

TOWN OF BOZRAH
REGULAR MEETING
PLANNING AND ZONING COMMISSION
BOZRAH TOWN HALL
July 13, 2023

Chairman Steve Seder called the Regular Meeting of the Bozrah Planning and Zoning Commission to order at the Bozrah Town Hall on July 13, 2023 at 7:00p.m.

Members Present: Chair Steve Seder, Scott Barber, Nancy Taylor, Steve Coit, Seymour Adelman, Manny Misarski, Dan Tracy

Others Present: Glenn Pianka (First Selectman), Sam Alexander (SCCOG/Town Planner), Jennifer Lindo (SCCOG/Zoning Enforcement Officer), Debra White-Palmer (DWP Events), Brian Palmer, Warren Strong, Raymond Barber, Chad Martin

Item 1: Review and Approve Minutes

a. June 8, 2023

MOTION 1: S. Barber made a motion to approve the minutes for the regular meeting held June 8, 2023. M. Misarski seconded the motion.
Vote unanimous - **MOTION CARRIED**

Item 2: Review Correspondence Pertaining to Agenda Items

Attachment 1 - Letter Dated June 19, 2023 Rebecca Clifford

Attachment 2 - Letter Received July 13, 2023 Miranda Kaiser

S. Alexander presented the Commission with correspondence relating to Item 5a on the agenda, a letter dated June 19, 2023 from Rebecca Clifford (Attachment 1) and a letter received July 13, 2023 from Miranda Kaiser (Attachment 2).

Item 3: Hear the Report of the Zoning Enforcement Officer

Attachment 3 - Report of the Zoning Enforcement Officer

Attachment 4 - Letter Regarding Acorn Acres Campground Rental Agreement Violation

J. Lindo presented the Commission with the report of the Zoning Enforcement Officer. J. Lindo noted she has spoken to the property management company looking for a specific violation of the structure on 349 Salem Turnpike. J. Lindo also noted a meeting with Acorn Acres Campground regarding rental agreement

violations. Letters were sent to those who were registered to vote or have one or more vehicles registered in town with an Acorn Acres address. (Attachment 4)

Attachment 5 - Bozrah Building Permits June 2023

J. Lindo presented the Commission with the Building Official's Report showing permits received in June 2023. (Attachment 5)

Item 4: New Business

- a. Zejak Realty LLC: Site Plan Modification to a plan for 46 Stockhouse Road (Map 4, Lot 19A), originally approved 12/14/2017 and modified/extended 11/10/2022. Plan modification to accommodate additional gravel storage space and reconfigure the parking area.

Attachment 6 - Planner Report on Commission Applications and Discussion

S. Alexander noted Inland Wetland Conservation Commission will receive the application for the revised site plan in August and their action is required prior to action from the Planning and Zoning Commission.

Item 5: Discussion

- a. Commission-initiated regulation amendments relative to "Event Venues" and similar uses.

Attachment 7 - Draft Regulation Amendments: Event Venues

Attachment 8 - Planning Report: Regulating Event Venues through Zoning

S. Alexander presented the Commission with the Draft Regulation Amendments: Event Venues. (Attachment 7) S. Coit and S. Barber noted the parking should be on site. The commission agreed the number of guests should not exceed 150 guests. S. Seder noted event venues should be enforced through a town regulation and one off special events should be enforced through an ordinance. S. Coit noted a "limited number" of private events a year should be a clearly defined number. D. Tracy noted they should leave it open to a limited number. S. Coit noted the 10 acre minimum for a rural event venue should be increased to 50 acres. J. Lindo will research how many rural properties have 50 acres. D. Tracy noted the 3 acre minimum for a commercial outdoor event venue should be increased and they should also define an indoor commercial event venue size. The Commission agreed to set a 10 acre minimum for commercial outdoor/indoor event venues. S. Alexander will make these revisions and present the revised copy at the next meeting.

Item 6: Public Comment Period

Warren Strong commented on hosting events at his property.

Brian Palmer commented on the acre minimums for both rural and commercial event venues.

Debra White Palmer commented her appreciation to to commission to consider event venues in town.

Item 7: Review General Correspondence

Item 8: Executive Session: To discuss on-going litigation concerning 211 Bashon Hill Road

MOTION 2: S. Barber made a motion to enter executive session with Sam Alexander and Jennifer Lindo. M. Misarski seconded the motion.

Vote unanimous - **MOTION CARRIED**

MOTION 3: N. Taylor made a motion to exit the executive session at 9:15 p.m. S. Barber seconded the motion.

