

Town of East Hampton
**Planning and Zoning
Commission**
Regular Meeting August 3, 2022
Town Hall, Eaton Smith Council
Chambers Room #107 and 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: Vice-Chairman Kuhr, Meg Wright, Jim Sennett, Rowland Rux, and Angelus Tamaro.

Alternate Members: Mike Kowalczyk and Mattie Walton

Zoning Official Jeremy DeCarli.

Absent: Ted Hintz, Jr. and Roy Gauthier

Chairman Zatorski seated Mike Kowalczyk

2. Approval of Minutes:

A. June 1, 2022 Regular Meeting: Mr. Sennett made a motion to accept the minutes as written. Mr. Rux seconded the motion. Mr. DeCarli noted a minor typo. *Vote: 7-Yes; 0-No*

3. Communications, Liaison Reports and Public Comments: Mr. DeCarli stated the quarterly report is online for CFPZA. Mr. Sennett attended the ZBA meeting June 13, 2022 and reported Application ZBA-22-003: Patricia Santangelo, 40 Eastham Bridge Rd., reduce front set back from 50' to 46' to build front porch. Map 24/ Block 64/ Lot 4A-17 was withdrawn by applicant and application ZBA-22-002: Atlantis Marketing, 1 Colchester Ave., 5 Colchester Ave. and 157 Main St for a variance to increase lot coverage from 30.4% to 36.9% and reconstruction and expansion of legal non-conforming uses in the R-2 Zone. Map 7A/ Block 56/ Lots 22, 21, and 24 was unanimously voted against. Mr. Kowalczyk reported RPC completed and endorsed the Regional Housing Plan and sent it to RiverCOG board for approval. The following Commission Members did not have anything to report: Mr. Tamaro, Vice-Chairman Kuhr, Chairman Zatorski, Mr. Rux, and Ms. Wright. Chairman Zatorski asked for public comments at this time. There were no public comments.

4. Read Legal Notice for August 3, 2022: None.

5. Public Hearings for August 3, 2022:

A. PZC-22-009: Bryan Joy, 12 Summit St., for a site plan review for a shop for custom work in the Village Center Zone, Section 5.1.B.13. Map 06A/ Block 61/ Lot 1.

Chairman Zatorski stated he has space that he leases at 12 Summit St. and does not have a financial interest in the building. Commission Members agreed Chairman Zatorski did not need to recuse himself. Mr. Joy explained currently he has a pinball/arcade repair

shop and would like to open an arcade. Mr. Joy explained hours of operation would be Thursday and Friday 5:00pm to 12:00am, Saturday 12:00pm – 12:00am and Sunday open for private parties only. Mr. Joy explained there will be an admittance fee of \$20.00 to play all you want, patrons could not come and go as machines will not be coin operated and there would be a total of 24 machines. Chairman Zatorski noted a proposed temporary port a potty and asked for details for a permanent restroom. Mr. Joy replied currently the restroom is not handicap accessible and the temporary port a potty outside will be handicap accessible until the restroom meets the requirement. Ms. Wright asked how he will monitor patrons coming in and out of the establishment. Mr. Joy said he can't and port a potty is only temporary. Vice-Chairman Kuhr asked if there would be a snack bar and Mr. Joy replied no. Mr. Rux asked how many parking spots there would be. Mr. Joy replied currently there is a dirt parking lot with no lines and estimates 15-20 cars could park with additional parking behind the building. Vice-Chairman Kuhr asked if the building was 100% occupied. Chairman Zatorski replied no. Mr. Tammaro asked for current parking lot details. Mr. DeCarli replied it is a processed gravel lot and there are no striped spaces. Mr. DeCarli stated based on curbs cuts he believes approximately 8 cars could park against roadside and 8 more against fence side. Mr. Tammaro asked if parking spots would be designated. Mr. Joy replied there is a vehicle parked out front and patrons would follow the pattern along the road. Chairman Zatorski asked what Mr. Joy's main business is. Mr. Joy replied restoration and repair of arcade machines. Mr. Rux asked for location of his repair shop. Mr. Joy replied after feedback from the Fire Marshal he will move the repair shop in building space to the right of proposed arcade. Chairman Zatorski asked if he had favorable comments from Fire Marshal. Mr. DeCarli replied that he went with the Fire Marshal and Building Official to the location and discussed building permits he required. Mr. Joy further discussed permits he needed to obtain. Chairman Zatorski asked if required work was completed. Mr. Joy replied no he is waiting on approval from the Commission. Chairman Zatorski asked to clarify hours of operation. Mr. Joy replied hours of operation would be Thursday and Friday 5:00pm to 12:00am, Saturday 12:00pm – 12:00am and Sunday open for private parties only. Ms. Wright asked if there would be 24 machines and Mr. Joy replied yes. Vice-Chairman Kuhr asked the Commission if applicant wanted to add a snack bar would he have to come back. Mr. DeCarli replied yes and it would require approval from Chatham Health. Commission Members discussed vending food options. Mr. Tammaro asked if the application requires a public hearing and Mr. DeCarli replied no. Mr. Tammaro asked if application meets requirements for site plan review. Mr. DeCarli explained previous uses of the building. Mr. Tammaro asked for Police Chief feedback. Mr. DeCarli replied the Police Department requires a license specifically for the machines. Mr. Joy and Mr. Tammaro briefly discussed Town ordinance regarding arcade machines. Mr. Rux asked if there are future plans for a food truck. Mr. Joy replied it is a possibility and he would like to work with other vendors in the Village Center. Vice-Chairman Kuhr asked about monitoring patrons in and out. Mr. Joy replied it would be tough and stated he wanted a family friendly business. Mr. Kowalczyk asked for clarification on accessory use to shop zoning regulations. Mr. DeCarli replied a shop for custom work is allowed in the Village Center and it is an accessory use to his repair shop. Mr. Kowalczyk asked if the business could be a stand alone use in the Village Center or does it have to be an accessory use. Mr. DeCarli replied he believes it could not be stand alone and has to be accessory. Mr.

