

TOWN OF BOZRAH
REGULAR MEETING
PLANNING AND ZONING COMMISSION
BOZRAH TOWN HALL
August 10, 2023

Chairman Steve Seder called the Regular Meeting of the Bozrah Planning and Zoning Commission to order at the Bozrah Town Hall on August 10, 2023 at 7:00p.m.

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

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

Item 1: Review and Approve Minutes

a. July 13th

MOTION 1: S. Barber made a motion to approve the minutes from the July 13th meeting as presented. M. Misarski seconded the motion. Vote unanimous - **MOTION CARRIED**

Item 2: Review Correspondence Pertaining to Agenda Items

S. Alexander presented the Commission with correspondence pertaining agenda items:

Item 4a - Attachment 1- Zejak Realty LLC

Item 4b - Attachment 2 - David J. Gesiak

Item 5a - Draft Regulation Amendments: Event Venue and Maps

S. Alexander noted an application from Revelation Church to be added as Item 4c on the agenda.

Item 3: Hear the report of the Zoning Enforcement Officer

J. Lindo presented the Commission with the Zoning Enforcement Officer's report.

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 11/10/22. Plan modification to accommodate additional gravel storage space and reconfigure the parking area.

S. Barber and S. Coit abstained from discussion.

Pete Parent, Professional Engineer CHA, presented the commission with the site plan modification plan for 46 Stockhouse Road.

MOTION 2: S. Adelman made a motion to approve the modified site plan for 46 Stockhouse Road. M. Misarski seconded the motion.

Vote unanimous - **MOTION CARRIED**

- b. Consideration of recommendation to the Board of Selectmen for the release of a performance bond for public improvements associated with an approved Subdivision plan, by David J. Gesiak LLC, approved March 11, 2023.

S. Alexander presented the Commission with the request from David J. Gesiak LLC to release a performance bond issued to the Town of Bozrah by Great Midwest Insurance Company in the amount of \$23,200.

MOTION 3: S. Seder made a motion to release the bond contingent on the transfer of the right of way to the town. N. Taylor seconded the motion.

Vote unanimous - **MOTION CARRIED**

MOTION 4: N. Taylor made a motion to add Item 4c Revelation Church to the agenda. S. Barber seconded the motion.

Vote unanimous - **MOTION CARRIED**

Item 4c: Revelation Church

S. Alexander presented the commission with an application for a special exception for excavation from the Revelation Church. S. Alexander noted the application will be sent to a public hearing.

MOTION 5: S. Barber made a motion to receive the application from Revelation Church and set a public hearing date for October 12, 2023 at 7:00 p.m. N. Taylor seconded the motion.

Vote unanimous - **MOTION CARRIED**

Item 5: Discussion

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

The commission discussed the changes from the July meeting to the Draft Regulation Amendments: Event Venues. S. Coit and M. Misarski noted the minimum acre requirement for

RU-1 should be higher than 50 acres. The commission decided to require 10 acres in zones R2, commercial, highway commercial and industrial for event venues, excluding R1, I30 and the Village District. The commission noted they should require a 100 foot separation from residences in all zones. S. Barber suggested the number of events per year should be no more than 50. N. Taylor noted there should be a timeline to when chairs and tables should be cleaned. S. Seder noted the revisions will be sent to the legal team for review.

Item 6: Public Comment Period

Raymond Barber commented on the Mid City Steel building on Stockhouse Road and executive session.

Item 7: Review General Correspondence

S. Alexander presented the commission with a notice from the Town of Franklin for a public hearing on regulation amendments on adult use cannabis establishments and the Town of Montville is considering prohibiting cannabis retail establishments.

MOTION 6: S. Barber made a motion to amend the agenda to Item 8 Such Other Business as the Commission May Vote to Hear and Item 9 Executive Session. M. Misarski seconded the motion.
Vote unanimous - **MOTION CARRIED**

Item 8: Such Other Business as the Commission May Vote to Hear

S. Alexander noted this would be his last meeting with the commission. Mike Murphy will be present at the next meeting and they are hiring a replacement.

