

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, October 16, 2008 at the Deep River Town Hall was called to order at 8:39 p.m. by Vice Chairman Nancy Fischbach immediately following a duly called public hearing. Members present: Janet Edgerton, Nancy Fischbach, Thomas Griffin, Fred Hellmers, Jonathan Kastner, Jane Samuels, Tom Walsh, and Alternates John Attridge and Leigh Balducci. Also present: Cathie Jefferson (Zoning Enforcement Officer), Nancy Howard (Recording Secretary).
2. Approval of Minutes: A motion was made by Fred Hellmers and seconded by Jane Samuels to approve the minutes of the regular meeting of September 18, 2008 as printed. Voted Unanimously. Chairman Kastner returned as Chairman of the meeting.
3. Payment of Bills: The following bills were received: Nathan Jacobson & Associates, engineering review (Walgreens and GDK Package Store), \$123.98; and Nancy Howard, clerical services, 13 hours. A motion was made by Nancy Fischbach and seconded by Jane Samuels to approve the bills as presented. Voted Unanimously.
4. Correspondence: Secretary Edgerton noted receipt of the following correspondence: (a) letter from Douglas Holt requesting to further amend the hours of du'Glance Bistro for the purpose of opening for brunch at 9:00 a.m. on Saturdays and Sundays. A motion was made by Nancy Fischbach and seconded by Jane Samuels to amend the agenda to include the request for amendment to a previously approved permit for du'Glance. Voted Unanimously.
(b) letter dated 10/1/08 from CRERPA regarding meeting for input on the Regional Plan of Conservation and Development. When reviewing the Town Plan, the Commission will discuss items and send a letter in response to CRERPA.
(c) Letter dated 9/26/08 from the State Office of Policy and Management regarding an amendment to the statutory requirement for municipalities to adopt a Plan of Conservation and Development at least once every ten years. If not in compliance, a town may not be eligible for discretionary state funding. (d) Notice of upcoming Conn. Land Use Academy sessions scheduled for November 1st and 15th at Northeast Utilities in Berlin. (e) correspondence dated 10/7/08 from Connecticut Siting Council together with notice of intent to modify an existing telecommunications facility located at 15 Pent Road; and (f) Chairman provided a copy of an advertisement for Ideal Concrete Block Company, Inc. in the Connecticut Town and City publication of August 2008 regarding Eco-Stone and Aqua-Bric Permeable Interlocking Concrete Pavers.
5. du'Glance LLC, 158 Main Street (Application #30): A request for amendment to an approved special permit was received from Douglas Holt for the purpose of amending the statement of use to amend the hours of operation to open at 9:00 a.m. on Saturdays and Sundays for the purpose of serving brunch. A motion was made by Janet Edgerton and seconded by Jane Samuels to approve the amendment of the hours as requested. Voted Unanimously.

6. 160 KH LLC, Old Orchard Estates (Application #104 & #45): The public hearing on the application for PCD Subdivision by 160 KH LLC was held and closed immediately prior to this meeting. Discussion of the application was tabled to the next regular meeting to allow staff and members to review the evidence received.
7. Land Use Violations Ordinance: A draft ordinance establishing citation procedures and fines for violations of Zoning Regulations has been prepared. The draft ordinance would need to be presented to the Board of Selectmen and set for town meeting. A motion was made by Tom Walsh and seconded by Tom Griffin that the Commission endorses the draft ordinance and will forward it to the Board of Selectmen for further action. Voted Unanimously.
8. Town Plan Review and Implementation Committee: Nancy Fischbach noted that the minutes of the Economic Development Commission reflect that Angus McDonald will be their representative on the Implementation Committee. Follow up will be done with the Board of Finance because their minutes do not reflect that a representative was appointed. Comments regarding the Plan were received from Russell Marth. The Plan will be discussed at the next meeting.
9. Audience: None.
10. Reports: (a) Attorney: An executive session will be held at the end of the meeting.
(b) Engineer: No report.
(c) ZEO: ZEO Jefferson presented a monthly report to the Commission dated 10/16/08 on the following items: (1) Cumberland Farms: Work is proceeding on schedule. Steve Milton and Cumberland Farms have reached an agreement regarding access to the rear property. The approved site plan is not affected; the fence will be moved a couple of feet in one back corner.
(2) Shore Discount Liquors: Operation is still under the temporary C.O. The property owner has picked up an application for signs.
(3) 116/118 Main Street: The property owner has withdrawn the appeal of the cease and desist. The ground floor apartment is gone and the owner would like to move the nail salon into that space while completing renovations to the current nail salon location.
(4) Signs: Copies were distributed of a mass mailing that was sent to the business owners along Main Street explaining the new sign regulations and indicating that the ZEO would be inspecting all the signs on businesses on Main Street in the next few weeks. ZEO noted that she was contacted by one business owner. The ZEO will investigate the amount of sidewalk space taken up by the scooters placed outside of one of the businesses.
(5) ZEO distributed copies from the August 2008 edition of Connecticut Town & City regarding speed monitoring boxes in West Hartford and an anti-idling campaign in Ridgefield.

Nancy Fischbach presented a copy of the brochure entitled "So, what is a Town Plan of Conservation and Development?" which was developed and made possible by a grant from The Rockfall Foundation. Ms. Fischbach noted that she prepared a display for a table presentation at the Rockfall Symposium being held on October 17, 2008. A public forum is set for Wednesday, November 19, 2008 at 8:00 p.m. at the Deep River Town Hall. The guest speakers will be J.H. Torrance Downes, Senior Planner from CRERPA; Attorney William Howard; and W. David LaVasseur, Undersecretary Intergovernmental Policy Division, State of Connecticut Office of Policy and Management.

11. Executive Session: A motion was made by Nancy Fischbach and seconded by Janet Edgerton to enter into Executive Session at 9:08 p.m. to discuss pending litigation and to invite the Zoning Enforcement Officer and Clerk to attend. Voted Unanimously. The Executive Session ended at 9:15 p.m. Chairman noted that no votes were taken and no motions made.

12. Other Business: Nancy Fischbach noted that the Commission has not done a Section 8-24 review on the proposal for Plattwood Park. Chairman noted that a letter will be sent to the Selectmen asking that the plans be presented for a Section 8-24 review.

Nancy Fischbach asked if the letter regarding parking was sent to the Selectmen which was discussed as part of the du'Glace approval at the September meeting. Chairman Kastner noted that the letter was sent to the First Selectman encouraging additional parking on Main Street north of Village Street in front of the Library and that signs be placed in the Library parking lot designating the spaces close to the building for library patrons and that residents on Village Street be asked to park in the back of the parking lot.

13. A motion was made by Nancy Fischbach and seconded by Jane Samuels to adjourn at 9:20 p.m. Voted Unanimously.

Respectfully submitted,

Nancy J. Howard
Recording Secretary