

Town of East Hampton
**Planning and Zoning
Commission**
Regular Meeting April 5, 2023
Town Hall and Virtual Meeting

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, Rowland Rux, Jim Sennett, Angelus Tammaro,

Alternate Members: Mike Kowalczyk (7:12pm) and Matthew Walton

Zoning Official Jeremy DeCarli

Absent: Roy Gauthier, Meg Wright and Ted Hintz, Jr

Chairman Kuhr seated Mr. Walton

2. Approval of Minutes:

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

3. Communications, Liaison Reports and Public Comments: Mr. DeCarli explained he received a letter from Peter Pach concerning 365 West High Street and will visit the site for compliance. Mr. DeCarli noted applications for zone change and open space subdivision at 37 South Main Street are withdrawn. Mr. Sennett attended ZBA meeting via ZOOM and reported the Commission conducted an election of officers. The following Commission Members did not have anything to report: Mr. Tammaro, Mr. Rux, Vice-Chairman Zatorski and Mr. Walton. Chairman Kuhr asked for public comments at this time. There were no public comments.

4. Read Legal Notice for April 5, 2023: None.

5. Public Hearings for April 5, 2023: None.

6. New Business:

A. PZC-23-004: Brittany Hall & Caley Brooks, 6 Oakum Dock Road, Site Plan Review for Agriculture Buildings, 4.2.C, Map 01C/ Block 9/ Lot 5-1. Brittany Hall and Caley Brooks, 138 Pine St., Middletown, presented proposed plans. Ms. Hall explained plans to install buildings to be used for agriculture Chairman Kuhr asked what will be farmed at the site. Ms. Hall replied organic vegetables and flowers. Ms. Hall explained the larger building will be used for cooler space to keep to keep produce cold, one building will be used as a pump house for the well, a building for storage and a greenhouse. Vice-Chairman Zatorski asked Mr. DeCarli if application meet the requirements. Mr. DeCarli replied yes and explained the application was submitted because it does not have a

residential structure. Chairman Kuhr asked how far from street the proposed buildings will be. Ms. Brooks replied over 300sf from the road. Mr. DeCarli briefly explained the property location. Mr. Rux asked about the site topography. Ms. Hall and Ms. Brooks discussed site topography. Chairman Kuhr asked if DRB reviewed plans and Mr. DeCarli replied DRB did not need to review. Mr. Walton asked how big the lot is and Ms. Hall replied 12 acres and currently they are only farming one acre. Mr. Walton asked if there are any issues with water runoff. Mr. DeCarli explained not to his knowledge, it is not in upland review area and discussed forest area. Ms. Brooks explained the farm is all organic. Mr. Rux asked if there will be a farm stand. Ms. Hall replied no they are in a CSA program, briefly described the CSA program and noted they additionally sell at two farmers markets. Mr. Walton asked if traffic would be minimal and Ms. Brooks replies yes. Vice-Chairman Zatorski made a motion to approve Application PZC-23-004: Brittany Hall & Caley Brooks, 6 Oakum Dock Road, Site Plan Review for Agriculture Buildings, 4.2.C, Map 01C/ Block 9/ Lot 5-1 for the following reasons: it meets regulations, it is adding farming activity to the Town. With the following condition: the applicant review and have approved by Town Staff appropriate permits. *Chairman Kuhr asked if any signs will be at property. Ms. Brooks replied there is only a temporary sign for CSA pick up. Mr. Rux asked if there will be lighting and Ms. Hall replied no.* The Motion was seconded by Mr. Rux. **Vote: 6-Yes; 0-No.**

Michael Kowalczyk arrived at 7:12pm and was seated.

