

Town of East Hampton  
**Planning and Zoning  
Commission**  
Regular Meeting June 2, 2021 – 7:00 P.M.  
Virtual Meeting

**DRAFT MINUTES**

**1. Call to Order and Seating of Alternates:**

Chairman Zatorski called the meeting to order at 7:00 p.m.

Present: Chairman Zatorski, Regular Members: Meg Wright, Roy Gauthier, Vice-Chairman Kuhr, Roland Rux and Angelus Tammaro (arrived at 7:43 p.m. during Agenda Item 5C), Alternate Members: Mike Kowalczyk and Ted Hintz, Jr. and Zoning Official Jeremy DeCarli.

Absent: Jim Sennett.

Chairman Zatorski seated Mr. Kowalczyk and Mr. Hintz, Jr. at this time.

**2. Approval of Minutes:**

**A. May 5, 2021 Regular Meeting:** Mr. Hintz, Jr. made a motion to approve the May 5, 2021 minutes as written. The motion was seconded by Vice-Chairman Kuhr. *Vote: 7-Yes; 0-No.*

Communications, Liaison Reports, and Public Comments:

**3. Communications:** There were 3 communications: A letter from Margaret McCutcheon Faber regarding the changes to the Long Hill Subdivision application and the notification requirements, a letter of resignation from Timothy Puglielli and a request to continue Application PZC-20-024 for 249 West High Street.

**Liaison Reports:**

Mr. Kowalczyk - the Regional Plan of Conservation is still being worked on.

Chairman Zatorski stated that Inland Wetlands items will be covered under the appropriate agenda items.

The following Commission members did not have anything to report: Mr. Gauthier, Mr. Rux, Ms. Wright, Vice-Chairman Kuhr and Mr. Hintz, Jr.

Chairman Zatorski asked for public comments at this time that did not relate to Agenda Items: 5A, 5B or 5C. There were no comments.

**4. Read Legal Notice for June 2, 2021:** Staff read the legal notice for the record.

**5. Public Hearings for June 2, 2021:**

**A. Application PZC-20-024: Paula Free, 249 West High St.,** for a special permit per Sec. 8.4 Motor Fuel Filling Station with a proposed convenience store in the Commercial Zone, Section 5.2. Map 06/Block 12/Lot 1B. Chairman Zatorski made a motion to continue Application PZC-20-024: Paula Free, 249 West High St., for a special permit per Sec. 8.4 Motor Fuel Filling Station with a proposed convenience store in the Commercial Zone, Section 5.2. Map 06/Block 12/Lot 1B to the next regularly scheduled meeting on July 7, 2021 per the request of the applicant. The motion was seconded by Mr. Rux. *Vote: 7-Yes; 0-No.*

**B. Application PZC-21-012: Reno DeNovellis, 11 Daly Rd.,** for a Special Permit per Sec. 8.4.M for a 900 sq. ft. in-law dwelling Map 87/Block 26/Lot 9. Reno DeNovellis of 441 Main Street in Portland presented. He is building a new home on 3.75 acres and would like a 900 SF attached in-law apartment. The plans meet the

setbacks and regulation requirements and the property is 3.75 acres so there is no issue with lot coverage. Chairman Zatorski opened the public hearing. There were no comments. Chairman Zatorski made a motion to close the public hearing for Application PZC-21-012: Reno DeNovellis, 11 Daly Rd., for a Special Permit per Sec. 8.4.M for a 900 sq. ft. in-law dwelling Map 87/Block 26/Lot 9. The motion was seconded by Mr. Hintz, Jr. **Vote: 7-Yes; 0-No.** Vice-Chairman Kuhr made a motion to approve Application PZC-21-012: Reno DeNovellis, 11 Daly Rd., for a Special Permit per Sec. 8.4.M for a 900 sq. ft. in-law dwelling Map 87/Block 26/Lot 9 for the following reasons: it meets our regulation requirements and the applicant will be living in the home. The motion was seconded by Mr. Gauthier. **Vote: 7-Yes; 0-No.**

- C. Application PZC-21-009: Long Hill Estates, LLC.,** for an eight (8) lot subdivision on Long Hill Road Map 06/Block 12/Lot 8. Attorney Furey of 43 Bellevue Avenue in Bristol presented. The property is 20.29 acres and located in the R-2 Zone. The proposal is for 8 individual building lots. There will be minor encroachment in the Upland Review Area but they received approval from the Inland Wetlands and Watercourse Agency. There will be no work or disruption around the drainage swale that exists on the property. The Engineer and Soil Scientist have worked closely with Town Staff, the Police Chief and Independent Engineers and as a result have made the following changes to the plans: the best management practices were redesigned, drainage swales were added as well as drainage retention areas to cleanse and retain water at the site appropriate site lines were added for the driveways, some of the driveways were consolidated (there will be 5 driveways; not 8) and open space was identified on the plan. 20% of the site will be dedicated to open space and will be retained in ownership by the individual lot owners per a detailed Conservation Easement agreement that is in favor of the Town and will be recorded with the deed. They have received favorable comments pertaining to the revised plans from the Conservation Commission and the Police Chief. Rob Baltramaitis, P.E. reviewed the site plans with the Commission. The stormwater swale size was changed on GU-1 and SP-1 of the plans. They are proposing roof top infiltrators and rain guards to reduce the flows in volume coming off the site. The utilities will be installed underground and the lots will be serviced by well and septic. The Chatham Health District has issued an approval. The erosion and sedimentation controls were bolstered due to comments from Town Staff. The curb cuts were minimized and the site lines were maximized. There is no burden to the Town to maintain roads or detention basins.

