

Town of East Hampton
**Planning and Zoning
Commission**
Regular Meeting November 1, 2023
Town Hall and Virtual Meeting

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, Jim Sennett, Meg Wright, Rowland Rux, Roy Gauthier, and Angelus Tammaro

Alternate Members: Matthew Walton and Mike Kowalczyk

Interim Town Planner John Guskowski

Recording Secretary: Cheryl Guiliano

Absent: Ted Hintz, Jr

2. Approval of Minutes:

A. October 4, 2023 Regular Meeting: Mr. Rux made a motion to approve the minutes as presented. Vice-Chairman Zatorski seconded the motion. *Vote: 6-Yes; 0-No; 1-Abstention Mr. Tammaro*

3. Communications, Liaison Reports and Public Comments: Chairman Kuhr asked if Commission Members had anything to report. There were no public comments.

Mr. Kowalczyk arrived at 7:03pm

4. Read Legal Notice for November 1, 2023: Mrs. Guiliano read the legal notice.

5. Public Hearings for November 1, 2023:

PZC-23-014: Flanders Road Estates LLC, Flanders Road, Fifteen (15) Lot subdivision, (Home Acres Estates), Map 26/ Block 87/ Lot 6. Rob Baltramaitis, Professional Engineer, explained minor plan revisions to proposed 15 lot subdivision location. Mr. Baltramaitis noted proposed evergreen buffer at an abutting property. He briefly discussed modified road section. Mr. Baltramaitis stated he received favorable comments from Police Chief for site line at Flanders Road and received approval from Chatham Health Department. Mr. Baltramaitis discussed original plans for private road and sidewalk waiver. Mr. Baltramaitis further explained sidewalk analysis submitted into the record. Vice-Chairman Zatorski asked for fire tank location and Mr. Baltramaitis provided location. Mr. Tammaro asked if the Fire Marshal's concern for signage was address and Mr. Baltramaitis replied yes. Chairman Kuhr asked for details for road and Mr. Baltramaitis provided details. Mr. Rux asked if it will be a private road. Mr. Baltramaitis explained the Town Council expressed wanting town roads versus private roads and the developer is willing to turn road over to town when completed. Chairman Kuhr briefly discussed town roads versus private. Mr. Rux asked if width of road left enough road to plow snow. Mr. Baltramaitis briefly discussed road dimensions and stated he will discuss grading at entrance with Public Works director for snow. Vice-Chairman