Item 9: Executive Session: To discuss ongoing litigation concerning 211 Bashon Hill Road

MOTION 7: S. Barber made a motion to enter executive session at 9:00 p.m. N. Taylor seconded the motion.

Vote unanimous - **MOTION CARRIED**

MOTION 8: S. Barber made a motion to exit executive session at 9:21 p.m. M. Misarski seconded the motion.

Vote unanimous - **MOTION CARRIED**

MOTION 9: S. Barber made a motion to adjourn the meeting at 9:22 p.m. N. Taylor seconded the motion.

Vote unanimous - **MOTION CARRIED**

Respectfully submitted for the Board,

Heather Provost
Recording Secretary

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS

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

MEMORANDUM

TO: Town of Bozrah Planning & Zoning Commission
FROM: Samuel Alexander, AICP, Bozrah Town Planner, SCCOG /s/
DATE: August 3, 2023
RE: Receipt of application by Zejak Realty. Site plan modifications for a plan approved at 46 Stockhouse Road.

Overview

The following modifications affect a Site Plan last approved by this Commission in November 2022:

1. Adding a 30' wide strip of gravel storage space along the northern edge of pavement.
2. Revise the parking to all be at the southwestern corner of the building (there is no longer an overhead door proposed there).
3. Reroute the gas service line to the southeast corner of the building.
4. Minor modifications to the stormwater basin (raising the outlet and berm) and the drainage swale to accommodate the additional gravel area.

Wetlands Commission Action

The Inland Wetlands & Conservation Commission will review this application tonight (August 3rd) and may take action. *The Planning & Zoning Commission cannot act until the IWCC has acted.*

Staff Preliminary Review Comments

Planner

- You've provided 11 parking (1 is ADA) spaces, table should be revised.
- That one space is required to be van-accessible. <https://www.ada.gov/topics/parking/>. Please provide a detail for the space.
- It looks like the walk is flush with pavement. I seem to recall that. Could you just confirm for me?
- I also recall the entrance to the building was near the handicap space. Can you just confirm for me?

Wetlands Agent

1. Show erosion and sedimentation control for the septic system installation.
2. Include use of water for dust control in the E&S Control O&M plan,
3. Show temporary E&S at the outlet of the stormwater basin (Possibly straw wattle).
4. Add woodchips to the silt fence detail.

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

Town Engineer

1. The construction details (Water Quality Basin and Spillway) on Sheet 3 need to be revised to reflect the elevations used in the new drainage calculations.
2. Recommend also labelling the top of berm elevation of the basin on Sheet 2.
3. The revised drainage calculations accommodate the addition of the gravel and demonstrate attenuating the proposed flows reducing peak flows from the existing conditions similar to the previously approved site plan.

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

"B"

**TOWN OF BOZRAH
INLAND WETLANDS AND WATERCOURSE COMMISSION
APPLICATION FOR PERMIT**

| | |
|---|------------------------|
| APPLICATION NUMBER: _____ | DATE RECEIVED: _____ |
| TOWN APPLICATION FEE: \$ _____ | ST. DEEP FEE: \$ _____ |
| PROFESSIONAL REVIEW FEE MAY BE REQUIRED. (To be completed by the Commission) | |

This Application has been prepared in accordance with Sections 22a-36 to 22a-45, Section 8-26, inclusive, of the Connecticut Statutes, as amended, and the Town of Bozrah Inland Wetlands and Watercourses Regulations.

All applicants shall complete all applicable sections of this application form in accordance with Section 7 of the Town of Bozrah Inland Wetlands and Watercourse Regulations. In addition, please carefully review Section 8.1 of the Regulations regarding evaluation criteria. The application shall be accompanied by a check for the appropriate fee payable to the Town of Bozrah. PLEASE ATTACH PLAN SHOWING DETAILS OF THIS APPLICATION.

