

<u>First</u>	<u>Last</u>	<u>Address</u>
Carol	Browning	11 Hayes Rd
Heidi	Bothamley	141 Main Street
Irene	Kuck	11 South Main Street
James & Maureen	Friedman	66 Viola Drive
Kenneth	Dodson	148 Main Street
Marion	Keogh	148 Main Street
William	Biegaj	11 Whipoorwill Hollow
Tod	Browning	11 Hayes Rd
Kate	Avery	14 Edgerton St
Ryan	Bothamley	141 Main Street
Cristal	Chan	34 Walnut Ave
Melissa	Gelinaeu	5 Glenwood Dr
Bonnie & Charles	Goodrich	137 Main Street
Jill	Swindal	27 Edgerton Street
Alberta	Landino	12 Chaucer Rd
Eliza	LoPresti	203 Hog Hill Rd
Noel	Sanborn	146 Main Street
Jordan	Werme	32 Oak Knoll Rd
Laura	Bellini	
Carol	Browning	11 Hayes Rd
Ron	Brady	138 Main Street
James	MzcDonald	18 Hayes Rd
Susan	Popielaski	82 Main Street
Jill	Swindal	27 Edgerton Street
Tod	Browning	11 Hayes Rd
Peter	Pach	59 Middle Hadam Rd
Victoria	Fielding	30 South Main Street

pbz-counter

From: DeCarli, Jeremy
Sent: Monday, June 6, 2022 2:47 PM
To: pbz-counter
Subject: FW: Preserve and protect the village of East Hampton

Jeremy

Jeremy DeCarli, AICP, CZEO
Planning & Zoning Official
Town of East Hampton
1 Community Drive
East Hampton, CT 06424
T: 860-267-7450
E: jdecarli@easthamptonct.gov
www.easthamptonct.gov

Office Hours:
M,W,Th: 8:00am – 4:00pm
T: 8:00am – 6:30pm
Fri: 8:00am – 12:30pm

From: carol browning <carolbrowning@sbcglobal.net>
Sent: Sunday, June 5, 2022 9:05 AM
To: DeCarli, Jeremy <jdecarli@easthamptonct.gov>
Subject: Preserve and protect the village of East Hampton

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Jeremy,

The town of East Hampton is a quaint New England village that should be preserved for future generations.

If the zoning is changed, it will open up Main Street to more development. More traffic, noise, litter and light pollution.

Residential properties around the proposed **multi pump gas station** will be come devalued. Commercial creep will set in.

Once Corporations have established themselves on Main Street, how do you get them out? East Hampton will no longer be a pedestrian friendly or a place people would want to visit.

Carol Browning

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pbz-counter

From: DeCarli, Jeremy
Sent: Wednesday, June 8, 2022 1:01 PM
To: pbz-counter
Subject: FW: ZBA June 13th Meeting Public Comment

Jeremy

Jeremy DeCarli, AICP, CZEO
Planning & Zoning Official
Town of East Hampton
1 Community Drive
East Hampton, CT 06424
T: 860-267-7450
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T: 8:00am – 6:30pm
Fri: 8:00am – 12:30pm

From: Heidi Grube <grubeh@comcast.net>
Sent: Tuesday, June 7, 2022 7:41 PM
To: DeCarli, Jeremy <jdecarli@easthamptonct.gov>
Subject: ZBA June 13th Meeting Public Comment

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Good Evening Jeremy,

Please include the following letter of opposition for the June 13th ZBA meeting in regards to Application ZBA-22-002: Atlantis Marketing.

Thank you,
Heidi Bothamley

Dear Members of the Zoning Board of Appeals,

Even with a new site plan, I strongly oppose Atlantis Marketing's application for a variance. Granting this variance is in direct opposition to the Plan of Conservation and Development, which the PZC developed to preserve the small town character of East Hampton. As clearly stated in the previous meeting by attorney Ken Slater, by law, Atlantis can't expand beyond their existing lot, and, by

definition, this is not a hardship case. This application is against the town's plan, the law and the residents. The board has shown due diligence and has been a fair host to the meeting. This has gone on longer than necessary and it is time to support the town of East Hampton's integrity and planned development. Please vote against this application.

