


MEMORANDUM

TO: Town Council

FROM: David E. Cox, Town Manager 

DATE: April 22, 2021

SUBJECT: Agenda Information – 4/27/2021

The following is additional or summary information regarding matters on the upcoming Town Council Agenda. The numbering below follows the agenda and some routine or self-explanatory items are not discussed in this memo. As you review your packet materials, please do not hesitate to contact the appropriate staff member or me prior to the Council meeting with any questions or concerns. Often, these conversations can help staff and me be prepared for the Council meeting and be ready to facilitate a more productive and efficient meeting for everyone.

7 Resolutions/Ordinances/Policies/Proclamations

7a Ordinance Amending Article IV of Chapter 45 of the Town Code Regarding Budget Meetings and Referendum – In follow up to Council action from its last meeting and a public hearing to be held prior to this meeting, Council is asked to consider an ordinance that will amend the time line for the date of the annual Town Meeting regarding the budget. The proposed ordinance moves the earliest date for the meeting into May and allows that it may occur as late as early June. The ordinance makes the following modification to the Town Code where deleted language is shown by ~~strikeout~~ and new language is shown as underlined:

§ 45-10. Date of annual budget meeting.

The annual budget meeting of the Town shall be held no earlier than the first Monday in ~~April~~ May nor later than the ~~second Monday in May~~ first Wednesday after the first Monday in June in each year commencing ~~April 6, 1998~~ May 2, 2022.

The language change is intended to allow the Council additional time to receive final financial information important to budget development including information from the State regarding its budget plans such as support for education and general municipal government.

Recommended Action: Approve the Ordinance.

8 Continued Business

8a Discussion Regarding the FY 2022 Budget – This time is intended to allow the Council an additional opportunity to ask questions or present information requests related to the Fiscal Year 2022 budget prior to the next discussion. Currently, Council has scheduled a Public Hearing on the budget for Tuesday, May 11 prior to the Regular Town Council Meeting.

9 New Business

9a Consideration of an Amendment to the Street Standards Regarding Driveways – Staff has identified a conflict between Town standards related to the construction of driveways both within the Right of Way and on private property. As described in Public Works Director Walsh’s memorandum in this packet, the proposed remedy is to amend the Town’s Street Standards to reference the most current version of the Town’s Zoning Code. Council is asked to review the change and amend the Street Standards.

Recommended Action: Approve the amendment to the Street Standards.

The remainder of the items are of a routine nature, in the sole purview of the Council or are announcements. Please contact me or the appropriate staff member with questions or concerns.

Town of East Hampton
Town Council Regular Meeting
Tuesday, April 13, 2021
Town Hall Council Chambers and Zoom

MINUTES

Present: Chairman Pete Brown, Vice Chairman Dean Markham, Council Members Tim Feegel, Derek Johnson, Barbara Moore and Kevin Reich and Town Manager David Cox.

Not Present: Mark Philhower

Call to Order

Chairman Brown called the meeting to order at 6:33 p.m. in the Town Hall Council Chambers and via Zoom.

Adoption of Agenda:

A motion was made by Mr. Reich, seconded by Ms. Moore, to adopt the agenda as written. Voted (6-0)

Approval of Minutes

A motion was made by Ms. Moore, seconded by Mr. Johnson, to approve the minutes of the Town Council Regular Meeting of March 23, 2021 as written. Voted (6-0)

Public Remarks

Robert Antanaitis, Laurel Ridge, commented on his frustration with home insurance companies and costs of home replacement. Mr. Markham responded that Mr. Antanaitis should contact the State Insurance Commission.

Presentations

None

Bids & Contracts

None

Resolution/ Ordinances/ Policies/ Proclamation

Resolution Approving the Purchase of Real Estate and Establishing the Required Resolution and Special Town Meeting – Christopher Pond Property

Mr. Cox provided an overview of the resolution. The background of the purchase is included in the Agenda Information document that will be attached to the minutes filed in the Town Clerk's office as well as the full resolution. The resolution will go to the Board of Finance for approval and upon approval the item will go to Town Meeting on May 3, 2021.

