

PRELIMINARY MINUTES OF REGULAR MEETINGE MARCH 24, 2014  
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 approximately 8:30pm

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

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

Town Officials present: John Hayes, Land Use Director

For the record: The Chairman appointed Ross Ogden to vote Milan Spisek regarding the Easton Country Day Special Permit Application, SP-13-05.

**PUBLIC HEARING:** The public hearing was opened at approximately 8:30pm by Chairman Robert Maquat who read the legal notice for the record for the following amendment to the Easton Zoning Regulations:

“Amend Section 7.12 of the Easton Zoning Regulations, SPECIAL EXCEPTION FOR PRE-EXISTING FARM AND FOREST ACTIVITIES, subsection 7.12.2 concerning processing and sale of forest and tree products. The purpose of the proposed amendment is to clarify the permissibility of processing and sale of forest and tree products and to establish reasonable safety guidelines for dyeing and handling of colored mulch.”

Present at the meeting was Attorney Ira Bloom to represent the Town of Easton and explain the legislative capacity of the Commission under Connecticut General Statutes 8-2 regarding the 1) Comprehensive Plan, the Zoning Regulations and Map and the 2) Town Plan of Conservation and Development. He also focused on the two changes in the proposed amendment regarding the use of dyes and the strict residency problem, noting that Zoning controls uses not ownership.

The Chairmarr noted the following items for the record:

1. Letter received March 24, 2014 to Town of Easton Planning and Zoning Commission from Kathy Kogut, Executive Director, Connecticut Christmas Tree Growers Association.
2. Letter dated March 7, 2014 to Robert Maquat, Chairman, Easton Planning & Zoning Commission from Robert Muholland, Chairman, Town of Newtown, Planning and Zoning Commission.
3. Letter dated March 10, 2014, to Robert Maquat, Chair, Planning and Zoning Commission from Brian Bidolli, Executive Director, Greater Bridgeport Regional Council with attachments (12 pages in all).
4. Letter dated March 18, 2014 to Town of Easton, Planning and Zoning Commission, from Joan Nichols, Director Member Relations and Community Outreach, Connecticut Farm Bureau.

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PUBLIC HEARING: (continued)

5. E-mail dated March 4, 2014 from Donna Stone of SWRPA Re: SWRPA Determination on Referral, from Dr. Floyd Lapp, FAICP, Executive Director, South Western Regional Planning Agency.
6. E-mail dated March 3, 2014 from Brian T. Roach, Supervisor, Environmental Protection, Aquarion Water Company.
7. E-mail dated February 18, 2014, from Jonathan Chew, Executive Director, Housatonic Valley Council of Elected Officials.
8. Letter dated February 26, 2014 to Robert Maquat, Chairman, Easton Planning and Zoning Commission from Diane F. Taylor, Chairman, Redding Planning Commission.
9. Letter dated March 24, 2014 to Planning & Zoning Commission from Paul and Althea Falco requesting that the public hearing be continued for a second session.

Attorney Dave Quatrella of Quatrella and Rizio, One Post Road, Fairfield, CT, was present to represent Maple Row Farm, LLC and stated that the Edwards family supports the proposed amendment. Attorney Quatrella recounted the history of the farm and submitted a letter from Brian T. Roach, Supervisor, Environmental Protection, Aquarion Water Company, regarding "Wood mulch colorants" with attachment consisting of two, two-page excerpts from 1) "Vision Recycling Newsletter" dated Fall of 2010, and 2) Document from, "Mulch & Soil Council", copyright, 2012. Attorney Quatrella also submitted portions of Easton's Town Plan of Conservation and Development which indicates the supporting of farms in Easton (Excerpts from Chapter 1, 3 and 5, 4 pages in all).

The following people spoke from the public:

1. Jim Edwards of 538 North Park Avenue, Easton, CT
2. Scott Edwards of 246 Hattertown Road, Newtown, CT
3. Rich McLaughlin of 105 Norton Road, Easton, CT
4. Susan Poetter of 36 Church Road, Easton, CT
5. Joe Palmieri of 195 North Park Avenue, Easton, CT

Discussion was held on the use of the word "accessory", in the proposed amendment phrase "b) The use will be accessory to an active farm or forestry operation located in Easton...." John Hayes stated that accessory is a determination that the Commission would have to make or you would have to define it as a definition. One Commission questioned the phrase "7 acres" as to whether that meant usable acres or with wetlands.

The Chairman stated that the next regularly scheduled meeting was April 21, 2014 and that the Commission would try to schedule a meeting sooner; the hearing was recessed to April 21, 2014 until an earlier date could be established; people should check with the Planning and Zoning Secretary regarding the date. (A possible date was April 7, 2014 as it was noted that April 14, 2014 is Passover; Commissioners will check their schedules).

