

MINUTES OF REGULAR MEETING FEBRUARY 9, 2015
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 7:05pm.

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

Regular Members absent: Milan Spisek

Alternate Members present: Raymond Martin

Alternate Members absent: Ross Ogden and Vincent Caprio

Town Officials present: John Broadbin, Commissioner, Parks and Recreation Commission

For the record: Raymond Martin was appointed to vote for Milan Spisek

ADMINISTRATIVE MATTERS:

3. Appointment: Jeffrey Bento, 71 North Park Avenue, to discuss alleged zoning violations. Mr. Bento was present at the meeting and he stated that he ran a business, Precision Services from a commercial lot in Stratford. The Commission reviewed several pictures of Mr. Bento's property at 71 North Park Avenue and a map depicting the location of these items in the pictures.

The Commission informally determined:

1. The bobcat did not appear to be a commercial vehicle, does not have commercial plates, and is similar to equipment widely used by people in town for non-commercial uses such as agriculture or snow plowing; equipment such as tractors.
2. The white box trailer is not a commercial vehicle.
3. The small dump truck with bed and plow is a commercial vehicle with commercial plates and was permitted as part of one vehicle being properly screened. It appeared that as depicted on the map the truck was adequately shielded. It was noted that a R.O.W. was a right to pass; it is not a street.
4. The R.O.W. driveway should not be blocked.

The Chairman stated that we should invite Wayne Garrick, Architect, representing the Romano's, the user of the R.O.W. to come to a Planning and Zoning Commission meeting for the Commission to discuss its interpretation of its Zoning Regulations.

PLANNING MEETING ISSUE CARRIED OVER FROM JANUARY 12, 2015

- (1) Morehouse Civic Park: A document entitled "Town of Easton, Morehouse Master Plan", February 2015, was distributed by John Broadbin, Commission member of the Parks and Recreation Commission. Mr. Broadbin presented a master plan for the Morehouse Road property that Parks and Recreation had been working on for several years at the last meeting.

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PLANNING MEETING ISSUE CARRIED OVER FROM JANUARY 12, 2015

(1) Morehouse Civic Park (continued)

It was noted that the Parks and Recreation Plan was more detailed than the Master Plan presented by John Hayes. The Commission determined that the Master Plan should be schematic and flexible to allow for things to evolve when necessary.

It was discussed that this Joint Presentation of the Master Plan by both John Hayes, Land Use Director and John Broadbin, Parks and Recreation Commissioner, was to address the Town of Easton's immediate and future needs (as depicted in the Phases) as well as the potential use of the property (as described in the document from Parks and Recreation).

The Commission should review the document provided by John Broadbin and provide any changes that they feel are necessary as well as to define the action steps and short term Timelines..

ADMINISTRATIVE MATTERS:

4. Request for identification sign and replacement sign – Region 9 Board of Education Offices, 654 Morehouse Road. The Chairman noted the consolidated sign at Helen Keller Middle School and stated that Planning and Zoning should contact Peggy Sullivan about having a consolidated location identifying each of the entities on-site.

ITEMS FOR DISCUSSION AND/OR ACTION:

1. Discussion and possible adjudication of **Special Permit Application SP-15-01**, Town of Easton, to construct a Solar Photovoltaic System on the Town-owned Morehouse Road tract behind Samuel Staples Elementary School, 515 Morehouse Road.

Special Permit Application SP-15-01, Town of Easton, to construct a Solar Photovoltaic System on the Town-owned Morehouse Road tract behind Samuel Staples Elementary, 515 Morehouse Road. On motion by Robert Maquat, seconded by Wallace Williams, motion was made to approve the referenced Special Permit for Phase I only as there is not sufficient information about the property involved with Phase II to commit to the Phase II location. This approval is in accordance with Section 7.2.1 of the Easton Zoning Regulations and is subject to the following findings and conditions:

A. Proposed Use

The project is for the development one phase of Photovoltaic (Solar Electric) Solar Farms where Phase 1 will provide Solar energy directly to the Samuel Staples Elementary School at a cost less than the school is paying now. Phase 1 is expected to offset approximately 50% of the Schools annual energy consumption. The Commission found the proposed use will serve a community need or convenience.

