

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, December 10, 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, Janet Edgerton, Tom Walsh. Absent: Alternate John Attridge. Also present: Cathie Jefferson (Zoning Enforcement Officer), Nancy Howard (Recording Secretary).
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 November 19, 2009 as printed. Voted Unanimously.
3. Payment of Bills: The following bills were received: Nancy Howard, clerical services, 12 hours, postage reimbursement \$11.08; Hartford Courant, legal advertising, \$163.40. A motion was made by Nancy Fischbach and seconded by Jane Samuels to approve the bills as presented. Voted Unanimously.
4. Correspondence: Secretary Edgerton noted receipt of the following correspondence: (a) copy of letter dated November 25, 2009 from Bureau Highway Operations, Department of Transportation to Doane-Collins Engineering Associates regarding existing common drive, property of Estate of Shirley Weinberger, Winthrop Road; (b) copy of letter dated November 30, 2009 from ZEO Jefferson to Eleanor Edgeworth regarding expansion of the approval received for a customary home occupation into a commercial retail sales operation, which is not in compliance with the Zoning Regulations; (c) a new special permit application, Application #59, was received from Mark Kehlenbach.

Chairman Kastner noted that the Commission needs to act on the reappointment of the Commission delegate to the Connecticut River Estuary Regional Planning Agency (CRERPA).

A motion was made by Nancy Fischbach and seconded by Janet Edgerton to add two items to the agenda: 6b, receipt of Application #59, Special Permit Application by Mark Kehlenbach, 455 Main Street; and 6c, reappointment of delegate to CRERPA. Voted unanimously.

The agenda was altered to consider Agenda items 6b and 6c at this time.

6b. Mark Kehlenbach, 455 Main Street (Map 65, Lot 3): An Application for Special Permit, Application #59, was received from Mark Kehlenbach for the purpose of having warehouse sales open to the public on Saturday's from 10:00 a.m. to 3:00 p.m. only. A notice of referral of the application to the Town of Essex is required. A motion was made by Nancy Fischbach and seconded by Jane Samuels to receive Application #59, Application for Special Permit by Mark Kehlenbach, 455 Main Street, and to schedule a public hearing on Thursday, January 21, 2010 at 7:00 p.m. Voted Unanimously.

6c. CRERPA Delegate: Bruce Edgerton has been the Commission's delegate to CRERPA and he is interested in continuing to serve on the board. A motion was made by Nancy Fischbach and seconded by Jane Samuels to nominate and appoint Bruce Edgerton for another term to CRERPA and to have him as the Commission representative as long as he is willing to serve. Voted Unanimously.

A five minute recess was held at this time. The meeting was then reconvened.

A motion was made by Nancy Fischbach and seconded by Jane Samuels to add one additional item to the agenda as Item #6d for introduction of the Design Advisory Board. Voted Unanimously.

5. Christine Scruggs, VMD, 171 Winthrop Road (Map 33, Lot 5A), Application #57: A public hearing was held immediately prior to this meeting on Application for Change to Zoning Map by Christine Scruggs, VMD for the purpose of changing the zoning district of the property at 171 Winthrop Road (Map 33, Lot 5A) from R-80 to Commercial Industrial Park. A motion was made by Nancy Fischbach and seconded by Jane Samuels to approve the application that in as much as the property is bordered on two of its three sides by the Commercial Industrial Park district and that the expansion of the zone is in compliance with the Town Plan of Conservation and Development. The effective date will be January 1, 2010. Voted Unanimously.

6. Christine Scruggs, VMD, 171 Winthrop Road (Map 33, Lot 5A), Application #58: An Application for Special Permit, Application #58, was received from Christine Scruggs, VMD for the purpose of establishing a small animal veterinary clinic at 171 Winthrop Road. A motion was made by Nancy Fischbach and seconded by Jane Samuels to receive Application #58, Application for Special Permit by Christine Scruggs, VMD and to schedule for public hearing on January 21, 2010 at 7:00 p.m., as the first item on the agenda. Voted Unanimously.

6d. Design Advisory Board: The following members of the new Design Advisory Board were present: Peter Howard, Alan Paradis, Richard King, and Pamela Potter. The Commission members thanked the members of the Design Advisory Board for volunteering to serve on the Board. Some information was provided to the members for assistance. Discussion took place between the members of the two Boards. The ZEO noted that she would like to have the guidelines when they are set to be available in her office to give the applicants. Appearing before the Design Advisory Board is not a statutory requirement. The members of the Design Advisory Board then adjourned to another room for an initial meeting.

7. Audience: None

8. Reports: (a) Attorney: No report.

(b) Engineer: No report.

(c) Chairman: No report.

(d) ZEO: ZEO Jefferson presented a monthly report to the Commission dated 12/10/09 and a list of five administrative permits issued during the month.

(e) Planning/Regulations: The village district committee meeting will be held on Monday, December 14, 2009 at 3:30 p.m. Discussion took place regarding PODS type storage containers which are

addressed in the Regulations under temporary structures. The regulations may be reviewed in the future.

9. Election of Officers: Jane Samuels moved and Nancy Fischbach seconded to open nominations for officers. Jane Samuels nominated Janet Edgerton as Secretary, seconded by Nancy Fischbach. Jane Samuels nominated Nancy Fischbach as Vice Chairman, seconded by Janet Edgerton. Janet Edgerton nominated Jonathan Kastner as Chairman, seconded by Jane Samuels. Action on Nominations: All members voted in favor of the full slate of officers as nominated. Voted Unanimously.

10. 2010 Meeting Schedule: The schedule of meetings for 2010 was reviewed. The regular meetings take place on the third Thursday of each month at 7:30 p.m., with the exception of December, and with public hearings being held prior to 7:30 p.m. A motion was made by Jane Samuels and seconded by Janet Edgerton to approve the 2010 Meeting Schedule as presented. Voted Unanimously.

A motion was made by Nancy Fischbach and seconded by Jane Samuels to adjourn the meeting at 8:35 p.m. Voted Unanimously.

Respectfully submitted,

Nancy J. Howard
Recording Secretary