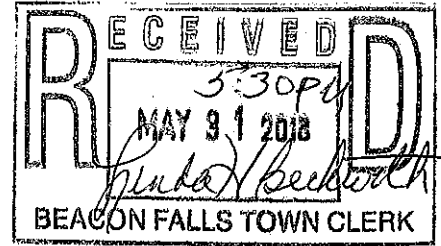


PLANNING AND ZONING COMMISSION

Special (Regular) Meeting Minutes
May 23, 2018
Draft Minutes Subject to Modifications



Present: Chairman K. McDuffie, Vice Chairman B. Giglio, Commissioners D. Taylor, J. Burn, P. Hinman, D. Setaro and R. Starkey.
Absent: Commissioners Cal Brennan and R. Jurzynski.

I CALL TO ORDER

Chairman K. McDuffie called the Special (regular) meeting of the Beacon Falls Planning and Zoning Commission to order at 8:19 P.M. The Pledge of Allegiance was recited and the legal notice was read into the minutes.

II APPROVAL OF MINUTES

A motion to approve the minutes from the April 19, 2018 regular meeting as submitted, was made by Comm. D. Taylor and 2nd by Comm. D. Setaro.

All in favor.

A motion to approve the minutes from the April 19, 2018 Public Hearing as submitted was made by Comm. D. Setaro and 2nd by Comm. P. Hinman.

All in favor.

III COMMENTS FROM THE PUBLIC

Chairman K. McDuffie asked if there were any comments from the public and Sergio Felix, 135 Pinesbridge Road came forward and said that the noise problem with NEJ continues. He questions why they are not be made to follow the regulations. He showed the commission a video that he made on his phone which showed how high the noise level is.

Chairman McDuffie said they he emailed the First Selectman twice, and that he had called him also. Chairman McDuffie and the ZEO will visit NEJ.

Chairman K. McDuffie asked 3 times if there were any comments from the public and no one came forward.

IV ZONING ENFORCEMENT OFFICERS REPORT

The ZEO was present and submitted a written report which showed 12 certificates of Zoning Compliance issued. A motion to accept the report as submitted was made by Comm. R. Starkey and 2nd by Comm. D. Taylor.

All in favor.

* A motion to vary the agenda was made by Vice Chairman B. Giglio and 2nd by Comm. D. Taylor. All in favor.

V TOWN ENGINEER REPORT

The Town Engineer was not present and did not submit a written report.

VI COMPREHENSIVE PLAN OF CONSER. AND DEVELOPMENT

No activity.

VII OLD BUSINESS

- 1) Chatfield Farms – No Activity
- 2) Pond Spring – No Activity
- 3) 74 Pent Road – No Activity
- 4) Tiverton – The commission had a lengthy discussion, which included but was not limited to extending the length of the road (waiver). Comm. R. Starkey inquired as to the legality in not approving this application. The commission discussed the concerns of the public and the school issue is not within the realm of the commissions authority, nor are any water issues, they are the concern of the Inland Wetlands commission. The commission does not feel that the application is in violation of the Plan of Conservation and Development. There was discussion as to the hours of operation that are allowed and no work is allowed on Sunday's and hours to operate Mon. through Sat. are 7 A.M. – 8 P.M.

* A motion to grant a waiver to extend the cul de sac on Fairfield Place, as per the proposed plan was made by Comm. R. Starkey and 2nd by P. Hinman. All in favor.

* A motion to approve the amended application (12 lot Subdivision) P-2018-214, Tiverton, with all of the standard conditions and open space and or fee in lieu of, and the applicant agrees to pay Engineering fees incurred until the completion of the project was made by Chairman K. McDuffie and 2nd by Comm. R. Starkey. All in favor.

VIII NEW BUSINESS

None

IX NEW APPLICATIONS

None

X CORRESPONDENCE AND PAYMENT OF BILLS

A motion to approve payment of bills was made by Comm. R. Starkey and 2nd by Comm. R. Burns. All in favor.

XI PETITIONS FROM COMMISSIONERS

No Petitions from commissioners.