Zatorski asked for details of proposed walking trail. Mr. Baltramaitis provided trail location and details. Mr. Rux asked if there will be an HOA. Mr. Baltramaitis replied no but initially an association was proposed when road was private. He stated the three lots on Pecauset Trail will have an agreement for shared driveway. Mr. Rux asked who is responsible for proposed walking path. Mr. Baltramaitis replied the proposed path will be turned over to the town. Chairman Kuhr asked for details for Pecauset Trail extension. Mr. Baltramaitis detailed cul-de-sac plans and easements. Mr. Tammaro expressed concern with access to three lots on Pecauset trail. Mr. Baltramaitis provided dimensions, stated road access meets the town's regulations and has been reviewed by Town Staff. Commission Members discussed access to the three lots. Mr. Sennett expressed concern with Quinn's Way road width, Town regulations, road waiver and sidewalks. Commission Members briefly discussed sidewalks in town. Mr. Tammaro noted his comment earlier regarding Pecauset Trail and didn't realize it was a driveway and therefore did not believe it needed to be widened. Mr. Baltramaitis replied he will still verify approval with Fire Marshal. Chairman Kuhr asked if there were any public comments. Pete Pumfrey, 14 Pecauset Trail, read a letter into the record expressing concern with the private drive on Pecauset Trail. Jesse Meisterling, 71 Flanders Road expressed concern with maintenance for proposed swales, opposed a 26' wide road, and road ownership. Vice-Chairman Zatorski discussed typical town maintenance for swales. Mr. Rux discussed previous workshop conducted with the Town Council regarding public and town owned road. George and Lisa Gallo, 56 Flanders Road, thanked Mr. Rand and Mr. Baltramaitis for considering vegetated buffer at their property line. Mr. Gallo expressed concern with revised plan set that include a proposed walking trail that abuts his property. Mr. Gallo asked if the walking trail could be moved. Chairman Kuhr asked if the proposed walking trail is in a Town Easement. Mr. Baltramaitis replied the proposed path is in a conservation easement that abuts Mr. Gallo's property. Mr. Baltramaitis explained the easement was always on the plan set with the intent of a walking trail and is willing to work with Mr. Gallo regarding placement of vegetated buffer. Mr. Rux discussed language in draft easements submitted into the record for the three lots on Pecauset Trail. Mr. Baltramaitis further discussed proposed easements. Commission Members discussed language and liability with easements. John Guskowski, Interim Town Planner, discussed road standards and including agreements on deed for Pecauset Trail. Commission Members further discussed Pecauset trail. Pete Pumfrey, 14 Pecauset Trail stated the proposed subdivision design is the best compromise, noted the gradient and prefers Pecauset Trail be Town owned. Jesse Meisterling, 71 Flanders Road asked if the Town is responsible for the conservation easement with the walking trail. Chairman Kuhr replied that is a question for the Town Attorney. Mr. Guskowski discussed easement document language. Commission Members and Mr. Guskowski had a lengthy discussion regarding Pecauset trail, waiver for three driveway and road widths. Chairman Kuhr asked Guskowski if he has seen drainage swales on both side of a road in other towns. Mr. Guskowski replied yes and if constructed properly drainage should be fine. Mr. Sennett discussed voting on each waiver separately. The Commission discussed and conducted a non-binding vote for waivers number of lots on a common driveway, minimum road width and sidewalk requirement. Mr. Baltramaitis asked if the road is private does it eliminate road width requirements and sidewalk provision. Mr. Guskowski noted regulation for private roads and it would still need waivers. Wayne Rand explained he would consider a 24' wide road, no sidewalks and discussed initial road proposal. Commission Members discussed 24' wide road, walking trail and sidewalks. Mr.

Baltramaitis stated they are requesting the sidewalk waiver because they are proposing a walking trail that connects to Airline Trail. Commission Members discussed possibly accepting sidewalk waiver with a 24' wide road as they are considering walking trail. Mr. Baltramaitis provided walking trail location and details. Vice-Chairman Zatorski stated the Commission needs updated plans for 24' wide road and verified drainage calculations. Chairman Kuhr asked if they could consider additional parking spots for walking trail access. Mr. Baltramaitis asked for an extension. Vice-Chairman Zatorski made a motion to continue public hearing for application PZC-23-014: Flanders Road Estates LLC, Flanders Road, Fifteen (15) Lot subdivision, (Home Acres Estates), Map 26/ Block 87/ Lot 6 to the next regularly scheduled meeting December 6, 2023 at the request of the applicant. The motion was seconded by Mr. Rux **Vote: 7-Yes; 0-No**

Vice-Chairman made a motion to continue the application for PZC-23-014: Flanders Road Estates LLC, Flanders Road, Fifteen (15) Lot subdivision, (Home Acres Estates), Map 26/ Block 87/ Lot 6 to the next regularly scheduled meeting December 6, 2023 at the request of the applicant. The motion was seconded by Mr. Rux. **Vote: 7-Yes; 0-No**

*Commission Members took a short break at 9:08pm and reconvened at 9:14pm.
Mr. Gauthier had to leave the meeting. Chairman Kuhr seated Mr. Walton.*

