

Town of East Hampton
Planning and Zoning Commission
Regular Meeting
May 3, 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, Vice-Chairman Zatorski, Regular Members, James Sennett, Roy Gauthier and Meg Wright. Alternate Member Michael Kowalczyk was present as well as Planning and Zoning Official Jeremy DeCarli. Chairman Kuhr seated Alternate Michael Kowalczyk after Communications were read in Item #3.

Absent: Regular member Gary Hall and Alternates Angelus Tammaro and Jason Jozefiak.

2. Approval of Minutes:

A. April 5, 2017 Regular Meeting – Vice-Chairman Zatorski made a motion to approve the April 5, 2017 minutes as written. The motion was seconded by Mr. Sennett. **Vote: 6-Yes; 1- Abstention (Mr. Rux); 0-No. Motion passed.**

3. Communications, Liaison Reports, and Public Comments:

Communications: Mr. DeCarli presented the following communications: 2 letters from the State of CT Siting Council regarding proposed modifications to the existing cell towers on Young St. and on Public Works Drive and the final communication was a meeting agenda from the Central Region Water utility Coordinating Committee for the meeting on May 17, 2017 at the MDC Training Center in Hartford, CT. Mr. DeCarli informed the Commission that Gary Hall resigned from his position on the Planning and Zoning Commission. Chairman Kuhr seated Mr. Kowalczyk at this time and asked Mr. Kowalczyk for his vote regarding approval of the April 5, 2017 minutes. His vote was yes.

Liaison Reports: Mr. Gauthier reported that the High School project is still on schedule with substantial completion in June. The site work will be finalized over the summer and the ribbon cutting ceremony is September 8. The issues with the water continues but is being addressed.

Mr. Kowalczyk stated that he was unable to attend the Lower CT River Valley Regional Planning Commission.

Mr. Sennett stated that he attended the ZBA meeting and provided the following:

The ZBA approved the following applications: Application of Michael Tanca of 15 Wangonk Trail, to reduce the south side yard setback from 15' to 10' to construct a 7' x 10' kitchen. Map 09A/ Block 70C/ Lot 20. The variance was granted.

Application of Robert Balda of 15 Colchester Ave., to reduce the side yard setback from 25' to 17'.5 to construct a 34' x 28' garage. Map 07A/ Block 56 / Lot 20. The variance

was granted.

Vice-Chairman Zatorski stated that there was nothing to report from IWWA.

Mr. Rux stated that he did not attend the EDC meeting but provided highlights of the meeting from the minutes. Some of the topics discussed were: the renovation of the old theater, The Fat Orange Cat Brewery not having a license to sell kegs of beer, the new "Shiny Do Right" food truck at Cheers Package Store parking lot, businesses in Marlborough that are transported from Glastonbury, the success of Sports on 66 as well as the suggestion to make up flyers to hand out at Sports on 66 that would promote other businesses in town, a photo with staff members at KOCO on April 19th, Bevin House Bed & Breakfast possibly being the next business to spotlight, discussion about state tourism which was tabled and discussion about the village center clock and the 250th anniversary.

Ms. Wright said she attended the Lower CT River Valley Regional Planning Commission on April 24th and reported the following: there were no referrals at this meeting, they brought in Fitzgerald and Halliday, Inc. which is an innovative group of planners who help promote better communities. The group is planning public workshops to promote the Regional POCD and have tentatively planned mobile workshops in May. Meg submitted a draft survey that they presented at the meeting. They will use the survey to solicit information from the public. The firm has planned a Regional Workshop at the Haddam Fire House in Higganum possibly in June. Chairman Kuhr submitted a letter from Ms. Wright stating that she can no longer attend the Lower CT River Valley Regional Planning Commission meetings. The letter will be filed with the minutes. Chairman Kuhr asked for volunteers to attend the meetings in Ms. Wright's place. Chairman Kuhr stated that he was unable to attend the Conservation Lake Commission meeting last month. At this time Chairman Kuhr asked for a brief moment of silence in recognition of the passing of Jim Carey.

Mr. Rux added that the Water Development Task Force did not meet last month but that they have selected 3 engineering firms to do an interconnection design to the licensed water operating sites in East Hampton. Mr. Rux stated that he and Ms. Wright as well as the other members have received the 3 proposals for their review. There will be a final vote and the results as well as a 6 point questionnaire covering the information collected will be forwarded to the Town Council.

At this time, Chairman Kuhr asked for any public comments pertaining to items #6A, #6B or #6C or anything that should be brought to the attention of the Commission.

Mr. Knotek of 10 Fern Lane expressed his concerns regarding the application of Cobalt Lodge and encouraged the members to hold a public hearing.

Ms. Levy of 28 Fern Lane expressed her concerns about the safety issues with the use of Fern Lane.

Ms. DeMore of 3 Fern Lane stated she was concerned about the access to Cobalt Lodge from Fern Lane and the increased amount of traffic.