Respectfully,
Heidi Bothamley
141 Main Street

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June 5th, 2022
East Hampton CT

Dear East Hampton Zoning Board of Appeals Members,

I am likely unable to be at the Monday June 13th, ZBA meeting, as I have to work that evening, but that does not mean that I oppose the request for variance that Atlantis Marketing has submitted any less. However they revise the site plan for the proposed gas station/convenience store does not really matter. Atlantis could submit 100 revised plans, and they should all be denied, because the key to this flawed variance request is that all parcels are zoned residential, and the goal and spirit of zoning is to return/keep the zoning residential, as outlined in the Plan of Conservation and Development. Atlantis cannot claim hardship, because they are not denied a reasonable use of their properties. Wanting to create a more profitable business is not a hardship. They legally cannot increase the non-conforming use. I urge you to deny the request for variance, and block use not permitted in a residential Zone.

The vitality of this residential neighborhood, and the character of this town hinge on our historic main street staying residential. A commercial expansion in this neighborhood would surely be the first nail in the coffin for this vibrant community.

Respectfully,
Irene Kuck
11 South Main Street
East Hampton,
860-267-7266

pbz-counter

From: DeCarli, Jeremy
Sent: Wednesday, June 8, 2022 9:23 AM
To: pbz-counter
Subject: FW: Atlantis Request for Zoning Change

Jeremy

Jeremy DeCarli, AICP, CZEO
Planning & Zoning Official
Town of East Hampton
1 Community Drive
East Hampton, CT 06424
T: 860-267-7450
E: jdecarli@easthamptonct.gov
www.easthamptonct.gov

Office Hours:

M,W,Th: 8:00am – 4:00pm
T: 8:00am – 6:30pm
Fri: 8:00am – 12:30pm

-----Original Message-----

From: Maureen <pugster13@yahoo.com>
Sent: Tuesday, June 7, 2022 8:39 AM
To: DeCarli, Jeremy <jdecarli@easthamptonct.gov>
Subject: Atlantis Request for Zoning Change

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For the fourth & hopefully the last time, we are objecting to the passage of a request from Atlantis for a zoning change on Main Street to build a super size gas station in an historic area of town.

There no need or desire from East Hampton citizens like us & many others others to tear down an existing gas station that fully meets the needs of a small town like ours in favor of a "super-sized mega" gas station that will only serve to increase noise & traffic in a quiet historic area. A zone change could further encourage & allow unwanted additional business development as well.

It's time to listen to the hundreds of East Hampton voters & tax payers who have consistently voiced their opposition. I am also aware that the board has consistently only received one letter in favor of the zoning change. It's clear what voters - no zoning change. Your vote must reflect the will of the people. That's your job. Now do it.

James & Maureen Friedman

66 Viola Drive
East Hampton, CT 06424

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June 6, 2022

Zoning Board of Appeals
1 Community Drive
East Hampton, CT 06424

Re: 157 Main St, 1 & 5 Colchester Ave
Application ZBA -22-002

Dear Members

My name is Kenneth Dodson and I am writing this letter to voice my opposition to the application at 157 Main St, 1 Colchester Ave and 5 Colchester Ave.

At the last ZBA meeting the issue of the appearance of the dwellings at 157 Main St was raised. It was stated that the properties had looked run down for years. To compound the problem the developer acknowledged in front of the appeals board that they deferred any maintenance on the properties since acquiring them over two years ago.

The appearance of a building or its occupants is not grounds for granting a zoning variance. Board members personal opinion of a property should not enter into the issue at all as the legal grounds for granting a variance are narrow and do not include looks. The town has a blight law if the properties ever reach that point of deterioration.

I hope the board will reach the correct legal conclusion and deny the Atlantis application.

Sincerely



Kenneth G Dodson
148 Main St.
East Hampton CT, 06424

June 6, 2022

Zoning Board of Appeals
1 Community Drive
East Hampton, CT 06424

Re: Atlantis Marketing
Application ZBA 22-002

Dear Members,

My name is Marion Keogh and I am writing this letter to register my opposition to the proposal by Atlantis Marketing to expand their gas station at 1 Colchester Ave onto two adjacent properties at 157 Main St and 5 Colchester Ave. In their application Atlantis is claiming hardship because of a 1990 zoning change and a historic structure on 157 Main St.

