



EASTON PLANNING & ZONING COMMISSION

225 CENTER ROAD
EASTON, CT., 06612

TELEPHONE (203) 268-6291
FAX (203) 268-4928
TOWN WEBSITE: eastonct.gov

March 16, 2017

Certified Mail Receipt #70142120000328122766

Saddle Ridge Developers, LLC
c/o Shipman & Goodwin, LLP, Counselors At Law
One Constitution Plaza
Hartford, Connecticut 06103-1919

Attention: Matthew Ranelli, Esq.

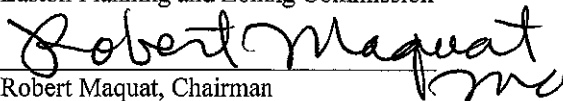
- Re: Applications to:
- (1) Amend the Town of Easton Zoning Regulations (Article 3) to create a new zoning district, titled "Planned Housing Opportunity District" (HOD);
 - (2) Amend the Town of Easton Zoning Map to designate the applicants' property, as described above, as a HOD District;
 - (3) Amend the Town of Easton Subdivision Regulations as follows:
 - a) Section 10.11, to exempt a HOD District from certain open space requirements;
 - b) Section IV C (5), to require dead end streets to provide a minimum of two (2) and maximum of sixteen (16) building lots in a HOD provided that subsections (A) and (b)(i) of this Section are satisfied;
 - (4) Approve a subdivision application, "Easton Crossing", for the applicant's property as described above, creating approximately 124 acres into 48 building lots, one separate parcel, four roads and several open space parcels;
 - (5) Approve applications authorizing the creation of 9 (9) affordable homes of the 30 total homes and 11 (11) duplex style affordable apartments to be incorporated within 18 (18) duplex buildings is planned for the proposed subdivision, pursuant to standards of General Statutes Section 8-30g. and Section 8-2; and
 - (6) Approve a site plan for construction of a HOD project on the applicants' property, as referenced above.

Gentlemen:

At its meeting of March 13, 2017 the Planning and Zoning Commission considered each of the above applications and resolved by unanimous vote, a quorum being present, to **MODIFY AND APPROVE** each application. A copy of the **adopted FINDINGS, RESOLUTIONS AND CONDITIONS OF APPROVAL FOR RESOLUTIONS** is enclosed for your records. We have also enclosed a copy of the legal notice which will be published in the March 23, 2017 issue of the Easton Courier.

Thank you for your courtesies during the presentation.

Very truly yours,
Easton Planning and Zoning Commission


Robert Maquat, Chairman

RM:ma
Enclosures

cc: Ira Bloom, Esq.
Milone & MacBroom, Inc., 99 Realty Drive, Cheshire, CT 06410
Silver Sport Associates (owner), 895 Sport Hill Road, Easton, CT



EASTON PLANNING & ZONING COMMISSION

225 CENTER ROAD
EASTON, CT., 06612

TELEPHONE (203) 268-6291
FAX (203) 268-4928
TOWN WEBSITE: eastonct.gov

RESOLUTIONS AND FINDINGS ADOPTED 3/13/17 BY EASTON PLANNING AND ZONING COMMISSION (hereafter "Commission")

APPLICANT: Saddle Ridge Developers, LLC
68 Soundview Drive
Easton, Connecticut 06612

Applicants' Representatives:

Attorney: Matthew Ranelli, Esq.
c/o Shipman & Goodwin, LLP
One Constitution Plaza
Hartford, CT 06103-1919

Engineer: Milone & MacBroom, Inc.
99 Realty Drive
Cheshire, CT 06410

PROPERTY LOCATION: At Sport Hill Road, Silver Hill Road, Cedar Hill Road, and Westport Road in the Town of Easton, CT. Including 897 Sport Hill Road (Map 3773-B/Lot 15-1), 48 Cedar Hill Road (Map 3774-B/Lot 27D) and (Maps 3774-B-3773B/Lot 7).

OWNERS OF RECORD: Silver Sport Associates, Limited Partnership, c/o Huntley J. Stone

I. The Applications (hereafter “Applications” or “Application”)

Saddle Ridge Developers, LLC, the proposed Developer and applicant, on behalf of Silver Sport Associates, Owner, pursuant to Conn. General Statutes Sec. 8-30g, and 8-2 to construct a 48-lot community with 30% of the homes set aside as affordable pursuant to the above statutes on their property of approximately 124 acres bounded by Sport Hill Road, Silver Hill Road, Cedar Hill Road and Westport Road, including 897 Sport Hill Road (Map 3773-B/Lot 15-1), 48 Cedar Hill Road (Map 3774-B/Lot 27D), and Maps 3774-B-3773B/Block 7. Although the total property is 124 acres, the Applicant has broken this down to Parcel A, consisting of a 14 acre horse farm that is not included in the Application, and Parcel B consisting of approximately 110 acres (Parcel B is the subject of the Application and is hereafter referred to as “the Site”). The Applications are broken down individually into the following six (6) components as follows, but will be collectively referred to hereafter as the “Application” or “Applications.”

