

Town of East Hampton
Planning and Zoning Commission
Regular Meeting
September 6, 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 Members Michael Kowalczyk and Angelus Tammaro were present as well as Planning and Zoning Official Jeremy DeCarli.

Chairman Kuhr seated Alternate Michael Kowalczyk.

Absent: Vice-Chairman Zatorski and Alternate Jason Jozefiak.

2. Approval of Minutes:

A. August 2, 2017 Regular Meeting – Chairman Kuhr requested the following corrections: Under item #5A: to omit the word “from” in the sentence that begins with “The power and communications”. Under Item# 6C: to add the statement “After Attorney Carella reviewed and approved the language” before “Chairman Kuhr made a motion”. Mr. Rux made a motion to approve the August 2, 2017 minutes with the suggested changes. The motion was seconded by Mr. Gauthier. ***Vote: 7-Yes; 0-No. Motion passed.***

3. Communications, Liaison Reports, and Public Comments:

Communications: Mr. DeCarli presented the following communications: A notice of a public workshop for the Lower CT River Valley Regional Plan of Conservation and Development. The workshop will take place on 9/16/2017 at the Wesleyan University. The second communication was a letter from the Chairman of the Inland Wetlands and Watercourse Agency regarding erosion and sedimentation control bonds and the final communication was a meeting agenda for the 9/20/2017 meeting of the Central Region Water Utility Coordination Committee.

Liaison Reports: Mr. Gauthier reported that the ribbon cutting ceremony at the high school is scheduled for September 8th. They will have tours and refreshments.

Mr. Kowalczyk stated that he did not attend the Lower CT River Valley Regional Planning Commission meeting but stated that their kick off meeting is scheduled for 9/16/2017 at Wesleyan University.

Mr. Tammaro had no report.

Mr. Sennett provided the following highlight from the August 14 ZBA meeting:

Application of Paul & Winifred Cerreta of 39 Cobalt Rd., to reduce front setback from 50’ to 24’ to construct a new single family home. Map 5/Block 1/Lot 7B. The application

was denied.

Mr. Rux provided the following highlights from the August meeting of the Economic Development Commission: discussion of interest in opening a business in the Village Center (unknown type of business), a new gift shop next to Subway, a massage therapist opened in the Village Center, “territories” to be assigned to EDC members, handouts for new businesses, current spotlight businesses are Abeez’s and American Distilling and Loco Perro and Sports on 66 will be next, the Village Center focus group will meet every 3rd Wednesday, the EDC members received trial log-ins for the A to Z database but the Chairman stated they should have a plan for how to utilize it before purchasing the database, the business event that took place at the Bevin House B&B on 8/23/2017 was a success and 20 businesses attended, a developer is looking for space in town for a Dollar General, there are 24 new housing permits for this summer and a bid has been awarded to a firm for an interconnectivity feasibility study.

Mr. Rux attended the August Water Development Task Force meeting and provided the following: Tighe & Bond was chosen to do the interconnection survey. Their scope of work is to collect, review and evaluate information on existing water systems, determine potential supply treatment capacity and consolidation of water systems, evaluate alternative priorities for water systems, access regulatory requirements and alternatives and a water study report. In the meeting they prioritized finding additional water sources and would report back to the Water Development Task Force.

At this time, Chairman Kuhr asked if there were any public comments related to anything that is not a public hearing. There were no comments. Chairman Kuhr closed the portion of the meeting for public comments.

4. Read Legal Notice for September 6, 2017: The legal notice was read into the record by Mr. DeCarli.

5. Public Hearings for September 6, 2017:

A. Application of Main St Venture, LLC, 3 Main St, for a Text Amendment for PO/R Zone. Attorney Furey (43 Bellevue Ave. Bristol, CT.) presented to the Commission on behalf of Main St Venture, LLC. He stated that this application is an attempt to resolve the pending litigation between the Commission and the applicant for a previous application for a zone change that was denied. After talking to the Town Attorney and Staff, he said they looked for alternatives to encourage the retention of the residential character of the property while recognizing its’ unique location. He stated that a PO/R would be ideal for this concentrated development and that it promotes all the goals. Mr. DeCarli provided a detailed explanation of the definition of a PO/R Zone as well as what it will allow and it’s uses. A brief discussion followed about the current regulations. Chairman Kuhr opened the meeting to public comments. Eva Webber of 29 Bevin Blvd. asked about the PO/R Zone. Sean Kelly of 23 Skinner St was concerned about the traffic on Main St and Rte. 66 as well as having the PO/R Zone devalue the other properties. Scott Jackson of 6 Main St inquired about the applicant’s