1. Name of Applicant: David Medeiros
 - a) Applicant's mailing Address: 48 Stockhouse Road, Bozrah, CT 06334
 - b) Applicant's phone number (home) 508-615-1304 (work) 774-319-5260
2. Applicant's interest in property: Owner's Representative
3. Name of Property Owner (if not applicant) Zejack Realty, LLC
 - a) Property owner's address and mailing address: 48 Stockhouse Road, Bozrah, CT 06334
 - b) Owner's phone number (home) - _____ (work) 860-373-9660
4. Attach a written, witnessed consent by the owner (if the application has not been signed by the owner) to allow the applicant to submit the application.
5. Property address Stockhouse Road
 - a) Assessor's map number 4 Lot# 19A Zoning District Industrial Zone 80
 - b) Is the property part of a pending or previously approved subdivision No, if so please reference _____
6. Purpose of activity Jurisdictional Ruling: Site Plan Modification
Mass Ledge Removal & Construction of New Industrial/Manufacturing Building
(Plan Set Attached)
Site Plan Modification to add additional gravel storage space and reconfigure parking area

7. Describe in detail what the proposed activity will involve (construction, fill, material removal, etc.) including specifics
Removal of approx. 200,000 CY of Ledge to prepare site for construction of
new industrial/manufacturing facility
-
8. Acreage of wetlands and watercourses altered:
- a) Specify area altered as follows
- | | | |
|------------|----------|-------|
| Swamp | <u>0</u> | Acres |
| Marsh | <u>0</u> | Acres |
| Bog | <u>0</u> | Acres |
| Open Water | <u>0</u> | Acres |
- b) Acreage of wetlands or watercourse created 0 Acres
- c) Lineal feet of stream alteration 0 Acres
- d) Total land area of project 14.51 Acres
9. Submit a detailed plan of the proposal in accordance with Section 7 of the Town of Bozrah Inland Wetland and Watercourses Regulations. An application will not be complete without a detailed plan.
10. Describe the effect on drainage within the surrounding area. Also describe sedimentation and erosion control measure to be used
Runoff from the developed site will be treated by a water quality basin which
will also provide peak flow attenuation to downstream properties.
Standard perimeter erosion controls will be provided.
(See plans and drainage report for details)
-
11. List names and addresses of abutting property owners
Steven J. Coit, 161 Hough Road, Bozrah, CT
Brush Hill Solar Land, LLC, 40 Walnut Street, Suite 103, Wellesley, MA
Airgas Merchants Gases, LLC, Stockhouse Road, Bozrah, CT
Zejak Realty, LLC, 48 Stockhouse Road, Bozrah, CT
12. Certify whether or not the following conditions exist: a) Any portion of the property on which the regulated activity is proposed is located within 500 feet of the boundary of an adjoining municipality; b) Traffic attributed to the completed project on the site will use streets within the adjoining municipality to enter or exit the site; c) Sewer or water drainage from the project site will impact streets or other municipal or private property within the adjoining municipality, or; d) Water run-off from the improved site will impact streets or the other adjoining municipality.
These Conditions do not exist.
-
13. Note the name of the soil scientist that flagged the wetland and/or watercourse and date the wetlands were flagged. All plans submitted must have the original

signature of the soil scientist, land surveyor and professional engineer, if applicable.

Michael J. Sheehan, Blue Flags Ecological Services

The undersigned hereby consents to necessary and proper inspections of the above mentioned property by agents/commissioners of the Bozrah Inland Wetland and Watercourses Commission both before and after the permit is issued by the Commission.

The undersigned attests that the information supplied in the application is accurate to the best of his or her knowledge and belief.



