

Town of East Hampton
Planning and Zoning Commission
Regular Meeting
March 1, 2017 – 7:00 P.M.
East Hampton Town Hall Meeting Room

APPROVED MINUTES

1. Call to Order and Seating of Alternates: The meeting was called to order at 7:00 p.m. by Chairman Kuhr.

Present: Chairman Kevin Kuhr, Vice-Chairman Zatorski (arrived at 7:04 p.m. after the Approval of Minutes) Regular Members, James Sennett, Roy Gauthier, Meg Wright and Gary Hall. Alternate Members Michael Kowalczyk and Jason Jozefiak were present as well as Planning and Zoning Official Jeremy DeCarli. Chairman Kuhr seated Alternate Michael Kowalczyk.

2. Approval of Minutes:

A. February 1, 2017 Regular Meeting – Mr. Sennett made a motion to accept the February 1, 2017 minutes as written. The motion was seconded by Ms. Wright. **Vote: 5-Yes; 0-No; 2- Abstain (Mr. Rux and Chairman Kuhr). The Motion passed.**

3. Communications, Liaison Reports, and Public Comments:

Communications: Mr. DeCarli presented the members with an agenda to an upcoming meeting of the Central Water Utility Coordinating Committee which will be held on March 13 at the MDC Training Center in Hartford (snow date: 3/14/17).

Liaison Reports: Mr. Gauthier reported that the High School project is still on schedule with substantial completion in June. The tentative date for the ribbon cutting ceremony is September 8. The EHHS Building Commission will hire an engineer to investigate the issues with the water.

Vice-Chairman Zatorski arrived at this time. Chairman Kuhr unseated Mr. Kowalczyk.

Mr. Hall stated that the Design Review Board did not meet last month.

Mr. Kowalczyk stated that the Lower CT River Valley Regional Planning Commission did not meet last month.

Mr. Sennett stated that the ZBA meeting was cancelled last month because there was no quorum.

Vice-Chairman Zatorski stated that his liaison reports will be covered under the individual items this evening.

Mr. Rux stated that the Water Development Task Force did not meet last month but that they are scheduled to meet this Thursday. He added that he did not attend the EDC meeting last month.

Ms. Wright stated that she attends the same Committee meetings as Mr. Kowalczyk and Mr. Rux both of whom provided reports.

Mr. Jozefiak did not have a report.

Chairman Kuhr stated that he did not attend the Conservation Lake Commission meeting last month which was postponed to the following week due to snow.

Chairman Kuhr opened the meeting up to public comments regarding anything that was not on the agenda. There were no comments.

4. Read Legal Notice for March 1, 2017: The legal notice was read into the record by Mr. DeCarli.

5. Public Hearings for March 1, 2017:

A. 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 copy of the East Hampton Zoning regulations from 1987 which allowed accessory buildings in the RU1 and RU2 zones. He also provided the members with a population projection report from the University of CT's CT State Data Center for the town of East Hampton for the year 2025. A brief discussion followed about including or excluding the R2 zone as well as identifying special needs eligibility. Ms. Wright stated that there is a diversion from the original intent which was for a temporary unit. Chairman Kuhr asked if there were any public comments at this time. There were none. Vice-Chairman Zatorski 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. The motion was seconded by Mr. Sennett.

Vote: 7-Yes; 0-No. Motion passed.

B. Application of Clark Hill Estates, 109 Clark Hill for a re-subdivision. Map 11-Block 39/ Lot 2-4.

Patrick Benjamin, P.E. of Durham was present on behalf of Clark Hill Estates. He reminded the board members that the applicant is proposing a subdivision of the previously approved lot #4 thereby creating Lots #5 (1.69 acres), #6 (35.88 acres) and #7 (28.38 acres). He presented a revised site plan and referred to it when indicating the increase of dryland in the conservation easement and the relocation of the proposed barn on lot #5 to 60' away from the wetlands per IWWA. A brief discussion followed about emergency vehicles and the proposed 22' private road. Mr. DeCarli said he spoke with the Fire Dept. and they had no concerns about the width of the road just the recommendation of a hard surface. Chairman Kuhr asked for public comments at this time. Larry Marsiglio of 24 Arden Dr. spoke in favor of this application. Vice-Chairman Zatorski made a motion to close the public hearing for the Application of Clark Hill Estates, 109 Clark Hill for a re-subdivision. Map 11- Block 39/ Lot 2-4. The motion was seconded by Mr. Rux. **Vote: 7-Yes; 0-No. Motion approved.**

