

Present: Jane Connolly, Chairman; Stephan Grozinger, Vice Chairman; Don Saltzman, Ken Edgar, Britta Lerner, Sally Korsh, Jim Carlon
Also present: Land Use Director
Digitally recorded 10/7/13

RECEIPT OF APPLICATION: MODIFICATION TO SPECIAL PERMIT, ASPETUCK VALLEY COUNTRY CLUB, 67 OLD REDDING ROAD (LANDTECH)

Peter Romano of Land Tech came forth with a detailed plan for a modification to special permit for proposed installation of exterior lighting fixtures of three (3) existing tennis courts, to replace lighting fixtures on two (2) existing tennis courts and to allow southerly driveway to remain in its current location.

Stephan Grozinger moved that the Commission receive the application for the modification to special permit. Seconded by Sally Korsh. Vote in favor (6-0) Ken Edgar recused as he is a member of the Aspetuck Valley Country Club.

To be on the agenda for a public hearing on October 21.

12mins23sec.

DISCUSSION/DECISION CONT: RYAN, 13 BERHARD DRIVE, PLAN FOR COMPLIANCE WITH HEIGHT REGULATIONS AND JUNE 16, 2006 CEASE & DESIST ORDER (LANDTECH) (REFERRAL FROM ZONING ENFORCEMENT OFFICER PER STANDARD OPERATING PROCEDURES MEMO DATED JUNE 20, 2011)

Mr. Ryan was present. Peter Romano of Land Tech presented a detailed plan to re-grade the property. Pursuant to the regulations, Mr. Ryan must submit an A2 survey certifying that the height of the building after the re-grading complies with the zoning regulations in order to receive a certificate of zoning compliance.

Stephan Grozinger moved that the Commission approve the concept of the remedial work as presented. Seconded by Jane Connolly. Vote in favor (7-0)

34mins24sec.

DISCUSSION/DECISION: GUDAS, 14 SMITH FARM ROAD, PLAN FOR COMPLIANCE FOR POOL HOUSE FOR CERTIFICATE OF ZONING COMPLIANCE (ATTORNEY GUIDERA)

Attorney George Guidera and owner Paul Gudas were present to discuss obtaining a Certificate of Zoning Compliance for the pool house. Mr. Gudas has been living in the pool house while constructing the main house and was told by the Zoning Enforcement Officer to remove the kitchen facilities when the main house was completed. Mr. Gudas has only removed the stove.

The zoning permit issued to the owner required removal of all kitchen facilities prior to issuance of a Certificate of Zoning Compliance.

A discussion ensued regarding what constitutes kitchen facilities.

GUDAS CONTINUED:

The Commission will conduct a site walk on Saturday, October 12, 2013, at 12:30 p.m. for 14 Smith Farm Road pool house.

To be on the agenda for the next meeting, October 21, 2013.

1hr7mins

DISCUSSION/DECISION APPLICATION FOR A FLOOD ZONE DEVELOPMENT PERMIT, 306 LYONS PLAIN ROAD, (JAY FAILLACE AND ALAN SHEPHERD, PE.)

This application has been withdrawn.

PUBLIC HEARING CONT: APPLICATION OF EBS REALTY, LLC AND RAS REALTY LLC, 27 ROGUES RIDGE ROAD, RE: FASH SUBDIVISION (ATTORNEY R. FULLER)

Attorney Robert Fuller and Dr. E. Strauss were present to continue discussion on their request to cancel the Fash Subdivision at 27 Rogues Ridge Road. Attorney Fuller submitted further documentation which included case studies/deeds and two maps of the Gary property (Little Mountain) which he thought were relevant.

Town Attorney Patricia Sullivan arrived.

Attorney Fuller then went over the maps, the right of way on the property etc., and the history of the property. Attorney Fuller stated that the client wants to cancel the subdivision and go back to Map no. 2778 which shows two lots. He asserted that Dr. Strauss (RAS Realty) could do this on his own but would like the approval from the Commission. The Chairman reiterated that she did not feel the Commission had the authority to cancel a subdivision once it was approved.

Stephan Grozinger summarized the applicant's arguments, including : (1) the Commission may revoke the subdivision because there was a discrepancy in the original subdivision application, (2) the Commission may revoke the subdivision because the subdivision was never really needed, or (3) the owner of a subdivision has the authority to revoke the subdivision without commission approval.

A discussion followed. A letter from Robert Walpuck was entered into the record.

Attorney Sullivan stated that the Commission may merge lots of a subdivision, but the Commission may not revoke a subdivision.

A sense of the meeting was taken. The Commission felt that it did not appear to have the authority to revoke this subdivision. No vote of the Commission was taken on the request to cancel the subdivision.

To be on the agenda for the next meeting on October 21.

Ken Edgar moved that the public hearing be closed. Seconded by Jane Connolly. Vote in favor (7-0)

APPROVAL OF MINUTES:

Jane Connolly moved that the Commission approve the minutes of September 16, 2013, as edited by Ken Edgar and Stephan Grozinger. Seconded by Stephan Grozinger. Vote in favor (7-0)

OTHER BUSINESS:

The Land Use Director reported on a letter from SWRPA dated 10/1/13 regarding Ridge Young 's term expiring on 12/31/13. It was decided to ask him to come in and talk to the Commission.

Meeting adjourned.

Respectfully submitted.

Joan Lewis, Administrative Assistant

Approval: Unanimous approval on October 21, 2013

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