

MINUTES OF SPECIAL MEETING JANUARY 11, 2017
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 meeting to order at approximately 8:00pm.

Regular Members present: Robert Maquat, Wallace Williams and Robert DeVellis

Regular Member absent: Milan Spisek

Alternate Members present: Ross Ogden and Raymond Martin

For the record: Ross Ogden was appointed to vote for the vacant regular member and Raymond Martin was appointed to vote for Milan Spisek. Steve Carlson's resignation was accepted at the Board of Selectmen Meeting 1/5/17. Alternate Member Vincent Caprio's resignation was also accepted on 1/5/17.

Public Hearing:8:00PM

At approximately 8:00pm Chairman Robert Maquat opened the continued public hearing on the application, 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.

The application proposes to:

- (1) Amend the Town of Easton Zoning Regulations (Article 3) to create a new zoning district, titled "Planned Housing Opportunity District" (HOD)
- (2) Amend the Town of Easton Zoning Map to designate the applicants' property, as described above, as a HOD District;
- (3) Amend the Town of Easton Subdivision Regulations as follows:
 - a) Section 10.11, to exempt a HOD District from certain open space requirements;
 - b) Section IV C (5), to require dead end streets to provide a minimum of two (2) and maximum of sixteen (16) building lots in a HOD provided that subsections (A) and (b)(i) of this Section are satisfied.
- (4) Approve a subdivision application, "Easton Crossing", for the applicant's property as described above, creating approximately 124 acres into 48 building lots, one separate parcel, four roads and several open space parcels;
- (5) Approve applications authorizing the creation of 9 (9) affordable homes of the 30 total homes and 11 (11) duplex style affordable apartments to be incorporated within 18 (18) duplex buildings is planned for the proposed subdivision, pursuant to standards of General Statutes Section 8-30g, and Section 8-2.
- (6) Approve a site plan for construction of a HOD project on the applicants' property, as referenced above.

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Public Hearing:(continued)

Mike Bartos, PE, LANDTECH, outside consultant for the Town, discussed his report dated January 4, 2017.

Commissioner Robert DeVellis questioned Mr. Bartos as to whether the 2014 and 2016 plans differed to such a degree that there would be a need to submit the 2016 plans to Conservation. Mr. Bartos stated that they were substantially the same and almost identical as submitted to the Conservation Commission in 2014 and referred to his report dated December 12, 2016.

Commissioner Wallace Williams questioned the stormwater treatment analysis and detention calculations for impervious surfaces the same for each lot and asked whether they were based on 6.7% or 10%.

Ted Hart, P.E., of Milone and MacBroom, noted that the percentages ranged from next to nothing to 15% or 16%. Ted Hart stated that the original calculation for the site had been 7.6% before they added the porous pavers.

Chairman Robert Maquat stated that they need to make a determination what assumptions went into the analysis.

John Hayes, Land Use Director, stated that the development of these lots should have an individual engineered site plan for drainage (showing separation requirements) and that the whole site plan should be designed by a profession engineer. Mr. Hayes also stated that if you are not tracking each lot how do you manage the development going forward.

Attorney Matthew Ranelli agreed that they should have an engineered plan and stated that there would be a regulatory mechanism for impervious coverage, as they would agree to the DPH condition as a mechanism to prevent the project site from exceeding 10% impervious surface; no individual lot shall have more than 13% impervious coverage. It was stated that the 13% was arrived at from a formula which assumed how much coverage everyone could have (13%) to meet the 10% site coverage.

Attorney Ranelli also noted that the Legislature did not allow for a permanent bond.

Mke Bartos, PE, continued to discuss his report date January 4, 2017.

Discussion was held regarding the detention basins and their location in the Town Open Space rather than on easements on separate individual lots.

Attorney Ranelli stated that they were requested to locate the detention basins in the Open Space area by the Town and also stated that it would be problematic if it was part of somebody's lot as it may lead to confusion.

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Public Hearing:(continued)

The Chairman noted the following items for the record:

