

Town of East Hampton  
**Planning and Zoning Commission**  
**Regular Meeting**  
June 6, 2018 – 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, Rowland Rux, Roy Gauthier, Meg Wright and Angelus Tammaro. Alternate Members Michael Kowalczyk and Tim Puglielli were present as well as Planning and Zoning Official Jeremy DeCarli.  
Absent: Alternate Jason Jozefiak.
  
2. Approval of Minutes:
  - A. May 2, 2018 Regular Meeting – Vice-Chairman Zatorski made a motion to approve the May 2, 2018 minutes as written. The motion was seconded by Mr. Rux.  
***Vote: 7-Yes; 0-No. The motion passed.***
  
3. Communications, Liaison Reports, and Public Comments:  
Communications: Mr. DeCarli presented a letter from the Town of Colchester with a proposal to update their subdivision regulations. They would also like to add a section to regulate medical marijuana dispensaries. There was also a letter from the CT Siting Council regarding the approval of a request to share the cell phone tower facility at 151 Young Street.  
Liaison Reports:  
Mr. Gauthier stated that the East Hampton High School Building Committee continues to meet regarding the blue water issue and they are waiting for some guidance from the State of CT DPH regarding the proposal they submitted.  
Mr. Kowalczyk stated that he was unable to attend the River COG Regional Planning Committee meeting in April and there was no meeting in June.  
Mr. Sennett stated that the Zoning Board of Appeals heard the following Applications on May 14th: Application ZBA-18-003, Sabrina Pools, 78 Pocotopaug Dr., A variance was requested to increase the lot coverage from 10% to 15.9% to install an in ground pool - Map 24/Block 64/Lot 20A. The variance was granted. Application ZBA-18-004, Juliano's Pools, 8 Fairlawn, for a 5' variance in the rear and to increase the lot coverage from 20% to 26.9% to install a 20' x 40' in ground pool - Map 01A/Block 39A/Lot R. The variance was granted.  
Vice-Chairman Zatorski stated that there were no items from the Inland Wetlands and Watercourse Agency meeting that affects Planning and Zoning.  
Mr. Rux did not attend the Economic Development Commission meeting. He stated that he and Ms. Wright provided their final report to the Water Development Task Force and that the Task Force has since disbanded.  
Mr. Tammaro attended the Design Review Board meeting and they approved a business sign on Rte. 66 for Attorney Barber.  
At this time, Chairman Kuhr acknowledged the passing of Mr. Nichols and Mr. Blau and asked for a moment of silence.  
Chairman Kuhr asked for any public comments about anything that does not pertain to agenda items 5a, 5b or 5c. There were no comments.

4. Read Legal Notice for June 6, 2018: Mr. DeCarli read the legal notice for June 6, 2018.
5. Public Hearings for June 6, 2018:

**A. PZC-18-005 – Dean Brown – 26 Barton Hill, Amendment to Zoning Regulation: Section 8.4,I (B&B). Map 02A/Block 47/Lot 40.** *Applicant requested an extension.*

Mr. Brown presented the members with a change in the verbiage of his proposed regulation. Due to the fact that the request for indoor events was denied by the State Fire Marshal, he is requesting approval for outdoor activities. Mr. DeCarli stated that he has read the revised amendment but that he would like to discuss it further with the Chatham Health District, the Fire Marshal and the Building Official. Vice-Chairman Zatorski made a motion to continue the public hearing for application PZC-18-005 – Dean Brown – 26 Barton Hill, Amendment to Zoning Regulation: Section 8.4,I (B&B) Map 02A/Block 47/Lot 40 until the next regularly scheduled meeting on July 11, 2018 because the applicant requested an extension. The motion was seconded by Mr. Sennett. **Vote: 7-Yes; 0-No. The motion passed.** Vice-Chairman Zatorski made a motion to continue the application of PZC-18-005 – Dean Brown – 26 Barton Hill, Amendment to Zoning Regulation: Section 8.4,I (B&B) Map 02A/Block 47/Lot 40 until the next regularly scheduled meeting on July 11, 2018 because the applicant requested an extension. The vote was seconded by Mr. Sennett. **Vote: 7-Yes; 0-No. The motion passed.**

