

**REGULAR MEETING
TOWN OF BOZRAH
PLANNING AND ZONING COMMISSION
January 9, 2020**

Chairman Stephen Seder called the regular meeting of the Town of Bozrah Planning and Zoning Commission to order at 7:00 PM, at the Bozrah Town Hall, on Thursday, January 9, 2020.

Members present: Stephen Seder (Chairman), Scott Barber (Vice Chairman), Manny Misarski, Steve Gural, Nancy Taylor, Seymour Adelman (alt.), Steve Coit (alt.).

Members absent: Frank Driscoll (alt.).

Others present: Carl Zorn (First Selectman), Glenn Pianka (Board of Selectmen), Sam Alexander (Town Planner/SCCOG), Ray Barber (resident), Mark Reynolds (Reynolds Engineering Services), Jordan Hyde (resident), Janet Blanchette (J&D Civil Engineers), Rocco Sabatino (Pelletier Builders), Brian Dudek (Collins & Jewell Co.), Paul Papathanasiou (Bozrah Pizza), Matt Grahn (Norwich Bulletin).

Chairman Stephen Seder called the meeting to order at 7:00pm. Chairman Seder appointed Steve Coit (alt.) to sit in place of Nancy Taylor. Nancy Taylor arrived at 7:02pm and Steve Coit was unseated.

1. Review and approve the minutes of the December 12, 2019 regular meeting.

Manny Misarski made a motion to approve the minutes of the regular meeting. Scott Barber seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

2. Review correspondence pertaining to agenda items.

Sam Alexander (Town Planner) reviewed correspondence for the two active site plan applications. Sam Alexander listed the following new items of correspondence in the packets for Three & An Apple LLC (Bozrah Pizza): Updated site plan (1/9), Connecticut Department of Public Health septic approval letter (1/2), Planner report re: screening (1/2), Town Planner comments (12/17), Notices to Montville and Norwich (12/17), Connecticut Department of Transportation approval letter (12/11).

Sam Alexander listed the following new items of correspondence in the packets for Collins & Jewell Company: Updated site plan (1/9), Updated final bond estimate (1/9), Town Engineer final comments (1/9), Final stormwater report (1/7), Response to Town Engineer comments (1/7), Town Engineer comments (1/3), Lighting detail (12/26), E&S bond estimate (12/26), Stormwater O&M plan (12/26), Response to Planner comments (12/26), Notices to Franklin and Norwich (12/17), Fire Marshall comments (12/12).

3. Hear the Report of the Zoning Enforcement Officer.

The Commission reviewed the report provided by the Zoning Enforcement Officer.

The Commission discussed with the Carl Zorn (First Selectman) and amongst themselves the concern over the Zoning Enforcement Officer not being able to attend meetings, creating a situation where the Commission cannot follow up questions about the monthly report. Chairman Seder determined to get in contact with the Zoning Enforcement Officer to discuss her hours.

The Commission briefly discussed an upcoming appeal to the Zoning Board of Appeals, of an enforcement order by the Zoning Enforcement Officer, which will receive a public hearing on January 16.

The Commission asked about a Freedom of Information Act request, Carl Zorn explained that the Zoning Enforcement Officer was complying with a request for land use documentation for applications related to a certain business. The Commission asked about a drainage issue on Autumn Way mentioned in the report. Carl Zorn explained that a letter was sent to a homeowner about a sump pump drain or other drain discharging water into the road.

Scott Barber made a motion to accept the Zoning Enforcement Officer's report. Nancy Taylor seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

4. Old Business.

a. #12-00-19. Three and an Apple, LLC (Bozrah Pizza), Salem Turnpike (19/007): Site Plan. Construction of 10,500sf building containing a restaurant and office space, parking, and other site improvements.

Mark Reynolds, P.E. (Reynolds Engineering Services) reviewed the updated plan for Bozrah Pizza. Mark Reynolds noted that Connecticut Department of Transportation (CT DOT) Encroachment Permit approval and Connecticut Department of Public Health (CT DPH) septic system approval were both received.

Mark Reynolds reviewed changes to the site plan regarding drainage: Slight grading is proposed along the western edge of the property. And in place of the original southeast entrance/exit, and serving in the case of overflow of the infiltration system, a small vegetated basin is proposed. Mark Reynolds explained that the CT DOT, by way of granting an encroachment permit, is comfortable with any drainage during a major storm potentially impacting the right-of-way.

Sam Alexander explained that the Town Engineer has not completed a final review and had outstanding comments. Sam Alexander stated that the Fire Marshall has no outstanding plan comments. Mark Reynolds stated that he will put a turning radius template on the plan. Mark Reynolds addressed other minor comments by the Town Planner and Town Engineer.

