CONTINUATION OF PUBLIC HEARING I:


Chair R. Peburn opened the Continuation of the Public Hearing and read the Legal description into record. The Legal Notices were published in the New Milford Spectrum on December 27, 2019 and in the Town Tribune on January 2, 2020. At the January Meeting the agent requested the Hearing be continued because they could not be present to speak on behalf of the application. Appointed Agent C. Francis Senior Civil Engineer of Arthur H. Howland & Associates was present to speak on behalf of the application tonight. Mr. Francis presented a colored A-2 survey showing the proposed 1,000 ft. driveway in proximity to the neighbor’s property. He stated that the intention is to treat the first 200 feet of the driveway with rolled cold millings to cut down on dust and erosion and shall plant shrubs along a portion of the driveway to provide screening. There shall be two parking spaces available for the Accessory Apartment at the rear of the dwelling. The Commission discussed the driveway which wraps around to the rear of the proposed dwelling. At the last Meeting, the Commission requested architectural drawings showing all four sides of the building elevations. There was also a request to show the access and egress of the Accessory apartment. The elevations were provided and were reviewed by the Commission. The Commission was satisfied with the provided drawings regarding adequate egress. There was confusion regarding the square footage of the proposed Accessory Apartment. On the application it stated the apartment would be 758 square feet. The Regulation only allows 750 square feet for an Accessory Apartment. The discussion went on regarding the need to reduce the apartment by 8 feet. Mr. Francis stated he did not feel comfortable discussing the possible reduction without the Architect present. The Commission stated they have already continued the Public Hearing from January and were not able to extend additional time. The applicant agreed to withdrawal the application. No further discussion took place.

R. Linkletter Moved to Accept the withdrawal of the Special Permit Application for an Accessory Apartment for 5 Brinsmade Lane (M-21, L- 2) Marcella Lourd, Trustee c/o Paul Lourd and closed the Public Hearing.

Seconded by: N. Volkmar

Vote: For: Unanimous

Elevated member R. Linkletter returned to Alternate status at the commencement of Public Hearing II.

Commissioner J. Burruano was seated and Alternate J. Mahoney was elevated to Voting status for the duration of Public Hearing II.
PUBLIC HEARING II:

APPLICATION TO AMEND THE EXISTING SPECIAL PERMIT - 57 Wakeman Hill Road (M-8, L-47) CT Audubon, Deer Pond Farm- Change the use of principal structure from residential to passive recreation/ nature center and add outdoor lighting to the parking areas and associated walkways in accordance with submitted revised lighting plan, entitled “Exterior Lighting”, dated 12/23/2019, and submitted floor plan entitled “Connecticut Audubon Society, Deer Pond Farm dated 11/14/2019, prepared by Hudson Valley Preservation and submitted marked up survey entitled “The Connecticut Audubon Society, Deer Pond Farm, 57 Wakeman Hill Road.” Prepared by: Sara N. daSilva Quintal, Dated February 7, 2017 and in accordance with Section 324.1 e Accessory Uses to Conservation Organizations. Zone A.

Chair, R. Peburn opened the Public Hearing for 57 Wakeman Hill Road. Commission Secretary M. Lee read the Legal Warning into record. The Legal Notice was published in the Town Tribune on January 23rd and again on January 30, 2020. Forty four abutting neighbors were sent Legal Notice by certified mail. There were two letters received. The Commission conducted a site walk of the property on January 29, 2020 where those in attendance viewed the lay out of the existing dwelling as well as a sample of the lighting proposed. The proposed amendment has received Health Approval. The Commission reviewed the new lighting plan which shows a reduction in proposed light poles from nine to three. The Commission agreed the modified plan was well thought out and Ms. Hagadorn was present to speak on behalf of the application. From the audience, CT Audubon Development Director J. Leiz spoke in favor of the amendment stating she felt the proposed lighting and activity was fitting and in keeping with the open space philosophy of the CT Audubon. Also from the audience, J. Loucious a Board member of the CT Audubon spoke in support of the proposed activity stating their application has been modified in consideration of the concerns of the Commission and have reduced the number of proposed lights. C. Hagadorn added that the CT Audubon, Deer Pond Farm hopes to be a resource in this community and continue to be good neighbors. Chair R. Peburn read the first letter into record from Tania & Peter Jellen directly across the street from the CT Audubon. In the letter, the Jellens state they have concerns this proposed activity is not fitting and could adversely impact the neighborhood by increasing traffic. The Jellens correspondence went on by stating they have not adequately been notified of these Special Permit Meetings, where they know other neighbors have received letters. The Commission agreed to take a brief recess.

