

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

Meeting on tapes – 1-5 dated 9/5/09

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APPROVAL OF MINUTES:

Don Saltzman moved that the Commission approve the minutes for July 20, 2009 as amended. Seconded by Katie Gregory. Vote in favor (5-0). Jane Connolly absent from this meeting and Stephan Grozinger absent from the meeting on July 20, 2009.

Don Saltzman moved that the Commission approve the minutes of the special meeting on August 3, 2009 as amended. Seconded by Paul Heifetz. Vote in favor (6-0) Jane Connolly, absent.

CHAIRMAN'S REPORT:

The Chairman reported on seeking further instruction for the Zoning Officer for title searching and also one on one training for the computer.

There was also a discussion on how to handle Flood Zone permits and how to resolve discrepancies from occurring and the Chairman suggested moving this responsibility to the Zoning Officer with a check list. Don Saltzman stated that the Planning & Zoning Flood Regulations are modeled after DEP regulations. Katie Gregory felt that the Commission should do more research and she offered to do this. The Chairman took a sense of the meeting and it was three members for and three members not in favor of turning over the Flood Zone permits to the Zoning Officer.

A continued discussion will be on the next agenda.

The Chairman discussed the memo from the Town Attorney Bernhard on the 8-24 Report regarding the Valley Forge bridge replacement regarding the condition that the Commission set forth in their report. The Chairman felt that the Commission will need to get closure sometime. A discussion followed. Katie Gregory felt that the Commission has done their job with the Board of Selectmen on the bridge. The title search is being done by the Town Attorney and resolution of any identified issues. Paul Heifetz raised the question to make sure if it is suitable use of Town land.

After discussion, it was the consensus of the members that the Chairman will draft a letter, to the Board of Selectmen, stating the Commission's concerns.

CHAIRMAN'S REPORT CONT:

The Chairman emailed a proposed survey grid to all members for their comment. He received their comments with additions and eliminations. The Chairman will revise and discuss at the next meeting.

MYLAR EXTENSION – 90 DAY EXTENSION FOR FILING OF MYLAR FOR SPRATT SUBDIVISION.

The Chairman read a memo of explanation for the 90 day extension for filing of the mylar for the Spratt Subdivision. Don Saltzman felt that if the applicant was changing property lines that they would need to return to the Commission for a modification of a subdivision. A discussion followed.

Stephan Grozinger moved that the Planning & Zoning Commission approve one 90 day extension from July 31 to October 28, 2009. Seconded by Ridge Young. Vote in favor (6-0) Jane Connolly absent.

RECEIPT OF APPLICATION: 8-24 REPORT BOOSTER BARN, SCHOOL ROAD, SITE PER CONDITION OF ORIGINAL NOVEMBER 13, 2001 FOR THE WESTON PUBLIC SCHOOL SITE. (BOARD OF SELECTMEN)

First Selectman Woody Bliss, Selectman Gayle Weinstein and Town Administrator Tom Landy and Town Engineer John Conte were present.

First Selectman Woody Bliss made the presentation and went over the map in detail.

He stated the following: "On behalf of the Board of Selectmen, I submit an application seeking Commission concurrence to allow the Town to construct a food service Booster Barn near the High School football field. This action is requested under the provisions of Connecticut General Statutes Section 8-24. While the Commission approved an 8-24 request for the entire campus development project on November 13, 2001, the significant change in building footprint and location necessitates a new 8-24.

Plans dated September 12, 2003 indicate the presence of a booster Barn on several of the sheets contained therein. Most notably, the structure appears on plans entitled "Site Development and Sediment and Erosion Control Plan". "Utility Plan", and "Plan and Profile for Proposed Sanitary Sewer". Those plans are in the Commissions offices.

The most recent proposed location for the booster Barn is 58 feet from that indicated on the 2003 drawings. The conceptual plans anticipated that the Booster Barn would be located under the proposed bleachers. As the design to incorporate the booster barn under the bleachers was deemed prohibitively expensive, it has been relocated to sit away

8-24 REPORT: BOOSTER BARN

from the existing bleachers. The current proposal anticipates a 20 foot by 40 foot building to be located on the site. It will contain restrooms, cooking facilities, and food and supply storage spaces. A revised location plan is provided as part of this application. Additionally, I note that a pre-existing A2 boundary survey of the campus is on file.

The project is supported by both the School Building Committee and the Board of Education, and has received a supplemental appropriation from the Board of Finance.”

