

PLANNING AND ZONING COMMISSION

TOWN OF DEEP RIVER, CONNECTICUT

Town Hall

174 Main Street

Deep River, Connecticut 06417

A **public hearing** of the *Deep River Planning and Zoning Commission* held on Thursday, July 19, 2012 at the Deep River Town Hall was called to order at 7:10 p.m. Members present: Leigh Balducci, David Basilone, Janet Edgerton, Jane Samuels, Tom Walsh, Alternate John Attridge, Alternate Sara Denegre, and Alternate Ben Whelan. Absent: Jonathan Kastner. Also present: Cathie Jefferson (Zoning Enforcement Officer), Nancy Howard (Recording Secretary), First Selectman Richard Smith, and approximately 20 citizens in the audience. Tom Walsh was Acting Chairman for the meeting.

Secretary Edgerton read the call of the meeting published in The Hartford Courant on July 6 and 13, 2012.

I. PURPOSE: Continuation of public hearing to accept evidence for or against, written or oral, approval of Application #80, Application for Special Permit/Type 2 Site Plan Review by Raymond Galeotti for the purpose of building a 8,400 s.f. addition to a light industrial building with three additional parking spaces at 16 Grove Street (Map 56, Lot 34).

Chairman seated Alternates John Attridge and Sara Denegre for absent members.

Presentation by Applicant:

The applicant, Ray Galeotti, reviewed the application. He noted that he owns 16 Grove Street and utilizes the building to operate Centerbrook Sales/Eves Addiction selling jewelry on the internet. He purchased the building in 2007, which had been vacant for ten to fifteen years and in disrepair and had been vandalized. Mr. Galeotti presented 38 photographs showing the condition of the building when he purchased it and some of the work in cleaning up the building. He noted that he had met with First Selectman Richard Smith and reviewed other possible sites in Deep River and had decided that the Grove Street site was the best fit for the business. Mr. Galeotti noted that the previous owner gave him a plan that was prepared in 1985 for a proposed addition to the existing building which was never done. The addition was very similar to the current proposal. A variance was successfully received from the Zoning Board of Appeals two days prior to this hearing. Mr. Galeotti stated that the proposal is to add a 8,400 s.f. addition to meet the needs of the business for at least the next five years. He noted that there are bulk shipments received from UPS and the Post Office. A tractor trailer delivers packaging materials. Mr. Galeotti noted that additional space is needed for the business. A permit has been received from the Conservation and Inland Wetlands Commission (CIWC) for the proposal to fill in 4,000 feet of wetlands. Mr. Galeotti noted that the proposal was presented to the Design Advisory Board (DAB) who provided a favorable report. Mr. Galeotti indicated that the proposed addition is in keeping with the neighborhood. The site is well buffered from most of the residents at the end of Grove Street. Mr. Galeotti noted that there are two neighbors who would have visual impact. The first is the Lerner's on Grove Street who purchased their property in 1977 across from the operation in place at that time. Mr. Galeotti reviewed the drawings showing the elevation plans for the proposal. The first being the east and north elevations. The east

elevation is 135 feet from Grove Street. Mr. Galeotti noted that the plan has changed from the elevation plans to eliminate one overhead door due to traffic concerns, leaving two overhead doors. The second neighbor with visual impact are the McLeans on Union Street, the west elevation. Mr. Galeotti noted that their concerns were satisfied at the ZBA meeting. Mr. Galeotti presented the plan showing the west and north elevations. The upper part of the pitched roof will be visible from the west. Mr. Galeotti stated that he will work with the McLeans with landscaping on an as needed basis due to the existing trees. Mr. Galeotti noted that the siding will look like a barn as recommended by the DAB. The applicant's engineer, Frank Magnotta, was present for any technical questions. Mr. Galeotti noted that he does not anticipate any additional traffic. Additional space is needed for operation of the business, involving assembly and engraving.

Correspondence: Secretary Edgerton noted receipt of the following correspondence for the record:

- (1) Letter dated July 17, 2012 from Joseph M. Dillon, P.E. of Nathan Jacobson and Associates with a recommendation of a 6' wide stone trench on the west side of the building.
- (2) Letter dated July 16, 2012 from Louis J. Lerner of 15 Grove Street with copy of petition containing 37 signatures of concerned residents and property owners against the proposed expansion and filling of wetlands at 16 Grove Street.
- (3) Memo dated June 25, 2012 from Richard E. Leighton, Code Official with fire protection review/comments.
- (4) Memorandum dated 6/19/2012 from Design Advisory Board with design review comments.
- (5) Memo dated 7/18/12 from ZEO Cathie Jefferson with comments regarding the application.

