

Town of East Hampton
Planning and Zoning Commission
Regular Meeting
October 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 Zatorski, Regular Members Meg Wright, James Sennett, Rowland Rux, Angelus Tammaro, Alternate Members Mike Kowalczyk and Timothy Puglielli and Zoning Official Jeremy DeCarli.

Absent: Roy Gauthier.

Chairman Kuhr seated Mr. Kowalczyk at this time.

2. Approval of Minutes:

A. September 4, 2019 Regular Meeting – Vice-Chairman Zatorski made a motion to approve the September 4, 2019 minutes as written with any corrections anyone may have. The motion was seconded by Mr. Sennett. *Vote: (7-Yes; 0-No)*

B. September 10, 2019 Workshop – Vice-Chairman Zatorski made a motion to approve the September 10, 2019 Workshop minutes with any corrections members may have. The motion was seconded by Mr. Sennett. *(5-Yes; 2-Abstentions Mr. Rux and Vice-Chairman Zatorski; 0-No).*

3. Communications, Liaison Reports, and Public Comments:

Communications:

Mr. DeCarli presented a notice of approval for a dock at 153 Middle Haddam Road from DEEP and a letter of violation from DEEP for work done at 49 Oakum Dock that did not match the approved plan. Mr. Rux requested that the letter of violation be included in the packet for Public Hearings 5A and 5B.

Liaison Reports:

Mr. Tammaro did not have a report.

Mr. Kowalczyk said that the RiverCOG did not meet. Chairman Kuhr asked the members to consider volunteering for a liaison position at the RiverCOG

Mr. Sennett attended the September 9th ZBA meeting and reported the following applications were Heard and approved: Application ZBA-19-009, Brian Galovich, 35 Highland Terrace, for a variance to increase the lot coverage from 10% to 13.5% to pave a driveway Map 18/Block 44/Lot 78-28 and Application ZBA-19-010, Laura Kupper, 32 Colchester Ave., for a variance to reduce the side setback from 25' to 7.5' to place a 12' x 20' pre-fab shed for storage Map 07A/Block 55/Lot 16A.

Mr. Rux asked Town Staff to draft a letter for an advocacy group for the Senior Center that states that the Planning & Zoning Commission (primarily Planning) supports the infrastructure and transportation needs of the senior citizens and that it is in agreement with the POCD.

Ms. Wright did not have a report and neither did Mr. Puglielli.

Chairman Kuhr asked for public comments at this time for anything except Agenda #5A and 5B. There were no comments.

4. Read Legal Notice for October 2, 2019: Not required.

5. Public Hearings for October 2, 2019:

Chairman Kuhr stated that both applications (#5a and #5B) will be heard at the same time.

- A. PZC-19-010: Roncalli Institute, Inc., 49 Oakum Dock,** for a Zone Change from R-2 to Commercial. Map 02/Block 9A/Lot 2. Mr. DeCarli informed the Commission that earlier in the afternoon, he received an extension request from Attorney Harris for both applications for the next regularly scheduled meeting on November 6, 2019. Vice-Chairman Zatorski read the letter into the record which included a request for a site visit (the letter will be filed with the minutes). The members agreed to do a site walk on October 19th at 8:30 a.m. Mr. Peter Callan (Board member of St. Clements and Roncalli Institute) was present and agreed to the day and time. Vice-Chairman Zatorski made a motion to continue the Public Hearing and application for PZC-19-010: Roncalli Institute, Inc., 49 Oakum Dock, for a Zone Change from R-2 to Commercial. Map 02/Block 9A/Lot 2 to the next regularly scheduled meeting on November 6, 2019 per the applicant's request. Mr. Rux seconded the motion. **Vote: 7-Yes; 0-No.** Vice-Chairman Zatorski made a motion to continue the Public Hearing and application for PZC-19-011: Roncalli Institute, Inc., 49 Oakum Dock, for a Special Permit to construct an Assembly Hall in the Commercial Zone (Sec. 5.2.C) Map 02/Block 9A/Lot 2-A to the next regularly scheduled meeting on November 6, 2019 per the applicant's request. Mr. Rux seconded the motion. **Vote: 7-Yes; 0-No.**
- B. PZC-19-011: Roncalli Institute, Inc., 49 Oakum Dock,** for a Special Permit to construct an Assembly Hall in the Commercial Zone (Sec. 5.2.C) Map 02/Block 9A/Lot 2.A. The public hearing and application were voted to be continued under Agenda #5A.