Connecticut law is clear that a non-conforming property, such as the Atlantis gas station, is not allowed to expand beyond the boundaries of their existing property lines. The attorney from Halloran Sage, Kenneth Slater Jr, in his letter to the board cited numerous cases that back this up.

But if this is not enough what about the opposition from the neighborhood, what about our hardship. What about our reduced property values, the loss of a sense of neighborhood, the loss of any faith in our towns ability to stick with the Plan of Conservation and Development. Approve the Atlantis application and our town plan is not worth the paper it is written on.

You have overwhelming grounds to deny the Atlantis application. Please do so at the June 13, 2022 ZBA meeting

Sincerely,

Marion Keogh
148 Main St.
East Hampton CT, 06424

pbz-counter

From: DeCarli, Jeremy
Sent: Wednesday, June 1, 2022 9:09 AM
To: pbz-counter
Subject: FW: Oppose Atlantis variance

Jeremy

Jeremy DeCarli, AICP, CZEO
Planning & Zoning Official
Town of East Hampton
1 Community Drive
East Hampton, CT 06424
T: 860-267-7450
E: jdecarli@easthamptonct.gov
www.easthamptonct.gov

Office Hours:
M,W,Th: 8:00am – 4:00pm
T: 8:00am – 6:30pm
Fri: 8:00am – 12:30pm

From: Bill Biegaj <biegajkingdom@gmail.com>
Sent: Wednesday, June 1, 2022 9:02 AM
To: DeCarli, Jeremy <jdecarli@easthamptonct.gov>
Subject: Oppose Atlantis variance

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I oppose the variance requested by Atlantis at the corner of route 16 and Main Street.

Please do not allow this to go through.

William Biegaj
11 Whipoorwill Hollow Road
East Hampton, CT

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From: DeCarli, Jeremy
Sent: Monday, June 6, 2022 2:47 PM
To: pbz-counter
Subject: FW: Atlantis variance request

Jeremy

Jeremy DeCarli, AICP, CZEO
Planning & Zoning Official
Town of East Hampton
1 Community Drive
East Hampton, CT 06424
T: 860-267-7450
E: jdecarli@easthamptonct.gov
www.easthamptonct.gov

Office Hours:
M,W,Th: 8:00am – 4:00pm
T: 8:00am – 6:30pm
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From: TOD BROWNING <todbrowning@sbcglobal.net>
Sent: Sunday, June 5, 2022 9:25 AM
To: DeCarli, Jeremy <jdecarli@easthamptonct.gov>
Subject: Atlantis variance request

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Jeremy,

A zoning change for the intersection of Main Street and Route 16 will have long lasting negative affects on the Village of East Hampton.

Noise and light pollution
Increase Traffic
Devaluation of residential properties
Blighted properties with no plan of improvement
Spawning commercial creep down Main Street.

Please keep corporations out of Main Street.
Variance is in direct opposition to statutes expressly forbidding the variance in this residential neighborhood of all houses completely encircling the property

Tod Browning

From: [Kate Avery](#)
To: [DeCarli, Jeremy](#)
Subject: To the ZBA
Date: Monday, June 13, 2022 2:02:37 PM

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Jeremy and the Zoning Board of Appeals,

I am once again writing to voice my ardent and unwavering opposition to the requested variances by Atlantis Marketing Group. The properties on the corner of Main Street and Rt. 16 are zoned residentially. That decision has been made twice in the last year.

The proposed development is wholly inappropriate and would be an incredible detriment to those of us who live in homes surrounding, and the town in general.

The grandfathering that allows the pumping station is not made of silly putty. It cannot be stretched to apply to any and every property a business might choose to purchase. That would completely defeat the purpose of zoning!

The building plans should be entirely irrelevant to this decision. They're a distraction from the very real fact that Atlantis suffers no hardship but by their own poor planning and speculative buying of residential properties in a residential neighborhood.

I trust the ZBA will make the only legal and SANE decision and deny these requested variances.

Respectfully,
Kate Avery
14 Edgerton Street
East Hampton
Sent from my iPhone

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From: [ryanbothamley](#)
To: [DeCarli, Jeremy](#)
Subject: Letter of Opposition for ZBA 6/13 Meeting
Date: Sunday, June 12, 2022 11:15:09 AM

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Hi Jeremy,

Please add my letter of opposition to Atlantis 's application for a variance because of hardship.

