

Present: Don Saltzman, Chairman; Jane Connolly, Vice Chairman; Paul Heifetz, Dan Gilbert, Stephan Grozinger, Katie Gregory, Ridge Young

Meeting on tapes 1-5 dated 2/25/08

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EXECUTIVE SESSION: APPOINTMENT OF JAMES PJURA AS ZONING ENFORCEMENT OFFICER

Don Saltzman moved that the Commission go into Executive Session. Seconded by Dan Gilbert. Vote in favor (7-0).

Stephan Grozinger moved that the Commission go out of Executive Session. Seconded by Jane Connolly. Vote in favor (7-0).

MOTION:

Don Saltzman moved that the Commission approve James Pjuro to be appointed as the Zoning Enforcement Officer for the Town of Weston, effective upon his employment with the Town of Weston.

Seconded by Stephan Grozinger. Vote in favor (7-0)

It was noted that Robert Turner is still the official Zoning Officer until the contract is signed.

PUBLIC HEARING: ACTIVITY IN A FLOOD PLAIN: HORNUNG 37 RIVER BANK ACCESSWAY & BRIDGE (GRUMMAN ENGINEERING)

Don Saltzman read the legal notice for the public hearing into the record.

Present: Don Strait, Landscape Engineer of Grumman Engineering and Dean Martin, P. E. with Grumman Engineering, Owner James Hornung, Town Engineer John Conte, Land Use Director Tracy Kulikowski, Zoning Officer Robert Turner; Conservation Planner Fred Anderson, two representatives from the Cuoco Structural Engineers, LLC.

Tracy Kulikowski stated that the bridge may not come under the Flood Plain Regulation for the one foot elevation requirement because it is not defined as a structure according to the Flood Plain Regulations. Don Strait went over the plans for the access way and bridge in detail. He noted that "curves" had been added to the access way to help facilitate the turning for the fire trucks.

PUBLIC HEARING: HORNUNG CONT:

Paul Heifetz questioned if the neighbors on Riverbank are going to use the bridge? Mr. Hornung stated yes for an emergency only. It was stated that there could be a gate at the property line of Hornung on Riverbank and the Fire Department would have to be given the code to open the gate for emergencies.

Ridge Young questioned what kind of use is this bridge going to get? Jane Connolly stated that the driveway and bridge are not designed for two way traffic. It is a single road driveway and also it is a one lane bridge. For a two car driveway the applicant would need a 16 foot wide driveway. Mr. Hornung had stated that the accessway is just for them.

PUBLIC COMMENT:

Babette Lienhard, resident of Riverbank Road, stated that Riverbank Road itself is not a two lane road. She also questioned who would use the Lyons Plain accessway? Don Strait stated that it will be closed off on Riverbank and only for use for the Hornung house. Jane Connolly noted that Riverbank is a private road. Don Saltzman asked Mr. Hornung who owns Riverbank Road? Do you have an easement and right to pass and repass and Mr. Hornung needs to check his deed.

Dan Gilbert remembered that at a previous meeting it was mentioned that the neighbors did not want the road closed off and wanted the use of the turnaround. Mr. Hornung stated that he would like both the Riverbank and the Lyons Plain entrances to his home and they were building the accessway and bridge for themselves.

Babette Lienhard stated that the road has deteriorated very badly with construction trucks over the past three years while the Hornung's have been renovating the main house, which she felt was a bit excessive. She also asked if the ongoing project construction vehicles going to come in from Riverbank Road or Lyons Plain?

Don Saltzman questioned the time frame for putting the new bridge in place and did not know how long that is going to take. Dan Gilbert asked if some of the construction could be done from Lyons Plain? The engineers present felt that most of the bridge construction would be done from Lyons Plain with heavy machinery.

Mr. Bartley, another abutting neighbor complained about the past three years, 6 days a week with construction traffic all the time. He felt that guide lines should be placed on this type of activity. He wants to be a good neighbor but is concerned about more traffic.

