

**TOWN OF BOZRAH  
BOZRAH TOWN HALL, 1 RIVER ROAD  
BOZRAH, CONNECTICUT 06334**

**BOZRAH PLANNING & ZONING COMMISSION**

AGENDA

Thursday, May 12, 2022, 7:00 p.m.

The Bozrah Planning & Zoning Commission will hold its regular meeting on Thursday, May 12, 2022, at 7:00 p.m., at the Bozrah Town Hall, 1 River Road, Bozrah, CT.

1. Review and approve minutes:
  - a. April 14<sup>th</sup>.
2. Review correspondence pertaining to agenda items.
3. Hear the report of the Zoning Enforcement Officer.
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.
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.
  - b. Pre-application discussion: Debra White-Palmer. Zoning regulation amendments to allow Event Venues in the Highway Commercial zone by Special Exception.
6. Update on Affordable Housing Plan.
7. Public comment period.
8. Review general correspondence.
9. Such other business as the commission may vote to hear.

Stephen Seder, Chairman  
Planning & Zoning Commission

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

**April 14, 2022**

Chairman Steve Seder called the regular meeting of the Town of Bozrah Planning and Zoning Commission to order at 7:02pm, on Thursday, April 14, 2022. The meeting was at Bozrah Town Hall, 1 River Road, Bozrah, Connecticut.

Members present: Stephen Seder (Chairman), Scott Barber, Nancy Taylor, Steve Coit, Steve Gural (alt.).

Others present: Glenn Pianka (First Selectmen), Sam Alexander, AICP (Town Planner/SCCOG), John Herring (Zoning Enforcement Officer/SCCOG), James Paternostro Jr. (Bashon Hill Farms, LLC), Pete Parent, P.E. (CHA Companies), Bill McCoy (Heller & McCoy PC), Bert Jones (Maine Drilling and Blasting), Tim Harmon (Maine Drilling and Blasting), Carolyn Dziengiel, others from the public were present.

1. Review and Approve Minutes:

a. March 10<sup>th</sup>.

b. March 29<sup>th</sup>.

c. March 31<sup>st</sup>.

Steve Coit did not sit. Steve Gural was appointed to sit in his place. Nancy Taylor noted a typo in the March 31 minutes and made a motion to approve all three meetings' minutes as presented and including the change noted. Scott Barber seconded the motion.

**VOTE: UNANIMOUS – MOTION CARRIED**

2. Review Correspondence Pertaining to Agenda Items.

Sam Alexander (Town Planner) reviewed items of correspondence pertaining to agenda item 4a: A memo from the project engineer, a bond estimate for public improvements, a memo from the Town Planner, and a letter from Norwich Public Utilities.

**VOTE: UNANIMOUS – MOTION CARRIED**

3. Hear the Report of the Zoning Enforcement Officer.

John Herring (ZEO) reviewed his recent activity, which included a drive-by inspection of a property on Bozrah Street suspected of being a “junkyard”. The Commission was able to ask questions of the ZEO and follow up on other enforcement activities, including a “rooming house”, which the ZEO will look into.

4. Old Business:

a. Steven Coit, 28 Stockhouse Road: Commercial Site Plan. Construct a 9,600sf building, parking, drainage and other site improvements; Conduct rock removal and grading.

Bill McCoy, attorney representing Steve Coit introduced himself and noted that representatives from CHA Companies engineering and Maine Drilling and Blasting were present.

Pete Parent, P.E. (CHA Companies) described minor changes to the site plan, which address final comments from the Town Engineer. Notably the size of the water quality basin was increased.

Bert Jones and Tim Harmon explained the plan for blasting material. The site taken down in sections, with the tallest being about 45 feet deep. Bert Jones explained the process required for pre-blast surveys and notification of nearby neighbors. About 250,000 cubic yards are expected to be removed. There was discussion about the number of charges per blast, brought up by Bill McCoy. There would be anywhere from 60 to 100 holes per blast. There was discussion of what parts of the blasting operation account for vibrations.