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1. **Special Permit Application SP-15-01 (continued)**

B. Site Location

The solar array will not negatively affect the neighboring community nor surrounding areas. During operation there are no emissions, no noise, and no distractions to students. Prior to construction of the project the developers will meet all jurisdictional, town, and utility requirements and codes including having an environmental consultant perform a Level 1 Environmental Impact Study as required by the State of Connecticut's Clean Energy Finance and Investment Authority.

The array is to be located in the unused vacant area behind the Samuel Staples Elementary School. As currently designed, the Solar array completely avoids the 100 ft. setback from the wetland. Because of the nature of the solar racking system design flexibilities and the size of the initial array it is feasible to avoid the restricted area. If the Town chooses to truly maximize the solar potential of this location or use a portion of it for other uses, it might be in the Town's best interest to enter the restricted 100ft wet lands buffer area.

In all cases, the Solar Array is below the elevation of the School and does not hinder visibility of the surrounding woodlands; in fact, most of the array will be shielded from view most of the year by deciduous trees. The Commission found that the proposed use would be in harmony with the appropriate and orderly development of the adjacent neighborhood and will not materially impair the natural environment of the nearby area or the community.

C. Site Development

Phase 1 of the solar array consists of 1008 solar electric panels "Modules" mounted to 29 galvanized steel racking "Tables" with pile driven supports. Wiring between tables and to the school will be underground wherever possible.

Depending on the final approved location of the arrays, they may or may not be visible from the back of the school due to the lower elevation of the field in relation to the School. The arrays will most likely not be visible from Morehouse Rd or any other Town road. The array will be enclosed by a 7ft high chain link fence (an NEC code requirement) which will be designed with enough room for a maintenance truck access as noted on the Site Plan. The tables of solar panels will be about 8 feet tall on their back edge, with the front edges about 30 inches off the ground. Once constructed, there should be virtually no traffic to the array, except for 1 to 2 prescheduled days per year for maintenance checks. During the construction period, an access road and designated parking area will be created in a manner that will minimize any negative environmental or School impact.

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1. **Special Permit Application SP-15-01 (continued)**

C. Site Development (continued)

There will also be a pedestrian access way created from the School rear (West) parking down to the array. This will consist of a path and stairway from the parking lot down to a locking gate in the fence surrounding the array near the main combiner gear.

Depending on the final location, the field should not require any major grading. However to minimize the impact of any soil disturbance, a silt fence will be install between the wet lands and the project boundary as per a Storm Water Management Plan The racking system will be chosen with a goal of keeping environmental impact to a minimum. Upon completion of the construction the land will be seeded with a low maintenance and environmental friendly ground covering.

Any activity relating to the construction of the solar facility shall not interfere or impede with the operation of the Samuel Staples Elementary School. Prior to and during the entire construction process open communication must be maintained between the school administration and the solar installer. There shall be no use of the drop hammer during school hours.

The Commission found that the proposed use will not hinder or discourage the appropriate use and development of adjacent land and buildings nor impair their value.

D. Neighborhood impact

There will be little if any impact on the area surrounding the school. Other than some periodic additional vehicles during the construction period of 2 to 3 months, the PV system will silently produce what will ultimately be an estimated 50-100% of SSES annual kWhs electric consumption.

Typically manpower and parking is light in the first two weeks of construction during planning and material delivery; with the next week for heavier machinery for trenching, pile driving, and driveway creation; then 10-15 workers during assembly for 2 to 3 weeks, followed by only a few electricians during 2-3 weeks of wiring and testing.

There will be no emissions, no noise, no distraction to students and additionally, nothing to disturb nearby residents (both human and animal).

The Commission found that the proposed use will not result in excessive noise fumes, dust or vehicular traffic in such manner as to disturb the peace and tranquility of nearby residents.

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1. **Special Permit Application SP-15-01 (continued)**

E. Traffic Access

Traffic to the project site after completion will be almost non-existent, except for any school traffic related to the “Green Energy” curriculum that the Town wants to develop. Historically, V system require very little repair and other than an annual or bi-annual maintenance testing and walk through, little if any ongoing traffic will be generated by this project.

Depending on the scheduling construction could be a period of 10-12 weeks. All visits will be scheduled prior with School officials.

The Commission found that the access to the site would be adequate and should safely accommodate all traffic destined for the site without congestion or unsafe conditions imposed on the neighborhood.