Date 6-30-2023

Signature of APPLICANT

Print or type name: David Medeiros



Date 6-30-2023

Signature of OWNER

Print or type name: Louis Githen

The applicant or the applicant's representative MUST appear before the Commission at the next regular meeting at which the application will be officially received.

| To be completed by the Commission | |
|---|-------|
| Application Approved - Date: | _____ |
| Conditions of approval, if any | _____ |
| Expiration Date: | _____ |
| Extension Date: | _____ |
| Review of Completed Work Date: | _____ |
| Application Denied - Date: | _____ |
| Reasons for denial: | _____ |
| Jurisdictional Ruling: Section 4.1 _____; Section 4.2 _____; Other _____; | |
| Date: | _____ |
| Signature of Chairman or Secretary of Commission : | _____ |

PLANNING & ZONING COMMISSION
Town of Bozrah, 1 River Road
Bozrah, Connecticut 06334

ZONING APPLICATION

Date of Submission: 07/05/2023

Application Number:

Fee Paid:

- | | |
|--|--|
| <input type="checkbox"/> Site Plan Approval | <input type="checkbox"/> Zoning Regulation Amendment |
| <input type="checkbox"/> Special Exception | <input type="checkbox"/> Zoning Map Amendment |
| <input type="checkbox"/> Home Occupation | <input type="checkbox"/> Change of Use |
| <input checked="" type="checkbox"/> Other Site Plan Modification | |

Name, address and phone number of applicant:

Zejack Realty, LLC

48 Stockhouse Road, Bozrah, CT 06334

508-615-1304

dmedeiros@midcitysteel.com

Name and address of property owner: (if different than above)

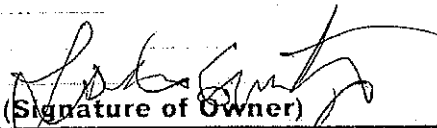
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Describe in detail what is being requested by this application: (attach all plans and sketches as required)

Mass Ledge Removal & Construction of New Industrial/Manufacturing Building

(Plan Set Attached)

Site Plan Modification to add additional gravel storage space and reconfigure parking area


(Signature of Owner)


(Signature of Applicant)

COMMISSION ACTION: () Approved; () Demed. Date:

Initialed:



Statewide Inland Wetlands & Watercourses Activity Reporting Form

Please complete and mail this form in accordance with the instructions on pages 2 and 3 to:

DEEP Land & Water Resources Division, Inland Wetlands Management Program, 79 Elm Street, 3rd Floor, Hartford, CT 06106

Incomplete or incomprehensible forms will be mailed back to the inland wetlands agency.

PART I: Must Be Completed By The Inland Wetlands Agency

- DATE ACTION WAS TAKEN: year: _____ month: _____
- ACTION TAKEN (see instructions, only use one code): _____
- WAS A PUBLIC HEARING HELD (check one)? yes no
- NAME OF AGENCY OFFICIAL VERIFYING AND COMPLETING THIS FORM:
(print name) _____ (signature) _____

PART II: To Be Completed By The Inland Wetlands Agency Or The Applicant

- TOWN IN WHICH THE ACTION IS OCCURRING (print name): Bozrah
does this project cross municipal boundaries (check one)? yes no
if yes, list the other town(s) in which the action is occurring (print name(s)): _____
- LOCATION (see instructions for information): USGS quad name: Fitchville or number: 71
subregional drainage basin number: 3900
- NAME OF APPLICANT, VIOLATOR OR PETITIONER (print name): Zejack Realty, LLC
- NAME & ADDRESS / LOCATION OF PROJECT SITE (print information): Lot 19A, Stockhouse Road, Bozrah
briefly describe the action/project/activity (check and print information): temporary permanent description: Mass Ledge Removal & Construction of Ind./Manuf. Facility
- ACTIVITY PURPOSE CODE (see instructions, only use one code): D
- ACTIVITY TYPE CODE(S) (see instructions for codes): 2, 3, 12, 14
- WETLAND / WATERCOURSE AREA ALTERED (must provide acres or linear feet):
wetlands: 0 acres open water body: 0 acres stream: 0 linear feet
- UPLAND AREA ALTERED (must provide acres): 1.6 acres
- AREA OF WETLANDS / WATERCOURSES RESTORED, ENHANCED OR CREATED (must provide acres): 0 acres

DATE RECEIVED:

PART III: To Be Completed By The DEEP

DATE RETURNED TO DEEP:

FORM COMPLETED: YES NO

FORM CORRECTED / COMPLETED: YES NO



216 Norwich Ave
Lebanon, Ct 06249

860-608-0555

djgesiak@yahoo.com

To who it may Concern:

RE: South Road Public Improvements Bond Release Request

This letter servers as my Request to release Performance Bond issued to Town of Bozrah by Great Midwest Insurance Company in the amount of \$23,200.00 Bond # GM217353 for public site improvements on South Rd. All work has been completed. (see enclosed copy of bond)

David Gesiak

7/27/23

POWER OF ATTORNEY

Great Midwest Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that GREAT MIDWEST INSURANCE COMPANY, a Texas Corporation, with its principal office in Houston, TX, does hereby constitute and appoint: David Gonsalves

its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of GREAT MIDWEST INSURANCE COMPANY, on the 1st day of October, 2018 as follows:

Resolved, that the President, or any officer, be and hereby is, authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed Ten Million dollars (\$10,000,000.00), which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed in the Company's sole discretion and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, GREAT MIDWEST INSURANCE COMPANY, has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 11th day of February, 2021.

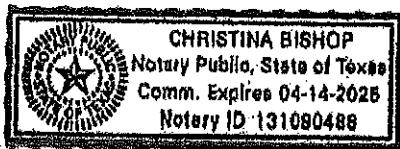


GREAT MIDWEST INSURANCE COMPANY

BY [Signature] Mark W. Haushill, President

ACKNOWLEDGEMENT

On this 11th day of February, 2021, before me, personally came Mark W. Haushill to me known, who being duly sworn, did depose and say that he is the President of GREAT MIDWEST INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



BY [Signature] Christina Bishop, Notary Public

CERTIFICATE

I, the undersigned, Secretary of GREAT MIDWEST INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the foregoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Sealed at Houston, TX this 14th Day of March, 2022



BY [Signature] Leslie K. Shaunty, Secretary

WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties.

BOND NO. GM217353

Effective Date: 03/14/2022

Subdivision Performance Bond Site Improvements

KNOW ALL PERSONS BY THESE PRESENTS that we, David J Geslak LLC, as Principal, and Great Midwest Insurance Company, a corporation organized and doing business under the laws of the state of Texas and duly licensed to conduct a general surety business in the state of CT, as Surety, are held and firmly bound unto Town of Bozrah, as Obligee, in the sum of Twenty-three Thousand Two Hundred (\$23,200.00) dollars, for which payment, well and truly to be made, we bind ourselves, our heirs, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has entered into a development agreement (the "Agreement") with said Obligee relating to a subdivision identified as: South Lake Subdivision - Public Improvements.

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall well and truly perform said Agreement during the original term thereof, or of any extension of said term that may be granted by the Obligee in writing and consented to in writing by the Surety, then this obligation shall be void, otherwise it shall remain in full force and effect. This obligation is subject to the following conditions:

1. This bond runs to the benefit of the named Obligee(s) only, and no other person or entity shall have any rights under this bond.
2. No claim shall be allowed against this bond after the expiration of one year from the completion date set forth in the Agreement, or one year from the end of the latest extension of time consented to in writing by the Surety, whichever occurs last. If the limitation set forth in this bond is void or prohibited by law, the minimum period of limitation available to sureties as a defense in the jurisdiction of the suit shall be applicable.
3. In the event of a default by the Principal and the receipt by Surety of timely written notice of a claim, the Surety shall be liable to reimburse the Obligee for damages sustained by the Obligee as a result of Principal's default of its bonded obligation. It is understood and agreed that this bond shall not be construed as a penalty or as a forfeiture obligation, but rather reimburses the Obligee for actual losses incurred.
4. This bond covers installation of site improvements, and does not cover on-going maintenance of completed site improvements. This bond will not respond to any liability that arises from design defects or efficiency guarantees.
5. In no event shall the Surety's aggregate liability hereunder exceed the dollar amount of this bond set forth above.

IN WITNESS WHEREOF, the signature of said Principal is hereto affixed, and the corporate seal and the name of the Surety is hereto affixed by its duly authorized Attorney-in-Fact this 14th day of March, 2022.