1. Memo sent by Margaret Anania for Chairman Robert Maquat to Michael Santoro, Department of Housing, dated January 9, 2017 via e-mail, consisting of one page.
2. Response from Michael Santoro, Department of Housing, in a memo dated January 10, 2017 to Mr. Maquat thru Ms. Anania via e-mail, consisting of one page.
3. Memo sent to Margaret Anania via e-mail to Town of Easton Planning and Zoning Commission January 11, 2017 from Joy and Howland Blackiston, 100 Cedar Hill Road, consisting of one page.
4. Memo from Deborah Bassino dated January 11, 2017 to the Board of Planning and Zoning, consisting of four pages.
5. E-mail to Margaret Anania from June Logie dated January 11, 2017 with the response from Michael Santoro dated 11/28/16, consisting of two pages.
6. Memo dated January 9, 2017 to Planning and Zoning Members and Chairman Maquat from June Logie, 140 Rock House Road, consisting of three pages.
7. Report dated January 4, 2017 sent via e-mail by Mike Bartos, PE, Landtech, to Ira Bloom, Robert Maquat and Margaret Anania, consisting of eight pages, nine with the cover.
8. One page letter dated January 7, 2017 from Steve D. Trinkaus, P.E., Trinkaus Engineering, LLC to Mr. Robert Maquat, Chairman, Planning and Zoning Commission, sent via e-mail by the CFE Board to Margaret Anania January 9, 2017.
9. E-mail from Pamela K. Ferraina, 63 Burr Street, Easton, CT, to Margaret Anania January 8, 2017 with two documents attached:
 - a. Two page letter to Robert Maquat, Chairman, Planning & Zoning, Town of Easton, from Pamela K. Ferraina.
 - b. Appeal filed in superior Court January 7, 2015 by Mathew Ranelli, Shipman & Goodwin LLP on behalf of the Plaintiffs, Saddle Ridge Developers, LLC and Silver Sport Associates LP v. Easton Conservation Commission, consisting of twelve pages plus exhibits for a total of 26 pages.
10. Memo From John Hayes, Land Use Director to Robert Maquat, Chairman, Planning and Zoning Commission dated January 9, 2017 consisting of three pages.

The following person spoke:

1. Deborah Bassino, 885 Sport Hill Road, discussed a memo, noted as item #4 above
2. Howland Blakiston, 100 Cedar Hill Road, discussed a memo noted as item #3 above
3. Betsy Rudden, 33 Sport Hill Road

Attorney Ira Bloom briefly summarized the law under 8-30g. under a denial situation.

Attorney Ira Bloom also stated that if you approve it, there could be an appeal by the applicant on some of the conditions and also by the intervenor.

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Public Hearing:(continued)

Attorney Bloom stated that the burden of the proof is on the Commission with a denial.

The following people spoke:

4. Bill Kupinse, 5 Stones Throw
5. Milicent Leuba, 910 Sport Hill Road

Commissioner Ross Ogden questioned the Affordability Plan and the mechanism in place for proper marketing to meet the plan of each phase, specifically why there were three market rate houses being built to one affordable house, why not one out of three? A question was also raised about the Homeowner Association and how they administer the rental of units they do not own. A question was also raised about the need for affordable housing and whether a study had been done.

Attorney Ranelli submitted four items for the record which the Chairman took note of for the record.

11. Nine page report entitled "Hydrologic Evaluation, Easton Crossing, Easton, Connecticut, Prepared For: Mr. Robert S. Carlson, Saddle Ridge Developers, 68 Soundview Drive, Easton, Connecticut, Prepared by Hydro Environmental Solutions, Inc.", dated January 11, 2017.
12. "Petition For Text Amendment, Map Text Amendment, Subdivision Approval, and Site Plan Approval of Saddle Ridge Developers For Property Located at Sport Hill Road, Silver Hill Road, Cedar Hill Road, and Westport Road (Route 136), Applicant's Supplemental Materials, January 11, 2017".
13. CD entitled "Petition For Text Amendment, Map Text Amendment, Subdivision Approval, and Site Plan Approval of Saddle Ridge Developers For Property Located at Sport Hill Road, Silver Hill Road, Cedar Hill Road, and Westport Road (Route 136), Applicant's Supplemental Materials, January 11, 2017".
14. Set of nine letters, with dates ranging from March 22, 2010 to June 9, 2010, to Polly Edwards, R.S. Easton Health Department for Sewage Disposal Systems for nine lots from Matthew A. Pawlik, P.E., R.S., Sanitary Engineer III, Environmental Engineering Program, State of Connecticut, Department of Public Health, Environmental Health Section, Environmental Engineering Program.

Ted Hart, P.E. discussed reports contained in item #12 noted above.

Attorney Matthew Ranelli also discussed reports and letters contained in item #12 above.

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Public Hearing:(continued)

Ted Hart, P.E. also discussed a project he was doing in another watershed area in Hamden, CT. He submitted three exhibits in regards to this project which were marked as Exhibits A, B, and C.

- A. Lake Whitney Water Supply Watershed
- B. Water Supply Watershed Development
- C. Site Plan – Layout, Whitneyville, Residential Development, 380 Mather Street, Hamden Connecticut, dated January 15, 2015 by Milone & MacBroom.

Commissioner Wallace Williams questioned whether this project involved city water and city sewers? Mr. Hart replied it did.

The original exhibits displayed at every public hearing were also submitted and were marked as Exhibits D and E.

- D. Permitted residential Density in the Aspetuck, Easton Lake and Hemlocks Reservoir Watersheds.
- E. Site Plan – Subdivision, Easton Crossing, Sport Hill Road, Silver Hill Road, Cedar Hill Road, & Westport Road, dated May 19, 2014, last revised 9/08/2016, Drawing LA-R (in color).

Attorney Ranelli made concluding comments regarding the proposed affordable housing project.

At approximately 10:30pm, motion was made by Robert DeVellis, seconded by Wallace Williams, to adjourn the meeting. The vote was unanimous, 5-0, motion carried.


Margaret Anania, Recording Secretary