Application 1: Amend the Town of Easton Zoning Regulations (Article 3) to create a new zoning district, titled “Planned Housing Opportunity District” (HOD);

Application 2: Amend the Town of Easton Zoning Map to designate the applicants’ property, as described above, as a Planned HOD District;

Application 3: Amend the Town of Easton Subdivision Regulations;

Application 4: Approve a subdivision application, “Easton Crossing,” for the applicant’s property as described above, creating approximately 48 building lots, four roads and several open space parcels;

Application 5: Approve applications authorizing the creation of nine (9) affordable homes of the thirty (30) total homes and eleven (11) duplex style affordable apartments to be incorporated within eighteen (18) duplex buildings for the proposed subdivision, pursuant to standards of General Statutes Section 8-30g and Section 8-2;

Application 6: Approve a Site plan for construction of a HOD project on the applicants’ property, as referenced above.

With the consent of the applicant the six (6) Applications were considered concurrently in a public hearing commenced November 28, 2016 continued on December 12, 2016, December 22, 2016, January 3, 2017 and concluded on January 11, 2017.

II. Description of Site, Environs, and Prior Application

A. The Site which is the subject of the Applications is a 110 acre tract in north central Easton, bounded by Sport Hill Road, Silver Hill Road, Cedar Hill Road and Westport Road. Silver Hill and Cedar Hill Roads are Town-designated, Scenic Roads pursuant to Town Ordinance under General Statutes 7-149a.

The terrain of the Site consists of irregular topography divided by a major belt of wetlands which extends from its northwest corner to its southeast corner. There are several smaller wetlands. A 1,000-ft. pond, of about six acres, is in the southeast extremity of the Site, and there are several nearby rocky outcrops. A mosaic of over twenty different soil types have been identified on the Site.

The entire acreage of the Site lies on watersheds of two nearby public water supply reservoirs owned by the Aquarion Water Company. The easterly portion of the Site drains via Patterson Brook to the Easton Lake Reservoir about 1.4 miles to the east and the remainder of the Site drains via Ballwall Brook to the Aspetuck Reservoir which is about two miles to the west. ("Easton Ct Public Drinking Water Source Protection Areas," map by CT Dept. of Public Health).

B. The Site lies within a rural suburban area of widely-spaced single-family dwellings, and is located approximately six miles from the nearest urban centers in Fairfield, Bridgeport and Trumbull. The nearest major highways are Route 25, about four miles to the east, and the Merritt Parkway, about four and a half miles to the south.

There is no public transit service (other than Town school bus service) anywhere in the vicinity. The nearest public water service (an end-of-line special main to the Town Hall, Police Department and Public Library) is 1.4 miles away. There are no public sanitary sewers in any portion of Easton, nor within five miles in any direction of the Site. Because Easton lacks a commercial center and nonresidential zones, there are no significant centers for services or employment within six miles of the Site.

FINDINGS

1. In 2014, Saddle Ridge submitted a plan for a 48 lot subdivision with 30 percent of the units set aside as affordable accessory apartments in an attempt to resolve then-pending litigation (hereafter the "2014 Plan"). The Conservation Commission approved the regulated activities contained in the 2014 Plan but the Commission denied the 2014 Plan on the basis that the application did not comply with the standards in Conn. Gen. Stat. §8-30g. The purpose of this Application was to resubmit the 48 unit plan with changes to make the application comply with the statute. In this Application the units will be distributed as nine affordable single-family homes and 11 duplex style affordable apartments that are of equal size and quality as their market-rate counterparts.

2. In accordance with Conn. Gen. Stat. §8-3(g), the Commission has received a report from the Town's inland wetland agency, the Conservation Commission, in the form of the

resolution dated December 23, 2014, for the 2014 Plan, a 48-lot proposal submitted at that time. This Commission has given due consideration to that report and has incorporated conditions from it as set forth herein.

3. The horse farm property, shown as Parcel A, is not included in any of the Applications submitted. Further, the Applicant has represented in its written submissions and in verbal testimony that at no point in the future will the horse farm property, shown as Parcel A, be the subject of a §8-30g application.

4. The Commission has carefully reviewed the health and safety aspects of this Application, submitted to the Commission pursuant to Conn. Gen. Stat. §8-30g. This Commission is well aware of the legal standards imposed by this state law, having dealt with several applications pursuant to 8-30g. The Commission is similarly aware of the burden of proof imposed on the Commission if there is a denial of a §8-30g application.

