

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, March 17, 2011 at the Deep River Town Hall was called to order at 7:33 p.m. Members present: Leigh Balducci, Janet Edgerton, Nancy Fischbach, Jonathan Kastner, Jane Samuels, Tom Walsh, and Alternates David Basilone and Angus McDonald. Absent: Alternate John Attridge. Also present: Cathie Jefferson (ZEO), Nancy Howard (Recording Secretary), Bruce Edgerton.

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 February 17, 2011 as printed. Fischbach, Kastner and McDonald abstained. Approved.

3. Payment of Bills: The following bills were received: Nancy Howard, clerical services, \$245.28; Hartford Courant, legal advertising, \$171.32; and Connecticut Federation of Planning & Zoning Agencies, annual membership dues, \$90.00. A motion was made by Nancy Fischbach and seconded by Leigh Balducci to approve the bills as presented. Voted Unanimously.

4. Correspondence: Janet Edgerton noted receipt of the following correspondence: (a) copy of letter dated December 20, 2010 from Attorney David M. Royston to Donald Grohs, Chairman of the Zoning Board of Appeals regarding the decision of the appeal by Jane Mather for the variance issued to Janet Gessner; (b) letter dated 3/16/11 from Thomas Haynes of Haynes Materials Co. requesting a one year extension of time to start work; and (c) copy of letter dated 2/12/11 from R.E. Leighton, Code Official to Gary Mislick as Notice of Unsafe Structure due to accessory building collapse at Plattwood Industrial Park.

A motion was made by Nancy Fischbach and seconded by Jane Samuels to add to the Agenda items 7(a) Haynes Materials request for extension and 7(b) Design Advisory Board guidelines. Voted Unanimously.

5. Audience: None

6. Reports: (a) ZEO: ZEO Jefferson submitted a monthly report dated 3/17/11. Copies were available of an article by Mark Branse recently published in The Habitat newsletter regarding how to run a public hearing. No zoning permits were issued in the past month.

(1) ZEO noted that Mr. Sassi, Special Permit #66, received determination from the State that he does not need to install the elevator which was part of the site plan previously approved by the Commission. An application to amend the site plan would be necessary to eliminate the elevator. No changes are being made to the outside of the building.

(2) Plattwood Industrial Park Bulky Waste Transfer: ZEO noted that Manafort has purchased the bulky waste operation in Plattwood Industrial Park. The new owner has submitted an application to the DEP to amend their approval by increasing the tonnage allowed and to include recycling of garbage. The DEP will give public notice when the tentative determination has been made and interested parties can then submit written comments within a 30 day period. The DEP reviewer has indicated that any permit issued by DEP would include language that local approvals are required in order for the activity to be allowed. An amendment would be required of the P&Z approval.

(3) A letter was received from Office of Policy and Management indicating that Deep River will be receiving \$12,000 in connection with the Plan of Conservation and Development (POCD). A package of

information is required to be submitted to OPM. A town meeting will be required for acceptance of the funds. The Commission will present a letter to the Selectmen about using the funds to proceed with implementation of the POCD.

(b) Attorney: No report.

(c) Engineer: No report.

(d) Planning/Regulations: Nancy Fischbach noted that progress is being made on the village district regulations. The Committee plans to present the proposed regulations to the Commission at the April meeting for discussion, with the possibility at the May meeting of scheduling a public hearing to be held in June. No inter-municipal referrals are required. The proposal is currently being reviewed by the Design Advisory Board.

7(a). Haynes Materials/Incarnation Center: ZEO Jefferson noted that she met with representatives from Haynes regarding the conditions of the permit approved in 2007 that are required to be met prior to the start of the project. The court case was settled in November 2009 and the work should have started within a year. No major changes have been made to the Regulations regarding earth removal or change in the POCD which would affect the use. In the next month, the bond amount will be obtained from the engineer and Attorney Howard will review the well guarantee. Haynes will be sending certified letters to all properties within 2,000 feet and the properties on Rosemont Drive inquiring if they would like a pre-blast survey and if they would like to be on the blast notification call list. A motion was made by Nancy Fischbach and seconded by Janet Edgerton to grant Haynes Materials an extension for commencing work on the permit until November 1, 2011. Voted Unanimously.

7(b). Design Advisory Board (DAB): A memorandum dated March 11, 2011 was received from the Design Advisory Board indicating that they have forwarded revised draft guidelines to the Board of Selectmen and are looking for a joint meeting of the DAB, Board of Selectmen, and Planning and Zoning Commission. The Committee last met with the DAB on November 8, 2010. The Commission members reviewed and discussed the DAB's revised statement of purpose.

8. Executive Session: A motion was made by Nancy Fischbach and seconded by Angus McDonald to go into Executive Session at 8:37 regarding pending litigation and to invite the ZEO and Clerk to join. Voted Unanimously. The Executive Session ended at 8:45 p.m. Chairman noted that no votes were made and no actions were taken.

9. A motion was made by Nancy Fischbach and seconded by Jane Samuels to adjourn the meeting at 8:45 p.m. Voted Unanimously.

Respectfully submitted,

Nancy J. Howard

Recording Secretary