

PLANNING AND ZONING COMMISSION
TOWN OF DEEP RIVER, CONNECTICUT

Town Hall

174 Main Street

Deep River, Connecticut 06417

A **public hearing** of the *Deep River Planning and Zoning Commission* held on Thursday, June 15, 2017 at the Deep River Town Hall was called to order at 7:00 p.m. by Chairman Bruce Edgerton. Members present: Leigh Balducci, David Basilone, Sara Denegre, Bruce Edgerton, Janet Edgerton, Jane Samuels, Ben Whalen, and Alternates Anthony Bolduc and Jonathan Kastner (left early). Also present: Cathie Jefferson (Zoning Enforcement Officer), Nancy Howard (Recording Secretary) and seven audience of citizens. Absent: Alternate Bill Burdick.

Secretary Janet Edgerton read the call of the meeting published in The Hartford Courant on June 2nd and 9th, 2017.

PURPOSE: To accept evidence for or against, written or oral, approval of Application #98, Application by Winthrop Construction, LLC for Amendment to Zoning Regulations Section 4.10.35, to allow in association with a landscape business the processing of trees, logs, branches, or stumps for the purpose of producing wood chips and mulch in the Commercial Industrial Park District.

Presentation by Applicant: Bob Doane, for Winthrop Construction, stated that the amendment to the Zoning Regulations is to allow in association with a landscape business the processing of trees, logs, branches, or stumps for the purpose of producing wood chips and mulch. The wording is proposed to be added to Section 4.10.35. Mr. Doane noted that the initial submission was a mirror to the Killingworth regulation which has a time constraint that they determined did not work with the timing of a landscape business. The proposed regulation does not include a time constraint and is renewable every year. Mr. Doane noted that the regulation is needed to facilitate the business and the Town. In case of a storm, a landscaping business may be able to assist the Town with removing trees and processing of them.

Questions by Commission: Jane Samuels inquired if the Town Crew takes care of downed trees. Mr. Doane stated that they do not; they rely on a landscaping business to pick up. When asked about noise of the operation, Mr. Doane said it is not noisy. With new equipment, he said that you can carry on a regular conversation near the equipment. The trees are brought to the equipment on the landscapers site for processing. Janet Edgerton noted concern regarding dust and noise. Ben Whalen noted that processing operations cause concerns for residents. The municipality may collect the material and contact a processor to come in and process the material. Mr. Doane noted that the activity would be under DEEP permit. Bob Doane noted that he had discussed with the Commission that they were considering removing the time constraints. ZEO noted that the Commission may not amend the proposal by the applicant.

Correspondence: Secretary Janet Edgerton noted receipt of the following correspondence for the record:
(1) Memo dated 6/12/17 from ZEO Cathie Jefferson with comments on the application.
(2) Letter from resident, Ted Mackenzie. The Secretary read section pertinent to this application.

Public Comments:

Ted Mackenzie, owner of adjacent property, in reference to the correspondence he submitted, noted that the last sentence of the Regulation Section 7B.1 shall not be construed to permit expansion of a nonconforming use; and the proposal by the applicant is an attempt to circumvent the existing regulation in that area.

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John Olson inquired as to what areas of Town the regulation would pertain to. Chairman noted that it would be the Commercial Industrial Park and Turnpike Industrial Districts.

John Olson spoke in favor of the proposal noting that he is the closest household neighbor and referred to the major earth processing activity with blasting and truck activity, and noted that the addition of the processing activity would not make a difference to anybody in that area.

Bob Doane noted that the deliberation of the proposal should not be site specific.

A motion was made by Janet Edgerton and seconded by Jane Samuels to close the public hearing at 7:34 p.m. Voted Unanimously.

Respectfully submitted,
Nancy Howard
Recording Secretary