5. In the absence of §8-30g, had this Application been presented to the Commission, undoubtedly it would not have been approved since it requires a change of zone from the three acre standard to a one acre standard. However, the Application was in fact submitted pursuant to §8-30g, and the Commission is compelled to determine what is in the best interest for the citizens of Easton given the requirements and mandates of the affordable housing law.

6. The Commission retained the services of a consultant, Michael J. Bartos, Jr., P.E. of LandTech. Mr. Bartos has carefully analyzed this Application and issued reports to this Commission with his conclusions. Mr. Bartos has concluded that, with the addition of his multiple conditions, and with proper maintenance and oversight by the owners and Homeowners Association, and, if necessary, the Town of Easton, protection of the public water supply watershed area and other natural resources will be secured.

7. The Commission is also aware of the fact that should the Commission deny these Applications, and should a court overturn the Commission's denials, the multiple conditions and safeguards recommended by Mr. Bartos and LandTech, and incorporated herein, will not be imposed. The Commission believes that the incorporation of these conditions and proper enforcement and oversight are essential to the protection of the watershed and environment in general. Further, Mr. Bartos concludes that this Application does not present a greater threat to the Public Water Supply Watershed area than the previously-approved 2009 subdivision plan for twenty-one lots.

8. Mr. Bartos' conclusions regarding the impact of these Applications on the Public Water Supply Watershed area were consistent with the conclusions of GHD, the Commission's consultant with respect to the 2014 Plan.

9. With regard to oversight, while the Commission has great confidence in the hardworking Town employees, to ensure reliable and timely oversight of this project, we are requiring the hiring at the Applicant's expense of a Site engineer, who shall be charged with review and oversight responsibilities.

10. Applicant's HOD Zoning Text promotes the objective of "housing choice and economic diversity in housing" (Text sections A, C, D) and, with the conditions set forth in these resolutions, gives reasonable considerations to protection of the surface and ground drinking water supplies originating on its Site.

11. A comparison of densities based on the bedrooms reveals that the proposed HOD zone contains fewer bedrooms than may exist in a B residential development.

- Conventional subdivision, per Town Plan Recommendation
(96 upland acres, total @ 2.0 acres/dwelling)
Total bedrooms @ 5-6/dwelling: 240 – 288. Potential dwellings on Site: 48

- HOD Plan Proposal
(83 upland acres, project area)
Total bedrooms @4.0 bedrooms/dwelling: 192. Potential dwellings on Site: 48

12. Easton's Town Plan of Conservation & Development, adopted effective July 1, 2007, addresses the Town's housing needs in the following words (Plan Report, Chapter 1, page 4): "Housing needs of Easton's senior citizens and less affluent residents should be addressed in a variety of ways including age-restricted residential in appropriate locations, affordable accessory apartments, increased elderly tax relief, limited duration elderly and in-law accessory apartments and possible planned retirement communities; in all cases restricted to densities in persons per acre compatible with the State Plan of Conservation and development and the natural limitations of the area in which located. (Chapter 4)."

13. A reduction in individual lot sizes is generally permissible where the reduction is offset by a corresponding increase in reserved open space, in effect a "cluster" plan as encouraged in Section 8-18 of the General Statutes. Total open space land on the Site is proposed at 38.4%, or over two and a half times the standard requirement. By specifying a maximum ten percent impervious coverage limit for the overall project Site, the HOD Regulations (Application report as amended Jan. 3, 2017, Tab 10, Section 10, Section H) meet the updated State density standard as well.

14. *Finding regarding Intervention Petition filed by The Coalition to Save Easton* (hereafter "intervenor"): The Commission finds that The Coalition to Save Easton on December 9, 2016 filed a Notice of Intervention pursuant to §22a-19 of the General Statutes. The Commission finds that that the intervenor has filed a verified pleading and has alleged claims within the jurisdiction of this Commission. The Commission finds that this intervenor has not proven that the applicant's proposed conduct is reasonably likely to have the effect of unreasonably polluting, impairing or destroying the public trust in the air, water or other natural resources of the State. More particularly, the Commission finds that the intervenor has not set forth sufficient credible and quantifiable evidence of the following allegations from their petition:

- a. the non-point source run-off after construction, off of the structures and roads, which will include metals and hydrocarbons;

- b. the design of the storm water quality basins is inadequate to renovate storm water;
- c. the design of the interlocking concrete pavers is inadequate to protect the wetlands and watercourses; and
- d. the proposed construction of 48 subsurface sewage disposal systems, including the substantial removal of vegetation, earth disturbance and other associated activities is reasonably likely to alter the rate, volume and quality in run-off resulting in unreasonable impairment of the wetlands and watercourses which discharge into Easton Reservoir or Aspetuck Reservoir.

