

**Town of Easton
Planning & Zoning Board
Meeting Minutes
November 28, 2007**

Members Present: Christine Santoro, Chair; Colin Gillis, Clerk; Walter Johnson, Gregory Strange, Alan Weeks.

Members Absent: Carol Symmons

Staff Present: Marc Rousseau, Director; Alice Savage Staff Planner; Pamela Almeida, Recording Secretary

**6:30 P.M. Queset Commons – Prepared “40R”
Discussion of Design Standards & Other Project Related Items**

Present: Doug King, Mark Bartlett, Ken Hagen; Adam Costa

Marc Rousseau began by explaining the Board that the meeting tonight is looking at the concept and how it fits into the next step of the hearing with the Board of Selectmen.

Mark Bartlett understands of tonight’s meeting is talking with the Board of any changes since last met and answering any questions they may have then may vote on the concept.

They have met with the Selectmen three times and will be holding a public hearing for December 17, 2007, where the project will be presented. The meeting will be held at the Olmstead Richardson cafeteria. At that point the Selectmen will vote to approve the submittal of the application of the 40R district to the State. He explains that the Town actually submits the application. He feels it would be helpful if the Planning Board said they like the concept and find it suitable to the Town.

Mark Bartlett handed out a site plan that shows the latest changes to the site plan which include the addition of a “proposed municipal lot” which Mr. King intends to donate the land to the town for a possible fire station. The plan reflects a roundabout at the entrance from Belmont Street and a cul-de-sac near Stoneforge, which if removed, shows the potential location for storm water subsurface recharge. The plan also shows a proposed elevated office building with parking underneath on Washington Street next to Conco Gas Station. Also shows a proposed wastewater treatment facility behind the present CVS and an access road from CVS to the elevated office building. All these changes have been reviewed and approved.

He explains they also have received an economic report from Judith Barrett, consultant for the Town, which spoke very highly of the project.

Walter Johnson asked how they will handle the septic system. Mark Bartlett explains there will be a waste water treatment facility located behind CVS.

Adam Costa explains that what is happening for several months the packet is being put together and finalized packet has to be ready for Monday for the public to review, prior to the public hearing. The public hearing will be held December 17, 2007 the Selectmen will review the application and take comments from the public and if approved, will send the application to the State. What the regulations say is the State, DHCD, will accept applications on the last day of the month it was approved by the Town. The State has a 30-day initial comment completeness hearing. During the 30-day period the make sure all the information is received. After that time, they then open up their official review which can takes up to 60 days.

Christine Santoro asks that looking at the standards and if the Board wanted to make changes and this application as is, submitted, is there any room to submit changes. Adam Costa says that once they review the application and approve it, a letter is issued which allows the project to move forward. The two most important pieces are zoning, which go through a couple of drafts between now and the public hearing and submittal to State, and the design standards, which some communities opt to incorporate the design standards directly into the zoning. Often, when the design standards tend to lengthy or more specific, it is easier to create a separate document and reference it in the zoning. Essentially the design standards are part of the zoning, so during the zoning adoption period, once the State has given the okay to move forward, since the zoning changes can be made at that point and time so can the design standards. The important thing to remember is once the municipality has acted on zoning or design standards changes, they have to go back to the DHCP, so they can make sure that what they initially looked at and approved hasn't changed much. The difficult part of this is getting the zoning and design standards nailed down. It tends to be a back and forth process, between Don Schmidt, Director of QCD and my office with respect to zoning changes. He will a number of red line changes and get back to us and individuals in the Town, either okay them or suggest alternate language and review the alternate language get back to my office, it is an ongoing process until there is something nailed down that Don and I can agree to. At that point and time will then move forward with that version of the application. We try to submit an application as final as possible to limit the back and forth on changes.