intentions and spoke of the charm of Main St. Allison Carl of 6 Birchwood Rd spoke in favor of the application and stated that she is a CPA and would like to have an office in her home. Mary Ann Dostaler of 56 William Dr. asked if the lawsuit was settled and whether another application could be submitted if there is a pending lawsuit. She said she would like to protect the integrity of the Belltown Historic District and asked the Commission to consider a home occupation regulation. Attorney William Grady of 10 Oakum Dock spoke of his concern for preserving the historic homes and not making it a PO/R or Commercial Zone. Attorney Furey stated that a traffic study was done at the time they applied for a zone change and that traffic was not a reason for the denial of that application. He added for the record that should this application be approved, they would drop the previous litigation with the permission of the court. Mr. Rux spoke as a single Commission member and stated that there are currently (2) signs on the property. Chairman Kuhr asked if there were any further public comments. There were not. Chairman Kuhr closed the public comments portion of the meeting. Mr. Rux stated that he would like to see something in writing from the Town Attorney regarding the previous litigation. Chairman Kuhr agreed as a single Commission member. Mr. Rux made a motion to continue the public hearing of the Application of Main St Venture, LLC, 3 Main St, for a Text Amendment for PO/R Zone to the next regularly scheduled meeting on October 4th with the request for further information from Town Staff in writing. Mr. Sennett seconded the motion. ***Vote: 7-Yes; 0-No. The motion was approved.***

Mr. Rux made a motion to continue the Application of Main St Venture, LLC, 3 Main St, for a Text Amendment for PO/R Zone until the next regularly scheduled meeting on October 4th. The motion was seconded by Mr. Sennett. ***Vote: 7-Yes; 0-No. The motion was approved.***

- B. Continued: Amendments to East Hampton Zoning Regulations-** Section 8.4.M, Special Regulations, Standards For Specific Uses, Accessory Dwelling Units. Mr. DeCarli provided the members with a summary of the state legislation that goes into effect October 1st as well as a draft of the amendments to the East Hampton Zoning Regulations. Mr. Tamaro referred to 8.4.M and suggested that the hiatus be specified as 120 days within a consecutive 12 month period. Chairman Kuhr asked if there were any public comments at this time. There were none. Chairman Kuhr closed the public comment portion of the meeting. Mr. Sennett made a motion to continue the public hearing of the Amendments to East Hampton Zoning Regulations- Section 8.4.M, Special Regulations, Standards For Specific Uses, Accessory Dwelling Units. The motion was seconded by Mr. Rux. ***Vote: 7-Yes; 0-No. The motion passed.***

6. New Business:

A. Application of Roncalli Institute, Inc. 49 Oakum Dock, for a Zone Change: from R-2 to Commercial. Map 2/Block 9A/Lot 4. Mr. Loos of 61 Wangonk Trail presented on behalf of Roncalli Institute, Inc. He asked the Commission for consideration for a public hearing. He said that the property is currently a non-conforming marina use and the abutting properties are commercial. They would like to do social events at the marina and the zone change would give them flexibility. Mr. Rux made a motion to set a public hearing for the application of Roncalli Institute, Inc. 49 Oakum Dock, for a Zone Change: from R-2 to Commercial. Map 2/Block 9A/Lot 4 to the next regularly scheduled meeting on October 4th. The motion was seconded by Mr. Sennett. ***Vote: 7-Yes; 0-No. The motion passed.***

B. Application of Dollar General – Garrett Homes, 197 East High St., for a Zone Change: from R4 to Commercial. Map 37/Block 71/Lot 1. Matt Bruton from BL Companies presented to the Commission. He stated that they would like to construct a 7500 sq. ft. commercial building and would like to change the zone to commercial to conform with the surrounding properties. A brief discussion followed about a previous PZC site plan approval from 2007. Mr. Rux made a motion to set a public hearing for the Application of Dollar General – Garrett Homes, 197 East High St., for a Zone Change: from R4 to Commercial. Map 37/Block 71/Lot 1 to the next regularly scheduled meeting on October 4th. The motion was seconded by Mr. Sennett. ***Vote: 7-Yes; 0-No. The motion passed.***

7. Old Business: None.

8. Planner’s Report –

Mr. DeCarli provided the following updates: Christopher Brook was flooded after the last rainstorm and there was erosion and fill that came from the High School Project and a lot on Skyline due to the downed silt fences. The repairs were done at both locations. The topic of erosion and control bonds will be added to the next agenda. Hampton Woods will be submitting Diverse Housing Regulations. Sports on 66 gave themselves 90 days to complete the site work and site plan once they received their Certificate of Occupancy. The 90 days has expired and the site work is not complete. The trailer remains out front. They have a 6-8 week timeline and if the trailer is not removed, the bond will be used. NAPA was issued a building permit for the foundation only and they have recently submitted their building plans. ECO Coffee House is still looking for a location in the Village for her business. Mr. DeCarli stated that he is looking for a PZC Commission member to be a liaison for the Design Review Board and one for the Regional Planning Commission meetings at the RiverCOG.

9. Set Public Hearing(s) for October 4, 2017 – The public hearings were previously set under Item #'s 6A and 6B.

10. Adjournment: Mr. Rux made a motion to adjourn at 9:22 p.m. The motion was seconded by Ms. Wright. The motion was unanimous in favor. The meeting was adjourned.

Respectfully submitted,

Christine Castonguay
Recording Clerk