15. The intervenors submitted written and oral evidence, including, but not limited to, the following:

- a. Four page report dated December 12, 2016, addressed to Mr. Robert Maquat, Chairman, Planning and Zoning Commission, from Steven D. Trinkaus, P.E., Trinkaus Engineering, LLC.
- b. Three page letter dated December 12, 2016 from Michael S. Klein, Environmental Planning Services, LLC.
- c. Minutes of January 3, 2017 Planning and Zoning Commission Meeting or oral report of Steven D. Trinkaus, P.E, Trinkaus Engineering, LLC.
- d. One page letter dated January 7, 2017 to Mr. Robert Maquat, Chairman, Planning and Zoning Commission, from Steven D. Trinkaus, P.E., Trinkaus Engineering, LLC (noted as Item #8, 1/11/17).
- e. Two page report dated December 22, 2016 to Coalition to Save Easton from Michael S. Klein, Principal, Soil Scientist, Professional Wetland Scientist, Environmental Planning Services.
- f. One page letter dated January 2, 2017 to Coalition to Save Easton from Michael S. Klein, Principal, Soil Scientist, Professional Wetland Scientist, Environmental Planning Services.
- g. Two page letter dated December 21, 2016 to Mr. Robert Maquat, Chairman, Planning and Zoning Commission, from Andrew W. Minikowski, Esq. Legal Fellow, Connecticut Fund for the Environment.

16. These allegations were not substantiated and, in fact, they were either contradicted by the Commission's consultant, LandTech, or properly addressed by the conditions recommended and incorporated herein. The LandTech reports are contained in the record of this public hearing.

17. The Commission concludes that with regard to the above claims, based upon the evidence in the record, the activities proposed will not have the effect of unreasonably impairing or destroying the public trust in the air, water, or other natural resources of the State.

RESOLUTIONS

- I. RESOLVED with regard to the Proposed Amendment to the Easton Zoning Regulations to create Planned Housing Opportunity District (HOD) (Application 1 above), it is hereby APPROVED, subject to the following conditions of approval, and to the further condition that the Proposed Amendment to the Easton Zoning Regulations shall apply only to the Site.
- II. RESOLVED, with regard to the proposed amendment to Easton Zoning Map to designate the Site as a Planned HOD District (Application 2 above), it is hereby APPROVED, subject to the following conditions of approval and subject to the following modifications:
 - Delete notes pertinent to revisions, date, project number, names and addresses of current adjacent owners.
 - Retain, however, all other data including, but not limited to, parcel boundaries, topography, natural features, street names, structures, parcel numbers and lot lines of parcels within 500 feet.
 - Label the rezoned area HOD Zone, District C
 - Add new map title Supplement to Town of Easton Zoning Map.
 - Add lines for Commission endorsement signature and effective date.
- III. RESOLVED, with regard to the proposed amendment to Easton Subdivision Regulations (Application 3 above), it is APPROVED, subject to the following conditions of approval and subject to the additional condition that it shall not take effect unless and until the HOD Site plans separately proposed by this Applicant are approved by the Commission, and, further, that the proposed amendment to Easton Subdivision Regulations shall only apply to this Site.
- IV. RESOLVED, with regard to the proposed subdivision application to approve a subdivision, "Easton Crossing," 48 building lots, four roads and several open space parcels (Application 4 above), it is hereby APPROVED, subject to the following conditions of approval.
- V. & VI. RESOLVED, with regard to the site plan application for construction of a HOD project and approval of Applications authorizing the creation of 48 building lots consisting of thirty (30) total homes and eleven (11) duplex style affordable apartments within eighteen (18) duplex buildings, all pursuant to Conn. Gen. Stat. §8-30g (Applications 5 and 6 cited above), it is hereby APPROVED, subject to the following conditions of approval:

CONDITIONS OF APPROVAL FOR ABOVE RESOLUTIONS:

1. No zoning permit shall be issued until all approvals from any regulatory agency having jurisdiction are obtained. Prior to the issuance of the zoning permit, Permittee must provide a bond for all work within public rights of way, common elements and drainage easements in an amount to be determined by the Commission or its agent.
2. The Permittee shall furnish copies of all certifications, inspection reports, a "Stormwater Pollution Control Plan," updated as appropriate, and all other documentation demonstrating compliance with the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. Documents are to be submitted as they become available.
3. The Permittee shall provide a final set of drawings incorporating the approval conditions of both the Conservation Commission (after resolution of the pending appeal) and the Planning & Zoning Commission. The following specific revisions are to be made to the drawings and approved by the Commission before any land disturbance is begun.
 - a. Incorporate any changes to the drawings that might be requested by the Connecticut Department of Energy & Environmental Protection during its review of the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities for the project.
 - b. The plans shall include a note stating that no lot shall have more than thirteen (13) percent impervious coverage and that the overall 48-lot project area shall have not more than ten (10) percent impervious coverage. Every deed shall include a restriction that no lot shall have more than thirteen (13) percent impervious coverage.
 - c. Add a procedure for managing stormwater during the time between when a temporary sediment trap is removed and the corresponding detention basin is complete and ready to accept stormwater. The procedure is to include a statement prohibiting conveyance of stormwater to the detention basin until the basin's vegetation is established.
 - d. Add a hydrodynamic separator immediately upstream from each of the stormwater basins. Provide calculations and manufacturer's data demonstrating that each separator is designed to treat the "water quality flow," as defined in the Connecticut Stormwater Quality Manual. Plans shall show the details of maintenance and inspection access and any flow bypass. The separators should be added to the section entitled "Operation and Maintenance Plan (Post Construction)" on the Title Sheet of the drawings under the heading of storm drainage structures. The section shall state the maintenance requirements and schedule.
 - e. The plans shall show several additional areas of porous pavers in place of asphalt as proposed in a letter prepared by Milone and MacBroom (Tab 2 of Applicant's Supplemental Materials dated January 3, 2017). Note that these areas shall be constructed using precast concrete pavers as depicted on the drawings. The use of porous asphalt or other material requires prior approval of the Commission or its agent.

- f. The plans shall add a note stating that porous paver areas on individual lots in good soil or connected by underdrains to dedicated infiltration areas on the same lot do not have to be counted against the impervious coverage restriction for the lot. Otherwise, such areas must be counted as impervious coverage and may, therefore, be paved with asphalt.
- g. The plans shall add a note that pavers within private streets must have good soils or be connected by underdrains to dedicated infiltration areas within the common elements. Otherwise, such areas must be counted as impervious coverage and may, therefore, be paved with asphalt.
- h. The plans shall add the twelve requirements listed on page 4 and 5 of LandTech's December 12, 2016 letter to the commission to the erosion control narrative on sheet SE-1. The twelve requirements are as follows:
 - 1) Silt fence not installed parallel to the slope shall have five foot long wings installed every 100 feet to intercept and diffuse flows along the silt fence.
 - 2) Additional control measures will be installed during the construction period if required. A minimum of 300 feet of silt fence shall be stored at the Site for emergency use.
 - 3) Erosion controls related to road and/or driveway construction are in large part to be installed on private building lots and are to remain and be maintained until the areas disturbed by road, driveway, and house construction are stabilized.
 - 4) Each contractor for road, driveway, or house construction shall inspect all erosion and sediment controls weekly, before and following a storm greater than 0.1 inches.
 - 5) Water or calcium chloride shall be applied to unpaved driveways and haul routes to control dust.
 - 6) Debris and other wastes resulting from equipment maintenance and construction activities are not to be discarded on-Site.
 - 7) Silt fences shall have sediment removed when the depth of the sediment is equal to 1/3 the height of the fence. Fences shall be properly installed and ripped fence or broken posts repaired as soon as practical.
 - 8) Catch basin inserts (silt sack or equivalent) shall be cleaned when the reservoir is full.
 - 9) Construction entrances and check dams shall be replaced when void spaces are full or structures are breached, as applicable.
 - 10) All temporary erosion and sedimentation control measures shall be properly maintained until stabilization has been achieved. Temporary erosion control measures shall be removed and the soil surface stabilized when construction is complete and the soil surfaces are permanently stabilized. Structural

components shall be cleaned of all sediment upon completion of construction. Stabilization means that: 1) temporary or permanent vegetation has been established, 2) disturbed soil surfaces within 100 feet of the wetland have a dense stand of grass or are covered by an erosion control blanket (ECB), 3) turf or landscape areas are planted or mulched. If seasonal restrictions exist for planting, the Commission shall determine whether the Site is stabilized in accordance with the above criteria, prudent construction practices, and the Connecticut *Guidelines For Erosion And Sediment Control*.

- 11) In the event of conflict between this plan and other regulations, the more stringent shall apply.
- 12) The Applicant shall provide the name and contact information of the person assigned the responsibility for implementing this erosion and sediment control plan. This responsibility includes installation and maintenance of control measures, informing all parties engaged on the construction Site of the requirements and objectives of the plan, notifying the Town of Easton of any transfer of this responsibility, and conveying a copy of the erosion and sediment plan, if and when the title of land is transferred.

- i. The plans shall add the eight requirements listed on page 5 and 6 of LandTech's December 12, 2016 letter to the commission to the "Operation and Maintenance Plan (Post Construction)" on the Title Sheet of the drawings. Include maintenance requirements (attached to letter dated January 11, 2017 from Milone & MacBroom to Matthew Ranelli, Esq. Tab 2 of Applicant's Supplemental Materials dated January 11, 2017) for all paver areas on private lots and within common elements. The requirements are as follows:

The following shall apply for grassed lined swales:

- 1) Cut grass as needed to a height of 2.5-3 inches. Leave clippings in place to provide fertilizer for new growth.
- 2) Reseed swale with appropriate grass seed mixture and application rates as needed to ensure that no bare spots develop.
- 3) Inspect swale regularly for evidence of erosion. Pack eroded areas with sandy till, compact and apply 4-6 inches of settled top soil, reseed and water as needed until grass is established.

The following shall apply for preformed scour holes (riprap aprons):

- 4) Inspect the surface of each scour hole twice per year to ensure surface is free of debris and the discharge is flowing via sheet flow and not concentrated. Remove accumulated sediment when sediment depth within the scour hole reaches 50% of the total depth.
- 5) Inspect the discharge lip area for low points and down gradient flow areas for active scour or soil erosion. Repair scoured or eroded areas with compacted sandy till, and riprap as needed to prevent further scouring.

The following shall apply for detention basins/infiltration galleries:

- 6) Replace any diseased or dead vegetation within the basin with native species, per the approved plan.
 - 7) Remove invasive plants, as identified by the current listing of Invasive Species compiled by the CT Invasive Plant Working Group. These shall include, but not be limited to, purple loosestrife (*Lythrum salicaria*), common reed (*Phragmites australis*), multiflora rose (*Rosa multiflora*). Removal shall be by hand, shovel or pulling, treatment of cut stump within 20 minutes of cutting or spraying of foliage with a 1-2% solution of Rodeo™.
 - 8) Repair any soil erosion of the sidewalls of the basin.
4. The plans shall provide a paved temporary turnaround suitable to the Easton Fire Department to be constructed at the end of the phase 3 (Stonegate Lane construction in the vicinity of lots 39 and 6). The turnaround shall be removed and the area restored with turf upon completion of Stonegate Lane through to Cedar Hill.
 5. The plans shall show where basin 150 is to be lined. Revise the typical detention basin section on final plans to show a topsoil layer over the low-permeability soil.
 6. The plans shall add typical sections with dimensions for the open channel along Bradford Place and for the berm and channel between the two lobes of detention basin 150.
 7. The plans shall revise the proposed lot lines so that the drainage easements are included as part of the adjoining lots and not part of the Open Space parcels.
 8. The plans shall provide drainage easements to allow equipment access from Stonegate Lane to both ends of the proposed culvert at road STA 24+30.
 9. The plans shall label the underdrain—start and end.
 10. The plans shall remove reference to “Landscape Architect” and replace with the Commission.
 11. The permittee shall adhere to all provisions of the State Building Code and the State Fire Code. The permittee shall also address the issues to the reasonable satisfaction of the Easton Fire Marshal as set forth in the Fire Marshal’s report of December 10, 2016.
 12. A detailed Site plan for every lot in the subdivision shall be submitted, reviewed and approved by the Commission or its agent before issuance of a building permit. For approval, a Site plan must be prepared by a professional engineer licensed in Connecticut and meet the following standards:
 - a. Be approved by the Easton Health Department to ensure that the well and septic system are compliant with the public health code.