Walter Johnson motions to approve the 40R concept, seconded by Colin Gillis. Motion passes (5-0)

7:30 P.M. Discussion – Temple Shalom Site Plan

Present: David Marsan

Marc Rousseau explains that the Temple is planning to expand the building and parking area. However, they are exempt from a Site Plan Review. Comments from the Board included, what will the addition be used for, safety issue with Central and Depot Street being congested.

It is suggested to have a representative from Temple Chayai Shalom come before the Board for further review.

**7:45 P.M. Form A – Mechanic Street
Daniel & Amanda Fernandes**

Present: David Marsan

Alice Savage recommends accepting the Form A plan. She cites Section 81L of the Subdivision Control Law, which states:

“...the division of a tract of land on which two or more buildings were standing when the subdivision control law went into effect in the city or town in which the land lies into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision.”

Colin Gillis motions to endorse the Form A as proposed, seconded by Walter Johnson. Motion passes (5-0)

The Board signed the Mylar. David Marsan will pick up the Mylar for recording at the Office.

**7:50 P.M. Minor Modification – Site Plan (Lighting Change)
720 Depot Street - Sunoco**

A revised plan for the lighting of the new parking lot was reviewed.

Walter Johnson motions to approve the minor modification as presented, seconded by Colin Gillis. Motion passes (5-0)

7:55 P.M. Approval of minutes

Colin Gillis motions to approve the meeting minutes of October 24, 2007 as submitted, seconded by Walter Johnson. Motion passes (5-0)

Colin Gillis motions to approve the meeting minutes of November 7, 2007 as submitted, seconded by Walter Johnson. Motion passes (5-0)

General Discussion

Gregory Strange discussed the need to revisit the proposed library site plan that was previously reviewed and accepted by the Board. He voiced his continued concern with the width of the entrance (18feet) and brought to the Board’s attention the new information that the library recently purchased Queset House. This may provide more volume to the parking area of the library.

Colin Gillis motions to send a letter to the library voicing its concerns and recommends they come back before the Board, seconded by Alan Weeks. Motion passes (5-0)

8:00 P.M. Continued Public Hearing

**Special Permit # 07-06 – Definitive Subdivision / Residential Compound
Bayberry Estates, Prospect Street; Edward Jones, Applicant
Pilling Engineering, Representative**

Present: Todd Pilling, Pilling Engineering; Attorney Michael Sites

Todd Pilling informed the Board the he had met with Alice Savage, Staff Planner and Stephanie Danielson, Land Use Agent and talked about withdrawing without prejudice and resubmitting the project as an OSRD, which will preserve more open space. Todd informs the Board that if they agree to this concept, he will withdrawn the Residential Compound/Definitive Subdivision Special Permit application and re-submit as an OSRD.

Alice Savage recommends withdrawing the Special Permit application and working with Planning and Conservation on an OSRD plan. If the Board agrees, she recommends waiving the additional \$1,000 filing fee.

Christine Santoro clarifies that the OSRD concept will preserve the wetlands which may interest the neighbors more.

Gregory Strange asks how many homes with and OSRD? The original proposal allowed for 4 lots, will the OSRD be the same disturbed area? Todd Pilling says they were looking at 7 or 8, but perhaps more like 5 or 6, stating that the size of the home makes a difference.

Walter Johnson states the he has a problem with a shared septic system. Todd Pilling explains that if they went to 4 or 5 homes, they will have their own septic.

Alice Savage feels that the project fits better as an OSRD and also meets more of the objectives of the Town.

Michael Sites states that he is willing to work with the Board but not inclined to withdraw the Special Permit application at this time.

Todd Pilling will continue to work with Alice Savage and Stephanie Danielson on the OSRD concept.

Bobby Fried – Olde Farm Road, presented a letter and other documents submitted to the Conservation Commission to the Board for the record.

David Hardy feels the applicant is fishing for input from the Board to do something with the property. This comment was objected to by Colin Gillis.

Walter Newell suggested that the letter submitted tonight by Bobby Fried be read into the record. Christine Santoro stated that the letter will be reviewed and submitted into the record.

