

SPECIAL MEETING MINUTES MARCH 5, 2019  
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 7:02pm.  
Regular Members present: Robert Maquat, Wallace Williams, Raymond Martin, Ross Ogden  
and Justin Giorlando

Alternate Members present: Alison Sternberg and Walter Kowalczyk

Alternate Member absent: Tom Maisano

For the record: Land Use Director, John Hayes, Bruce Bombero, Sr., P.E. L. S. Deputy Town Engineer, and Edward Nagy, P.E., Town Engineer and Adam Dunsby, First Selectman, were present. Town Counsel, Ira Bloom, was present to address the first item.

**Pursuant to CT General Statutes Section 1-225, NOTICE, a special meeting is scheduled for discussion and possible vote** regarding the clarification of items and/or conditions in the RESOLUTIONS AND FINDINGS ADOPTED 3/13/17 BY EASTON PLANNING AND ZONING COMMISSION, on applications by Saddle Ridge Developers, LLC, the proposed Developer and applicant, on behalf of Silver Sport Associates, Owner, pursuant to Conn. General Statutes Sec. 8-30g. and 8-2 to construct a 48-lot community with 30% of the homes set aside as affordable pursuant to the above statutes on their property of approximately 124 acres bounded by Sport Hill Road, Silver Hill Road, Cedar Hill Road and Westport Road, including 897 Sport Hill Road (Map 3773-B/Lot 15-1), 48 Cedar Hill Road (Map 3774-B/Lot 27D), and Maps 3774-B-3773B/Block 7, and the pending litigation: THE COALITION TO SAVE EASTON v. EASTON PLANNING AND ZONING COMMISSION; SADDLE RIDGE DEVELOPERS, LLC and SILVER SPORT ASSOCIATES LP

**Specifically, the Commission will be discussing the brief drafted by Attorney Ira Bloom in response to specific questions asked by the Honorable Marshall K. Berger, Jr. at a trial on this case on January 8, 2019 regarding Easton Community Code Section 405 (Community Septic Systems). No public comments will be taken. The revised scheduled meeting will immediately follow this item.**

Chairman, Robert Maquat, read the legal notice into the record and then cited the document distributed to the Commission to be reviewed and possibly voted upon, "FINDINGS OF EASTON PLANNING AND ZONING COMMISSIN IN RESPONSE TO ORDER OF THE COURT IN DOCKET NUMBER HHD LND-CV-17-6078400S, THE COALITION TO SAVE EASTON v. EASTON PLANNING AND ZONING COMMISSION, SADDLE RIDGE DEVELOPERS, LLC, AND SILVER SPORT ASSOCIATES LP, two page document, with attachments from Polly Edwards, Easton Health Officer. Town Counsel, Ira Bloom discussed the history for creating this document. The Commission reviewed the document and made a couple of changes.

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Review of Findings in Document prepared for Easton Planning & Zoning Commission (cont'd)  
Motion was made by Robert Maquat, seconded by Raymond Martin, to adopt the findings in the two page document with attachments, dated March 5, 2019, as modified. Voting were only regular members Robert Maquat, Ross Ogden, Raymond Martin and Wallace Williams as Justin Giorlando was not part of the application process. The vote was unanimous, 4-0, motion carried.

ITEMS FOR DISCUSSION AND/OR ACTION:

2. Continued review of latest update of proposed Draft Town of Easton Zoning Regulations – The Chair noted an updated draft had been sent via e-mail to the Commissioners. Color copies were distributed to the Commission by the Chair. The Commission reviewed the updated draft to page 29 until the Town Engineer arrived.
1. Request for release of subdivision bond for Deer Crossing Farm Subdivision. Present at the meeting, representing the owner/developer of Deer Crossing Farm subdivision, was Attorney Ian Cole of Cohen and Thomas, Attorneys At Law and developer of Deer Crossing Farm Subdivision, Royal Wells. Attorney Cole stated that a letter dated 2/24/29 had been sent to the Chair from Attorney Dominic Thomas regarding this matter; the Commission received the letter. A letter had been sent to Easton Planning and Zoning Commission from Deputy Town Engineer, Bruce Bombero Sr., P.E., L.S., dated March 4, 2019; both the Commission and Attorney Cole had received this letter. Present at the meeting was Town Engineer, Edward Nagy, P.E. Attorney Cole stated that Royal Wells was at the meeting because his son had agreed to remove the apron. Attorney Cole requested that the Commission release a portion of the subdivision bond. The Town Engineer stated that this job was started over 18 years ago and that they should finish the job and get the entire amount back at one time. Attorney Cole requested to know what work was to be completed. The Town Engineer stated that the apron is to be removed, the area graded with topsoil and then seeded. Royal Wells and Attorney Cole agreed to do the suggested work and will request upon completion of said work the release of the outstanding subdivision bond.
2. Continued review of latest update of proposed Draft Town of Easton Zoning Regulations – The Chair noted an updated draft had been sent via e-mail to the Commissioners. Color copies were distributed to the Commission by the Chair. The Commission reviewed the updated draft to page 36; a few items were questioned. The chair noted that Glenn Chalder would come to a meeting to meet with the Commission.