Thank you for your service,

Ryan Bothamley

I stand in opposition to Atlantis Marketing's application for a variance. Turning residentially zoned property into a commercial zone for any reason is against our town's Plan of Conservation and Development and CT. zoning law. These laws protect the neighborhood from spot zoning. The residents who pay taxes and vote have made their voices clear. As the owner of 141 Main Street, I am located within 500 feet of this application, and granting this variance would be a detriment to property value, increase pollution, and create an excessive burden on an already strained on the water table. As clearly stated in the previous meeting by attorney Ken Slater, by law, Atlantis can't expand beyond their existing lot, and, by definition, this is not a hardship case. Atlantis is attempting a back door zone change with this appeal after being voted down twice by the Zoning Board. The Zoning Board of Appeals has demonstrated due diligence and has been a fair host to the meetings. This has taken longer than necessary and it is time to support the town of East Hampton's integrity and planned development!

Please vote against this application.

Ryan Bothamley
141 Main Street
East Hampton Ct

Sent from my Verizon, Samsung Galaxy smartphone

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From: [cristal chan](#)
To: [DeCarli, Jeremy](#)
Subject: Letter of opposition- Atlantis market
Date: Sunday, June 12, 2022 7:37:57 PM

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To the ZBA,

I am sending this letter in opposition to the proposal of the gas station expansion on main st. The recent changes to their plan are well beyond their original scope and present numerous concerns to our community and local residents. This scale of a gas station is not only not needed, but also a potential risk to our towns safety and health.

I urge you to shut this proposal down and end this back and forth once and for all.

Thank you,

Cristal Chan

34 walnut ave, East Hampton, CT 06424

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From: gelineau.melissa@gmail.com
To: [DeCarli, Jeremy](#)
Subject: Letter of opposition
Date: Sunday, June 12, 2022 5:46:17 PM

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To whom it may concern:

I oppose the two variances Atlantis Marketing is requesting at the corner of rt 16 and Main Street. I understand they are claiming "hardship" when in fact they are a multi billion dollar company. Rather it is important to note the hardship it would cause if they were approved such as, increased traffic, surrounding property values, polluting, and depleting our aquifers. They would be destroying a quiet and quaint neighborhood where it is just not necessary or wanted. We only have one Main Street, they have 600 gas stations.

Please consider the residents of East Hampton and the do not approve these variances.

Sincerely,

Melissa Gelineau
5 Glenwood Drive
East Hampton CT 06424

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From: [CHARLES GOODRICH](#)
To: [DeCarli, Jeremy](#)
Subject: Atlantis Marketing June 13th, 2022
Date: Monday, June 13, 2022 9:17:07 AM

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Bonnie and Charles Goodrich
137 Main St.
E. Hampton, CT

Zoning Board of Appeals,

We strongly oppose the variances Atlantis Marketing is requesting at the residential corner of Rt. 16 and Main St.

Atlantis is claiming a hardship when they knew this area was residential. This is a situation they created themselves. Sell the houses. No Hardship.

Safety is a big issue. Main St is the main vein that connects 66 to 16. It is use by many Emergency Vehicles. The Ambulance Station is right around the corner and the Fire Dept. at the bottom of the hill. Main St, is a two lane road and on that corner the sidewalk butts right up to the road. A lot of walkers do take advantage of walking our Main St. and do cross Rt 16 at the corner.

Cars whip around that corner on Rt 16 and Main St. I wouldn't even let my kids walk up there when they were little because it was so unsafe.

No Bigger Store, No More Gas Pumps. Atlantis can remodel on their current footprint.

We have the new gas station in the center that is doing well and the one in Cobalt is progressing quickly now.

Please listen to the townspeople and deny this request and preserve our small town that we all love and enjoy.

