

PLANNING AND ZONING COMMISSION

TOWN OF DEEP RIVER, CONNECTICUT

Town Hall

174 Main Street

Deep River, Connecticut 06417

1. A **regular meeting** of the *Deep River Planning and Zoning Commission* held on Thursday, August 18, 2011 at the Deep River Town Hall was called to order at 7:30 p.m. Members present: Nancy Fischbach, Jonathan Kastner, Leigh Balducci, Angus McDonald, Jane Samuels, and Alternate David Basilone. Absent: Janet Edgerton, Tom Walsh, Alternate John Attridge. Also present: Cathie Jefferson (ZEO), Nancy Howard (Recording Secretary). Chairman Kastner seated Alternate Basilone for an absent member.
2. Approval of Minutes: A motion was made by Nancy Fischbach and seconded by Jane Samuels to approve the minutes of the regular meeting of July 21, 2011 with the following amendments: (1) add Leigh Balducci as being absent; (b) Page 3, Executive Session, adding that the purpose is for discussion of pending litigation. Voted Unanimously.
3. Payment of Bills: The following bills were received: Nancy Howard, monthly clerical services, \$240.17; Hartford Courant, publication of decisions regarding Reyher, C&P Holdings, and Village Regulations, \$55.44; Howard and McMillan, legal fees regarding Prisley appeal, \$1,558.78; and Nathan Jacobson & Associates, engineering review of Prisley subdivision (original invoice dated 11/24/10), \$214.30. A motion was made by Nancy Fischbach and seconded by Jane Samuels to approve payment of the bills as presented. Voted Unanimously.
4. Correspondence: Janet Edgerton noted receipt of the following correspondence: (a) e-mail dated 8/9/11 from Marcy Balint of DEEP Office of Long Island Sound Programs with review of Application #71 for zone change; (b) Notice dated 8/4/11 to the Deep River Town Clerk of Intent to Commence Suit by Ronald Prisley due to damages suffered as a result of certain tortuous actions and deprivations of his civil rights as a result of actions taken by R.E. Leighton, Planning & Zoning Commission, and Board of Fire Commissioners; (c) Letter dated 8/15/11 from ZEO Jefferson to Louis Lerner regarding property of Eve's Addiction at 16 Grove Street.
5. Timothy & Stella Beaudoin, 103 Bushy Hill Road, Application #72: An Application for Special Permit was received from Timothy and Stella Beaudoin for an accessory apartment located above the attached two car garage and accessed through the second floor of the home. A motion was made by Nancy Fischbach and seconded by Angus McDonald to receive Application #72, Application for Special Permit by Timothy and Stella Beaudoin and add to the agenda for public hearing scheduled for September 15, 2011 at 7:15 p.m. Voted Unanimously.
6. Zoe McGlamery, Application #71: A public hearing is scheduled for September 15, 2011 at 7:15 p.m. on Application for Change to Zoning Regulations by Zoe McGlamery for the purpose of amending Section 7B.8 and Section 4.10 to allow livestock and poultry in the Low Density Residential Districts (R-20).
7. Audience: No audience.
8. Reports: (a) ZEO: ZEO Jefferson submitted a monthly report dated 8/18/11 together with a list of permits issued in June and July. (I) The ZEO spoke with Attorney Howard regarding an inquiry from a Commission member about amending the motion to approve the Village Regulations to include a

reference to being in compliance with the POCD. Attorney Howard indicated that an amendment to the motion would require republishing the decision and creating another appeal period. As the amendments were proposed by the Commission and are a priority action of the POCD, the recommendation was to leave the decision as it stands.

(2) The POD at 327 West Elm Street has been removed from the property.

(3) There is a continuing dispute between the neighbors concerning trailers at 16 Grove Street. There are currently two empty trailers located on the property.

(b) Attorney: Discussion will take place under Executive Session.

(c) Engineer: No report.

(d) Planning/Regulations: Nancy Fischbach noted that the Committee has started working on changes needed in the Zoning Regulations, specifically regarding signs and landscaping. Proposed amendments will be submitted at the September meeting. Amy Petrone is working on updating the Zoning Regulations book with all the amendments. A motion was made by Nancy Fischbach and seconded by Jane Samuels to pre-approve an amount up to \$400 to pay Amy Petrone for updating the Zoning Regulations. Voted Unanimously.

(e) Chairman: Chairman Kastner noted that the next phase of Main Street Streetscape project from Spring Street to Winter Avenue will be going out to bid. There appears to be some objection to proposed parking for approximately four cars on Main Street between Spring Street and the entrance to Kirtland Commons.

9. Executive Session: A motion was made by Nancy Fischbach and seconded by Jane Samuels to enter into Executive Session at 8:00 p.m. to discuss pending litigation and to invite the ZEO and Recording Clerk to attend. The Executive Session ended at 8:06 p.m. with no actions taken by the Commission.

10. A motion was made by Nancy Fischbach and seconded by Jane Samuels to adjourn the meeting at 8:07 p.m. Voted Unanimously.

Respectfully submitted,

Nancy J. Howard

Recording Secretary