PUBLIC HEARING: 6:00PM

Special Permit application, SP-19-01, Town of Easton, for proposed restroom facility on town-owned property as shown on plan entitled “Proposed Septic System, 413 Morehouse Road, Prepared for the Town of Easton, Easton, Connecticut”, dated Sept. 12, 2018, last revised 2/19/19, prepared by Bruce E. Bombero, Sr., P.E. The Chairman read the notice into the record. Bruce Bombero, Sr., Deputy Town Engineer., P.E., L.S. presented the application and discussed two plans submitted for the record: “Proposed Septic System, 413 Morehouse Road, Prepared for the Town of Easton, Easton, Connecticut”, dated Sept. 12, 2018, last revised 2/19/19, prepared by Bruce E. Bombero, Sr., P.E. and “Map Of Property Showing Proposed Restroom Facility Prepared For Town of Easton, 515 Morehouse Road, Easton, Connecticut”, dated March 3, 2019, prepared by Ochman Associates Inc.

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PUBLIC HEARING (continued):

The Chairman noted the following items for the record:

1. Special Permit Application SP-19-01 with attachments (5 pages), received 2/13/19.
2. Set of 3 Drawings submitted by Parks & Recreation Department and entitled "KODIAK CXT STANDARD BUILDING" prepared by CXT Precast Products, Drawings KD-03 to KD-05, received 2/13/19.
3. Map #1783 filed in the Easton Land Records entitled "Site Plan Showing Proposed Pavilion", received 2/13/19.
4. Zoning Location Survey Showing The Animal Control Shelter, 371 Morehouse Road & 105 Banks Road, received 2/13/19.
5. "Proposed Septic System, 413 Morehouse Road, Prepared for the Town of Easton, Easton, Connecticut", dated Sept. 12, 2018, last revised 2/19/19, prepared by Bruce E. Bombero, Sr., P.E.
6. "Map Of Property Showing Proposed Restroom Facility Prepared For Town of Easton, 515 Morehouse Road, Easton, Connecticut", dated March 3, 2019, prepared by Ochman Associates Inc.
7. 8-24 Referral dated June 22, 2018 to Planning and Zoning Commission from Adam Dunsby, First Selectman.
8. Letter to Hon. Adam Dunsby, First Selectman, dated July 11, 2018 from Robert Maquat, Chairman, Easton Planning and Zoning Commission with attached sketch drawing and Map #1783 attached.
9. Memo from Building Inspector, Anthony Ballaro, dated 2/20/19 to Robert Maquat, Chairman, Easton Planning and Zoning Commission; stating that the owner/applicant must comply with all four requirements noted.
10. Memo dated 2/25/19 from Police Chief, Timothy Shaw, to Robert Maquat, Chairman, Easton Planning and Zoning Commission.
11. Memo dated March 4, 2019 to Easton Planning and Zoning Commission from Polly Edwards, Health Officer.
12. Memo dated March 5, 2019 to Rob Maquat, Chairman, Planning and Zoning Commission, from Dori Wollen, Chair, Inland/Wetlands Commission Re: SP-19-01.
13. Letter dated February 15, 2019 from Town of Easton Parks & Recreation Department, received 2/15/19 by Easton Planning & Zoning Commission.

The Chairman reviewed the project's compliance with 7.2.1 of the Easton Zoning Regulations which is part of the findings the Commission must make when approving a special permit.

- A) Proposed Use – The proposed use is a pre-manufactured ADA compliant multi user restroom for the Morehouse property. There is a large need for bathroom facilities at this location due to the multiple sport fields used for recreational and school purposes throughout the warmer months of the year (i.e. March – November).
- B) Site location – 413 Morehouse would be the ideal location, straight down the road across from the baseball field. This location would put the restroom central to soccer fields, baseball fields and nearby the elementary school. The building will be designed to mirror the look of Samuel Staples Elementary with appropriate landscaping around it.