Thank you for your time,

Bonnie and Charles Goodrich

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pbz-counter

From: DeCarli, Jeremy
Sent: Friday, June 10, 2022 11:34 AM
To: pbz-counter
Subject: FW: Application ZBA 22-002

Jeremy

Jeremy DeCarli, AICP, CZEO
Planning & Zoning Official
Town of East Hampton
1 Community Drive
East Hampton, CT 06424
T: 860-267-7450
E: jdecarli@easthamptonct.gov
www.easthamptonct.gov

Office Hours:
M,W,Th: 8:00am – 4:00pm
T: 8:00am – 6:30pm
Fri: 8:00am – 12:30pm

From: Jill Swindal <jswindal@wesleyan.edu>
Sent: Friday, June 10, 2022 10:19 AM
To: DeCarli, Jeremy <jdecarli@easthamptonct.gov>
Subject: Re: Application ZBA 22-002

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To: Members of Zoning Board of Appeals meeting 6/13/2022

From: Jill M. Swindal
27 Edgerton Street
East Hampton CT

I remain opposed to the Atlantis Marketing application to the East Hampton Zoning Board of Appeals requesting a variance for their property on the corner of Main Street and Rt.16.

This application does not constitute a hardship as defined by the State of Connecticut General Statutes Section 8-6.

My previous 2 letters to our Planning and Zoning Board and one to the PZ Board of Appeals listed my additional objections to the Atlantis Marketing plans for expansion.

The town has in place planning and zoning regulations to ensure orderly town growth. Please honor these regulations by doing the right thing and voting "No".

As volunteer members on our P and Z Board of Appeals you obviously care about our town, our quality of life, our safety and the future projectory of East Hampton's growth. Please support us, your fellow townspeople in our opposition to the invasion of commercial creep into our residentially zoned neighborhoods.

Thank you.
Jill M. Swindal
June 10, 2022

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June 13, 2022

Alberta A. Landino
12 Chaucer Road
East Hampton, CT 06424

Dear Members of the ZBA of East Hampton:

In anticipation of the Planning and Zoning public hearing this evening, I write to you once again to express my opposition to Atlantis corporation's new site plans to expand their gas station on Main Street in East Hampton. While economic growth and redevelopment in some areas is beneficial, Atlantis' new plan is not warranted, wanted, or desirable for East Hampton. We welcome responsible new businesses that add to our quality of life while at the same time respecting our historic landscape and town culture. Atlantis has not demonstrated that their gas station plans serve our needs nor improve our quality of life in this community.

As a responsible Zoning Board of Appeals representing East Hampton, I kindly request that you vote no to Atlantis' plan. In doing so, you will have honored our intentions and wishes against a company that is looking only to expand their money-making business model.

Respectfully yours,

Alberta A. Landino

Alberta A. Landino
East Hampton resident

From: [Eliza LoPresti](#)
To: [DeCarli, Jeremy](#)
Subject: Re: No to Atlantis Variances
Date: Sunday, June 12, 2022 6:49:45 PM

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Hi Jeremy,

I am writing once again about Atlantis. I see that they submitted a new site plan only a few days ago. Besides the fact that the parking area is expansive and very strange, this is just another subversive tactic to try to get what they want, no matter what our community wants. I fully oppose expansion of that gas station and granting of any variances as related to that property.

I'll reiterate my previous comments: Although there is already a viable business at that location, Atlantis proposes to expand, effectively creeping into an established residential neighborhood. This will lower the value of homes in the area and make it more unsafe for the people living, walking and biking daily in the area, many of which are children on their way to or from the public library and Center School.

Additionally, gas stations are going the way of dinosaurs. It is counterintuitive to create a mega gas station in a residential neighborhood when gas vehicles are being phased out and there are many other gas stations already existing or about to exist in our small town, including one that is family-owned right down the street. Let's look forward and not waste resources on this.

Atlantis' claim of hardship (and now their new site plan submitted under the radar) is extremely disingenuous for a company of their size, and frankly, it's gross. Just another example of a mega corporation, owned NOT by locals, going purely for greed and not caring at all about the communities they build in. Not only that, but going against public wishes and the P&Z to try and obtain a variance is downright sneaky. What kind of community partner would they be? Not a good or trustworthy one.

Not to mention that this goes against the wishes of the local and regional POCDs and that demolishing the home on the property removes a potential source of affordable/attainable housing which is sorely needed. Please do not approve these variances.

Respectfully,

Eliza LoPresti

203 Hog Hill Rd., East Hampton

On Wed, Mar 30, 2022 at 2:01 PM Eliza LoPresti <elizalopresti@gmail.com> wrote:

Thanks Jeremy, you too! Hope to see you soon. We just planned to dot hr June COG meeting at EH Town Hall so hopefully then or before.

