

PRELIMINARY MINUTES OF REGULAR MEETING
AUGUST 26, 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 7:11pm
Regular Members present: Robert Maquat, Steve Carlson, Wallace Williams & Robert DeVellis
Regular Members absent: Milan Spisek
Alternate Members present: Raymond Martin and Ross Ogden.
For the record: Raymond Martin was appointed to vote for Milan Spisek.
Town Officials present: John Hayes, Land Use Director

ADMINISTRATIVE MATTERS

1. ZEO Report – An oral ZEO report was given by Phillip A. Doremus on the following items:
 - a. Horse activities at Buttonwood Farm, 114 Center Road, (Owner: Carla Sharp)
The staff will meet with Carla Sharp before the next meeting.
 - b. On-going activities at 55 Silver Hill Road, (Owner: Jo-Ann Bachleda Exec.)
ZEO will continue to investigate. This item will be on the next agenda for comment.
 - c. Easton Village Store, 440 Sport Hill Road – Temporary CZC expires Sept. 1, 2013.
ZEO reported that significant progress had been made at the EVS and sought guidance on a few items regarding the Easton Village Store: signage, lighting and seating. It was determined by the Commission that etching on the glass doors did not constitute a sign. The Commission requested that Marsel Huribal (owner: Easton Village Store) attend the next meeting. The ZEO will contact Marsel Huribal. Temporary CZC may be extended by the ZEO.

ITEMS FOR DISCUSSION/POSSIBLE ACTION

- 4.) Subdivision Application 08-03, Laura Prizio, 2 Morehouse Road (approved 8/13, Record Map #1747). Request to revise plan for Lot #2 (Reports requested from Town of Fairfield have been received). The Land Use Director suggested that the Commission take action on the request for revision. It was determined by the Commission that there was an approved subdivision plan filed in the Land Records; no action was taken.

ADMINISTRATIVE MATTERS (continued)

3. Receipt of Special Permit Application, SP-13-04, Application for Affordable Accessory Apartment by Robert Brunetti, Sr., 115 Wilson Road. The Chairman noted that the application had been resubmitted 8/13/13. The Land Use Director stated that the application was substantially complete and ready to schedule for public hearing. The Commission determined that the public hearing would be set for September 30, 2013 at 7:30PM, Conference Room of the Easton Town Hall, 225 Center Road.

PRELIMINARY MINUTES OF REGULAR MEETING
AUGUST 26, 2013 PLANNING AND ZONING COMMISSION

ADMINISTRATIVE MATTERS (continued)

5. Correspondence - The Chairman noted a letter of request dated August 21, 2013 from David S. Bjorklund, Jr., P.E. to substitute the planting shown on the planting plan for 212 Beers Road for Edith Hersher.

Motion was made by Robert Maquat, seconded by Wallace Williams, to discuss the change in the planting plan for 212 Beers Road for Edith Hersher. The vote was 5-0, vote unanimous, motion carried.

John Hayes discussed the change in the planting plan requested, to substitute five (5) Andromeda (5'-6') high with a variety of white pine or spruce, and substitution of Holmstrup Arbovitae with Green Giant Arbovitae (5'-6'). Mr. Hayes suggested the spruce would be better than the white pine as the white pine were susceptible to blister rust. Mr. Hayes stated that he had no comment regarding the Arbovitae substitution.

Motion was made by Robert Maquat, seconded by Wallace Williams, to find that the request for substitution of planting as referenced by a letter dated August 21, 2013 from David S. Bjorklund, Jr., P.E. and as shown on a plan entitled "Site Plan, 212 Beers Road, Easton, Connecticut, Prepared For Edith Hersher", 1/14/13 to be acceptable to the Commission. The vote was 5-0, vote unanimous, motion carried.

PUBLIC HEARING:

The chairman read the charge: Proposed 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 amendment would authorize the residency requirement of this section to be met by principals or owners of such corporation, partnership, LLC or other entity having a "concrete and substantial relationship" with the owner or owners of the property and allow for the sale of colored mulch, chips or similar materials provided coloring agents are not produced on the site and provided appropriate measures are taken to ensure that the dyes are adequately contained on site. Present at the public hearing was Attorney Peter Gelderman and his client Paul Falco.

Attorney Gelderman discussed the proposed text amendment and stated that this text amendment defined a specific relationship between the farm and the special permit use and that this amendment also sought to update the present regulation for the use of dyes, staining that ¾ of mulch used by people today is dyed. He noted no dye would be manufactured on-site, but dye would be added to the chips.

PRELIMINARY MINUTES OF REGULAR MEETING
AUGUST 26, 2013 PLANNING AND ZONING COMMISSION

PUBLIC HEARING: (continued)

Attorney Gelderman submitted the following items for the record:

- a. Letter to J. Scott Edwards dated March 29, 2010 from Brian T. Roach, Supervisor, Environmental Protection, Aquarion Water Company.
- b. Industry index printout from the Mulch & Soil Council
- c. Vision Recycling Newsletter-Fall 2010 with article "Is Colored Mulch Safe?"

