

**Hampton Planning & Zoning Commission**  
**Hampton Town Hall, 164 Route 97**  
**Public Hearing Minutes**  
**August 22, 2016**

**Public Hearing**

**Call to Order**

Chairman Grindle called the Public Hearing to order at 7:13 PM

**Roll Call**

Roll Call: Members present Chairman Grindle, DeCesare, Hochstetter, Hyde and Thomson. Also present were Alternate Decarli and staff John Guskowski. Absent was Alternate Langer.

Chair Grindle Reported that a legal notice advertising the Public Notice ran August 10 and August 17, 2016 in the local newspaper.

**The Hampton Planning and Zoning Commission will conduct a public hearing on Monday, August 22, 2016 at 7:00 PM in the town hall Route 97, for the following: Application to amend the Hampton Zoning Regulations to allow gasoline sales in the Business Zone by special permit Pankaj Patel applicant. The public may speak and submit written communications until the close of the public hearing. The text of the proposed amendments is available from the Town Clerk Public Regulations by Patel, Section 5.2 (Gasoline Sales in Business Zone) and Section 6.24 (Gasoline Facility Requirements).**

Mr. Bob Deluca of CLA Engineers was introduced as a representative of Mr. Patel. The Commission was presented with an overview of the proposed text changes to Zoning Regulation Sections 5.2 and 6.24 along with Section 4.2 to allow gasoline sales within the business zone.

The Commission discussed the proposed text amendments with Mr. Deluca and the applicant with attention on the proposed exemption to the front yard setback, stormwater quality, compliance with applicable 'Dark Sky' regulations, traffic volumes, the size of the retail store, the number or fuel dispensers, landscape buffers and outside display areas.

Chair Grindle opened the hearing to testimony in favor of the application;

**Perry Matchinis** was supportive of the application based upon its positive impact on the Town's tax base. He requested clarification on whether there was room for the State highway to be widened and what impact this will have to the traffic volume. Chair Grindle and Staff Guskowski clarified the CTDOT has jurisdiction over the review of traffic generation and roadway widening.

**Selectman Mike Chapel** stated gas station uses are not new to Hampton.

**Kathy Donahue** indicated she believed this application meets the needs of the Town and the applicant's property which will be the proposed location for gasoline sales if this text amendment is approved is in the appropriate place.

**Diane Gagnon** who lives nearby the applicant's property which will be the proposed location for gasoline sales if this text amendment is approved said gasoline sales would be beneficial to the Town.

**Stan Crawford** thinks this use will be beneficial to the Town of Hampton.

**Greg Freiman** indicated that his property is located within the Business Zone and will be the closest residential property to the proposed location for gasoline sales if this text amendment is approved indicated the controls implemented by the State will adequately protect the safety of the station and added that the applicant is an outstanding businessman and has done his homework.

**John Schimmelpfennig** is in favor of the application and believes the State will regulate the use to protect the safety of the Town.

**Dayna McDermott** is in favor of gasoline sales and believes this business use will be successful in Hampton.

**Selectman Allan Cahill** is in favor of the application and believes the applicant is making a positive investment in the Town of Hampton.

Chair Grindle opened the hearing to any others who would like to speak;

**Gay Wagner** requested clarification on whether the proposed text amendment will apply to all businesses in town. She also asked if the Town could add language mandating gasoline sales applicants be required to remove their underground storage tanks if their service stations go out of business and requested the Commission and/or Selectman provide input as to whether this proposed text amendment would negatively impact the Fire/EMS Department by requiring them to purchase new equipment. Mr. Deluca, Commission members, Staff Guskowski and Selectman Cahill provided responses.

**Robert Burgoyne** read a prepared statement that was provided to the Commission for the record. He indicated that the proposal does not distinguish between the two Business Zones on Route 6. He questioned whether the proposed exemption on the front yard setback would apply to this application or the whole business district? He expressed concern with the proposed setback and buffers' being measured from the white line painted on the highway since this is a non-permanent reference point. He noted that traffic on route 6 routinely travels in excess of 60 mph and that gas is a hazardous material and run off from the three business on the subject parcel could cause problems. He concluded that there is no demonstrated need or desire for this establishment.

**Joanne Freeman** indicated that she was initially against the application but after listening to all the work done by the Commission and the applicant she's not overly for it but has a better understanding of the proposal. She'd like to know what kind of tax revenue this type of business will generate. It was suggested that she review this question with the Tax Collector since the Planning and Zoning Commission does not have jurisdiction over this matter.

**Penny Newbury** acknowledged the board has done a lot of work but is concerned that the Town not be driven by specific applicant and suggested that the application be denied without prejudice and allow the Town to craft their own regulation for the applicant to apply within at some point in the future. Chair Grindle, Commission members and Staff Guskowski reviewed the application process and previous Business Zone regulation revisions for Ms. Newbury.

**David Fowler** suggested this would clean up the business zone and the subject property may be visually enhanced by this new use.

**Kathy Thompson** was concerned with the traffic volume and lighting and stated that she believes there are plenty of gas stations within 10-20 miles.

**Todd Barton** does not see a need for this use.

Chair Grindle read a letter into the record from Ann Grenier which outlined her concerns over the proposed application.

Based upon testimony received it was the decision of the commission to leave the hearing open until the next Planning and Zoning Commission Meeting on September 26, 2016. At that time the following

The Public Hearing was tabled until the next Planning and Zoning Commission Meeting on September 26, 2016.

**Motion:** DeCesare/Hyde moved and seconded to continue the public hearing to the September 26, 2016 meeting to allow the applicant to make minor modifications to address comments and discussion by Planning and Zoning Commission, Staff and public and for Staff to confirm with Town Attorney that the minor modifications are appropriate. All in favor; motion passed. The public hearing closed at 10:00 p.m.

Respectfully Submitted  
Donna Cloutier  
Recording Secretary