

**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, February 19, 2015 at the Deep River Town Hall was called to order at 7:35 p.m. by Chairman Walsh. Members present: Leigh Balducci, David Basilone, Bruce Edgerton, Janet Edgerton, Jane Samuels, Tom Walsh, Ben Whelan, and Alternates Bill Burdick, Sara Denegre, Jonathan Kastner. Also present: Cathie Jefferson (Zoning Enforcement Officer), Nancy Howard (Recording Secretary), Ronald Prisley, Attorney Thomas McLaughlin, and

2. Approval of Minutes: A motion was made by Janet Samuels and seconded by Leigh Balducci to approve the minutes of the regular meeting of January 15, 2015 as printed. Voted Unanimously. A motion was made by Jane Samuels and seconded by Janet Edgerton to approve the minutes of the public hearing of January 15, 2015 with an amendment to correct the date of the meeting on the heading of page 2 and page 3 to be January 15, 2015. Voted Unanimously.

3. Payment of Bills: The following invoices were received: Nathan Jacobson & Associates, Prisley subdivision, \$577.25; Nancy Howard, clerical services, 32 hours. A motion was made by Jane Samuels and seconded by Leigh Balducci to approve payment of the bills as submitted. Voted Unanimously.

4. Correspondence: Secretary Janet Edgerton noted receipt of the following correspondence: (a) Connecticut Federation of Planning and Zoning Agencies Annual Conference scheduled for 3/26/15; and (b) Memo from ZEO Jefferson dated January 28, 2015 regarding the Prisley Subdivision application.

5. Ronald Prisley, 164 Cedar Lake Road (Map 16, Lot 2-A): The public hearing on application #113, Application for Re-subdivision by Ronald Prisley for property at 164 Cedar Lake Road, was closed on January 15, 2015. The Commission used the ZEO memo dated January 28, 2015 as a guide for review of the application and evidence received at the public hearing. The first matter considered was whether to accept the request for waivers. In accordance with Section 3.5 of the Zoning Regulations, the waivers are to be submitted with the application. A motion was made by Jane Samuels and seconded by Janet Edgerton to consider the waivers as presented. Discussion took place. Action on Motion: In Favor: L. Balducci, J. Samuels, J. Edgerton, and D. Basilone. In Opposition: B. Edgerton, B. Whelan, and T. Walsh. Motion Passed. ZEO Jefferson noted that each waiver would require a 3/4 vote for approval pursuant to Section 3.5, as well as compelling reasons and hardship.

Waiver #1, Section 2.3.10 Building Rectangle: A motion was made by Janet Edgerton and seconded by Jane Samuels to decline the waiver for the building rectangle. Action on Motion: By show of hands, the vote was unanimous to approve the motion to deny the waiver request.

Waiver #2: Section 7.3.1(d) Stacking or Nesting of rear lots: A motion was made by Bruce Edgerton and seconded by Ben Whelan to deny the waiver for stacking or nesting of rear lots. Discussion on motion: ZEO Jefferson noted that the Commission has never stacked three or more lots behind each other. A waiver of this regulation would be unique to this application. Action on Motion: By show

of hands, the vote was unanimous to approve the motion to deny the waiver request.

Waiver #3, Section 7.3.1(g), Maximum number of rear lots shall, in general not exceed 30%: A motion was made by David Basilone and seconded by Bruce Edgerton to deny the waiver of Section 7.3.1(g). Action on Motion: By show of hands, the vote was unanimous to approve the motion to deny the waiver request.

Commission member reviewed the ZEO memo dated 1/28/2015 as follows: (1) A revised plan dated 12/9/14 had been submitted by the applicant. The newly revised plan has not been reviewed by the Conservation and Inland Wetlands Commission or the Connecticut River Area Health District in accordance with Section 3.6 and 3.8 of the Deep River Subdivision Regulations. The letters received by these agencies are supposed to be of review of the same plan submitted for consideration with the Subdivision application.

(2) The proposed easements to the Town of Deep River for access and maintenance of the fire protection plan in accordance with Section 4.8 of the Subdivision Regulations. Members noted that the easements could be specified as a condition of approval.

(3) Review by Joseph Dillon, Commission engineer with Nathan L. Jacobson & Associates, of the site plan with final revision date of 12/9/14 noted that three items were incomplete in accordance with the Subdivision Regulations: (a) Section 2.3.10 Building Rectangle; (b) Section 7.3.1(d) Stacking or Nesting of rear lots; and (c) Section 7.3.1(g) Maximum number of rear lots shall, in general, not exceed 30%.

A motion was made by Bruce Edgerton and seconded by Janet Edgerton to deny Application #113 by Ronald Prisley as presented. The reasons for denial are as follows: (1) The newly revised plan dated 12/9/14 submitted at the hearing does not match the review completed by the Conservation and Inland Wetlands Commission and the Connecticut River Area Health District; (2) The proposed easements to the Town of Deep River for access and maintenance of the fire protection plan in accordance with Section 4.8 of the Subdivision Regulations were not submitted; (3) Application is not in compliance with Section 2.3.10 Building Rectangle; (4) Application is not in compliance with Section 7.3.1(d) Stacking or nesting of rear lots; (5) Application is not in compliance with Section 7.3.1(g) Maximum number of rear lots shall, in general, not exceed 30%. Action on Motion: By show of hands, the vote was unanimous to approve the motion to deny the application as submitted.

6. Audience: None

7. Reports: ZEO: (a) The ZEO will check the regulations pertaining to propane storage.

(b) ZEO Jefferson noted that she received an e-mail from Joe Mingolello indicating that the negotiations for the age restricted development on the Mislick property on Kelsey Hill Road have fallen through.

Jonathan Kastner noted that the Blakeslee property on Bahr Road is for sale. General discussion took place regarding the property.

The Agriculture Counsel of the River Cog will be sponsoring a presentation on agriculture and the 490 Act on March 4th from 6 p.m. to 8 p.m. in the Deep River Town Hall Auditorium.

Tom Walsh will send a letter to the First Selectman regarding scheduling a training session on the Freedom of Information Act for all Town Boards and Commissions.

8. A motion was made by Jane Samuels and seconded by Leigh Balducci to adjourn at 8:35 p.m.
Voted Unanimously.

Respectfully submitted,
Nancy Howard
Recording Secretary