- B. PZC-23-005: Lynn Robinson, 27 North Main Street, Special Permit for conversion to different non-conforming use, 8.2.D, Map 01A/ Block 39A/ Lot 15.** Lynn Robinson, property owner of 27 North Main St., presented proposed plans. Ms. Robinson explained she currently has office space she would like to use space for a craft shop. Mr. DeCarli explained the property history of this site and nearby bus company. Mr. DeCarli briefly discussed zoning regulation 8.2.D and explained the office space is 14.5' x 12'. Ms. Robinson provided proposed layout for shop and noted hours, no increase to traffic and provided parking locations. Chairman Zatorski asked what the current zone is for property and Mr. DeCarli replied R1. Mr. Tammaro asked if the use is a legal non-conforming. Mr. DeCarli replied yes as previous bus service used this office for dispatch. Mr. Tammaro asked if proposed use could be a home occupation use. Mr. DeCarli explained home occupation does not allow retail sales on site. Mr. Tammaro asked what standards are required to approve application. Mr. DeCarli explained the Commission needs to decide if the use is no more objectionable than the current nonconforming use. Commission Member briefly discussed office space. Vice-Chairman Zatorski made a motion to schedule a public hearing for Application PZC-23-005: Lynn Robinson, 27 North Main Street, Special Permit for conversion to different non-conforming use, 8.2.D, Map 01A/ Block 39A/ Lot 15 on May 3, 2023. The motion was seconded by Mr. Sennett. **Vote: 7-Yes; 0-No**

Commission Members briefly discussed nearby bus company.

C. PZC-23-006: Jeff Dondero, 363 West High Street, Site Plan Modification for Landscaping Business Display, Map 01C/ Block 10/ Lot 2A. Jeff Dondero, 363 West High Street, presented proposed plans to display sheds and landscape patio blocks. Chairman Kuhr asked for property location. Mr. Dondero explained it is the triangle piece of property next to DaVinci pizza. Mr. Dondero explained the site will only be used to display 3 sheds and blue stone. Mr. Rux asked if sheds would be removed and Mr. Dondero explained no it is only for customers to view shed display options. Mr. Rux asked if there is proposed plans included excavation work as he is worried about sewer line and drainage pipe. Mr. Dondero replied no excavation work is needed only work is clean out area from overgrowth. Mr. DeCarli briefly discussed site topography and noted adequate parking. Mr. Dondero explained they will build shed at customers property and not on this site. Chairman Kuhr asked if there will be lighting. Mr. Walton asked if there will be fencing. Mr. Dondero replied he did not plan on a fence but would if required. Mr. Rux asked Mr. DeCarli if a public hearing is required and Mr. DeCarli replied no. Commission Members briefly discussed fencing. Mr. DeCarli briefly discussed permits required. Mr. Rux asked if Mr. Dondero owned the land and Mr. DeCarli replied no but he will lease the land from the property owner. Mr. Tamaro asked if use should be more defined on the site plan. Mr. DeCarli discussed current site layout. Chairman Zatorski made a motion to approve Application PZC-23-006: Jeff Dondero, 363 West High Street, Site Plan Modification for Landscaping Business Display, Map 01C/ Block 10/ Lot 2A for the following reason: permitted under zoning regulations. With the following conditions: a roadside stand building with parking of 2-5 spaces is permitted with approval of Town Staff, all signage be approved by Town Staff prior to installation, if fencing is installed it must meet approval by Town Staff, placement of structures be consistent with setback requirements, and location only for display of shed and blue rocks and no storage of any construction or motor vehicle items on property. The motion was seconded by Mr. Rux. *Vote: 7-Yes; 0-No*

D. PZC-23-008: Global Self Storage, LLC, 1 Sinco Place, Site Plan Modification to convert use of existing day care building to laboratory/office, installation of four new parking spaces, and installation of new access drive from Middletown Ave in I Zone. Map 06/ Block 14/ Lot 7. Mr. Baltramaitis, Engineer, presented proposed plans. Mr. Baltramaitis explained the site is 4.85 acres in industrial zone, the site has a total of 5 buildings. Mr. Baltramaitis explained plans to convert former daycare building. Mr. Baltramaitis explained the building is single story, 76' x 52' and 4000SF. Mr. Rux asked if the old daycare building if the only building the Commission is considering in application. Mr. Baltramaitis replied yes and explained a tenant that owns a laboratory/office business in another building on the site would like to relocate to the old daycare. Mr. Baltramaitis explained minor site plan modifications including: four new parking spaces, a 22' wide gravel driveway and noted DOT encroachment permit will be required. Chairman Kuhr asked if there was a gate by proposed driveway. Mr. Baltramaitis explained there is fence with a playground that will be eliminated. Chairman Kuhr asked if the building will be used for as office space and will there be machines in

