

**PLANNING AND ZONING COMMISSION  
TOWN OF ASHFORD  
REGULAR MEETING  
May 9, 2016**

**Present:** Jeff Silver-Smith (Chairman), Alex Hastillo (Secretary), Sandy Moquin (Alt), Tom Paul, Richard Williams, Nord Yakovleff, Michael Gardner (Land Use Officer), and Francine Hodovan (Recording Secretary).

**Guests:** Jeffrey Love.

**1. Call to Order:** The May 9, 2016 regular meeting of the Ashford Planning and Zoning Commission was called to order by Chairman Jeff Silver-Smith at 7:00 p.m.

**2. Seating of Alternates:** Ms. Moquin was seated for Mr. Nagy.

**3. Review of Meeting Minutes for April 11, 2016 Regular Meeting:**

**MR. WILLIAMS MOVED AND MR. YAKOVLEFF SECONDED A MOTION TO ACCEPT THE CLARIFICATION TO THE MINUTES OF THE APRIL 11, 2016 MEETING. VOTING FOR: SILVER-SMITH, HASTILLO, PAUL, WILLIAMS AND YAKOVLEFF. VOTING AGAINST: NONE. ABSTAINING: MOQUIN. MOTION PASSED 5-0.**

**MR. HASTILLO MOVED AND MR. PAUL SECONDED A MOTION TO APPROVE THE MINUTES OF THE REGULAR MEETING OF THE P&ZC OF APRIL 11, 2016 WITH THE ACCEPTED CLARIFICATION. VOTING FOR: SILVER-SMITH, HASTILLO, PAUL, WILLIAMS AND YAKOVLEFF. VOTING AGAINST: NONE. ABSTAINING: MOQUIN. MOTION PASSED 5-0.**

Clarification: Item "8. Zoning Enforcement Officer's Report: Mr. Gardner updated the status of the Lake Woods Subdivision. The new owner of the Subdivision consisting of 12 approved lots is planning to develop 3 of them. The Planning and Zoning Commission put a lien on each lot for Fees in Lieu of Open Space at \$2,400.00 per lot to be paid at the time it is sold. There is an outstanding performance bond in the form of a letter of credit (originally from Rockville Bank) in favor of the Town of Ashford to ensure the completion of the final paving and monumentation of the road. The PZC's conditions of approval for the subdivision did not specify at what point in the development of the road requirements need to be completed."

**4. Bills:** Ms. Hodovan submitted a bill for tonight's meeting which was signed by Chairman Silver-Smith.

**5. Correspondence:** 1.) Letter from Mr. James Reviczky, adjoining landowner to Cumberland Farms, date-stamped April 15, 2016 to Mr. Jeffrey Polhemus of the Easter Highlands Health District (EHHD) regarding the installation of a new septic system on the Cumberland Farms property as part of their application for expansion. 2.) Response from Mr. Jeffrey Polhemus, EHHD, to Mr. James Reviczky dated April 20, 2016. Both letters were read into and made a part of these minutes. Mr. Gardner and Mr. Williams noted for the record that the ZEO had employed the NECCOG engineer, Syl Pauley to review the analysis done by Cumberland Farms' engineers, based on their information only.

**6. Unfinished Business:**

**A. Ashford P&ZC Bylaws:** The discussion of the proposed and revised April 11, 2016 version of the bylaws is tabled until the next regular meeting of the PZC.

**B. Fee Schedule Review:** The fee schedule was discussed and revised at the April 11, 2016 meeting. Mr. Williams was tasked with creating a definition for the term "large scale" as it applies to power/energy generation facilities. He proposed the following: – "Large Power Generation, Industrial, or Utility Scale Renewable Energy Facilities," the definition of "utility scale" is evolving with government mandates and technology. They are usually larger than 5Mw to be economically feasible, but ALL have Power Purchase Agreements (PPA) which cover an agreement to sell the energy to the utility. Residential and commercial installations use the energy to power a house or facility and net metering to put excess back into the grid. Mr. Gardner, Mr. Hastillo and Mr. Silver-Smith created a feasible fee structure for large scale building. It includes a fee in escrow that the town can access for use to hire experts if needed. It is a protection for the town in the event that costs are incurred in order to make an informed decision. Such a fee and account will be discussed with the BOF/BOS as how to proceed.

Land use office will revise current fee schedule and add above definition for review at the next meeting of PZC.

**7. New Business: Jeffrey Love, 154 Westford Hill Rd., Tax Map #20, Block # C, Lot # 9: Earth Removal and Filling exemption under Article 6E, Section 2C:** Mr. Love stated that he would like to clear an area on his property that is currently a hillside to make a pasture/hay field area for goats and cows. He will hire someone who will dig the soil and truck it out. The neighboring area is wooded and is part of the Bicknell preserve.

**MR. WILLIAMS MOVED AND MR. PAUL SECONDED A MOTION TO RECEIVE THE APPLICATION FOR REVIEW. VOTING FOR: SILVER-SMITH, HASTILLO, MOQUIN, PAUL, WILLIAMS AND YAKOVLEFF. VOTING AGAINST: NONE. ABSTAINING: NONE. MOTION PASSED 6-0.**

**MR. WILLIAMS MOVED AND MR. HASTILLO SECONDED A MOTION TO APPROVE THE COMPLETED APPLICATION. VOTING FOR: SILVER-SMITH, HASTILLO, MOQUIN, PAUL, WILLIAMS AND YAKOVLEFF. VOTING AGAINST: NONE. ABSTAINING: NONE. MOTION PASSED 6-0.**

**8. Zoning Officer's Report:** Mr. Gardner stated that there are no transfers of property involved with the land that Cumberland Farms is developing. He was asked by their architects to review their plans. Two permits will be needed, one for each property where there will be demolition of current structures. After more soil testing is done, EHHD will again have to give its approval.

**9. Other Business:** Mr. Williams stated it has been brought to his attention that the OTOF beautification project at the A-1 Station property at Routes 44 and 74 has been the subject of some questions. He is not directly involved in the project and nor is the Economic Development Commission (of which he is a member), but as a member of the OTOF group, he felt that he should clarify this: OTOF is a loose-knit umbrella of people who report to the BOS from the Conservation Commission, P&ZC, IWWC, Artists, etc. Mike Gantik is the titular head of the project, and while some consider the new wall to be a "sign" it is a mural and is protected by the First Amendment. There will be a sign that says: "West Ashford Beautification Project – part of OTOF" that will thank area volunteers who donated time, supplies and helped in its creation. He also noted that permission was granted by the property owner. He was cautioned to make sure that OTOF has the proper indemnities for all project workers and that everything is in writing.

Mr. Yakovleff stated that he is still actively working with NECCOG and others to make a bike lane from Bigelow Hollow to Mansfield Hollow. He has received the step-by-step procedures from the DOT and continues to work on this project.

**10. Public Comments:** None.

**11. Adjournment: MR. WILLIAMS MOVED AND MR. YAKOVLEFF SECONDED A MOTION TO ADJOURN. VOTING FOR: SILVER-SMITH, HASTILLO, MOQUIN, PAUL, WILLIAMS AND YAKOVLEFF. VOTING AGAINST: NONE. ABSTAINING: NONE. MOTION PASSED 6-0.**

The May 9, 2016 meeting of the Ashford Planning and Zoning Commission adjourned at 8:00 p.m.

Respectfully submitted,

Francine Hodovan  
Recording Secretary