Chairman Seder asked about proposed screening. Mark Reynolds addressed a memo by the Town Planner pertaining to the removal of a stockade fence from the site plan, and urging the Commission to discuss proper site screening. Mark Reynolds stated that White Pine is proposed to be planted ten feet off-center along the eastern property line in place of a stockade fence. The Commission, Mark Reynolds, and Sam Alexander discussed the

issue and determined that as long as a low-growing and bushy variety of white pine is used, rather than the typical variety, which grows tall and provides little screening benefit, they are comfortable with the removal of the stockade fence. Mark Reynolds suggested planting trees at roughly six feet tall.

Nancy Taylor asked about groundwater monitoring. Mark Reynolds stated that he will be conducting groundwater monitoring prior to septic construction. Mark Reynolds explained that he expects an approval letter shortly from CT DPH for the public water system well. Mark Reynolds stated there will be a consent agreement covering well treatment and monitoring. There are no outstanding comments from CT DPH, but he is waiting on an approval letter. Scott Barber asked about water metering. Mark Reynolds answered that this is a typical requirement for septic systems for restaurants, and used to determine system design adequacy over time.

The Commission discussed approval conditions, including seeking a resolution to the vegetative buffer. Sam Alexander read his suggested approval conditions aloud:

- Applicant to comply with requests for documentation for the Town Engineer to complete a final review and applicant to address comments by the Town Engineer and pay any outstanding costs of review and incorporate any changes into final plans to be submitted for the application file, prior to the application of building permits.
- Applicant to provide Erosion and Sediment control bond in amount and form satisfactory to the Zoning Enforcement Officer, to cover the cost of installing, inspecting, and maintaining Erosion and Sediment control structures, prior to disturbing the site. The bond estimate will cover all Erosion and Sediment control structures contained on the final plans to be submitted for the application file.
- Applicant to submit proof of Public Water System well siting approval from the Connecticut Department of Public Health for the application file, prior to the application for building permits.
- Applicant to update plans to show a low-growing pine variety with adequate width to shield the neighboring property, the final variety to be approved the Commission or its agent, in place of the stockade fence shown on the original plans.

Scott Barber made a motion to approve the application with the stated conditions. Manny Misarski seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

Mark Reynolds thanked the Commission for their input.

b. #12-01-19. Collins & Jewell Co., 3 Rachel Drive (04/057-2): Site Plan. Construction in four phases of 105,600sf [now proposed to be 99,840sf] building for manufacturing, parking, and other site improvements.

Janet Blanchette, P.E. (J&D Civil Engineers), Rocco Sabatino (Pelletier Builders) reviewed changes to the site plan for Collins & Jewell Co. Janet Blanchette explained that the building size of the “phase 4” building component will be reduced to bring the overall building size to under 100,000sf. Janet Blanchette reviewed proposed pedestrian egress for the phase 4 building, as well as comments by the Town Engineer and Town Planner. Janet Blanchette reviewed the site layout, noting the parking and drainage areas. Rocco Sabatino briefly reviewed the draft building plans.

Sam Alexander stated that there are no outstanding comments by him, the Town Engineer, or the Fire Marshall. Chairman Seder asked if there were any other comments or questions by the Commissioners. Chairman Seder stated that the project team has done a great job and presented a good plan. Brian Dudek answered questions about trailer parking and the types of trucks used by Collins & Jewell.

Chairman Seder asked about the final comments by the Town Engineer. Sam Alexander stated that one comment necessitated a change of the plans, which was made by Janet Blanchette and incorporated into the current plans. Sam Alexander stated that there is a phased erosion and sediment control bond proposal. Janet Blanchette spoke about the proposed bond phasing. The Commission felt ready to act on the application.

Sam Alexander read his suggested approval condition aloud:

- Applicant to provide Erosion and Sediment control bonds for each project phase, as estimated, and in form satisfactory to the Zoning Enforcement Officer prior to disturbing the site.

Steve Gural made a motion to approve the application with the stated conditions. Scott Barber seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

Brian Dudek and Janet Blanchette thanked the Commission.

5. Public comment period.

Ray Barber (Goshen Road) urged Commissioners to attend as citizens the Zoning Board of Appeals public hearing regarding an appeal of an enforcement order. The public hearing is scheduled for January 16 and is in regards to a parked trailer and campers on a vacant piece of land abutting Route 2 and Fitchville Pond. The Commission determined to send a letter, signed by the Chairman, to the Zoning Board of Appeals, as testimony for the hearing. The Commission chose to outline in the letter the reasons the use of land is in violation of the regulation, and urge the Board to uphold the order.

Glenn Pianka (Board of Selectmen/Fitchville Road) urged the Commission to consider in the future the needs of an abutting property owner when considering plantings for a vegetative buffer. Glenn Pianka suggested that the abutting property owner may not require as much screening as the Commission is considering.

6. Review general correspondence.

There was none.

7. Such other business as the Commission may vote to hear.

There was none. Scott Barber made a motion to adjourn the meeting. Nancy Taylor seconded the motion. The meeting was adjourned at 8:21pm.

Respectfully submitted,
Samuel Alexander (acting secretary)
Town Planner/SCCOG