



CONSERVATION COMMISSION

225 Center Road - Easton, Connecticut 06612

CONSERVATION COMMISSION SPECIAL MEETING MINUTES FOR PUBLIC HEARING HELEN KELLER MIDDLE SCHOOL CAFETORIUM SEPTEMBER 16, 2014 AT 7:00 PM

As both the Planning and Zoning Commission and the Conservation Commission were present to hear the application, Planning & Zoning Chairman, Robert Maquat, acted as administrator for the meeting. Although these Minutes may mention the administrative actions of Mr. Maquat, they will concentrate on questions or comments from the Conservation Commission.

REGARDING: Inland Wetlands Application #14-479--Saddle Ridge Developers. Request for Determination of No Regulated Activity Or, In The Alternative, Request for Approval/Modification To Conduct Regulated Activities Related To A 48-Lot Subdivision Located at Sport Hill Road, Silver Hill Road, Cedar Hill Road, and Westport Road (Route 136). Received 8/12/14+65=10/16/14.

PRESENT: Roy Gosse, Chairman; Stephen Edwards, Vice-Chairman; Dori Wollen, Secretary; Stephen Corti; Catherine Alfandre; Steven Hume; Elliot Leonard.

ABSENT: Sarah Cwikla, Alternate

MEETING CALL TO ORDER:

At approximately 7:00pm, Planning and Zoning Commission Chairman Robert Maquat opened the public hearing and read Planning and Zoning's Special Notice for the record. Chairman Maquat then noted that the Conservation Commission and Planning and Zoning Commission meetings were being run together in order to hear the applicant's presentation.

Roy Gosse, Conservation Commission Chairman, opened the Commission's Special Meeting, reading, for the record, the Special Meeting Notice dated August 21, 2014. Chairman Gosse noted that, for administrative purposes, Robert Maquat would lead the session, stating each commission will address specific issues relating to their respective commission.

Chairman Maquat next addressed both commissions, saying that everyone is present to listen to the application, noting that there would be no public comment at this time, nor any administrative notices of letters that either commission has received, with the exception of information that the applicant may submit at the meeting that they hadn't done so already. Both chairmen noted receipt of appropriate fees. Chairman Maquat next asked the commissions' counsel, Attorney Ira Bloom, of Berchem, Moses, & Devlin, PC, 1221 Post Road East, Suite 301, Westport, Connecticut, if he had any comments.

Attorney Ira Bloom introduced himself and outlined his letter to the Commissions dated September 16, 2014, re Saddle Ridge Developers, LLC, noting the three pending appeals, settlement negotiations before Judge Berger, the presiding judge, and periodic updates required by Judge Berger regarding the status of the new application.

Chairman Maquat thanked Ira Bloom, noting that the information Ira shared is relevant. Mr. Maquat also suggested that the Commission members should write down questions they might have for later, noting that the evening's intent was for the Commission members to gain clarity on the application, saying the same was true for Todd Ritchie, the Commissions' engineering consultant. Mr. Maquat then took note of Attorney Bloom's letter for the record, and then gave the floor to Attorney Matthew Ranelli, Attorney, and

of Shipman & Goodwin, LLP, and applicant on behalf of Saddle Ridge to present their “repositioned” project called Easton Crossing.

Attorney Matthew Ranelli, of Shipman & Goodwin, One Constitution Plaza, Hartford, Connecticut, serving as attorney for the applicant, submitted, for the record, a list of abutters with certified receipts for letters sent to the abutters.

Attorney Ranelli read off the documents submitted to each Commission and made note of the submitted plans, citing the significance of the various colors on the map—the green area shows where regulated activity has been eliminated, blue shows where the regulated activity is the same as the last application, and yellow signifies new disturbance. Attorney Ranelli went on to note several instances in the new application where they have made improvements over the last application--reducing the number of homes, thus reducing the number of septic systems, and eliminating the townhouse design, to name a few.

Chairman Maquat took note, for the record, of several items his commission had received related to this application.

Chairman Gosse also took note, for the record, of the following items received by his Commission: a package entitled, “Request for Determination of No Regulated Activity”, dated August 7, 2014, an overview of the application entitled, “Easton Crossing”, the “Engineering Report” from Milone & MacBroom dated August 4, 2014, “Supplemental Application Materials,” dated August 29, 2014, and various sets of maps including a list a drawings, received August 8, 2014, a property survey, dated April 25, 2008 and received on August 8, 2014, as well as a set of full-sized plans entitled, “Site Plan--Regulated Activities Comparison Plan”, dated September 11, 2014 (dates given are receipt dates).

Next up was Ted Hart, Professional Engineer from Milone & MacBroom, Springfield, Massachusetts. Mr. Hart gave an overview of the project, noting what changed from the previous application and what aspects remained the same.

Jennifer Beno, Biologist at Soil Sciences in Rocky Hill, Connecticut followed, citing information from the Revised Environmental Assessment Report supplemental information packet.

Steve Edwards asked, while the group was discussing wells, if there is any data on water quality, to which Ted Hart responded that he did not have any. Mr. Edwards next questioned whether there would be water softeners, to which Ted Hart responded that there could be, but he really didn't know. Mr. Edwards asked if all backwash systems would have a separate system, and the response was, yes. Roy Gosse asked if there is a way to capture and dispose of the well dredgings in regulated areas, and was told it could be done.

