

**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, April 19, 2015 at the Deep River Town Hall was called to order at 7:30 p.m. by Vice Chairman Bruce Edgerton. Members present: Leigh Balducci, David Basilone, Bruce Edgerton (Vice Chairman), Janet Edgerton (Secretary), Jane Samuels, and Alternates Bill Burdick, Sara Denegre, and Jonathan Kastner. Absent: Tom Walsh and Ben Whelan. Also present: Cathie Jefferson (Zoning Enforcement Officer), Nancy Howard (Recording Secretary), Attorney Chris Smith, Nick Olson, Ted Batko. Vice Chairman Bruce Edgerton was Acting Chairman for the meeting. Acting Chairman seated Alternates Jonathan Kastner and Sara Denegre for the absent members.
2. Approval of Minutes: A motion was made by Jane Samuels and seconded by Janet Edgerton to approve the minutes of the regular meeting of March 19, 2015 as printed. Voted Unanimously.
3. Payment of Bills: The following invoice was received: Howard McMillan & Tycz, legal advertising, \$997.00 regarding Prisley appeal. A motion was made by Jane Samuels and seconded by Leigh Balducci to approve payment of the invoice as submitted. Voted Unanimously.
4. Correspondence: Secretary Janet Edgerton noted receipt of the following correspondence: (a) letter dated 3/23/2015 from Andrew S. Morrill, DOT Bureau of Highway Operations with comments regarding the proposed water main replacement from Spring Street to Essex Street. A DOT Encroachment Permit is required before work is commenced within the State right of way; (b) Cease and Desist dated 4/6/15 issued by the ZEO to Michael Kostenko regarding motor vehicles at 92 West Bridge Street; and (c) Letter dated 4/10/15 from Connecticut River Gateway Commission regarding the annual Gateway boat trip on 6/4/15 and a goal of having one representative from each of the member town's Planning & Zoning Commission, Zoning Board of Appeals and Board of Selectmen.
5. Old Orchard Estates Subdivision, Kelsey Hill Road: ZEO Jefferson noted that the parties were not yet prepared to come in for preliminary discussion regarding modifying the subdivision to fall under the age restricted regulations.
6. Blakeslee Property, Bahr Road: Attorney Chris Smith from Shipman and Goodwin and Nick Olson were present for preliminary discussion regarding the 113 acre Blakeslee parcel on Bahr Road. Nick Olson is under contract to purchase the property. Attorney Smith noted that they met with the ZEO. The proposal would include a zone change from residential to industrial and then a site plan or special permit approval. The property was an earth material operation until it was abandoned in 1997. An aerial photograph of the area was available. Attorney Smith noted that Mr. Olson is proposing to process materials on site by bringing in clean bushes and non-treated wood which would be subject to a DEEP permit. Another material proposed to be brought in is stone and concrete to be recycled. The material would be sold from the site by way of delivery or contractor pickup only. Attorney Smith noted that they are looking for confirmation that the activity appears that it would come under Section 4.10.35 for landscaping business, although a regulation amendment would be necessary. Mr. Olson noted that basically every piece of earth on the property has been filled. All 113 acres has failed for a

septic system on the property. Mr. Olson noted that the truck access to the site would be the access to the property on Route 80 through the middle of the property and across Bahr Road. A brush and stump permit would be required from DEEP. Pressure treated or stained material would not be permitted. Contractors or residents may drop off brush at the site for recycling. Attorney Smith noted that no garbage recycling is proposed for the site. Recycling of concrete would require a different permit from DEEP. Mr. Olson noted that mobile crushers would be brought in; it would be a dry run operation. The material is crushed down to screen size and into a dumpster. ZEO Jefferson noted that the closure plan in 1996 included a letter from the Regional Planning Agency that the best use for the site was industrial. Building stability in the sand was an issue. The closure plan was to include placement of topsoil on top of the whole area. The topsoil was not installed and the cease and desist order is still in place. Commission members noted traffic concerns. Attorney Smith noted that in proceeding they would submit a proposal for a text amendment regarding the landscaping business and a new traffic study. The access through the front 14 acres would reduce the traffic on the side streets. Attorney Smith noted that the focus would be on brush management and stump reclamation. The DEEP permits are required to be renewed every five years. Mr. Olson noted that the material would be binned and screened. The consensus of the Commission members was that the proposed activities as described are appropriate for the site.

7. Audience: Ted Batko of 34 Plains Road noted that he is an owner of four abutting properties to the Blakeslee property and he and the neighbors are watching for proposals for the property. He noted that the minutes of the February and March minutes referenced the property and asked that the minutes reflect details of discussions that take place in order for the neighbors to be informed. ZEO Jefferson noted that this evening was the first proposal presented for the property.

8. Reports: ZEO: ZEO Jefferson reported on the following matters:

A cease and desist has been issued to property at 92 West Bridge Street for cars.

ZEO Jefferson distributed a list of two permits that were issued in March. The Prisley appeal is now on the court docket and the transcripts will be prepared.

The training session on the Freedom of Information Act has not yet been scheduled by the First Selectman. ZEO Jefferson noted that the Farm Bureau should soon be releasing the date of the session on the 490 Act.

9. Training: Commission members briefly discussed "Welcome to the Commission! A Guide for New Members" as prepared by the Planning Commissioners Journal which was distributed at the last meeting. Copies were distributed as a reference to members of the Appendix A, Summary of Statutory Procedural Requirements from the "What's Legally Required" book.

10. A motion was made by Jonathan Kastner and seconded by Jane Samuels to adjourn at 8:45 p.m. Voted Unanimously.

Respectfully submitted,
Nancy Howard
Recording Secretary