F. Parking

No additional permanent parking is required. Construction worker parking will be either in the field or appropriately coordinated with the School.

The Commission found that on-site parking shall be adequate in capacity to accommodate the maximum parking need, and shall be suitably screened with sufficient planting, walls or fences, or a combination thereof, with safely designed entrance and exit drives, as determined by the Commission.

G. Services

All PV systems require a very strict adherence to the utility’s interconnection regulations. They also require, for the safety of their personnel and that of first responders such as fire and police, numerous disconnect switches and labeling. Accessible locks will be used at gates and on disconnects with codes or keys provided to authorized personnel. After construction an operational walk will be conducted.

The Commission requires, in response to the security concern of the Chief of Police, that if work is to be performed while school is in session workmen should be restricted from entering the school building for any reason. Restrictions should also be placed on where the workers can go on school grounds. All workers, including technicians required to enter the building to perform the necessary work within must be properly identified photo I.D. badges while on school grounds.

The Commission found that all utilities shall be adequate for the proposed use and that there will be convenient access for fire, police and emergency medical services.

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1. **Special Permit Application SP-15-01 (continued)**

H. Building Conversions

Not Applicable. No building conversion is needed.

I. Environmental Impact

Part of the development of any ground mounted solar system is a high level of environmental sensitivity. As mentioned earlier, a Level 1 Environmental Impact Study will be completed prior to construction. The selection of the mounting equipment is done with the environmental impact in mind as it relates to the proper tolerances for wind and load codes. While there are many options, the final selection cannot be definitively determined until a full Geotechnical Study is conducted and the engineers design with the findings factored in.

During the construction period all reasonable steps will be taken to minimize any environmental impact. As mentioned before, a silt fence will be one of the first steps taken.

Any and all traffic to the site and equipment usage will be carefully monitored.

Construction debris will be removed in a timely and appropriate manner.

Post construction, all debris will be removed and disposed of properly and the area will be seeded with a mutually agreed upon product that will protect the wetlands and other areas from runoff.

No pesticides or herbicides shall be used on-site in connection with the construction and maintenance of this Solar Photovoltaic System for the protection of the public water supply due to the close proximity of the East Branch of the Cricker Brook.

The proposed use will be compatible with protection of the Town's natural environment, including the quality of its surface and groundwater resources and the purity of public drinking water supplies.

The Commission made the above findings and conditions which are highlighted in bold. By unanimous vote, 4-0, the Commission modified and approved the above special permit application. Steve Carlson was not voting as he did not attend the public hearing.

2. Bond Release for the Frank & Kathleen Minardi Subdivision, 53 Ridgeway Road –
The secretary showed the Commission an e-mail received from Ed Nagy 1/21/15 regarding the Minardi Subdivision with attached picture. No other correspondence has been received.

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ADMINISTRATIVE MATTERS: (continued)

1. Minutes of Meetings: January 12, 2015, January 14, 2015 and February 2, 2015

Motion was made by Steve Carlson, seconded by Wallace Williams to approve the minutes for January 12, 2015, as filed. The vote was unanimous, 5-0, motion carried.

Motion was made by Steve Carlson, seconded by Wallace Williams to approve the minutes for January 14, 2015, as filed. The vote was unanimous, 4-0, motion carried. Raymond Martin did not vote as he was not present at that meeting.

Motion was made by Wallace Williams, seconded by Robert DeVellis, to approve the minutes for February 2, 2015, as filed. The vote was unanimous, 4-0, motion carried. Steve Carlson did not vote as he was not present at that meeting.

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

There being one more item to discuss. The Commission resumed the meeting at approximately 9:01pm. The Chairman noted the following item under correspondence.

Receipt of Special Permit Application SP-15-02, on behalf of Maple Row Farm, Owner, Edwards Properties, LLC, to conduct mulch and firewood processing operation at the property on the corner of Stepney Road & North Park Avenue, Assessor's Map 3771, Parcel 1, submitted February 5, 2015. The Chairman stated he spoke with the Land Use Director, John Hayes, and that the Special Permit was substantially complete to schedule for public hearing. The public hearing was scheduled for March 16, 2015.

At approximately 9:05PM, there being no other items for discussion, motion was made by Steve Carlson, seconded by Wallace Williams, to adjourn the meeting. The vote was unanimous, 5-0, motion carried.


Margaret Anania, Recording Secretary