

PLANNING AND ZONING COMMISSION

TOWN OF DEEP RIVER, CONNECTICUT

Town Hall

174 Main Street

Deep River, Connecticut 06417

2011 FEB 23 A 9:38

RECEIVED
TOWN CLERK
DEEP RIVER, CT

1. A **regular meeting** of the *Deep River Planning and Zoning Commission* held on Thursday, February 17, 2011 at the Deep River Town Hall was called to order at 7:33 p.m. Members present: Leigh Balducci, Janet Edgerton, Jonathan Kastner, Jane Samuels, Tom Walsh, and Alternates John Attridge and David Basilone. Absent: Nancy Fischbach and Alternate Angus McDonald. Chairman seated Alternate Basilone for the absent member. Also present: Cathie Jefferson (ZEO), Nancy Howard (Recording Secretary), Bruce Edgerton, Ronald Prisley, and Attorney Ronald Piombino.
2. Approval of Minutes: A motion was made by Jane Samuels and seconded by Tom Walsh to approve the minutes of the regular meeting of January 20, 2011 as printed. Voted Unanimously. A motion was made by Jane Samuels and seconded by Leigh Balducci to approve the minutes of the public hearing of January 20, 2011 as printed. Voted Unanimously.
3. Payment of Bills: The following bills were received: Nancy Howard, clerical services, \$296.38; Hartford Courant, legal advertising, \$134.64. A motion was made by Jane Samuels and seconded by Janet Edgerton to approve the bills as presented. Voted Unanimously.
4. Correspondence: Janet Edgerton noted receipt of the following correspondence: (a) memo dated January 22, 2011 from R.E. Leighton, Code Official regarding Subdivision Fire Protection; (b) letter dated February 16, 2011 from William Spitzschuh, Chairman of the Deep River Board of Fire Commissioners indicating that Richard Leighton is the designated representative regarding the placement and design of fire suppression water sources when required by the Zoning and Subdivision Regulations; (c) Memo from First Selectman regarding budget preparation for FY 2011/2012; (d) Notification from Connecticut Federation of Planning and Zoning Agencies of annual conference.
5. Ronald Prisley, 64 Cedar Lake Road (Map 16, Lot 2-A), Application #105: [Chairman Kastner and Alternate Attridge recused themselves from this matter and left the room. Tom Walsh was Acting Chairman. Members eligible to vote on this matter are Balducci, Edgerton, Samuels, Walsh and Alternate Basilone, who is seated for the absent member.] ZEO Cathie Jefferson remained at the meeting to advise the Commission on procedure if necessary. The public hearing on Application #105, Application for Re-Subdivision by Ronald Prisley, was closed on January 20, 2011. ZEO Jefferson reviewed the procedures which would start with a member making a motion, usually in the affirmative, with a second and then discussion would follow; and after discussion the motion could be withdrawn, motion amended, or call for vote on original motion. A motion was made by Jane Samuels and seconded by Janet Edgerton to approve Application #105 as presented. Discussion on the motion followed. Commission members reviewed the correspondence received. Tom Walsh reviewed the letter dated November 29, 2010 from Joseph M. Dillon, P.E., of Nathan Jacobson & Associates, Inc. noting that (a) Comment No. 1 states that the building rectangles for the proposal are not in compliance with Section 2.3.9 of the Deep River Zoning Regulations; (b) Comment No. 2 states that Lot 2 of the proposed subdivision would create a third "stacked" lot to the east of the frontage lot along Cedar Lake Road which is not in compliance with Section 7.3.1(d) of the Deep River Subdivision Regulations which states "Stacking or nesting of rear lots, one behind the other, is generally discouraged"; and (c) Comment No. 3 states that the proposed subdivision contains 50% rear lots, which is not in compliance with Section 7.3.1(g) of the Deep River Zoning Regulations which states "The maximum number of rear lots shall, in general, not exceed 30% of the total number of lots in any subdivision". The letter dated February 16, 2011 from the Deep River Board of Fire Commissioners states that R.E. Leighton is their advisor for fire suppression water

supplies. Mr. Walsh noted that the proposed application does not have a fire protection plan which is required for a subdivision containing three or more lots. Members noted concern for lack of a fire protection plan which may make it difficult to distinguish a fire in the area. Concern was also raised about the stacking and nesting of lots, and the irregular shapes of the lot. Jane Samuels, noting that in view of the fact that the application does not meet the required fire protection plans, withdrew her motion to approve the application. Janet Edgerton withdrew her second to the motion. The motion to approve was withdrawn. A motion was made by Janet Edgerton and seconded by Jane Samuels to deny the application as presented as the application is lacking in four areas, three as indicated in the letter dated November 29, 2010 from Joseph Dillon of Nathan Jacobson & Associates, identified as Items 1, 2, and 3, and a fire protection plan. By show of hands, the Commission unanimously voted to deny the application.

The meeting was recessed at 7:54 p.m. for the return of the Chairman and Alternate Attridge. The meeting reconvened at 7:55 p.m. with Chairman Kastner presiding over the meeting.

6. Bogaert Construction, 350 River Road (Map 72, Lot 4): A public hearing was held immediately prior to this meeting on Application #67, Application for Special Permit and Type I Site Plan for property of John Abbot at 350 River Road. The property is in the Gateway Conservation Zone. A motion was made by Jane Samuels and seconded by Janet Edgerton to approve Application #67, Application for Special Permit and Type I Site Plan by Bogaert Construction for property of John Abbot at 350 River Road subject to the following: (1) That the property owner be requested to replace trees where the dead hemlocks were removed; and (2) The Commission requires that if any trees that are presently screening the house are removed, they must be replaced. Voted Unanimously to approve the application.

7. Audience: No audience.

8. Reports: (a) ZEO: ZEO Jefferson submitted a monthly report. ZEO noted that Mr. Sassi, Special Permit #66, has submitted a request to the State for a waiver of the handicap requirements. If the request is granted, an amendment to the approved site plan would have to be submitted to this Commission for approval. No zoning permits were issued in January.

(b) Attorney: No report.

(c) Engineer: No report.

(d) Planning/Regulations: No meetings were held during the past month.

(e) Chairman: Chairman Kastner noted that the First Selectman approached him about the possibility of considering amending the traffic pattern at the Elms and Walgreens to allow the driveway to the south of the Elms building to be an entrance and exit. The reason for the inquiry is that delivery trucks at Walgreens block the exit. Members noted concern for amending the traffic pattern at this point. The First Selectman will be invited to attend a meeting to discuss this matter.

9. A motion was made by Jane Samuels and seconded by Janet Edgerton to adjourn the meeting at 8:10 p.m. Voted Unanimously.

Respectfully submitted,
Nancy J. Howard
Recording Secretary