

**PLANNING AND ZONING COMMISSION  
TOWN OF DEEP RIVER, CONNECTICUT**

Town Hall

174 Main Street

Deep River, Connecticut 06417

A **regular meeting** of the *Deep River Planning and Zoning Commission* held on Thursday, April 18, 2013 at the Deep River Town Hall was called to order at 7:30 p.m by Vice Chairman Walsh. Members present: Leigh Balducci, David Basilone, Janet Edgerton, Jane Samuels, Tom Walsh, and Alternates Sarah Denegre, Bruce Edgerton, and John Attridge. Absent: Jonathan Kastner and Ben Whalen. Also present: Cathie Jefferson (Zoning Enforcement Officer). Vice Chairman Tom Walsh was Acting Chairman for the meeting. Acting Chairman seated Alternate Bruce Edgerton for Jonathan Kastner and Alternate John Attridge for Ben Whalen.

2. Approval of Minutes: A motion was made by Janet Edgerton and seconded by John Attridge to approve the minutes of the regular meeting of March 21, 2013. Voted Unanimously. A motion was made by Jane Samuels and seconded by Janet Edgerton to approve the minutes of the special meeting on April 4, 2013. Voted Unanimously.

3. Payment of Bills A bill was received from Nathan L. Jacobson & Associates, Inc., general consultation (develop 2013 unit bond costs), \$124.80. A motion was made by Jane Samuels and seconded by Leigh Balducci to approve payment of the bill as submitted. Voted Unanimously.

4. Correspondence: The Secretary noted receipt of the following: (a) Letter dated April 11, 2013 from J.H. Torrance Downes from Lower Connecticut River Valley Council of Government regarding proposed zoning regulation amendments to be considered at the public hearing on May 16, 2013. The review indicates that there will be no significant adverse intermunicipal impacts or adverse impacts to the ecosystem of Long Island Sound if the regulations are adopted as proposed. (b) Copy of letter dated April 3, 2013 from ZEO Jefferson to Robert Bradway at The Valley Railroad Company regarding rail cars being stored at the leased railroad property at 152 River Street in Deep River. Rail cars that are not in active service for the Valley Railroad are not to be stored at the Deep River site; (c) Copy of minutes of Zoning Board of Appeals meeting of April 16, 2013.

5. George G. Bartlett, 444 Main Street: The public hearing on Application #84 has been continued to May 16, 2013 at 7:00 p.m.

6. Audience : None

7. Reports: ZEO: ZEO Jefferson distributed her report dated April 18, 2013, together with a list of zoning permits issued during the month, including two new homes.

(a) Regulation Amendments: ZEO Jefferson noted that there was a typographical error in the proposed amendments. The regulation proposed as 4.10.16 should be 4.10.116. The correction will be made at the hearing.

(b) ZBA: ZEO Jefferson reviewed the minutes of the April 16, 2013 meeting of the Zoning Board of Appeals (ZBA). An approval was issued for a 8'x12' shed within 6 feet of the property line at 35 Merriwald Lane. The second action was approval to vary the total lot coverage by replacement of the existing structure with a new building at 104 Main Street. The ZEO noted

that the existing structure on the north end of the property is an approximately 24'x16' one car garage. The ZEO noted that Mr. Bavalek and Mr. Shea had initially met with her with a proposal for re-doing the Whistle Stop and temporarily moving the garage. The plan submitted was to replace the existing garage with a 45'x30' two story building. The nonconformity was increased from 39% to 49%. Planning and Zoning members noted concern that the ZBA decision increased the nonconformity and the application was approved without legitimate hardship.

(c) Application #84, Bartlett: ZEO Jefferson provided copies of Application #84 to Commission members for review prior to the continued public hearing. The revised site plan has not yet been received.

Planning: Commission members will review Section 4 of the Town Plan of Conservation and Development and submit thoughts to the ZEO prior to the next meeting regarding possible additions, deletions or changes in priority.

A motion was made by Leigh Balducci and seconded by Jane Samuels to adjourn at 8:00 p.m. Voted unanimously.

Respectfully submitted,

*Nancy J. Howard*

Recording Secretary