

Town of East Hampton  
**Planning and Zoning Commission**  
**Regular Meeting**  
August 2, 2017 – 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, Regular Members, James

Sennett, Roy Gauthier, Roland Rux and Meg Wright. Alternate Member Michael Kowalczyk was present as well as Planning and Zoning Official Jeremy DeCarli.

Chairman Kuhr seated Alternate Michael Kowalczyk.

Absent: Vice-Chairman Zatorski and Alternates Jason Jozefiak and Angelus Tamaro.

**2. Approval of Minutes:**

**A. July 5, 2017 Regular Meeting** – Mr. Sennett made a motion to accept the July 5, 2017 minutes as written. Mr. Rux seconded the motion.

*Vote: 6-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 spoke about the dedication and professionalism of John Fidler who played an intricate role on the High School Building Committee. Mr. Gauthier went on to offer his condolences. He reported that the project is on schedule and that the ribbon cutting ceremony is still scheduled for September 8<sup>th</sup>. The water is still an issue and they are waiting for CT DPH to approve their plan.

Mr. Kowalczyk provided the following highlights from the Lower CT River Valley Regional Planning Commission meeting: There was one referral from Old Lyme for a minor revision to their Plan of Conservation and Development to reduce the regulatory burden for homeowners to comply with FEMA flood regulations. They ruled that there were no inter-municipal impacts anticipated. There was further discussion about the Regional Plan of Conservation Development. There will be a public meeting on August 17<sup>th</sup> and September 16<sup>th</sup> for input. They were able to renew their lease so they will remain at their current location of at least another year.

Mr. Sennett attended the July 10 ZBA meeting and stated there were 4 applications:

Continued Application of Ralph Landino 32 Pine Trail, to reduce the side setback to 8' to construct a 7.05' x 31.96' addition. Map 10A/Block 79A/Lot 14. The application was denied. Application of Cary & Sharon Rollins of 18 West Point Rd., to increase the square footage from 1500 sq. ft. to 1632 sq. ft. to utilize the second floor. Map 05A/Block 83/Lot 12. The application was approved.

Application of The Town of East Hampton, 5 Gildersleeve Dr., for a site location approval for a municipal fueling station. Map 06/Block 6/Lot 1. The application was approved.

Application of Town of East Hampton/Department of Public Works 5 Gildersleeve Dr, to allow construction of a town vehicle fueling station with a canopy that straddles the ROW line along the front of the property. Map 06/Block 6/Lot 1. The application was approved.

Mr. Rux stated that he did not attend the Economic Development Commission meeting but provided the following from the minutes: Ellen Paul (Town Librarian) was presented with a demo from A-Z Business Database for businesses to be accessed through the library website with a yearly subscription fee of \$1700. The discussion continues. The library will be conducting 3 small business workshops in the fall. The businesses for the month of August are Abbeez, American Distilling and Loco Perro. There will be a networking event at the Bevin House on August 23<sup>rd</sup> from 6-8 p.m. Local businesses were invited to the event. The event will not be open to the public. One Watrous St. is currently blighted and the town will be signing a contract with a cleaning company to clean inside and out. Starr Auto has noted an increase in business since the removal of the Brownsfield building at 13 Watrous. The Fat Orange Cat is looking for another location. The Christopher Brook Bridge project is complete and has been named in honor of Jim Morris. Mr. Rux went on to add that the Water Development Task Force is trying to get a meeting together this month but has not heard anything more. Ms. Wright confirmed Mr. Rux's statement.

Mr. DeCarli stated that IWWA approved the plans for 5 Gildersleeve for the fuel station. At this time, Chairman Kuhr asked if there were any public comments related to anything that is not a public hearing.

Mark Philhower of 212 White Birch spoke about his concerns regarding the 8-24 Review. Some of the concerns he had were as follows: should PZC vote, it would pre-determine themselves, the need to re-ignite the village center and that there are no public roads or plans for a public road.

Pete Brown of 76 Barton Hill Rd. spoke of his concerns regarding the 8-24 Review: he said he supports the Town Council's recommendation and said it was a good site plan. Chairman Kuhr asked if there were any other public comments. There were none. Chairman Kuhr closed the portion of the meeting for public comments.

4. **Read Legal Notice for August 2, 2017:** The legal notice was read into the record by Mr. DeCarli.
  
