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November 3, 2020

Mr. Ray Zatorski, Chairman
East Hampton Planning & Zoning Commission
1 Community Drive
East Hampton, CT 06424

RE: **PROPOSED ZONE CHANGE**
MIDDLE HADDAM ROAD
PUBLIC HEARING NOVEMBER 4, 2020

Dear Chairman Zatorski:

Enclosed herewith please find a copy of my comments on the above-referenced application. Since this will be a remote hearing, I do not wish to be precluded from being heard on this matter because of some IT problem.

Please include this information in the meeting minutes and circulate a copy among the other members.

Respectfully submitted,

A handwritten signature in blue ink that reads "William D. Grady". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

William D. Grady, Esq.

WDG:sg
Enclosure

November 4, 2020

I am William D. Grady, and I reside at 10 Oakum Dock Road on property located to the west of the proposed zone change. Since this is a remote hearing, my comments are being submitted in writing in the event of a problem with internet participation.

The Village of Cobalt is under assault by the zoning regulations. First, we had the Cobalt Marina zone changed from R-2 to Commercial on the south end of the Village, while surrounded entirely by the R-2 zone and single family homes. Now, we have 5 acres of land proposed for commercial development on Middle Haddam Road in an R-2 zone once again surrounded by single family homes on the westerly side of Middle Haddam Road and the southerly side of Old Depot Hill Road. Just as in the Cobalt Marina circumstance, the zone change here cannot be justified by the Plan for Conservation and Development adopted by this Commission. Why? Because the plan has earmarked tonight's proposal as an area for "low density residential."

What can't be forgotten here, and as was pointed out extensively and repeatedly to the Commission with the Cobalt Marina change, is that the change to Commercial is really not about what the applicant wants to do, as here, a veterinary clinic, but rather what an applicant CAN do. The zone change here opens this 5 acres up to any permissible use set forth in the Zoning Regulations. The Commercial Zone will allow whoever owns the 5 acres to take advantage of the many uses permitted and, if never developed by the applicant, could provide a very marketable piece for someone else. In

fact, the size of the piece here could easily allow for subdivision and that would change the entire area forever.

There is a common thread which permeates this application. Specifically, it once again involves St. Clements just as the Marina did. Coincidentally, the St. Clements Equestrian Estate LLC was going to create that type of use in the applicant's area, as an adjunct to the wedding facility. But for zoning issues, that may have come to pass. Now, of course, a zone change granted to the applicant here would most probably encourage St. Clements to expand the Commercial zone to some of its 12 remaining acres which abut the 5 acres being conveyed to the applicant here by St. Clements Equestrian Estate, LLC. For your information, St. Clements or its affiliates already own 4 houses on Oakum Dock Road and one on Old Depot Hill Road. Residents on Fern Lane and Oakum Dock Road have relayed to me their feelings that what has been done to the neighborhood and what is proposed to be done to the neighborhood this evening is and will be a disaster involving St. Clements once again. I agree.

It is important for me to emphasize to you that I am not against new businesses coming to our Community. I was the Chairman of the very first Economic Development Commission in East Hampton and my feelings about encouraging new business has not changed since then. I am personally aware of many commercial properties in Town which could host a new commercial enterprise which would be an existing Commercial zone. East Hampton is not without available commercial property.

It is time for the Commission to support its Plan for Conservation and

Development. It is the wisdom of this Commission that created that significant and important document. The character of Cobalt Village is at stake and will only be preserved if development is consistent with the Plan's fundamentals.

The applicant here has the burden of complying with Section 9.c.2 of the Zoning Regulations and among other things provide an analysis of the impact such change shall have to the neighboring properties, zones or the Plan of Development adopted by the Commission.

This is and should be a serious burden with convincing arguments. What is good for East Hampton must also be good for Cobalt. It is my position this is not good for Cobalt.

Mr. Chairman, in conclusion, I would like to have the Applicant respond to a couple of questions:

1. Does the Purchase/Sale Agreement address subdivision of this property?
2. Does the Purchase/Sale Agreement address a right of first refusal to the Seller or anyone else?
3. This 5 acres is significant for the intended purpose. Does the applicant have a plan to subdivide?