Rux made a motion to approve application PZC-22-009: Bryan Joy, 12 Summit St., for a site plan review for a shop for custom work in the Village Center Zone, Section 5.1.B.13. Map 06A/ Block 61/ Lot 1 for the following reasons: it is consistent with historical use of this property and meets zoning regulations. With the following conditions: approval from all applicable Town departments is received, a license is obtained by the East Hampton Police Department as appropriate, sanitation facilities be installed prior to opening, the sanitation facilities in the building be completed by November 1, 2022, hours of operation would be Thursday – Sunday 8:00am to Midnight and no amplified music. The motion was seconded by Mr. Tamaro. *7-Yes; 0-No*

B. PZC-22-008: CLW Real Estate Developments LLC., Re-subdivision of Salmon Run Estates 26 lots on Salmon Run / Deer Meadow. Map 35/ Block 95/ Lot 7. George Wang, owner of Salmon Run Estates explained he wanted to re-subdivide the remaining 26 lots of Salmon Run. Mr. DeCarli explained previous subdivision approvals and currently the subdivision expired. Mr. DeCarli noted phase 1, 2 and 3 are complete, the roads are complete, the Town owns phase 1 and 2 and phase 3 road is completed, bonded and the Town has not taken ownership of it yet. Mr. DeCarli stated the proposed subdivision would finish phase 4 and 5 with 26 lots. Mr. DeCarli stated if application is not re-approved the 26 lots would have to be combined and noted the original subdivision was 57 lots. Vice-Chairman Kuhr asked if there were any issues with the curb cuts. Mr. DeCarli replied he is not aware of any issues. Mr. DeCarli noted the plans have not changed and further explained subdivision expiration. Vice-Chairman Kuhr asked if the property was located in Salmon Run Watershed and Mr. DeCarli confirmed. Mr. DeCarli noted open space has already been deeded over to the State of Connecticut and showed on sitemap their locations. Mr. Rux asked if it needed to go to a public hearing. Mr. DeCarli replied yes and briefly explained process. Mr. Sennett asked if open space is required for the proposed re-subdivision. Mr. DeCarli replied no and further explained open space calculations. Commission Members discussed open space requirements. Mr. Rux made a motion to schedule a public hearing for September, 7, 2022 for PZC-22-008: CLW Real Estate Developments LLC., Re-subdivision of Salmon Run Estates 26 lots on Salmon Run / Deer Meadow. Map 35/ Block 95/ Lot 7. The motion was seconded by Mr. Sennett. *7-Yes; 0-No*

C. Discussion of Adult Use Cannabis Regulations. Mr. DeCarli discussed the Town Council had several discussions regarding cannabis use and at their last meeting did not prohibit cannabis but sent directive to this Commission to begin drafting regulations. Mr. DeCarli discussed proposed regulation materials from Cromwell and Durham and stated the State recommended to regulate it similar to liquor sales. Mr. DeCarli recommend regulating growing facilities one way and sales facilities differently and discussed items to consider. Mr. Rux stated the Town had a lot of empty warehouses in downtown business section and would that be a suitable use of the buildings if someone wanted to turn them into growing facilities. Chairman Zatorski and Mr. Rux discussed water use and power for growing facilities. Commission Members discussed the Town Council's decision. Mr. DeCarli discussed items to consider when writing the regulations. Commission Members further discussed different items to address for production versus

retail. Mr. DeCarli explained cannabis regulation status for nearby towns. Chairman Zatorski asked if Mr. DeCarli could prepare a report to assist with drafting regulations. Mr. Rux asked if there were time constraints and Mr. DeCarli replied yes, October 22, 2022 but it is possible to get an extension. Commission Members discussed requesting extension of the moratorium.

6. New Business: None

7. Old Business: Updates to Zoning Regulations to comply with PA 21-29: Mr. DeCarli discussed updates to articles for the zoning regulations and noted the Town Attorney reviewed updates and provided comments. Chairman Zatorski asked what the next steps are. Mr. DeCarli replied to hold a public hearing and approve for January 1, 2023. Commission Members briefly discussed single family homes in R2 zone. Chairman Zatorski made a motion for a public hearing for September, 7, 2022, for Updates to Zoning Regulations to comply with PA 21-29 into East Hampton Planning and Zoning regulations. The motion was seconded by Mr. Rux. **7-Yes; 0-No**

8. Planner's Report – Mr. DeCarli stated he provided his written report in packet and it is available online.

9. Set Public Hearing(s) for September 7, 2022

10. Adjournment – Chairman Zatorski made a motion to adjourn at 8:11p.m., seconded by Mr. Rux. The vote was unanimous in favor. **Vote: 7-Yes; 0-No**

Respectfully submitted,



Cheryl Guiliano
Recording Secretary