- B. PZC-18-009 – Jill and Karin Bromley, 19 Flanders Rd., for a Special Permit for a 60' x 100' Commercial Stable. Map 26/Block 85/Lot 29.** Jill and Karin Bromley presented to the members. Jill summarized the intent of the Special Permit as being primarily a commercial horse stable for animal assisted child adolescent therapy. The stable/barn will be 100' long, 60' wide (overhangs are included in measurements) and will have 6 stalls. The parking area will be 56' x 36' to accommodate 8 parking spaces. Mr. DeCarli stated that it will have to be increased to 60' x 36' to accommodate the required 12' travel lane. Jill stated that there is no longer a request for a temporary trailer. She stated that she has spoken with Tim Smith from WPCA and that she is going to connect to sewer to prevent any issues with the septic. The driveway will be a minimum of 20' in width to accommodate fire trucks, trailers and vehicles for deliveries. The increase in width will be toward her property and away from the property line. There will be a loading dock in the rear that will be separate from the public parking where trailers will have ample room to maneuver . Chairman Kuhr asked if there were any comments from the public. Mr. Misorski of 21 Flanders expressed his concerns about privacy and protecting his well. Chairman Kuhr asked for any additional public comments at this time. There were none. Vice-Chairman Zatorski made a motion to close the public hearing for the application of PZC-18-009- Jill and Karin Bromley, 19 Flanders Rd., for a Special Permit for a 60' x 100' Commercial Stable Map 26/Block 85/Lot 29. The motion was seconded by Mr. Sennett. **Vote: 7-Yes; 0-No. The motion passed.** Vice-Chairman Zatorski made a motion to approve the application of PZC-18-009 – Jill and Karin Bromley, 19 Flanders Rd., for a Special Permit for a 60' x 100' Commercial Stable Map 26/Block 85/Lot 29 for the following reasons: it meets our regulations and is consistent with the uses of other uses in the neighborhood and with the following conditions: that the applicant contact Town Staff prior to the start of construction, that the parking lot accessibility is to the satisfaction of Town Staff, that the sewer issues are settled to the satisfaction of Town Staff, WPCA and/or the Chatham Health District as described to the Commission this evening prior to the start of construction, that a vegetative buffer or fence be planted or installed to the

satisfaction of Town Staff and that it is consistent with application received and the property boundary map dated 5/31/2018 property of Melanie and Keith Poirier. The motion was seconded by Mr. Rux. **Vote: 7-Yes; 0-No. The motion passed.**

- C. PZC-18-014 – Aaron Tyler, 13 North Main St.,** for a Special Permit for a Café. Sec. 5.2.C. Map 01A/Block 39A/Lot 28B. Mr. Tyler explained that he would like to have a Café in the existing building (Section 1, in the front and roadside). The café will serve breakfast and light lunches from 5 a.m. to 2 p.m. with no sale of alcohol beverages. Vice-Chairman Zatorski inquired about the letter that Attorney Grady submitted earlier in the day. Mr. DeCarli explained that there is a history of flooding of a swamp area and that Attorney Grady is concerned that the excessive drainage could exacerbate the issue. He said that he addressed that concern with Mr. Tyler who agreed to re-evaluate the site plan and drainage. Mr. DeCarli explained that the current gravel pavement sheds 90% of the storm water but when they pave it it will shed 100% hence the concern for the chance of flooding reoccurring. He went on to add that pre and post calculations are pending. Vice-Chairman Zatorski reminded Mr. Tyler that hours and days of operation are required for a Special Permit. Chairman Kuhr asked for public comments at this time. Mr. Wayne Rand, manager of Theater Square stated that he does not have a problem with the proposed use but has concerns about the drainage. He said he spoke with Mr. Tyler who assured Mr. Rand that he would address the issue. There were no further public comments. Vice-Chairman Zatorski made a motion to continue the public hearing of application PZC-18-014-Aaron Tyler, 13 North Main St., for a Special Permit for a Café. Sec. 5.2.C Map 01A/Block 39A/Lot 28B until the next regularly scheduled meeting on July 11, 2018. The motion was seconded by Mr. Sennett. **Vote: 7-Yes; 0-No. The motion passed.** Vice-Chairman Zatorski made a motion to continue the application of PZC-18-014-Aaron Tyler, 13 North Main St., for a Special Permit for a Café. Sec. 5.2.C Map 01A/Block 39A/Lot 28B until the next regularly scheduled meeting on July 11, 2018. The motion was seconded by Mr. Sennett. **Vote: 7-Yes; 0-No. The motion passed.**

