

East Hampton Planning & Zoning Commission

Updates to Sec.3.1 Lake Pocotopaug Protection Zone

Workshop Minutes

Date: March 3, 2020

Location: East Hampton Town Hall Meeting Room

Time: 6:30pm

Present: Vice-Chairman Kevin Kuhr, Rowland Rux, Jim Sennett, Angelus Tammaro, Michael Kowalczyk, Meg Wright, and Jeremy DeCarli – Staff.

Discussion: Updates to Sec.3.1 Lake Pocotopaug Protection Zone – Chairman Kuhr started the workshop at 6:30 p.m. Mr. DeCarli explained that Sec. 3.1 is an overlay zone that covers the watershed and sits on top of the underlying zones. R-1, R-3, Commercial and DD are some of the underlying zones. The normal requirements for the underlying zones apply. The overlay is a special set of rules that pertain specifically to the watershed. The watershed is approximately 2300 acres in size and has 1800 parcels (433 of those parcels are directly on the lake shore), 82% of the watershed is privately owned and 2.6% is Town owned. The purpose of the update is to address concerns about lake contamination and the purpose for the update is to see what can be done on a regulatory basis. Some of the goals for the update are: minimizing impervious surfaces, increasing infiltration of storm water runoff, minimizing disturbance of natural grades and vegetation and to contain storm water runoff on site. Section 1 of the draft regulation has requirements and criteria and Section 2 has rules to follow if you meet the criteria. A 50' setback has been added for all structures near the lake and tributaries. The intention is to have a larger area between developments and the lake and tributaries so that storm water can be infiltrated into the ground. Dave Bengston of 82 Spellman Pt. felt that a 50' setback is excessive for the smaller lots along the lake. He went on to suggest changing the language in the draft when it refers to new buildings and existing ones. Wes Jenks of 45 Meeks Pt. felt that the 50' setback might be a burden for the Town to grant variances if the requirements can't be met. Mr. Rux explained that the 50' setback would provide enough distance for runoff to recharge into the sub soil as well as enough area for the water to go into other directions. It is also an area to plant low shrubbery along the edge of the lake. There was discussion about tributaries and lakefront. Vice-Chairman Kuhr suggested separating them in the regulation and having a section for tributaries and a section for lakefront. Mr. DeCarli explained the next update to the regulation: all projects resulting in 2500 sq. ft. of ground disturbance must be reviewed by a lake consultant. The recommendation was made by Northeast Aquatics. An erosion and sedimentation bond would be required for 2500 sq. ft. of ground disturbance to protect the lakefront and watershed. Another change to the regulation is to disconnect discharges for individual properties from adjacent streets. Mr. DeCarli received a suggestion to have an exclusion in the revised

regulation regarding buffer requirements particularly if an alternate means of stopping the runoff is in place. He also received a recommendation to have buffer requirements for all properties in the watershed. Bob Yenker from Spellman Pt. was referred to the Town Council for contractor approvals to work in Town. Dave Bengston voiced his concern about closure dates for excavations. Angelus Tammaro suggested defining "clearing activity". A brief discussion followed about regulating vegetative removal or any activity that would impact the watershed. Vice-Chairman Kuhr suggested having the Conservation Lake Commission provide educational material for any new residents in the watershed. Mr. DeCarli stated that there will be a public hearing on this sometime in April.

Respectfully submitted,

Christine Castonguay
Recording Secretary