

**HAMPTON PLANNING & ZONING COMMISSION
HAMPTON TOWN HALL, 164 ROUTE 97**

PUBLIC HEARING & REGULAR MEETING

**Monday, July 15, 2024 7:00 PM
COMMUNITY MEETING ROOM
Hampton Town Hall
164 Main Street, Hampton CT**

DRAFT MINUTES

1. Call to Order

Chairman Grindle called the meeting to order at 7:09 p.m.

2. Roll Call/Seating of Alternate Members

In attendance for the meeting were Members Ev Hyde, Gary DeCesare, Sue Hochstetter, and Stan Crawford. Also in attendance were Alternates Kathy Thompson and Peter Serafin, First Selectman Allan Cahill, Town Planner John Guskowski, and several members of the public.

3. Audience for Citizens: *Citizens may address the Commission on items not otherwise on the agenda*

Lois Kelley asked about the difference between a conservation subdivision development and standard subdivision development from a lot size and configuration standpoint. Chairman Grindle stated that while those were general questions, the substance of the response could be covered during the Public Hearing on the proposed subdivision.

4. Approval of Minutes: June 17, 2024

Motion by Gary DeCesare to approve the minutes of June 17, 2024, seconded by Ev Hyde. Motion carried unanimously.

5. Public Hearing

- a. Application for Resubdivision- John Mack Road & Reilly Road (Owner/Applicant: KA&G Investments, LLC)

Chairman Grindle noted that the public hearing was advertised twice, on July 5 and July 12 in the Chronicle. David Held, PE, represented the application. He presented the proposed division of land of 18.2 acres into seven new lots along the south side of Reilly Road, with a large portion of open space protected in proximity of the Little River in the west. He described the conservation layout, which allows lots to be made smaller than typical subdivision lots. The lot layout sought to maximize open space and avoid wetlands impacts. The Planning & Zoning Commission had previously recommended the applicant pursue a conservation design. There is a small area of wetlands on the property, and the percentage of wetlands in the open space does not exceed the wetlands percentage in the overall project. A total of 8.8 acres is being proposed for open space, in excess of the minimum of 40% required by the conservation layout. Conservation easement language has been proposed. He reviewed the conservation easement, which would be granted to the Town of Hampton with a number of restrictions against development or construction.

He then reviewed the purpose and intent of the conservation elements of the Subdivision Regulations and discussed how the key resources identified on the property would be preserved, particularly focusing on the riparian buffer for the Little River. The design is also intended to protect views from roadways and stone walls. Several of the lots are served by common driveways to protect road frontage, use existing barways and maintain stone walls. He reviewed the site development plans and described the lot layout relative to these resources.

He noted that he had sought a jurisdictional ruling from the Wetlands Commission, but that decision had not been made and so the application could not be acted upon by the Planning & Zoning Commission this evening but would have to be continued. Ev Hyde asked about the Conservation Commission, and Mr. Held stated that he had been in communication with the Conservation Commission but had not participated in a meeting with them. He stated that the conservation elements were self-evident. Stan Crawford stated that the Wetlands Commission was amenable to scheduling a special meeting if needed. Chairman Grindle stated that the Conservation Commission's input was important for PZC to be able to move forward with making a decision and the next Conservation Commission meeting was scheduled the 17th of July. The Wetlands Commission meets next on the 5th of August.

Chairman Grindle reviewed the public record and noted that each house was proposed as a three-bedroom design. Mr. Held noted the requested waivers, which included a waiver from Subdivision Regulation Sec. 4.3.1 Natural and Cultural Features, requiring a Landscape Architect report about important conservation features. Chairman Grindle opened the hearing to members of the Commission and the public. Stan Crawford noted that the Wetlands Commission did not address the application, despite members of the public with questions. Ev Hyde asked about the protection of interior stone walls. Chairman Grindle noted the integration of common driveways as a way to reduce road cuts and impervious surfaces. He asked about the drainage details of a catch basin near a shared driveway, and Mr. Held discussed some drainage details, which would primarily be channeled into a swale along the roadway of Reilly Road. First Selectman Allan Cahill asked about the maintenance of the shared driveways, and Mr. Held stated that they would be privately maintained by the lot owners.