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PUBLIC HEARING: Findings in compliance with 7.2.1 (continued)

- C) Site Development – 413 Morehouse (as stated above) across from the baseball field is the location. The building is 10' 6" x 23' 8" x 8' (interior ceiling) and will have a barnwood exterior. The building will be landscaped with 10 – 12 arborvitaes to add to the aesthetics. The building also comes equipped with energy efficient, exterior motion sensor lights.
- D) Neighborhood Impact – The building should not cause any neighborhood impact.
- E) Traffic Access – The area is able to safely accommodate all traffic for the site as it is used already for recreational and school use.
- F) Parking – There is ample parking at the site with parking at the lower Morehouse fields, Field of Dreams baseball field and Samuel Staples Elementary School.
- G) Services – A septic system will be installed by DPW for waste removal and there is already water accessible at the site from the installation of the irrigation system previously. The building is in a convenient location for access to police, fire and medical services.
- H) Building Conversions – There are no building conversions necessary for this site.
- I) Environmental Protection – The proposed building will not impact the town's natural environment.

The Chairman opened up the meeting to the public. Citizen, Jeff Becker, questioned the number of toilets being provided. Parks and Recreation Director Danielle Alves responded, stating that there would be 4 toilet facilities in total, 2 women's stalls, and 1 men's stall and urinal.

Land Use Director, John Hayes, questioned the screening around the restroom facility. Chris Barcello, Chairman of Parks and Recreation Commission, stated that the arborvitae was meant to enhance the site, not screen it from view and that it could be changed if necessary.

Land use Director, John Hayes, questioned the illumination of the restroom facility. It had been stated that there were motion sensors and that the drawings indicated that there would be LED lights.

Discussion was held as to whether the building would be kept open at all times. The Parks and Recreation Director, Danielle Alves, stated that it would be kept open in the beginning unless they were told otherwise by the police.

Discussion was held regarding parking on the leaching fields. It was noted that they would be H2O loading.

Commissioner Justin Giorlando question the 2 inch water main as to whether or not the water would be palatable as requested by the Building Official. It was noted that it would be palatable, as there are already water fountains on site.

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PUBLIC HEARING (continued):

Discussion was held regarding the maintenance of the building. It was stated that this building will be put on the list of buildings requiring daily maintenance and cleaning. It was noted that the building will be closed during the winter.

Discussion was held regarding when the building would be placed on site; it was discussed that there is 10 to 12 weeks of lead time when ordering the building, so probably June, 2019.

Motion was made by Robert Maquat, seconded by Raymond Martin, to approve Special Permit application, SP-19-01, Town of Easton, for proposed restroom facility on town-owned property as shown on plans entitled "Proposed Septic System, 413 Morehouse Road, Prepared for the Town of Easton, Easton, Connecticut", dated Sept. 12, 2018, last revised 2/19/19, prepared by Bruce E. Bombero, Sr., P.E. and "Map Of Property Showing Proposed Restroom Facility Prepared For Town of Easton, 515 Morehouse Road, Easton, Connecticut", dated March 3, 2019, prepared by Ochman Associates Inc. and based upon the following findings, in compliance with Section 7.2.1 of the Easton Zoning Regulations, as noted previously and subject to compliance with Item 9., previously noted by the Chairman, Memo from Building Inspector, Anthony Ballaro, dated 2/20/19 to Robert Maquat, Chairman, Easton Planning and Zoning Commission; compliance with all four requirements. The vote was unanimous, 5-0, motion carried.

ITEMS FOR DISCUSSION AND/OR ACTION:

3. Grant Opportunities – The Commission discussed several opportunities for grants which Commission members have obtained information about. The Chair noted that he had put in the budget money for Trails and Bikeways.
2. Continued review of latest update of proposed Draft Town of Easton Zoning Regulations – The Commission continued to review the update from page 36 and questioned several items. The Commission will continue to review the document and will meet with Glenn Chalder in the future.

ADMINISTRATIVE AND OTHER MATTERS (continued):

2. ZEO Report – None submitted.
1. Minutes of Special Meeting February 19, 2019 of the Easton Planning and Zoning Commission – Motion was made by Wallace Williams, seconded by Raymond Martin, to approve the Special Meeting Minutes for the February 19, 2019 Easton Planning and Zoning Commission Meeting as presented. Alison Sternberg attended that meeting and voted in place of Justin Giorlando. The vote was unanimous, 5-0, motion carried.

ITEMS FOR DISCUSSION AND/OR ACTION:

3. Grant Opportunities – Commissioner Giorlando stated that he spoke with MetroCOG and that they stated they had the availability to do research. The Commission discussed whether maintenance costs could be built into the cost of developing Trails.; it was determined there was no way to do that.

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ITEMS FOR DISCUSSION AND/OR ACTION:

3. Grant Opportunities (continued)

Commissioner Giorlando suggested that the Town look into having DOT or UCONN prepare a Safety Assessment of the proposed area for trails linking the Town Center to both schools and Town Hall as it will help with obtaining future grants. It was determined by the Commission that they should do it.

At approximately 9:00pm, there being no other business to be conducted, motion was made by Ross Ogden, seconded by Wallace Williams, to adjourn the meeting. The vote was unanimous, 5-0, motion carried.

  
Margaret Anania, Recording Secretary