

PRELIMINARY MINUTES OF REGULAR MEETING JUNE 9, 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 7:10pm

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

Alternate Members absent: Wallace Williams

Alternate Members present: Ross Ogden and Vincent Caprio

Alternate Members absent: Raymond Martin

Town Officials present: Phillip A. Doremus, Zoning Enforcement Officer, Edward Nagy, Town Engineer and Adam Dunsby, First Selectman

For the record: Alternate member Vince Caprio is voting for regular member Wallace Williams

ADMINISTRATIVE MATTERS:

1. Appointments: Owners of properties at 639 and 735 Stepney Road and 720 Westport Road have been requested to attend re alleged wood processing activities.

735 Stepney Road – William D. Bouton, Jr., the husband of the owner, Sandra A. Bouton, attended the meeting. The chairman noted two letters that had been sent to the Easton Planning and Zoning Commission from Mr. Bouton:

1. Letter dated September 2, 2013 in response to a zoning violation via certified mail.
2. Letter dated June 2, 2014 in response to a letter from the Commission dated May 23, 2014.

The Chairman shared some pictures with Mr. Bouton that were e-mailed by a neighbor regarding the storage of wood and the processing of wood on the property. Mr. Bouton stated that he was not conducting a business and was using the wood for his own use both for heating and the construction of outbuildings and furniture.

Discussion was held regarding the necessity of the wood to be stored in the front yard. Mr. Bouton stated that the wood was in the front so it did not rot; he noted that it was neatly stacked. Mr. Bouton also stated he could cut the wood behind the house.

639 Stepney Road – Nikki Zeoli, owner, was present and stated her husband is an arborist. Mrs. Zeoli stated that they were just storing logs temporarily on the property; the log splitter currently on-site is for cutting wood for their own use. Mrs. Zeoli also stated that the cut wood on the property was for the heating of the house occupied by their caretaker; they were not selling firewood.

The Chairman shared some pictures of Mrs. Zeoli's property both in Westport and Easton with her. Discussion was held regarding the temporary storage of the logs and the cost associated with picking the logs up and relocating them to another property.

PRELIMINARY MINUTES OF REGULAR MEETING JUNE 9, 2014
PLANNING AND ZONING COMMISSION

ADMINISTRATIVE MATTERS

1. Appointments (continued)

639 Stepney Road

Discussion was held regarding the frequency of trucks visiting the property. Mrs. Zeoli stated that she believed that the trucks only visited the property a couple of times a week; she needed to consult with her husband.

The Chairman noted that the Town of Easton has a "Nuisances Ordinance" which was distributed to the Commission; the chairman noted that the ordinance did not allow the depositing on or allowing the accumulation of or the scattering over the premises of lumber, junk, trash or debris, etc. The Chairman stated that this Commission is required to protect the rights of neighbors and that he would like Mrs. Zeoli to provide the Commission with a plan for their scope of activity for the property and indicate whether they expect the activity to increase or decrease. Mrs. Zeoli expected that the activity would not increase; she will consult with her husband and try to provide a plan for the next meeting, June 30, 2014.

720 Westport Road - The secretary noted that the owner of 720 Westport Road would not be attending this meeting due to an illness in the family. A letter will be sent to the owner reminding him of his requested presence at the next Planning and Zoning Commission Meeting, June 30, 2014.

ITEMS FOR CONSIDERATION OR ACTION:

1. Mylar site plan map and related documents for Easton Country Day School special permit application; SP 13-05; for review and endorsement.
The Town Engineer stated he had met with John Hayes regarding the mylar map and stated there were still a few changes to be made to the map before it can be filed in the land records.
2. Subdivision Application 05-01, "Adirondack Estates", Adirondack Trail – Request by Attorney Harold Rosnick to modify the subdivision. Present at the meeting was Attorney Harold Rosnick; Ronald Ochman, P.E. and Edward Nagy, P.E, Town Engineer. The Commission discussed the following two issues that were addressed at the prior meeting.
 1. The original plan called for a 24' x 30' apron and then a common driveway 24' wide until it divided, 80 feet back from Adirondack Trail; a separate 12' driveway for Lot #2 is now requested requiring an amendment to the Subdivision Approval.
 2. The modification of three detention areas for spillways which need to be remediated:
Detention Basins #3, #4 and #6
Ron Ochman, P.E. submitted a letter dated June 3, 2014 with a map showing the proposed driveway entrance to Lot 2, entitled "Map Showing Proposed Driveway Entrance For Adirondack Estates, LLC, #28 Adirondack Trail, Easton, Ct, June 2, 2014", and a map showing the detention structures that were of concern and the proposed corrections entitled "Adirondack Estates, Map Showing Retention-Basin Corrections For Harold Rosnick, Trustee And Michael Rosnick, Trustee, Easton, CT, June 2, 2014".