Lois Kelley asked about the size of the development lots, and Mr. Held reviewed the lot sizes, which will range from $\frac{3}{4}$ acre to 11 acres, which includes the open space. Chairman Grindle discussed that for a conservation subdivision, lot sizes could be reduced in exchange for setting aside a larger portion of the property for open space. He described how those conservation regulations would apply to the current proposal. Ms. Kelley asked about the value and quality of the conservation land in this case. She further asked about the proposed house sizes. Mr. Held described that the subdivision plan did not reflect final house locations or designs, but just lot development feasibility. He also reviewed the conservation land standards, including wetlands percentages. Ms. Kelley then asked about the ability of the existing road to support the additional development. Chairman Grindle noted that the safety of the road is the Town's concern, and residential uses should be supported by the Town's infrastructure (including roads) within a residential zone. Ev Hyde noted that generally speaking, residential roadway volumes tend to be low.

Kevin Lavoie expressed concerns with traffic conditions generated by the new development, and Mr. Held described the selection of the driveway locations. Chairman Grindle discussed the process for identifying traffic issues that need to be addressed by the town, and how issues of speed enforcement is different from geometric safety issues of the roadway. First Selectman Cahill noted that straightening and widening roadways only tended to increase traffic speeds.

John Donahue asked about the drainage design and how the stormwater would be managed. Mr. Held discussed how one proposed cross culvert would be drained under Reilly Road into a wetland. He discussed that impervious surfaces would be minimized and the majority of development would be relatively small clearings in a wooded site. Chairman Grindle requested that Mr. Held provide pre- and post-development

impervious calculations including provisions to attenuate peak runoff and demonstrate no net increase from 2, 10, 25 & 100yr storms and pipe flow calculations to verify the existing 18” cross culvert beneath Reily Road will not be negatively impacted by this development. John Donahue asked about the maximum number of allowable rear lots, and Mr. Held noted that there are just two rear lots, but Lot 7 (containing the open space) was considered a front lot. Chairman Grindle welcomed John Donahue’s input on improving the subdivision regulations, at a future meeting.

A member of the public asked about the conservation subdivision criteria for resource protection. Mr. Held stated that there was a wide list of resources for potential protection and not all resources could be protected in equal ways. He described the earlier discussion with the Planning & Zoning Commission and how the Little River riparian buffer was identified as an important resource for protection. He noted that not everything could be protected and decisions needed to be made.

Pete Connell, Jr. asked about responsibility for clearing trees along property bordering area, particularly in the conservation easement area. Mr. Held referred to the easement language, which provided for the ability of the property owner of Lot 7 to do necessary maintenance in the conservation land.

A member of the public asked about potential wildlife studies and effects of the proposed development. Mr. Held noted that no specific wildlife habitat studies had been conducted, and this was a relatively small lot of 18 acres, of which 8 acres were being permanently protected. He argued that this was not the fragmentation of a large forest block. Chairman Grindle stated that wildlife considerations would also be an important consideration and discussion for the Conservation Commission. Members of the public discussed having seen wood turtles on the property. John Guskowski shared the CT-ECO “natural diversity database” which included some potentially sensitive habitat area in what appears to be in association with the Little River corridor. Chairman Grindle requested that Mr. Held submit the results of the Request for Natural Diversity Data Base State-listed Species Review that is required by CT-DEEP.

Stacey Gendreau discussed the important wildlife in the area, including woodcock.

Mr. Held discussed the scope and charge of the Planning Commission in reviewing, administratively, a proposed subdivision. Ev Hyde and Chairman Grindle discussed the latitude that the Planning Commission had in considering conservation resources. Chairman Grindle stated that he would strongly encourage the applicant reflect the potential habitat area on the plans.

Jeff Woodward asked about the drainage and expressed concerns that his nearby property would see increased stormwater flows. Chairman Grindle stated that a drainage and stormwater analysis should be included in the plan set prior to the August meeting.

Motion to continue the public hearing until the August 19th PZC meeting by Ev Hyde, seconded by Gary DeCesare. Motion carried unanimously.

