

MINUTES OF REGULAR MEETING NOVEMBER 17, 2014  
PLANNING AND ZONING COMMISSION

Note: These minutes, 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.

Chairman, Robert Maquat, called the meeting to order at approximately 7:28pm.

Regular Members present: Robert Maquat Wallace Williams, Robert DeVellis, Steve Carlson and Milan Spisek.

Alternate Members present: Ross Ogden, Vincent Caprio and Raymond Martin

Town Officials present: John Hayes, Land Use Director, Adam Dunsby, First Selectman and Phillip A. Doremus, Zoning Enforcement Officer

For the record: All five regular Commission members are present and voting.

**ITEM FOR DISCUSSION AND/OR ACTION:**

Receipt and discussion and/or action of a Section 8-24 of the Connecticut General Statutes, consideration of the use of Town-owned property behind Samuel Staples Elementary School, outside the perimeter of Board of Education property, for the construction/installation of solar panels.

Present at the meeting was First Selectman, Adam Dunsby, who discussed his 8-24 Referral letter dated November 7, 2014, for location of a group of solar power panels within the open meadow area at the rear of Samuel Staples Elementary School. Representatives of the Clean Energy Task Force, Carroll Brooke and Cathy Alfandre, were present to address the Commission's questions.

The Commission found that the electric energy generated by the panels would be a substantial benefit to the Samuel Staples School, as well as potentially to other Town buildings, and the particular location proposed for this facility is consistent with the Town Plan of Conservation and Development's recommendation for future use of the area for school purposes (Town Plan report, page 53). The area proposed for the panels also fits comfortably with our long range plan (in progress) for future facility locations at this site. It was noted in the Commission's review of the proposal that the actual installation of the panels will require a special permit application, plan and public hearing (Zoning Regulations Section 4.3.3).

Motion was made by Robert Maquat, seconded by Steve Carlson, to recommend a favorable report to the Board of Selectmen for the request to use the general location behind Samuel Staples Elementary School, outside the perimeter of Board of Education property, as shown as Parcel A and Parcel B on an Overall Site Plan Map for the Easton Elementary School, Morehouse Road, Easton, CT, dated 9/01/03 last revised 3/10/04, for the installation of solar panels, as the request is consistent with the Town Plan of Conservation and Development and is be consistent with the Draft Master Plan for the Town-owned Morehouse Road property. It was noted that based on a recent estimate of population, the need for expansion of the school is limited based on the needs of the Town and recognized that this property may also be impacted by the submission of a new septic application. The Commission noted that before the installation of solar panels a special permit application and site plan will need to be submitted in conjunction with the needs of the septic. The vote was unanimous, 5-0, motion carried.

MINUTES OF REGULAR MEETING NOVEMBER 17, 2014  
PLANNING AND ZONING COMMISSION

**ADMINISTRATIVE MATTERS:**

2. ZEO Report – Update on current enforcement issues. Present at the meeting was Zoning Enforcement Officer, Phillip A. Doremus, who discussed the following items:
- a. 80 Cedar Hill Road - Letter was sent by Town Counsel to the property owner regarding the violation for a shed without a permit and the owner responded by submitting an application for the shed.
  - b. 539 Sport Hill Road - Letter was sent by Town Counsel to the property owner regarding the violation for a shed without a permit and the owner responded by submitting an application for the shed.
  - c. 639 Sport Hill Road – Letter was sent by Town Counsel to the property owner regarding the “logging operation” being conducted on the property; letter of response was received from the property owner, Nikki Zeoli, dated November 10, 2014, denying any “logging operations” was being conducted on the property. It was noted that this stockpiling of logs was becoming a safety issue and/or an attractive nuisance.
  - d. 71 North Park Avenue – The ZEO noted that several e-mails have been sent by the neighbors of 69 North Park Avenue, The Romanos, through their architect, Wayne Garrick. The ZEO stated there is no clear zoning violation to take action on.
  - e. 22 Crescent Drive – Driveway was being constructed without foundation location survey being submitted; owner was notified. Two copies of the foundation location survey were submitted indicating the garage was built in accordance with the variance granted.
  - f. Driveways in violation of zoning regulations - The ZEO stated that the standards for driveway grades in the zoning regulations is difficult to understand. The ZEO will try to resolve issues with the Town Engineer.
  - g. The Village Store – It was noted that a letter of response had been received from Marsel Huribal dated November 10, 2014 addressing the new exit door and outside stairs constructed on the patio as well as a new awning. It was noted by the ZEO that a violation notice had been sent by the Building Official in August 2014 for work done without permit. The ZEO stated that no approvals had been received from Building and Zoning. Marsel Huribal must submit an application to Building and Zoning for the new improvements constructed. The ZEO also stated Marsel Huribal must also address the additional signage in the windows and the sandwich board outside the front of the building.
  - h. 450 Sport Hill Road – The ZEO noted that the Commission had accepted Frank Lisi’s submission regarding occupancy and business ownership by his son Matthew Lisi. The ZEO will be investigating other issues regarding the number of vehicles on site and their ownership.

