

SPECIAL MEETING AND REGULAR MEETING MINUTES
FOR THE EASTON PLANNING AND ZONING COMMISSION
CONFERENCE ROOM A, EASTON TOWN HALL, 225 CENTER ROAD, EASTON
MONDAY, APRIL 24, 2017

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.

SPECIAL MEETING:

Chairman, Robert Maquat, called the special meeting to order at approximately 6:15pm.

Regular Members present: Robert Maquat, Wallace Williams, Ross Ogden and Robert DeVellis who arrived at approximately 6:25pm.

Regular Member absent: Milan Spisek

Alternate Members present: Raymond Martin arrived at approximately 7:00pm

For the record: The Chairman noted at the beginning of the meeting there was a quorum of three voting members present: Robert Maquat (Chair), Wallace Williams and Ross Ogden.

Also present at the special meeting was Attorney Ira Bloom, Counsel for the Commission and Land Use Director, John Hayes.

The Chairman, Robert Maquat, made a motion to amend the notice of the meeting to include the companion lawsuit by Saddle Ridge Developers, LLC and Silver Sport Associates, LP. It was seconded by Wallace Williams. The Chair noted the three members present and voting: Chair, Robert Maquat, Wallace Williams and Ross Ogden. The vote was unanimous, 3-0, motion carried. The Chair also noted that the other two voting members that would be attending as they voted on the application for Saddle Ridge which was appealed: Regular member, Robert DeVellis and Alternate member, Raymond Martin.

The Chairman made a motion to go into Executive Session to discuss the pending litigation. The motion was seconded by Wallace Williams. The vote was unanimous, 3-0, motion carried.

At approximately 7:05pm motion was made by the Chairman, Robert Maquat, seconded by Robert DeVellis, to come out of Executive Session and adjourn the special meeting. Voting were all four regular members as well as Alternate member Raymond Martin who arrived at 7:00pm. The vote was unanimous, 5-0, motion carried. Counsel for the Commission, Ira Bloom, then left the premises.

REGULAR MEETING: The Chair opened the regular meeting at approximately 7:05pm. Alternate member Alison Sternberg, recently sworn in, attended the Regular Meeting with the other members noted above in attendance at the Special Meeting. The Chairman appointed alternate member Raymond Martin to vote for regular member Milan Spisek in his absence.

ADMINISTRATIVE AND OTHER MATTERS

3. Review of draft Supplement to the Letter of Understanding – 33 Norton Road, property owned by Nathan Brito.

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REGULAR MEETING: (continued)

ADMINISTRATIVE AND OTHER MATTERS

3. Review of draft Supplement to the Letter of Understanding – 33 Norton Road (continued)
The Chairman noted Attorney Joel Green was present at the meeting and read his letter dated April 24, 2017 to Robert Maquat, Chairman, Planning and Zoning Commission, Re: Review of Draft Supplement to Letter of Understanding – 33 Norton Road, Property Owned by Nathan Brito. The Chairman noted that there had been an update to the March 16, 2017 draft Supplement to the Letter of Understanding, dated April 4, 2017, with the noted change being in Item 8., “for personal use only”; this letter was briefly discussed. Chairman Robert Maquat noted that he had received a communication via e-mail today from Brian Silver, confirming that Attorney Daniel Silver was currently out of the country. The Chairman stated he would allow Attorney Green to speak. Attorney Green then spoke. Based on the communication received April 24, 2017 by Planning and Zoning from the office of Mr. Brito’s attorney, Daniel Silver, the chairman stated that Mr. Brito should wait until he had Counsel present to make any statements. It was agreed that this item would be discussed further at the meeting of May 22, 2017. At that meeting, Mr. Brito and his Counsel, should be prepared to address the matter.