6. New Business:

A. PZC-23-015: Text Amendment regarding Accessory Uses to Agriculture per Sec. 8.4.C. Chairman Kuhr asked if Mr. Guskowski reviewed application. Mr. Guskowski replied the application will need to be received for a public hearing and referred to regional council of governments. Mr. Guskowski advised the Commission to wait for the public hearing to ask questions. Commission Members agreed to have the applicant present application. Nicole Palazzo, 365 Moodus Rd. briefly discussed application. Chairman Kuhr asked if the Town Attorney reviewed the application and Mrs. Guiliano replied no. Ms. Palazzo explained she would like to use her farm to host events. Commission Members discussed the application. Mr. Guskowski advised the Commission that detail questions for the applicant need to wait for the public hearing. Commission Members discussed appropriate Town staff that should review application. Vice-Chairman Zatorski made a motion to set a public hearing for PZC-23-015: Text Amendment regarding Accessory Uses to Agriculture per Sec. 8.4.C to the next regularly scheduled meeting December 6, 2023. The motion was seconded by Mr. Rux. **Vote: 7-Yes; 0-No** *Mr. Tammaro asked for information from other Towns for similar regulations. Chairman Kuhr asked for Town Staff comments.*

7. Old Business:

A. PZC-23-012: Michael Bakaj, 37 South Main Street, a 22-lot (33 units) HOD subdivision in existing HOD Zone, Map 20 Block 51/ Lot 27. Chairman Kuhr noted the public hearing is closed. Chairman Kuhr asked if any new documents were submitted. Mr. Guskowski replied no new information was received from the applicant and noted potential modifications. Mr. Sennett expressed concern with proposed road width. Commission Members and Mr. Guskowski had a lengthy conversation on proposed road width. Mr. Tammaro expressed concern with designated lots in affordability plan. Mr. Guskowski explained he discussed with the applicant's engineer the correct designated lots in affordability plan. Mr. Guskowski noted his knowledge and experience with affordable

housing plans. Commission Members discussed Mr. Guskowski's memo and timelines. Vice-Chairman Zatorski made a motion to approve application PZC-23-012: Michael Bakaj, 37 South Main Street, a 22-lot (33 units) HOD subdivision in existing HOD Zone, Map 20 Block 51/ Lot 27 for the following reason; it meets HOD regulations. With the following modifications, which are made with reference to site plan with revision date 9.29.2023:1. Town Staff be notified prior to the start of construction; 2. Sheets 5 (Topographic Map) and 6 (Topographic Map) of the Plan Set shall be modified to add detail of the maintenance path including pedestrian access as well as providing for a minimum 4' width of a pedestrian path surrounding the detention basin; 3. Proposed Lots 2, 6, 13, 16, and 18 will be designated on the Site Plan and Affordability Plan as duplex lots that will be set aside as the required affordable units. Other lots may be also used as duplex properties per applicable zoning regulations in the future. Subject to review by the Town Planner or designee prior to the final plan set filing; 4. Final Affordability Plan shall be modified to be consistent with Plan Set changes and shall be subject to review by the Town Planner or designee prior to final plan acceptance and filing; 5. Final Site Plans shall be modified to provide for a location of a community postal delivery box as well as sufficient pull-off area for safe access. Shall be subject to review by the Town Planner or designator prior to final plan acceptance and filing; 6. Public improvements will not be accepted by the Town until completely installed and inspected by Town Staff; 7. Town road name be reviewed to address Fire Marshal concerns; 8. Boundary signage be placed along the north boundary and open space. Shall be subject to review by the Town Planner or designator. The motion was seconded by Mr. Rux. Vote was unanimous by the board. ***Vote: 7-Yes; 0-No***

8. Planner's Report: None.

9. Set Public Hearing(s) for December 6, 2023:

10. Adjournment – Vice-Chairman Zatorski made a motion to adjourn at 10:07 p.m. The motion was seconded by Ms. Wright. The vote was unanimous in favor.

Vote: 7-Yes; 0-No

Respectfully submitted,



Cheryl Guiliano
Recording Secretary