On Wed, Mar 30, 2022, 1:34 PM DeCarli, Jeremy <jdecarli@easthamptonct.gov> wrote:

From: [Noel Sanborn](#)
To: [DeCarli, Jeremy](#)
Subject: Letter of Opposition
Date: Sunday, June 12, 2022 11:03:17 PM

CAUTION:

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Hello,

I am once again writing a letter to oppose the obscene and unnecessary mega gas station on Main Street. Being that this is a residential community, there is no need for a mega gas station. Expanding a mega gas station to the neighborhood surrounding. It will only lead to more traffic, less safety and more environmentally unsound practices. Being that we are the people of this town and we do not want this to happen we should be heard no matter how many times we have to say it that we do not want this gas station expansion.

Not a single person on this board would want this gas station next to their property.

The proposed expansion is unnecessary, and irresponsible. It is one of the least environmentally sound and soon to be outdated businesses to put in a spot where it isn't even needed.

I deeply oppose the expansion of this gas station and I hope the board will do the same.

Sincerely,

Noël Sanborn
146 Main Street
East Hampton

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June 11, 2022

TO: East Hampton Planning and Zoning Board of Appeals
20 East High Street
East Hampton, CT 06424
Attn: Mr. Jeremy DeCarli
jdecarli@easthamptonct.gov

From: Jordan Werme
32 Oak Knoll Road
East Hampton, CT 06424
Jordan.werme@gmail.com
860-268-5501

Mr. DeCarli:

I am writing to add my voice to the opposition to the proposed Atlantis Marketing project at the corner of Rt. 16 and Main Street in the historic section of East Hampton. There are numerous factors contributing to my opposition to the proposed zone change from residential to commercial, including short- and long-term considerations. However, at this time, I feel that the very existence of this additional proposal to the P&Z Board of Appeals is reason enough to oppose it.

Community members, and East Hampton Board members alike, have already voiced their opposition to this re-zoning attempt and to the out-sized, unwarranted expansion of the gas station currently on the site. We have been facing these constant attempts by Atlantis to improperly circumvent the existing zoning for more than a year at this point, and opposition remains high. During their repeated, and numerous attempts to secure the zoning change, Atlantis has presented its position as being one of care for East Hampton and its residents. However, the tactless, dismissive behavior of Atlantis's lawyer during the previous meetings, and the unwillingness to accept the multiple denials already given, demonstrate that there is no genuine interest on the part of Atlantis to abide by the wishes of this town's residents.

I urge the Town of East Hampton, including its Planning and Zoning Commissions, to again reject this outrageous proposal from Atlantis. I would further suggest that a reevaluation of Atlantis's existing properties in town be considered. An out-of-town investment group that obviously is uninterested in being a part of the town in its current configuration should be given no quarter in their other intrusive interests in town.

Thank you for taking into account the opinions of East Hampton residents and business owners.

Regards,

Jordan Werme

From: [Contact form at easthamptonct](#)
To: [DeCarli, Jeremy](#)
Subject: [easthamptonct] Opposed to the zoning change of Main Street. (Sent by Laura Belleni, laurabelleni@gmail.com)
Date: Saturday, May 7, 2022 4:06:06 PM

CAUTION:

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Hello jdecarli,

Laura Belleni (laurabelleni@gmail.com) has sent you a message via your contact form (<https://www.easthamptonct.gov/user/51/contact>) at easthamptonct.

If you don't want to receive such e-mails, you can change your settings at <https://www.easthamptonct.gov/user/51/edit>.

Message:

Please count me as one who is opposed to the zoning change of Main Street from residential to commercial. And to the creation of a multi pump gas station. Thank you.

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From: [carol browning](#)
To: [DeCarli, Jeremy](#)
Subject: Preserve the Village of East Hampton from Corporate development
Date: Sunday, May 8, 2022 9:40:08 AM

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Jeremy,

The town of East Hampton is a quaint New England village that should be preserved for future generations.

If the zoning is changed, it will open up Main Street to more development. More traffic, noise, litter and light pollution.

Residential properties around the proposed multi pump gas station will be come devalued. Commercial creep will set in.

Once Corporations have established them selves on Main Street, how do you get them out? East Hampton will no longer be a pedestrian friendly or a place people would want to visit.

