

PLANNING AND ZONING COMMISSION

TOWN OF DEEP RIVER, CONNECTICUT

Town Hall

174 Main Street

Deep River, Connecticut 06417

1. A **regular hearing** of the *Deep River Planning and Zoning Commission* held on Thursday, March 19, 2009 at the Deep River Town Hall was called to order at 7:46 p.m by Chairman Jonathan Kastner. Members present: Janet Edgerton, Nancy Fischbach, Tom Griffin, Jonathan Kastner, Jane Samuels, Tom Walsh, and Alternates John Attridge and Leigh Balducci. Absent: Fred Hellmers. Also present: Cathie Jefferson (Zoning Enforcement Officer) and Nancy Howard (Recording Secretary), Sabrina Brewer, Anthony Lombardi, and Russell Marth. Chairman Kastner seated Alternate Balducci for the absent member.
2. Approval of Minutes: A motion was made by Nancy Fischbach and seconded by Leigh Balducci to approve the minutes of the regular meeting of February 19, 2009 with the following amendment: page 3, item #10, strike sentence number 4 in its entirety starting with “Returning the . . . not a concern”. Voted Unanimously.
3. Payment of Bills: The following bills were received: Nathan Jacobson & Associates, engineering review (Shailer Farm Sub., Cumberland Farms, and Old Orchard Estates), \$745.50; Conn. Federation of Planning & Zoning Agencies, Membership Dues through 3/31/10, \$90.00; Nancy Howard, clerical services, 13 hours. A motion was made by Nancy Fischbach and seconded by Leigh Balducci to approve the bills as presented. Voted Unanimously.
4. Correspondence: Janet Edgerton noted receipt of the following correspondence: (a) letter dated 2/25/09 from Essex Steam Train and Riverboat documenting the intent to have three school buses picking up students and adults from the riverboat at Deep River station at approximately 5:45 p.m. on June 17, 2009; (b) letter dated 2/26/09 from Nathan Jacobson & Associates regarding engineering review of Old Orchard Estates Subdivision, Kelsey Hill Road & Colonial Drive; (c) Letter dated 3/2/09 from Conn. River Gateway Commission regarding by Angus McDonald and Andrea Isaacs to allow restaurants, drinking establishments and preparation of food in the Harbor Development District; and (d) response to questionnaire regarding Plan of Conservation and Development sent out to residents in June 2004.
5. Sabrina Brewer, Application #50: A public hearing was held immediately prior to this meeting on Application for Change to Zoning Regulations by Sabrina Brewer for the purpose of adding a regulation for animal day care facilities in the Turnpike Industrial District. A motion was made by Nancy Fischbach and seconded by Leigh Balducci to approve Application #50 by Sabrina Brewer for Change to the Zoning Regulations with two modifications which were agreed to by the applicant at the public hearing being as follows: Section 7B.27.2 shall read “Each animal shall be allotted a minimum of 50 square feet of interior space devoted to animal use.”; and dogs and cats will be added in parentheses after domestic animals when referenced in Section 4.10.54 and Section 7B.27. The amendment will be effective April 15, 2009. Voted Unanimously.
6. Teague Moyer, Application #51: A public hearing was held immediately prior to this meeting on Application for Amendment for Change to Zoning Regulations by Teague Moyer for the purpose of

adding a regulation for animal day care facilities in the Commercial Industrial District. A motion was made by Nancy Fischbach and seconded by Tom Walsh to approve Application #51 by Teague Moyer for Change to the Zoning Regulations with the same amendments to the standards approved in Application #50 as follows: dogs and cats will be added in parentheses after domestic animals when referenced in Section 4.10.54 and Section 7B.27; and Section 7B.27.2 shall read "Each animal shall be allotted a minimum of 50 square feet of interior space devoted to animal use." The amendment will be effective April 15, 2009. Voted Unanimously.

7. Angus McDonald/Andrea Isaacs, Regulation Amendment, Application #52: A public hearing is scheduled for April 2, 2009 at 7:00 p.m. on an Application for Change to Zoning Regulations and/or Zoning Map, Application #52, was received from Angus McDonald and Andrea Isaacs for the purpose of amending Zoning Regulations Sections 4.10.30, 4.10.31, 4.10.32 to allow for restaurants and drinking establishments and preparation of food in the Harbor Development District, as well as special design standards. A special meeting will be held immediately following the public hearing to consider action on the application.

8. Plan of Conservation and Development: Nancy Fischbach noted that the Planning Committee will be meeting on 3/25/09 at 3:30 p.m. to review possible updates to the Town Plan and review one piece of correspondence received. Any proposed updates would be presented to the Commission, referrals sent for review, and a public hearing held. Nancy Fischbach noted that she sent a note to Richard Smith asking about individuals interested in being on the Implementation Committee. The matter will be placed on the agenda for an upcoming Board of Selectmen meeting for discussion.

9. Audience: None

10. Water Pollution Control Facility: A motion was made by Nancy Fischbach and seconded by Janet Edgerton to add to the agenda a request by the Water Pollution Control Facility for an 8-24 review of proposal to extend the sanitary sewer in the area of River and Kirtland Streets. Voted Unanimously. A letter dated March 6, 2009 was received from Peter Lewis, Superintendent of the Water Pollution Control Authority requesting review of the proposed extension of sanitary sewer lines in the area of River and Kirtland Streets. Commission members reviewed the schematic plan received. A motion was made by Nancy Fischbach and seconded by Janet Edgerton to notify the Water Pollution Control Facility, with a copy to the Selectman, that the proposed expansion of the sanitary sewer system as identified on the map prepared by Cardinal Engineering and reviewed at this meeting is in compliance with Section 4D.27 of the Plan of Conservation and Development. Voted Unanimously.

11. Reports: (a) Attorney: ZEO Jefferson noted that a report from the Attorney on pending litigation was available for review by Commission members. No Executive Session will be held.

(b) Engineer: No report.

(c) ZEO: ZEO Jefferson presented a monthly report to the Commission dated 3/19/09 and a list of administrative permits issued during the month.

(1) Cumberland Farms: Cumberland Farms will be opening on March 26, 2009 with a grand opening to take place in April. Discussion took place regarding the size of the current wall sign based on the regulations and what is appropriate on the building. The existing wall sign is 25 sq. ft. and the

regulations only allow 16 sq. ft Drawings were received showing 16, 20 and 25 square foot signs. The C.O. was signed indicating that the signage needed to be brought into compliance. Discussion took place regarding the sign and the sign regulations. The sign appears to be architecturally designed with the building. The Regulations Committee, at the meeting on 3/25/09, will discuss the signage and the possibility of amending the Regulations

(2) Adams: Preliminary plans have been received for the expansion of Adams into the whole building at 180 Main Street.

12. A motion was made by Tom Walsh and seconded by Tom Griffin to adjourn at 8:30 p.m. Voted Unanimously.

Respectfully submitted,

Nancy J. Howard

Recording Secretary