

PRELIMINARY MINUTES OF REGULAR MEETING JULY 28, 2014
PLANNING AND ZONING COMMISSION

Note: This draft, prepared to comply with Section 1-225 of the General Connecticut Statutes, is an approximate record of matters discussed and actions taken by the Commission at the meeting, but has not yet been reviewed by the commission for accuracy or completeness and is therefore subject to change or correction. APPROVED FINAL MINUTES will be filed in due course to replace this draft.

Chairman, Robert Maquat, called the meeting to order at approximately 7:05pm

Regular Members present: Robert Maquat, Wallace Williams, Steve Carlson,
and Robert DeVellis (arrived at 8:05pm)

Regular Members absent: Milan Spisek

Alternate Members present: Ross Ogden and Raymond Martin (arrived at 7:30pm)

Alternate Members absent: Vincent Caprio

Town Officials present: Phillip A. Doremus, Zoning Enforcement Officer, Edward Nagy, Town
Engineer and Adam Dunsby, First Selectman

For the record: Alternate member Ross Ogden was appointed to vote for Milan Spisek.

ADMINISTRATIVE MATTERS:

1. ZEO Report – Update on current enforcement issues. The Chairman noted a report dated 7/28/14 from P.A. Doremus, ZEO, regarding wood processing sites. The report addressed the following sites: 635 Stepney Road, 639 Stepney Road and 720 Westport Road. Present at the meeting was Nikki Zeoli, owner of 639 Stepney Road. It had been noted that the cut wood was being used by the person occupying the house for heat; the Commission was concerned with the logs being stored on-site. Ms. Zeoli stated that the logs were being temporarily stored on-site to preserve the wood instead of going to a land fill or being given away for free. Ms. Zeoli again stated that she was not conducting a wood processing business, that she did not believe that the logs (timber) should be considered a nuisance and that she also did not believe that the presence of the logs on the property caused any diminution of property values to the neighbors. Ms. Zeoli stated that she believed most of the complaints were from passer-by people and that she was going to plant some trees to improve the view from the road.

Discussion was held by the Commission that the storing of the logs were a result of her husband's business and questioned the storing of the logs in Easton rather than at the business location.

The Chairman stated that the goal is to have less wood stored on the property and plant trees and therefore, a plan should be submitted to the Commission. This plan should include such things as the number and height of the trees to be planted as well as the location of the trees.

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6 Pending matters carried over from Commission meeting of June 30, 2014 Meeting:

- Aspetuck Land Trust: status of parking plans for ALT preserves off Freeborn and Wells Hill Roads. Present at the meeting was Kenneth Bernhard, Member and of the Aspetuck Land Trust Board and Attorney. The Chairman noted the following items for the record.
 1. Letter dated July 25, 2014 from David Brant, Executive Director and Richard Ritzel, President of the Board of Directors, Aspetuck Land Trust with attached copy of Assessor's Map 5433B.
 2. E-mail dated July 21, 2014 from David Brandt to Margret Re: Aspetuck Land Trust Parking off Freeborn Road.
 3. Plan map entitled "Map Showing Proposed Parking Area For The Aspetuck Land Trust, Freeborn Road, Easton, CT", dated June 23, 2014.

The Chairman noted that there were several neighbors in the audience from Elm Drive and Norton and Freeborn Roads and allowed them to speak.

The Chairman noted an e-mail from Jonathan Kornblatt dated July 28, 2104 which included a letter to Rick Muir from Cynthia Fowx, Chair, of the Conservation Land Trust.

Chairman Robert Maquat tried to capture the major concerns of the neighbors.

1. Development of other areas for parking off Jump Hill, Woodland, Wells Hill and Wyldewood Roads.
2. Volume of traffic and speed of traffic.
3. Allowance of dogs and enforcement of dogs being on leash.
4. Enforcement issues – Need for clear rules of conduct and hiring of enforcement officer.

First Selectman, Adam Dunsby, stated that we needed to have a comprehensive solution put in writing from David Brandt, Executive Director of the Aspetuck Land Trust.

The Commission requested that the additional information about the expansion of the parking areas for the other ALT properties: Jump Hill, Wells Hill, Woodland and Wyldewood Roads be submitted before the Commission considers the application. The information submitted by ALT should contain the capacity of these other parking areas as well as providing improved enforcement.

A letter should be drafted by the Land Use Director to David Brandt outlining the issues to be addressed.

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PUBLIC HEARING: : Special Permit Application, SP-14-01 Affordable Accessory Apartment, per Zoning Regulations 4.3.14, 7.8 and 7.2, located at 24 Mills Lane, Ralph and Katherine Kuhn (owners of record).