- b. Application for Text Amendment to Zoning Regulations – Section 5.1.C.3.8, “Firewood Processing” (Applicant: Keith & Brandy Crawford)

Chairman Grindle noted that the proposal on the table is strictly for a text amendment to be added to the Zoning Regulations and not about any specific potential firewood processing operation. John Guskowski noted that the public hearing had been noticed in the Willimantic Chronicle on July 5th and July 12th. Applicant Brandy Crawford stated that the application was self-explanatory and simply meant to add a new potential Special Exception category to the uses allowed as accessory to residential uses. Chairman Grindle discussed the applicable Special Exception criteria and how staff had coordinated with the applicants on determining the appropriate location in the Regulations for this proposal. The protection on the residential character, environment, noise, traffic, etc. were detailed in Section 6.18 of the Zoning Regulations.

Michelle Donahue asked whether a Special Permit use would require consideration of the acreage size of a proposed firewood operation, and Chairman Grindle stated that the site plan and operational plan would take into effect all of these elements, including buffering, noise, circulation, etc. Specific details of potential impact would depend on individual applications. Ev Hyde discussed how other elements of tree cutting extend beyond firewood, and other products were possible, and Chairman Grindle stated that the Commission could discuss this further. He then asked for public comment.

John Donahue asked about grandfathering of uses. John Guskowski discussed the need for largely continuous use of land since prior to the enactment of Zoning Regulations in 1972. Jeff Woodward stated that he supported the expansion of potential uses. Peter and Valerie Connell discussed the concerns with the smell of motor exhaust and the sound of cutting. A member of the public asked about the review process for Special Permits. Mike Neff discussed concerns with property owners that submitted the application, and Chairman Grindle reminded the public that specific applications for development activities were handled differently, only after a text amendment was approved. He reviewed the Special Permit criteria. John Donahue asked about the criteria for cutting firewood for individual use. Gary DeCesare asked what the distinction would be between private use of cutting for personal use and something more significant. The Commission reviewed the proposed definition of firewood processing, which includes loading and transportation. Gary DeCesare suggested a clarification that this would be a commercial operation, and individual personal use should be specifically excluded. Chairman Grindle noted that some modification could be done during the hearing, but that this was initially intended to be considered for an accessory use to residential properties. The Commission discussed some additional language that distinguished the operation as a commercial endeavor. Valerie Connell asked if members of the Commission had visited the property of the applicants. John Guskowski reminded the members of the public that this was a text amendment application. The applicants were amenable to proposed adjustments to the proposed definition and regulation. The Commission proposed modification of the definition of “Firewood Processing” to be the following: “The process in which portions of a tree are cut and/or split or intended to be cut and/or split into a size and length appropriate for firewood uses. This includes storage, splitting, loading, and transportation with equipment, for commercial purposes, beyond the scope of personal use by the property owner/applicant.”

Motion to close the public hearing by Gary DeCesare, seconded by Ev Hyde. Motion carried unanimously.

6. **Old Business**

- a. Application for Resubdivision- John Mack Road & Reilly Road (Owner/Applicant: KA&G Investments, LLC)

The hearing for the application was continued to the August PZC meeting. **Motion to table by Stan Crawford, seconded by Ev Hyde. Motion carried unanimously.**

- b. Application for Text Amendment to Zoning Regulations – Section 5.1.C.3.8, “Firewood Processing” (Applicant: Keith & Brandy Crawford)

Motion to approve the application as amended as being in compliant with the Plan of Conservation & Development and with an effective date of August 1, 2024 by Stan Crawford, seconded by Ev Hyde. Motion carried unanimously.

c. Commission Workshop – 2026 Plan of Conservation & Development

Motion to table by Sue Hochstetter, seconded by Gary DeCesare. Motion carried unanimously.

Stan Crawford discussed the conservation subdivision regulations and the potential for neighbors to reconsider the matter philosophically during the update to the PoCD.

7. **Staff Report & Enforcement Issues**

The Commission reviewed the ZEO activity report. The Commission discussed the potential shared driveway arrangement or an additional road cut at 300 East Old Route 6.

8. **Correspondence**

There was no additional correspondence. John Guskowski reminded the Commission that he and Chairman Grindle had signed up to represent Hampton at a housing forum in September.

9. **Adjournment**

Motion to adjourn by Gary DeCesare, seconded by Ev Hyde. Motion carried unanimously.

Meeting adjourned at 9:28

Respectfully submitted,



John P. Guskowski, AICP
Town Planner