Cathy Alfandre asked Jennifer Beno whether their 2008, 2010, and 2012 visits to the site were visual inspection or included soil testing, and Ms. Beno responded that they were visual.

Steve Edwards next asked about natural species diversity and was told the information could be found on the 2014 map on Page 21 of the report.

Ms. Beno closed by comparing the current plan with the former, noting decreased or similar activity to the previously approved plan, depending on the area in question.

Michael Stein, Architect, of Stein & Troost Architecture LLC, Norwalk, Connecticut explained that his goal is to create an inviting cohesive neighborhood, taking a “pattern book approach” of designing, using six variations of style. Twenty of the 48 houses will have affordable accessory apartments. Mr. Stein went

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on to describe the various styles of homes, noting that they will attempt, on every home, to achieve an Energy Star rating, meaning that it would have to surpass government-set requirements by 30%.

Steve Corti asked about fuel efficiency, and what type of fuel was to be used. Mr. Stein responded that there would be propane, using a high-efficiency split system that would be located in the ground, and that there would likely be one tank per property.

For the record, Chairman Maquat next noted the Planning & Zoning Affordable packet dated August 7, 2014.

George Trudell, Builder, of Trudell Homes, 48 South Main Street, Newtown, Connecticut addressed the Commissions, telling the Members that he wanted to speak of his past experience and why they should feel confident that this project will be built properly, offering several names of people in Trumbull government as references. Steve Corti asked Mr. Trudell if he would be the site developer for the roads and drainage. Mr. Trudell responded that his company would not be the developer, but would be bringing in a fully bonded and insured company to build the roads. Mr. Corti stated that he wanted to be very distinct in noting that Mr. Trudell's company would not be the developing company for this project. Mr. Trudell responded that although they do have their own excavation company, they have multiple subcontractors they can call on due to the size of the project. Mr. Trudell stated that his goal was to build a classic New England neighborhood that will stand the test of time. Before he stepped down, Dori Wollen asked if Mr. Trudell had built any such projects in Newtown, to which Mr. Trudell responded that he had.

John Hayes, Easton's Land Use Director, asked what will be the maintenance responsibility for the open space parcels, and to whom would they be deeded. Attorney Ranelli responded that maintenance would be the responsibility of the homeowners association. John Hayes next asked about the access provision for land-locked Open Space Parcel A. Attorney Ranelli responded that there is no public access as it will only be available for use by the homeowners, as there is no plan for public parking.

Dori Wollen asked Attorney Ranelli about wetlands on the 42 acres of proposed open space and the possibility of someone doing work on that property without a permit. Attorney Ranelli responded that the open space property would be preserved in perpetuity. Mrs. Wollen reminded Attorney Ranelli that if anyone wanted to do any work on that open space property, they would need to go to the Inland Wetlands Commission for a permit, and when the homeowners association is created, this should be included in the by-laws. Attorney Ranelli noted that this information will be clearly noted in the paperwork and offered to make this a requirement/stipulation of the permit.

The Commission also asked Attorney Ranelli if there would be a deed restriction placed on Parcel One, which is currently a horse farm. Attorney Ranelli stated that there would be no deed restriction, but noted that any proposed changes would have to go before both the Conservation and Planning and Zoning Commissions.

Attorney Ranelli next spoke about the 20 affordable accessory apartments, noting rental costs and available lots for these apartments. Steve Edwards asked Attorney Ranelli if there were a demand for 28 apartments, would they build 28? Attorney Ranelli responded that they would not—the subdivision is set up for 20. Dori Wollen continued, asking how many people would be able to live in each apartment; the response was a single or a couple as there is only one bedroom.

Attorney Ranelli noted the presence of David Sullivan, Senior Traffic Engineer, Milone & MacBroom, suggested that as traffic really wasn't an issue, Mr. Sullivan might respond to questions from the Commissions. Instead, Chairman Maquat asked Mr. Sullivan, for the record, to summarize the highlights

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of his study. Mr. Sullivan stated that they compared their recent findings with the original traffic study, noting traffic volume at Sport Hill Road and Westport Road, traffic volume at state highways, traffic accidents, and traffic generation.

Attorney Ranelli closed by saying that he's very excited to bring the plan in and think it will be a neighborhood that is an asset in the quality and appearance of the homes, as well as in affording affordable units.

Chairman Maquat asked if there were any additional questions, and Chairman Gosse suggested that the Commission would like to arrange a site walk, as some of the newer members of the Commission have not yet seen the site. Attorney Ranelli suggested that the Wetlands portion be continued to their next regular meeting, September 23, 2013 in order to announce the date and time of the site walk.

Ira Bloom noted that the Commissions want to give their Consultant from GHD enough time to put together a report as well as give the Commissions enough time to review said report. The Conservation Commission's public hearing would, after the announcement of the site walk on September 23, be again continued to October 21, 2014.

Chairman Maquat asked Attorney Ranelli if he would request an extension if needed; Attorney Ranelli said that if one was needed he would.

Chairman Maquat recessed his Commission's meeting.

Chairman Gosse again announced that the meeting would be recessed to September 23, 2014 in order to announce a date and time for the site walk and then would again be recessed to October 21, 2014, but announced before recessing that he needed to note, for the record, receipt of a document not mentioned earlier entitled, "Soil Testing Results". Steve Edwards made a motion to recess the meeting to September 23, 2014, and Dori Wollen seconded. The motion passed unanimously.

FILED BY KRISTA KOT
CT GIS I-225(C)
Secretary, Easton Conservation Commission