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**ADMINISTRATIVE MATTERS:**

1. ZEO Report - None
2. 55 Silver Hill Road: No discussion
3. Correspondences- No correspondences were noted.
4. Request for additional 90 day extension of Conditional Permit Z-11-4268, Pasquale Feola, 664 Sport Hill Road. The Chairman noted a letter dated March 17, 2014 from Pasquale Feola.

Motion was made by Robert Maquat, seconded by Steve Carlson, to grant the request for an additional 90 day extension to complete the construction of a new dwelling at 664 Sport Hill Road, in compliance with Item #5 of the "Conditions of Permit Z-11-4268 for Pasquale Feola, 664 Sport Hill Road". It was noted that the extended deadline to complete the project is now July 15, 2014. The vote was unanimous, 5-0, motion carried.

**ITEMS DEFERRED FROM PREVIOUS COMMISSION MEETINGS:**

1. Draft "Right to Farm Ordinance" as proposed by Town Agriculture Commission – The Planning and Zoning Commission made several suggestions of changes to the proposed ordinance but expressed its support of the document as it is consistent with the concept in the Town Plan of Conservation and Development to support and protect farms.
2. Subdivision Application 11-01, "Big Lakes Subdivision – No new report received.
3. Special Permit Application, SP-13-05, Town of Easton, Lessor, and Easton Country Day School, Lessee. Proposed amendment to Special Permit #05-07, granted September 28, 2005, for conduct of a Private School to serve Grades Pre-K through 12, pursuant to Easton Zoning Regulations Section 7.3, located at Old Staples School, 660 Morehouse Roads, discussion and possible action (public hearing closed 1/27/14). The Land Use director stated that there were several issues involved with this special permit:
  - Need for parking based on number of staff and students
  - Permissible level of enrollment and staffing
  - Appropriate conditions - filing of a new site plan which reflects the scope of activities, the use of recreational facilities and reflects the existing leases, including shared obligations.

Motion was made by Robert Maquat, seconded by Wallace Williams, to approve the special permit for SP-13-05, Town of Easton, Lessor, and Easton Country Day School, Lessee. Proposed amendment to Special Permit #05-07, granted September 28, 2005, for conduct of a Private School to serve Grades Pre-K through 12, pursuant to Easton Zoning Regulations Section 7.3, located at Old Staples School, 660 Morehouse Roads. On motion by Robert Maquat, seconded by Wallace Williams, the motion was amended to include the following conditions or modifications:

1. The total enrollment of students for grades Pre-K to 12 shall not exceed 225 students.
2. No students shall be allowed to drive to school.
3. Current staffing level is approximately 60, however, the staffing may be expanded to a total of 80 should the parking be expanded. The Commission recognizes that it appears through a review of the original lease that an obligation may exist for the lessee to pay a share for the improvements to parking.

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3. Special Permit Application, SP-13-05

4. Modifications shall be made to the site plan based on Town Department reports.
  - a. Memo from Bruce Bombero, Sr., Deputy Director of Public Works, dated January 27, 2014 regarding the Easton Country Day School with accompanying plan, in color, which depicts the proposed parking at the school and the elimination of the North entrance.
  - b. E-mail dated 1/27/14 from Schuyler Sherwood with accompanying plan, in color, with the notation of the Fire Dept. approval.
  - c. Comment from Chief of Police, James Candee, dated December 9, 2013.
5. Drop off shall be made at the front of the school instead of the parking lot.
6. Any increase in staff or enrollment should be applied for in an amendment to special permit.
7. Every September 1<sup>st</sup> and January 1<sup>st</sup> of each school year, Easton Country Day School must certify that the enrollment is less than the 225 total students reflected in the approval of the special permit and also to certify that the amount of staffing complies with what was approved in the Special Permit, a total amount of current staffing of approximately 60, with an expanded amount of 80 if the shared parking improvements are made.
8. There is no official allocation of parking on-site and no parking signs should be erected.
9. Easton Country Day School must notify the other tenants on-site when any major event is contemplated and must arrange for parking.

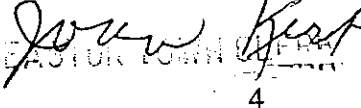
The vote was unanimous, 4-0, motion carried. (Voting were Robert Maquat, Wallace Williams, Steve Carlson and Ross Ogden, who was appointed to vote for Milan Spisek.)

At approximately 11:15PM motion was made by Milan Spisek, seconded by Robert DeVellis, to adjourn the meeting. The vote was unanimous, 5-0, motion carried.

  
Margaret Anania, Recording Secretary

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John Best  
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