

# 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, July 17, 2008 at the Deep River Town Hall was called to order at 7:34 p.m. by Chairman Kastner. Members present: Janet Edgerton, Thomas Griffin, Jonathan Kastner, Jane Samuels, and Alternates John Attridge, Leigh Balducci, and Jan Deutsch. Absent: Nancy Fischbach, Fred Hellmers, and Tom Walsh. Also present: Nancy Howard (Recording Secretary). Chairman Kastner seated Alternates Attridge, Balducci and Deutsch for the absent members.
2. Approval of Minutes: A motion was made by Jane Samuels and seconded by John Attridge to approve the minutes of the regular meeting of May 15, 2008 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 May 15, 2008 as printed. Voted Unanimously. A motion was made by Jane Samuels and seconded by Jan Deutsch to approve the minutes of the regular meeting of June 19, 2008 as printed. Voted Unanimously. A motion was made by Jane Samuels and seconded by Jan Deutsch to approve the minutes of the public hearing of June 19, 2008 as printed. Voted Unanimously.
3. Payment of Bills: The following bills were received: Nancy Howard, clerical services, 15 3/4 hours; Hartford Courant, legal advertising, \$59.40; Nathan Jacobson & Associates, engineering review \$330.60 (Walgreens \$247.95, GDK Package Store \$82.65); and Howard and McMillan, legal fees for Prisley \$62.00, Haynes/Lent appeal \$2,139.00, General matters \$77.50 for a total of \$2,278.50. A motion was made by Jane Samuels and seconded by Jan Deutsch to approve payment of the bills as presented. Voted Unanimously.
4. Correspondence: Secretary Janet Edgerton noted receipt of the following correspondence: (a) memo dated 6/27/08 from Killingworth Planning & Zoning Commission regarding proposed amendment to Killingworth Zoning Regulations, Industrial District; (b) letter dated 7/8/08 from Joseph Dillon of Nathan Jacobson & Associates regarding performance bond for Walgreens at 180 Main Street. The Opinion of Probable Construction Costs for the remaining work totals \$27,200 for the performance bond covering the improvements; (c) Conn. Federation of Planning and Zoning Agencies Quarterly Newsletter for Summer 2008; (d) letter dated 7/2/08 from Karen Michaels, Inland Water Resources Division of DEP regarding review of draft revisions to Flood Management Regulations (for public hearing on 8/6/08); (e) e-mail dated 7/14/08 from Marcy Balint, Office of Long Island Sound Programs of DEP regarding proposed amendments to Special Flood Hazard Area Regulations (for public hearing on 8/6/08); (f) letter dated 7/3/08 from Good Design (for the public hearing scheduled for 8/6/08 on Integrated Waste); (g) Shore View article regarding Segways being available in Guilford. The streetscape sidewalks in Deep River may not be able to stand up to Segways. (h) Hartford Courant article on 7/3/08 regarding blight control ordinance being considered in East Hampton.
5. Age Restricted Development: Gary Sharpe will be present at the August regular meeting for preliminary discussion regarding an age restricted development on South Main Street.
6. Integrated Waste Solutions, 400 Commercial Drive (Map 33, Lot 6F): The public hearing on an application for amendment to a Special Permit by Integrated Waste Solutions has been continued to August 6, 2008 at 7:30 p.m.
7. Audience: None

8. Reports: (a) Attorney: An executive session will be held at the end of the meeting.  
(b) Engineer: No report.  
(c) Planning/Regulations: Jane Samuels noted that they are working on an ordinance to allow the Town to set fines.  
(d) ZEO: A report of the zoning permits issued during the month was received from the ZEO. Chairman Kastner reviewed the report dated 7/17/08 from ZEO Cathie Jefferson on the following items:  
(1) Integrated Waste Solutions: The traffic counts were received on 7/14/08. The counter to Haynes was broken. Haynes has been asked to provide the Commission with their counts. The traffic count information has been provided to the Commission Engineer and a copy is available in the Town Clerk's office.  
(2) Walgreens: The ZEO and Commission Engineer walked the property to determine a performance bond amount for the remaining work. Jane Samuels inquired as to how long the "Now Open" banner will be in place. Chairman Kastner noted that the grand opening is scheduled to take place the week of 8/3/08; and the banner should be able to be removed after that time. The ZEO will follow up.  
(3) Cumberland Farms: The building and zoning permit applications have been submitted. The demolition may start in two to four weeks.  
(4) Shore Discount Liquors: The Chairman noted that the sidewalk will be correctly installed to match the streetscape plan.  
(5) 83 River Road: A cease and desist order was issued for storing business equipment on the property, and the certified mail receipt was signed on 5/28/08. Nothing has been filed with the ZBA. The matter has been referred to the Commission Attorney.  
(6) 206 Main Street: The ZEO had previously sent a letter regarding offering multiple cars for sale on the property. The cars had been removed, but now have been returned. The information has been given to the Resident State Trooper, who will contact the property owner towards resolution of the matter.  
(7) 119 Union Street: The ZBA granted a second variance as construction proceeded outside the parameters of the first variance.
9. Executive Session: A motion was made by Janet Edgerton and seconded by Jane Samuels to enter into executive session at 8:00 p.m. to discuss pending litigation and invite the Clerk to attend. Voted Unanimously. A motion was made by Jane Samuels and seconded by Janet Edgerton to exit from Executive Session at 8:06 p.m. Voted Unanimously. The Chairman noted that no actions were taken and no votes recorded.
10. A motion was made by Jane Samuels and seconded by Jan Deutsch to adjourn at 8:07 p.m. Voted Unanimously.

Respectfully submitted,

Nancy J. Howard  
Recording Secretary