

**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, June 25, 2015 at the Deep River Town Hall was called to order by Vice Chairman Bruce Edgerton at 7:00 p.m. Members present: Leigh Balducci, David Basilone, Bruce Edgerton (Vice Chairman), Janet Edgerton (Secretary), Jane Samuels, Ben Whelan, Alternates Bill Burdick, Sara Denegre, and Jonathan Kastner. Absent: Tom Walsh (Chairman). Also present: Cathie Jefferson (Zoning Enforcement Officer), Nancy Howard (Recording Secretary), Attorney Sylvia Rutkowska, Gary & Jody Mislick, Jodi Gephardt, Joe Wren, and Ronald Priskey. Vice Chairman Bruce Edgerton was Acting Chairman for the hearing. The Acting Chairman seated Alternate William Burdick for Tom Walsh.

PURPOSE: To accept evidence for or against, written or oral, approval of Application #91, Application by Land Investment Group, LLC for Amendment to Zoning Regulations Section 7B.24, to accommodate an age restricted development with limited number of three bedroom units and some modification of bulk standards.

Presentation by Applicant: Attorney Sylvia K. Rutkowska, Attorney for the Applicant, Real Estate Service of Conn., Member of Land Investment Group, LLC, noted that the applicant is contracting to purchase three lots in the subdivision known as the Old Orchard Subdivision off of Kelsey Hill Road. Bob Fusari, Vice President of Real Estate Service of Conn. was also present. Attorney Rutkowska presented the plan of the Old Orchard Subdivision identifying three lots outlined in green, Lots 10, 11, and 12, which would be proposed for the age restricted development. The smaller lots would not be involved. Mr. Fusari noted that the Old Orchard Subdivision plan is for illustration purposes. The subdivision will connect between Kelsey Hill Road and Colonial Drive. A road would be constructed on each of the three lots into the development. An application would be required for the three lots. Attorney Rutkowska noted that the amendment submitted has been revised to exclude the Gateway Conservation Zone and Village District. Attorney Rutkowska submitted copies of the current regulations for Section 7B.24 Age Restricted Development and the proposed amendment as revised. Amendments are proposed to allow three bedrooms and to clarify the language. Attorney Rutkowska reviewed the language of the proposed amendments in detail.

Bob Fusari of Real Estate Service of Connecticut, member of Land Investment Group, noted that the reason for the proposal is to be able to expand to the option of three bedrooms. He noted other projects he has completed in Connecticut. Mr. Fusari presented four pictures as examples of four units next to each other. With the Old Orchard proposal, two buildings would be proposed on each of the three lots. Commission members Samuels and J. Edgerton questioned the number of unit and number of three bedroom units. The maximum number of three bedroom units in each building would be two. He noted that one bedroom units are difficult to sell. Commissioner Whelan asked if there was current market analysis indicating what people are looking for in this area. Mr. Fusari noted that he does not have an analysis but has looked at what is being built in local towns. He noted that the three bedroom units would be on each end of the buildings.

ZEO Jefferson noted that the regulation was adopted in 2007 in order to attract development of an age restricted community. This would be the first proposal. A proposal in the village would be able to connect to the municipal sewer. ZEO Jefferson noted that the Commission has the ability to amend the regulation in the future if the Commission is interested in adding the village district. Traffic considerations would be considered with an application for development. Attorney Rutkowska noted that the proposed amendment does not affect the remainder of the regulations to be met for a proposal.

Correspondence: Secretary Janet Edgerton noted receipt of the following correspondence:

- (a) Memorandum dated June 25, 2015 from First Selectman Richard Smith in support of the proposal.
- (b) Letter dated June 22, 2015 from J.H. Torrance Downes from River COG indicating that the proposal will not have any significant intermunicipal impact on adjacent RiverCOG towns or significant adverse impact to the ecosystem of Long Island Sound.
- (c) Email dated June 1, 2015 received from Marcy Balint from DEEP OLISP indicating that the zone change is generally consistent with the goals and policies of the Conn. Coastal Management Act.
- (d) Memo dated 6/25/15 from ZEO Jefferson.

Public Speaking in Favor of Proposal:

1. Joe Wren, a Professional Engineer and real estate agent, spoke in favor of the proposal. He noted that he has worked with Jodi Gephardt with the Old Orchard Subdivision and marketing of the property.
2. Jodi Gephardt spoke in favor of the proposal and noted that she is pleased that the developer has a vision for the Town.
3. Gary Mislick clarified that the age restricted development could be allowed on other property.

Public Speaking in Opposition of Proposal: None

Commission comments: Additional questions were raised regarding the number of buildings on a lot; items which would be addressed with a specific proposal.

A motion was made by Janet Edgerton and seconded by Bill Burdick to close the public hearing at 7:52 p.m. Voted Unanimously.

Respectfully submitted,
Nancy Howard
Recording Secretary