XII ADJOURNMENT

A motion to adjourn at 9:22 P.M. was made by Chairman K. McDuffie and 2nd by Comm. D. Setaro. All in favor.

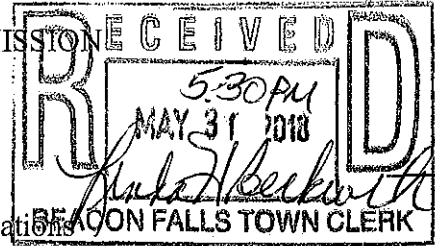
Respectfully submitted,
Mary Ellen Fernandes
Clerk, May 26, 2018

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PLANNING AND ZONING COMMISSION

Special Meeting Minutes
May 23, 2018

Draft Minutes Subject to Modifications



Present: Chairman K. McDuffie, Vice Chairman B. Gigilio, Commissioners P. Hinman, R. Burns, D. Setaro, D. Taylor and R. Starkey (7:27).
Absent: Comm. R. Jurzynski and Cal Brennan.

I CALL TO ORDER

Chairman K. McDuffie called the special meeting of the Beacon Falls Planning and Zoning Commission to order at 7:04 P.M. The Pledge of Allegiance was recited and the legal notice was read.

II Tiverton P-2018-214

John Paul Garcia came forward and notified the commission that the applicant would like to modify the application to a 12 lot subdivision.

11 lots on Fairfield Place and 1 off of Burton Road.

C. Edwards noted that Fairfield Place will stay a permanent cul de sac.

Chairman McDuffie addressed the concerns and questions of the public from the previous hearing.

The amount of bedrooms will depend on the market needs.

Any blasting will be regulated.

A traffic study is not usually done in residential areas.

The question about the interior lot sizes now is not existent with the modification of the application to 12 lots.

Ground water is taken care of with the inland wetlands commission.

The cul de sac needs to be extended in order to make is compliant.

Chairman K. McDuffie asked if the commissioners had any other questions and there were none.

A motion to open the meeting to public comments was made by Chairman K. McDuffie and 2nd by Comm. Vice Chairman B. Giglio. All in favor.

1) Michael Krenesky, Highland Ave., asked for clarification as to who will maintain the detention pond. He said the word "association" is being used and he would like that cleared up. E. Edwards noted that since the late 80's they have been part of the town drainage system, this project is not any different than the others before. Lot #18 will have a town easement in the deed.

2) Mr. Makarewicz, 65 Fairfield Place, said that the town owns the right of way and it has not been maintained. He has 100k worth of damage to his property from town property. He said that the problem was created by the commission when it changed the zoning from R1 to R3. He feels that it is spot zoning.

3) Mr. Styfco, 22 Fairfield Place asked about the swail maintainence. It will be noted on the deeds of the new lots and will be the responsibility of the property owners. Mr. Styfco asked about the frontage of the lots, he believes they are not adequate.

4) Mr. O'Day , 65 Fairfield Place, asked about the fees for this application being waived.

5) Steve O'Day, 64 Fairfield Place asked if the applicant had indeed paid for the other applications. Chairman K. McDuffie quoted the minutes of the BOS meeting in which the BOS voted to waive the fees for this application.

Chairman K. McDuffie also produced cancelled checks showing that the applicant had indeed paid the fees in the previous application.

Steve O'Day also read and submitted a written statement signed by the residents of Fairfield Place. The statement will be submitted with these minutes as part of the minutes.

Chairman K. McDuffie asked 3 times if there were any other comments from the public and no one came forward.

III ADJOURNMENT

A motion to close the special meeting at 8:04 P.M.

was made by Vice Chairman B and 2nd by Giglio and 2nd Comm. P. Hinman.

All in favor.