Present at the meeting was Katherine Kuhn and her contractor, John Farnham. Also, present at the meeting was abutting neighbor Spencer Heyfron, who also shares the driveway.

John Hayes, Land Use Director, noted that there were two issues involved with this application:

1. The owners would be living in the house while constructing the new house.
2. Attached to the new house would be an Affordable Accessory Apartment.

Mr. Hayes further stated that the proposed application complies with the zoning regulations and that the owner had shown the requisite spaces for parking, lighting and screening and noted that the driveway was a shared driveway that was grandfathered.

The Chairman noted the following items for the record.

1. Memo dated 7-28-14 from Polly Edwards, Health Officer, Re: construction of a new house with an affordable accessory apartment.
2. Letter dated July 11, 2014 to Mr. Robert Maquat, Chairman, Planning and Zoning Commission from Bian Bidolli, Executive Director, Greater Bridgeport Regional Council.
3. Memo dated July 9, 2014 to Planning & Zoning Commission from Mr. Roy Gosse, Chairman, Conservation acting as Inland Wetlands Commission.
4. Letter dated June 3, 2014 to Easton Conservation Inland/Wetland Department, Attn: Roy Gosse, Re: 24 Mills Lane Setbacks from Aspetuck River & Wetlands.
5. Memo dated 6/17/14 from Chief of Police, James Candee Re: Special Permit Application, SP-14-01, 24 Mills Lane, Ralph and Katherine Kuhn.
6. "Site Plan Prepared For Ralph & Katherine Kuhn, #24 Mills Lane, Easton, Connecticut", dated March 3, 2014, last revised 5/20/14, prepared by Ochman Associates, Inc.
7. Package of Drawings A-1 to A-5 and F-1 to F-7, entitled KUHN RESIDENCE, 24 Mills Lane, Easton, CT 06612, designed by Judith Larson Associates, LLC.
8. Application Materials: Special Permit Application, Description Letter dated May 22, 2014, Affordable Accessory Application with attached documents to be filed in the Land Records, and packet with Demolition Estimates (3 in all), Ralph and Kathy Kuhn, 24 Mills Lane, and proposed "Conditions of Permit".

The Town Engineer, Edward Nagy, was present and stated he would not be submitting anything for the record.

Abutting neighbor, Spencer Heyfron, stated he was concerned with the usage of his driveway while the house was under construction. He wanted to know when construction would start, whether there was an agreement to demolish the house, and how this construction would affect him as they have shared maintenance of the driveway.

No one else from the public spoke. The Chairman closed the public hearing subject to receiving a copy of the shared driveway maintenance.

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OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

1. Receipt of Special Permit Application, SP-14-02, Town of Easton, Lessor, and Speech Express, LLC, d/b/a The speech Academy, Lessee, 656 Morehouse Road, to conduct a private school providing a special education program for school age children. The Land Use Director stated that the application was substantially complete to schedule for public hearing. The Commission determined that the public hearing should be held August 25, 2014.

PLANNING MEETING:

Master Plan for Town's 127-acre public school/recreation/conservation tract on Morehouse Road. Plan map provides for 3 phases of long-range development. A report will be drafted following policy decisions. It was noted that the the LUD distributed a preliminary draft report dated July 14, 2014 entitled "Easton Planning and Zoning Commission, MOREHOUSE RIDGE CIVIC PARK" which described the 3 phases for long-range development of the tract on Morehouse Road. John Broadbin was present and will discuss these stated phases with the Parks and Recreation Commission.

Discussion was held regarding the existing septic system and the two paths of renewing the application: General Permit for the entire site versus Individual Permits for each structure: School, Pavilion, and Animal Shelter. John Broadbin noted that the General Permit was usually easier to obtain; however, both the school and Animal Shelter already each have their own permits. The Land Use Director, John Broadbin and Ron Ochman, P.E. will be going up to the state to discuss this issue. Mr. Broadbin also noted that Ron Ochman, P.E. may not be the sanitary engineer on this project.

Discussion was held regarding Phase I and the scheduling of a public hearing. It was noted that the property was owned by the Town and maintained by the Park and Recreation Department and that an 8-24 Referral would be needed from the Board of Selectman once the issue regarding the septic system was resolved.

6. Pending Matters (continued)"

- Subdivision Application 05-01, "Adirondack Estates", Adirondack Trail – Request by Attorney Harold Rosnick to modify roadway intersection and basin spillway designs. Report anticipated from Town Engineer. Town Engineer was present and noted that he had met with Harold Rosnick out at the site and that they seemed to be making progress.