A motion was made by Mr. Reich, seconded by Mr. Johnson, to adopt the resolution approving the purchase of real estate and establishing the required resolution and special Town Meeting as presented. Voted (6-0)

Continued Business

None

New Business

Presentation & Consideration of a Proposal for a Community Garden on Cranberry Bog Property

Pam Joslyn from the Rotary Club was in attendance to present information regarding a proposal for a community garden on Cranberry Bog property. The presentation document will be included with the minutes filed in the Town Clerk's Office. Jack Solomon from the Rotary Club was also in attendance to answer questions from Council members. The garden would be managed by the committee formed for the garden. The Town would monitor the area and provide mowing and basic maintenance of the site around the garden.

A motion was made by Mr. Reich, seconded by Ms. Moore, to approve the use of the Town's easement at Cranberry Bog for the community garden. Voted (6-0)

Discussion of 2021-2022 Budget and Council Review Schedule

The Board of Finance provided a copy of their recommended budget for 2021-2022.

A motion was made by Mr. Markham, seconded by Ms. Moore, to amend the Town of East Hampton budget referendum date, as per the Charter, Section 4.1 and Finance and Budget Ordinance, Article IV, Section 45-10, for adoption of the fiscal 2021-2022 Town of East Hampton General Government Budget and Education Budget, to occur on or before June 16, 2021. Voted (6-0)

A motion was made by Mr. Markham, seconded by Ms. Moore, to amend the Finance and Budget Ordinance, to allow sufficient time for the Town Council to adequately review, receive public comment and approve for submission to Town Meeting the General Government and Board of Education budget resolutions for succeeding year budgets. If this motion is adopted, it will be referred to a Public Hearing on April 27, 2021, with final action at the Regular Town Council Meeting on that date. Voted (6-0)

A motion was made by Mr. Markham, seconded by Ms. Moore, to adopt the following budget calendar for completion of the fiscal 2022 budget by this Town Council:

- Tuesday, April 20, 2021 – Town Council Budget Workshop – 6:30pm
- Tuesday, May 11, 2021 – Town Council Public Hearing on budget – 6:30pm
- Tuesday, May 25, 2021 – Town Council Regular Meeting – vote on budget - 6:30pm
- Tuesday, June 1, 2021 – Town Meeting – send Budget to Referendum – 6:00pm
- Tuesday, June 8, 2021 – Town Vote at Referendum

Voted (6-0)

Discussion of Potential Appointment of Poet Laureate

The Town was recently solicited to appoint a new Poet Laureate. Ms. Moore suggested that the Arts & Culture Commission be involved in this process.

A motion was made by Ms. Moore, seconded by Mr. Reich, to refer the Poet Laureate to the Arts & Culture Commission for a recommendation to Town Council. Voted (6-0)

Town Manager Report

Mr. Cox provided an overview of the Town Manager's Report, which will be included with the minutes filed in the Town Clerk's Office.

Mr. Cox also noted that April 24 is Lake and Village Center Clean Up Day and May 1 is Airline Trail Clean Up Day.

Appointments

A motion was made by Ms. Moore, seconded by Mr. Johnson, to appoint Jack Solomon, Wes Jenks and Tim Day as full members of the Conservation-Lake Commission. Voted (6-0)

Tax Refunds

A motion was made by Mr. Markham, seconded by Mr. Reich, to approve tax refunds in the amount of \$1,010.28. Voted (6-0)

Public Remarks

Bob Hein, 19 Birchwood Road and member of the Board of Finance noted that the budget deliberations were cooperative and cordial. There were minor changes and the budget was unanimously voted in favor.

Communications, Correspondence & Announcement

March Board and Commission Summary

Council members received the March Board and Commission Summary.

Mr. Cox also noted a document was sent to the Town Council from the Ambulance Association to consider regarding long term ramifications for the community.

