

MINUTES OF REGULAR MEETING JULY 13, 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.

Vice Chairman, Steve Carlson, called the meeting to order at approximately 7:07pm.  
Regular Members present: Wallace Williams, Robert DeVellis and Steve Carlson  
Regular Members absent: Milan Spisek and Robert Maquat  
Alternate Members absent: Ross Ogden, Vincent Caprio and Raymond Martin  
For the record: Vice-Chairman Steve Carlson chaired the meeting as Chairman Robert Maquat was not present.

ADMINISTRATIVE MATTERS:

1. Minutes of Meetings: June 29, 2015 – Commissioner Robert DeVellis did not attend that meeting; therefore, no quorum was available and the minutes were tabled.

ITEMS PENDING:

1. “Big Lake Estates Subdivision”, Maple Road  
Proposed amendment to approved subdivision plan (approved March 2012):
  - a) Lot line revision, Lots #1 and #2, per recent wetland license;
  - b) Updated planting plan (awaited);
  - c) Plan for new common driveway serving Lots #1 and #2 (per Z.R. Sect. 5.15.1) for review;
  - d) Status of bond reduction (Town Engineer report submitted July 9, 2015).

Present at the meeting was developer, Vincent Toscano. The Land Use Director stated that the map showing the Lot line revision, Lots #1 and #2, was acceptable. The map showing the proposed common driveway serving Lots #1 and #2, incorrectly showed the additional 7 street trees needed to be placed along the Common Accessway; either trees should be removed or the map should be amended and then item c) would be reviewed for completeness.

Discussion was held regarding the current as-built of the Common Accessway and the amount of street trees shown. The Land Use Director stated that 36 street trees were currently shown and that a total of 43 needed to be shown based on the length of the common accessway. Vincent Toscano questioned whether existing trees could be counted towards the 43 street trees. It was determined by the Commission that existing trees along the Common Accessway could be counted towards the required amount of 43 street trees if located on the as-built.

Vice Chairman Steve Carlson noted a memo dated July 9, 2015 from Bruce Bombero, Sr., Deputy Director of Public Works stating that the subdivision bond could be reduced to \$262,600 with accompanying “Partial Subdivision Bond Release Form” indicating the release of \$120,000 (Plus Interest to Date). Motion was made by Robert DeVellis, seconded by Wallace Williams, to reduce the subdivision bond for the “Big Lake Estates Subdivision” to \$262,600 for a bond release of \$120,000 plus interest. The vote was unanimous, 3-0, motion carried.

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ADMINISTRATIVE MATTERS (continued):

2. **ZEO Report** – Present at the meeting was Zoning Enforcement Officer Phillip A. Doremus. The ZEO addressed the following items:

- a. Real Estate Signs - The ZEO noted that letters had been sent out to Realtors regarding the posting of real estate signs. The ZEO stated that most of the offending signs were gone, however, there were still 4 or 5 signs which remained and that he would like to place a Zoning Violation sticker over the Phone # to render the sign useless. The Commission had no objection to this idea.
- b. Review of Permit Application Z-15-4917. Permission requested to establish an accessory caretaker living quarters within a barn located at 260 Westport Road, pursuant to Section 4.2.9 of the Easton Zoning Regulations. The ZEO recounted the certificate of occupancy stating it was not to be used as a residence as it did not meet building code. Since then neighbors complained about traffic to the barn and that it was being used as a residence. A violation was sent to the owner of the property; the response was to apply for a permit to convert the barn to an accessory building for caretakers. The ZEO stated that Section 4.2.9 of the Easton Zoning Regulations requires that there be not less than 10 acres on which there is a residence, for which an accessory building may be used in whole or in part for the housing of no more than three full-time employees of the resident occupant who are employed on the premises in positions customarily relating to any permitted residential use of the premises provided that members of the family of the current occupant of the principal residence shall not occupy the accessory building as fully time employees. The ZEO further stated that the occupant of the principal residence shall file annually with the Commission such evidence as may reasonably be required to substantiate the employment of the occupant(s) of the accessory building. The ZEO asked the Commission what evidence would be acceptable to them. It was determined that it should be a document such as a W-2, or other official document from the Department of Labor or Workers Compensation. It was also determined that the ZEO could ask for an inspection with proper notice.
- c. Bed and Breakfast – The ZEO noted that the Assessor picks up items from the Revaluation and various websites advertising rentals and bed and breakfast and forwards the information; one such item was for a 2<sup>nd</sup> floor of an accessory garage being used as a bed and breakfast. The ZEO noted that Section 6.2.3 of the Easton Zoning Regulations only allowed for Roomers and Boarders within the principal building and shall not provide any separate kitchen facilities. The ZEO stated that since it appeared they were in violation of Section 6.2.3 of the zoning regulations he intended to send the owner a violation. Prior to doing so he thought it would be prudent to discuss with the Town's attorney and he requested authority to have that discussion. Vice-Chairman Steve Carlson would speak to Chairman Robert Maquat and First Selectman Adam Dunsby regarding the request.
- d. Lighting of Town tennis courts - Question was raised regarding the lighting of Town tennis courts. ZEO must determine whether lighting currently exists at the tennis court and contact the Parks and Recreation Department Director Gary Simone regarding the proposed lighting.

