

REGULAR MEETING MINUTES APRIL 9, 2018
FOR THE EASTON 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 Regular Meeting to order at approximately 7:10pm.
Regular Members present: Robert Maquat, Raymond Martin, Wallace Williams & Ross Ogden
Alternate Members present: Alison Sternberg and Justin Giorlando

For the record: Justin Giorlando was appointed to vote in absence of a regular voting member.

The Chairman noted the appointment of a new alternate member, Thomas Maisano.

ADMINISTRATIVE AND OTHER MATTERS

5. Parcel located at 45 Plum Tree Lane in Easton and Trumbull. Owner seeks legal determination of validity as "nonconforming lot". The Zoning Enforcement Officer recounted the history of this parcel. The Planning & Zoning Commission will contact the First Selectman regarding the possible permission to engage Counsel to review this matter.
3. Request from Attorney Harold Rosnick, to reduce the Subdivision bond for Adirondack Estates, LLC and River Ridge Estates, LLC, Adirondack Trail.
This item was tabled from the meeting of March 26, 2018. Attorney Rosnick submitted Minutes of the November 13, and November 27, 2017 Meetings which referred to a letter from the Town Engineer dated November 13, 2017. Attorney Rosnick also submitted an e-mail from his contractor, Pete Prizio. Attorney Harold Rosnick was present and stated that he had complied with the Letter dated November 13, 2017 from the Town Engineer and that he requests that the bond be released to the stated amount in the "Agreement to Maintain Subdivision" filed in the Easton Land Records, \$31,400. Attorney Rosnick further stated that this amount included the \$5,000 for the trees and the \$5,000 for the asphalt cracking and that he was not going to do anything else to get this bond reduced to this amount. Town Engineer Edward Nagy was present and referred to his letter dated February 21, 2018 regarding two items still incomplete. Attorney Rosnick did not agree to address these two items again as he state that the work had been performed several years ago. After a review of all documentation submitted, motion was made by Ross Ogden, seconded by Raymond Martin to reduce the subdivision bond amount to \$31,400. Discussion was held regarding whether there was any evidence that the check dams were built to specifications. Questions were raised as to whether there was an easement to access the property to repair the check dams. The vote was unanimous, 5-0, motion carried.

PUBLIC HEARING: At approximately 7:55pm the Chairman opened the public hearing on the following special permit application. SP-18-02, Special Permit for Flood Plain, Town of Easton, South Park Avenue Bridge #04211, replacement of bridge by Marich Drive/South Park Avenue/Buck Hill Road intersection, within the 100 year flood plain, as depicted on a set of plans entitled "Replacement of South Park Ave. Bridge No. 04211 Over Mill River, Easton, CT", prepared for Town of Easton", dated 2/20/18, prepared by Anchor Engineering Services, Inc.

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PUBLIC HEARING: (continued)

The Chairman read the notice of the meeting. Director of Public Works Edward Nagy, P.E. was present to address any questions. Present at the meeting were also Mark M. Zessin, P.E. and Kimberly Fletcher, P.E. from Anchor Engineering Services, Inc. Mark Zessin, P.E. presented a plan prepared by Anchor Engineering Services, Inc. entitled "Replacement Of Bridge 04211, Prepared For Town Of Easton, Roadway Plan & Profile, South Park Avenue, Easton, CT", dated 2/20/18.

The Chairman noted the following items for the record:

1. Special Permit Narrative – Bridge Replacement #04211, South Park Avenue west of Buck Hill Road, dated April 9, 2018, signed by Edward L. Nagy, P.E., Director of Public Works.
2. Letter addressed to Planning & Zoning Commission, Easton, from Dori Wollen, Chair, Conservation Commission, dated April 4, 2018, Subject: Special Permit Application – SP-18-02, South Park Ave. Bridge #04211 (reference to Inland/Wetland approval, attached).
3. Report from Chief of Police, Timothy J. Shaw, dated 3/19/18, recommending pre-construction warning signs, signs to control pedestrian traffic, and enforcement of the proposed detour routes.
4. The design engineers' report, "Hydraulic Analysis Report", Final Design Submission, Prepared for Replacement of South Park Avenue Bridge No. 04211 Over Mill River, Easton, Connecticut, dated August 22, 2017, as revised April 4, 2018, by Yantic River Consultants, LLC.
5. The design engineers' report, "Floodway Analysis Report", Final Design Submission, Prepared for Replacement of South Park Avenue Bridge No. 04211 Over Mill River, Easton, Connecticut, dated April 4, 2018, by Yantic River Consultants, LLC.
6. Maps, plans and profiles, Sheets numbered 1 through 18, marked "SEMI-FINAL DESIGN SUBMISSION NOT RELEASED FOR CONSTRUCTION", including cover sheet prepared by Anchor Engineering Services, Inc., dated 2/20/18.
7. Application form SP-18-02 by the Town of Easton, received March 9, 2018, signed by Adam Dunsby, First Selectman.
8. Referral from Adam Dunsby, First Selectman, dated December 29, 2017, for the reconstruction of the South Park Avenue bridges #04211 and #04213, pursuant to Section 8-24 of the Connecticut General Statutes.
9. Response to 8-24 referral from the Board of Selectmen, dated January 9, 2018, from Robert Maquat, Chair, Easton Planning and Zoning Commission, for the reconstruction of the South Park Avenue bridges #04211 and #04213.

The Chairman reviewed with the Engineers from Anchor Engineering, Inc. the findings the Commission must make in accordance with Section 10.5, SPECIAL FLOOD REGULATIONS AND STANDARDS.