Mr. Piergallini of 16 Fern Lane does not want Fern Lane used as an ingress or egress for Cobalt Lodge. Chairman Kuhr closed the public comments at this time.

4. Read Legal Notice for May 3, 2017: The legal notice was read into the record by Mr. DeCarli.

5. Public Hearings for May 3, 2017:

A. Continued: Amendments to East Hampton Zoning Regulations- Section 8.4.M, Special Regulations, Standards For Specific Uses, Accessory Dwelling Units. Mr. DeCarli stated that the most current draft is dated April 5th. Chairman Kuhr commented on a section on page 2A, #3 regarding the square footage. He suggested changing the 900 sq. ft. to 1200 sq. ft. A brief discussion followed. Mr. Gauthier stated he was disappointed that he is in the minority when it comes to adding the R2 Zone and went on to thank the town staff for diligently working on the many drafts and for compiling the information/recommendations into a document that is understandable. Chairman Kuhr opened it up to the public for comments. There were no comments.

Vice-Chairman Zatorski made a motion to continue the public hearing 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. The motion was seconded by Mr. Rux. **Vote: 7-Yes; 0-No. The motion passed.**

Vice-Chairman Zatorski 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 June.

The motion was seconded by Mr. Rux. **Vote: 7-Yes; 0-No. The motion passed.**

6. New Business:

A. Application of Susan Popielaski –ECO Coffee, 367 West High St, for Special Permit/Site Plan Modification. Map 01C/Block 10/Lot 1. Ms. Popielaski explained that she would like to open an organic coffee house with part of the space being used to sell arts made by people with disabilities. She is proposing making the current 3 unit space into a 4 unit space and putting a wall up between her and the existing Flea Market. She stated that the Architect is working on her site plans therefore she does not have site plans for the Commission to review. Vice-Chairman Zatorski explained that the Planning and Zoning Commission cannot act on her application without reviewing a site plan. Ms. Popielaski will return next month to present her site plan to the Commission.

B. Application of Main St Venture, LLC, 3 Main St, for a Text Amendment for PO/R Zone. Chairman Kuhr asked if the applicant was present. The applicant was not. Mr. DeCarli stated that he recommended to them that they attend this meeting. Vice-Chairman Zatorski stated that he would like to hear from the applicant and would be willing to discuss both applications from Main St Venture, LLC if someone was here to present the application. The other members shared the same sentiment as Vice-Chairman Zatorski.

C. Application of Cobalt Lodge, 29 Middle Haddam Rd., for site plan modification for additional parking spots and a driveway. Map 01C/Block 9/Lot 7. Mr. Zgorski, owner of Cobalt Lodge presented to the Commission. He stated that more parking is needed for staff and visitors. He presented the revised site plans and explained that he omitted the ingress on Fern Lane that was originally proposed. He indicated on the site plan where the proposed 14 parking spots will be in the rear of the building and adjacent to Fern Lane. He went on to explain that there will be 5 spaces close to the road (Fern Lane) and 9 spaces close to the building.

There will also be plantings along Fern Lane. He is no longer proposing the use of Fern Lane and stated that employees and visitors will enter and exit on Cobalt Lodges' property. The existing handicap spaces will be brought up to code. Mr. Zgorski stated that he will have a no parking fire lane along the north side of the building (at the first entrance to Cobalt Lodge on Rte. 151 coming from Rte. 66). Mr. Zgorski stated that his catch basin drains water into the catch basin on Fern Lane. He stated that his catch basin was clogged which he believes may have contributed to the flooding issues. He said he had his maintenance employees clean it out as best they could and that he reached out to DOT to have an engineer look at it to be sure it works properly. A brief discussion followed about ownership of Fern Lane. Mr. Zgorski stated that there will be a service access entrance from Fern Lane. The entrance is proposed at 30' but he said he will modify that to a lesser size. The egress will be gated and locked to deter employees from using it and Emergency Personnel will have access to a key or Knox box in case of emergencies. Due to the fact that the site plans just came in today, Vice-Chairman Zatorski stated that he would like more time to review them. He also asked for the total % of lot coverage, a maintenance plan for the plantings and any site line issues, increased noise, or lighting issues. Mr. DeCarli said that the lighting at Cobalt Lodge was an issue which was addressed at the Middle Haddam Historic District Commission meeting last month. Mr. Zgorski said he ordered baffles for the lights in response to the complaint. Vice-Chairman Zatorski made a motion to continue the Application of Cobalt Lodge, 29 Middle Haddam Rd., for site plan modification for additional parking spots and a driveway, Map 01C/Block 9/Lot 7 and in addition to add it to Item #7a. under "Old Business" for a possible action for a public meeting at the next regularly scheduled meeting. The motion was seconded by Mr. Rux.