6. New Business:

- A. PZC-18-015 – Global Self Storage, LLC., Wayne Rand, 182 East High St.,** Special Permit for excavation, filling and grading of 4.88 acres of commercial property. Map 32/Block 85/Lots 7B & 7C. Mr. Rand made the following corrections: the owner is Global Self Storage, LLC. and not Global Portland, LLC. and there are 2 lots: Lot 7B and 7C. He stated that the 2 lots combined are a total of 10 acres of commercially zoned land that he would like to level to make it presentable for a future commercial operation. The current elevations fluctuate between 470-490 and his intent is to level it to 480. He estimates 10 – 15,000 yards of material that will be removed and nothing brought in. An Inland Wetlands permit is not required (work will be done 350-400' away from wetlands) but they will present to the Conservation Lake Commission because they are in the Lake Pocotopaug Watershed. Vice-Chairman Zatorski made a motion to set a public hearing for the application of PZC-18-015 – Global Self Storage, LLC., Wayne Rand, 182 East High St., Special Permit for excavation, filling and grading of 4.88 acres of commercial property Map 32/Block 85/Lots 7B and 7C at the August 1, 2018 regularly scheduled meeting because the applicant requested an extension. The motion was seconded by Mr. Sennett. **Vote: 7-Yes; 0-No. The motion passed.**

7. Old Business:

- A. Alcohol Regulations – Proposed amendments to Zoning Regulations Sec. 8.4.B Alcoholic Beverages.** Mr. DeCarli explained that ECO Coffee House would like to

have the ability to serve a specialty brew provided by the Fat Orange Cat Brewery one or two nights a week. Eco Coffee House is 350' from the Congregational Church therefore restricting her ability to sell alcoholic beverages. There is also a 500' restriction that impacts Edgewater Hills where the plan has been to open a restaurant and serve alcohol there. Mr. Sennett asked Mr. DeCarli to research how many restaurants in town have a liquor license and to reach out to churches that may be affected to get their comments. Ms. Wright requested the omission of the word "morals" in the draft. Mr. Tammaro suggested replacing "morals" with "welfare". Chairman Kuhr asked Mr. DeCarli to reach out to the Police Chief for comments.

8. Planner's Report: Mr. DeCarli reported the following: a letter went out to Waves restaurant regarding the unapproved sign they have. The restaurant has since closed. If the sign is not removed within the requested 30 days, abandonment procedures will be initiated. Prior to enforcing the sign regulations, it is necessary to update the signage regulations in the wake of Reed vs. Gilbert to ensure we are in compliance. NAPA is open. There were issues with the drainage structure, the lighting, the parking lot and the concrete block retaining wall. They were given a period of time to correct the issues. The Fat Orange Cat Brewery parking lot is complete. The plantings are being installed. They were advised that all patron parking must be on their property and that if there is parking anywhere else they will receive a letter of violation and will be cited accordingly. Skyline Estates: Mr. Rand spoke with Mr. DeCarli about not completing the Skyline project to the fullest extent which means not finishing the roads to Midwood Farm. Some of the members commented that there needs to be a second access to Midwood Farm. Chairman Kuhr commented that he would like to see the sub base/top layer added to the current road because it drains into the lake. Dollar General submitted signage plans for a preliminary review. The monument sign did not meet the regulations.

9. Set Public Hearing(s) for July 11, 2018 – Public hearing was previously set under agenda item# 6A.

10. Adjournment: Vice-Chairman Zatorski made a motion to adjourn at 8:57 p.m. The motion was seconded by Ms. Wright. The vote was unanimous in favor.

Respectfully submitted,

Christine Castonguay  
Recording Clerk