Respectfully submitted,

Mary Ellen Fernandes

Clerk, May 26, 2018

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DRAGON FALLS TOWN CLERK

5/23/18

Date: May 16, 2018

To: Town of Beacon Falls Planning and Zoning Commission

From: Fairfield Place neighbors

Re: Tiverton P-2018-214

The neighbors on the upper part of Fairfield Place have prepared the following statement to be submitted to the Planning and Zoning Commission for their consideration. As the Commission knows, we are against the approval of this application as currently submitted. Our neighborhood – our lives – are directly impacted by this subdivision and the decision that is being made, and we feel the Commission needs to give careful attention to all of the concerns we are bringing before them.

- The application received by the Town Clerk's office on March 5, 2018 lists only one waiver for consideration, regarding Open Space. The application asks for a written description of the reason for the waiver to be a part of the application; there is none included.
- In the Subdivision Regulations of the Town of Beacon Falls, Planning and Zoning Commission, Section 4.4.10 on Dead End Streets, it states that "no permanent dead end street shall exceed 1000 feet in length". Fairfield Place is 1370 feet long. This application proposes extending the street another 220 feet. The current application does not request a waiver regarding the length of Fairfield Place.
- In the best interest of our neighborhood and its safety, should a waiver be requested to increase the length of Fairfield Place, it should not be granted. Section 4.4.10 was added to the Subdivision Regulations as a matter of public safety. Should an emergency arise anywhere on our street at a time when the street is inaccessible due to inclement weather, a fallen tree or utility pole, a motor vehicle accident, a fire or other disaster whether natural or manmade – our neighborhood would be at risk. Lengthening the road and adding near double the number of current houses to the end of the road would increase the risk. This regulation was added for a reason; let's abide by the rules.
- On page 3 of the application, number 15, there are a number of supporting documents that are not addressed as either "Attached" or "Not Applicable". Until all of the supporting documents are included with the application, and all waivers are properly documented and voted on, this application should not be considered complete and should not be acted upon.
- One of the residents on our street mentioned at the last meeting that per section 8.9 in the Zoning Regulations on Interior Lots, the back lot frontages were not sufficient per the regulations. Have the plans been examined to such level of detail as to make sure that all applicable regulations are being followed? Has the deficiency brought up last time regarding the rear lots been addressed?
- We have voiced our concerns regarding traffic on Fairfield Place loud and clear. Adding 13 three- to four-bedroom homes to the end of Fairfield Place would increase the traffic on our street exponentially, as all of the cars would need to travel the entire length of the current road each time they go to or from their house. The current road simply was not designed or built to withstand such traffic. This is a serious concern for the Town of Beacon Falls, as the road is the

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town's responsibility. We are concerned for the safety of children walking to and from the bus, and playing in their yards and near the street. We are concerned for the additional children that may be living on the street. We are concerned about driving up and down the street, especially near the curve between house numbers 29 and 30, during the construction phase when there is truck traffic, and after, when there are 30-plus more cars going up and down. Fairfield Place is not a "dangerous" street, because right now it's a quiet street. That, unfortunately, would be completely changed forever.

- The width of Fairfield Place, from below house number 29 where there is a stone wall on the left, across to where there is a telephone pole on the right below the first driveway, is twenty-one feet. Current subdivision regulations call for a local street's width of pavement to be 30 feet.
- We are particularly concerned with the section of the street between numbers 30, 34 and 47. Again, the street is just twenty-one feet across along this stretch and up to the crest of the hill, and a number of children live in those handful of houses.
- In addition to the safety of our residents, we are concerned for the condition of the current road and how it will handle construction traffic. Hopefully by this time, each and every Commission member has driven up to see Fairfield Place. Current road conditions may not support such vehicles as triaxle trucks and cement mixers going up and down the street numerous times a day. We cannot stress enough – the current road is just not meant to handle that. There is a sizable patch of replacement asphalt covering one lane between houses 42-A and 44 right now, where there was a water main break. This patch will not survive construction traffic.
- The cost of this subdivision, to the Town of Beacon Falls, would be substantial and absolutely should be considered as part of this proposal. We have already mentioned the upkeep to the current road. The plans for this subdivision call for a cistern, which would need to be maintained by the town. Three- to four-bedroom houses will bring children into our school district – and the cost to educate them alone can be greater than the annual tax dollars received – and that's before we consider the cost of other public services. As we have stated in earlier meetings – this subdivision does not benefit the Town of Beacon Falls; it does not benefit anyone other than the developer.
- The plans submitted call for a detention pond, which has been discussed at length. Is there a final decision regarding whose responsibility the detention pond will be? There has been discussion about the safety of the detention pond, whether there would be a fence, or no fence; whether it would be the responsibility of the landowner, or a property owners association. Where will the responsibility for this detention pond lie, should the designated responsible party fail to live up to their duties? Would the detention pond then fall to the responsibility of the Town of Beacon Falls?
- Several neighbors have voiced concerns over blasting. While we understand that there are regulations regarding any needed blasting – what if any unexpected damage occurs to existing homes or in-ground pools? It is a known fact that ledge runs throughout the neighborhood.
- There will be much fill needed to make the land on the left side of Fairfield Place suitable for building. The homeowner at house number 65 pointed out how many trucks of fill were needed when his house was built. Another resident asked where the fill would be coming from for this subdivision and how much would be needed; we would like an answer to that question.