Adjournment

A motion was made by Mr. Reich, seconded by Ms. Moore, to adjourn the meeting at 7:25pm. Voted (7-0)

Respectfully Submitted,

Cathy Sirois
Recording Clerk

Ordinance No. 2021.01

An Ordinance Amending Article IV of Chapter 45 of the Code of the Town of East Hampton Regarding Budget Meetings and Referendum

This ordinance makes the following modification to the Town Code where deleted language is shown by ~~strikeout~~ and new language is shown as underlined:

§ 45-10. Date of annual budget meeting.

The annual budget meeting of the Town shall be held no earlier than the first Monday in ~~April~~ May nor later than the ~~second Monday in May~~ first Wednesday after the first Monday in June in each year commencing ~~April 6, 1998~~ May 2, 2022.

Town of East Hampton
Middlesex County, Connecticut

DRAFT – April 16, 2021

Ordinance No. 2021.01

An Ordinance Amending Article IV of Chapter 45 of the Code of the Town of East Hampton Regarding Budget Meetings and Referendum

WHEREAS, the Code of the Town of East Hampton provides a process and timeline for consideration and approval of the Town’s Annual Budget, which timeline provides for consideration at Town Meeting and Referendum in early May annually, and;

WHEREAS, often, this timeline does not provide sufficient time for Town Council consideration of a recommended budget including time for receipt of complete financial information important to the budget such as final information from the State of Connecticut.

NOW, THEREFORE, pursuant to Section 2.4 of the Town of East Hampton Charter, the Town Council of the Town of East Hampton does hereby ordain as follows:

Section 1: Section 45-10 of the Code of the Town of East Hampton regarding Date of annual budget meeting is hereby deleted in its entirety and replaced with the following:

§ 45-10. Date of annual budget meeting.

The annual budget meeting of the Town shall be held no earlier than the first Monday in May nor later than the first Wednesday after the first Monday in June in each year commencing May 2, 2022.

Section 2: This ordinance is effective immediately upon its adoption and publication in accordance with Connecticut Statutes.

Approved this ____ day of _____, 2021.

TOWN COUNCIL

ATTEST

James Brown, Chairperson

Kelly Bilodeau, Town Clerk



Office of Public Works

Matthew Walsh, P.E., Director

MEMO

TO: David Cox, Town Manager

FROM: Matthew Walsh, Director of Public Works

DATE: 4/21/2021

SUBJECT: Correction of *Inconsistency Between Street Standards and Zoning Regulations*

During the review process of a recent subdivision it has come to staff's attention that there is a discrepancy between the Town Of East Hampton Street Standards and the East Hampton Zoning Regulations. Below, I have listed the current inconsistency and the proposed modification to the Street Standards to correct this issue.

In summary, the issue is with respect to the maximum driveway grade allowable on a proposed driveway. The Street Standards currently allow a maximum driveway grade of 12% while the Zoning Regulations allow a maximum driveway grade of 15%. Excerpts from the two current regulations are below.

(current) Town of East Hampton Street Standards

(Revised Oct 2003)

Section 9.02 Driveway Criteria

(Paragraph 7 page 55)

“Driveway grades within the street right-of-way shall not exceed eight (8) percent, and within private property shall not exceed (12) percent. All driveways with grades of (10) percent or greater shall be paved.”

(current) East Hampton Zoning Regulations

(effective January 15, 2021)

Section 8.3 General provisions

F. Access to Lots/Section 3b.

“Grade: The apron Section, which is that portion between the edge of the road pavement and the street line, or front line, shall have a maximum grade of three percent (3%) slope. The next ten (10) feet shall not exceed five percent (5%) slope, and the remainder shall not exceed fifteen percent (15%) slope.”

Staff proposes to modify the Street Standards to reference the Zoning Code standard to eliminate the inconsistency as follows.

Proposed Town of East Hampton Street Standards

Section 9.02 Driveway Criteria

(Paragraph 7 page 55)

“With respect to grade and driveway surface type, driveways shall be designed and constructed in accordance with the latest revision of the East Hampton Zoning Regulations”

Thank you for your consideration in this matter.

Matthew G. Walsh P.E.