6. New Business:

Mr. Rux recused himself at this time. Chairman Kuhr seated Mr. Puglielli then stated that Agenda items 6A and 6B will be presented at the same time.

- A. PZC-19-018: American Equities, LLC., 35 West Point Road,** for a Zone Change from R-1 to Commercial. Map 5A/Block 84/Lot 1. Pat Benjamin, P.E. from Bascom and Benjamin, LLC. in Durham presented. The goal for the zone change is to construct a parking lot. CT DOT will be reconstructing the culvert on Rte. 66 in front of American Distilling which will result in the loss of some of the current parking spaces in front. At this time, they have maxed out their parking so they are in need of additional parking. The parcel where they want to construct a parking lot is behind a commercial parcel with an industrial parcel that abuts it therefore they would like to change it from R-1 to Commercial. Access to the parking area will be on West Point Road where there will be 22 parking spaces with a 24' wide entrance, 24' wide aisle and 9 x 18 parking spaces which meet the requirements. The parcel has a buffer and landscaping and they will be adding a row of arborvitaes on the northern side to help conceal the parking area. There is a home, garage and shed that exist and they would like to keep the garage that they use for storage and keep the existing access. They are proposing (3) 100 watt LED full cut off lights which are almost identical to the lights that exist now. The parking lot drains to the south into a catch basin. A 2% pitch front to back will be added and an underground detention area will be buried in the lawn to help with the increase of water runoff. The system is sized for a 50 year storm. All the runoff drains down to the culvert so that it's out of the lake watershed. Changing the zone is a much cleaner process than applying for variances and the zone change is consistent with the area is in. Ed Jackowitz from American Equities, LLC. stated that they have one shift: 8 a.m. to 5 p.m. and no weekend work so the flow will be in the morning and at 5 p.m. during the week. Vice-Chairman Zatorski made a motion to set a public hearing for the next regularly scheduled meeting on November 6, 2019 for PZC-19-018: American Equities, LLC., 35 West Point Road, for a Zone Change from R-1 to Commercial. Map 5A/Block 84/Lot 1 and for PZC-19-019: American Equities, LLC., 35 West Point Road, for a Site Plan Review for additional parking. Map 5A/Block 84/Lot 1. The motion was seconded by Ms. Wright. **Vote: 7-Yes; 0-No**
- B. PZC-19-019: American Equities, LLC., 35 West Point Road,** for a Site Plan Review for additional parking. Map 5A/Block 84/Lot 1. ***A Public hearing was set under agenda# 6A for***

the next regularly scheduled meeting on November 6, 2019.

Mr. Rux returned to the meeting at this time. Chairman Kuhr unseated Mr. Puglielli.

7. Old Business:

A. PZC-19-017: South Road Marlborough, LLC., 98 Middletown Ave., for a zone change from Industrial to R-4. Map 12/Block 48C/Lot 4. Mr. DeCarli provided a brief zoning history of the area. He pointed out the properties in the Industrial zone and the ones in Residential zone. Jim Marino (applicant) of 41 Smith Street stated that the reason for the zone change is to be able to build a 2 family duplex. There was a brief discussion about size requirements for a non-conforming lot that was created prior to 1987 and it was agreed that a single family would be allowed there now or an Industrial use. Vice-Chairman Zatorski made a motion to set a public hearing for the next regularly scheduled meeting on November 6, 2019 for PZC-19-017: South Road Marlborough, LLC., 98 Middletown Ave., for a zone change from Industrial to R-4 Map 12/Block 48C/Lot 4. The motion was seconded by Ms. Wright. **Vote: 7-Yes; 0-No.**

B. Updates to Sec. 3.1 Lake Pocotopaug Protection Zone – There was a public workshop on September 10th where comments and feedback were offered. There will be another workshop scheduled in late October or early November.

At this time, Vice-Chairman Zatorski thanked Mr. DeCarli for the report he provided for agenda item#7A.

8. Planner's Report – The RiverCOG will be updating the natural hazard mitigation plan which is a 5 year plan required by FEMA. A draft of the plan will be circulated to Commissions and public hearings will be held. The RiverCOG will also be interviewing consultants to work on the Conservation Development Plan.

9. Set Public Hearing(s) for November 6, 2019- Public hearings were previously set under Agenda items 6A, 6B and 7A.

10. Adjournment – Vice-Chairman Zatorski made a motion to adjourn at 8:06 p.m., seconded by Ms. Wright. The vote was unanimous in favor.

Respectfully submitted,

Christine Castonguay
Recording Secretary