PRELIMINARY MINUTES OF REGULAR MEETING JUNE 9, 2014
PLANNING AND ZONING COMMISSION

ITEMS FOR CONSIDERATION OR ACTION:

Subdivision Application 05-01, "Adirondack Estates"(continued)

Edward Nagy, P.E. submitted a letter dated June 9, 2014 regarding "Adirondack Estates Subdivision – Detention Basins #3, 34 And #6 Concrete Wall Deficiencies". It was noted that only detention areas for #4 and #6 needed remediation. Ron Ochman, P.E. stated he had no concerns with the deficiencies listed in the letter dated June 9, 2014 for areas #4 and #6. Mr. Nagy stated that he did not believe the driveway met sound engineering standards. 2. The Commission discussed safety and the proposed use of a 12' wide driveway versus a road. It appears that through various traffic controls such as a stop sign, stop bar lines and signage stating right turn only and private drive, may increase the safety for this area. Harold Rosnick will consult with the Police regarding traffic control measures.

Town Engineer, Edward Nagy, stated that they original subdivision approval required there to be two roads at an intersection to comply with the regulations concerning the requirement for a 275' radius for horizontal curvature of a road. Discussion was held regarding the necessity for two different roads and how it would affect the safety of the road.

Harold Rosnick will call Public Works tomorrow to set up a meeting with the Town Engineer, Edward Nagy, or his assistant, Bruce Bombero, P.E. to visit the site to try to resolve any open issues.

3. Request for extension of time to complete the Subdivision Improvements for the Subdivision Application 08-01, Subdivision Plan Prepared for Frank A. Minardi, 53 Ridgeway Road.

The Chairman noted an extension request received June 5, 2014 from Kathleen and Frank Minardi requesting a one year extension to complete the subdivision improvements. Motion was made by Robert Maquat, seconded by Milan Spisek, to grant a six month extension of the period allowed for completion of the subdivision improvements required by the subdivision plan. The vote was unanimous, 5-0, motion carried.

ITEM DEFERRED FROM PREVIOUS COMMISSION MEETINGS:

1. Proposed Amendments to Section 7.2.1 of the Easton Zoning Regulations – The Chairman noted that Mr. Hayes had drafted an amendment to Section 7.2.1 of the Easton Zoning Regulations due to recent litigation and judicial review; the proposed amendment attempted to establish clearer standards for protection of Easton's residential and natural environment. There was a brief discussion of this item; several changes were suggested and will be forwarded to Town Counsel.
2. Draft Master Plan for the Town's 127-acre Morehouse & Banks Road property. The Chairman noted that Mr. Hayes had met with Mr. Broadbin regarding the master plan and that the final plan showing the various phases must be completed and submitted for review.

PRELIMINARY MINUTES OF REGULAR MEETING JUNE 9, 2014
PLANNING AND ZONING COMMISSION

ITEM DEFERRED FROM PREVIOUS COMMISSION MEETINGS:

3. Update on proposed additional parking for Aspetuck Land Trust property – The Chairman noted that several neighbors were in the audience from Elm Drive and Norton and Freeborn Roads. The Chairman stated that he had received recent correspondence from Mr. Brandt and that Mr. Hayes had met with him regarding the proposed parking areas for Aspetuck Land Trust property. The neighbors voiced concerns about the length of time it was taking to resolve the various traffic, parking and safety problems they were experiencing in their neighborhood. The Chairman stated that a letter would be sent to Mr. Brandt requesting the updated parking plans by the next meeting, June 30, 2014.

ADMINISTRATIVE MATTERS:

2. Zoning Enforcement Report - No written report was given. The ZEO, Phillip Doremus attended the meeting and was available for questions.
3. Discuss procedure for unanswered zoning violation citations – The Secretary noted that there were owners of properties who had received more than one zoning violation without any response. The Commission determined that the ZEO should bring these cases to their attention so that the Town can take the next step, to hire Counsel and file a lawsuit. The Town cannot waive its right to enforcement by not acting within the time window. The Commission discussed whether a cease and desist letter should be sent once there has been no answer to two violation letters.
4. Consider procedure for discontinuance of existing dwelling while replacement dwelling is constructed on same site at 24 Mills Lane – The Secretary noted that three estimates for demolition had been received as required to set a cash bond for removal of the existing dwelling once the replacement dwelling has been completed; no bond was set. It was noted that one property owner who had posted such a cash bond for conversion of the existing dwelling to a garage was in non-compliance. A letter should be sent to the owner from the ZEO requesting an immediate response to his serious non-compliance with the conditions of the zoning permit and the zoning regulations.
5. Special Permit application for affordable accessory apartment at 24 Mills Lane; for receipt and to schedule public hearing – The Secretary had noted that an application had been received and that the Land Use Director, John Hayes, had stated it was substantially complete to schedule a public hearing. The Chairman noted that this application required referrals to the Town of Weston and Greater Bridgeport Regional Council; the public hearing was set for July 28, 2014 to allow enough time for those mandatory referrals.
6. Current correspondence – The Chairman noted the receipt of a letter from Wayne S. Garrick, Architects, dated May 30, 2014 regarding alleged zoning violations at 71 North Park Avenue. The Commission determined that the ZEO must investigate this complaint and report back to the Commission at the next meeting and his attendance at this meeting was requested.

At approximately 9:45PM, motion was made by Robert DeVellis, seconded by Vincent Caprio, to adjourn the meeting. The vote was unanimous, 5-0, motion carried.

Margaret Anania
Margaret Anania, Recording Secretary

RECEIVED

2014 JUN 17 P 2:03

John Hayes
John Hayes, Clerk

AST