

**REGULAR MEETING
TOWN OF BOZRAH
PLANNING AND ZONING COMMISSION**

May 12, 2022

Chairman Steve Seder called the regular meeting of the Town of Bozrah Planning and Zoning Commission to order at 7:00pm, on Thursday, May 12, 2022. The meeting was at Bozrah Town Hall, 1 River Road, Bozrah, Connecticut.

Members present: Scott Barber, Nancy Taylor, Manny Misarski, Steve Coit, Steve Gural (alt.), Seymour Adelman (alt.), Frank Driscoll (alt.).

Others present: Glenn Pianka (First Selectmen), Sam Alexander, AICP (Town Planner/SCCOG), John Herring (Zoning Enforcement Officer/SCCOG), Mark Zamarka (Waller, Smith and Palmer, P.C.), William Sweeney (TCORS), Debra White-Palmer, Brian Palmer, Logan Gordon, Tracy Gordon, Sabrina Weisberger Foulke, AIA (Point One Architects), Kelsy Janus, AIA (Point One Architects), Ray Barber, Alex Gebbie, Carolyn Dziengiel, others from the public were present.

1. Review and Approve Minutes:

a. April 14th

Motion by Steve Gural to approve the minutes as presented. Second by Nancy Taylor.

VOTE: UNANIMOUS – MOTION CARRIED

2. Review Correspondence Pertaining to Agenda Items.

Sam Alexander (Town Planner) noted the items contained in the packets for the evening.

3. Hear the Report of the Zoning Enforcement Officer.

John Herring (ZEO) reported on recent zoning enforcement activity and administrative approvals.

4. Old Business:

a. Bashon Hill Farms, LLC, 211 Bashon Hill Road: Owner: Stoney Hill Farm, LLC. Modification of an approved Special Exception, Excavation. Increase truck traffic volume above previously permitted volume.

Steve Coit was recused. Steve Coit, Frank Driscoll, and Seymour Adelman did not participate in deliberations.

Sam Alexander (Town Planner) reviewed the Special Permit general criteria. Scott Barber asked Commissioners if they have any questions pertaining to the application. Scott Barber noted that the Commission is simply acting on the application in front of them and no other consideration. The Commission was in concurrence that it was ready to make a decision.

A motion was made by Nancy Taylor to *deny the application to modify a special exception for 211 Bashon Hill Road, made by Bashon Hill Farms, LLC, owner Stoney Hill Farm, LLC, to increase the allowed volume of truck traffic from two trucks per day to twelve trucks per day. The Commission found that the excess*

traffic created by the excavation activity created hazardous conditions incompatible with the surrounding neighborhood, and endangered public health, safety, and welfare. Further, there is evidence in the record that the applicant would be removing more material from the site than previously permitted, including material smaller than 3 inches, which was previously proposed to remain on-site and returned to the field. Manny Misarski seconded the motion.

VOTE: UNANIMOUS – MOTION CARRIED

5. New Business:

a. Tracy and Logan Gordon (Main’s Country Store), 318 Fitchville Road: Commercial Site Plan. Addition to a commercial building, removal of parking area islands, and other improvements.

Logan Gordon (Main’s Country Store) described the store’s planned expansion, which focused primarily on the interior of the building. Interior renovations necessitated a slight increase in total footprint because of the addition of an enclosed vestibule at the entrance. Repaving is also proposed, and Main’s intends to remove two small islands from the parking area if allowed by the Connecticut Department of Transportation (DOT).

Kelsy Janus, AIA of Point One Architects described exterior elements that would be changed. The project includes a complete overhaul of the façade and new building-mounted signage.

Sam Alexander explained that the increase in footprint requires zoning approval, as well as the signage. Both appear to meet the zoning regulations. The parking lot, since it is being repaved and restriped, can proceed without approval from the Commission. It was noted that the islands could either stay or go, based on approval from DOT.

Sam Alexander noted that the setback would be reduced as part of the increase in footprint. The more permissive standards of the Village Overlay District would be applied if the building renovation incorporates “New England” -style features. The Commission was generally in agreement that it did.