OTHER ITEMS FOR DISCUSSION AND/OR ACTION (continued):

2. Receipt of 8-24 Referral regarding the reconstruction and widening of Morehouse Road from 488 to 418 Morehouse Road to provide for more uniform travel width. The Chairman noted a letter dated July 23, 2014 to Planning and Zoning Commission from Adam Dunsby, First Selectman and Edward L. Nagy, P.E., Director of Public Works, regarding the reconstruction of Morehouse Road from #488 to #418, which was part of an 8-24 Referral with attachments.

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OTHER ITEMS FOR DISCUSSION AND/OR ACTION:

2. Receipt of 8-24 Referral (continued)

The Chairman noted the following attachments:

1. One page document entitled "Rebuilding of Morehouse Road - #488 to #418".
2. Three pages of colored sketches entitled "MOREHOUSE RD DRAINAGE & RD IMPROVEMENT", dated April 14, 2014.
3. Two page Blueprint Drawings of the "MOREHOUSE RD DRAINAGE & RD IMPROVEMENT", dated April 14, 2014.

The Town Engineer discussed the reconstruction of Morehouse Road from #488 to #418 with the Commission. It was noted that this had not gone to the Inland / Wetlands Commission.

The Commission determined that this reconstruction would be beneficial to the town in several ways specially as it relates to public safety as it would be improving the overall width of the travelway and would be providing increased safety through the improved consistency and drainage of the road. The Commission found these improvements are consistent with the Town Plan of Conservation and Development and motion was made by Robert Maquat, seconded by Steve Carlson, to adopt a favorable report to the Board of Selectmen subject to any findings of the Conservation Commission, for this reconstruction of Morehouse Road from #488 to #418. The vote was unanimous 5-0, motion carried.

ADMINISTRATIVE MATTERS (continued):

2. ZTS 14-04, Request for 7 temporary signs, 12" by 18", to promote a shredding event at the Jesse Lee United Methodist Church, 25 Flat Rock Road, September 27, 2014, 9am to 12pm. The Chairman noted an application for Temporary Sign Permit from Pamela Raskin on behalf of Jesse Lee Church, 25 Flat Rock Road, dated July 18, 2014. Motion was made by Robert Maquat, seconded by Wallace Williams, to approve the application for 7 temporary signs to promote the shredding event as it is in accordance with Section 5.6.4 (d) of the Easton Zoning Regulations and subject to the following stipulations:

1. Dates of use are granted only for the period of Sept. 6th to September 27, 2014.
2. The 12" x 18" signs shall be allowed only at the requested seven locations including the Firehouse Green if permission is obtained with the stipulations that the signs will not adversely affect the travelways or sightlines.
3. Permission must be obtained from the Fire Department before displaying any sign on the Firehouse Green.
4. Signs must be removed within 48 hours of the end of the event.

The vote was unanimous, 5-0, motion carried.

3. Request for permission for change in grade of driveway located at 184 Beers Road, (Edith Hersher property) 37 feet @14.2%, in accordance with Section 5.14.6B, Zoning Regulations: the Commission may allow for one segment up to fifty feet in length not to exceed 15%. The Chairman noted a letter dated July 22, 2014 from David S. Bjorklund, Jr., P.E. of Spath-Bjorklund Associates, Inc. and an accompanying site plan prepared by the Huntington Co.

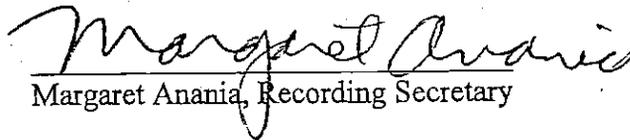
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ADMINISTRATIVE MATTERS :

3. Request for permission for change in grade (continued):

After discussion, motion was made by Robert Maquat, seconded by Robert DeVellis, to approve the request for grade exception to allow a segment of 37 feet in length, not to exceed 14.2% in grade as shown on the "Data Accumulation Plan Depicting Foundation & Septic As-built, Beers Road, Easton, Connecticut Prepared For Edith Hersher", dated 08-14-2013, last revised 06-19-14, prepared by the Huntington Company, LLC, in accordance with Zoning Regulations Section 5.14.6 B and noted that the request did not affect the operating condition of the driveway and does not present a safety issue. The vote was unanimous, 5-0, motion carried.

At approximately 10:15PM, motion was made by Steve Carlson, seconded by Raymond Martin, to adjourn the meeting. The vote was unanimous, 5-0, motion carried.


Margaret Anania, Recording Secretary

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Jen
CLERK ASST