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**PUBLIC HEARING:**

15-01, Resubdivision Application Prepared for Americo & Maria Paniccia, 21 & 25 West Wind Road, as shown on a map entitled "Subdivision Plan, 25 West Wind Road, Trumbull/Easton, Connecticut", dated 3-19-15, proposing 2 lots off a common accessway from West Wind Road in the Town of Trumbull. Vice Chairman Steve Carlson noted that the public hearing was opened May 18, 2015, was continued to June 15, and then again to July 13, and now noted the final request dated July 9, 2015 from Attorney David Quatrella and consent for a continuance and an extension of the public hearing to the July 27, 2015 Meeting of the Planning and Zoning Commission. Motion was made by Wallace Williams, seconded by Robert DeVellis to continue the public hearing to the Planning and Zoning Commission Meeting of July 27, 2015. The vote was unanimous, 3-0, motion carried.

**ADMINISTRATIVE MATTERS (continued):**

4. Correspondence - Vice Chairman Steve Carlson noted two letters received regarding the Conditional Zoning Permit, Z-11-4268, granted to Pasquale Feola, 664 Sport Hill Road:
  1. Letter dated July 6, 2015 requesting an extension to August 17, 2015 from Pasquale Feola, 664 Sport Hill Road.
  2. Memo from Tony Baldino of Baldino Homes dated July 6, 2015 Re: 664 Sport Hill Road.

Motion was made by Robert DeVellis, seconded by Wallace Williams, to grant the request for extension of the Conditional Zoning Permit, Z-11-4268, to August 17, 2015 for Pasquale Feola, 664 Sport Hill Road. The motion was unanimous, 3-0, motion carried.

**ITEMS PENDING (continued):**

2. Aspetuck Land Trust – The Land Use Director gave the Commission an update on the progress; no new plan has been received, therefore, no action was taken. Vice Chairman Steve Carlson noted several e-mails received regarding the killing of chickens by off-leash dogs. It was noted that the ALT had hired a Park Ranger to try to enforce rules.

**PLANNING MEETING**

This meeting is one of the four meetings scheduled on the Commission's 2015 calendar for focus on long-range planning issues.

**Morehouse Civic Park: Draft of Master Plan**

Review proposed final report text and plan map. The Land Use Director distributed the last revised text of the Morehouse Civic Park and presented a colored map with legend of the Master Plan for the Morehouse Civic Park. It was suggested that the Commission schedule a public hearing for the proposed Master Plan for Morehouse Civic Park. A suggested date was August 31, 2015. The Chairman will be contacted regarding this proposed date. The Land Use Director will check the statutes for referral regarding this public hearing.

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**Town Plan of Conservation and Development 2016**

A comprehensive review of the policy section of the present (2006) Town Plan (Chapter 11) and Plan Map is proposed at this meeting, to identify areas in which Town conditions have changed and to focus on desirable new or altered policies for the future. The Commission discussed the necessity for input by key Town officials and the public for this Town Plan. The Commission will review Chapter 11 and either send notes to John Hayes or be prepared to discuss at the next meeting of July 27, 2015. The Land Use Director also distributed to the Commission three pages of suggested modifications to several Sections of the Town Plan; the Commission will review and provide input.

**Morehouse Civic Park: Draft of Master Plan**

John Broadbin of the Parks and Recreation Commission had arrived late and wanted to discuss the Draft of the Master Plan for Morehouse Civic Park. He noted a couple of items which he believed needed clarification.

At approximately 8:30PM, there being no other items for discussion, motion was made by Robert DeVellis, seconded by Wallace Williams, to adjourn the meeting. The vote was unanimous, 3-0, motion carried.

  
Margaret Anania, Recording Secretary