Sam Alexander stated that he had no outstanding comments and that the application appears to be complete. Sam Alexander read a list of suggested approval conditions and noted that the Inland Wetlands & Conservation Commission suggested an additional condition of requiring as-built plans. There was extensive discussion amongst commissioners and the applicant's representatives. It was ultimately determined that the Commission would not require as-built plans.

There was discussion of the timeframe for the site plan. The site plan carries a five-year statutory timeframe. There was discussion of whether or not the site plan should be conditioned on the applicant applying for a building permit within a certain amount of time. Steve Coit pledged to apply for a building permit within one year.

Scott Barber made a motion to approve the application with the following conditions:

- 1. Submission of an erosion and sediment control bond, in a form satisfactory to the Zoning Enforcement Officer, in the amount of \$28,050, prior to any site work. The bond will be returned upon final stabilization of the site and removal of erosion and sediment controls. The bond may be utilized by either the Planning & Zoning Commission or the Inland Wetlands & Conservation Commission.*
- 2. Submission of a bond to cover the cost of public improvements, in a form satisfactory to the Board of Selectmen, in the amount of \$10,080, prior to removal of existing public infrastructure and installation of new public improvements.*
- 3. The applicant will inspect and maintain the on-site stormwater basin and all on-site infrastructure, as described in the Stormwater Facility Operation and Maintenance Plan provided in the plan set. Non-compliance may result in enforcement action.*
- 4. Strict compliance with blasting permits and regulations, including all conditions established by the State of Connecticut and Town of Bozrah Fire Marshall.*
- 5. A copy of the blasting plan shall be submitted to the land use office.*

Steve Gural seconded the motion.

**VOTE: UNANIMOUS – MOTION CARRIED**

b. 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.

The public hearing on this application is closed. Sam Alexander noted that he is waiting on a response to questions from the town attorney. The Commission discussed with staff possible enforcement actions related to truck traffic, in the interim. The Commission will be notified of any action taken by staff. Nancy Taylor made a motion to table discussion until the next meeting. Scott Barber seconded the motion.

**VOTE: UNANIMOUS – MOTION CARRIED**

5. Affordable Housing Plan.

Steve Coit rejoined the Commission. Steve Gural sat as an alternate. The Commission discussed the draft Affordable Housing plan and the statutory requirement to adopt a plan by June 1. There was discussion of what other towns were considering. The Commission discussed the various recommendations of the plan. Nancy Taylor noted that she was not in favor of allowing accessory dwelling units for non-family members. There was discussion about group homes and whether those count as affordable housing or not.

Scott Barber made a motion to adopt the plan. Nancy Taylor seconded the motion.

**VOTE: UNANIMOUS – MOTION CARRIED**

6. Public Comment Period.

Ray Barber (8 Goshen Road) stated that applicants' agents should properly introduce themselves and stand while speaking.

7. Review General Correspondence.

A zoning complaint was received prior to the meeting, which will be appropriately handled by staff. Sam Alexander read the letter for the Commission.

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

The Commission discussed with the ZEO complaints regarding a home on Autumn Way. The ZEO has attempted to make contact with the owner and the complainants but was unsuccessful.

Glenn Pianka commented that 162 Gager Road was sold.

The Commission discussed the status of Mid-City Steel's site plan. The Town Planner will follow up with management. Mid-City Steel will need to file a new site plan application if it does not anticipate completing work anticipated with the previous site plan by the end of the year.

The Board of Selectmen will discuss the draft revised land use fee schedule on April 18<sup>th</sup>.

Scott Barber made a motion to adjourn. Nancy Taylor seconded the motion.

**VOTE: UNANIMOUS – MOTION CARRIED**

The meeting was adjourned at 8:36pm.

