



PLANNING & ZONING COMMISSION

Bethel Municipal Center
1 School Street, Bethel, Connecticut 06801 *(203) 794-8578

PLANNING & ZONING COMMISSION MINUTES

FEBRUARY 26, 2008 – 7:00PM
DENIS J RIORDAN – ROOM D

RECEIVED

FEB 28 2008

TOWN OF BETHEL
TOWN CLERK

PUBLIC HEARINGS

AMARAL/ACCESSORY APARTMENT/11 PAYNE ROAD

P. Rist called the hearing to order by having the legal notice read. The following correspondence was submitted :

Staff report from S. Palmer, Planning & Zoning Official

Health Department memo from Laura L. Vasile dated 12/18/07

Property owner Pedro Amaral was present and explained the interior layout of the proposed accessory apartment. The Commission reviewed with the applicant the requirements of renewing the special permit on an annual basis. P. Rist closed the hearing.

DENNIS C & DEBRA CASE/8 STONE DAM ROAD EXCAVATION PERMIT

P. Rist opened the public hearing by having the legal notice read. A letter was received from the property owner requesting an extension of time to resolve some issues pertaining to the Health Department. P. Rist continued the public hearing until the 3/11/08 meeting.

REGULATION AMENDMENT DCD 118-26Ai2 & 3

P. Rist called the hearing to order. Attorney Robin Kahn was present and reviewed with the Commission the proposed change to the recently adopted regulation. The regulation as stated requires an applicant to develop fully engineered plans at the time of submission for the overly zone. The intent of the regulation was to encourage applicants to submit a conceptual site plan at the time of request for a DCD map amendment to encourage development within the DCD guidelines. No one spoke in favor or against the amendment. P. Rist closed the hearing.

BUSINESS MEETING:

Commission members present: P. Rist, Chairman, K. Grant, J. Lennon, B. Legnard, H. Karl, C. Bresloff, D. Buonomo, D. Shannon, E. Finch.

Minutes

Motion by K. Grant seconded by B. Legnard to approve minutes of the 2.13.08 meeting. Motion passed unanimously.

Motion by J. Lennon seconded by K. Grant to add 8-24 referral for the Town of Bethel Sewer pump station. Motion passed unanimously.

WORK SESSION

NAZZARO/13 SHELTER ROCK ROAD/SUBDIVISION/EXCAVATION PERMIT

The Commission discussed the merits of the proposal. Open Space, section 95-10 of the subdivision regulations, fee in lieu of open space and the proposed conservation easement area on the revised drawings submitted 1/28/08 were reviewed. It was the consensus of the Commission to request a conservation easement in order to protect further excavation along the hillside of the proposed subdivision. The Commission also discussed the proposed excavation and the safety of this activity in relation to Payne Road and Shelter Rock Road. The zoning regulation pertaining to excavation and the use of a police officer was reviewed. The Commission requested staff to review further the responsibility of Safety and requirements by the Police Department for safety on certain roads within the Town, and report their findings to the Commission at the next meeting.

Motion by J. Lennon seconded by B. Legnard to move 38 Payne Road and Bethel Meadows to the next items on the agenda. Motion passed unanimously.

AMARAL/ACCESSORY APARTMENT/11 PAYNE ROAD

The Commission reviewed the merits of the proposal.

Motion by K. Grant seconded by J. Lennon to approve the application resolved to unanimously approve a Special Permit application under Section 118-24B(30) & 118-2B of the zoning regulations, for an accessory apartment on property located at 11 Payne Road, Assessors Map 08, Block 23, Lot 2B, owned by Kristen & Pedro Amaral subject to stipulations. Motion passed unanimously.

BETHEL MEADOWS/TOLL BROTHERS/77-RESERVOIR/STREET/ZONECHANGE FROM R-10 TO DCD

H. Karl was seated for E. Finch. C. Bresloff and D. Shannon reviewed tapes.

Motion by K. Grant seconded by J. Lennon to approve an application for a zoning map amendment by Toll Brothers, Inc; to apply the zoning designation of the Designed Conservation District (DCD) as an overlay zone to the underlying residential R-10 Zone of property located at 77-79 Reservoir Street, owned by Richmond and Jeanne Hubbard, Assessors Map 8, Block 4, Lots 118, and 119-A, as depicted on a plan entitled "Existing Conditions Plan, Sheet # EX-1, prepared by Russell Brents, PE, CT Lic. #22871, for BL Companies, dated November 18, 2007. Motion passed unanimously.

**BETHELMEADOWS/77/79 RESERVOIR STREET/
SITE PLAN/SPECIAL PERMIT/EXCAVATION**

Motion by K. Grant seconded by B. Legnard to unanimously approve an application by Toll Brothers, Inc. for a Site Plan and Special Permit to construct a 62-unit residential housing development and associated site improvements in accordance with the provisions of the Design Conservation District (DCD) regulations, and a Special Permit to conduct Excavation and Fill

Activity on property located at 77-79 Reservoir Street, owned by Richmond and Jeanne Hubbard, Assessors Map 8, Block 4, Lots 118,119, and 119-A, as depicted on plans entitled "Land Use Permit Application for Bethel Meadows, A Proposed Residential Development, Located on Reservoir Street, Bethel, Connecticut", prepared by Russell Brents, PE, CT Lic. #22871, of BL Companies, dated November 18, 2007, subject to conditions. Motion passed unanimously.

NGUYEN/55 GRASSY PLAIN STREET/ZONE CHANGE R-10 TO C

Motion by J. Lennon, seconded by K. Grant to approve an application for a zoning map Amendment of a .54-acre parcel of land located at 55 Grassy Plain Street, Assessors Map 14, Block 07, Lot 38 from residential RR-10 to Commercial "C" Zone as depicted on a survey entitled "Proposed Zone Change Map, prepared for Thuy & Truc Nguyen, 55 Grassy Plain Street, Bethel Ct" prepared by David Ryan, L.S. CT Lic. #8175, dated November 30, 2007. Motion passed. (5-2) D. Shannon, K. Grant – no.

REGULATION AMENDMENT DCD 118-26Ai2 & 3

The Commission discussed the merits of the proposal. It was the Consensus of the Commission to table the matter for further discussion with S. Palmer, Planner.

BOND RELEASE

BATISTA/7 FRANCIS J CLARKE CIRCLE

MARCONE PROPERTIES LLC/3 SECOND LANE

Motion by J. Lennon seconded by C. Bresloff to release remaining portions of bonds being held for 3 Second Lane and 7 Francis J Clarke Circle. Motion passed unanimously.

22 ADAMS DRIVE

EXTENSION OF FILING MAPS

Motion by K. Grant seconded by B. Legnard to grant a 90 extension for filing of the subdivision mylars. Motion passed unanimously.

8-24 PUMP STATION 38 PAYNE ROAD

The Commission discussed the merits of the proposal with Staff, Staff noted several studies and reports pertaining to the site.

Motion made by J. Lennon seconded by B. Legnard to issue a favorable report to the Board of Selectmen as to the purchase of the property. Motion passed unanimously.

PLANNING & ZONING OFFICIAL REPORT

The Commission reviewed a submittal from G & N Chelsea for a third party Engineer to oversee construction aspects of the project pertaining to inspections. The Commission requested that Staff interview the firm and had no issue with the selection of the firm provided that Staff interview the firm and was comfortable with the service's they would be providing.

Motion to adjourn by P. Rist. Motion passed unanimously.

Respectfully submitted,

Beth Cavagna

Beth Cavagna
Land Use Coordinator