

Present: Stephan Grozinger, Chairman; Jane Connolly, Vice Chairman; Don Saltzman, Katie Gregory, Ridge Young, David Allen Joe Limone absent

Tracy Kulikowski, Land Use Director was present

Meeting on tapes 1-4 dated 12/7/09

---

APPROVAL OF MINUTES: 11/16/09

Ridge Young moved that Commission approve the minutes of November 16<sup>th</sup>, 2009, with corrections. Seconded by Jane Connolly. Vote in favor (6-0) Joe Limone absent.

#### CHAIRMAN'S REPORT

Jane Connolly, Vice Chairman, gave a brief report on attending a recent Cemetery Committee meeting. This committee has been existence since 1991. They are looking at four sites in Weston that are wholly owned by the Town.

1. Approximately 2 acres on Upper Parish Road, the Strassler Fromson property, on a private road and under power lines.
2. The Moore Property consisting of 36 acres on Lords Highway East
3. The Jarvis property on Norfield and Weston Roads, which they felt was too noisy.
4. The open space behind Norfield Church and felt it cannot be used because of an existing septic system for the Church
5. The Lachat property on Newtown Turnpike

Stephan Grozinger, Chairman, reported on the following:

112 Georgetown Road (Frank Residence). The Zoning Officer has confirmed that the commercial sign on this property has been removed and the matter is closed.

266 Newtown Tpke. (Diapice Residence) The Zoning officer has confirmed that the illegal structure on this property has been removed and the matter is closed.

306 Lyons Plain Road (Fallaiice Residence) It is believed that the owner recently demolished an outbuilding in close proximity to the Saugatuck River and rebuilt it without a permit. The Zoning Officer sent a notice of violation on November 17 and will send an order of removal on December 7<sup>th</sup>.

8 Hillside Road. The Chairman's request for an opinion from Town Counsel per my August 20<sup>th</sup> letter remains outstanding.

CHAIRMAN'S REPORT CONT:

8 September Lane (Hurwitz Residence) The Zoning officer issued a notice of violation on November 5<sup>th</sup> in connection with an outbuilding built without a permit and over the setback. The Zoning Officer extended the deadline to January 8<sup>th</sup> to give the owners an opportunity apply for a variance.

25 Lakeside Drive. The owners have built a stone wall within a flood zone without a permit. The Zoning officer sent out a notice of violation on December 3.

Rob Nimkoff of Fern Valley Road. Mr. Nimkoff met with the Zoning Officer and Stephan Grozinger to discuss how to apply to use the property at the corner of Route 57 and Norfield Road (currently George Guidera's law office) as a restaurant serving 80 people. Stephan Grozinger suggested that he prepare a complete plan, obtain any necessary easements from the Town for parking and septic, and formally apply to the full Commission to expand the Neighborhood Shopping Center District or to create a new district.

11 Blueberry – to be discussed with Planning & Zoning Commissioners and Town Counsel on Thursday, December 12th.

Regional Chairman Meetings. Thanks to Ron Corwin of Westport, the Planning & Zoning chairs of New Canaan, Wilton, Fairfield, Darien, Easton, Norwalk, Westport and Weston will be meeting quarterly in the new year to exchange ideas, etc.

DISCUSSION CONT: ASPETUCK VALLEY COUNTRY CLUB, 43, 47 & 67 OLD REDDING ROAD, REVIEW OF LANDSCAPING PLAN PER SPECIAL PERMIT APPROVAL

Present for this application: Attorney John Fallon, Wesley Stout of Wesley Stout Associates, Landscape Architecture and the neighbors across Old Redding Road, the Roberts.

Attorney Fallon referred to the letter of apology from the president of the Aspetuck Valley Country Club and the presentation for the Club at the last Planning & Zoning meeting. Attorney Fallon explained that Wesley Stout did not have a copy of the final approval with the request to come back to the Commission with an enhancement of the landscaping plan. The plan to be presented this evening has been revised to show approximately 41% more plantings.

Wesley Stout went over the landscaping plan in detail showing the proposed screening with 6 types of evergreens - 8' to 10' and 10' to 12' high. He described all the different kinds of evergreens and trees being used.

ASPETUCK VALLEY CC LANDSCAPING PLAN CONT:

Jane Connolly requested that the Planting List be checked over by the Conservation Planner. A discussion followed as to whether it should be a condition of approval.

Katie Gregory raised a safety issue for cars coming out of the driveway of the Club accessing Old Redding Road with reference to this revised landscaping plan. Mr. Stout stated that the landscaping will not affect the site lines.

Don Saltzman raised the question of screening from Mayflower Drive. Attorney Fallon did not have any views into the maintenance areas from this point.

Attorney Fallon noted that the pile of dirt is gone and relocated to a maintenance storage area on site. Jane Connolly then asked if the old tree is still standing to the right of the former Kimberly house? Mr. Stout felt that it was going to die because it is in a construction area. Ms. Connolly requested that if possible, to please save this tree.

Don Saltzman felt this revised plan was a major improvement from the last plan that the Commission reviewed and properly conforms to the conditions of the approval.

Katie Gregory questioned the screening by the tennis courts on the other side of the Club behind the parking lot. It was noted by Attorney Fallon at a previous meeting that he had met with the neighbors in that area and they were okay with the plan.

Jane Connolly stated that it will be the Club's responsibility to maintain and replace the landscaping.

