

EAST HAMPTON PLANNING AND  
ZONING COMMISSION

**STATEMENT OF ATLANTIS MARKETING IN SUPPORT OF APPLICATION FOR  
ZONE CHANGE**

**Background**

The Applicant Atlantis Marketing is the owner and controlling party in interest of three properties located at the northeast corner of the intersection of South Main Street and Colchester Avenue (Route 16). In its application it is seeking to change the existing R-2 single family zoning district and reinstate the original commercial designation, C-Zone-Commercial. Earlier, the Applicant received approval for a text change to Section 5.2.C., wherein the following use was added by special permit: *21. Gasoline or filling station in conjunction with a retail store.*

The immediate corner property is improved by the existing fuel station and convenience store. Petroleum products have been dispensed at

**JEZEK & BARBI**

**ATTORNEYS AT LAW**

P.O. Box 376 • MOODUS, CT 06469 • (860) 873-1449 • FAX (860) 873-1113

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this site since at least the 1940s and well in advance of the Town's adoption of its first zoning regulations in 1961. This was confirmed by Mr. DeCarli in his own memo to the Commission during the prior public hearing. It is significant to note that those regulations designated this intersection as a commercial district which it remained until a zone change in 1990. The Applicant and its predecessors have continually used the site for commercial purposes since the 1940s and particularly for the dispensing of gasoline.

Immediately to the north of this property is 157 South Main Street, which is a non-confirming property as to size and use. It is improved by two multi-family residences, one of which is a purported historic structure and currently uninhabitable due to its deteriorated condition. To the east of this property is 5 Colchester Avenue, a currently vacant and modest single-family residence.

In an earlier application denied by the Commission, the generic site plan included with the presentation proposed razing the historic building and potentially the second multi-family as well. The ranch house on Colchester Avenue was to be preserved for potential commercial use.

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The plan included with the current application proposes retaining both structures on South Main Street and razing the residence on Colchester Avenue.

### **Changes from Prior Application**

Extensive public comment was received at the prior public hearing to which the Applicant has responded in this second application.

Comments received were largely critical of the potential loss of the Strong House. The new design retains the building *in situ*. The Applicant further proposes to offer it to a third party who may wish to remove it to another site or retain it on site for community purposes consistent with its historic significance.

The plan further calls for the preservation of the northern most residence for residential use consistent with its recent history. The need for affordable housing was a second issue raised by speakers at the public

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hearing, including representatives of the town's own housing office.

The retention of the two residences offers an added advantage in that it provides a permanent visual barrier to the properties to the north of the site.

The revised submission similarly adjusts the driveway cuts reducing the overall number of five down to two. Further, it moves the driveway cut on South Main Street further north of the intersection to mitigate traffic queuing as requested by public comment.

**Proposed Zone Change is Consistent with the 2016 Plan of Conservation and Development (The "Plan")**

The Plan classifies three levels of roads or streets in East Hampton. An Arterial Road is defined as those "...intended to carry regional traffic and serve major activity centers." The Plan then specifically identifies just six Arterial Roads in the entire town which includes the intersection of Main Street and Route 16 / Colchester Avenue. The Plan, at page 111, goes on to

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identify economic revitalization along Route 16 as an objective. It is not insignificant to note that every other intersection along Route 16 which intersects with an Arterial or Collector Road (the next lesser intense corridor) is already designated a zone other than single family residential.

Furthermore, although designated for only single-family residential use, the intersection where the Applicant's properties are located is not devoted to single family residential use. In fact, an informal canvas of the immediately adjacent properties at the intersection reveals, with a single exception, that all properties include multi-family housing and thus are non-conforming themselves. One must then raise the question, is the present single family residential designation appropriate? The truth is that single family use is the outlier.

### **Advantages to the Zone Change**

First, the granting of the application will permit the Applicant to submit another application to this Commission for special permit/exception.

All site particulars will remain subject to the control and authority of the Planning and Zoning Commission and this process.

Second, the change will allow for a critical update of the site to meet modern design criteria with respect to lighting, landscaping, traffic patterns, building setbacks, sound abatement, and environmental protection. It is critical to note the Applicant replaced its underground storage tanks two years ago and that the site is clean in that respect. These changes are necessary for the Applicant's property to remain economically viable in an increasingly competitive market. These improvements will reflect positively on neighboring properties as well.

### **Conclusion**

The Applicant is a vested member of the East Hampton community. It operates an additional facility with a similar use at Route 66 (across from the Walgreen's Pharmacy). The approval of this application will correct and implement a zoning district which is consistent with its historic use,

reimpose the original commercial designation, and promote the spirit and integrity of the Plan of Conservation and Development.



Scott W. Jezek

Attorney For Atlantis Marketing

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