Principal

David J Geslak LLC

Signature of Authorized Officer

Print Name & Title

Great Midwest Insurance Company

David Gonsalves
Signature of Attorney-in-Fact

David Gonsalves Attorney In Fact
Print Name



Draft Regulation Amendments: *Event Venues*

Bozrah Planning & Zoning Commission June 8, 2023 UPDATED August 3, 2023
Prepared by: Sam Alexander, AIC, Southeastern Connecticut Council of Governments

These draft regulation amendments, developed by staff, for workshopping/discussion at a public meeting. This is not a formal application under consideration. Any future application requires a public hearing.

Changes decided at the July PZC Meeting:

- Minimum acreage requirement: RU-1 (50ac.), Commercial/Industrial (10ac.). ✓
- Clarification that parking shall be accommodated on-site. ✓
- Removal of restaurants from definition. ✓
- Clarification that event venues are not allowed in the Village Overlay District. ✓
- Maximum guest list size changed to 150. ✓
- Requirement for an annual review. ✓
- No notification requirement to First Selectman of events over 85% capacity.
- Require 100' separation from residences if Commercial. ✓

Definition

REVISE SECTION 2.16, *renumber section 2 as necessary*

2.16 Event Venues. Any real property and/or temporary or permanent structures thereon, used in whole or in part for the purpose of hosting social events and gatherings not open to the general public. Such gatherings may commonly include, but are not limited to, weddings, receptions, showers, parties, corporate gatherings, or banquets. This definition shall not apply to residential properties hosting a limited number of private events per year, with a connection to the owners or inhabitants of the property. This definition shall apply to any property or structure rented for a fee for such a private event, whether or not hosting events is the primary use of the property.

District Regulations

ADD NEW SECTIONS 7.2.12 (Rural Residential Zone), 8.2.3 (Commercial Zone), 8A.3.2 (Highway Commercial Zone), 9.2.5 (Industrial-80 Zone).

X.X.X Event Venues meeting the requirements of Section 11.21.

Special Exception Use Regulations

ADD NEW SECTION 11.21. *Highlights used to call attention to certain items.*

11.21 Event Venues. In addition to the general special permit requirements found in this section, and the standards and requirements of Section 10.17, the following conditions shall be met for Event Venues.

Notwithstanding any other provisions of this Section 11.21, except for Sections 11.21.5, municipally owned

property, such as parks or museums, may be used intermittently as an Event Venue, with Special Exception approval from the Planning & Zoning Commission.

11.21.1 A Special Exception for an Event Venues must be renewed every three (3) years. Such Special Exception may not be reissued if it is found that the property is not maintaining compliance with any Special Exception standards contained in Section 11.3.1:

- a. That the proposed activity will not create any conditions that could endanger public health, safety, and welfare.
- b. That vehicle access is adequate to assure that traffic hazards will not result.
- c. That no adverse impacts to natural resources occur.
- d. That there will be no adverse effects or impacts on the character of the neighborhood or its property values.
- e. That the proposed activity will not hinder the orderly and appropriate development of adjacent property.
- f. That natural or structural screening is provided to minimize visual pollution.
- g. That adequate provision is made for storm drainage to eliminate flooding, icing, or erosion problems in the vicinity.

11.21.3 Each separate Event Venue, which has received approval under this section, shall submit to the Town of Bozrah Zoning Enforcement Officer semi-annual reports of past and planned bookings for the Event Venue. Past bookings shall include all bookings within the past six (6) months, and shall highlight bookings not included on the most recent semi-annual report. Future bookings shall include all planned future bookings. Such semi-annual reports shall be submitted July 1 and January 1 of each year. Event Venues on Town-owned property, under supervision of a municipal board, commission, committee, or other agency, shall be exempt from this provision.

