

Town of East Hampton
Planning and Zoning Commission
Regular Meeting October 6, 2021
Town Hall, Eaton Smith Council
Chambers Room #107 and Virtual
Meeting

DRAFT MINUTES

1. Call to Order and Seating of Alternates:

Chairman Zatorski called the meeting to order at 7:01 p.m.

Present: Chairman Zatorski, Regular Members: Meg Wright, Jim Sennett, Rowland Rux, Roy Gauthier, Vice-Chairman Kuhr, Alternate Members Mike Kowalczyk and Zoning Official Jeremy DeCarli.

Absent: Angelus Tammaro and Ted Hintz, Jr.

Chairman Zatorski seated Mr. Kowalczyk at this time.

2. Approval of Minutes:

A. September 1, 2021 Regular Meeting: Vice-Chairman Kuhr made a motion to approve the September 1, 2021 minutes as written. The motion was seconded by Mr. Rux.

Vote: 7-Yes; 0-No

3. Communications, Liaison Reports and Public Comments:

Mr. Sennett reported the September 13th ZBA meeting was cancelled. Mr. Kowalczyk reported the Regional Planning Commission has a new study for regional housing and will have a public kickoff meeting Tuesday, October 12th. Chairman Zatorski reported Inland Wetlands has applications for wall repairs due to the lake draw down. Mr. Kuhr stated the dam will be opening on the 11th of this month. The following Commission members did not have anything to report: Ms. Wright, Mr. Rux, and Mr. Gauthier. Chairman Zatorski asked for public comments at this time and stated they should not pertain to Agenda Items 5A, 5B, 5C or 5D. There were no public comments.

A. Presentation: Chris Roberts, Intern – Village Center Plan: Chris Roberts, Planning Intern presented an outline of plans to improve the Village Center. Mr. Roberts believes the top goal is to connect the Airline Trail to the Village Center as he finds it a unique asset. Mr. Roberts explained a workshop was conducted to hear ideas and conducted a SWOT Analysis with Village Center Businesses and town residents. Some of his results were: Strengths: diversity of businesses, customer traffic, Weakness: lack of signage – specifically where to park, Opportunities: bike and pedestrian infrastructure, popular village destination, re-development of old mill buildings, Threats: traffic and not pedestrian friendly, blighted properties. Mr. Roberts stated his plans are based off all comments received from business owners and town resident feedback. Mr. Roberts plans are to improve sidewalks, pedestrian access to Airline Trail, increase signage for parking locations and shop locations. Mr. Roberts also recommended improving sidewalk conditions and changing the layout of two crosswalks. Both of the changes could improve pedestrian safety. Two parcels offer an opportunity for redevelopment – 3 Walnut Avenue and 92 Main Street. Some ideas for the properties are additional parking and a

park space. The park space with connection to the Airline Trail was the most popular among residents when a vote was conducted. Mr. Roberts noted the full Village Center Plan is available online. Mr. Gauthier asked if the Town Council will be reviewing the plan. It was noted Mr. Roberts will be presenting at their next meeting. Commission Members briefly discussed funding and the goal was to outline a plan of action first.

4. Read Legal Notice for October 6, 2021: Staff read the legal notice for the record.

5. Public Hearings for October 6, 2021:

A. Application PZC-21-017: Kim Novak, 26 Lakeview St., for a Zone Change:

Commercial to R1. Map 05A/Block 85/Lot 18A. Kim Novak presented that the current property is zoned as commercial. Ms. Novak wants to return the property back to the original residential zone as it was before she purchased the property. She will be moving her private practice she has been operating to a location in town under a lease.

Commission members briefly discussed the best effective date of the zone change.

Chairman Zatorski asked for public comments. There were no public comments.

Chairman Zatorski asked for a motion to close the public hearing for Application PZC-21-017 Kim Novak, 26 Lakeview St., for a Zone Change: Commercial to R1. Map 05A/Block 85/Lot 18A. Vice-Chairman Kuhr made a motion. Mr. Sennett seconded.

