

Town of East Hampton
**Planning and Zoning
Commission**
Regular Meeting September 7, 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, Roy Gauthier, Jim Sennett, Rowland Rux, and Angelus Tammaro.

Alternate Members: Mike Kowalczyk and Matthew Walton

Zoning Official Jeremy DeCarli.

Absent: Ted Hintz, Jr.

2. Approval of Minutes:

A. August 3, 2022 Regular Meeting: Mr. Rux made a motion to accept the minutes as written. Mr. Sennett seconded the motion. *Vote: 7-Yes; 0-No*

3. Communications, Liaison Reports and Public Comments: Mr. Sennett attended the ZBA meeting August 8, 2022 and reported Application ZBA-22-004: Christopher Burt, 21 & 23 Day Point Road, Lot line revision to for reconstruction of existing home, Map 10A/ Block 83/ Lot 30 & 31 was approved with the following condition: home size be no more than to 29' wide in order to retain a setback of no less than 7.5ft from southside property line, Application ZBA-22-005: Benjamin Leitch, 12 Lakewood Road, Increase lot coverage from 23.24% to 25.03% for covered deck. Map 03A/ Block 44/ Lot C-73 and Application ZBA-22-006: Tyler Thompson, 127 Tartia Road, Reduce the side setback from 25' to 22' for barn addition. Map 27/ Block 53/ Lot 18B were continued to their next meeting. Mr. Sennett also reported the decision to overturn Zoning Enforcement Officer allowing the zoning approval to be issued based on the evidence presented for Application ZBA-22-007: Appeal of Zoning Enforcement Officer, Rand Construction, 368 West Hight Street, Install 4 x 6 internally lit sign. Map 01C/ Block 7/ Lot 6C. The following Commission Members did not have anything to report: Mr. Tammaro, Vice-Chairman Kuhr, Chairman Zatorski, Mr. Rux, and Ms. Wright, Mr. Gauthier, Mr. Kowalczyk, Mr. Walton. Chairman Zatorski asked for public comments at this time. There were no public comments.

4. Read Legal Notice for September 7, 2022: Mr. DeCarli read the legal notice.

5. Public Hearings for September 7, 2022:

A. 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 the previous subdivision approval for 5 phases expired. Mr. Wang explained Phase 1, 2 and 3 are completed and would like to complete the remaining 2 phases of 26 lots. Mr. DeCarli further discussed phase 1, 2 and 3 and summarized original open space requirements. Commission Members briefly discussed the open space in the subdivision. Mr. DeCarli stated there are no changes from original plan and reported Chatham Health is satisfied with plan. Mr. Gauthier asked about construction debris on site. Mr. DeCarli replied the Town is working with the current builder to address dirt stockpile. Chairman Zatorski asked for public comments at this time. There were no public comments. Mr. Rux asked if the application is approved when does it expire. Mr. DeCarli replied he believes expiration is 14 years and the Commission could lower it. Mr. Rux asked if there was a bond in place and Mr. DeCarli replied yes for phase 3 road, Deer Meadow. Vice-Chairman Kuhr asked when the dirt stockpile would be removed and Mr. DeCarli replied he was at the site and there is not much left. Vice-Chairman Kuhr made a motion to close the public hearing for application 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. **Vote: 7-Yes; 0-No** Mr. Rux made a motion to approve application 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 for the following reasons: it meets our regulations, is an extension of an expired permit and has Chatham Health approval. With the following conditions: all erosion and sedimentation controls be in place prior to the start of construction, Town Staff be notified prior to the start of construction and permit expiration meet State Regulation. The motion was seconded by Vice-Chairman Kuhr. **Vote: 7-Yes; 0-No**

6. New Business: None

7. Old Business:

A. Discussion of Adult Use Cannabis Regulations. Mr. DeCarli summarized potential draft regulation for cannabis and noted he researched other town cannabis regulations. Mr. DeCarli explained the cannabis draft regulations are similar to liquor regulations. Mr. DeCarli noted proposed separation distances, security requirements and will ask Town Council for extension of the moratorium to December 31, 2022. Chairman Zatorski explained he believes the State regulations will be amended. Chairman Zatorski discussed drafting cannabis regulation framework and conduct a public hearing next month for public input. Mr. Rux expressed concern with cannabis advertising. Mr. DeCarli noted sign regulations and stated he will research it further. Commission Members briefly discussed advertising for cannabis. Mr. Gauthier discussed regulations in Massachusetts and amendments to zoning regulations. Mr. Tammaro and Mr. Kowalczyk asked for clarification of distance regulations. Mr. DeCarli further explained proposed distance regulation. Mr. Walton expressed concern with odor management. Commission Members briefly discussed odor mitigation measures. Mr. Rux made a motion to set a public hearing for October 5, 2022 for Amendments to Zoning Regulations: Proposed Section 8.4.Q - Adult Use Cannabis and Medical Marijuana. The motion was seconded by Mr. Gauthier. **Vote: 7-Yes; 0-No**

Mr. Gauthier asked how cannabis regulation could be enforced. Mr. DeCarli explained the

approval process, special permit conditions and Town Staff can report to Department of Consumer Protection if needed and discussed similarities to liquor control. Mr. Walton asked if the Town Attorney reviewed proposed draft regulations. Mr. DeCarli replied not yet but the Town Attorney will review before the public hearing.

B. Updates to Zoning Regulations to comply with PA 21-29: Chairman Zatorski noted public hearing was previously set for September 7, 2022 and tabled to October 5, 2022 due to error on legal notice.

8. Planner's Report – Mr. DeCarli noted his written report is in their packet. Commission Members discussed construction on the liquor store on Route 66. Mr. Tammaro expressed concern with site conditions near Christopher Brook. Mr. DeCarli replied he visited the site and noted they were instructed to install erosion and sedimentation control.

9. Set Public Hearing(s) for October 5, 2022

10. Adjournment – Chairman Zatorski made a motion to adjourn at 7:52p.m., seconded by Mr. Gauthier. The vote was unanimous in favor. *Vote: 7-Yes; 0-No*

Respectfully submitted,



Cheryl Guiliano
Recording Secretary