11.21.4 All Event Venues shall submit to the Commission an application for renewal of the Special Exception, in time for a decision to be rendered in the same month in which the Special Exception was originally approved. The Commission shall make a determination as to whether the Special Exception is to be renewed or denied, or conditionally renewed, based on the decision criteria in this section and in Section 11.3.1, and compliance with the requirements of these regulations and any conditions of the original approval. In making such a decision, the Commission may rely on testimony, reports from Town officials and staff, and other information about the actual operations of the Event Venue.

11.21.5 All Event Venues shall comply with the following performance standards. Special Exception applications must address each of these standards and explain how an Event Venue will mitigate any potential impacts to surrounding properties.

a. Amplified Sound:

i. No amplified sound is permitted after 10:00pm or before 12:00pm. The Commission may place additional restrictions on hours of amplified sound when it is found that such restrictions are necessary to limit environmental and quality-of-life impacts, given the unique circumstances of the proposal.

ii. Events with amplified sound shall be limited to Fridays, Saturdays, and Sundays.

iii. All Event Venues shall comply with CGS §22a-69 as amended, and all CT DEEP regulations promulgated for such.

b. Number of Events per Year:

i. In no case shall an individual Event Venue be permitted to host more than 100 events in a given calendar year. The Commission may further limit the number of events per year based on the unique circumstances of each proposal.

c. Lighting:

i. All permanent site lighting shall be downcast and dark-sky compliant. Permanent lighting shall cause no trespass onto adjoining properties.

ii. All temporary lighting, including string lights, shall cause no trespass onto adjoining properties, and shall be removed following each event.

d. Parking and Access:

i. Parking shall be accommodated on-site. Parking areas and access roads shall be designed and located so as to prevent headlight glare onto neighboring properties and limit noise.

ii. The Commission may require that parking areas and access roads be an all-weather surface if warranted to prevent erosion or limit noise.

iii. The applicant shall submit a parking proposal based on the anticipated capacity of the Event Venue. Such proposal shall account for at least one (1) parking space per every three (3) guests at the largest expected function, and one (1) parking space per employee or employee of a vendor anticipated at an event with the largest expected need for staff. No on-street parking is permitted.

e. Number of Guests:

i. No event shall exceed one-hundred and fifty (150) guests. The Commission may further limit the number of allowed guests at a proposed Event Venue, given the unique circumstances of the proposal.

11.21.6 Event Venues in Rural Areas. This section shall apply to any proposed Event Venue in the Rural Residential (RU-1) zoning district. This section shall not apply to Event Venues on Town-owned property.

a. Such venue shall be located on property containing at least fifty (50) acres.

b. The portion of property containing the Event Venue shall be limited to interior areas of the property, as judged by the Commission, away from neighboring properties, unless such property is under common ownership to the proposed event venue.

i. At a minimum, there shall be no activity related to the Event Venue, other than an access drive, within 100 feet of any property exterior boundary.

ii. Sufficiently dense screening, by use of a berm, existing vegetation, or new landscape plantings, shall be maintained in order to limit sound emissions and light trespass. In no instance shall a vegetated buffer be less than 30' in depth.

11.21.7 Event Venues in Commercial Areas. This section shall apply to any proposed Event Venue in the Commercial, Highway Commercial, or Industrial-80 zones, except those parcels located in the Village Overlay District. This section shall not apply to Event Venues on Town-owned property.

a. If events are conducted outdoors, in tents or similar temporary structures, or in open air, such venue shall be located on property containing at least ~~ten (10) acres~~.

b. Sufficiently dense ~~screening, by use of a berm, existing vegetation, or new landscape plantings~~, shall be maintained in order to limit sound emissions and light trespass, where properties abut residential or other incompatible land uses. In no instance shall a vegetated buffer be less than ~~30' in depth~~.

c. In no case shall any building or outdoor event or gathering space Event Venue be located closer 100 feet from a residence.