Attorney Gelderman also submitted a copy of his presentation.

Chairman, Robert Maquat, noted the following items for the record:

1. Letter dated July 18, 2013 to the Planning and Zoning Commission from Peter V. Gelderman with proposed text amendment to Section 7.12.2 of the Easton Zoning Regulations attached.
2. Letter to J. Scott Edwards dated March 29, 2010 from Brian T. Roach, Supervisor, Environmental Protection, Aquarion Water Company.
3. Industry index printout from the Mulch & Soil Council
4. Vision Recycling Newsletter-Fall 2010 with article "Is Colored Mulch Safe?"
5. Narrative of comments of Peter Gelderman's presentation.
6. Letter dated August 22, 2013 to Robert Maquat, Chair, Planning and Zoning Commission, from Brian Bidolli, Executive Director, Greater Bridgeport Regional Council.
7. Draft report of Zoning & Subdivision Regulations Referral dated Tuesday, August 6, 2013, from Meghan Sloan.
8. Letter dated July 31, 2013 to Planning & Zoning Commission from Lila P. Dean, Chairman, Planning and Zoning Commission, Town of Newtown.
9. Letter dated August 20, 2013 to Robert Maquat, Chairman, Easton Planning and Zoning Commission from Diane Fl Taylor, Chairman, Redding Planning Commission.
10. Letter dated August 6, 2013 to Robert and Margaret from Will Palmquist, AICP, GIS Analyst/Planner, South Western Regional Planning Agency.

The Commission discussed the definition of several terms such as financial benefit and questioned the use of the percentage of 50% for ownership of the property. The Commission discussed the fact that this activity was not enacted just for the preservation of the family farm. The Commission also discussed whether the proposed amendment could be approved by deleting one part. There was also discussion of the residency requirement.

The Chairman read into the record the proposed text amendment to Section 7.12.2 of the Easton Zoning Regulations which was attached to the letter dated July 18, 2013 to the Planning and Zoning Commission from Peter V. Gelderman.

The meeting was opened up to the public. Paul Falco spoke and submitted two items.

1. Letter dated July 18, 2013 to Easton Zoning Board from Paul Falco with attached copy of quarterly report filed with CT DEP Solid Wast.
2. Letter dated August 18, 2013 to Easton Zoning Board from Paul Falco with letter dated August 20, 2013 from Ronald Olsen, Marketing/Inspection Rep. 2, CT Department of Agriculture regarding woodchips importation and dyeing.

PRELIMINARY MINUTES OF REGULAR MEETING
AUGUST 26, 2013 PLANNING AND ZONING COMMISSION

PUBLIC HEARING: (continued)

Discussion was held regarding the storage of dyes and the residency requirement. Discussion was also held regarding the beneficial relationship and whether there is the ability to have unlimited employees.

The Commission again discussed whether part of the amendment could be deleted and determined they could delete items but not modify them.

The Chairman closed the public hearing at approximately 9:30pm.

ADMINISTRATIVE MATTERS (continued)

2. Request for use of portable lights at Veterans Field by Aspetuck Wildcats Association.

The Chairman noted a letter from Jeffrey Gombos, President of the Aspetuck Wildcats Association, Inc. dated August 20, 2013. Motion was made by Robert Maquat, seconded by Raymond Martin, to approve the request by the Aspetuck Wildcats Association, Inc. to use portable lighting, as used in the past, on Veterans Field, from approximately September 2nd through the end of the season for football and cheerleading squads' practice Monday through Friday from 5:30pm to on or about 8:00pm. The season is understood to end in late November, in any event no later than December 1, 2013. The Chairman also noted that based on the letter dated August 20, 2013 the Commission determined that the request for the use of portable lights at Veterans Field is an acceptable use as it is an extension of a present use at Vets Field. The proposed illumination will be acceptable provided it will be directed on the field in such manner as to not cause glare affecting adjacent properties. The Chairman also noted that the Commission requires that the Aspetuck Wildcats Association, Inc. coordinate with the Easton Community Center and the Board of Education regarding on-going activities on the site. The Commission also requests that the Aspetuck Wildcats Association contact Gary Simone, Director of Parks and Recreation, regarding the dates and use of Vets Field to assure that Parks and Recreation is agreeable with the dates applied for by the AWA. The Commission reminds the AWA that any parking or safety issues which may arise should be addressed immediately. The vote was unanimous, 5-0, motion carried

At approximately 9:40pm motion was made by Wallace Williams, seconded by Robert DeVellis to adjourn the meeting. The vote was unanimous, 5 in favor, none opposed.


Margaret Anania, Recording Secretary

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ASTON TOWN CLERK