

PRELIMINARY MINUTES OF REGULAR MEETING  
MARCH 11, 2013 PLANNING AND ZONING COMMISSION

Note: This draft, 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. APPROVED FINAL MINUTES will be filed in due course to replace this draft.

Chairman, Robert Maquat, called the meeting to order at 7:05pm  
Regular Members present: Robert Maquat, Steve Carlson, Milan Spisek and Wallace Williams  
Alternate Members present: Robert DeVellis, Ray Martin and Ross Ogden  
Town Officials present: John Hayes, Land Use Director  
For the record: Ross Ogden was appointed to vote for Milan Spisek until he arrived at 7:09pm. Robert DeVellis also arrived at 7:09pm. Ross Ogden was then appointed to vote for Wallace Williams until he arrived at 7:12pm. Raymond Martin arrived at 7:10pm.

ADMINISTRATIVE MATTERS:

2. Receipt of Special Permit Application for Affordable Accessory Apartment by Robert Brunetti Sr., 115 Wilson Road. The Land Use Director stated that he had spoken with the Building Inspector and that Mr. Brunetti would be receiving a Certificate of Occupancy on the addition he had constructed on his house. The Commission determined by consensus this would satisfy our requirement for a Certificate of Occupancy for the Special Permit Application for Affordable Accessory Apartment. A public hearing was tentatively set for August 22, 2013.
5. Correspondence: The chairman noted a letter dated March 7, 2013 to Mr. Robert Maquat, Chairman, Planning and Zoning Commission from Peter V. Gelderman, Esquire, Law Offices Quatrella & Rizio, LLC, One Post Road, P.O. Box 320019, Fairfield, Connecticut 06825. It was also noted that a check had been received March 11, 2013 in the amount of \$500.00 for the required filing fee. It was determined that this application for amendment was now complete and was scheduled for public hearing on May 13, 2013 to allow adequate time for referral.

ITEMS FOR CONSIDERATION OR ACTION:

2. Discuss Maple Row Growers, LLC, request for enforcement action. Attorney Jim Coyne was present along with his colleague, Colleen Fries, Esquire, and his clients, Paul and Althea Falco regarding alleged violations by Maple Row Growers, LLC. Attorney Coyne requested a cease and desist order against Maple Row Growers, LLC until they resolve their issues. The Commission determined by consensus not to issue a cease and desist order against Maple Row Growers, LLC at this time.

ADMINISTRATIVE MATTERS:

3. Receipt of Resubdivision Map of Lot 9 of Adirondack Estates Prepared For River Ridge Estates, LLC. The Land Use Director, John Hayes, noted that there were several items in the proposed application which were potentially in conflict with the Easton Zoning Regulations and that it was therefore, not complete to schedule for public hearing.

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ADMINISTRATIVE MATTERS:

3. Receipt of Resubdivision Map of Lot 9, Adirondack Estates (continued):

The Land Use Director, John Hayes noted the following items as points of concern.

- a. The original lot, Lot 7 of the Riverside subdivision, 28 acres, was a conventional lot, 80 feet wide at its entrance on Riverside Drive, approved in 1997. Most of its upland area was incorporated into the Adirondack Estates subdivision in 2005, leaving a 6-acre parcel, Lot 9, frontage on Adirondack Trail with a narrowed access way, only 40 feet wide, connecting Riverside Drive to the rear of Lot 9. The 40 ft wide accessway, shared with the adjoining Choi property via two side-by-side 10-ft. easements, meets the requirements for a "flag lot" accessway (Zoning Regulations 2.1.16) but lacks the 50-ft wide easement required by Zoning Regulations Section 5.15.1 I for a common driveway. Space exists for the required 50-ft accessway by combining the two easements with the Rosnick access strip, which should be done.
- b. Current Zoning Regulations require an acceptable maintenance covenant (Sec. 5.15.1 J) for a shared or common driveway. The simple "shared responsibility" or common driveway. The simple "shared responsibility" note for Lots 4 and 5 on the 1997 Riverside Subdivision map does not meet this requirement.
- c. Sightlines are not demonstrated at the driveway entrance as required by the Subdivision Regulations.
- d. No underground utility lines are shown as required by the regulations.

