent to the Chairman's request the State has adopted strict legislations that will aid the Town as it prepares to address this new industry. This legislation will be forwarded to the Commission

C. Potential Zoning Regulation Amendments: Mr. Carey reported that he has been in conversation with Stop & Shop's attorney regarding the requirements for gasoline dispensing stations in East Hampton. Currently the Regulations require that gasoline dispensing stations are located in the industrial zone. The irony of that zoning requirement is that not one of the existing stations is in the industrial zone. The Commission discussed its ability to limit the location, and other site specific concerns, of future stations. Mr. Carey would also like the Commission to review the open space subdivision regulation for its effectiveness. Mr. Aarrestad is interested in reviewing the methodology in place for expansion of the sewer system. The Commission may consider strengthening its ability to limit development in sewerred areas as well as future expansion of the sewer. The Commission would like a workshop with the WPCA.

8. **Old Business:** None.

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

The meeting adjourned at 8:31 p.m.

Respectfully submitted,

Daphne C. Schaub
Recording Secretary