

Town of East Hampton
Planning and Zoning Commission
Regular Meeting
June 5, 2019 – 7:00 P.M.
East Hampton Town Hall Meeting Room

DRAFT 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 Meg Wright, James Sennett, Rowland Rux, Angelus Tammaro and Alternate Member Timothy Puglielli and Zoning Official Jeremy DeCarli.

Absent: Roy Gauthier

Chairman Kuhr seated Alternate Member Timothy Puglielli at this time.

2. Approval of Minutes:

A. May 1, 2019 Regular Meeting – Vice-Chairman Zatorski made a motion to approve the May 1, 2019 minutes with the following corrections: Under agenda item# 3, “Chairman Zatorski” should be changed to “Vice-Chairman Zatorski” and under agenda item#7A: The last sentence should be added: “The vote was unanimous in favor.” Mr. Sennett seconded the motion. The vote was unanimous in favor. **(7-0)**

3. Communications, Liaison Reports, and Public Comments:

Communications: Mr. DeCarli presented the members with the CT Federation of Planning and Zoning quarterly newsletter.

Liaison Reports:

Mr. Tammaro did not have a report.

Mr. Kowalczyk did not have a report.

Mr. Sennett attended the May 13th ZBA meeting and provided the following report: there Were three applications:

Application ZBA-19-004, William Bengtson, 151 Bear Swamp Rd., for a variance to decrease the front setback from 50’ to 13’ to build a 30’ x 50’ garage. The variance was approved.

Application ZBA-19-005, Michael & Nicole M. Rall, 76 Spellman Point Rd., for a variance to decrease the side setback from 15’ to 9.2’ to construct a 10’ x 24’ enclosed front porch and a 10’ x 24’ rear deck. The variance was approved.

Application ZBA-19-006, Kevin Neary, 28 Hyde Farm Road, for a variance to reduce the front setback from 25’ to 18’ to construct a new home. The variance was denied.

Vice-Chairman Zatorski stated that Inland Wetlands heard applications for minor repairs and that there was nothing from the IWWA meeting that concerns Planning and Zoning.

Chairman Kuhr asked for public comments at this time. There were no comments.