Vice-Chairman Zatorski made a motion to approve the Application of Clark Hill Estates, 109 Clark Hill for a re-subdivision. Map 11- Block 39/ Lot 2-4 with the normal conditions: that the Town Staff be notified prior to construction and upon completion of construction, that it be reviewed by Town Staff and for the following reason: that it meets all regulations. The vote was seconded by Mr. Sennett.

Vote: 7-Yes; 0-No. Motion passed.

C. Application of T&O Enterprises East High Street for New Commercial Construction (13,850 sq. ft.) Map 26/ Block 85/ Lot 14
Chairman Kuhr recused himself from this application. Acting Chairman Zatorski seated Mr. Kowalczyk for this application. Richard Mihok (Civil Engineer) presented to the members on behalf of T&O Enterprises. He explained that they are proposing a new 6000 sq. ft. commercial building which will face Rte. 66 on the south side and that they have received approval from IWWA. There will be parking in front of the structure and adjacent to Rte. 66 as well as a swale along Rte. 66 to catch the run off from the driveway. Mr. Flannery presented the proposed building plans and provided a brief summary of the design. Acting Chairman Zatorski asked for any public comments at this time. Mary Ann Keeley of 16 West Dr. inquired about the type of business, the well and the water supply. Michelle Claffey spoke for Richard Anderson who owns property that abuts the property in this application. Ms. Claffey inquired about the agreement between Mr. Anderson and T&O Enterprises regarding the acreage. She also voiced her concerns about potential noise, sites and exhaust fumes from the commercial business. Tony Flannery addressed the questions and concerns. A brief discussion followed about the agreement that Mr. Flannery and Mr. Anderson had pertaining to the amount of land and the intended use of the land. Mr. Rux made a motion to close the public hearing. Mr. Sennett seconded the motion.

The vote was unanimous in favor.

Acting Chairman Zatorski made a motion to approve the application of T&O Enterprises, LLC., East High Street for New Commercial Construction (13,850 sq. ft.) Map 26/ Block 85/ Lot 14 for the following reasons: it meets the regulations for this particular piece of property, all of the permits that are issued by the town are in place as well as from other commissions and agencies, with the favorable comment from the Fire Department and no comments after solicitation from other departments. With the following conditions: That the Erosion and Sedimentation controls are in place prior to the start of construction, Town Staff is notified prior to the start and at the completion of construction, Town Staff may make inspections at any reasonable time during the construction period, a buffer strip is to be depicted on the final site plans, that a buffer of 4' high plantings consisting mostly of evergreens on a 2-3' stabilized berm for both visual and potential noise and light, that the Town Staff is satisfied with the lighting plan and the lights that are on the building and that the final site plans and Mylar shall depict final driveway location as approved by the CT DOT. The motion was seconded by Mr. Gauthier. **Vote: 7-Yes; 0- No. Motion passed unanimously.**

Acting Chairman Zatorski unseated Mr. Kowalczyk. Chairman Kuhr returned to the meeting at this time.