building. Mr. Baltramaitis briefly discussed business. Mr. Walton asked if there will be hazardous material the business will use. Mr. Baltramaitis replied not to his knowledge. Mr. Rux asked if the buildings will be joined together and Mr. Baltramaitis replied they are separate buildings and the business is only relocating. Mr. Kowalczyk asked if four parking spots will be paved or gravel and Mr. Baltramaitis replied gravel. Mr. Kowalczyk asked if gravel used as to not increase impervious surface on the lot. Mr. Baltramaitis replied yes and overflow parking. Mr. Rux asked if there is encroachment into wetlands. Mr. Baltramaitis replied the proposed plans have no impact to wetlands. Vice-Chairman Zatorski made a motion to approve Application PZC-23-008: Global Self Storage, LLC, 1 Sinco Place, Site Plan Modification to convert use of existing day care building to laboratory/office, installation of four new parking spaces, and installation of new access drive from Middletown Ave in I Zone. Map 06/ Block 14/ Lot 7 for the following reasons: it is a change of use for an existing building and meets zoning regulations. With the following conditions: inform Town Staff prior to the start of construction and obtain required permits from State of Connecticut prior to the start of construction. *Mr. Tammaro asked if there is proposed changes to signage. Mr. Baltramaitis replied currently there is no proposed sign changes. Commission Members briefly discussed signage.* The motion was seconded by Mr. Rux. *Mr. Sennett asked if proposed driveway meets road standards. Mr. DeCarli replied it is an access road and believes driveway meets requirements. Mr. Baltramaitis explained the access will be gravel and there will be a paved apron. Chairman Kuhr asked if access will be used by nearby buildings and Mr. Baltramaitis replied he believes it will be used. Mr. Walton asked if the current business has a special permit to operate. Mr. DeCarli explained to his knowledge the business test lab equipment and does not use chemicals. Mr. DeCarli noted DOT will need to approve the access drive and he will further review driveway requirements. Vote: 7-Yes; 0-No*

- E. PZC-23-007: Town of East Hampton, 7 Summit Street, Center School, Site Plan Modification for 12' x 8' greenhouse, Map 05A/ Block 62/ Lot 31.** Mr. DeCarli presented proposed plans. Mr. DeCarli explained the school district has received a grant and they are working on a farm to table program. Mr. DeCarli explained Memorial School is growing vegetables and fruits that are being used in their kitchen. Mr. DeCarli explained the school district received additional funding to construct a greenhouse. Mr. DeCarli explained the greenhouse will be at Center School to seed and start growing plants before transported to garden located at Memorial School. Mr. DeCarli explained location for 8' x 12' greenhouse on a gravel base. Mr. Rux asked if there will be electrical and water and Mr. DeCarli replied no. Vice-Chairman Zatorski made a motion to approve Application PZC-23-007: Town of East Hampton, 7 Summit Street, Center School, Site Plan Modification for 12' x 8' greenhouse, Map 05A/ Block 62/ Lot 31 for the following reasons: it meets zoning regulations and used to grow plants. With the following conditions: Town Staff be notified prior to the start of construction and anchoring of the greenhouse.