MINUTES OF REGULAR MEETING NOVEMBER 17, 2014  
PLANNING AND ZONING COMMISSION

3. Request for Temporary signs by Easton Learning Foundation – The Chairman noted an application received from Claire-Anne Meskers, November 10, 2014, on behalf of ELF to promote their Holiday Party, 10<sup>th</sup> Anniversary and Fundraiser. Motion was made by Robert Maquat, seconded by Milan Spisek, to approve the request for six temporary signs to be used November 17, 2014 to December 7, 2014, as the proposed temporary signs are in accordance with Sect./Para. 5.6.4(d) of the Easton Zoning Regulations, 1.5SF in size, directional signs relating to a special event of short duration, subject to the following stipulations:
1. Dates of use are granted only for the period of November 17, 2014 to December 7, 2014.
  2. The 12" x 18" signs shall be allowed only at the requested six locations and with the stipulations that the signs will not adversely affect the travelways, and to the satisfaction of the Zoning Enforcement Officer and the Police Department.
  3. Signs must be removed within 48 hours of the event.
  4. Signs to be placed only at the six listed locations: HKMS, SSES, Library, Routes 136 & 58, Routes 136 & 59 and the Firehouse Green.
  5. Permission must be obtained from the Fire Department before displaying any sign on the Firehouse Green.

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

4. Correspondence: None noted

5. Pending matters carried over from previous Commission meetings:

- Subdivision Application 05-01, "Adirondack Estates", Adirondack Trail – Request by Attorney Harold Rosnick to modify roadway. Report anticipated from Police Commission. Harold Rosnick was present at the meeting.

The chairman noted the following items for the record:

1. Letter dated September 18, 2014 from Harold L. Rosnick, Esq. to Robert Maquat, Chairman, Easton Planning and Zoning Commission.
2. Letter dated November 12, 2014 from Chief of Police, James R. Candee, to Robert Maquat, Chairman, Easton Planning and Zoning Commission.
3. Map entitled "Map Showing Proposed Driveway Entrance For "Adirondack Estates, LLC", 28 Adirondack Trail, Easton, CT", dated June 2, 2014, prepared by Ochman Associates, Inc.

Motion was made by Robert Maquat, seconded Wallace Williams, to approve the modification of the roadway for the Subdivision 05-01, Adirondack Estates, Adirondack Trail, consistent with a map entitled "Map Showing Proposed Driveway Entrance For "Adirondack Estates, LLC", 28 Adirondack Trail, Easton, CT", dated June 2, 2014, prepared by Ochman Associates, Inc., and in recognition of a letter dated November 12, 2014 from James Candee, Chief of Police, for the placement of two stop signs and stop bars adjacent to #28 Adirondack Trail. The vote was unanimous, 5-0, motion carried.

Attorney Rosnick also raised an issue regarding the turn-around for school buses on Adirondack Trail. It was noted that the street was not yet accepted and therefore was not maintained by the Town.

MINUTES OF REGULAR MEETING NOVEMBER 17, 2014  
PLANNING AND ZONING COMMISSION

Added to the Agenda

Motion was made by Robert Maquat, seconded by Steve Carlson, to add to the agenda the discussion of the west side of the parking area near the senior center. The vote was unanimous, 5-0, motion carried.

The ZEO discussed the parking area at the former SSES site near the Senior Center which has recently been widened and regraded and noted that a guide rail had been removed and not yet replaced; the ZEO deemed this to be a safety hazard. The Land Use Director stated that the plans had indicated a guide rail. The Town Engineer Edward Nagy will be contacted regarding this safety matter.