5. **Public Hearings for August 2, 2017:**
  - A. **Application of Town of East Hampton** – Special Permit for a Municipal Fueling Station, 5 Gildersleeve Drive, Map 06/Block 6/Lot 1. Matt Brown, P.E. of Anchor Engineering presented. The scope of the project is to have a new municipal fuel station for Town vehicles as well as vehicles associated with the Board of Ed. The current tanks have reached the end of their service life so they will be removed which is a DEEP requirement. They will be installing (2) new 10,000 gallon tanks: (1) unleaded gasoline and (1) diesel. There will be a 5' increase of the width of Gildersleeve Drive and they will be installing curbing as well as a water quality treatment unit. There will be a small shed which will house the spill containment equipment. They are also proposing (2) canopies (one over each tank) that will cover the fueling area and tanks. The power and communications will be connected to the existing infrastructure at the Public Works garage. There will be minor clearing and grading to get the area level for concrete tanks. A brief discussion followed about a monitoring system for tank levels and about whether the pumping is safe suction or positive pressure. Mr. Rux asked Mr. Brown to verify that with the state and to

clear it with the Building Department. Mr. DeCarli informed the members that this applicant has received an approval from ZBA and IWWA. Chairman Kuhr opened the discussion to public comments. Ron Nichols of 80 Laurel Ridge inquired about the size of the canopy, if there was an overhang, was there fire suppression under the canopy and whether the pumps were tank mounted. There were no further comments from the public. Mr. Rux made a motion to close the public hearing portion of Application of Town of East Hampton – Special Permit for a Municipal Fueling Station, 5 Gildersleeve Drive, Map 06/Block 6/Lot 1. The motion was seconded by Mr. Sennett. **Vote: 6-Yes; 0-No. Motion approved.**

Mr. Rux made a motion to approve a Special Permit for Application of Town of East Hampton for a Municipal Fueling Station, 5 Gildersleeve Drive, Map 06/Block 6/Lot 1 because it meets the needs of the community, it meets the needs of the Town and all outside agencies have approved the plan. The motion was seconded by Mr. Sennett. **Vote: 6-Yes; 0-No. The motion passed.**

**B. Continued: Amendments to East Hampton Zoning Regulations-** Section 8.4.M, Special Regulations, Standards For Specific Uses, Accessory Dwelling Units. Mr. DeCarli informed the members that the proposed Section N was removed due to the new State regulation (PA 17-125). He went on to provide a brief summary of PA 17-125. A brief discussion followed.

Chairman Kuhr opened it up to the public for comments.

Terry Concannon of 59 Laurel Ridge spoke in favor of the “granny pods”. There were no further public comments so Chairman Kuhr closed public comments at this time. Mr. Kowalczyk stated that he would like public input about including or excluding the R2 zone. Mr. Rux made a motion to continue the public hearing for Amendments to East Hampton Zoning Regulations- Section 8.4.M, Special Regulations, Standards For Specific Uses, Accessory Dwelling Units to the next regularly scheduled meeting. Mr. Kowalczyk seconded the motion. **Vote: 6-Yes; 0-No. The motion passed.**

Mr. Rux made a motion to continue the Application of Amendments to East Hampton Zoning Regulations –Section 8.4.M, Special Regulations, Standards For Specific Uses, Accessory Dwelling Units to the next regularly scheduled meeting in September.

The motion was seconded by Mr. Sennett. **Vote: 6-Yes; 0-No. The motion passed.**

## 6. New Business:

**A. Presentation by Sean Cox,** East Hampton Chief of Police – Chief Cox spoke in favor of the proposed Police Dept. Town Hall Complex at 000 East High Street. He provided logistical data that supports his campaign to move the P.D. and Town Hall to the new location on East High St.

**B. Presentation by Rich Carella,** Town Legal Counsel. Attorney Carella provided a brief summary of the 8-24 Review and its process. A brief discussion followed and Attorney Carella answered questions that some of the members had. Mr. Maniscalco addressed the following topics: private roads, Plan of Conservation and Development, access roads and the need to move forward with this project. There was a lengthy discussion about the East High St. location versus the town center location. There was feedback from members of the Town Council about their experience with the RFP process as well as input from the Building

Committee. Chairman Kuhr asked for public comments at this time. There were several comments in support of moving forward with the project.

