

APPROVED FINAL MINUTES OF REGULAR MEETING  
SEPTEMBER 16, 2013 PLANNING AND ZONING COMMISSION

Chairman, Robert Maquat, called the meeting to order at approximately 7:10pm  
Regular Members present: Robert Maquat, Steve Carlson and Wallace Williams  
Regular Members absent: Milan Spisek and Robert DeVellis  
Alternate Member present: Raymond Martin and Ross Ogden  
For the record: Raymond Martin was appointed to vote for Milan Spisek.

ADMINISTRATIVE MATTERS

1. ZEO Report – An oral ZEO report was given by Phillip A. Doremus on the following items:
  - a. Horse activities at Buttonwood Farm, 114 Center Road, (Owner: Carla Sharp) A meeting will be scheduled with Carla Sharp as soon as she returns back from a trip out of state.
  - b. On-going activities at 55 Silver Hill Road, (Owner: Jo-Ann Bachleda Exec.)  
ZEO has continued to investigate.
2. 55 Silver Hill Road – Discussion of complaint by nearby residents alleging zoning violation (improper use of residence). The ZEO reported the following:
  - a. The respondent from the website nexussoberhouse.com was a man named Dom who reported to the ZEO that there are a total of six residents at 55 Silver Hill Road.
  - b. The property is leased by Sal Dinardo (no relation to the Easton resident)
  - c. The facility is not listed with the Department of Mental Health and Addiction Services: no State licenses appeared to be required.
  - d. The ZEO visited 55 Silver Hill Road and a man named Tom answered the door and stated that 4 people reside there.

The chairman stated that these facilities, "Sober Houses", are governed by the Fair Housing Act, the American With Disabilities Act and the Connecticut Statutes. The Commission may need to seek legal counsel to proceed.

The following people addressed the Commission:

<u>NAME</u>	<u>ADDRESS</u>
1. Wendy Doniger	60 Silver Hill Road
2. Adele O'Kane	48 Bibbins Road
3. Dr. Jeff O'Connell	49 Silver Hill Road
4. Elliot Leonard	59 Woodland Drive
5. Debbie Klein	114 Cedar Hill Road
6. Dennis Laccavole	22 Bohus Lane
7. Judy Steckler	22 Bohus Lane
8. Patrick Fitzimonds	100 Cedar Hill Road
9. Stephen Sanders	72 Silver Hill Road

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2. 55 Silver Hill Road (continued)

The following people addressed the Commission:

10. Bert Webbe	260 Maple Road
11. Paul Altieri	26 Bohus Lane
12. Regina Frate	75 Silver Hill Road
13. Mark Bisson	21 Bohus Lane
14. Bill Bosak	15 Deerfield Drive
15. Chris Neubert	30 Wimbledon Road
16. Howard Klein	114 Cedar Hill Road
17. Jon Doniger	60 Silver Hill Road
18. Jeff Becker	5 Cedar Hill Road

The Chairman stated that the Planning and Zoning Commission is gathering information from all sources regarding this issue before it makes a request to the Board of Selectmen for legal counsel.

3. Easton Village Store, 438/440 Sport Hill Road, requested amendments to site plan approved 1/28/13 (Record Map #1748; amended plan submitted. Request made for owner to attend Planning and Zoning Meeting to discuss seating and lighting.

A discussion occurred regarding open items on the amended plan. These items include: extra light post, intensity of lighting and number of outdoor seats. Present at the meeting were neighbors Tom and Linda Dollard, 25 Old Oak Road, who expressed their concern about noise and lighting. Also present at the meeting was the owner (member of Easton Village Center, LLC) of the Easton Village Store, Marsel Huribal and the general manager, Doug Novak.

It was noted that the extra light had been disabled and that the shields for the lights had been colored to lower the intensity of the light.

It was also suggested that screening could be installed along the area where the patio is located to reduce the noise.

Neighbor, Paul Lindoerfer of 318 Sport Hill, Road also expressed his concern over the intensity of the lighting.

The ZEO stated that there are significant floodlights and small accent lights on the building. It was noted by the owner and manager that the floodlights had been installed prior to the application for permit. Discussion followed about having the lights shut off by midnight.

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3. Easton Village Store (continued)

Discussion followed as to whether there is adequate parking for the facility. The owner and manager of the Easton Village Store stated that they believe there is sufficient parking since all employees park on the other side of the building.

Marsel Huribal stated he would meet with Tom and Linda Dollard to address their concerns

The Chairman stated that progress had been made with the lighting for the Easton Village Store and that the seating could be addressed again at a future meeting.

4. Correspondence. The chairman noted that a brief had been received from Joel Green, Esq. regarding Magliocco v. M G Easton Co. and the Town of Easton. The Commissioners were all forwarded a copy of the brief.

It was noted that a notice of violation had been sent to 735 Stepney Road by the ZEO August 28, 2013 regarding a wood processing business being conducted at the property and that the owner had written a letter in response stating the wood was for his own use. The Chairman stated that the ZEO must make a determination regarding this matter and report back to the Commission.

The Chairman noted that a letter had been received from a neighbor on Buttonwood Drive regarding the Adirondack Estates Subdivision. The Chairman will discuss this item with the owner/developer, Harold Rosnick.

5. Minutes of Meetings: 5/29/13, 6/10/13, and 6/24/13

Minutes for 5/29/13 – Motion was made by Steve Carlson, seconded by Raymond Martin, to approve the minutes for 5/29/13 as amended. The vote was unanimous, 5-0, motion carried.

Minutes for 6/10/13 – Motion was made by Wallace Williams, seconded by Raymond Martin, to approve the minutes for 6/10/13 as amended. The vote was unanimous, 5-0, motion carried.

Minutes for 6/24/13 – Motion was made by Steve Carlson, seconded by Wallace Williams, to approve the minutes for 6/24/13 as presented. The vote was unanimous, 5-0, motion carried.

At approximately 9:30pm motion was made by Wallace Williams, seconded by Steve Carlson, to adjourn the meeting. The vote was unanimous, 5-0, motion carried

  
Margaret Anania, Recording Secretary

2013 DEC 17 P 12:24

Booked & Indexed  
CLERK AAT

3 on calendar 12/17/13 @ 12:52