6. New Business:

A. Application of East Hampton Housing Authority, 18 West Dr. Bellwood Court- Site Plan Modification, Lake Watershed, to build an addition to the Community Building to create ADA bathroom and handicap accessible laundry and to reconstruct parking lot- Map 04A/ Block 39A/ Lot 2A. Paul Magyar, P.E. from Lenard Engineering presented to the members. He explained that the

proposed work consists of renovating the driveway and parking lot to improve the design and alignment as well as adding parking spaces and improving the drainage which it currently lacks. Judie Bobbi, Executive Director of the East Hampton Housing Authority spoke of the number of units and parking spaces that currently exist and stated that the proposed work will fix the current pitch and make the parking lot more accessible for the public and emergency vehicles. Tom Denman, Chairman of the East Hampton Housing Authority informed the members that they have applied for a grant and have a deadline to provide all pertinent paperwork for the grant. He went on to explain the need for the improvements and upgrades. Vice-Chairman Zatorski made a request to move the first part of Item#9 on the Agenda to this portion of the meeting. The request was granted by Chairman Kuhr. Vice-Chairman Zatorski made a motion to set a public hearing for the next scheduled Planning and Zoning Commission meeting on April 5, 2017 for the Application of East Hampton Housing Authority, 18 West Dr. Bellwood Court- Site Plan Modification, Lake Watershed, to build an addition to the Community Building to create ADA bathroom and handicap accessible laundry and to reconstruct parking lot- Map 04A/ Block 39A/ Lot 2A. The motion was seconded by Mr. Sennett. **Vote: 7-Yes; 0-No. Motion passed unanimously.**

B. Application of East Hampton Housing Authority, 1 Governor O’Neill Dr. Chatham Acres Site Plan Modification, to build an addition to the Community Building for (2) office spaces. Map 01A/ Block 47/ Lot 2A. Architect, George Wiles presented to the members. He described the proposed work as being an addition to the community area which would expand it by 20% to accommodate 2 additional offices as well as adding a pergola on the east side and adding French doors to open up the community room and to allow indoor and outdoor functions. Vice-Chairman Zatorski made a motion to approve the Application of East Hampton Housing Authority, 1 Governor O’Neill Dr. Chatham Acres Site Plan Modification, to build an addition to the Community Building for (2) office spaces (Map 01A/ Block 47/ Lot 2A) as presented for the following reasons: it increases the functionality of the community at large and the immediate community. Approval with the following conditions: Town Staff is notified at the beginning and end of construction, that the construction meets all aspects of the site plan and renderings that were presented this evening to the satisfaction of Town Staff. The motion was seconded by Mr. Sennett. **Vote: 7-Yes; 0-No. Motion passed.**

C. Application of Connecticut Draft Horse Rescue, 113 Chestnut Hill Road, for Special Permit to Operate a Commercial Stable. Map 13/ Block 22/ Lot 4-2 Stacy Golub, founder of the CT Draft Horse Rescue gave a brief summary of her organization. She explained that the farm that they are leasing is being sold giving them limited time to vacate. She found 2 parcels of land on 113 Chestnut Hill Rd. that has historically been farmland and that would suit their needs. The first lot is Lot # 4-2 which is 4.3 acres in the front which is mostly a hayfield and approximately 70 acres in the rear which crosses Pine Brook and is currently underwater where it crosses. The other part of that parcel is accessible from Hog Hill Rd. She is proposing moving the lot line back to Pine Brook which would give them 20 acres in total on the Chestnut Hill Road side. She stated that the property will be used for the rescue and maintenance of horses as well as fundraising events. She went on to add that she has no intentions of residing on the property. She would like to build a barn,

horse paddocks and a hay storage building and stated that the survey is in process and that she will have a detailed site plan for the next meeting. A discussion followed about the commercial classification. Vice-Chairman Zatorski made a motion to set a public hearing for the next regularly scheduled Planning and Zoning Commission meeting on April 5, 2017 for the Application of Connecticut Draft Horse Rescue, 113 Chestnut Hill Road, for a Special Permit to Operate a Commercial Stable. Map 13/ Block 22/ Lot 4-2. The motion was seconded by Mr. Rux (after verifying that the property does not fall into a lake protection or Salmon River protection area). **Vote: 7-Yes; 0-No. Motion passed.**