The Chairman also reviewed with the Engineers from Anchor Engineering, Inc. the findings the Commission must make in accordance with Section 7.2.1, SPECIAL PERMITS.

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PUBLIC HEARING: (continued)

Questions were raised about stormwater drainage and the flow of water along the roads. It was noted that there was very little rip-rap proposed; the flow of water would be handled mostly by natural streambed material, gravel. Questions were also raised about the sidewalk requirement, 5'6", and the stockpiling of materials. Questions were also raised regarding the coordination of the bridge reconstruction with the release of water by Aquarion. Mark Zissen, P.E. stated that Anchor Engineering, Inc. had received the required authorizations from local authorities. Question was raised about the amount of road reconstruction required, approximately 260 feet on South Park Avenue and 50 feet on Marich Drive Roadway.

Two people from the public spoke:

1. Bob Harbu, 60 Marich Drive
2. Dolly Curtis, 35 Flat Rock Road

Discussion was held regarding the detour plan.

The public hearing was closed at approximately 8:35PM.

Motion was made by Robert Maquat, seconded by Raymond Martin, to approve Special Permit Application SP-18-02, Special Permit for Flood Plain, Town of Easton, South Park Avenue Bridge #04211, replacement of bridge by Marich Drive/South Park Avenue/Buck Hill Road intersection, for the proposed replacement of the existing bridge within the 100 year flood plain. The Commission reviewed the application materials, submitted by the Town of Easton as well as other items noted for the record and based on that review made the following findings:

The Commission found that the proposed replacement project for Bridge #04211 complies with the requirements of Zoning Regulations 10.5, SPECIAL FLOOD REGULATIONS AND STANDARDS, as follows:

- a. Subsections (A), (B), (C), (E), (F), and (G) are not applicable to this project.
- b. Subsection (D). The reconstruction of approximately 260 feet of South Park Avenue roadway and 50 feet of Marich Drive Roadway, will not impact the present capacity of the Mill River under 100-year flood conditions, to accommodate the flood volume.
- c. Subsection (H). The plans, profiles and engineered reports demonstrate that construction methods, materials and designs will accommodate potential hydrodynamic and hydrostatic flood pressures.
- d. Subsection (I). As a result of increased freeboard and cutting down of existing wingwalls, there will not be an increase in flood levels during occurrence of the base flood discharge.
- e. Subsection (J). Excavated soil will be stored nearby on Town property outside the project area, and therefore, work within the flood plain and adjacent land will not cause an increase in flood stage or velocity.
- f. Subsection (K). Compensatory storage will not be necessary because the design of the bridge and roadway provide flood capacity equal or greater to that which already exists.

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PUBLIC HEARING: (continued)

The Commission found that the requirements of the Easton Zoning Regulations, Section 7.2.1, SPECIAL PERMITS, are fulfilled as follows:

- A. The Proposed Use The proposed use, replacement of bridge #04211, is consistent with the purposes of the Zoning Regulations to assure public health and safety.
- B. The Site Location The site location at the Marich Drive/South Park Avenue/Buck Hill Road intersection, present crossing of the Mill River, provides for the orderly development of the adjacent neighborhood and will not materially impair the natural environment of the nearby area.
- C. The Site Development The site development, as demonstrated in the proposed plans accompanying the application, will not hinder or discourage the development of adjacent land and buildings.
- D. The Neighborhood Impact The proposed bridge and roadway, after project completion, will not disturb the peace and tranquility of nearby residents.
- E. The Traffic Access The traffic access to the replaced bridge will provide for a standard two-directional, two 11-foot traffic lanes plus two 4-foot shoulders plus 5' 6" sidewalk area.
- F. Parking There is no requirement for parking spaces at this location.
- G. The Services The services required for this neighborhood, including emergency access for fire, police and emergency medical assistance, will be adequately accommodated by the reconstructed roadway and bridge.
- H. Building Conversions There are no proposed building conversions.
- I. Environmental Protection The Town's natural environment will be adequately protected including the quality of the surface and well water resources of the area. The project is not located on a public water supply watershed and therefore has no impact on the purity of public drinking water supplies.

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

TOWN PLAN OF CONSERVATION AND DEVELOPMENT 2017:

The Chairman noted that Glenn Chalder, outside consultant involved with the preparation of the draft update of the Easton Zoning Regulations would be involved with the final preparation of the draft update of the Town Plan and that his concentration would be on condensing it and making it clearer and more user friendly. The Chair stated that Glenn Chalder would be meeting with John Hayes and the Secretary on Thursday regarding the current draft update by John Hayes. The Chair stated that he welcomed John Hayes's participation but that it was desirable at this point to have the Town Plan condensed and made concisely to the point.

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ADMINISTRATIVE AND OTHER MATTERS:

1. Minutes of Regular Meeting, March 26, 2018 and Special Meeting April 3, 2018 of the Easton Planning and Zoning Commission

Motion was made by Raymond Martin, seconded by Justin Giorlando, to accept the Minutes of Regular Meeting March 26, 2018 as filed. The vote was unanimous, 4-0, motion carried. Wallace Williams did not vote as he did not attend that meeting.

Motion was made by Raymond Martin, seconded by Wallace Williams, to accept the Minutes of Special Meeting April 3, 2018 as filed. The vote was unanimous, 4-0, motion carried.

Justin Giorlando did not vote as he did not attend that meeting.

At approximately 9:30pm, there being no other business to be conducted, motion was made by Wallace Williams, seconded by Ross Ogden, to adjourn the Regular Meeting. The vote was unanimous, 5-0, motion carried.


Margaret Anania, Recording Secretary