ZEO Jefferson noted that the parking and loading dock issues were addressed by removing two overhead doors and identifying the compliant loading dock space. Also that the applicant addressed the lighting concerns by eliminating two of the proposed five light poles and relocated them to reduce any possible glare off the property. The lights are full cut off fixtures. No replacement lights are proposed to replace the light removed at the entrance on Grove Street. ZEO noted that landscaping requirements in accordance with Section 12 have to be addressed. The proposal has been approved by the CIWC and ZBA. Mr. Galeotti noted that he received Permit #5-12 from the CIWC. Revised site plans dated June 16, 2012 were submitted by the applicant.

Questions from Commission: Mr. Galeotti noted that there are a maximum of 25 employees on a shift. Currently there are 12-18 employees, which increases prior to the for the holiday. For the holidays, there is a second shift and work may be seven days a week. Mr. Galeotti noted that he feels the parking is adequate. Mr. Galeotti noted that the packing material takes up a lot of space. With the additional space, there may be less trucks with delivery of packing materials. No deliveries are made on Sundays. Packing and customer service responses are done on Sundays. Some of the work done in the existing building will be moved to the new addition with the configuration of the entire space to be done as needed.

Public Speaking in Favor of Application:

1. First Selectman Richard Smith spoke in support of the proposal. He noted that the building was vacant for 20 years. There had been interest in the building that would have involved large trucks and would have had a greater impact on the neighbors. He knew there would be less impact with the

applicant's business. Mr. Smith noted that the only complaint received about this property had been a year ago from the Lerner's regarding the tractor trailer on the property. The addition would eliminate the need for the trailer, which has been removed.

Public Speaking in Opposition to Application:

1. Priscilla Lerner of 15 Grove Street, submitted the original petition consisting of 37 signatures in opposition to the addition and filling of wetlands. She noted that Grove Street is a residential area on a narrow dead end street. Mrs. Lerner referenced minutes of the Conservation and Inland Wetlands Commission regarding the new parking area at the foot of Grove Street where the town road ends. She noted that there are at least 10-15 good size trees that would have to be removed and there are wetlands. When there are storms and heavy rains, the water goes into this area and she noted concern of what would happen to the water. She also noted concern for the wildlife species that live in that area and snow plowing. The Town has always pushed the snow to the end of Grove Street, where the parking is proposed. Mrs. Lerner submitted six photographs showing the end of Grove Street and the parking lot for Eves Addiction. The photographs showed the end of Grove Street as it exists now, snow piles, parking, and wildlife, such as deer and birds. Mrs. Lerner noted that when Mr. Galeotti purchased the building five years ago and did renovations it was a perfect fit for the neighborhood. She noted that there is currently advertising for the hiring of new people and expressed concern for increased activity.

2. Robert Schmelzer noted that he just bought the property at 5 Grove Street in June. They realized that the factory was there and were comfortable with the low traffic. With the size of the proposal, he expressed concern for increased traffic with the addition and the safety of his two young children.

3. Eileen Dallas, niece and executor of the Estate of Leonard Roos, noted that she sold 5 Grove Street to the Schmelzers and still owns a parcel of land next door which is for sale. Builders interested in constructing a home there have been concerned about the size of the factory and increased traffic with the addition. She expressed concern about the increase in traffic. She noted that when she cleaned out the house and had tag sales over a period of months, the traffic on Grove Street was horrendous with speeding and the UPS and Federal Express trucks. She expressed concern for the children in the neighborhood and for the affect on the property value. She noted that the addition does not go along with the Village District rules. She noted that her Uncle lived on that street for 60 years and it was always a quiet dead end street and now it is a race track.

4. Louis Lerner of 15 Grove Street noted that they bought their house in 1972 when the Deep River Die and Tool was in operation at the site. He noted that the building was then abandoned for a number of years. Mr. Lerner submitted two photographs taken approximately at the end of last year showing trailers that has been parked on the site. The trailers are no longer on the site. Mr. Lerner expressed concern about the traffic due to additional employees, additional business and additional trucks. Mr. Lerner noted that the addition was not built by Deep River Die and Tool because it was denied by the Wetlands Commission.