5. Pending matters carried over from previous Commission meetings (continued):

- Aspetuck Land Trust: A timeline and progress report will be submitted by Aspetuck Land Trust for review of on-site parking facilities at three locations. It was noted that an updated report and timeline had not yet been submitted; one is expected next week.
- Draft Proposed Amendment to Zoning Regulations (July 28, 2014: Site Development Plans). Review; request legal counsel review. The Commission will review the document and will forward their comments to the Secretary for final review by legal counsel.

PLANNING ISSUES FOR DISCUSSION:

1. Regional Plan Association, Fourth Regional Plan for Tri-state Region

A conference on November 20, 2014 at Southport, CT will discuss eight significant issues for the future of the region, including affordable housing, the transportation system, the energy infrastructure, access to jobs for economic opportunity, the cost of living for households and businesses, providing access to fresh food and other livability factors, systems for response to extreme weather conditions and other disasters, and improving the effectiveness of governmental infrastructure. The Land Use Director stated the two principles he believed the Plan should focus on:

1. Implementing the principle of smart growth to encourage intensive development where there are jobs and infrastructure and limit expansion in the outlying areas.
2. Creating a transportation system that adequately serves the region's residents.

By the consensus the Commission determined that they had no objections to these two items being focused upon in the new Plan.

2. Greater Bridgeport Regional Council

GBRC consultant and staff is holding a series of six meetings, one at each Town in the Region, to identify the principal issues of concern for future development in the Region. The Easton meeting will be on Wednesday, December 3, 2014. A short list of major concerns to be presented at that meeting should be prepared. The Land Use Director will compile a list. The e-mail will be circulated to the Commission.

3. Town Plan of Conservation and Development 2016

Discuss update of Chapter 11, Town Plan 2006, Policy and Recommendations. The existing chapter was distributed and Commissioners will forward their comments to the Secretary.

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Added to the Agenda

Motion was made by Robert Maquat, seconded by Steve Carlson, to add to the agenda the discussion of the sale of Christmas trees at Adele O'Kane's property at 48 Bibbins Road and Michael Sabia's property at 772 Morehouse Road. The vote was unanimous, 5-0, motion carried.

The chairman noted a permit application received from Adele O'Kane, 48 Bibbins Road, dated November 17, 2014 requesting to sell Christmas trees. Motion was made by Robert Maquat, seconded by Milan Spisek, to approve the request to sell Christmas trees based on a plot plan submitted in November 2010 and the current application which states that the activities on the property will be conducted in the same manner. The Commission found that the entrance, egress and parking appear to be adequate. It was noted that the Christmas tree sales operation must comply with Sect./Para. 4.2.3 B. of the Easton Zoning Regulations and that the permit will take effect on December 1, 2014, will expire in 30 days and restricts the sale of trees to the daylight hours. The vote was unanimous, 5-0, motion carried.

The chairman noted a permit application received from Michael Sabia, Jr., 772 Morehouse Road, dated November 13, 2014. Motion was made by Robert Maquat, seconded by Robert DeVellis, to approve the request to sell Christmas trees based on the plot plan submitted in November 2010 and the current application which states that the activities on the property will be conducted in the same manner. The Commission found that the parking and reserve parking would appear to be adequate. It was noted that the Christmas tree sales operation must comply with Sect./Para. 4.2.3 B. of the Easton Zoning Regulations and that the permit will take effect on December 1, 2014 and will expire in 30 days and restricts the sale of trees to the daylight hours. The Commission recognized the updated police report of October 24, 2011 which reaffirmed the safety measures recommended in the original police report of November 24, 2010. The vote was unanimous, 5-0, motion carried.

**ADMINISTRATIVE MATTERS(continued):**

1. Minutes of 10/27/14 Meeting – Motion was made by Steve Carlson, seconded by Wallace Williams, to approve the Minutes for the 10/27/14 Planning and Zoning Commission Meeting as presented. Milan Spisek did not vote as he was not present at that meeting. Vote was unanimous, 4-0, motion carried, minutes approved.

Minutes of 11/03/14 Meeting – Motion was made by Steve Carlson, seconded by Milan Spisek to approve the Minutes for the 11/03/14 Planning and Zoning Commission Meeting as presented. The vote was unanimous, 5-0, motion carried, minutes approved.

At approximately 9:00PM, motion was made by Steve Carlson, seconded by Milan Spisek, to adjourn the meeting. The vote was unanimous, 5-0, motion carried.

  
Margaret Anania, Recording Secretary