Mr. Rux added to the motion approval to add security fence if needed. *Chairman Kuhr asked if greenhouse could be moved closed to the building as he is concerned with Old Homes Day. Mr. Rux and Vice-Chairman Zatorski agreed fence could be a solution.*

Vote: 7-Yes; 0-No

Discussion: Regional Housing Committee. Mr. DeCarli explained the RiverCOG did a regional Regional Housing Plan and are setting up a committee consisting with member of each municipality. Mr. DeCarli discussed committee plans with Town Manager for East Hampton to be a member. Mr. DeCarli explained he would like the Commission to review and make a recommendation to the Town Council. Mr. Zatorski made a motion based on the recommendation set forth within the Regional Housing Plan that, a regional housing Commission should be created as a voluntary association of the Region's municipalities with the representation from each community. The Commission should be hosted by RiverCOG, which would provide staffing and support. It is envisioned that the Commission would grow in scope and responsibility over time but remain focused on supporting local efforts to diversify housing stock, that the Planning and Zoning Commission recommend to the Town Council that East Hampton join the Regional Housing Commission and appoint a representative to sit on the Commission. The motion was seconded by Mr. Rux. ***Vote: 7-Yes; 0-No***

7. Old Business:

- A. Discussion: Non-Conforming Lots in the R-1 Zone.** Vice-Chairman Zatorski explained he reviewed proposed changes and would like to consider adopting as presented. Mr. Tammaro asked if the Commission received feedback from the Lake Commission and Mr. DeCarli replied no he did not present plans to them but will. Mr. Rux stated he would like to receive comments from the Lake Commission. Chairman Kuhr stated he would like comments from ZBA regarding plans before public hearing. Mr. DeCarli asked what comments he would like from ZBA. Chairman Kuhr explained he wanted comments as the proposed changes would take away from ZBA. Mr. DeCarli explained the ZBA receives a lot of applications for setback variances in the R1 Zone mostly due to narrow lots. The proposed changes would relax setback requirements when the lots are narrow. Mr. Sennett expressed concern without the ZBA reviewing applications and noted ZBA have asked applicants to move buildings to a better location and expressed concern with possible complaints if approval led to removing residents view of the lake. Mr. Rux asked if proposed regulations would create more work. Mr. DeCarli replied no the proposed changes would create a staff review for narrow lots without needing a variance and further explained application requirements. Mr. Rux asked what actions the public can take if they do not like his decision on an application. Mr. DeCarli explained any decision he decides could be appealed to ZBA. Mr. DeCarli briefly discussed ZBA appeals and noted timeline for appeals. Mr. Tammaro asked for clarification regarding text in proposal. Mr. DeCarli further explained proposed setback requirements and referenced building code requirement. Mr. Walton express concern with lots on Main Street regarding proposed setbacks closer to property lines. Mr. DeCarli explained it depends on the property's width in the R1 zone only. Mr. Sennett asked how it affects ADU. Mr. DeCarli explained ADU have their own requirements that need to be met. Mr. Rux noted ADU would still need to comply with setback and coverage. Mr. Walton expressed his opinion for the

advantage and disadvantage for proposed changes. Commission Members discussed different lot sizes, proposed setbacks and possible updates. Mr. DeCarli provided brief zone history of the R1 zone. Vice-Chairman Zatorski made a motion to schedule a public hearing for proposed changes to Section 8.2 of the Zoning Regulations for the next regularly scheduled meeting May 3, 2023. The motion was seconded by Mr. Rux. *Vote: 6-Yes; 0-No; 1-Abstention Chairman Kuhr*

8. Planner's Report – Mr. DeCarli passed out flyers received from Mr. Rux received from a meeting Commission Members received regarding affordable housing. Vice-Chairman Zatorski discussed proposed bills for housing requirements. Mr. DeCarli explained he reviewed proposed bills, provided a synopsis of where the Commission stands with regulations. Chairman Zatorski discussed one proposed bill with density requirements by right that are tied to bus transit. Chairman Zatorski discussed how proposed bill could affect East Hampton and other Towns in Connecticut. Commission Members discussed sending letters to State Legislature. Commission Members discussed affordable housing, deed restrictions and would like to further discuss at next regularly scheduled meeting.

9. Set Public Hearing(s) for May 3, 2023:

10. Adjournment – Vice-Chairman Zatorski made a motion to adjourn at 8:44 p.m., seconded by Mr. Rux. The vote was unanimous in favor. *Vote: 7-Yes; 0-No*

Respectfully submitted,



Cheryl Guiliano
Recording Secretary