

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 19, 2011 at the Deep River Town Hall was called to order at 7:37 p.m. Members present: Leigh Balducci, Janet Edgerton, Nancy Fischbach, Jonathan Kastner, Angus McDonald, Jane Samuels, and Alternates John Attridge and David Basilone. Absent: Tom Walsh. Also present: Cathie Jefferson (ZEO), Nancy Howard (Recording Secretary), Mark Lowrey, Lori Guerette, Al Guerette, Tom Skinner, Peter Howard, Alan Paradis, Sabrina Brewer, and Anthony Lombardi.
2. Approval of Minutes: A motion was made by Angus McDonald and seconded by Leigh Balducci to approve the minutes of the regular meeting of April 21, 2011 as printed. Fischbach and Samuels abstained. Approved.
3. Payment of Bills: The following bills were received: Nancy Howard, clerical services, \$183.96; Howard & McMillan, attorney fees, \$280.50; and Nathan Jacobson & Associates, pro rata portion of development of 2011 unit construction costs for bonding, \$59.62. A motion was made by Nancy Fischbach and seconded by Jane Samuels to approve the bills as presented. Voted Unanimously.
4. Correspondence: Janet Edgerton noted receipt of the following correspondence: (a) Letter dated 5/18/11 from the Conservation and Inland Wetlands Commission regarding property of Frederick & Susan Reyher at 160 Rattling Valley Road indicating that a wetlands permit is required prior to construction for any regulated activities.
5. Fountain Hill Cemetery: An Application for Site Plan Review and request for waiver of fees was received from Fountain Hill Cemetery for the purpose of demolition of the stone crematory building/equipment shed and to build an equipment shed and office on the same footprint. Present on behalf of the Cemetery were Thomas Skinner, Lori Guerette, Al Guerette, and Mark Lowrey. Mr. Skinner noted that the existing tool shed/crematory building has begun to deteriorate presenting a possible hazard. No cremations have been done at the building since last October. Multiple pictures were presented showing the deterioration of the stone building. Mr. Skinner noted that the proposal is to demolish the existing building and to build a new building on the same footprint. The height of the building will be 19 feet. The use of the building will be equipment/tool shed and small office. Health District approval has not yet been received for the small bathroom proposed in the new building. Lori Guerette stated that they are requesting a waiver of the application fees because the Cemetery is gradually changing over to partially being subsidized by the taxpayers of the Town. The cost for the project will be paid from cemetery funds. The building is being proposed as wood shingles. Mr. Skinner noted that, if possible, they may use some of the existing stone for the facade. A motion was made by Nancy Fischbach and seconded by Jane Samuels to approve the Application by Fountain Hill Cemetery recommending use of the existing stone to face the building and grant the waiver of application fees. Voted Unanimously.

6. Frederick & Susan Reyher, 160 Rattling Valley Road: An application for Minor Subdivision was received from Frederick and Susan Reyher for property at 160 Rattling Valley Road. ZEO Jefferson noted that the applicants asked the CIWC for review of the proposed subdivision and did not apply for a permit for the regulated activity for access to the property. A wetlands permit for the regulated activity is required prior to action on the Subdivision Application. ZEO Jefferson noted that she spoke with Don Carlson, who indicated that they will submit an application to the CIWC. The applicant has asked that the application be received. If the approvals from CIWC and the Health District are not received before the 65 day time limit, the applicants may request an extension or withdraw the application. A motion was made by Nancy Fischbach and seconded by Jane Samuels to receive the Application for Minor Subdivision for 160 Rattling Valley Road (application number to be assigned) acknowledging that the applicants are waiting for Inland Wetlands Permit and Health District approval. Voted Unanimously.