Submitted into the record is the letter dated November 28, 2007 from the residents of the Olde Farm Road / Prospect Street Intersection Neighborhood with previously submitted letters and attached documents to the Conservation Commission dates include: June 24, 2006, July 17, 2006, July 30, 2006 and October 29, 2007.

Walter Johnson recommends the Board receive a report from the Board of Health on this project.

Colin Gillis motions to continue the public hearing until December 12, 2007 @ 7:00 p.m., seconded by Gregory Strange. Motion passes (5-0)

8:40 P.M. Form A – Guinevere Road
Aaron Wluka, Albert F. Hamilton, Jr., Ellyn M. Leonard,
Easton Brass & Aluminum Foundry, Co., Inc.

Present: Aaron Wluka

Alice Savage recommends approval of this ANR and reports to the Board that the applicant is looking to join Parcel B and part of Lot 1 to Plot 73 (42 Guinevere Road) for the purpose of assembling a developable parcel. Lot 1 is an existing nonconforming lot.

She further states that the only pertinent zoning requirement in considering and ANR is the frontage requirement, as proposed, the consolidated Plot 73 exceeds frontage requirements on Guinevere Road.

She reports that Lot 1 has not frontage. Town Counsel has previously rendered an opinion for the Town. Therefore, the ‘paper street’ end of Guinevere Road should not be considered frontage for the purposes of this decision. Further, because it is a pre-existing, nonconforming lot, it is considered to meet frontage requirements under Section 4-2 of the Easton Zoning By Law, which reads:

“Except as herein provided, any existing conforming use, structure, or lots shall not by any action be made nonconforming, and any existing nonconforming use, structure, or lot shall not become further nonconforming.”

Alan Weeks clarifies that this application is taking 3 legally nonconforming lots and making 1 legal lot.

It is noted that the last paragraph on page 1 of the application has a typing error and will need to be changed. The first sentence reads ‘the result of the plan would be that plot 73 (43 Guinevere Road) will not become a conforming lot...’ and it should read “the result of the plan would be that plot 73 (43 Guinevere Road) will become a conforming lot...”, which should be corrected and submitted for the record.

Colin Gillis motions to approve the application, pending typing error correction, seconded by Gregory Strange. Motion passes (5-0)

9:00 P.M. General Business

1. Comments for Zoning Board of Appeals

a. **Variance #07-23 - 70 Pine Street**

Applicant is seeking to make three apartments in a former school building.

Colin Gillis motions to recommend to the Zoning Board of Appeals, seconded by Walter Johnson. Motion passes (5-0)

b. **Variance #07-24 – 230 Washington Street**

Applicant is looking to covert an existing garage from residential to business use.

Colin Gillis motion to recommend to the Zoning Board of Appeals, seconded by Alan Weeks. Motion passes (5-0)

c. **Variance #07-25 – 8R Poquanticut Avenue**

Applicant is looking to renovate and existing building into a residential dwelling on a lot lacking frontage.

Walter Johnson motions to recommend to the Zoning Board of Appeals, seconded by Colin Gillis. Motion passes (4-0-1) Gregory Strange abstains.

d. **Variance #07-26 – 31 Williams Street**

Applicant is looking to create an estate lot on a 2.67 acre of land which allows for less frontage.

Colin Gillis motions not to recommend to the Zoning Board of Appeals, seconded by Walter Johnson. Motion passes (4-0-1). Gregory Strange abstains.

General Discussion

Marc Rousseau informs the Board the 40B for Shovel Shop has been submitted to the Town. There is a 30 day review period and they will be asking for an extension. He suggests this item be placed on the December 12, 2007 agenda.

Adjournment

Walter Johnson motions to adjourn at 9:30 p.m., seconded by Alan Weeks. Motion passes

Planning & Zoning Board
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Respectfully Submitted,

Pamela Almeida, Secretary