

Present: Jane Connolly, Chairman; Joe Limone, Vice Chairman; Don Saltzman, Stephan Grozinger, Britta Lerner, Pierre Ratte, Ken Edgar

Also present: Land Use Director

Meeting digitally recorded on 2/6/12

APPROVAL OF MINUTES: 12/8/11, 12/19/11, 1/18/12 AND 1/23/12

The Chairman delayed discussion of this agenda item to the end of the meeting.

CHAIRMAN'S REPORT:

The Chairman delayed discussion of this agenda item to the end of the meeting.

PUBLIC HEARING: RESUBDIVISION, 165 OLD REDDING ROAD (GARY)

Phyllis and Don Gary were present. The Chairman read the legal notice for the public hearing into the record. Mr. Gary went over the history of the lots and explained that the lot being applied for is a different configuration than was shown in the original subdivision map and how that evolved. Mr. Gary would now like to split this lot off as a single building lot on Valley Forge Road. A survey grid was required to be added to the map. It was discussed that the lot would have to be required to come back to the Commission for site specific lot development approval. Mr. Gary also stated that he still owns the open space for this subdivision and the Commission questioned its use.

Public Comment:

Several neighbors were present: Todd Landon of 120 Valley Forge Road and Andrew Kanik and Kerri Morris of 107 Valley Forge Road. They expressed their concern about drainage coming down the hill from 165 Old Redding Road; water flow creating silt on Valley Forge Road and going onto 120 Valley Forge Road and blasting. They were in opposition to approving this lot for a new house because of the impact of the water on their lots. Mr. Landon stated that he would like to hire a civil engineer to assess the new lot and submit a report to be put in the record and to look at zero incremental runoff. Mr. Landon and Kerri Morris read their statements into the record and submitted them to the file.

GARY RESUBDIVISION CONTINUED:

A discussion followed including that these drainage issues etc. would be addressed when a required site specific lot development plan is presented to the Commission on this lot. It was stated that the Commission's jurisdiction is to the presented map, the survey and proposed development of a house and change of lot lines.

Frank Caolo of 24 Bernhard Drive expressed concern about the open space between his property and the Gary's. Mr. Gary stated that he would clarify it by a written document regarding the negative easement from the original subdivision in 1988 and that the open space cannot be developed. Discussion followed.

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

Motion to Approve:

The Commission members went over the draft of conditions, prepared by the Land Use Director. Discussion ensued and amendments were made.

Jane Connolly moved that the Commission approve the Gary application as provided for in the decision for resubdivision of 165 Old Redding Road and set forth in the written decision which we have discussed and amended.

Discussion: Pierre Ratte asked for clarification of the amendments and the Chairman reviewed the document. Seconded by Stephan Grozinger. Vote in favor (6-1) Joe Limone nay.

STATUS REPORT CONT: FLEMING, 44 BRIAR OAK AND GUTOWSKI, 48 BRIAR OAK, STATUS OF TEMPORARY DRAINAGE SOLUTION AND PERMANENT SWALE.

Present were Glenn Major, Attorney, for Mr. and Mrs. Fleming (also present); Mr. Gutowski and Dean Martin, P. E. A discussion followed regarding the status of the swale and the plan presented without topo lines. Also mentioned were the number of truck loads of fill, 27 in total with only 2 certificates for such presented to the Zoning Enforcement Officer. The Town Engineer and the Zoning Enforcement officer have visited the site with Dean Martin P. E. of Grumman Engineering. The Flemings are very uncomfortable with the plan and want the swale
PLANNING & ZONING MINUTES FOR FEBRUARY 6, 2012

FLEMING AND GUTOWSKI CONT:

to start further into the property. After a discussion it was stated that the fill certificates need to be presented along with a clean fill certificate. The Commission felt that it should be required to give the certificate before the soil is brought onto the property and not after the fact. Also felt that soil testing should be required by an independent company to see what is there.

Don Saltzman moved that the Commission approve seeing the applications to test all the soil that has been brought into the site certified by an independent testing laboratory and the permit application needs to have the amount of fill added and that no further soil is to be brought into the site and all soil deliveries be suspended. Also that the application is certified and the soil being delivered to be under the supervision of the Zoning Enforcement Officer. Seconded by Britta Lerner. Vote in favor (6-1) Pierre Ratte abstaining.

To be back on the agenda again on March 5th.

OTHER BUSINESS:

The Chairman had information regarding a meeting on March 6th regarding Affordable Housing. Britta Lerner volunteered to attend.

The Chairman reported a request from the First Selectman Gayle Weinstein to have a discussion with the Commission regarding COG – Regional Planning Agency. A discussion followed and it was decided to have an internal meeting first, to bring the new members up to speed, at the Planning & Zoning meeting on March 19 and then a special meeting with the Board of Selectman after that in the Town Hall Meeting Room with an announcement in the Weston Forum. Joe Limone volunteered to provide a “how to guide” on how to look at this issue. He will email his report to the members before the Commission meets formally.

ENFORCEMENT REPORT (CHAIRMAN’S REPORT)

The Land Use Director went over the report with the members. After a discussion the Commission decided to revisit the fence regulation requiring 4 feet on a public road. Stephan Grozinger agreed to rework the present regulation.

APPROVAL OF MINUTES:

Jane Connolly moved that the Commission approve the minutes for December 8, 2011, as amended. Seconded by Pierre Ratte. Vote in favor (6-0) Joe Limone was absent for this meeting.

Pierre Ratte moved that the Commission approve the minutes for December 19, 2011, as amended. Seconded by Jane Connolly. Vote in favor (6-0) Joe Limone was absent for this meeting.

Pierre Ratte moved that the Commission approve the minutes for January 18, 2012 as amended. Seconded by Ken Edgar. Vote in favor (5-2) Joe Limone and Don Saltzman absent from this meeting.

Pierre Ratte moved that the Commission approve the minutes for January 23, 2012 as amended. Seconded by Joe Limone. Vote in favor (4-3) Pierre Ratte, Jane Connolly and Stephan Grozinger absent.

Meeting adjourned.

Respectfully submitted.

Joan Lewis, Administrative Assistant

Approval: