

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, September 17, 2009 at the Deep River Town Hall was called to order at 7:30 p.m. by Chairman Jonathan Kastner. Members present: Leigh Balducci, Nancy Fischbach, Tom Griffin, Jonathan Kastner, Jane Samuels, Tom Walsh, Janet Edgerton, Alternates John Attridge and David Oliveria. Also present: Cathie Jefferson (Zoning Enforcement Officer), Nancy Howard (Recording Secretary), and Robert Doane.
2. Approval of Minutes: A motion was made by Nancy Fischbach and seconded by Jane Samuels to approve the minutes of the regular meeting and public hearing of August 20, 2009 as printed. Walsh and Samuels abstained. Approved.
3. Payment of Bills: The following bills were received: Nathan Jacobson & Associates, engineering review - 202 Main Street, \$255.60; Hartford Courant, legal advertising, \$87.12; and Nancy Howard, clerical services, 10 ½ hours. A motion was made by Nancy Fischbach and seconded by Leigh Balducci to approve the bills as presented. Voted Unanimously.
4. Correspondence: Copies were distributed to members of the quarterly newsletter of the Connecticut Federal of Planning and Zoning Agencies. [Secretary Edgerton arrived.]
5. Oak Ridge Drive: Robert Doane, P.E., was present on behalf of Atlantis Builders for preliminary discussion regarding a possible subdivision of land on Oak Ridge Drive. The parcel consists of 16.25 acres of land on the south side of Oak Ridge Drive. He noted that they propose to subdivide the parcel into three lots. The parcel is adjacent to the state forest. Mr. Doane presented three possible plans for subdivision of the parcel. The first layout, Preliminary Plan "A", would be a conventional three lot subdivision. Lot 3 would be approx. 200 ft. of frontage; Lot 2 100 feet of frontage; Lot 1 a rear lot with 20 feet of frontage; and 29.5% of open space with frontage on Oak Ridge Drive. Lot 2 does not meet the requirements for a rear lot and the frontage is not adequate for a front lot. The second layout presented, Preliminary Plan "B", was to build a 50 ft. road right of way 800 feet long dead end off of Oak Ridge Drive; seven lots with 200 ft. of frontage for all lots; and 12.2 % open space with frontage. The proposal meets the regulations. The third layout presented, Preliminary Plan "C", would be a three lot PCD subdivision with 50.8% open space. Two lots would comply with the frontage and the third lot would be a rear lot. The PCD proposal does not comply with the Regulations pertaining to a minimum of 20 acres for a PCD subdivision. ZEO Jefferson noted that the open space would increase the greenway area. The Plan of Development identifies the area as a favorable area for the addition of open space. In order to pursue the option for the PCD development, a variance would need to be sought for the minimum acreage for a PCD. The lesser amount of lots and the increased percentage of open space would be an advantage for seeking a variance. ZEO noted that a special permit is required for a PCD. Members recommended to Mr. Doane that in seeking a variance for a PCD on less than 20 acres that documentation be provided that the land would have a deed restriction protecting the lots from being divided into less than two acre lots in the future. Mr. Doane noted that Plan "C" meets the goals of his clients, with the understanding that a variance would be required. The consensus of the

Commission members was that Plan "C" is the preferable option, requiring a variance of the minimum acreage with a contingency that the documentation for the variance specify that the three lots would not be less than 80,000 sq. ft.

6. Audience: None

7. Reports: (a) Attorney: ZEO Jefferson reported that the Appellate Court order denied the Lent's petition for certification ending any possible appeal of the Haynes decision.

(b) Engineer: No report.

(c) Chairman: No report.

(d) ZEO: ZEO Jefferson presented a monthly report to the Commission dated 9/17/09 and a list of five administrative permits issued during the month. Brochures were distributed to members for the University of Connecticut's Land Use Academy. A one day training session is being offered for Commission members on November 14, 2009 at the Extension Center in Haddam. The three sessions being offered are on Rules and Responsibilities of Land Use Commissions, Map Reading for Site Plan Review, and Legal Requirements & Procedures of Land Use Decision Making. Commission members were encouraged to attend.

Design Advisory Board: ZEO Jefferson noted that the Board of Selectmen has more than seven individuals interested in being on the Design Advisory Board. A motion was made by Nancy Fischbach and seconded by Janet Edgerton to send a letter to the Board of Selectmen endorsing the candidates who have expressed interest for the Design Advisory Board. Voted Unanimously.

(e) Planning/Regulations: Nancy Fischbach noted that the Village District meetings have reconvened. The current proposal is to have two small meetings with select groups of people prior to making a presentation on the proposed village district regulations at a public meeting; one would be representatives from various boards and commissions, Main Street Design group, and the Church, and the second would be with some residents in and out of the proposed district.

8. A motion was made by Nancy Fischbach and seconded by Leigh Balducci to adjourn the meeting at 8:18 p.m. Voted Unanimously.

Respectfully submitted,

Nancy J. Howard

Recording Secretary