Also stated that the proposed booster barn is a prefab and comes in 7 pieces and can be constructed in three to five days. The site is staked for a site walk.

Don Saltzman felt it was just a modification shown on the original plan for schools in 2001.

Paul Heifetz moved that the Commission receive the 8-24 application for a Booster Barn. Seconded by Ridge Young. Vote in favor (5-0) Jane Connolly and Dan Gilbert absent.

PUBLIC HEARING: ACTIVITY IN FLOOD ZONE: LIEBOW, 4 OLD REDDING ROAD, POOL (R.I. POOL)

Stephan Grozinger read the legal notice for the public hearing into the record.

Present: Mr. Liebow, owner and Franco of R. I. Pools. and Richard Bennett. P. E.

Franco submitted a plan and went over it in detail for construction of a gunite swimming pool, patios surrounding the pool, deck improvements and related site work. A discussion followed regarding what is being built in the flood plain and also questions about a proposed pergola. It was stated that the existing deck and proposed pergola are above the flood elevation. Richard Bennett P. E. did not have a finished plan for the pergola but did have it for the deck. Mr. Bennett also stated that the work is outside the floodplain and not in the floodway at all. Ridge Young stated that no matter what, the application is above the flood elevation. Katie Gregory stated that she was not ready to vote without a complete plan. Discussion continued.

Stephan Grozinger felt that the applicant meets the regulations.

Public Comment: none

Don Saltzman moved that the Commission close the public hearing. Seconded by Paul Heifetz. Vote in favor (4) Dan Gilbert and Jane Connolly absent. Katie Gregory abstained.

PUBLIC HEARING CONT: LIEBOW 4 OLD REDDING ROAD - LIEBOW

MOTION:

Stephan Grozinger moved that the Commission approve the application for the Flood Zone Development Permit for Michael Liebow, for construction of a gunite swimming pool, patios surrounding the pool, deck improvements, and related site work at 4 Old Redding Road, as described in the application and on submitted Plans, subject to conditions.

Seconded by Ridge Young.

Vote in favor (4) Katie Gregory abstained and Dan Gilbert and Jane Connolly absent.

DISCUSSION/DECISION: SCHINDEL SUBDIVISION, 6 LOTS MORTON SCHINDEL, ET ALS. 389 NEWTOWN TURNPIKE (GUIDERA)

Attorney George Guidera and Morton Schindel were present.

The Land Use Director handed out a draft of proposed conditions for the 6 lot subdivision for approval by the members. A discussion followed to include a discussion of the open space.

MOTION:

Don Saltzman moved that the Commission approve the draft with revisions for the application of owner Morton Schindel, et als., for a six (6) lot subdivision of property, consisting of approximately 18.483 acres of land, located at 381-401 Newtown Turnpike, Weston, Connecticut. Seconded by Dan Gilbert. Vote in favor (6-0) Jane Connolly absent.

PRELIMINARY REVIEW: REFERRAL PURSUANT TO 7/7/08 LETTER TO ZONING ENFORCEMENT OFFICER: WESTON SHOPPING CENTER ASSOC., 190 WESTON ROAD, BUILDING #1 – INTERIOR RENOVATIONS (RAND REAL ESTATE SERVICES)

Josh Tolk of Rand Real Estate Services requested a preliminary discussion of a proposal of reducing the hardware store space and adding a door to create a new merchant space. There would be no net change in parking or use. It is a straight retail use consisting of 500 to 550 square feet.

Don Saltzman requested a parking plan from Mr. Tolk and he stated that he owed one to the Commission. Mr. Tolk stated that he has created more parking spaces so did not see a problem. Katie Gregory noted that the parking is set to the square footage of the space. Mr. Tolk also stated that a new bathroom would be created and signage outside.

PRELIMINARY REVIEW-SHOPPING CENTER CONT:

Mr. Tolk stated that he is hoping the proposed use will be for a dry cleaner with just a pick up and delivery service plus a tailor and with no cleaning on the premises.

Paul Heifetz noted that is only a preliminary discussion and would like to see a parking plan.

DISCUSSION CONT: UPDATE OF TOWN ZONING EXEMPTION

Dan Gilbert stated that he received a letter from Attorney Stephen Byrne stating that his fee would be \$2,500. to do the research requested by the Commission. Discussion followed regarding filing a petition and a ballot vote for which Katie Gregory had done some research.

Meeting adjourned.

Respectfully submitted.

Joan Lewis, Administrative Assistant

Approval: