

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 20, 2010 at the Deep River Town Hall was called to order at 7:30 p.m. by Chairman Jonathan Kastner. Members present: Leigh Balducci, Jonathan Kastner, Jane Samuels, Tom Walsh, and Alternates John Attridge and David Basilone. Absent: Janet Edgerton, Nancy Fischbach, Tom Griffin, Alternate Angus McDonald, Jr. Also present: Cathie Jefferson (Zoning Enforcement Officer), Nancy Howard (Recording Secretary), David Falt, Joe Miller, John Riley. The Chairman seated Alternates Attridge and Basilone for absent members.
2. Approval of Minutes: A motion was made by Jane Samuels and seconded by Leigh Balducci to approve the minutes of the regular meeting of April 15, 2010 as printed. Voted Unanimously.
3. Payment of Bills: The following bill was received: Nancy Howard, clerical services, 12 hours. A motion was made by Jane Samuels and seconded by Leigh Balducci to approve the bill as presented. Voted Unanimously.
4. Correspondence: Chairman Kastner noted receipt of the following correspondence: (a) Letter dated 5/19/10 from Kevin Strain withdrawing Application #61, Application to Amend Zoning Regulations for Commercial Go-Karts in the R80 District, with the intention of reapplying; (b) Letter dated 5/17/10 from Kevin & Amanda Strain regarding Application #61; (c) letter dated 5/15/10 from Karen Evans and Julian Evans of 104 Bushy Hill Road, Ivoryton in opposition to proposal for commercial Go-Kart raceway in the R80 district; (d) copy of letter dated 5/3/10 from ZEO to Mr. & Mrs. Daniel Hatheway pertaining to complaint received regarding a dumpster on property at 112 Cedar Swamp Road (Map 19, Lot 13); (e) copy of letter dated 4/15/10 from Conn. River Gateway Commission to the State Legislature regarding opposition to reinsertion of Section 19 of Raised Bill No. 5520, An Act Concerning Conveyance of Certain Parcels of State Land (Haddam property); (f) Quarterly newsletter of the Connecticut Federation of Planning & Zoning Agencies. ZEO Jefferson noted a couple items of interest from the newsletter. One is a bill which is under consideration by the State Legislature to return jurisdiction over cell tower applications to municipal zoning and inland wetlands commissions. The second is clarification of the role of alternate members of land use commissions. Alternates can participate during the public hearing, but if they are not seated for an absent member, the alternates should be dismissed during the deliberations at a regular meeting.
5. Kevin Strain, Change to Zoning Regulations, Application #61: The application has been withdrawn by the applicant by letter dated 5/19/10 for the purpose of changing the focus of the application. A new application will be submitted.
6. Adam's Super Food Store, 183 Main Street (Map 57, Lot 114): An Application for Amendment to an Approved Site Plan was received from Adam's Super Food Store for the purpose of modifying the front of the Adams Shopping Center on property of Deep River

Associates, LLC at 183 Main Street. David Falt, the construction manager for Adam's, and Joe Miller of Miller Development, the contractor for the project, were present. Mr. Falt stated that the purpose of the application is to amend the existing site plan approved on May 16, 2002 for modification to the front of the building. Mr. Falt noted that the application was presented to the Design Advisory Board (DAB) and the minutes of the DAB meeting were submitted with the application. As discussed with the DAB, locked glass front display cases have been added on the front of the building for the purpose of displaying art work by students at the High School; dark tinted fake windows have been added under the two roof peaks, as well as above the existing windows on the front of the store. The bottle machines will be relocated away from the entrance of the store to a separate room at the end of the building to the North. There will not be an entrance to the store from the bottle return room. ZEO Jefferson noted that the application is in compliance with the Zoning Regulations, with the exception of the additional signage. The proposal brings the site further into conformance. The proposed signage is less than what was there with the previous stores. As recommended by the DAB, the signs on the two gables are proposed on the plan as "produce seafood" and "meat deli". Members inquired if the expansion of the facility will result in any additional heating units which may result in increased noise, which had been a concern for neighbors in the past. Mr. Falt noted that some of the roof top units will be replaced, but the refrigeration compressor in the back of the building, which had been the issue for the noise complaints in the past, will not be changed. Mr. Falt noted that the deliveries will continue in the same window of time currently being used, but the deliveries will be made in a different location, further away from the neighbors. ZEO Jefferson noted that the applicant will be proposing the amendments in phases. The current proposal will allow the contractor to proceed with the interior renovations. Additional discussion took place regarding the signage. Mr. Falt noted that the additional signage on the gables will help to break up the front of the building. The signs will be reduced in size from the existing "when freshness counts". Commission members were in agreement to including the signage, but recommended having a longer word and a shorter word on each gable, rather than as presented on the plan. Discussion took place about the lighting under the archade along the front of the store. There was agreement that the existing lights help the visibility off the curb into the parking spaces. Mr. Falt noted that they will be submitting a second application, possibly for the next regular meeting, which would include closing off parking spaces for the plants and increasing parking spaces in the grass area. A motion was made by Jane Samuels and seconded by John Attridge to approve Application #62 by Adam's Super Food Store for Amendment to an approved Site Plan for property at 183 Main Street (Map 57, Lot 114) subject to the condition that the words for the solid non-illuminated letter signs (produce, seafood, meat, and deli) on the front of the building be adjusted to create a better balance of the length of the words on each section. Voted Unanimously.

7. Audience: John Riley from Bushy Hill Road noted that he was present for any discussion on the application to amend the regulations for the commercial go-karts. The application has been withdrawn with the intent of re-applying in the future.

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

(b) Engineer: No report.

(c) ZEO: ZEO Jefferson presented a monthly report to the Commission dated 5/20/10. Three administrative permits were issued during the month.

(1) 92 West Bridge Street: No response has been received from the property owners regarding the cars on the property. ZEO noted that a recent inspection showed that some of the unregistered vehicles are being removed. The ZEO will continue to monitor the site prior to submission to the Commission Attorney.

(2) 112 Cedar Swamp Road: A letter was sent to the property owner regarding a dumpster that has been on the property for over two years.

(d) Chairman: Chairman Kastner updated the Commission on the discussions of the Veterans Memorial Green Committee. ZEO Jefferson noted disappointment after speaking with a member of the Committee that they did not appear to be considering continuing the brick sidewalk along the green on Main Street. The intention had been to continue the brick sidewalk from the Post Office to the Shopping Center. Heather Greenaway is currently working on a landscape plan. Mr. Kastner noted that the sidewalk could be utilized as part of the plan for the green. The intent of the Committee is to add the veterans of World War I and the name of any honorably discharged veteran starting with World War I.

9. A motion was made by Tom Walsh and seconded by Leigh Balducci to adjourn the meeting at 8:30 p.m. Voted Unanimously.

Respectfully submitted,

Nancy J. Howard
Recording Secretary