Vote: 7-Yes; 0-No Chairman Zatorski asked for a motion approve for Application PZC-21-017 Kim Novak, 26 Lakeview St., for a Zone Change: Commercial to R1. Map 05A/Block 85/Lot 18A for the following reasons it is a commercial zone and it is changing back to the original residential R-1 Zone and it is continuous to a residential zone effective November 1, 2021. Mr. Sennett made a motion to approve application and Mr. Kowalczyk seconded.

B. Application PZC-21-018: Tushar Shah, 193 East High St., Site Plan Modification in C Zone, Sec 5.2.B. Map 09A/Block 76/Lot 11-5. Tushar Shah, owner of Route 66 Package Store, located at the Corner of Route 66 and Princess Pocotopaug Trail presented. Mr. Shah plans to add store space to the front of the existing building and add a walk-in cooler to the rear of the building. Mr. DeCarli further explained Mr. Shah's plan to add a new drive access from the street and add two parking spaces to the rear of the building. The new drive access entrance and new landscaping should address issues with traffic and parking on the side of the road. The Design Review Board recommended changes that included additional lighting by the walk-in cooler and signage. Mr. Rux asked whether the property was in the lake watershed and Vice-Chairman Kuhr wanted to know the plan to control water. Mr. DeCarli stated the property is in the lake watershed and explained where the rip-rap and grass swales are. Chairman Zatorski asked for public comments. Robert Foberg of 81 Charles Mary Drive asked if parking spaces could be located instead of landscaping as he believes there is not enough parking. Chairman Zatorski explained there needs to be a 15ft buffer at that particular location. Mr. DeCarli replied there is also not enough room, as there is only a 10ft. drive aisle. Mr. Rux additionally noted a swale was needed a few years ago as another reason additional parking space cannot be placed. There were no further comments. Chairman Zatorski asked for a motion to close the public hearing for Application PZC-21-018: Tushar Shah, 193 East High St., Site Plan Modification in C Zone, Sec 5.2.B. Map 09A/Block 76/Lot 11-5. Mr. Rux made a motion. Vice-Chairman Kuhr seconded the motion. **Vote: 7-Yes; 0-No** Chairman Zatorski looked for a motion to approve Application PZC-21-018:

Tushar Shah, 193 East High St., Site Plan Modification in C Zone, Sec 5.2.B. Map 09A/Block 76/Lot 11-5 for the following reasons: it will approve the appearance of the property, facilitate traffic and parking, reduction in impervious surface, reviewed by Design Review Board and comments have been followed, photometric plan indicates improvement to light cutoff. With the following conditions: Landscaping is consistent with presented plans dated October 1, 2021, construction does not start until town staff is notified, town staff be notified at end of construction and Design Review Plan recommendations be incorporated on Mylars at time of the filing. Mr. Rux made a motion. Vice-Chairman Kuhr seconded the motion. **Vote: 7-Yes; 0-No**

- C. Application PZC-21-019: Global 66, LLC, 265 West High St.,** Special Permit to convert a Sports on 66 into storage units in C Zone, Sec 5.2.C. Map 6/Block 12/Lot 9. Wayne Rand of Global 66 Storage presented. Mr. Rand would like to convert Sports on 66 into self-storage. Mr. Rand has been in business for 20 years and has several storage locations in town. In the future he hopes to move other storage units into this one. He does not have Inlands Wetlands approval but will be on their agenda for exterior site changes. The outside foot print will not change. Mr. Rand explained he has future plans to add a driveway to the second floor and plans onsite improvements to include outside façade changes. Mr. Rux asked if vehicle repair and wood work activities will take place at this location. Mr. Rand responded that will not happen at this location. Chairman Zatorski asked for public comments. Robert Foberg of 81 Charles Drive, believes there is too many storage facilities in East Hampton and is concerned about old vehicles being left outside. Margaret Faber of 45 Schoolhouse Lane believes there is also too much storage business in East Hampton. Peter Pach of 59 Middle Haddam spoke in opposition to the application and read a letter into the record. Chuck Roberts of 119 Middle Haddam Road spoke in opposition of the application. Chairman Zatorski asked for a motion to close the public hearing for Application PZC-21-019: Global 66, LLC, 265 West High St., Special Permit to convert a portion of Sports on 66 into storage units in C Zone, Sec 5.2.C. Map 6/Block 12/Lot 9. Mr. Rux made a motion. Vice-Chairman Kuhr seconded the motion. **Vote: 7-Yes; 0-No** Chairman Zatorski looked for a motion to approve Application PZC-21-019: Global 66, LLC, 265 West High St., Special Permit to convert a portion of Sports on 66 into storage units in C Zone, Sec 5.2.C. Map 6/Block 12/Lot 9 for the following reason: no changes to the footprint outside. Mr. Rux made a motion. Mr. Kowalczyk seconded the motion. **Vote: 7-Yes; 0-No**