Director of Public Works

TOWN OF EAST HAMPTON

STREET STANDARDS

Driveway Regulations
Excerpt

(For Council Consideration)

November 25, 1986

Revised: January 10, 1991

Revised: September 24, 1991

November 24, 1994

August 01, 1995

June 13, 2000

October 2003

TOWN OF EAST HAMPTON STREET STANDARDS
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09 Driveways

09.01 Permit Requirements

A driveway or access road serving private property and intersecting with a town road shall be constructed in such a manner that it does not interfere with the existing drainage, movement of traffic, or removal of snow from the abutting road. No person, firm or corporation shall conduct work or make improvements of any kind within a town road or associated right-of-way, including but not limited to clearing, excavating or grading, until a permit has been obtained from the Director of Public Works or his authorized agent at least seventy-two (72) hours prior to the commencement of any work. Driveways serving more than one lot shall conform to the standards established in this section, except as may otherwise be required by the East Hampton Subdivision Regulations.

Application for a permit shall be made on forms provided by the Building Department and shall be accompanied by a sketch or drawing showing the proposed work to be done. The sketch or drawing shall be in sufficient detail to facilitate an inspection of the work by Town personnel. The Director of Public Works may require the submission of detailed plans, specifications and other engineering data with the application when he shall deem it to be necessary. No permits shall be issued unless all proposed work conforms to the requirements outlined in this section and the Standard Details.

Application fees, in an amount prescribed on the most current Town Fee Schedule, shall be submitted with all applications. In addition, a Certificate of Insurance conforming to current town requirements with respect to the types of coverage and limits of liability shall also be submitted. No permits shall be issued until the application fee has been paid, and the Certificate of Insurance received.

All construction work covered by a Driveway Permit shall be subject to the inspection and approval of the Director of Public Works or his authorized representative. It is the responsibility of the owner to notify the Director of Public Works at least seventy-two (72) hours prior to any paving of a driveway or driveway apron so that an inspection can be made of the gravel base and driveway or driveway apron grade. If in the opinion of the Director of Public Works or his authorized representative there is some question if the driveway or driveway apron exceeds the maximum grades permitted in this section, then it is the responsibility of the owner to retain the services of a licensed land surveyor to prepare a profile based on actual field survey. Any driveway or, driveway apron that is not found to be in conformance with the requirements in this section shall be reconstructed as required to conform.

All proposed construction work shall be completed within one hundred eighty (180) calendar days after issuance of the Driveway Permit unless a one hundred eighty (180) calendar day extension of time is granted by the Director of Public Works upon written request by the owner for such extension and for good cause shown. If a proposed driveway is not constructed within three hundred sixty (360) calendar days from the date of issuance of a permit from the Director of Public Works, the permit shall be null and void.

No certificate of occupancy shall be issued until the Director of Public Works or his authorized representative approves the driveway or, if due to the time of year the bituminous concrete mix plants are closed, a Driveway Completion Bond is provided to the Town to ensure that all work is completed within a six (6) month period. Driveway Completion Bonds shall be in the form of a certified check in an amount determined as follows:

Driveway Aprons	\$500.00 Additional
Required Driveway	
Length to High Point	\$10.00 per lineal foot Driveway
Repairs	No bond required

Should the owner fail to complete the driveway improvements within the six (6) month time period beginning on the date the bond was provided to the Town, the bond shall be forfeited, and the Town shall utilize the funds to complete the required work. Any excess funds remaining after completion of the improvements shall accrue to the Town.

09.02 Driveway Criteria

Paved driveway aprons shall be provided at each intersection of a driveway with an abutting town road. The driveway apron is that portion of the driveway extending from the town road pavement to the right-of-line of the town road or to a distance of ten (10) feet in from the edge of the town road pavement, which ever is greater. Where a town road adjacent to a proposed driveway does not have any type of bituminous surface course, the Director of Public Works may waive the requirement for a bituminous concrete driveway apron.

All paved driveway aprons shall have a minimum lip of one and one-half (1 1/2) inches at the town road gutter line. If a driveway apron is constructed prior to the placement of the top or surface course of a subdivision road to be dedicated to the Town of Hebron at some future date, then the driveway lip shall be increased in height so that after completion of the road construction, a minimum lip of one and one-half (1 1/2) inches is maintained.