5. Gary LaMark of 45 Bridge Street (on the corner of Bridge and Grove Streets) expressed concern regarding traffic, noting that he has witnessed people speeding on Grove Street. He recommended building a crossing for the wildlife similar to what has been built on Village Street.

6. Ron Schmelzer of 35 Bridge Street noted that he lives two houses northeast of Grove Street. He noted concern regarding traffic and noise. Living across the street from Silgan he has experienced tractor trailer trucks running all night. His back yard is a perfect ear shot to the end of Grove Street. He noted that there are cars that leave work in the area at midnight with radios blasting and motorcycles. Mr. Schmelzer noted that there should be consideration by trucks and employees that it is a residential area.

7. Linalynn Schmelzer of 5 Grove Street noted that she is upset about the proposal for increased activity at the end of a dead end street in a residential area.

Response by Applicant: Ray Galeotti responded to some of the comments made by the residents. Wetlands approval was received from the Conservation and Inland Wetlands Commission. Mr. Galeotti also noted that they are in receipt of a letter dated July 12, 2012 from Dawn M. McKay from Conn. Department of Energy & Environmental Protection regarding review of the Natural Diversity Data Base maps with respect to the proposal and it was determined that the proposed activities will not impact any extant populations of Federal or State Endangered, Threatened or Special Concern Species that occur in the vicinity of this property. The DEEP letter was submitted for the record. Mr. Galeotti noted that he knows his employees are not speeding on Grove Street because he has spoken with them a couple years ago with concern about children playing near the road. He noted that none of his employees drive a motorcycle. Mr. Galeotti also noted that he does not receive deliveries after 6:00 p.m., nor does he intend to. The hours are 8:00/9:00 a.m. to 6:00 p.m. with a second shift in the fourth quarter to midnight or later. Mr. Galeotti noted that no trucks are left idling overnight on his property. Mr. Galeotti stated that he had a trailer on site for storage of packing material. Mr. Galeotti noted that sometimes trailers are left on the site for unloading or loading. Mr. Galeotti stated that he does not anticipate any more truck traffic than there is now. Mr. Galeotti noted that he has two job openings and the advertisement was placed in the newsletter,

A motion was made by Janet Edgerton and seconded by Leigh Balducci to close the hearing on Application #80 at 8:25 p.m. Voted Unanimously.

II. PURPOSE: To accept evidence for or against, written or oral, approval of Application #107, Application for Resubdivision by David Recchia for a two lot subdivision of property at 303 Winthrop Road/Pinewood Trail (Map 27, Lot 2, 5-1Z).

Chairman seated Alternates John Attridge and Ben Whelan for absent members on this application.

Presentation by Applicant:

Matthew White, P.E. from Angus McDonald Gary Sharpe and Associates presented the application on behalf of the applicant. David and Diane Rechhia were also present. Mr. White noted that there are two pieces of property existing. One is a 10.4 acre parcel on Winthrop Road with the existing house. The second is a .94 acre parcel on Pinewood Trail. Mr. Recchia purchased the .94 acre parcel from the developer of Pinewood Trail and it was not a building lot. Mr. White noted that the application proposes to move the property line to make a building lot accessed off of Pinewood Trail.

The existing house, Lot 1, with the frontage on Winthrop Road will consist of 5.33 acres. The second lot proposed, Lot 5-1Z, would consist of 5.97 acres. Mr. White stated that there are no wetlands on the property. Mr. White noted that the proposal is a resubdivision because a new building lot is being added to Pinewood Trail.

Correspondence: Secretary Edgerton noted receipt of the following correspondence:

- (1) Approval dated 7/16/12 from the Connecticut River Area Health District.
- (2) Fire Protection Review by Code Official R.E. Leighton dated 7/16/12.
- (3) Memo from ZEO Jefferson dated 7/16/12.

Public Speaking in Favor of Application: None

Public Speaking in Opposition to Application: None

A motion was made by Janet Edgerton and seconded by Jane Samuels to close the public hearing on Application #107.

The hearing adjourned at 8:34 p.m.

Respectfully submitted,

Nancy J. Howard

Recording Secretary