A motion was made by Steve Gural to approve the site plan. Manny Misarski seconded the motion.

VOTE: UNANIMOUS – MOTION CARRIED

b. Pre-application discussion: Debra White-Palmer. Zoning regulation amendments to allow Event Venues in the Highway Commercial zone by Special Exception.

Attorney William Sweeney (TCORS) presented draft zoning regulation amendments on behalf of Debra White-Palmer, 410 Salem Turnpike, owner of DWP Events at the same location. Ms. White-Palmer would like the ability to host private events, such as weddings at her business/home in the Highway Commercial zone.

Mr. Sweeney reviewed the draft regulation amendments, which create a new Special Exception category for Event Venue, with use regulations, including a 200-person attendance limit, minimum acreage of 2 acres, allowance of off-site parking, a 10pm limit on amplified music, screening and buffering, and compliance with the health code.

The Commission discussed aspects of the proposed amendments, such as the presence of ledge to the north and south of the Highway Commercial district and the tendency for sound to reverberate, minimum acreage requirements, conflicts with neighbors, off-site parking and shuttling, screening, buffers, and setbacks. Mr. Sweeney took in the

conversation and stated that he would discuss revisions with Ms. White-Palmer before submitting an application.

6. Affordable Housing Plan.

Sam Alexander noted that the adopted plan requires two minor modifications, for clarification purposes. Motion by Manny Misarski to approve minor modifications suggested by the Town Planner. Second by Steve Gural.

VOTE: UNANIMOUS – MOTION CARRIED

7. Public Comment Period.

Alex Gebbie (Pledge Property Management) addressed the Commission regarding 194 Fitchville Road. Mr. Gebbie is interested in converting this from an office to a multi-family building. Mr. Gebbie's company owns about 400 units of housing in the area, including a number of properties on Fitchville Road. The zoning does not currently allow for this, since the property is in the Industrial 80 zone, overlaid by the Village Overlay District.

The Commission discussed the possibility of a zoning map amendment, and the nature of the property as well as the properties around it. The feeling of the Commission was inconclusive. Nearby, zoning is R-2 Residential.

Carolyn Dziengiel (Bashon Hill Road) asked whether any enforcement actions have been taken or will be taken for 211 Bashon Hill Road. Ms. Dziengiel commented that 211 Bashon Hill Road has a pending wetlands application.

Glenn Pianka (First Selectman) spoke about consistency in zoning and not always needing to make amendments to fit every project. There is a Board of Selectmen meeting on Tuesday where the budget will be discussed. Seymour Adelman stated that the groundwater level at 194 Fitchville Road is high and a proper septic system will be difficult to accommodate for a multi-family building. Glenn Pianka commented on the needs of businesses; he attended a Southeastern Connecticut Enterprise Region meeting, where he learned that there is a need for 25,000 to 35,000 square-foot buildings with no interior walls.

8. Review General Correspondence.

There was none.

9. Such other Business as the Commission may Vote to Hear.

The Commission discussed enforcement action to be taken for 211 Bashon Hill Road with the Zoning Enforcement Officer. There was discussion of the need for an attorney with more practical experience in excavation.

A motion was made by Manny Misarski to issue a Cease and Desist Order for excavation activities at 211 Bashon Hill Road, then consult with the Town Attorney. Second by Steve Gural

VOTE: 2 in favor, 2 opposed, 1 abstained - MOTION FAILED

A motion was made by Nancy Taylor to recommend hiring of an outside consulting land use attorney in coordination with the Board of Selectmen, with the Board of Selectmen raising the issue its next meeting. Second by Steve Coit.

VOTE: UNANIMOUS – MOTION CARRIED

Motion by Steve Gural to adjourn. Second by Manny Misarski.

VOTE: UNANIMOUS – MOTION CARRIED

The meeting was adjourned at 9:05pm.

Respectfully submitted,

Samuel Alexander
Town Planner/SCCOG