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- In the Beacon Falls Plan of Conservation and Development, in Section 4.4 on Housing Goal, Policies and Recommendations, it states in Section 4.4.2 number 3 that "The neighborhood should be the basis of residential development in Beacon Falls, with residential development designed to create and/or enhance the sense of neighborhood." In the Subdivision Regulations, Section 1.1 Declaration of Policy, "It is declared to be the policy of the Planning and Zoning Commission of the Town of Beacon Falls to consider land subdivision as a living part of the community and as part of a plan for the orderly, efficient and economical development and growth of the Town of Beacon Falls rather than as a mere aggregation of lots. These Regulations are adopted in order that land subdivisions may be made in the best interests of the Town..."

Last year, the Commission chose to disregard the current zoning standard that all new subdivisions be R-1, to overlook the Plan of Conservation and Development, and ignore the arguments of the residents of Fairfield Place and grant a zone change for this parcel of land. This was shortsighted, and it sets an unfortunate precedent in the Town of Beacon Falls. If this application is approved, it would forever change the character of our neighborhood. We implore the Commission to give serious consideration to all of the above points of concern – and to reject the current application. We are hoping the developer will bring forth a revised application that the residents of Fairfield Place can accept, that will enhance our current sense of neighborhood carry us forward into the future.

John Mabeaenug JOHN MATHAREWICZ 65 FAIRFIELD PL

Cyuthi Jurzynski	Cynthia Jurzynski	42-A Fairfield Pl.
John Peterson	John Peterson	59 FAIRFIELD PL
Steven O'Dea	Steven O'Dea	64 Fairfield Place
Isabel Petersen	Isabel Petersen	59 FAIRFIELD PLACE
	Rich Chiramonte	30 Fairfield Pl.

	Lisa Chiramonte	30 Fairfield Pl.
	Mitchell Mulinski	42 Fairfield Pl.

Wanda Mulinski	Wanda Mulinski	42 Fairfield Place.
FREDERICK R. BOWES	FREDERICK R. BOWES	44 FAIRFIELD PLACE

Susan Ventresca	Susan Ventresca	44-fairfield Place
Regina Uszakiewicz	Regina Uszakiewicz	44 fairfield Place

BEN CATAWZARO	BEN CATAWZARO	55 FAIRFIELD Place
John LaRoue	John LaRoue	50 Fair Field Pl

Kristin O'Dea	Kristin O'Dea	64 Fairfield Place
Andrea Ruhl	Andrea Ruhl	34 Fairfield Pl
Steven Ruhl	Steven Ruhl	34 Fairfield Pl.

CHRIS JURZYNSKI	CHRIS JURZYNSKI	47-A FAIRFIELD PL
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Jim Schepflin 61 Fairfield Pl

Jennifer Schepflin 61 Fairfield Pl

Justin R. Carlo 24 Fairfield Pl

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DEALIN FALLS COUNTY GOVT