



To: Planning & Zoning Commission

From: Jeremy DeCarli, Planning & Zoning Official

RE: June 1, 2022 Planning and Zoning Commission Regular Meeting – Staff Notes

Date: June 1, 2022

The following are staff notes and comments as they relate to agenda items. Additional information and documents are available on the website. The status of applications is subject to change between the date of this memo and the date of the meeting.

**3. Communications, Liaison Reports, and Public Comments** (Use the “Raise Your Hand” feature to speak)

Quarterly issue of the CFPZA newsletter is included with your meeting materials on the website.

**5. Public Hearings:**

**A. PZC-22-006: James Marino, 27 Salmon Run** for 2 lot Subdivision Map 35/ Block 95/ Lot 7/ 51.

As discussed at the May meeting, the proposal is to split one large lot within the Salmon Run Estates subdivision into two smaller lots. As a reminder, the subdivision was originally approved with 57 lots where the required yield plan allowed for up to 62 lots. Several lots were oversized with the intention of having the ability to resubdivide at a later date. This resubdivision will bring the overall parcel count to 58. Chatham Health District has reviewed the plan and provided favorable comments.

Recommendation: Approve the subdivision as it meets all dimensional and other requirements found within the Open Space Subdivision regulation.

**B. PZC-22-007: Carrie Sue Clausi, 124 Tartia Road,** for 2 Subdivision Map 27/ Block 54/ Lot 7.

As discussed at the May meeting, this resubdivision proposes creating two building lots out of a larger approximately 19.6 acre parcel. The Wetlands Commission approved the subdivision (no activity within regulated area) and has approved the wetland delineation on the parcel. In addition, Chatham Health District has issued favorable comment.

Recommendation: Approve the subdivision as all pertinent requirements have been met.

**7. Old Business:**

**A. Discussion:** Updates to Zoning Regulations to comply with PA 21-29

As discussed in May, I have provided updates to Articles 1-6 at this point and will bring updates on Articles 7-9 to you in July.

In addition to the changes I’ve proposed thus far, I believe it may be beneficial to define the term Character in the definition chapter of the regulation. Other municipalities throughout the state have begun doing the same in an effort to adhere to the new CGS 8-2

requirements. A simple definition such as *“Character as used throughout this regulation refers to the physical site characteristics of a particular property proposed for development or when referring to a neighborhood, the architectural design features of surrounding buildings.”* If the Commission agrees, I will bring a more refined proposal to you in July.

Another requirement of the legislation is promoting the fair housing act. A purpose statement of the regulation has been added. Overall, the current regulation allows for a mix of housing types and requires affordability in certain cases, in line with the act. It is my opinion that it would be beneficial to add language allowing the ZEO to allow for certain structures (ramps, platforms, etc) as they relate to a direct need of a disabled person even where they may violate the regulations with the requirement that they be removed once no longer needed. Case Law has supported ZBAs in allowing for variances using a disability as a hardship and variances have been approved locally due to access requirements. Municipalities around the country have begun routinely allowing staff approvals related to accessibility even when the structure may violate the zoning regulations in an effort to support the fair housing act. It is my opinion that similar language could be added to our local regulations to make access simpler without the need for a hearing. If the Commission agrees, I will bring you language in July.

## **8. Planner’s Report**

The Town Council will hold a Public Hearing on June 14 in an effort to gather public comments regarding adult use cannabis in East Hampton. Council will use the information gathered to make a policy decision regarding the legislation. I would urge Commission members to attend or log in via zoom to hear what the community has to say.

Also on June 14, the RiverCOG along with their consultants will present the draft Regional Housing Plan and the East Hampton Annex which will serve as our statutorily required affordable housing plan. The intention is to have the Council approve the final plan on June 28 just ahead of the statutory deadline of July 1. Again, I’d urge commission members to attend the meeting. I will forward the draft document to you in advance of the meeting. Recommendations include some minor changes to existing regulations to make development of affordable housing easier and to promote certain mortgage types making it easier for resident to access homes that are considered naturally occurring affordable units, those that meet the price point, but are not deed restricted. The plan is required to be updated every five years.

The Zoning Board of Appeals will continue the public hearing on June 13 regarding the proposal from Atlantis Marketing to upgrade the facility at the corner of Main Street and Colchester Avenue.

Lakeside Bar and Grill (81 North Main Street) has begun work on a new outdoor seating area to replace and provide additional shelter to the former tiki bar and existing outdoor seating area. They have been informed that if their intention is to provide music, they will first need to submit an application to this Commission for approval.