4. Read Legal Notice for June 5, 2019: None

5. Public Hearings for June 5, 2019: None

6. New Business:

- A. PZC-19-006: West High Enterprises, LLC., 201 West High St.,** for a site plan modification for changes to the parking area for unit D and to change 8 units from storage to retail/personal service. Map 12/Block 36/Lot 3-1. Pat Benjamin, P.E. from Bascom & Benjamin in Durham presented for the applicant. He explained that the applicant is requesting to change the use for the 8 units in the front which will have no change to the building or paving. An additional septic system was designed and approved by the Chatham Health District. The applicant is also looking to strike some of the parking spaces since they have the maximum number of spaces required for retail/personal service per our Regulations and are compliant with the amount of handicap spaces required. A community well was drilled and approved and services all the buildings. Mr. Rux inquired about the abutters' concern about the outdoor lighting. Mr. DeCarli explained that the original approval had conditions about the outdoor lighting but suggested that it be added as a condition to this application and that he would follow up on it. Vice-Chairman Zatorski made a motion to approve PZC-19-006: West High Enterprises, LLC., 201 West High St., for a site plan modification for changes to the parking area for unit D and to change 8 units from storage to retail/personal service. Map 12/Block 36/Lot 3-1 with the following conditions: the applicant obtains a written approval for the use of the buildings or any subsequent uses from both the Building Department and Chatham Health District, notify the Building Department prior to occupancy, use meets the requirements and concerns of the Chatham Health District, the dumpster is moved from the current location and a new site plan is submitted to the Building Department and that the lighting does not intrude on adjoining properties to the satisfaction of the Building Department. The motion was seconded by Mr. Rux. ***Vote: 7-Yes; 0-No. The motion passed.***
- B. PZC-19-008: Patricia Banning, Flanders Road,** to create a 2 lot subdivision (1 buildable lot and 1 forestry lot). Map 26/Block 87/Lot 6. Chairman Kuhr recused himself and Vice-Chairman became Chair and seated Mr. Kowalczyk. Patricia Banning presented the application. She explained that she would like to create a 2 lot subdivision per her mother's last will and testament. One lot will be a buildable lot for her brother and the other will be owned by Ms. Banning. The buildable lot is on Daly Road and the remaining land borders the Airline Trail and will remain forestry. Mr. Rux made a motion to set a public hearing for PZC-19-008: Patricia Banning, Flanders Road, to create a 2 lot subdivision (1 buildable lot and 1 forestry lot). Map 26/Block 87/Lot 6 for the next regularly scheduled meeting on July 3, 2019. The motion was seconded by Ms. Wright. ***Vote: 7-Yes; 0-No. The motion passed.*** Acting Chairman Zatorski unseated Mr. Kowalczyk.
- C. Pre-application discussion: 1 Colchester Ave. (Citgo Station),** upgrades to existing facility. Chairman Kuhr returned to the meeting. Attorney Jezek from East Haddam presented on behalf of Atlantis Group Management. He explained that they are looking to make changes and upgrades to the site to make it more marketable. He is proposing the following applications: a Zone Change to Commercial for a corridor of the North side of Rte. 16., a Text Amendment to allow Fueling Stations in the Commercial Zone and an application to file a Special Permit and Site Plan to construct a larger store and to add two fuel pumps. Mark Smith, P.E. with CNG Environmental presented a site plan for the proposed project and provided the following scope of work: combining 1 & 5 Colchester Ave. to build a new 35' x 70' gas station/convenient store with additional gas dispensers, relocate the existing islands to the property line and close 2 existing curb cuts. The Business

Development Manager for Atlantis Group Management provided a brief history of the company.

7. Old Business:

- A.** Updates to Sec. 3.5 Lake Pocotopaug Protection Zone – Mr. DeCarli will create a draft of the Regulation and have it available for the next meeting to discuss. He also proposes having workshops to move this forward.
- B.** Amendments to Regulation requiring Public Hearing for new Commercial construction. The members agreed unanimously to table this to the next regularly scheduled meeting on July 3, 2019.

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

- 100 Young Street has been cleaned up and may be close to selling.
- 141 Young Street – the appeal period has ended and the Attorney is working with the contractor to clean up the property.
- 8 Forest and 54 Walnut are both Blighted properties that are being cleaned up.
- New Town Hall/PD - Most of the drainage infrastructure is in place. The road at Edgewater Circle is boxed in, top soil is in place along the bank of the pond, the roof is going on, the floors have been poured, the elevator and stair shafts are being built, subgrade is in place for the parking area and roads and the ponds are stopping sediment issues along with 2 curtain drains that help cut the water off from the site.
- Edgewater Hills - work has begun on the road through the next phase of the project that was approved a few months ago. A model home will be built first.
- Skyline Estates- work has begun on the next phase of the subdivision. Chairman Kuhr inquired about the last layer of coating on the street. Mr. Rand had previously said he wanted to do that this summer but there was no update.
- Salmon Run - work is ongoing for Phase 3. Chairman Kuhr inquired about the issues with the curb cuts in the new development on Salmon River. Mr. DeCarli informed him that they are not required to have curbs.
- IWWA approved the Old Marlborough Road Drainage Project.
- Dollar General: The landscaping is complete and drainage continues to function as planned. There has been no over toppings of either pond even with the recent significant rain.
- 20 East High St and 1 Watrous St – are both now for sale.
- 26 East High St.- interior work is being done for a new upcoming French cuisine restaurant “Ratatouille” – (no lighted sign).

9. Set Public Hearing(s) for July 3, 2019 – A Public hearing was set under agenda item# 6B.

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

Respectfully submitted,

Christine Castonguay,
Recording Clerk