

Town of East Hampton
**Planning and Zoning
Commission**
Regular Meeting October 4, 2023
Town Hall and Virtual Meeting

DRAFT MINUTES

1. Call to Order and Seating of Alternates:

Chairman Kuhr called the meeting to order at 7:01 p.m.

Present: Chairman Kuhr, Vice-Chairman Zatorski, Jim Sennett, Meg Wright, and Rowland Rux.

Alternate Members: Matthew Walton

Recording Secretary: Cheryl Guiliano

Absent: Roy Gauthier, Angelus Tammaro, Mike Kowalczyk and Ted Hintz, Jr

Chairman Kuhr seated Matthew Walton

2. Approval of Minutes:

A. September 6, 2023 Regular Meeting: Vice-Chairman Zatorski made a motion to approve the minutes as presented. Mr. Sennett seconded the motion. *Vote: 6-Yes; 0-No*

3. Communications, Liaison Reports and Public Comments: Chairman Kuhr asked if Commission Members had anything to report. The following Commission Members did not have anything to report: Mr. Sennett, Vice-Chairman Zatorski, Ms. Wright, Mr. Walton and Mr. Rux. Chairman Kuhr asked for public comments at this time. There were no public comments.

4. Read Legal Notice for October 4, 2023: Mrs. Guiliano read the legal notice.

5. Public Hearings for September 6, 2023:

A. PZC-23-012: Michael Bakaj, 37 South Main Street, a 22-lot (33 units) HOD subdivision in existing HOD Zone, Map 20 Block 51/ Lot 27. Mark Reynolds, Professional Engineer, 63 Norwich Avenue, Colchester explained an affordability plan was completed and briefly discussed. Mr. Reynolds noted an updated site plan was submitted including revisions to address comments. Mr. Reynolds discussed open space areas in the proposed subdivision. Mr. Reynolds explained the revised plans include a proposed walking trail instead of a basketball court. He further explained the proposed walking trail is roughly a half a mile path with side walk around the detention basin. Chairman Kuhr asked how the walking trail would be accessed. Mr. Reynolds replied there is a proposed 10-12ft wide gravel road. Mr. Reynolds additionally noted the gravel road will be used infrequently and used for maintenance of detention area. Mr. Reynolds discussed the subdivision's road width. Mr. Reynolds explained there is a proposed 24' wide road with side walk. Vice-Chairman Zatorski asked when the site plan and affordability plan were submitted and Mr. Reynolds replied today at the meeting. Chairman Kuhr asked Mrs. Guiliano if there were any updates from Town Staff. Mrs.

Guiliano noted comments are included in their packets and the last correspondence to her knowledge is from the Fire Marshal. Chairman Kuhr additionally asked if Mr. Reynolds contacted her about comments from staff and Mrs. Guiliano replied no. Mr. Reynolds stated that Jeremy DeCarli emailed August 21 requesting feedback regarding road width and briefly discussed. Mr. Sennett discussed road standards. Chairman Kuhr asked Mrs. Guiliano if she had information regarding discussion on road width and Mrs. Guiliano replied the packets include Mr. DeCarli's email. Commission Members discussed road width requirements. Chairman Kuhr asked how many proposed parcels in the subdivision and Mr. Reynolds replied 22 parcels; 33 units. Vice-Chairman Zatorski expressed concern with receiving final plans at the meeting. Chairman Kuhr asked Mr. Reynolds if everything was submitted and Mr. Reynolds replied to his knowledge. Chairman Kuhr asked Mrs. Guiliano if everything was submitted and she responded she did not know as the plans were received right before the meeting. Mr. Reynolds explained the plans were updated after feedback from Town Staff and the affordability plan was not reviewed at all by the Commission or Town Staff. Chairman Kuhr asked if he was interested in reapplying. Vice-Chairman Zatorski expressed concern with not being able to address concerns with Mr. Reynolds after they review final plan set. Mr. Reynolds asked the Commission to solicit Town Staff for comments. Ms. Wright asked if new plans incorporated a buffer around the subdivision. Mr. Reynolds replied no, they meet subdivision requirements, noted open space buffer and setbacks. Ms. Wright asked if there is proposed plans for planting buffer or fence between abutting parcels and Mr. Reynolds replied no. Commission Members briefly discussed buffer. Vice-Chairman Zatorski asked if the proposed walking trail is included in final plan set. Mr. Reynolds replied the path is included in the updated plans. Chairman Kuhr asked for details about the walking path and Mr. Reynolds replied it is a 4ft wide stone dust path. Chairman Kuhr asked for public comments. Daniel Miller, 30 Young Street, asked if walking trail for recreation purposes essential for the subdivision. Chairman Kuhr asked what his concerns were. Mr. Miller expressed concern with residents entering his property. Vice-Chairman Zatorski explained recreation is a requirement for the Town's subdivision regulations. Chairman Kuhr replied they could set perimeters such as shrubbery to deter residents from entering abutters property. Vice-Chairman Zatorski made a motion to close the public hearing for PZC-23-012: Michael Bakaj, 37 South Main Street, a 22-lot (33 units) HOD subdivision in existing HOD Zone, Map 20/ Block 51/ Lot 27. The motion was seconded by Mr. Sennett. *Vote: 6-Yes; 0-No* Vice-Chairman Zatorski made a motion to continue the application PZC-23-012: Michael Bakaj, 37 South Main Street, a 22-lot (33 units) HOD subdivision in existing HOD Zone, Map 20 Block 51/ Lot 27 to the next regularly scheduled meeting November 1, 2023. The motion was seconded by Mr. Walton. *Vote: 6-Yes; 0-No*