Public Comment: The Roberts of 50 Old Redding Road spent time with the Club and felt a lot better about the revised landscaping plan. There was one area noted, by Old Redding Road where they requested be planted with lower shrubs. Mr. Stout referred to it as a thicket and would plant an evergreen screening of approximately 12 inkberry evergreens on the inside edge where it is clear. Attorney Fallon stated that he had no problem doing that.

The Commission felt they could approve the plan with conditions

It was noted by Attorney Fallon that the Club cannot start any of the proposed work until the landscaping plan is approved.

Stephan Grozinger requested that Mr. Stout note on the map of record (SP-2.1 dated July 10, 2009 and revised October 13, 2009 and December 1, 2009, entitled "Pool Area: Phase 1 Planting Plan) the new request for the inkberry evergreens.

ASPETUCK VALLEY COUNTRY CLUB LANDSCAPING PLAN CONT:

Mr. Roberts expressed appreciation to the Commission for the new revised landscaping plan. Another resident located at 52 Old Redding Road stated that he was comfortable with this revised landscaping plan.

Jane Connolly again requested to run the list of trees listed and shown, by Mr. Stout, past the Conservation Planner Fred Anderson, just to be sure that it is done right.

Attorney Fallon requested that the Commission approve the plan tonight and if you need any modification by the Conservation Planner, the Club will do it.

David Allen stated his appreciation to Wesley Stout for going to this effort to make the digital pictures of the proposed landscaping.

Katie Gregory moved that the Commission close the discussion on the Landscaping Plan for the Aspetuck Valley Country Club. Seconded by Ridge Young. Vote in favor (6-0) Joe Limone absent.

Stephan Grozinger stated that the Commission will now have a discussion on a decision.

Don Saltzman discussed of what will happen in the future with the condition after approval in the field, upon retaining approval of the Conservation office and additional trees that may be needed. He requested to put the digital photos of the plan into the record.

Jane Connolly wants to make sure, with another set of eyes, to check the list of plantings.

David Allen questioned if there is a requirement for an asbuilt? Setphan Grozinger stated that here we are dealing with trees.

The Land Use Director stated that the original approval of the modification of the special permit on July 20, 2009, stated the following:

Landscaping and Buffers: The applicant shall install and maintain in perpetuity such landscaping, trees and other plantings substantively as shown of the submitted Site Plans except that more buffering and screening that is currently shown on SP-2. Such landscaping, trees and other plantings are to provide a complete visual screening of and to that portion of the property know as 47 Old Redding Road which borders on Old Redding Road. In doing so, the stone wall in front of 47 Old Redding Road on Old Redding Road is to remain and be maintained by Aspetuck Valley Country Club. The applicant shall, in consultation with the owners of 50 Old Redding Road, so modify the landscaping plan shown on SP-2 of the Site Plan. The modified landscaping plan shall be reviewed and approved by the Planning & Zoning Commission before a building permit will be issued.”

ASPETUCK VALLEY CC LANDSCAPING PLAN CONT:

Attorney Fallon stated that he and Wesley Stout will submit a letter to the Commission on the changes on the plan agreed to here tonight. Stephan Grozinger then requested Mr. Stout to add and initial the changes directly on plan submitted tonight. SP-2.1, dated July 10, 2009 and revised October 13, 2009 and revised December 1, 2009, entitled "Pool Area" Phase 1, Planting Plan.

Stephan Grozinger moved that the Commission approve the map # SP2.1 for the Aspetuck Valley Country Club, Old Redding Road, entitled "Pool Area" Phase 1 Planting Plan, dated July 10, 2009, revised October 13, 2009 and also revised December 1, 2009, prepared by Wesley Stout Associates, as amended during the course of this meeting and subject to the following condition:

1. The applicant shall maintain and replace, as needed, the plantings, existing and new, as shown on Plan SP-2.1 (mentioned above), in perpetuity.

Seconded by Ridge Young. Vote in favor (6-0) Joe Limone absent

DISCUSSION CONTINUED REGARDING POTENTIAL AMENDMENTS TO SECTIONS 312.7, 411, 411.1 AND 411.2; NEW SECTIONS 312.9, 348.4 (c AND 401; REPEALING SECTIONS 341.6 AND 321.1i, TO THE ZONING REGULATIONS

DISCUSSION CONTINUED REGARDING POTENTIAL AMENDMENTS TO SECTION 3.12, "OPEN SPACE RESERVATIONS FOR PARKS AND PLAYGROUNDS" OF THE SUBDIVISION REGULATIONS.

Stephan Grozinger felt that the Commission has discussed these amendments numerous times and was put back on the agenda for the benefit of the new members. There will be a public hearing for both sets of amendments on December 21, 2009.

OTHER BUSINESS

Stephan Grozinger with regard to the Town Plan, felt it was not a cohesive document and wishes to rewrite and edit what the Commission has written so far and then give that document to Jane Connolly and then back to the Commission for comment. Discussion followed.

There was also a discussion on the process for tallying the survey results and agreed to meet on December 17<sup>th</sup>.

Further discussion on future regulations to include trailers, boat trailers, motor homes etc. in the setback. A review of the fence regulation and also the driveway ordinance which is now under the Board of Selectmen.

Meeting adjourned:

Respectfully submitted.

Joan Lewis, Administrative Assistant

Approval: Unanimous approval with correction on December 21, 2009