Don Saltzman was sympathetic and stated that years ago he wanted to invoke a noise ordinance in Town and it did not fly. He felt it would be best to be worked out by the neighbors and that they should talk to each other. Don Saltzman stated to Ms. Lienhard that the Commission does not have jurisdiction over most of your issues. He then asked

the two engineers how long they felt it would be to place the bridge and they felt about two months for the super structure of the bridge itself. The applicant already has a PLANNING & ZONING MINUTES FOR FEBRUARY 25, 2008 PAGE 08-13

PUBLIC HEARING: HORNUNG CONT:

wetlands permit. The engineers then talked about the construction detail and timing of placing the bridge. Don Saltzman requested that the applicant use the Best Construction Practices and that the Town Engineer oversees the project. Mr. Hornung stated that he would like to move into the house by June 1.

The Commission then referred to the Town Engineer's memo of February 25, 2008 and Fred Anderson stated that the applicant will be following the sedimentation and erosion controls on the approved Conservation site plan revised to 1/29/08.

Tracy Kulikowski checked the final plan to include the added curve in the accessway for the fire trucks (an extra four feet).

Dean Martin, P. E. of Grumman Engineering went over in detail the Hydraulic Analysis for the project including the Hec-2 study. Paul Heifetz questioned if the Commission has a certified professional letter as called for by the Flood Plain Regulations. The answer was yes – Town Engineer John Conte, P.E. and Dean Martin, P. E. of Grumman Engineering. Dan Gilbert questioned DEP and it was stated not unless we feel it necessary. The Town Engineer stated that a letter written to the Army Corp of Engineers – which has been done, automatically goes to DEP. Dan Gilbert wished to confirm that there will be no construction in the river. This was correct.

Don Strait presented the final plan, consisting of 5 sheets, and signed off and dated by the Chairman.

Don Saltzman moved that the Commission close the public hearing. Seconded by Stephan Grozinger. Vote in favor (7-0).

Don Saltzman took a consensus of the meeting and will write a draft approval for the next meeting March 3, 2008.

DISCUSSION: REGULATIONS

7. ZONING REGULATIONS – PROPOSED REVISION TO SECTION 374, NON-CONFORMITY, OTHER THAN USE – ROBERT TURNER

A discussion took place on Robert Turner's (present) additional wording to this section. Jane Connolly stated that she would clean up the wording and discuss again on the March 3<sup>rd</sup> agenda.

1. ZONING REGULATIONS – REVISION TO SECTION 372.3 NON CONFORMING USE OF LAND AND SECTION 373.5 NON-CONFORMING USE OF BUILDINGS.

A memo was distributed to the members with suggested new wording and the words “or” to “and” were discussed. It was also questioned if the Town Attorney had seen the wording. Jane Connolly and Robert Turner will discuss with the Town Attorney on Wednesday, February 27, 2008 and will be on the agenda for the next meeting on March 3, 2008.

2. ZONING REGULATIONS – ADDING ZERO INCREMENTAL RUNOFF REGULATIONS

Copies of Section 3.11.3 zero incremental runoff requirements in the Subdivision Regulations were handed out to the members, along with the definition of zero incremental runoff. A discussion followed to include that water that is on the property stays on the property. To be continued to the next meeting on March 3.

3. BID CRITERIA FOR TOWN PLAN OF CONSERVATION & DEVELOPMENT CONSULTANT

The Land Use Director stated that the capital budget has not gone to the Board of Selectmen yet which includes the request for \$50,000. for consultant fees. A Request for Qualifications for the Town of Westport/Wilton 2007 plan was handed out to the members which included their requests. A discussion followed to include interviewing the consultants.

4. ZONING REGULATIONS SECTION 321.6 MAXIMUM BUILDING COVERAGE

To be discussed at the next meeting

5. ZONING REGULATIONS – DELETION OF SECTION 341.2F REGARDING BRIDGES AND PUBLIC ROADS

To be discussed at the next meeting

5. SUBDIVISION REGULATIONS – DELETION OF SECTION 2.3 PRELIMINARY DISCUSSION

To be discussed at the next meeting

APPROVAL OF MINUTES:

Stephan Grozinger moved that the Commission approve the minutes of February 4, 2008 with correction. Seconded by Jane Connolly. Vote in favor (7-0)

Meeting adjourned.

Respectfully submitted.

Joan Lewis, Administrative Assistant

Approval: