

Town of East Hampton
Planning and Zoning Commission
Regular Meeting
December 5, 2018 – 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, Meg Wright, Rowland Rux, Roy Gauthier and Angelus Tammaro. Alternate Members Michael Kowalczyk and Tim Puglielli were present as well as Planning and Zoning Official Jeremy DeCarli.

2. Approval of Minutes:

A. November 7, 2018 Regular Meeting – Vice- Chairman Zatorski made a motion to accept the November 7, 2019 Regular Meeting minutes as written. Mr. Sennett seconded the motion.

Vote: 9-Yes; 0-No. The motion passed.

3. Communications, Liaison Reports, and Public Comments:

Communications: Mr. DeCarli presented the 3 letters from the Connecticut Siting Council regarding changes to various cell phone towers (on Young Street and Public Works Drive). The last letter is from the State of CT DOT regarding the replacement of Pocotopaug Creek bridge which will take place in 2020. He added that he will be sending DOT a letter recommending consideration of an addition of a sidewalk on the north side of the bridge.

Liaison Reports:

Mr. Gauthier stated that the High School Building Committee was to dismember in November but will continue into next year to finish small projects. Chairman Kuhr stated that there are some issues with the stove and oven in the kitchen and asked Mr. Gauthier to address them with the Committee.

Mr. Kowalczyk stated that the Lower CT River Valley Regional Planning Commission did not have a November meeting.

Mr. Tammaro had nothing to report.

Mr. Sennett reported the following applications from the ZBA meeting on November 19th:

Application ZBA-18-010, Paul & Cynthia Strickett, 10 Hale Road, for a variance to reduce the front setback from 20' to 19.4' to build a 20' x 6' covered front porch and ramp for handicap access. Map 03A/Block 44/C-11. Application approved.

Application ZBA-18-011, Paul Catalano, 49 Bay Road, for a variance to increase the lot coverage from 20% to 31% and to reduce the eastern side setback from 15' to 6.08' to construct a 10' x 25' addition to home, a 20' x 30' garage and a 10' x 10' addition to existing porch. Map 9A/Block 70/Lot 33. Application denied.

Application ZBA-18-012, Josua Scavetta, 34 North Main Street, for a variance to increase the lot coverage from 25.36% to 34.64% to add a new driveway. Map 4A/Block 63/Lot 15. Application approved.

Application ZBA-18-013, Julianos Pools, 42 Skyline Drive, to increase the lot coverage from 10% to 12.66% to construct a 22' x 36' in ground pool, a 600 sq. ft. concrete patio and a 12' x 16' shed. Map 18/Block 44/Lot 78. Application approved.

Vice-Chairman Zatorski stated that there was nothing to report from the Inland Wetlands and Watercourse Agency meeting.

Mr. Rux had nothing to report.

Ms. Wright did not have anything to report.

Mr. Puglielli had nothing to report.

Chairman Kuhr asked for public comments. Wesley Jenks of 45 Meeks Point spoke about his concerns regarding the significant impact on the overall quality of the lake due to the significant developments along Rte. 66. Chairman Kuhr explained that with each application, the Commission was vigilant about ensuring measures be in place so that no runoff comes from the projects and to protect the overall quality of the lake. Joe Carbonell of 3 Mallard Cove spoke about runoff from the projects and the quality of the lake. Vice-Chairman Zatorski explained in detail the amount of time, effort, research and changes to plans that the Commission has done for each project to ensure that runoff is not an issue and that applicants are not allowed to do whatever they want. They are made to do what is in the best interest of the Town. Chairman Kuhr thanked both gentleman for voicing their concerns and assured them that measures are taken to address runoff. Mr. DeCarli explained that he meets with the site supervisor for the Municipal Hub project on a daily basis and that buffer areas are added to prevent runoff. He stated that the project is a difficult one because it is on a hill and the soil types are fine. He collects water samples during every rain storm. The soils pass through 4 retention ponds, 3 levels of silt fence, 2 rows of hay bales, a row of wood chips and another 6' – 8' wide area of wood chips. The Dollar General project site never overflowed with all of the rain and there was never any run off from that site. Mr. Gauthier stated that the Commission has done their due diligence with every project that has come before the Commission. Mr. Rux stated that he and Ms. Wright served on the Water Development Task Force and explained what their responsibilities were as well as his time on the Inland Water and Watercourse Agency. Mr. Tammaro suggested that Mr. Jenks and Mr. Carbonell put in writing their recommendations and to have discussions about the lake as a standing item on the agendas. Chairman Kuhr asked if there were any other comments from the public. There were none.