- b. Demonstrate compliance with applicable zoning regulations, including provisions related to maximum allowable impervious coverage. This includes compliance with the requirement that no lot shall have more than thirteen percent impervious coverage.
 - c. For lots and driveways depicted on the final approved plans having porous pavers, the amount of porous paved area must be at least as much as shown on the approved subdivision drawings. The stormwater passing through the paver area into the underlying soil must drain to an acceptable subsurface infiltration area on the lot.
 - d. Include a stormwater infiltration area capable of storing and infiltrating at least the amount of runoff generated by a rainfall of two inches from the house roof.
 - e. The infiltration areas for porous pavers and roof runoff must be tested and designed in accordance with the criteria set forth in the section entitled "Infiltration Practices" beginning on page II-P3-1 of the Connecticut Stormwater Quality Manual.
13. Prior to the first sale or rental of any unit, the permittee shall submit to the Commission a certification to the Commission's reasonable satisfaction that the Affordability Plan complies with all State statutes and regulations, including, but not limited to, affordability calculations and sale terms. On June 1 of each year, the Permittee, his successor, or any management company, or the homeowners association established for this development, shall submit to the Commission updated information required by Connecticut statutes and regulations, including sufficient information to insure that the affordable units are properly occupied by qualified residents; affordability calculations (updated); list of residents; and other information that may be reasonably required. Further, the Affordability Plan shall remain in compliance with all state statutes and resolutions.
14. The Permittee shall amend the Maintenance Policy included with the Declaration of Saddle Ridge stating that the Homeowners Association is responsible for maintenance of all stormwater management facilities within the common elements and drainage easements in accordance with the Operation and Maintenance schedule shown on the approved drawings. Reference shall be made to the specific drawings applicable.
15. Prior to the start of work, a Professional Engineer ("Site Engineer"), approved by the Commission, paid for by the Permittee, and reporting to the Conservation Commission and the Commission, shall be hired, pursuant to a Letter Agreement between the Town and the Permittee. The Site Engineer shall not be affiliated with the erosion control inspector engaged by the Permittee as required by the General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities. The Site Engineer shall provide and/or undertake at least the following:
 - a. Meet with the Permittee's contractor and the Wetlands Enforcement Officer ("WEO") prior to starting any Site work to review the conditions of this approval and establish a line of communication, as well as a schedule for routine inspections.
 - b. Attend pre-construction meetings with the contractor and the WEO prior to each construction phase.

- c. Inspect all active construction areas weekly. Bring concerns related to permit compliance to the attention of the WEO.
 - d. Inspect the culvert installation and road construction within 100 feet of the wetland boundary daily until the binder course of asphalt is in place.
 - e. Submit monthly reports to the Commission.
 - f. Attend Commission meetings as requested.
16. The construction sequence and phasing are to be performed in compliance with the Title Sheet and Phasing Plan of the drawings, and the affordable units shall be proportionally disbursed within each Phase.
 17. The Permittee shall establish the limit of disturbance depicted on the approved plans for the entire phase prior to construction of each phase with a distinct boundary material approved by the WEO. The demarcations shall be reviewed by the Site Engineer prior to the start of construction. All land disturbance is restricted to the area within this boundary.
 18. Before the start of any construction phase, all soil and erosion controls for that phase shall be installed. Erosion controls are to be maintained during the entire period of construction and until their removal is approved by the Site Engineer and the WEO.
 19. If the contractor building the road is not the same as the contractor building the individual houses, the Permittee shall prepare and submit an erosion control plan developed specifically for the road construction and obtain Commission approval prior to the start of clearing for road construction.
 20. As each phase is completed, the work shall be inspected by the Site Engineer to ensure the construction has been completed as approved. Deficient or non-conforming work, as determined by the Site Engineer and the Wetlands Enforcement Officer, is to be remediated prior to beginning land disturbance within the subsequent phase.
 21. Each residential septic tank shall be pumped out by a licensed contractor at least once per three years. Each residential septic system shall be inspected at least once per three years by a registered sanitarian or professional engineer. Repairs shall be completed within a time frame to be determined on a case-by-case basis by the Easton Health Department. The Permittee and/or Homeowners Association shall furnish documentation of compliance annually to the Commission.
 22. The Permittee shall be responsible for repairs and maintenance of Stonegate Lane until the road is accepted by the Town of Easton.
 23. The Homeowners Association shall establish a Reserve and Maintenance Fund Account (RMFA) that shall remain in perpetuity. A record of the RMFA balances shall be provided to the Commission quarterly (Jan. 1; Apr. 1; July 1; Oct. 1). The RMFA shall have the following terms:
 - a. It shall maintain at all times a balance in an amount to be determined by the Site Engineer, and in no event shall it be less than the reasonable cost, as determined in advance by the Commission, of two (2) years of inspections, maintenance and repairs for all private roads, storm water systems,

and the terms of the "Maintenance Policy" set forth by the Applicant in its Declaration submitted as part of this Application. b. Any and all inspections, repairs and maintenance shall be completed by the Homeowners Association in a timely manner. If the Homeowners Association refuses or fails to undertake such inspections, repairs and maintenance, sufficient funds in an amount to be determined by the Commission shall be taken from the RMFA and shall be turned over to the Commission, which shall then undertake such inspections, repairs and maintenance. c. The Homeowners Association shall at all times keep the required balance of the RMFA by special assessments or otherwise. d. Failure to keep the required balance or failure to undertake the inspections, maintenance and repairs set forth herein shall authorize the Commission to seek relief from the Superior Court, including seeking liens on the Site. e. The Homeowners Association shall also be required to purchase and maintain in effect for a period of ten (10) years a surety bond for the benefit of the Commission, with terms reasonably acceptable to the Commission, and sufficient in amount to cover the inspections, maintenance and repairs set forth herein. The Commission shall have the right to seek relief under the surety bond in the event the RMFA is not sufficiently funded or the inspections, maintenance and repairs herein are not completed in a timely manner.