7. Village District Regulations: Copies of the proposed Village District regulations were previously distributed to Commission members for review. Nancy Fischbach noted that the Schedule of Uses was not included and will be distributed shortly. Nancy Fischbach also noted that the Committee has discussed a request by the Design Advisory Board (DAB) to include a phrase in the section on the process that would include a specific referral to the DAB. The Committee decided to not include the phrase because all applications may be reviewed by various consultants, such as Health or a design consultant. In determining applicability for substantial reconstruction, the Committee decided to leave the judgment up to the ZEO as agent for the Commission. Peter Howard and Alan Paradis, members of the DAB, were present. Nancy Fischbach thanked Peter Howard for his input in preparation of the draft Regulations. Peter Howard asked that the Commission consider naming the DAB as their consultant. Mr. Howard recommended amending Section 7A.8.6B to include that the ZEO would seek advice when appropriate from the DAB as a consultant in cases where there is a change in the facade that might change the character of the building or be in harmony with the neighborhood. The recommendations of the DAB are advisory. Alan Paradis noted that a fundamental reason for the DAB to be included in the determination of whether a proposal requires design review is the qualifications of the members of the DAB, to be able to consult in the determination if the proposal is appropriate in the context of the neighborhood. ZEO Jefferson noted that she currently notifies everyone that comes in that they have an opportunity to go to the DAB for advice. Some applicants will be required to go to the DAB. Mr. Howard noted that the best approach would be to reflect that the DAB be consulted. Nancy Fischbach noted that the review would include areas such as health, engineering, and design. After discussion, Commission members agreed to leave the regulation as it is proposed. Discussion took place about scheduling a public hearing. The PowerPoint presentation will be made at the hearing. A 30 day referral to CRERPA is required. A motion was made by Janet Edgerton and seconded by Leigh Balducci to schedule a public hearing on the Village District Regulations on Monday, June 27, 2011 at 7:00 p.m in the Town Hall Auditorium. Voted Unanimously.

8. Audience: Sabrina Brewer was present for discussion about proposing a doggie day care in a residential area on a 24 acre parcel of property at 22 Kelsey Hill Road. ZEO Jefferson noted that Ms. Brewer is present to see if the proposal is something that the Commission would consider as an amendment to the Regulations in the residential district for such a use. Ms. Brewer noted that the particular property she is interested in is bordered by Route 9 and rock cliffs bordering Sylvan

Terrace, with the exception of one area. The Commission discussed that one of the qualifiers for the use would be more than 20 acres. The use should be kept 500 feet from the abutting properties. ZEO will check the map to see how many properties in town might qualify. Sound barriers were discussed. No overnight stay would be proposed. The Commission members noted that they would consider such a proposal with the appropriate qualifiers. Ms. Brewer was encouraged to work with the ZEO in preparing a proposed regulation amendment.

9. Reports: (a) ZEO: (1) ZEO Jefferson submitted a monthly report dated 5/19/11. Seven administrative zoning permits were issued. The Water Well Guarantee for Haynes Materials has been reviewed and approved by the Commission Attorney. The bond amount has not yet been received from the Commission Engineer. A motion was made by Nancy Fischbach and seconded by Jane Samuels to approve the bond for Haynes in the amount to be set by the Commission Engineer. Voted Unanimously.
- (2) Grove Street: A trailer had been brought in on the property of the business on Grove Street. The ZEO has been speaking with the representatives about removing the trailer.
- (3) The Town has received \$12,000 from the State Office of Policy and Management for the completion of the Plan of Conservation and Development (POCD). The Commission will send a letter to the Board of Selectmen proposing that the money be used towards implementation of the POCD.
- (b) Attorney: ZEO Jefferson noted that a request for extension is being filed for filing of the Return of Record on the Priskey appeal.
- (c) Engineer: No report.
- (d) Planning/Regulations: No additional report.
- (e) Chairman: Chairman Kastner noted that he will write a letter to the Board of Directors of Kirtland Commons to see if they would consider designating parking spaces on north side of the building for public parking. Verification will be made of the parking computations in accordance with the Zoning Regulations. Chairman presented proposed public parking signs.

10. Executive Session: No executive session was held.

11. A motion was made by Jane Samuels and seconded by Leigh Balducci to adjourn the meeting at 9:07 p.m. Voted Unanimously.

Respectfully submitted,
Nancy J. Howard
Recording Secretary