4. Read Legal Notice for December 5, 2018: None.

5. Public Hearings for December 5, 2018: None.

6. New Business:

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 Harry Heller of Uncasville presented. He stated that this application is for a re-subdivision. This is a residential component of the Edgewater Hill master plan that was previously approved. They are proposing the extension of Edgewater Circle of about 1000' with private roads and a small portion of Persimmon Way. It has 16 single family residential lots with a couple of cottage lots and a couple of duplex lots. It is in compliance with the master plan with one exception: it has an extra lot. It has public water and public sewer. The majority of this extension is outside of the lake water shed and flows in the opposite direction. All the roof top runoff is being infiltrated into the ground via infiltrators. The proposal is for a subdivision because the project is currently one lot and is not subdivided yet. There are

wetlands on both sides and they currently have an IWWA application. Steve Motto of Edgewater Hill Enterprises, LLC. pointed out the proposed project on the site plans and explained measures that are taken to prevent stormwater runoff. Vice-Chairman Zatorski asked for clarification on the watershed line for the next meeting. Vice-Chairman Zatorski made a motion to accept Application 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 a public hearing at the next regularly scheduled meeting on January 2, 2019. The motion was seconded by Mr. Rux. **Vote: 9-Yes; 0-No. The motion passed.**

B. Approval of the 2019 PZC Meeting Dates – Vice-Chairman Zatorski made a motion to accept the 2019 PZC Meeting and Deadline dates as presented (all dates are 7 p.m.). The motion was seconded by Mr. Gauthier. **Vote: 9-Yes; 0-No. The motion passed.**

7. Old Business: Mr. Gauthier asked for clarification regarding the direction of the runoff from the project at 182 East High Street and about sewage overflow into the lake. Mr. DeCarli explained that the runoff goes into a retention pond with overflow into a pipe in the rear of the property and is directed outside the watershed. A discussion followed about the pipe leaking and sewage going into the lake. Chairman Kuhr suggested that staff draft a letter to the WPCA informing them that the Planning and Zoning Commission would prefer the pipe be replaced now as opposed to the spring.

8. Planner's Report – Mr. DeCarli informed the members that the Building Codes have changed therefore there have been changes to the State Model Regulations and suggested that the flood zone regulations be updated to reflect those changes. He will be attending a seminar next week with the State Flood Plain manager speaking and will provide information from that meeting. There has been discussions in the past about requiring public hearings for new construction in the Commercial zones and Mr. DeCarli suggested adding the following italicized language to Section 9.1.F.2: "The Commission reserves the right to hold Public Hearings on any site plan or amendment thereto, as presented *and shall hold a Public Hearing on all applications involving new construction.*" Chairman Kuhr asked Town Staff to have the Town Attorney review the proposed change and asked that a summary be drafted by Town Staff regarding the pros and cons and where in town this change would be applied. Mr. DeCarli reported that the Black Walnut Bread Company is open for business, ground has broken on the daycare facility at 207 West High Street and that Dollar General's site plan is not complete. A bond has been received to ensure the plantings are complete in the spring and the lawn is seeded. Mr. Gauthier spoke of his appreciation of East Hamptons sign ordinances specifically to no backlit signs. Mr. DeCarli commended the Commission for their work on the Dollar General application.

9. Set Public Hearing(s) for January 2, 2019 – A public hearing was set under agenda item# 6a.

9a. Public Comments – Chairman Kuhr added 9a to the agenda and asked for any public comments at this time. Mr. Carbonell of 3 Mallard Cove voiced his concerns about the issues with the pipe at 182 East High Street. Mr. Jenks of 45 Meeks Point asked about the legislation that was passed in 2005 regarding the lakes in CT. Chairman Kuhr asked if there were any other public comments. There were none.

10. Adjournment: Vice-Chairman Zatorski made a motion to adjourn at 8:30 p.m. The motion was seconded by Mr. Rux. The vote was unanimous in favor.

Respectfully submitted,
Christine Castonguay,
Recording Clerk