- D. Rehovos Corp.,** request for release of maintenance bond for Salmon Run. Mr. DeCarli received a letter from the Vice President of Rehovos Corp. requesting the release of the bond. Mr. DeCarli reminded the members that Rehovos Corp. is the group that formed Salmon Run and have since sold the subdivision. He added that Phases #1 and #2 are complete and the road was accepted by Town Council in December of 2015 and that we have been holding the \$7200 maintenance bond since then as required by our regulations. Mr. DeCarli and Mr. Michelson (Director of Public Works) have been to Salmon Run together to inspect the road and reported that the road, catch basins and curbs are in great shape and that he would recommend releasing the maintenance bond. Chairman Kuhr asked about the possibility of obtaining written documentation regarding the condition of the road. Vice-Chairman Zatorski made a motion to release the maintenance bond in the amount of \$7200.00 to the Rehovos Corp. for Salmon Run for the following reasons: that it is recommended by Town Staff and because the applicant has met the requirements for the release of the bond. Mr. Rux seconded the motion with the stipulation that a letter be drafted by the East Hampton Public Works Dept. stating that the requirements of the application were met in accordance with the Mylars. **Vote: 7-Yes; 0-No. Motion passed unanimously.**

7. Old Business:

- A. Application of Sheila Mullen (Fat Orange Cat Brew Co.),** 47 Tartia Road for additional parking on property. Map 27/ Block 55/ Lot 2. Sheila Mullen provided the members with an updated site plan and a swale detail plan for the proposed parking area. She is proposing 22-24 additional parking spaces on her property to accommodate her customers and to reduce the amount of street parking as well as a 24' wide driveway that will accommodate 2 vehicles. Town Staff confirmed that IWWA has approved their application. Ms. Mullen stated that she felt 22-24 additional parking spaces would suffice and added that there is space on the north side of her property to add more should the need arise. Vice-Chairman Zatorski made a motion to approve the application of Sheila Mullen (Fat Orange Cat Brew Co.), 47 Tartia Road for additional parking on property (Map 27/ Block 55/ Lot 2) for the following reasons: that it increases the parking and reduces the amount of cars from Tartia Road which is part of our charge of health, safety and welfare and with the following conditions: that Town Staff is notified prior to commencement and at the completion of construction, that the construction is in accordance with all town standards and with the swale detail dated 2/17/2017 and that there is a

valid permit from IWWA. Mr. Rux seconded the motion. **Vote: 7-Yes; 0-No.**
Motion passed.

8. Planner's Report – Mr. DeCarli reminded the members of a previous approved application for Butler Construction and reported that the seismograph was not placed at the time of the blasting, Town Staff (Planning & Zoning) was not notified and the special permit was not filed. Mr. DeCarli contacted Butler Construction to address the issues. They have since corrected them. The Town is working on a new fuel island for Town vehicles which will be in the cul-de-sac on Gildersleeve Drive. The funding has been appropriated and Anchor Engineering is working on a site plan. The proposed location will be reviewed by ZBA and the site plan will be reviewed by PZC in the near future. The Town Council has decided to pursue the 5.4 acres on Edgewater as the possible future Town Hall location. The request for a formal 8-24 review will be coming to PZC next month. Mr. DeCarli was contacted by Wayne Rand who is looking to finish the roads at Skyline. Mr. DeCarli stated that he is working with Public Works and Anchor Engineering to make that happen. He stated that he instructed Mr. Rand not to put down a finished course of paving until we have confirmation that the binder course and process underneath is the depth it should be. Vice-Chairman Zatorski asked Chairman Kuhr to request Town Staff to send a letter to Mr. Rand instructing him not to put down a binder course. Chairman Kuhr agreed. Mr. Pelletier is working on a new yield plan for 37 South Main St. The subdivision will not include affordable housing, it will revert back to R2 zone with 17 lots and open space as conservation easement.

9. Set Public Hearing(s) for April 5, 2017 – Public hearing was previously set in Item# 6A and 6C.

10. Adjournment: Mr. Rux made a motion to adjourn at 9:07 p.m. The motion was seconded by Vice-Chairman Zatorski. The motion was unanimous in favor. The meeting was adjourned.

Respectfully submitted,

Christine Castonguay
Recording Clerk