**C. 8-24 Review:** Police Department Town Hall Complex, 0000 East High Street, Map 10A/Block 85/Lot 5C. The members agreed that this project needs to move forward. After Attorney Carella reviewed and approved the language, Chairman Kuhr made a motion regarding the New Town Hall/Police Station Project. He made a motion for the Planning and Zoning Commission of the Town of East Hampton to recommend the approval of the following project pursuant to Section 8-24 of the General Statutes of Connecticut: Acquisition of an approximately 5.4 acre parcel of land, and any related appurtenances thereto, consisting of a portion of the property off of East High Street near its intersection with Lake Vista Drive in East Hampton referenced on the Town's tax assessment maps as Map 10A/Block 85/Lot 5C, now or formerly owned by George A. and Mary F. Loos; and the construction thereon of an approximately 31,500 square foot Town Hall and Police Station including Board of Education offices and a Community Room, and related parking, access, and other site improvements, and other improvements related to the project. The project is contemplated to be completed substantially in accordance with the preliminary plans prepared by Amenta Emma Architects entitled "Preliminary Site plan, East Hampton Town Hall/Police Department," as presented to this meeting.

This resolution is for approval of conceptual plans only. The project is subject to and shall comply with all applicable laws, regulations and permit approvals, and this resolution shall not be a determination that the project is in compliance with any such applicable laws, regulations or permit approvals. The motion was seconded by Mr. Rux. ***Vote: 6-Yes; 0-No. The motion passed.***

**D. Application of Edgewater Hill Properties, LLC – 130 East High Street, MUDD Site Plan Phase 1 – Map 10A/Block 85/Lot 5B.** Attorney Heller presented on behalf of Edgewater Hill Properties, LLC. He presented the plans for the first proposed building in the market square which will be a mixed use building approximately 4800 sq ft. The first floor will be a commercial floor area and the 2<sup>nd</sup> and 3<sup>rd</sup> floors will have (4) 1 bedroom and (1) 2 bedroom apartments on each floor. The landscaping plan was reviewed at this time as well as the drainage plan. He went on to add that the master plan was previously approved as well as the design plan. Mr. Rux made a motion to approve the application of Edgewater Hill Properties, LLC 130 East High Street, MUDD Site Plan Phase 1- Map 10A/Block 85/Lot 5B because it meets the use of the original master site plan that was previously approved and with the following conditions: that all staff be notified prior to construction, that all E&S Controls be in place, that there is written approval from the Fire Marshal and Police Department and that all permits are obtained administratively prior to the start of the project. The motion was seconded by Mr. Sennett.

***Vote: 6-Yes; 0-No. The motion passed.***

**7. Old Business:**

**A. Application of Main St Venture, LLC, 3 Main St, for a Text Amendment for PO/R Zone.**

Mr. Rand, owner of 3 Main Street presented to the members. He is proposing a transition zone between commercial and village center and stated that he would do a full presentation at the next meeting. Mr. DeCarli provided clarification of the current PO/R regulation. Mr. Gauthier made a motion to set a public hearing for the next regularly scheduled meeting for the Application of Main St venture, LLC, 3 Main St, for a Text Amendment for PO/R Zone. Mr. Rux seconded the motion. **Vote: 6-Yes; 0-No.**  
***The motion passed.***

**8. Planner's Report** – Mr. DeCarli provided the members with a packet of information pertaining to the Fat Orange Cat Brewery. The packet consisted of the following: a copy of the special permit PZC issued, the special permit land use form, the legal notice for the application of the farm brewery, legal notice of the adoption of the regulation, a letter to the owners of the Brewery as well as a letter to the owner of 58 Jacobson Farm Rd. He also added a copy of the House Bill No. 5580 for review and a revised draft of the current regulation for a Farm Brewery for the members to review. He informed the members of fill being brought to Skyline Estates from Aetna in Middletown and said that the fill is clean. He also discussed the use of the premises at St. Clements Castle and the status of the fire that happened there.

**9. Set Public Hearing(s) for September 6, 2017** – The public hearing was previously set under Agenda Item# 7A.

**10. Adjournment:** Ms. Wright made a motion to adjourn at 10:21 p.m. The motion was seconded by Mr. Rux. The motion was unanimous in favor. The meeting was adjourned.

Respectfully submitted,

Christine Castonguay  
Recording Clerk