Vote unanimous - **MOTION CARRIED**

Item 9: Such Other Business as the Commission May Vote to Hear

Item 10: Adjourn

MOTION 4: S. Barber made a motion to adjourn the meeting at 9:32 p.m. N. Taylor seconded the motion.

Vote unanimous - **MOTION CARRIED**

Respectfully Submitted for the Board,

Heather Provost
Recording Secretary

June 19, 2023

To Whom it May Concern,

My name is Rebecca Clifford, My home is at 418 Salem turnpike, Bozrah, CT 06334. I am writing as requested by Deb Palmer my neighbor with DWP Events.

I was asked by Nancy my other neighbor to write a letter back in 2022.

At this point in time this is the last letter I am writing. I wish to live in peace with both my neighbors. I enjoy my home with my son as we are moving through the grief process of loosing my husband and his dad.

Thank You,

Rebecca Clifford

Miranda Kaiser
133 Bashon Hill Road

To the Planning & Zoning Committee and First Selectman, Glenn Pianka,

My name is Miranda Kaiser and I am writing to express my support in allowing DWP Events, LLC to host events on their property at 410 Salem Turnpike.

Salem Turnpike is full of businesses and is a great spot to continue to allow and grow businesses in town. As someone who also works in weddings and events as a photographer/videographer, the opportunity to have more clients right here in my home town is ideal.

I have worked with DWP Events, LLC at events in other towns and they are professional and very respectful. They ensure that any regulations are followed and they do things the right way. Their property is zoned Highway Commercial. They are surrounded by other businesses that are operating how they need to, seemingly without restriction. Cars come and go in and out of their businesses on the daily. If traffic to the area or parking is a concern, there are options. There are countless venues that do not have onsite parking and shuttle guests from nearby lots (hotels, other businesses).

There are other operations in town that host events. I grew up on Gager road and could hear the music from Odetah every weekend, all summer long, each year. It was never loud enough to be a concern and always was turned off in a timely manner. Other locations hosting events under these same circumstances should not be denied.

Our town farmers market is one example of a successful event. It brings in a huge amount of traffic, people, and noise. The farmers market has a wonderful reputation. It brings people to our beautiful little town. It gets them here, spending money. DWP Events, LLC has a beautiful piece of Bozrah that should be able to be used to celebrate special moments and then tell everyone about their sweet memories in Bozrah! It will bring people to town and create income for local wedding and events vendors like myself.

I sincerely hope you'll take my points into consideration in allowing DWP Events, LLC to host events on their property at 410 Salem Turnpike. Thanks for taking the time to read this letter.

Sincerely,

Miranda Kaiser

RECEIVED

JUL 13, 2023

OFFICE OF THE FIRST SELECTMAN
TOWN OF BOZRAH

GP

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS

5 Connecticut Avenue, Norwich, Connecticut 06360
(860) 889-2324/Fax: (860) 889-1222/Email: office@seccog.org

To: Town Bozrah Planning and Zoning Commission

From: Jennifer Lindo, AZT, Municipal Land Use Specialist, SCCOG (Bozrah ZEO)

Date: July 13, 2023

Re: Zoning Enforcement Officers Report

I have received several zoning complaints from members of the public and the commission. Their status is as follows:

1. 349 Salem Turnpike: This abandoned single family dwelling sits at the entrance to Bozrah from Route 82 in Norwich. Neighbors have begun calling about people dumping items and items being stolen from the house. As of July 6, 2023, I have been in communication with a property maintenance company who is reviewing and inspecting the property for the lender.
2. Acorn Acres: In response to concerns from the Commission about year round occupancy and residence, a meeting was held with the Campground and their owners, and attorney. A path forward has been set and we will work together to create a process to prevent further occupancy from occurring.
3. 53 Bozrah St: I received a complaint regarding the number of unregistered and inoperable vehicles and a trailer, as a potential junkyard. They have provided all of the necessary information and removed the vehicles I asked them to. They are now in compliance.
4. 290 South Road: Following up on some complaints about the property, I met with John Faulise of Boundaries to discuss the issue of the illegal split, he will discuss with Dr Betten to get it straightened out. Owner removed the porch which was falling down, and secured the building. Still waiting to hear from John Faulise.
5. 38 Bozrah St Ext: Camp Odetah, swimming pool rebuild with retaining wall. Construction is completed, Certificate of Zoning Compliance has been issued. Temporary CO has been issued.
6. 3 Bozrah St: person residing in a motorhome on the side of the property with a pickup truck, and enclosed trailer of belongings in violation of Zoning Regulations. Met with homeowners on June 14, extended time to July 25. RV and trailer have been moved to a more appropriate location.