Chair, R. Peburn Recessed the Meeting at 8:13 pm.

Chair R. Peburn reconvened the Meeting at 8:19 pm.

The Commission reconvened the Public Hearing II, 57 Wakeman Hill Road. Ms. Hagadorn stated for the record, she submitted the mailing list from 2017 when she and the Tax Assessor mapped out the properties within 500 feet of Deer Pond Farms. Clerk, C. Branson stated the process of submitting the mailing list and the responsibility of the applicant to submit accurate information. The list has periodically been updated when necessary, Ms. Branson has provided feedback to Ms. Hagadorn when letters are returned or rejected. Ms. Hagadorn respectfully requested she be allowed to continue their presentation for the Special Permit. Chair, R. Peburn read the second letter of correspondence into record from James Brady who also lives directly across from the driveway of Deer Pond Farms. Mr. Brady shared similar concerns as the previous letter, stating he is aware of others who have not received notification and is opposed to the potential increase of lighting and increase of traffic which could adversely impact his property. From the audience, CT Audubon Board Member J. Olivier stated she understands the necessity to inform the abutting neighbors, however hopes this Amendment to the Special Permit will be allowed to proceed. Chair, R. Peburn stated he felt it necessary to notify all affected property owners of the Special Permit modification. Mr. Peburn requested permission from the applicant to extend the meeting to allow notification of those who were not included in the original mailing list. The Commission agreed that the ZEO, R. Cooper should oversee the updating of the mailing list. Ms. Hagadorn stated she would allow the extension of the Public Hearing to be continued to March 5th, 2020. Ms. Hagadorn agreed to send written correspondence to the Chair reflecting this request for an extension. Ms. Hagadorn agreed to meet with the ZEO and verify the properties within 500 feet and possibly update the mailing list. If it is determined necessary, new addresses shall be sent the Legal Notice of this hearing by certified mail.

N. Volkmar Moved to continue the Public Hearing for the APPLICATION TO AMEND THE EXISTING SPECIAL PERMIT - 57 Wakeman Hill Road (M-8, L-47) CT Audubon, Deer Pond Farm to the March 5th, 2020 Regular Meeting, beginning at 7:00pm at Mallory Town Hall.

Seconded by: M. Lee

Vote: For: Unanimous

Old Business:

DELIBERATION OF PUBLIC HEARING I:


No action took place, this application has been withdrawn by the applicant.
DELIBERATION OF PUBLIC HEARING II:

APPLICATION TO AMEND THE EXISTING SPECIAL PERMIT - 57 Wakeman Hill Road (M-8, L-47) CT Audubon, Deer Pond Farm- Change the use of principal structure from residential to passive recreation/ nature center and add outdoor lighting to the parking areas and associated walkways in accordance with submitted revised lighting plan, entitled “Exterior Lighting”, dated 12/23/2019, and submitted floor plan entitled “Connecticut Audubon Society, Deer Pond Farm dated 11/14/2019, prepared by Hudson Valley Preservation and submitted marked up survey entitled “The Connecticut Audubon Society, Deer Pond Farm, 57 Wakeman Hill Road,” Prepared by: Sara N. daSilva Quintal, Dated February 7, 2017 and in accordance with Section 324.1 e Accessory Uses to Conservation Organizations. Zone A.

No action took place, this application has been continued to the March 5th 2020 Meeting

New Business: No new business was received.

Public Comment: No comment from the Public was made.

Approval of Minutes: Regular Monthly Meeting of January 9, 2020

N. Volkmar Moved to Approve the Regular Meeting Minutes of Planning & Zoning Commission January 9th, 2020 with correction under Public Comment, correct the name of Jim “Ray” to Jim Brady.

Seconded by: M. Lee Vote: For: Unanimous

Correspondence:

National Business Institute - notice of upcoming classes and publications.

Zoning Enforcement Officer’s Report: No report submitted.

Committee Reports:

Chairman Report: P&Z FY 2020-21 Proposed Budget

Following a brief discussion the Commission Moved to send the 2020-21 P&Z Budget request as submitted, with no increases to the Board of Selectman.

N. Volkmar Moved to Accept the proposed FY 2020-21 Planning & Zoning Budget with no increase.

Seconded by: M. Lee Vote: For: Unanimous

Regulation Review: No discussion took place.

Adjournment: R. Peburn Adjourned the Meeting at 8:55 pm.

Respectfully submitted by:

Christine Branson, Commission Administrative Clerk
February 13, 2020

APPROVED AS WRITTEN AT THE MARCH 5, 2020 RMM