- D. Application PZC-21-020: Warren Scott Cross, 201 West High St.,** Special Permit to open a brewery and taproom in the C Zone, Sec 5.2.C. Map 12/ Block 36/ Lot 3-1, Warren Scott Cross, representing, Rule of Three Brewing LLC presented. He would like to open a tap room brewery at 201 West High Street Building B. Units 1 and 2 and the rear half of unit 3 will be used. This will be done in two phases with the tap room opening first. Mr. Cross explained the building currently has ADA compliant restrooms. Mr. Cross will demo locker room and shower areas to expand restrooms. The back half of unit 3 will be converted to a brewery in phase 2. Mr. Cross will connect unit 1 and unit 2 to the rear of unit 3 with a concrete ramp. Mr. Kowalczyk asked what currently was in the mezzanine. Mr. Cross replied there is storage and there will be no public access to it. Chairman Zatorski wanted clarification of where the brewery waste will be disposed of.

Mr. Cross explained there will be a drain to a hold tank that will be pumped out and not into the septic system. The holding tank will be out doors in the rear of the building and a professional engineer will approve site plan for hold tank. Mr. DeCarli stated the State Department of Public Health has oversight over that component. Mr. DeCarli also noted approval from Chatham Health District for site plan and food service. At this time Chairman Zatorski opened the public hearing and asked that the comments be 3 minutes or less. Tim Johnson 9 Long Crossing, lost water several times and is concerned about water consumption at Brewery affecting his well having to be re-drilled. Leonard Johnson, 21 Long Hill Crossing, concerned about water usage as well. Linda Johnson, 21 Long Hill Crossing, concerned about the safety of the children at KOCO. Ms. Johnson states vehicles are currently using KOCO parking lot as a road. Chairman Zatorski asked if this problem has been addressed. Mr. DeCarli stated he is aware of the situation and there is plan in place by the Fire Marshal, Police Chief and the property owner. A gate has been approved to be installed between the two parcels. Wayne Rand owner of 201 West High stated he was contacted 6 months ago about blocking off a second entrance as people are cutting thru. He will be blocking with a gate and it will be done before brewery opens. Mr. Rand will temporary block off access until gate is installed. DeCarli stated access to driveway is not needed and will not impact anyone if blocked. Commission Members discussed the well and usage. Mr. DeCarli stated the well is overseen by the State and water usage is acceptable according to State Department Public Health. Mr. Cross explained the holding tank has to be approved by State due to brewery guidelines set. All brewery equipment will be approved by the State. Vice- Chairman Kuhr asked if there is enough parking and occupancy total. Mr. Cross replied there will be 178 maximum occupancy and opening hours will be offset from other surrounding businesses. John Vitale, of 77 Tarragon Drive representing Rule of Three Brewery stated the hours of operations will be: Wednesday 3pm -10pm, Thursday 3pm – 10pm, Friday 2pm -10pm, Saturday 11am – 10pm and Sunday 12pm – 6pm. Mr. Rand explained he reads water meters weekly at the location and has logged them for three years. They are at one-third of the capacity of the approval set by the state. Additionally, the holding tank will be heavy duty and concrete. Chairman Zatorski stated there are 19 letters of support and read additional comments: looking forward to the business, potential of generating business to other local businesses, and the increase of the variety of business. Mr. Rux asked about signage and lighting plan. Mr. Cross stated they will not add signage and lighting. Linda Johnson of 21 Long Hill Crossing stated that lighting was never dimmed. Mr. Kowalczyk asked if there were any other utilities that will be in rear lot. Mr. Cross stated there will be a pad with chiller and a co2 tank that will be protected. Chairman Zatorski asked for a motion to close the public hearing for Application PZC-21-020: Warren Scott Cross, 201 West High St., Special Permit to open a brewery and taproom in the C Zone, Sec 5.2.C. Map 12/ Block 36/ Lot 3-1. Vice-Chairman Kuhr made a motion. Mr. Rux seconded. **Vote: 7-Yes; 0-No** Chairman Zatorski looked for a motion to approve Application PZC-21-020: Warren Scott Cross, 201 West High St., Special Permit to open a brewery and taproom in the C Zone, Sec 5.2.C. Map 12/ Block 36/ Lot 3-1 for the following reasons: consistent with our regulations and uses in a C Zone and it is already an existing C zone. The following conditions need to met: town staff be notified at the start of construction, the following hours of operation are Monday – Saturday 11am- 11pm and Sunday 11am- 9 pm, any lighting will have full cutoff and shut off in

