

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

Meeting on tapes 1-5 dated 3/3/08

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DISCUSSION/DECISION: ACTIVITY IN A FLOOD PLAIN: HORNUNG 37 RIVER BANK ACCESSWAY & BRIDGE (GRUMMAN ENGINEERING)

The Commission members went over, in detail, a draft of conditions, created by the Land Use Director, for the Hornung Flood Plain Activity application for an access way and bridge at 37 Riverbank. After a discussion and amending this draft the following motion of approval was made.

MOTION:

Don Saltzman moved that the Commission approve the draft of conditions as an approval for the application for an activity in a flood plain for James Hornung of 37 Riverbank to construct an access way and bridge. Seconded by Stephan Grozinger. Vote in favor (6-0) Jane Connolly absent.

DISCUSSION: P&Z COMMISSION AS DESIGNATED AQUIFER PROTECTION AGENCY/ ADOPTION OF AQUIFER PROTECTION AREA REGULATIONS

The Commission members went over the Aquifer Protection Area Regulations with the Land Use Director and made some minor changes. It was noted that these regulations which are dealing with ground water protection are mainly focused for commercial activity and not residential. If there was a home occupation in the protection area, they would have to be registered with the Agency.

The next step for the Commission is to vote to adopt these regulations and set a public hearing date 35 days from 3/3/08. It was stated that these regulations do not have to be sent to SWRPA; however they do have to be sent to the Department of Environmental Protection.

Don Saltzman moved that the Commission approve holding a public hearing for the adoption of the Aquifer Protection Area Regulations on May 6, 2008. Vote in favor (6-0) Jane Connolly absent.

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**DISCUSSION:****ZONING REGULATIONS – PROPOSED REVISION TO SECTION 374, NON-CONFORMITY, OTHER THAN USE – ROBERT TURNER**

Robert Turner, Zoning Officer, was present. The Commission discussed the proposed revision of Section 374 draft created by Robert Turner. A discussion followed to include that a non-conforming part of a house cannot be enlarged and also that a non-conforming use cannot be expanded or enlarged.

Stephan Grozinger moved that the Commission submit Robert Turner's proposed regulation and send it to SWRPA and hold a public hearing. It was noted that SWRPA meets on March 31. Seconded by Paul Heifetz. Vote in favor (6-0) Jane Connolly absent.

The proposed Section to read as follows:

**374 Non-Conformity, Other than Use**

A building or structure which is conforming in use but does not conform to the height, setback, and land coverage, parking or similar dimensional requirement of these regulations, shall not be considered to be non-conforming within the meaning of Sections 373 and 375 of these Regulations. However, no permit shall be issued nor shall any changes be made on such building or structure that will result in the increase of any such non-conforming features **NOR SHALL ANY NON-CONFORMING PART BE INCREASED IN HEIGHT.** (new revised wording to be added is in caps)

The date of the public hearing is to be determined.

**ZONING REGULATIONS – REVISION TO SECTION 372.3 NON CONFORMING USE OF LAND AND SECTION 373.5 NON CONFORMING USE OF BUILDINGS**

This agenda item is continued from the last meeting and the Commission members discussed this revision in conjunction with the Midtown Garage legal matter. It was stated that the Commission needs to create new language regarding "intent to abandon". The consensus was to discuss this with the Town Attorney and referred to a definition of "abandonment" by the Town Attorney in the Midtown Garage file. The Land Use Director will research. To be continued to the next meeting.

ZONING REGULATIONS – ADDING ZERO INCREMENTAL RUNOFF  
REGULATIONS TO THE ZONING REGULATIONS

The Commission members continued their discussion, from the last meeting, using a draft document prepared by Dan Gilbert, on adding the requirement of zero incremental runoff regulations now in the Subdivision Regulations to the Zoning Regulations. This item will be continued to the next meeting. The Commission members decided to ask the Town Engineer, John Conte, to the next meeting for his input on requesting an engineering report from an applicant proposing to build and tying this request to a permit.

CRITERIA FOR TOWN PLAN OF CONSERVATION & DEVELOPMENT  
CONSULTANT

The Land Use Director stated that she had arranged for a Town Plan consultant to come and speak to the Commission on April 21, 2008. A discussion followed regarding when to do a “survey” and timing of the public hearings. Also discussed the requirements for the Town Plan which is to anticipate the future needs of the Town. A work session was planned for one hour on June 2<sup>nd</sup>.

OTHER BUSINESS:

The Commission members had a discussion on the access way to two abutting lots to the Singing Oaks Subdivision for Robinson/Pellegrini as referenced in a letter from Attorney Galetti, dated 3/3/08. These lots are not part of the Singing Oaks Subdivision. This matter is to be researched and discussed with the Town Attorney and be on the agenda for the next meeting. Stephen Grozinger felt that the Commission should require an application for a Certificate of Zoning Compliance from the applicants.

APPROVAL OF MINUTES:

Stephan Grozinger moved that the Commission approve the minutes of February 24, 2008 with correction. Seconded by Dan Gilbert. Vote in favor (6-0) Jane Connolly absent.

Meeting adjourned.

Respectfully submitted.

Joan Lewis, Administrative Assistant

Approval:

