

Town of East Hampton  
**Planning and Zoning Commission**  
**Regular Meeting**  
January 2, 2019 – 7:00 P.M.  
East Hampton Town Hall Meeting Room

**MINUTES**

**1. Call to Order and Seating of Alternates:**

Chairman Kuhr called the meeting to order at 7:00 p.m.

Present: Chairman Kuhr, Vice-Chairman Ray Zatorski, Regular Members James Sennett, Rowland Rux, Roy Gauthier and Angelus Tammaro. Alternate Member Michael Kowalczyk was present as well as Planning and Zoning Official Jeremy DeCarli.

Absent: Regular Member Meg Wright and Alternate Tim Puglielli.

**2. Approval of Minutes:**

**A. December 5, 2018 Regular Meeting** – Vice- Chairman Zatorski made a motion to accept the December 5, 2018 Regular Meeting minutes as written. Mr. Rux seconded the motion.

***Vote: 7-Yes; 0-No. The motion passed.***

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

**Communications:** Mr. DeCarli stated there were no communications.

**Liaison Reports:**

Mr. Gauthier stated that there were no new developments with the High School Building Committee. Chairman Kuhr asked if there was any follow up regarding the issues in the kitchen. Mr. Gauthier stated that they did not meet in December to discuss the issues.

Mr. Kowalczyk stated that there was nothing to report from the Lower CT River Valley Regional Planning Commission.

Mr. Sennett reported that the Zoning Board of Appeals did not meet in December.

Vice-Chairman Zatorski stated that items from the Inland Wetlands and Watercourse Agency will be covered under applications.

Mr. Rux had nothing to report.

Mr. Tammaro did not have anything to report.

Chairman Kuhr asked for any public comments not relating to Agenda #5a. Vice-Chairman Zatorski wished everyone a Happy New Year and stated that he is looking forward to working with everyone in the new year. Chairman Kuhr asked if there were any other comments from the public. There were none.

**4. Read Legal Notice for January 2, 2019:** Staff read the Legal Notice for January 2, 2019 into the record. Mr. Rux noted that on the Agenda it states “none” under Legal Notice which is incorrect.

**5. Public Hearings for January 2, 2019:**

**A. PZC-18-021: The Neighborhood at Edgewater Hills – Phase 1D & E of approved master plan 18 lot subdivision. Map 10A/Block 85/Lot 5C.** Attorney Heller from Uncasville presented. He presented a revised plan that depicted what was approved in the master plan with an overlay of the proposed 18 lot subdivision. He explained that Phase 1 will end in temporary cul-de-sacs on Persimmon Way and that the total unit count is 22

which is 3 less units than what was on the master plan. All of the existing and proposed roads are private and are built to Town Road Standards as far as construction but not as far as the geometric design as allowed by the MUDD Regulations. The road width on the main road is 24' and on Persimmon Way it is 20' which is consistent with the Master Plan. There is a closed drainage system for the project. The roads will be curbed with catch basins that will collect storm water runoff which will be collected and discharged through a water quality and detention system located on lot #3 which is not a building lot and is not included in the total proposed lots. The storm water discharge will go to a water quality fore bay located within the primary detention basins and will discharge through a stone berm to the remainder of the primary basin and flows down to a secondary basin where there is an outlet structure that has orifices at various elevations to discharge the storm water at a controlled rate so there is no increase in peak runoff during any storm events up to a 100 year storm. The water that flows out of the outlet structure is discharged to a level spreader and then discharged to the environment. In order to meet the zero increase in peak runoff the design engineer has incorporated infiltration so that all the roof runoff from each of the homes will be infiltrated back into the ground. There is a wetland system in the project area but the predominant portion of the subdivision is not located in the Lake Pocotopaug sub-regional drainage basin. Jeff Dewey, P.E. from Boundaries, LLC. stated that there is a proposed stone rip rap channel with an overflow level that is 10' wide and a lower level to allow a small amount to be discharged at a controlled rate. The piping system from the lower basin is 15" in diameter. A brief discussion followed regarding the existing and proposed conditions during storm events as presented in the drainage report that was submitted with the application. There is a comprehensive roadway easement and maintenance agreement in place for the maintenance of the structures. The current Regulations for cul-de-sacs do not apply to the proposed cul-de-sacs due to the language of the MUDD Regulation. Mr. Rux inquired about any proposed provisions for underground tanks for fire suppression. There are no hydrants proposed but there will be stand pipes in the ponds as well as a fire protection system in place when construction is complete. Mr. DeCarli added that there were no comments from the Fire Marshal. John Faulise, P.E. with Boundaries, LLC. explained that there are proposed sidewalks that run along the west side of Edgewater Circle and that there will be multiple means of egress and access points once the project is complete. Steve Motto of Edgewater Hills, LLC. stated that there are currently 2 existing wells in service from the Laurel Ridge pump house that will provide enough water for most of the Edgewater project. He went on to explain the reason they left lot 3 empty: to build a treatment facility to service Edgewater, Baker Hill and Laurel Ridge; ultimately abandoning the treatment facility at Laurel Ridge. Mr. DeCarli stated that the Conservation Lake Commission provided favorable comments and that the former conditions from the master plan remain in effect. Chairman Kuhr asked if there were any public comments. There were no comments. Vice-Chairman Zatorski made a motion to close the Public Hearing for PZC-18-021: The Neighborhood at Edgewater Hills – Phase 1D & E of approved master plan 18 lot subdivision Map 10A/Block 85/Lot 5C. Mr. Rux seconded the motion. ***Vote: 7- Yes; 0-No. The motion passed.*** Vice-Chairman Zatorski made a motion to approve the application of PZC-18-021: The Neighborhood at Edgewater Hills – Phase 1D & E of approved master plan 18 lot subdivision Map 10A/Block 85/Lot 5C for the following reasons: it is consistent with the revisions of the master plan within the spirit of the

master plan that was previously approved, this use is appropriate for the use of this particular lot and this particular MUDD zone and with the following conditions: Town Staff is notified prior to the start of breaking ground, revisit again at the start of construction to ensure that all erosion and sedimentation controls are in place as outlined in the plans dated November 19, 2018 and that Town Staff (especially during storms) visit the site and ensure that all erosion and sedimentation controls remain in place and are not overwhelmed by any storm surge. Mr. Gauthier seconded the motion. ***Vote: 7-Yes; 0-No. The motion passed.***

## **6. New Business:**

### **A. PZC-18-022: A Midas Touch, LLC., 11 North Main Street, for a site plan modification for a personal service shop in a Commercial Zone.**

**Map 01A/Block 39A/Lot 28A.** Heather Jane McHugh of 37 Jacobson Farm Road and Chuck Haller owner of Theater Square at 11 North Main Street presented. Ms. McHugh explained that she would like to open her own business which would be a Med Spa that predominately does cool sculpting (a non-invasive fat reduction procedure). She would like to open this business where Abeez Frozen Yogurt shop is at 11 North Main Street. There will be a build out added internally to add procedure rooms but there will not be any external work done. Mr. Haller submitted drawings of what currently exists and one that depicts changes they are proposing which includes changing walls to add procedure rooms. Mr. DeCarli explained that this is a change of use because it was a restaurant use and is now being changed to a personal service shop and that there is sufficient parking. Ms. McHugh stated that the hours of operation will be Monday through Friday from 5:30 p.m. until 9:30 p.m. and Saturday and Sunday from 7:30 a.m. until 6:30 p.m. She added that because there is no use of chemicals there will be no discharge of chemicals and that the procedures times vary from 35 minutes to 45. Mr. Rux stated that he would like to give the applicant the flexibility to expand their business in the future if they need to without applying for another Planning and Zoning permit. Vice-Chairman Zatorski made a motion to approve application PZC-18-022: A Midas Touch, LLC., 11 North Main Street, for a site plan modification for a personal service shop in a Commercial Zone Map 01A/Block 39A/Lot 28A for the following reasons: it is consistent with the use of the building, an existing business has already been in that particular space and that changes to the size and internal layout of the space is at the discretion of Town Staff and with the following conditions: Town Staff be notified prior to the start of construction and be notified at the end of construction. Mr. Rux seconded the motion with an inquiry about signage which Mr. DeCarli explained. ***Vote: 7-Yes; 0-No. The motion passed.***

## **7. Old Business:**

**A. Election of Officers:** Vice-Chairman Zatorski made a motion to nominate Kevin Kuhr as Chairman for 2019. Mr. Gauthier seconded the motion. ***Vote: 7-Yes; 0-No. The motion passed.*** Vice-Chairman Zatorski made a motion to elect Kevin Kuhr as Chairman for 2019. The motion was seconded by Mr. Rux. ***Vote: 7-Yes; 0-No. The motion passed.*** Mr. Gauthier made a motion to nominate Mr. Zatorski as Vice-Chairman for 2019. The motion was seconded by Mr. Rux. ***Vote: 7-Yes; 0-No. The motion passed.*** Mr. Rux made a motion to close the nominations. Vice-Chairman Zatorski seconded the motion. ***Vote: 7-Yes; 0-No. The motion passed.***

**8. Planner's Report –** Mr. DeCarli wished everyone a happy new year. He informed the members that the runoff issue at the new Town Hall site is under control and that the runoff is clear up to a 2 to a 2.5" rainstorm and that he will be giving the Town Council an update at their next meeting. Chairman Kuhr inquired about the status of the re-appointments of 3 of the members. Mr. DeCarli stated that it is in process and that they should be receiving a letter of re-appointment soon. Chairman Kuhr voiced his concerns about runoff from the property next to 182 East High Street and whether or not it goes into the lake. A brief discussion followed about an underground stream and a vernal pool on the other side of the road that dries up in warmer weather. Chairman Kuhr asked about the ongoing blight issues at Rte. 196 and Mr. DeCarli explained that it is still being handled in the courts. Mr. DeCarli provided a status for the new daycare on West High Street and stated that the Fire Marshal had some concerns. Chairman Kuhr asked about the status of a letter that was to be sent to Town Council regarding the road at Old Marlborough. Mr. DeCarli stated that the letter will be available at the next Planning and Zoning meeting.

**9. Set Public Hearing(s) for February 6, 2019 –** None.

**10. Adjournment:** Vice-Chairman Zatorski made a motion to adjourn at 8:04 p.m. The  
The vote was unanimous in favor.

Respectfully submitted,  
Christine Castonguay,  
Recording Clerk