Member Municipalities:

Bozrah * Colchester * East Lyme * Franklin * Griswold * Borough of Jewett City * City of Groton * Town of Groton * Lebanon * Ledyard * Lisbon * Montville * New London * North Stonington * Norwich * Preston * Salem * Sprague * Stonington * Stonington Borough * Waterford * Windham



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Timothy S. Hollister
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July 13, 2023

Certified Mail/Return Receipt Requested

Daniel R. Abel
135 Lake Road
Bozrah, CT 06334

Re: Acorn Acres Campground: Rental Agreement Violation

To Acorn Acres campsite occupants:

We are writing to you on behalf of our client, Acorn Acres Campground. All rental agreements for campsite at Acorn Acres state:

“YOU ACKNOWLEDGE BY SIGNING BELOW THAT YOUR USE OF THE CAMPSITE DOES NOT CREATE LEGAL RESIDENCY IN THE TOWN OF BOZRAH FOR YOU OR ANYONE OCCUPYING YOUR CAMPSITE, PURSUANT TO TOWN OF BOZRAH ZONING REGULATIONS 11.8.5.”

This means that you may not use an Acorn Acres campsite as your permanent residence for any purpose such as registering to vote or registering a motor vehicle.

You are receiving this letter because the Town of Bozrah, through its Zoning Enforcement Officer, has notified Acorn Acres Campground that you have registered to vote or registered one or more motor vehicles, providing an Acorn Acres campsite as your permanent address. By doing so, you have violated the section of the Acorn Acres rental agreement quoted above.

We are copying the Zoning Enforcement Officer and the Town Attorney on this letter so they are aware that the campground owners have notified you of this violation.

This letter is not intended to prevent you from lawfully voting, registering a vehicle, or obtaining public services or benefits. We are simply reminding you that the signed Rental Agreement with Acorn Acres campground does not allow you to use an Acorn Acres campsite as your permanent or legal address; and to ask you to correct any current registration that violates the Rental Agreement, and refrain from improper registration in the future.

Bozrah Building Permits

ADDRESS	APPLICANT	OWNER	PROJECT	\$ VALUE	FEE	STATE	TOTAL
B2306-01							
17 Caroline Rd	SNE Windows	Sheldon	2 Repl Windows	6,547.00	80.00	1.70	81.82
B2306-02	Siding	Morton	Vinyl siding	14,000.00	150.00	3.64	153.64
B2306-03	Siding	Almeida	Vinyl siding	9,000.00	100.00	2.34	102.34
B2306-04	William Roberts	Ryan Fargo	12k BTU Heat Pump/AC Garage	4,200.00	60.00	1.30	61.30
B2306-05	Currie plumbing and hgt	Smith	Boiler Replacement	13,000.00	140.00	3.38	143.38
B2306-06	David J. Gesiak LLC	David J. Gesiak LLC	New Single Fam House	300,000.00	3,010.00	78.00	3,088.00
B2306-07	Owner	Beebe	Shed roof ext on barn	3,000.00	40.00	0.78	40.78
Z2306-07	Owner	Beebe	Shed roof ext on barn	3,000.00	40.00	0.78	110.00
B221027-1	NGA Capital LLC	NGA Capital LLC	Pool permit fee reconciliation	584,000.00	5,840.00	151.84	5,991.84
B230615-08	Rainville Plumbing	Ralph Fargo, JR.	Heating, boiler install	10,000.00	110.00	2.60	112.60
B230615-09	Rainville Plumbing	Ralph Fargo, JR.	Gas piping	1,800.00	30.00	0.52	30.52
B230615-10	Kropp Environmental Contractor	Leffingwell Baptist Church	UST fuel tank removal	4,250.00	60.00	1.30	61.30
B230615-11	Air Flow Mechanical	Soulas	Heat Pump	10,000.00	100.00	2.34	102.34
B230615-12	Thomas Garbati Builders LLC	Montming	Vinyl Siding	15,400.00	170.00	4.16	174.16
B230629-13	CF Electrical Services	17 Mile Real Estate, LLC	Generator	23,000.00	240.00	5.98	245.98
B230629-14	DB Lunt LLC	Ibrahim Ali LLC	wiring upgrades to apt and store	4,000.00	50.00	1.04	51.04
B230629-15	Mark Garrison	Mark Garrison	Garage repair	6,000.00	70.00	1.56	71.56
			Sub Total June 23	1,011,197.00			10,622.60

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS

5 Connecticut Avenue, Norwich, Connecticut 06360

(860) 889-2324/Fax: (860) 889-1222/Email: office@seccog.org

TO: Town of Bozrah Planning & Zoning Commission
FROM: Samuel Alexander, AICP, Bozrah Town Planner, SCCOG /s/
DATE: July 6, 2023

Planner Report on Commission Applications and Discussions

Zejak Realty (Mid-City Steel)

Application type: Revision to an approved site plan
Date of Receipt: July 13
Decision Deadline: September regular meeting

This application was received yesterday, July 5. I have not completed a review at this time, but will begin a review of the site plan prior to the July meeting. A drainage report was submitted along with this site plan, which will require review by the Town Engineer.