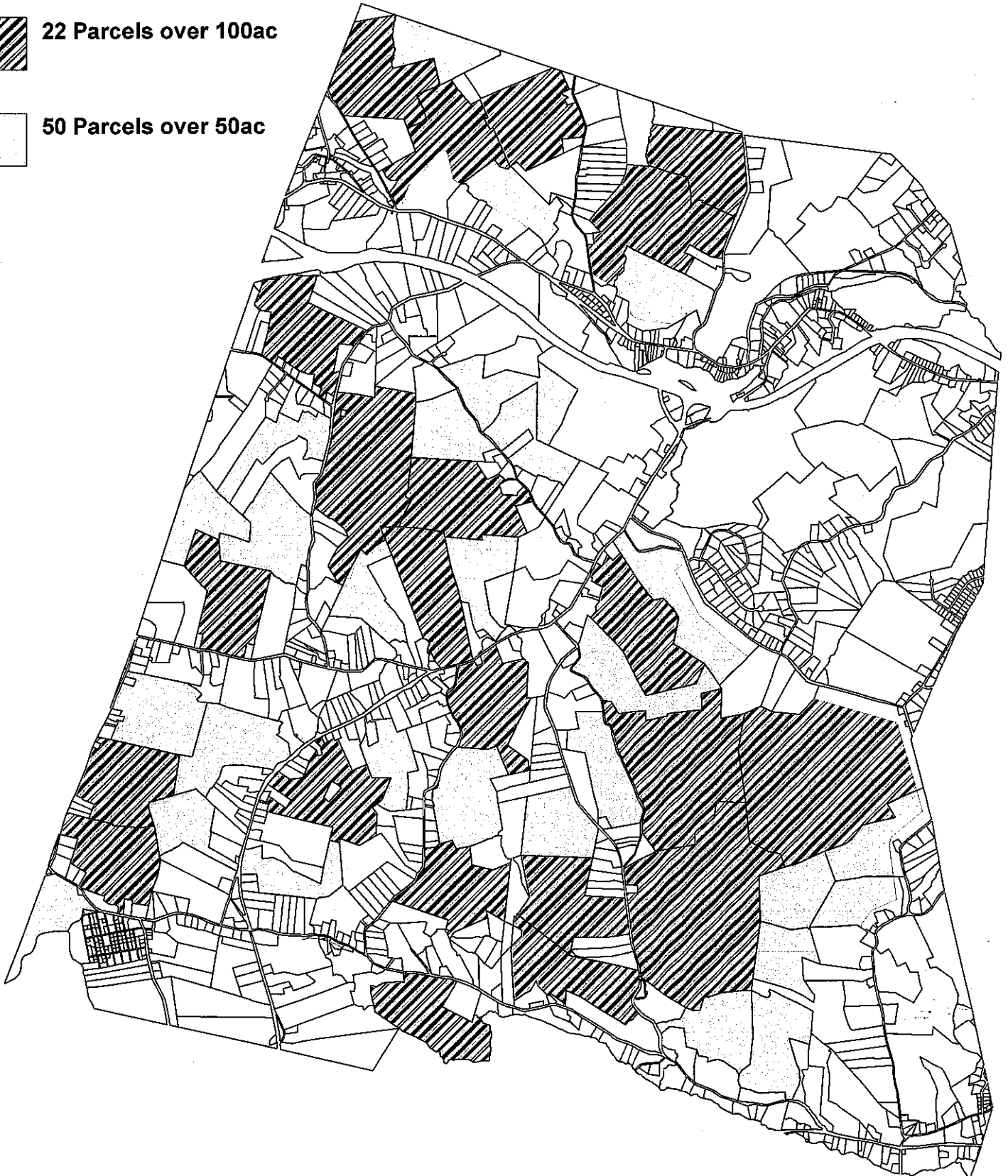
AWAITING LEGAL REVIEW

RU-1 Zoning District

For Event Venue zoning discussion 8/10/23
Bozrah PZC

 22 Parcels over 100ac

 50 Parcels over 50ac




HC, C, I-80 Zoning Districts

For Event Venue zoning discussion 8/10/23
Bozrah PZC

 Highway Commercial
1 parcel >10ac

 Commercial
1 parcel >10ac

 Industrial-80
12 parcels >10ac
(no I-30 >10ac)