Driveways shall have a minimum pavement width of ten (10) feet, and a maximum pavement width of twenty (20) feet. All brush, trees and any other obstructions shall be cleared and removed for a distance of three (3) feet beyond the edge of pavement along both sides of the entire length of the driveway.

The side or edge of a driveway shall not be located any closer than five (5) feet from an adjacent property line. In addition, the point at which the driveway curb radius intersects the edge of pavement or curb line of a town road shall not encroach beyond the point where the extension of the property line meets the town road.

The visibility at driveway intersections with town roads shall be such as to allow a stopped vehicle on the driveway, located ten (10) feet back from the gutter line, to see, and to be seen from, a vehicle approaching from either direction along the town road, a distance of not less than two hundred (200) feet, based on a height of eye and object of 3.5 feet. The Director of Public Works may require the removal of sight obstructions including but not limited to trees,

bushes, shrubs, boulders, rocks, and stonewalls, or adjustments of cut slopes, adjacent to intersections of a private driveway with a town road in order to assure an adequate sight distance and to ensure a safe and efficient means of access for emergency vehicles.

Driveway grades within the street right-of-way shall not exceed eight (8) percent, and within private property shall not exceed twelve (12) percent. All driveways with grades of ten (10%) percent or greater shall be paved.

Ascending driveways shall be graded so as to establish sheet flow drainage and avoid the discharge of concentrated runoff into town roads.

For driveways which descend into private property, driveway aprons shall rise in elevation from the town road gutter line to the town road right-of-way line a minimum of six (6) inches before descending into the property.

Driveways shall be constructed in such a manner that they do not permit the runoff of water from the abutting town road to enter into the property of the owner, or adjacent properties, thereby creating a nuisance to the Town and the property owner, unless an easement in a form satisfactory to the Town is granted by such owner to the Town for such runoff. Under no circumstances shall a driveway apron be constructed so as to obstruct or alter the free flow of water in the road gutter line or other drainage ways of the Town.

Where culverts under driveways are required by the Director of Public Works within the town road right-of-way, such culverts shall be constructed of reinforced concrete pipe with concrete flared end sections provided at the pipe inlet and outlet. High density corrugated polyethylene smooth interior pipe shall only be allowed if specifically authorized by the Director of Public Works. Driveway culverts shall be a minimum of fifteen (15) inches in diameter, and sized to adequately convey under the driveway all surface runoff which may reasonably be expected to reach the culvert inlet during a storm with a 10-year recurrence interval. All culverts shall be of such design to withstand AASHTO H-20 loadings and shall have a minimum cover over the top of the culvert of one (1) foot, unless otherwise approved by the Director of Public Works or his duly authorized representative.

Any driveway installation which requires the removal of a portion of a guide rail shall be secured with concrete end anchorage's on each side of the driveway. All such work shall be the responsibility, and at the expense of, the applicant.

Driveways shall be located and constructed such that no disturbance of road right-of-way monumentation occurs. In the event of accidental disturbance of a monument, the owner of the property served by the driveway shall be responsible for retaining and paying for the services of a land surveyor licensed in the State of Connecticut to reset the monument and to provide a Letter of Certification to the Director of Public Works.

Where grading is required in a town road right-of-way, slopes shall not be steeper than one (1) unit vertical to two (2) units horizontal, and shall be covered with a minimum of six (6) inches of topsoil, and limed, fertilized, seeded and mulched.

09.03 Driveway Construction Standards

Driveway and driveway apron paving shall consist of a minimum of two (2) inches, after compaction, of Class H bituminous concrete placed on a minimum of eight (8) inches, after compaction, of processed aggregate base. Class II "Bituminous Concrete" and "Processed Aggregate Base" materials shall conform to the State Standard Specifications Sections M.04.01, M.04.03, and M.05.01 respectively.



April 27, 2021

To: The East Hampton Town Council,

The documentation for the tax refunds listed below is available in the Office of the Collector of Revenue for your review. There is one (1) refund totaling \$57.67.

Respectfully Submitted,

Kristy L. Merrifield, CCMC
Collector of Revenue

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