Mr. Hayes indicated that the applicant maintained that the driveway predated the amended Zoning Regulations. Mr. Hayes stated that the applicant should demonstrate that the existing driveway meets construction standards and provide a maintenance agreement. The Commission determined that Mr. Hayes should contact the applicant, Harold Rosnick, regarding these items.

4. Request for permission to post a sign directing people to Easton Racquet Club at intersection of Stepney Road and Sport Hill Road. The Chairman noted a letter dated February 21, 2013 to the Planning and Zoning Commission from Michael Astornio, President, Easton Racquet Club requesting permission to erect a permanent sign at the intersection of Stepney and Sport Hill Road on the southwest corner. The Land Use Director noted that a directional sign could only be erected at the closest intersection which would be Sport Hill Road and Wimbledon and that it could only be a temporary sign to advertise the seasonal activities scheduled in accordance with Sect. 5.6.4 (c) of the Zoning Regulations. The Planning and Zoning clerk gave the representatives of the Easton Racquet Club a copy of the temporary permit application.

Added to the Agenda: The chairman noted that a letter of request dated March 8, 2013 addressed to the Town of Easton Planning and Zoning Commission from Pasquale Feola, 664 Sport Hill Road, Easton, Conn. 06612, had been received. Motion was made by Robert Maquat, seconded by Steve Carlson, to add the discussion of Conditions of Permit #Z-11-4268 for Pasquale Feola, 664 Sport Hill Road, Easton, CT. The vote was 5-0, motion carried.

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Added to the Agenda (continued):

The Commission reviewed the document filed on the land records entitled "CONDITIONS OF PERMIT #Z-11-4268 for Pasquale Feola, 664 Sport Hill Road" as it related to the letter of request by Mr. Pasquale Feola to extend his Permit # Z-11-4268 for six additional months.

Motion was made by Steve Carlson, seconded by Milan Spisek to grant the request for an additional six months extension, from the 12 month term of the original building permit, April 18, 2012, to complete the construction of the new dwelling at 664 Sport Hill Road, in compliance with Item #5 of the "Conditions of Permit Z-11-4268. The vote was unanimous, 5-0, motion carried.

Planning Meeting Carryover Items:

2.) Wireless Telecommunication Facilities Study – Report to Board of Selectmen.

The Land Use Director noted that he was in the process of developing the matrix on Town-owned properties for the Commission's review; once reviewed by the Commission, a report will be sent to the Board of Selectmen.

ITEMS FOR CONSIDERATION OR ACTION:

5. Consider release of maintenance bond for Tatetuck Trail - Discussion was held that Tatetuck Trail was accepted as a Town Road several years ago and that the maintenance bond is required only for a period of one year; therefore, the subdivision maintenance bond should be released. The Chairman noted Norman Nagy's letter of August 2, 2012 which addressed several items concerning the subdivision indicating that everything had been completed and requesting that the subdivision bond be released. The Land Use Director indicated that the as-built mylar for Tatetuck Trail had been submitted.

Motion was made by Robert DeVellis, seconded by Wallace Williams, to release the balance of the subdivision bond required primarily as a maintenance bond for Tatetuck Trail. The vote was unanimous, 5-0, motion carried.

1. Report on farming issues to be presented by Agriculture Subcommittee. Commissioner Ross Ogden had received some additional material regarding planning for agriculture which he made available to the Chairman and will also make available to the Commission. The chairman noted that it was a good resource for preserving land and creating agriculture.

The Land Use Director noted the following:

1. The value of locally raised produce being a source of fresh produce; and
2. Preserving farm tracts is a significant point in the Town Plan of Conservation and Development.

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ADMINISTRATIVE MATTERS:

1. Minutes of Meetings for 12/10/12 and 12/17/12

Motion was made by Wallace Williams, seconded by Milan Spisek, to approve the minutes for 12/10/12 as amended. The vote was unanimous, 5-0, motion carried.

Motion was made by Steve Carlson, seconded by Milan Spisek, to approve the minutes for 12/17/12 as amended. The vote was unanimous, 5-0, motion carried.

At approximately 8:45pm motion was made by Steve Carlson, seconded by Robert DeVellis, to adjourn the meeting. The vote to adjourn was unanimous, 5 in favor, none opposed

  
Margaret Anania, Recording Secretary

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Jean Kirk  
EASTON TOWN CLERK ASSY