The IWCC will receive this application in August, and their action is required prior to action by the PZC.

Discussion of Event Venues / Special Events

Application type: Pre-application (by PZC); it will become a proposed regulation amendment
Date of Receipt: NA

At the last meeting, the Commission was in receipt of document with a blue header titled, *Draft Regulation Amendments: Event Venues*.

I expect that there will be *discussion at the July meeting* that will hopefully lead to a formal proposed regulation amendment by the Commission. A public hearing will be required.

Possible Timeline:

AUGUST Finalization of proposed amendments.
SEPTEMBER Open public hearing
OCTOBER Close public hearing, Render decision
Text may be further modified during public hearing process

Steve Coit

Application type: Future application (revised site plan)
Date of Receipt: NA

We expect this application in August. It would be a revision to the application withdrawn in June.

Member Municipalities: Bozrah * Colchester * East Lyme * Franklin * Griswold * Borough of Jewett City * City of Groton * Town of Groton * Lebanon * Ledyard * Lisbon * Montville * New London * North Stonington * Norwich * Preston * Salem * Sprague * Stonington * Stonington Borough * Waterford * Windham

Planning Report: *Regulating Event Venues through Zoning*

Bozrah Planning & Zoning Commission May 11, 2023
Prepared by: Sam Alexander, AICP, Southeastern Connecticut Council of Governments

This report is advisory, for the purposes of informing potential changes in zoning policy in the Town of Bozrah. The Bozrah Planning & Zoning Commission has expressed interest in addressing the challenges created by unregulated event venues in Town.

What is an Event Venue?

Definition by DWP Events, LLC (denied zoning regulation amendments): *Any property or portion thereof, whether located indoor or outdoor, used commercially for hosting weddings, dinners, corporate gatherings, performances and other private special events and celebrations.*

Operative parts of a definition:

- Used commercially. Backyard weddings, 4th of July parties, etc. not included.
- Private gatherings. Invite-only events that are not open to the public.
- Could be held indoor or outdoor, or a combination of both.

Common variables:

- Traditional venues (banquet halls) vs. specialty venues (e.g.: agricultural, museums, etc.).
- Hours of operation, hours amplified music.
- Number of events per day, week, month, year.
- Number of attendees.
- Other: Parking, screening, buffering,

Agricultural/Rural Areas

Example: ***Town of Stonington*** – Agricultural Heritage District (Floating zone)

- Eligibility:** Agricultural operations in existence for 25 years, over 35 acres.
- Permitting:** Requires a “Master Plan” zone change/regulation amendment, preceding a site plan. Master Plan gives Commission a *high degree of discretion*.

Event facilities are a permitted use *after successful zone change*.

“Event facilities hosting weddings, farm dinners, corporate gatherings, performances and other public and/or private special events and celebrations as appropriate for the site and surrounding area. The Commission may require the submission of an Event Management Plan to review the frequency, size, nature and management of proposed events.”

Example: **Town of Hampton** – By Special Exception: Event Facilities

Eligibility: Properties in any RA-80 zone, along Route 6.

Permitting: Requires a Special Exception. Use is not defined.

- Must have primary access from Route 6.
- 100' buffer from all property lines.
- Applicant proposes hours of operations, which shall be protective of general welfare/QOL.
- Sufficient parking, greater than 100' from neighboring properties.
- Zoning regulations contain performance standards for noise, applying to any use, conforms to DEEP standards.
- Lighting standards apply.
- For events exceeding 85% capacity, operator must advance notify the First Selectman within two weeks of the event.
- Applicant shall submit: traffic plan and stormwater management plan.

Commercial Areas

Example: **Town of Brooklyn** – By Special Exception: Banquet Hall and/or Caterer's Establishment

Eligibility: Properties in the Planned Commercial Zone.

Permitting: Requires a Special Exception. There are no use regulations.

"BANQUET HALL - Premises, which may or may not contain kitchen facilities, used for the gathering of groups of persons for specific functions including the consumption of food and beverages."

Example: **Town of Trumbull** – By Special Exception: Catering/Banquet Halls

Eligibility: Properties in any Industrial Zone.

Permitting: Requires a Special Exception. There are no use regulations. Use is not defined.