- B. PZC-23-014: Flanders Road Estates LLC**, Flanders Road, Fifteen (15) Lot subdivision, (Home Acres Estates), Map 26/ Block 87/ Lot 6. Rob Baltramaitis, Professional Engineer, explained proposed 15 lot subdivision location. Mr. Baltramaitis discussed the sites topography, wetlands, septic system, and lot dimensions. Mr. Baltramaitis discussed plans

for a proposed 1400' long cul-de-sac road called Quinn's Way. He further explained proposed road side swales. Chairman Kuhr asked if swales are for wetland areas and Mr. Baltramaitis replied no it is for entire length of the roadway. Chairman Kuhr asked for wetland locations and Mr. Baltramaitis provided locations using site plan and briefly discussed water drainage. Mr. Baltramaitis stated they are seeking a waiver to reduce road width to 22ft. Mr. Baltramaitis noted Town Staff comments regarding road width. Chairman Kuhr asked what the reason is to reduce road width to 22' and Mr. Baltramaitis replied to minimize impervious coverage and noted environmental reasons. Mr. Baltramaitis discussed originally, they proposed a private road but after comments received by the Commission and Town Council the developer would consider a town road. Mr. Baltramaitis briefly discussed lot dimensions, locations, and conservation easements. Vice-Chairman Zatorski asked for details for three lots on Pecausett Trail and Mr. Baltramaitis briefly discussed lots and access. Mr. Baltramaitis explained the sites drainage, grading and detention basins. He provided detention basins locations and discussed capacity. Mr. Baltramaitis briefly discussed erosion control measures. He noted IWWA approval with conditions. Mr. Baltramaitis discussed Fire Marshal comments for a sign to be installed at proposed 10,000 underground fire suppression system. Mr. Baltramaitis explained the Police Chief expressed concern with site line. Mr. Baltramaitis stated presently there is a restricted site line and propose to grade the edge of the roadway to the eastside of proposed intersection of Flanders Road and Quinn's Way to maximize the site line. He noted regulations for street standards require 240ft site line and after grading they will achieve 360ft. Mr. Baltramaitis discussed email and staff note from Mr. DeCarli discussing the site line. Mr. Baltramaitis discussed Chatham Health comments and anticipates an approval. Chairman Kuhr asked if there is proposed sidewalks. Mr. Baltramaitis replied no because of proposed roadside swales and further discussed swales. Chairman Kuhr asked if all the swales were needed and possibly remove to add sidewalks. Vice-Chairman Zatorski stated they are needed for drainage. Mr. Baltramaitis discussed necessity of swales. Mr. Sennett spoke in favor of sidewalks. Mr. Sennett further discussed road width standards and expressed concern with road widths under 24ft. Chairman Kuhr discussed road width, noted Skyline division road width that include sidewalks. Vice-Chairman Zatorski noted street standard regulations. Mr. Sennett asked how wide Pecausett Trail is and Mr. Baltramaitis believed it was 26'. Mr. Baltramaitis discussed waiver and cul-de-sac will serve 12 homes versus Skyline Estates that serves hundreds. Mr. Baltramaitis discussed providing a walking path to Airline Trail. Vice-Chairman Zatorski quoted from Mr. DeCarli's report regarding swales and road width and Town Staff recommend 24ft. wide road. Mr. Baltramaitis quoted Public Work's Director, Matt Walsh's, email dated October 3, 2023 supporting waiver and road width. Mr. Sennett explained during previous years snow storm subdivision road with went from 24' to 12.5'. Mr. Baltramaitis discussed curbed road versus edge of pavement. Chairman Kuhr asked for public comments. Jean McMahon, 10 Pecausett Trail, asked if site line could be discussed further and expressed concern with site line. Jaqueline Futia, 11 Portage Trail, expressed concern with access trail and Chatham Health comments. Ms. Futia asked if Chatham Health comments have all been addressed, details for access trail and asked if logs on her property will be removed. George and Lisa Gallo, 56 Flanders Road, Spoke in general favor of the subdivision. Mr. Gallo asked for a natural barrier. Mr. Gallo expressed concern with the ingress and egress. Ed Baillargeon, 70 Flanders

