

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, June 16, 2011 at the Deep River Town Hall was called to order at 7:30 p.m. Members present: Leigh Balducci, Janet Edgerton, Nancy Fischbach, Angus McDonald, Jane Samuels, and Alternate David Basilone. Absent: Jonathan Kastner, Tom Walsh, Alternate John Attridge. Also present: Cathie Jefferson (ZEO), Nancy Howard (Recording Secretary), Zoe McGlamery, Catherine Smith, Laurie Champion, Philip Coles, Russell Marth, Jane Cavanaugh. Vice Chairman Nancy Fischbach was Acting Chairman for the meeting.

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 May 19, 2011 with the following amendments: Payment of Bills, add “attorney fees regarding Prisley appeal” as reference to bill from Howard & McMillan; and Page 2, Village District Regulations, fourth sentence amended to read: “The Committee recommended not to include the phrase because all applications may be reviewed by various consultants, such as Health or a design consultant.” Voted Unanimously.

3. Payment of Bills: The following bills were received: Nancy Howard, monthly clerical services, \$245.28 and preparation of transcripts for Prisley appeals \$572.32; Hartford Courant, publication of Sassi decision \$32.72; Nathan Jacobson & Associates, develop 2011 unit construction costs for bonding and Haynes bond, \$489.45; Howard & McMillan, attorney fees for Haynes \$387.50 and Prisley \$249.50. A motion was made by Angus McDonald and seconded by Jane Samuels to approve payment of the bills as presented. Voted Unanimously.

4. Correspondence: Janet Edgerton noted receipt of the following correspondence: (a) letter dated 6/9/11 from Deep River Town Hall Restoration Association looking for images that the Commission may have of using the auditorium to be included in a historical exhibit on the Auditorium. Any images will be forwarded to the ZEO to be submitted.; (b) copy of letter dated 6/9/11 from John S. DeCastro, P.E., DOT Bureau of Highway Operation to Nathan Jacobson & Associates with comments regarding the Town Main Street Sidewalks Phase 4 project.

In the future, the correspondence will be scanned and e-mailed to members prior to the regular meetings.

5. Zoe McGlamery, Application #69: An Application for Change to Zoning Regulations was received from Zoe McGlamery for the purpose of amending Section 7B.8 to allow livestock and poultry in the Low Density Residential Districts (R-20). Ms. McGlamery stated that the reason for the request is to allow her to have a limited number of chickens on her property at 7 Phelps Lane. Discussion took place about limiting the regulation to hens and not including roosters, limiting the distance from adjoining houses, and limiting the number of animals. It was noted that the proposal should be complete before sending the proposal to a public hearing. Catherine Smith of 8 Phelps Lane noted that there are chickens on properties in the surrounding area. The

proposal would be to include poultry and rabbits in the R-20 district but not livestock. Ms. McGlamery submitted examples of zoning regulations from Guilford, Old Saybrook, Chester, Madison, and New Haven. The applicant and the Commission members reviewed the Guilford regulation as a possible proposal, with the addition of retaining a 20,000 sq. ft. minimum. Ms. McGlamery noted that she spoke with Professor Darre from the UCONN Animal Science Dept. Poultry Division regarding regulations. Commission members noted that the proposal should include the minimum 20,000 sq. ft and adequate distances from wells. An amendment should be to Section 4.10 as well as Section 7B.8. The Commission members acknowledged that the property owner is working to correct a violation. After discussion, Ms. McGlamery submitted a letter withdrawing the application with the intention of resubmitting the application next month.

6. C & P Holdings, LLC, 6 Winter Avenue (Map 56, Lot 75): An application for special permit, Application #70, was received from C & P Holdings, LLC for the purpose of operating a light industrial facility with office and final assembly at 6 Winter Avenue. Philip Coles was present on behalf of the application. Mr. Coles stated that the building was previously used for manufacturing, formerly Champion Manufacturing, and originally Whelen Engineering. Mr. Coles noted that he proposes to purchase the property and renovate for offices and production and warehousing. Two tenants are proposed in the building. One is PCI Medical, which was formerly located at 12 Bridge Street, and an additional light manufacturing company which would be in slightly less than half of the building. Mr. Coles noted that he met with the Design Advisory Board (DAB) and he has incorporated their recommendations. Mr. Coles noted that the site plan is being prepared by Richard Gates and is not yet completed. The plan submitted shows the ability for additional parking spaces in the front of the property. Mr. Coles noted that the revised plan will identify the parking in accordance with the regulations. The existing gravel parking area in the front is proposed to be paved. Mr. Coles noted that they will conform with the sidewalk and lighting requirements. The footprint of the building will not change. The property is more than 500 feet from the town line. The Commission noted that the proposal is not a change of use and discussed that the proposal should be considered as a site plan review rather than a special permit. Laurie Champion, representing the owner of the property, noted that there have been two tenants since Champion Manufacturing, and they have now been out for one and a half years. Commission members agreed that the light industrial use is continuing and that the proposal would be considered a site plan review. The applicant will submit the site plan prior to the next meeting. A motion was made by Janet Edgerton and seconded by Jane Samuels to receive Application #70, Application for Site Plan Review, by C & P Holdings, LLC for 6 Winter Avenue. Voted Unanimously.

7. Frederick & Susan Reyher, 160 Rattling Valley Road: An application for Minor Subdivision, Application #106, was received at the May meeting from Frederick and Susan Reyher for property at 160 Rattling Valley Road. ZEO Jefferson noted that the Conservation and Inland Wetlands Commission has not yet received the application because there was no quorum at the last meeting. Subdivision Application #106 was tabled to the next regular meeting.

8. Audience: Russell Marth and Jane Cavanaugh inquired about the recycling business at Plattwood Industrial Park which they believe has changed ownership. ZEO Jefferson noted that

the business is now owned by Manafort who has made an application to DEP for increase in tonnage and expansion of the type of materials they would accept, which would include municipal waste. The ZEO noted that the DEP puts a notice in the newspaper with a 30 day period for people to comment. Contact with DEP would have to be made to determine when the 30 day period takes place. The State DEP usually requires that applications be made to the municipality prior to submission to the State, however, the applicant is applying for an amendment to previous approval. ZEO Jefferson noted that the Planning & Zoning Commission requires an application to amend the special permit. Ms. Cavanaugh asked how to find out more about the proposal and the status with the state. A copy of the State application is available for review in the Zoning Office. Comments or concerns may be addressed to the First Selectman and submitted in writing to the DEP.

9. Reports: (a) ZEO: ZEO Jefferson submitted a monthly report dated 6/16/11. The Haynes Well Guarantee has been filed and the bond has been posted for the commencement of Phase I. The ZEO has met with individuals interested in purchasing the property at 246 Main Street.
- (b) Attorney: ZEO noted that the record of the Prisley appeal has been reviewed by the Attorney and filed with the Court. The brief of the Plaintiff's attorney is due within 30 days.
- (c) Engineer: Nathan Jacobson & Associates set the amount of the Haynes Aggregates restoration bond for Phase I at \$413,300 based on 2011 construction costs.
- (d) Planning/Regulations: No report.
- (e) Chairman: Nancy Fischbach prepared a draft letter to send to the Board of Selectmen regarding the \$12,000 received from the Office of Policy and Management to help funding the updates and revisions to the Plan of Conservation and Development. The members approved the letter to be sent as prepared.
- Future correspondence and applications will be made available to Commission members prior to the meetings.

10. Executive Session: No executive session was held.

11. A motion was made by Leigh Balducci and seconded by Angus McDonald to adjourn the meeting at 8:50 p.m. Voted Unanimously.

Respectfully submitted,

Nancy J. Howard

Recording Secretary