Respectfully submitted,

Samuel Alexander  
Town Planner/SCCOG



**TOWN OF BOZRAH**  
TOWN HALL  
1 RIVER ROAD  
BOZRAH, CT. 06334  
Telephone: (860) 889-2689 • Fax: (860) 887-5449

April 18, 2022

James Paternostro  
Stoney Hill Farm LLC  
P.O. Box 221  
South Glastonbury, CT 06073

SUBJECT: Complaint re Sunday operations at 211 Bashon Hill Rd

Dear Mr. Paternostro:

A complaint was received by the Land Use office that excavation activities were taking place on Sunday, April 10, 2022.

This letter is to notify you of the Town's receipt of the complaint. As a reminder, Sunday operations are not allowed under the conditions of your permit.

Please be aware that while there is an ongoing application for a change to permit conditions, until the Planning and Zoning Commission formally acts on that application, all permit conditions remain unchanged. That includes the prohibition on Sunday operations as well as restrictions in the number of vehicles permitted daily.

Should you have any questions, you may contact me at the Town Hall. I am typically there on Thursday afternoons, and other times by appointment.

Sincerely,

John Herring  
Zoning Enforcement Officer  
Town of Bozrah



**TOWN OF BOZRAH**  
TOWN HALL  
1 RIVER ROAD  
BOZRAH, CT. 06334  
Telephone: (860) 889-2689 • Fax: (860) 887-5449

Mr. Carl Gorman  
238 Bozrah Street  
Bozrah, CT 06334

Dear Mr. Gorman:

A recent drive-by inspection of your property showed a number of apparently unregistered vehicles, parts, and other materials. As defined in the Town of Bozrah Zoning regulations (Sections 2.21 and 10.4), this constitutes a junk yard, which is not permitted in the RU-1 zone in which your property is located.

Please contact this office within two weeks so that I may schedule an inspection, or have the unregistered vehicles removed in that time.

Thank you for your attention in this matter.

John Herring  
Zoning Enforcement Officer  
Town of Bozrah

## SECTION 2 - DEFINITIONS

Words used in these Regulations shall have the definitions contained in this Section. All other words and phrases shall have commonly accepted meanings:

**2.15.1 Event Venue. Any property or portion thereof used for hosting weddings, dinners, corporate gatherings, performances and other private special events and celebrations.**

## SECTION 8A - (HC) HIGHWAY COMMERCIAL

8A.3 Special Exceptions. The following uses may be permitted by the Commission subject to the provisions of Section 11 of these Regulations.

8A.3.1 Video game arcades.

**8A.3.2 Event Venues.**

## SECTION 11 - SPECIAL EXCEPTIONS

**11.21 Event Venues. Such uses shall be located on lots containing not less than two (2) acres.**

**11.21.1 Proposed events shall be reasonably accommodated at the site and shall be appropriate to the surrounding area. No event shall exceed two hundred (200) guests. The applicant shall submit information to the Commission detailing the proposed frequency, size, nature and management of events.**

**11.21.2 Parking shall be provided at a rate of one (1) parking space for every four (4) guests. Parking may be provided onsite and/or offsite provided that such offsite parking is located within 600 feet of the site or shuttle service is otherwise provided. The applicant shall submit information to the Commission detailing the proposed arrangements for both guest and staff parking as well as handicapped accessible parking.**

**11.21.3 Event areas shall be reasonably screened from adjacent parcels. The Commission shall require at least 25 feet of sufficiently dense vegetative screening or alternatively a combination of fencing and/or other buffers along any side or rear property line, to protect the integrity of adjacent properties and provide an effective auditory and visual barrier. The Commission may require additional buffering based on the context of a proposed event venue location.**

**11.21.4 Amplified music for events shall not be permitted before 12:00 PM or after 10:00 PM.**

**11.21.5 Event venues shall provide suitable and adequate facilities for water and sewerage. Temporary and portable services, subject to the requirements of the Connecticut Public Health Code, are permitted to satisfy this requirement.**