24. The Permittee is responsible for inspections, repairs and maintenance of the private roads and stormwater systems until a Homeowners Association has been established and acquires suitable funding of the RMFA.
25. The Homeowners Association shall provide a maintenance contract to the Commission, and an annual report of the maintenance performed and expenditures incurred shall be provided.
26. The Subdivision Map shall meet all requirements of the State of Connecticut Regulation, Department of Consumer Protection, Minimum Standards for Surveys and Maps, Regulation 20-300b-1 to 20-300b-20.
27. The Subdivision Map shall meet all requirements of the Easton Subdivision Regulations.
28. The Applicant shall show Town trees to be removed for the construction of Stonegate Lane at Cedar Hill. These trees shall be replaced with 4" caliper or larger by the Applicant as approved by the Commission.
29. The Open Space parcels shall remain preserved in their natural state and protected from future development.
30. The plans shall include a note requiring adherence to the Construction Best Management Practices issued by the Connecticut Department of Public Health.
31. The portion of the property known as the "horse farm," and shown as Parcel A, shall not be used in any future application made pursuant to §8-30g, per the agreement of the Applicant.
32. The 2014 Plan is hereby incorporated by reference into the record of this proceeding.

33. As referenced in the Affordability Plan submitted by the Applicant, the affordable units shall be comparable in size, construction quality, finishing, and other amenities to the comparable market-rate units and will be interspersed throughout the phases of the development.
34. The operation and maintenance of the pavers and the underground roof runoff collection system (Cultec units) shall be set forth in the homeowners association maintenance policy. The individual owners will be responsible for maintenance.
35. As agreed to by the Applicant's engineer, an addition of another two acres of porous pavers shall be installed as a condition of approval as part of Applicant's Simple Method pollutant loading calculation.
36. Applicant has received an approval from the Board of Selectmen for a scenic road alteration on April 16, 2009, for Cedar Hill Road and Silver Hill Road. This approval was in connection with Applicant's Subdivision Application #08-04. If the present Application requires different alterations, Applicant shall file again pursuant to Easton's Scenic Road Ordinance for further approvals.
37. All easements referenced herein shall be subordinated to any mortgage.

VOTE:

In favor: 5

Opposed: 0

DATE: March 13 , 2017

Legal Notice, Easton, CT

The Easton Planning and Zoning Commission at its **Special Meeting of Monday, March 13, 2017** unanimously voted to take the following action on applications by Saddle Ridge Developers, LLC, the proposed Developer and applicant, on behalf of Silver Sport Associates, Owner, pursuant to Conn. General Statutes Sec. 8-30g, and 8-2 to construct a 48-lot community with 30% of the homes set aside as affordable pursuant to the above statutes on their property of approximately 124 acres bounded by Sport Hill Road, Silver Hill Road, Cedar Hill Road and Westport Road, including 897 Sport Hill Road (Map 3773-B/Lot 15-1), 48 Cedar Hill Road (Map 3774-B/Lot 27D), and Maps 3774-B-3773B/Block 7.

- (1) Amend the Town of Easton Zoning Regulations (Article 3) to create a new zoning district, titled "Planned Housing Opportunity District" (HOD) **MODIFIED AND APPROVED**
- (2) Amend the Town of Easton Zoning Map to designate the applicants' property, as described above, as a HOD District; **MODIFIED AND APPROVED**
- (3) Amend the Town of Easton Subdivision Regulations as follows:
 - a) Section 10.11, to exempt a HOD District from certain open space requirements;
 - b) Section IV C (5), to require dead end streets to provide a minimum of two (2) and maximum of sixteen (16) building lots in a HOD provided that subsections (A) and (b)(i) of this Section are satisfied.

MODIFIED AND APPROVED

- (4) Approve a subdivision application, "Easton Crossing", for the applicant's property as described above, creating approximately 124 acres into 48 building lots, one separate parcel, four roads and several open space parcels; **MODIFIED AND APPROVED**
- (5) Approve applications authorizing the creation of 9 (9) affordable homes of the 30 total homes and 11 (11) duplex style affordable apartments to be incorporated within 18 (18) duplex buildings is planned for the proposed subdivision, pursuant to standards of General Statutes Section 8-30g. and Section 8-2. **MODIFIED AND APPROVED**
- (6) Approve a site plan for construction of a HOD project on the applicants' property, as referenced above. **MODIFIED AND APPROVED**

A full copy of the Resolutions and Findings is available at the Planning & Zoning Office, Town Hall, Easton, CT.

Dated this 15th day of March, 2017

Easton Planning and Zoning Commission, Robert Maquat, Chairman