accordance with town regulations, and permit exist with existing business and any transfer requires a separate special permit. Ms. Wright made a motion. Vice-Chairman Kuhr seconded. *Vote: 6-Yes; 1-No (Mr. Rux)*

6. New Business:

A. Application PZC-21-021: Global 66, LLC, 265 West High St., Site Plan Modification, Map 6/Block 12/Lot 9. Wayne Rand of Global 66 Storage presented. Mr. Rand explained improvements to location to include a parking area to right hand side of building to allow access to the second story. Appearance improvements to front of the building will include signage, stone work, and landscaping. Mr. Rand also proposed changes to the site plan for a pipe in the front by the street. The plan is to cut back the pipe where it is exiting and proposed a stone swale in front of it. There is currently a wall proposed and Mr. Rand explained it will be a decorative block retaining wall. Additionally, Mr. Rand landscaping around it. Mr. Rand briefly explained what will be graded near the wetlands to gain access to the second floor and he is on IWWA agenda. Mr. Kowalczyk asked if the cistern on Long Hill will be impacted. Mr. Rand clarified it will not be impacted. Vice-Chairman Kuhr likes the design but would like the look softened. Mr. DeCarli noted plans have not gone to Design Review Board yet and the size of signage is on Zoning Board of Appeals agenda. Chairman Zatorski asked for a motion to continue the Application PZC-21-021: Global 66, LLC, 265 West High St., Site Plan Modification, Map 6/Block 12/Lot 9 to the next regularly scheduled meeting November 3, 2021. Mr. Sennett seconded. *Vote: 7-Yes; 0-No*

7. Old Business:

- A. Discussion: Home Based Occupations:** Mr. DeCarli explained there have been four workshops and regulations are partially drafted. The joint group requested Mr. DeCarli to draft a full regulation for review at the next joint session on October 19, 2021. At that session they will review and recommend a final draft for PZC Commission members to review and have a public hearing November 3, 2021. Mr. DeCarli noted the website has information of what is written so far and been agreed to.
- B. Accessory Dwelling Units “As of Right”:** Chairman Zatorski explained there is a town wide survey for anyone 65 and older for accessory dwelling units and housing units. The survey can be found online and a paper copy is at the library. Continued to the next meeting November 3, 2021.
- C. Discussion: Update Sign Regulation to Include PO/R Zone Sign Standards:** Continues to the next regularly scheduled meeting.

8. Planner’s Report – Mr. DeCarli explained his report for RFP for re-development of 1 Watrous, 13 Watrous and 13 Summit Street is out and the report can be found online. Mr. DeCarli also reported the Regional housing plan is underway. A public meeting is scheduled for next Tuesday. The plan will fulfill the State Regulation 830-j to have an affordable housing plan for the Town of East Hampton that needs to be done by June 30, 2022.

9. Set Public Hearing(s) for November 3, 2021 – A public hearing was set for Agenda Items: 6A, B and C

10. Adjournment –

Respectfully submitted,

Cheryl Guiliano

Recording Secretary