Carol Browning

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From: [Contact form at easthamptonct](#)
To: [DeCarli, Jeremy](#)
Subject: [easthamptonct] Atlantis proposal re: Food Bag at Main-Rte. 16 (Sent by Ron Brady, rsb1229@sbcglobal.net)
Date: Monday, April 25, 2022 7:37:39 PM

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Hello jdecarli,

Ron Brady (rsb1229@sbcglobal.net) has sent you a message via your contact form (<https://www.easthamptonct.gov/user/51/contact>) at easthamptonct.

If you don't want to receive such e-mails, you can change your settings at <https://www.easthamptonct.gov/user/51/edit>.

Message:

Dear Mr. DeCarli,

Another week, another letter. I was opposed to the zone change yesterday, I am opposed to it still today, and I will be opposed to it indefinitely in the future. I can only hope that Atlantis Corporation will do as the original Atlantis did-- get lost!

Thank you,
Ron Brady

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From: [Jim MacDonald](#)
To: [DeCarli, Jeremy](#)
Subject: Opposition to Zoning Appeal - 1 Colchester Ave
Date: Tuesday, May 3, 2022 9:10:54 AM

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Dear Planning and Zoning Commission,

I am writing to oppose the zoning change requested by Atlantis Marketing Group for this location.

With the recent renovation of the Gulf Gas station (100 Main St) with 4 working pumps, this brings the total number of gas pumps to 18 within a 1-mile radius. It is a rare occasion to wait for an open pump, so there appears to be no need from the community to expand gasoline service.

Please consider other proposals to renovate the properties of interest (157 Main Street and 5 Colchester Ave) within the residential zoning limits.

Thank You

-James MacDonald
East Hampton, CT

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From: [ECO Coffee House](#)
To: [DeCarli, Jeremy](#)
Subject: Opposition to the Variance Request by Atlantis
Date: Tuesday, April 12, 2022 7:06:43 AM

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Dear Zoning Board Members,

I am 100% against building another gas station, especially one on this large scale so close to the quaint village. I feel nothing positive will come to our Village Center but will actually harm the merchants businesses.

Some of the issues,

*increase cut through traffic

We already have an issue with cut through traffic from 66 to 16 racing through the Village.

*increase noise pollution

We currently deal with lots of loud cars blasting through the Village to 16 from 66, 18 wheelers cutting through and clipping tree limbs trying to make the turns. Having a mega gas station will only increase this unwanted traffic.

*increase poor air quality

Because the Village is a low lying bowl it will become an emissions hot spot. Pollutants tend to settle in valleys, particularly on calm nights.

This doesn't bode well for customers trying to enjoy meals and drinks on one of our sidewalks/patios on a hot summer night.

*increase large truck traffic will decrease foot traffic in the Village. Nobody wants to Stroll through that mess for fear of getting hit by one of these big trucks racing to the ginormous gas station.

Thank you
Susan Popielaski
ECO Coffee House

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From: [Jill Swindal](#)
To: [DeCarli, Jeremy](#)
Subject: Re: Application ZBA-22-002
Date: Thursday, May 5, 2022 2:18:01 PM

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To: Members of Zoning Board of Appeals meeting 5/9/2022

From: Jill M. Swindal
27 Edgerton Street
East Hampton, CT

I remain opposed to both of Atlantis Marketing applications to P and Z (both denied) and also to their current application before the P and Z Bd. of Appeals.

My reasons remain unchanged. Among concerns are:

1. Devaluation of residential property(our homes!)
2. Diminished quality of life resulting from commercial creep.
- 3.Noise pollution
4. Air pollution
5. Potential of failing wells due to lowering of water tables
6. Ground contamination from gasoline spillage

Our planning and zoning regulations were established to ensure orderly town growth, thus protecting our residential neighborhoods from commercial invasion.

As voluntary members of our town boards and commissions you obviously care about our Town, our lifestyle, our property values and the future projectory of East Hampton's growth. Please support us, your fellow townspeople in our vehement opposition to the invasion of commercial creep and blight into our residentially zoned neighborhoods.

