

**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, May 21, 2015 at the Deep River Town Hall was called to order at 7:30 p.m. by Chairman Tom Walsh. Members present: Bruce Edgerton (Vice Chairman), Janet Edgerton (Secretary), Jane Samuels, Tom Walsh (Chairman), Ben Whelan, Alternates Bill Burdick, Sara Denegre, and Jonathan Kastner. Absent: Leigh Balducci and David Basilone. Also present: Cathie Jefferson (Zoning Enforcement Officer), Nancy Howard (Recording Secretary), Bob Fusari, Ted Batko, Gus Lucarelli. The Chairman seated Alternates Bill Burdick and Sara Denegre for the absent members.

A motion was made by Bruce Edgerton and seconded by Jane Samuels to add to the agenda discussion and possible action on changing the meeting time to 7:00 p.m. Voted Unanimously. The matter will be added as agenda item 10A.

2. Approval of Minutes: A motion was made by Jane Samuels and seconded by Janet Edgerton to approve the minutes of the regular meeting of April 16, 2015 as printed. Voted Unanimously.

3. Payment of Bills: An invoice was received from Howard McMillan and Tycz regarding the Prisely appeal in the amount of \$1,829.50. A motion was made by Bill Burdick and seconded by Jane Samuels to pay the invoice as presented. Voted Unanimously.

4. Correspondence: No correspondence was received.

5. Land Investment Group, LLC: An application, Application #91, was received from Land Investment Group, LLC for the purpose of amending the Zoning Regulations for age restrictive developments, Section 7B.24 to accommodate an ADR with limited number of 3 bedroom units and some modification of bulk standards. Bob Fusari from Land Investment Group was present on behalf of the application. He is proposing to build an age restricted development on three of the lots approved in the Orchard Estates Subdivision off of Kelsey Hill Road. The unit sizes may be two to four per building. The regulation change proposed would allow the applicants proposal for the parcel. No more than a maximum of 50% could be three bedrooms. The proposal includes a change in the height restriction from 30' to 35'. Mr. Fusari noted that the proposal is also for elimination of sidewalks if there is nothing to connect to. He would propose leaving a grass strip on the side of the road for pedestrians to use if there is traffic on the road. [Jonathan Kastner arrived at this time.] Mr. Fusari noted that he has constructed age restricted developments in East Lyme, Middletown and Cromwell. Mr. Fusari noted that the next Commission meeting is less than 30 days away and asked if the public hearing could be held at the end of June which would then give him time to be able to construct the road this year. A motion was made by Bill Burdick and seconded by Jane Samuels to schedule a public hearing on the application by Land Investment Group, LLC on June 25, 2015 at 7:00 p.m. Voted Unanimously. A special meeting will be held after the hearing for possible action on the proposal.

6. Ted Batko of 34 Plains Road was present for informal discussion regarding the Blakeslee Arpaia Chapman (BAC) properties on Bahr Road. Mr. Batko noted that he and some neighbors are against changing the property from an R80 to industrial zone. The pre-existing use was voluntarily given up by BAC. ZEO Jefferson noted that an informal presentation did take place last month. No opinions are given by Commission members. Individuals may always submit an application. Mr. Batko submitted a summary of cause and affect, including a statement signed by many neighbors in favor of the property remaining as an R80. ZEO noted than any application submitted is heard by the Commission.

7. Town of Deep River, 8-24 Review. An 8-24 review is necessary for the proposed sale of 3.2 acres of Town property to John and Jane Olson. ZEO Jefferson reviewed the plan for the recent Olson subdivision. The parcel under consideration is currently used by the Olson, but it owned by the Town. The Olsons are purchasing the parcel so that there is a buffer from their property and the new ball field on the town property. The Assessor did not have a problem with the proposal. The Olsons are proposing to pay \$30,000 for the property and as a donation towards the ball field. ZEO Jefferson noted that the initial proposal showed the 3.2 acres as a stand alone parcel, which would have potential of subdividing again in the future. The plan was redrawn by adding a portion to the lot in the back and the remainder to the front lot. The 8-24 review is to determine if it is appropriate for the town to sell the parcel to the Olson family. A three quarter vote would be needed at a town meeting if the P&Z does not find the proposal in conformance. The new proposed property line is from Route 80 straight back through the east end of the fishing pond back to the Olson property line. Members discussed concerns regarding restricting access around the town fishing pond and liabilities concerning ownership of the pond. The fishing pond is used for the annual town fishing derby. A motion was made by Bruce Edgerton and seconded by Sara Denegre to make a recommendation from the Planning and Zoning Commission that the property line be redrawn so that the Town retains ownership of the pond. Discussion continued. Bruce Edgerton moved to amend the motion, seconded by Jane Samuels, that the property line be redrawn so that the Town retains ownership of the pond and the land fronting on Route 80 and up to 30 feet behind the pond. Voted Unanimously.

8. Audience. No comments.

9. Reports: ZEO: ZEO Jefferson reported on the following matters:

- (a) Kostenko, West Bridge Street: All vehicles on the property have now been registered.
- (b) 444 Main Street: Someone is selling barbecue pulled pork on the property. The Selectman's office issued a vendors license. The matter is still being reviewed. Vendor licenses are issued by the Town for activities in the public right of way. The vendor license form is being amended for the ZEO to review and sign off on all licenses.
- (c) Kirla Property, Main Street: The proposed sports complex received the variance for the height requirement for an indoor soccer stadium. Discussions have been taking place regarding parking. A variance will also be needed for parking. The railroad crossing will have to be a consideration for dropping off children.
- (d) An extension was filed for filing of the record on the Prisley appeal.
- (e) The Agricultural meeting was held last month and was a good meeting. Ben, Jane and Cathie attended.

(f) one permit was issued for a shed.

Planning: A first draft of the revisions to the Plan of Conservation and Development was distributed to Commission members for review. Comments from commission members should be submitted at the next regular meeting. The Planning Committee will then meet to review the comments.

10a. Meeting Time Change: Members discussed changing the time of the regular monthly meetings from 7:30 p.m. to 7:00 p.m. Public hearings would continue to be scheduled for 7:00 p.m. with the regular meeting held immediately following. A motion was made by Jane Samuels and seconded by Bill Burdick to change the regular meeting time to 7:00 p.m. commencing in July. Voted Unanimously.

11. A motion was made by Bruce Edgerton and seconded by Bill Burdick to adjourn at 9:05 p.m. Voted Unanimously.

Respectfully submitted,
Nancy Howard
Recording Secretary