

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

Meeting on tapes 1-5 dated 6/16/08

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### REGULATIONS & ENFORCEMENT

Dan Gilbert opened the meeting and felt that the following should be deferred to the next meeting when Stephan Grozinger and Jane Connolly would be present.

1. Discussion cont: Review of March 23, 2006, Letter to Zoning/Enforcement Officer re: Limitation of Zoning Enforcement Officer Authority
  
4. Discussion – Zoning Regulations – Adding Zero Incremental Runoff Regulation

Discussion then followed, with the Code Enforcement Officer, J. Pjura, regarding Dr. Lieberman's home occupation and was it legal. Mr. Gilbert asked if the research had been done and the answer was yes. Tracy Kulikowski explained the status of the ZBA special permit going back to 1983 and the number of employees Dr. Lieberman now has. A discussion followed and the Commission felt that this matter needs to be clarified on how many people are in the practice. Consultant Robert Turner and Zoning Officer J. Pjura were requested to write a letter to Dr. Lieberman tomorrow 6/17/08, and also to talk to the Town Attorney.

Robert Walpuck was in the audience and stated that he had gone to Robert Turner, a while ago, with a complaint that a black top accessway and wetland crossing had been placed over his property to get into the Levitan property, at the end of Indian Valley Road, in order to conduct test pits. He stated that Mr. Turner had done nothing about his complaint. Mr. Turner responded that he had not seen any activity since but that he had sent a letter. Don Saltzman, in getting back to the agenda at hand, said we will look into it.

J. Pjura, Zoning Officer, presented a list of classes and programs that he will be attending, starting in September, to Dan Gilbert.

Town Engineer John Conte, presented his draft amendments for illicit storm water discharges, storm water and erosion control, to the Commission members. The members felt they needed more time to clarify the wording and decided to put it on the agenda for the next meeting, when Stephan Grozinger and Jane Connolly will be present. Mr. Gilbert asked the Town Engineer to deal with "rate" and also concerned about volume and therefore deal with the rate of the volume as it leaves the site. I you can control the rate of the volume as it leaves the lot where the Town Engineer explained the use of the detention basin.

RECEIPT OF APPLICATION: GEORGETOWN ROAD (LOST TRAILS LLC/WALPUCK)

Attorney Fuller, representing Robert Walpuck (also present), presented an application for a Zoning Permit for Parcel 515B, located on Georgetown Road. Attorney Fuller explained to the Commission that Sovereign Bank came to the commission a while ago and at that time what was mentioned Section 410 of the Zoning Regulations and a zoning permit was necessary. Mr. Walpuck has the other half of the property that was the Sovereign Bank property. He questioned why Sovereign could get a zoning permit for Parcel 515A and not us for 515B. Attorney Fuller stated that it is not a subdivision and he is trying to follow what you did with Sovereign Bank the last time.

Attorney Fuller showed the original map no. 475 and then map 3438 with the adjusted lot lines. Dan Gilbert asked where the baseball field was on the map. It was pointed out on the map by Robert Walpuck. Attorney Fuller went over maps 515 and 475 showing the adjusted boundary lines that were divided into two parcels, first cut, 515A (Sovereign) and parcel 515B. Attorney Fuller also stated that parcels 475 A and B were mortgaged with the Wilton Bank. Parcel 515A was mortgaged with Sovereign Bank and then foreclosed. He felt that parcel 515B is entitled to a zoning permit because Sovereign Bank got one for 515A.

Don Saltzman felt that Robert Walpuck created a lot and created an outline on a map and not established lots. Parcel 515A was mortgaged to Sovereign Bank. The last three parcels on the land are controlled by Walpuck. Don Saltzman thought it was a merger. Attorney Fuller stated that they are all separate lots and that parcels 525A and B pre-exist zoning.

Don Saltzman stated that this is a receipt of an application. If you are asking for similar treatment as Sovereign Bank, the Commission needs to receive the application and go to a public hearing.

Tracy Kulikowski, Land Use Director, stated that the Commission needs for the file to go to a public hearing. Dan Gilbert felt the application should go to Robert Turner who could request a recommendation from the Commission. Don Saltzman disagreed.

Katie Gregory moved that the Commission receive the application of Robert Walpuck for a zoning permit for parcel 515B located on Georgetown Road. Seconded by Paul Heifetz. Vote in favor (5-0) Stephan Grozinger and Jane Connolly absent.

Dan Gilbert requested that the corners of the lots be staked for a site walk.

RECEIPT OF APPLICATION: MODIFICATION OF SUBDIVISION: LOT LINE  
CHANGE: LOT 8 LAUREL LAKE ROAD – SMITH SUBDIVISION – (LANDTECH)

Peter Romano of Land Tech was not present. Postponed until the next meeting

MOD. TO LOT DEVELOPMENT APPROVAL – LOT 8 LAUREL LAKE ROAD –  
SMITH SUB. (LAND TECH)

Owner John Discala, presented maps to the Commission showing the lot line change between Lots 7 and 8 and also his house on Lot 8 where he wishes to move the house 15 feet forward and away from the wetlands. In order to approve this, the lot line change needs to be approved in a procedure of modification to a subdivision because the applicant is bringing land from the outside into the existing subdivision. A public hearing will be held at the next meeting to accomplish this. The applicant also needs to check with the Conservation Planner regarding wetlands in the area, if any.

Don Saltzman moved that the Commission receive an application to modify the subdivision of the Estate of Philip Smith Estate to include a new land on the map to be submitted, also a lot development plan for modification to lot 8 to be accepted and processed at the same time. Seconded by Dan Gilbert. Vote in favor (5-0) Stephan Grozinger and Jane Connolly absent.

MODIFICATION TO LOT DEVELOPMENT APPROVAL – PUCCIO 61 SINGING  
OAKS – INDOOR POOL (DUNN)

Architect David Dunn presented a modification to a lot development plan for Mr. Puccio of 61 Singing Oaks Drive for an indoor swimming pool inside completely enclosed structure consisting of approximately 2,100 square feet. Mr. Dunn submitted a bond estimate for \$800. for a Sedimentation and Erosion control bond and stated that the coverage now for structures on the Puccio property is approximately 10.1 percent. The maximum is 15%. The bond estimate was submitted to the Town Engineer for approval. The applicant also has health approval. The structure is staked for a site walk.

RECEIPT OF APPLICATION NORDIC BUILDERS, 24 HILL CREST LANE – HILL  
CREST SUB. NEW HOUSE (LAND TECH)

The son of Gier Hjorth of Nordic Builders presented a plan for a new house to be located at 24 Hill Crest Lane of the Hill Crest Subdivision. New house will 5 bedrooms, with a three car garage and approximately 6,000 square feet. It was stated by the Commission that the fire protection system for the subdivision does not have water and needs to be researched. The applicant does have health approval. The Commission requested storm water calculations.

LOT DEV. NORDIC BUILDERS CONT:

The Commission needs to note that the fire protection system is working and who is responsible for maintenance. Also that sprinklers are required in each house.

Don Saltzman moved that the Commission receive the application for a Lot development plan for a new house located at 24 Hill Crest Lane, Lot 6, for Nordic Builders. Seconded by Ridge Young. Vote in favor (5-0) Stephan Grozinger and Jane Connolly absent.