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

7. Old Business:

Application of Main St Venture, LLC, 3 Main St, for zone change from R1 to PO/R. Map 05A/Block 62/Lot 11. Vice-Chairman Zatorksi read aloud the proposed zone change with the following observation: North Main Street was

mentioned twice, it should be North Main St and North Maple St. Mr. DeCarli explained that essentially the applicant is proposing the zone change for lots extending from the intersection of West High Street down Main Street 400'. He went on to provide the following clarification: The proposed zone change would apply to 3 Main St. only and the proposed Text Amendment would allow certain lots to apply for a zone change (R1 to PO/R). Vice-Chairman spoke in favor of the proposed zone change for 3 Main St. Tom Adams of 20 North Hollow who is also a member of the Design Review Board as well as a Liaison to the Planning and Zoning Commission spoke in favor of the proposed zone change for 3 Main St. (Mr. Adams was speaking as a resident and not on behalf of the Design Review Board). Ms. Wright commented on the GIS map that was included in the application that lots #7 & #11 were not eligible to apply for the proposed zone change because they are not adjacent to a commercial lot and that only Lot #3 would benefit. A brief discussion followed about a similar zone change request that was presented at a past EDC meeting that would have affected Main Street residents and that the residents were adamantly against any zone change. Vice-Chairman Zatorski made a motion to continue the Application of Main St Venture, LLC, 3 Main St, for a Text Amendment for PO/R Zone and to put it for a public hearing at the next scheduled meeting along with the Application of Main St Venture, LLC, 3 Main St, for zone change from R1 to PO/R. Map 05A/Block 62/Lot 11. A discussion followed about the desire of the Commission to hear from the Applicant. There was no second for the motion. Vice-Chairman Zatorski made a motion to continue the Application of Main St Main St Venture, LLC, 3 Main St, for a Text Amendment for PO/R Zone to the next regularly scheduled meeting. Mr. DeCarli stated that he would have to get consent from the applicant for an extension and that PZC will have to have a special meeting for this Application before the 65 day mark. There was no second for the motion. Vice-Chairman Zatorski made a motion to deny without prejudice the Application of Main St Venture, LLC, 3 Main St, for zone change from R1 to PO/R. Map 05A/Block 62/Lot 11. The motion was seconded by Mr. Rux. ***Vote: 7-Yes; 0-No. The motion passed.***

7a. Application of Cobalt Lodge, 29 Middle Haddam Rd., for site plan modification for additional parking spots and a driveway. Map 01C/Block 9/Lot 7. Vice-Chairman Zatorski made a motion to have a public hearing at the regularly scheduled meeting on June 7, for the Application of Cobalt Lodge, 29 Middle Haddam Rd., for site plan modification for additional parking spots and a driveway. Map 01C/Block 9/Lot 7. The motion was seconded by Mr. Sennett.

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

8. Planner's Report – Mr. DeCarli provided the following updates:

Mr. Rand wants to extend Highland Terrace 400' to the west and change the profile on the street. Mr. DeCarli reviewed the plans with Dean Michaelson (Public Works) and Anchor Engineering. Anchor Engineering recommended allowing the request with the following condition; that they use Type C, Type 2 style catch basins. He also spoke with Anchor Engineering about turning the roads over to the Town and they suggested

milling the binder course and reclaiming the road or doing some testing to see what's there.

Mr. DeCarli just received a revised site plan today for 13 North Main St. and informed the members that they will return next month for the parking layout, additional building on the site and modifications. Mr. DeCarli reported material that was intended to be rippap was brought on the site at Clark Hill Estates. The material came from 13 North Main St and consisted of broken concrete, pipe, carpet and tile. The tile was sent to the State Lab and was confirmed to contain asbestos. The debris was removed from the site, returned to 13 North Main St. and is being disposed of properly. The DEEP was involved as well.

The CT Draft Horse Rescue is moving some temporary sheds to their new location at 113 Chestnut Hill so they can relocate some of the horses. The proposed site for the fuel island is the cul-de-sac on Gildersleeve and a site plan should be ready by the July meeting. The NAPA building is moving along, the site has been cleared but they do not have the building plans yet. The Bevin B&B is hoping to open soon but they have not submitted sufficient plans to the Building Department. The Department is working with them to rectify that. The Lower CT River Valley Council of Governments is conducting a corridor study for Rte. 66, from the Arigoni Bridge to the Marlborough town line. They will be hiring a firm to do the study and have received 3 proposals thus far. Mr. DeCarli is on the interview committee and will keep the members informed. Mr. DeCarli stated that the Lower CT River Valley Regional Planning Commission will be moving their meetings from Essex to Haddam in July and asked if there was anyone interested in attending the meetings.

9. Set Public Hearing(s) for June 7, 2017 – The public hearings were previously set under Item #5A and Item #7a.

10. Adjournment: Vice-Chairman Zatorski made a motion to adjourn at 8:46 p.m. The motion was seconded by Mr. Rux. The vote was unanimous in favor. The meeting adjourned.

Respectfully submitted,

Christine Castonguay
Recording Clerk