At this time Chairman Zatorski opened the public hearing and asked that the comments be 3 minutes or less. Margaret McCutcheon Faber of 35 Schoolhouse Lane spoke in opposition to the application and she read a letter into the record from Ron and Lois McCutcheon of 51 Long Hill Road who also opposed the application. Ms. McCutcheon Faber also read into record the petition against the application. Mr. DeCarli presented letters of opposition from the following individuals: Ron and Lois McCutcheon, Margaret McCutcheon Faber, Rita Gibbons, Peter Pac and Sheila Daniels. The letters are on the Town website for viewing. Anne McKinney of 44 Long Hill Road inquired about the conservation space and best management practices. Peter Pac of 59 Middle Haddam Road spoke about the Commissions responsibility for reviewing the application. There were no further comments. Vice-Chairman Kuhr made a motion to close the public hearing for Application PZC-21-009: Long Hill Estates, LLC., for an eight (8) lot subdivision on Long Hill Road Map 06/Block 12/Lot 8. The motion was seconded by Mr. Hintz, Jr. **Vote: 7-0.** Vice-Chairman Kuhr made a motion to approve Application PZC-21-009: Long

Hill Estates, LLC., for an eight (8) lot subdivision on Long Hill Road Map 06/Block 12/Lot 8 for the following reasons: it is consistent with the sub-division regulations, favorable comments have been received from the Police Dept., the Fire Marshal, Public Works and the Chatham Health District, all items have been reviewed by Town Staff and Engineers and the comments have been addressed, sheets GU-1 and SP-1 of the site plans have been revised and are included with the application, a permit was granted by the Inland Wetlands and Watercourse Agency and with the following condition: prior to the start of construction an erosion and sedimentation bond be in place in the amount that is satisfactory to Town Staff. The motion was seconded by Mr. Hintz, Jr. The vote was taken via a roll call. **Vote: 7-Yes; 0-No.**

*At this time Chairman Zatorski seated Mr. Tammaro and unseated Mr. Kowalczyk.*

**6. New Business:**

- A. Discussion: RiverCOG POCD** – The draft of the POCD is in its final stages and is available on the RiverCOG website. Mr. DeCarli has reviewed it and feels that it is consistent with our local POCD. The core development areas that they address are for Commercial and higher density housing which lines up with our POCD and our Regulations. The focus is on areas that have current infrastructures like sewer, water, natural gas, etc. Mr. DeCarli encouraged the members to review the draft and to let him know if they have any concerns or comments. There will be a public hearing (Via ZOOM) on June 30<sup>th</sup>. Mr. Kowalczyk added that there is an existing conditions report that is part of the plan and provides information about demographics and land use.

**7. Old Business:**

- A. Application PZC-21-007: Atlantis Marketing, 157 Main Street, 1 Colchester Ave., and 5 Colchester Ave.,** for a zone change from R-2 to Commercial Map 07A/Block 56/ Lots 21,22,24. Individually, the members provided thoughts and reasons for their decision process. Vice-Chairman Kuhr made a motion to approve Application PZC-21-007: Atlantis Marketing, 157 Main Street, 1 Colchester Ave., and 5 Colchester Ave., for a zone change from R-2 to Commercial Map 07A/Block 56/ Lots 21,22,24 for the following reasons: it is a modest increase in the Commercial Zone, this is an orderly development of the Commercial Zone and this particular lot has been used as a gas filling station and for Commercial uses since the 1940's (specifically 1947 which is our earliest record). The motion was seconded by Mr. Hintz, Jr. Roll call was taken for votes: Mr. Gauthier: No; Chairman Zatorski: Yes; Vice-Chairman Kuhr: Yes; Mr. Rux: Yes; Ms. Wright: No; Mr. Tammaro: No; Mr. Hintz, Jr.: No. ***It did not receive a super majority vote therefore the motion failed.***
- B. Discussion: Pools and lot coverage** – *Continued to the next regularly scheduled meeting on July 7, 2021.*
- C. Discussion: Update Sign Regulation to Include PO/R Zone Sign Standards** – *Continued to the next regularly scheduled meeting on July 7, 2021.*
- D. Discussion: Home Based Occupations** – The Commission will invite the EDC members to have a discussion at the next regularly scheduled meeting on July 7, 2021 and prepare a document after that discussion. There will be future workshops as well.
- E. Updates to the Official East Hampton Zoning Map** – the members agreed to schedule a public hearing for July 7<sup>th</sup> and Mr. DeCarli will have a draft ready for the public hearing.

- 8. Planner's Report** – Mr. DeCarli provided the members with a detailed report prior to the meeting.

He added that in-person meetings will resume for the July 7<sup>th</sup> meeting with a hybrid option.

**9. Set Public Hearing(s) for July 7, 2021** – A public hearing was set for Agenda Item# 7E.

**10. Adjournment** – Chairman Zatorski made a motion to adjourn at 9:31 p.m.; seconded by Mr. Gauthier. The vote was unanimous in favor.

Respectfully submitted,

Christine Castonguay  
Recording Secretary