ITEMS FOR DISCUSSION AND/OR ACTION:

1. Discussion and/or action on an appraisal received for fee-in-lieu of open space regarding the Subdivision Application #16-01, Map Prepared for 17 Adirondack, LLC, Adirondack Trail, appraisal entitled “Appraisal of Real Estate Owned by Joseph Daniel Birarelli, Located At Harvester Road, Assessors map 5512A & 5513B, Lot 21, Easton, Connecticut”. The appraisal will be sent out via e-mail for review by the Commission and discussed at the next meeting.
2. Request for 90 day extension of time period to post the required bonds for fee-in-lieu-of open space and for subdivision construction, and to record the required plans and related documents in the Easton Land Records for Subdivision Application 16-01, “Subdivision Map Prepared for 17 Adirondack LLC, Adirondack Trail, Easton, CT”. The Chairman noted a communication received from Harold Rosnick via e-mail dated April 4, 2017 requesting an extension of 90 days of the deadline for filing the maps and documents for the “Subdivision Map Prepared for 17 Adirondack LLC, Adirondack Trail, Easton, CT”. Motion was made by Robert Maquat, seconded by Robert DeVellis, to grant the request for a 90 day extension from May 10, 2017 to August 8, 2017 (final deadline), to post the required bonds and file the required documents and maps in the Easton Land records for “Subdivision Map Prepared for 17 Adirondack LLC, Adirondack Trail, Easton, CT”. The vote was unanimous, 5-0, motion carried.

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REGULAR MEETING: (continued)

ADMINISTRATIVE AND OTHER MATTERS

4. Correspondence – The Chairman noted receipt of a correspondence from Kathy Kuhn, via e-mail with letter attached dated April 18, 2017 to Robert Maquat, Chairman, Town of Easton Planning and Zoning Commission. The Commission discussed this request by Kathy Kuhn to convert the old dwelling to be removed under conditional zoning permit Z-14-4844 to an outbuilding, with all utilities to be removed, including the pipes associated with those utilities, leaving only the electrical connection. The Commission discussed this request and found it to be a reasonable request. Based on the representation made by letter dated April 18, 2017 by Kathy Kuhn, motion was made by Robert Maquat, seconded by Raymond Martin, to allow for the conversion of the old dwelling to an outbuilding and the motion was amended by Robert Maquat, seconded by Raymond Martin, that a notice be placed on the land records regarding its non-use as a residence. The vote was unanimous 5-0, motion carried.

ITEMS CONTINUED FROM PREVIOUS MEETINGS :

1. Continued review of update of proposed Draft Zoning Regulations – Final comments to be submitted to Glenn Chalder. Present at the meeting was Timothy Brady, President, Fairfield County Farm Bureau. For clarity the Chairman discussed with the Commission the changes that were made last meeting to pages 63 to 66 regarding agriculture in order to make clear the comments to be submitted to Glenn Chalder. The Commission briefly discussed page 67, Institutional Uses, as well as the moratorium on community septic systems; the Secretary distributed a copy of the Town Ordinance on the Prohibition of Community Septic Systems adopted by the Town of Easton in 2006. The Chairman is to contact Glenn Chalder regarding the changes. Glenn Chalder to attend the Planning and Zoning Commission meeting of May 8, 2017.
2. Update of Town Plan of Conservation and Development 2006 – Town Plan Policy Recommendations. Draft Plan reports to be provided for discussion. In conjunction with the discussion of the draft regulations there was a discussion regarding having a town center. Commissioner Raymond Martin had visited the Town of Kent and taken several pictures which he shared with the Commission. Discussion was held about having an incremental plan for a town center which promotes interest and foot traffic for the town.

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REGULAR MEETING: (continued)

ADMINISTRATIVE AND OTHER MATTERS

1. Minutes of Regular Meeting April 10, 2017 of the Easton Planning and Zoning Commission – Motion was made by Wallace Williams, seconded by Ross Ogden, to approve the minutes of the Planning and Zoning Commission for its regular meeting of April 10, 2017 as presented. The vote was unanimous, 4-0, motion carried. Robert DeVellis did not vote as he did not attend the meeting of April 10, 2017.

At approximately 9:45pm, motion was made by Robert DeVellis, seconded by, Ross Ogden, to adjourn the regular meeting. The vote was unanimous, 5-0, motion carried.


Margaret Anania, Recording Secretary