Road, explained he would like the road to remain private and was not in support of sidewalks or a wider road. Jesse Meisterling, 71 Flanders Road, asked who will maintain proposed swale, spoke in favor of proposed drainage, proposed road, and access of trail. Mr. Meisterling expressed concern with a sidewalk. Vice-Chairman Zatorski asked for clarification on length of site line on sheet number GP-1 on site plan. Mr. Baltramaitis replied proposed grading would create 365ft site line and Town standard requires 240ft. Chairman Kuhr asked for swale details. Mr. Baltramaitis provided brief design details. Chairman Kuhr asked if a natural vegetation buffer to abutters is proposed. Mr. Baltramaitis replied if they considered adding evergreens it would cause them to remove natural vegetation and believed that would be counterproductive. Chairman Kuhr asked if they would do a buffer for the abutter, Mr. Gallo. Mr. Baltramaitis replied he believes the property owner would consider. Mr. Baltramaitis noted comments from abutters preferred 22' road and no sidewalks as it preserves rural character of the area. Chairman Kuhr asked for details for proposed access trail. Mr. Baltramaitis replied it has not been fully determined but the applicant is willing to do. Ms. Futia asked for access details. Mr. Baltramaitis replied he would need to work with Town Staff for details. Mr. Baltramaitis noted IWWA condition for placards on lot 8 noting conservation easements. Vice-Chairman Zatorski asked if Chatham Health is ongoing and Mr. Baltramaitis replied yes. Vice-Chairman Zatorski made a motion to continue the Public Hearing for PZC-23-014: Flanders Road Estates LLC, Flanders Road, Fifteen (15) Lot subdivision, (Home Acres Estates), Map 26/ Block 87/ Lot 6. to the regular meeting of November 1, 2023. Mr. Sennett seconded the motion. **Vote: 6-Yes; 0-No** Vice-Chairman Zatorski made a motion to continue the application PZC-23-014: Flanders Road Estates LLC, Flanders Road, Fifteen (15) Lot subdivision, (Home Acres Estates), Map 26/ Block 87/ Lot 6. to the regular meeting of November 1, 2023. Mr. Sennett seconded the motion. **Vote: 6-Yes; 0-No**

C. Text Amendment Regarding Required Setbacks on Non-Conforming Lots in the R-1 Zone: Section 8.2 of the East Hampton Zoning Regulations. Vice-Chairman Zatorski made a motion to continue the Public Hearing for Text Amendment Regarding Required Setbacks on Non-Conforming Lots in the R-1 Zone: Section 8.2 of the East Hampton Zoning Regulations to January 3, 2024. Mr. Sennett seconded the motion. **Vote: 6-Yes; 0-No** Vice-Chairman Zatorski made a motion to continue the application for Text Amendment Regarding Required Setbacks on Non-Conforming Lots in the R-1 Zone: Section 8.2 of the East Hampton Zoning Regulations to January 3, 2024. Mr. Sennett seconded the motion. **Vote: 6-Yes; 0-No**

6. New Business: None.

7. Old Business: None.

8. Planner's Report: None.

9. Set Public Hearing(s) for November 1, 2023:

10. Adjournment – Vice-Chairman Zatorski made a motion to adjourn at 8:48p.m. The

motion was seconded by Ms. Wright. The vote was unanimous in favor.
Vote: 6-Yes; 0-No

Respectfully submitted,



Cheryl Guiliano
Recording Secretary