Thank you.
Jill M Swindal
May 5, 2022

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From: [TOD BROWNING](#)
To: [DeCarli, Jeremy](#)
Subject: zoning variance corner of route 16 and south main street
Date: Sunday, May 8, 2022 11:28:42 AM

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Jeremy,

A zoning change for the intersection of Main Street and Route 16 will have long lasting negative affects on the Village of East Hampton.

Noise and light pollution
Increase Traffic
Devaluation of residential properties
Blighted properties with no plan of improvement
Spawning commercial creep down Main Street.

Please keep corporations out of Main Street.
Variance is in direct opposition to statutes expressly forbidding the variance in this residential neighborhood of all houses completely encircling the property

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From: [Peter Pach](#)
To: [DeCarli, Jeremy](#)
Subject: Remarks for ZBA public hearing June 13, 2022
Date: Monday, June 13, 2022 4:03:29 PM

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Jeremy,

I plan to attend tonight's ZBA public hearing on the Atlantis application and wanted to submit the remarks I intend to make in writing to the board.

Thanks,

Peter

Remarks before the East Hampton Zoning Board of Appeals on June 13, 2022.

I'm Peter Pach of 59 Middle Haddam Road, a resident of town for 37 years. Thank you for your time and attention.

I spoke at the first night of this hearing in opposition to the application from Atlantis Marketing to expand its operation at Colchester Avenue and Main Street and my position has not changed, so I will keep my remarks short.

The submission of a revised plan by Atlantis in no way improves the acceptability of the application as it still doesn't first meet the underlying legal conditions needed to win your approval. The new plan ignores the fact that this is a non-conforming commercial use in a long established residential zone. Whether or not the revised plan is somehow more acceptable -- less objectionable -- makes no difference without the granting of the variances being sought. Atlantis has not jumped this first hurdle.

I think the applicant's application fails the basic requirement for a variance, which is to define and prove a hardship. The state statute on granting a variance, as outlined by the town's land use department, is unequivocal: Proof of a *true* hardship is a legal requirement for a zoning board of appeals to issue a variance.

The conditions for granting a variance are clear. Atlantis purchased three residential lots and then claimed that it was suffering a hardship – that is a hardship of its own making. All the conditions that Atlantis claims are hardships were clear and present, and the company's understanding of the problems was indicated by its two failed attempts to win a zone change.

The state statutes concerning variances are clear on this point. The statute says, "... the landowner must not have taken any action that caused the hardship to occur. In some cases, the simple fact that a landowner purchased his or her property with knowledge of the zoning restrictions may prevent a valid claim of hardship. When a condition which results in the hardship is due to one's own voluntary act, the zoning board is without the power to grant a variance."

Without a zone change, Atlantis was stuck. Town zoning regulation 8.2. H. does allow non-conforming buildings to be enlarged but "not closer to the lot lines than the existing building or structure." I'm certain that this regulation refers to existing lot lines not a lot created by the addition of other R-2 lots that would create a de facto larger commercial footprint, which was not the intention of the 1990 zone change.

According to the town zoning regulations section 9.5. C. 4, the ZBA is not allowed to approve commercial activity in the two residential lots Atlantis owns adjacent to the gas station lot. The regulations say, "Notwithstanding the foregoing and pursuant to Chapter 124, Section 8.6 of the Connecticut General Statutes, the Zoning Board of Appeals shall not grant variances of *use* in any zone." To grant commercial construction in the two adjoining lots would be an expansion of commercial use and is not allowed.

Finally, town zoning regulations state in section 1.4 that "1. These regulations shall be construed as permissive in nature. 2. All permitted uses shall be described within these regulations. 3. *All uses not expressly permitted are prohibited.*" Commercial uses are not allowed in R-2 zones. Except for the existing permitted non-conforming use of the one lot at Colchester Avenue and Main Street, the regulations do not allow commercial activity on the two adjoining R-2 lots.

Thank you again for your time and attention.

From: [Victoria Fielding](#)
To: [DeCarli, Jeremy](#)
Subject: Letter of opposition to proposed gas station expansion
Date: Monday, June 13, 2022 4:50:04 PM

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Hi Jeremy,

I am still opposed to the expansion of the gas station at the intersection of Main Street and Route 66. This is my third letter regarding it, as I submitted letters prior to the other two meetings that have been had on this topic.

Victoria Fielding
30 South Main Street
East Hampton, CT

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