

**REGULAR MEETING
TOWN OF BOZRAH
PLANNING AND ZONING COMMISSION
March 11, 2021**

Chairman Steve Seder called the regular meeting of the Town of Bozrah Planning and Zoning Commission to order at 7:03pm, on Thursday, March 11, 2021. The meeting was held via Zoom video/teleconference.

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

Members absent: Steve Gural, Seymour Adelman (alt.), Frank Driscoll (alt.).

Others present: Katey DeCarli, P.E. (ZEO/WEO/ CHA), Sam Alexander, AICP (Town Planner/SCCOG), Brandon Handfield, P.E. (Yantic River Consultants), David Gesiak (Applicant), Debra White-Palmer (Applicant), Jennifer Weigand-Watkinson (Applicant), Ray Barber, Jennifer Rae, Keith LeMoine, Pat Goff.

Chairman Steve Seder called the meeting to order at 7:03pm. Mr. Seder appointed Steve Coit to sit in place of Steve Gural.

1. Review and approval of minutes:

a. February 11, 2021 regular meeting.

Manny Misarski made a motion to approve the minutes as presented. Scott Barber seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

a. February 25, 2021 Affordable Housing plan public workshop.

Nancy Taylor made a motion to approve the minutes as presented. Manny Misarski seconded the motion.

VOTE 4/0/1 (Abstention: Barber) – MOTION APPROVED

2. Review correspondence pertaining to agenda items:

Sam Alexander (Town Planner) noted that the Commission received correspondence from the Town Engineer dated March 10th, following the Town Engineer's review of the Gesiak Subdivision work proposal and bond for work within the future town right-of-way. A response to comments and updated bond estimate was sent the same day from the project engineer.

3. Hear the report of the Zoning Enforcement Officer:

Katey DeCarli, P.E. (ZEO/WEO) reported on ongoing zoning enforcement issues in town, and Commissioners were able to ask questions.

Katey DeCarli explained that the owner of 44 Lebanon Road, which was found to contain an illegal apartment unit, is proposing to use the apartment space for his office.

Ms. DeCarli reviewed a wetlands enforcement issue on Bashon Hill Road. Based on Ms. DeCarli's description of the activity, it appears the activity is also an earth excavation, and therefore subject to zoning regulations. The Commission asked that the property owner present an application.

Ms. DeCarli reviewed a dust issue resulting from cleaning at Hillendale egg farm. Ms. DeCarli was not given notice of the cleaning, but will be in contact with the property owner.

4. Old Business:

a. #01-00-21. David J. Gesiak, LLC. 216 Norwich, Ave. Lebanon, CT: Seven-lot subdivision, southeast corner of Bozrah Street and South Road (Map, 14, Lot 046).

The Commission reviewed recent correspondence from the Town Engineer and a corrected bond estimate from the project engineer.

The Commission discussed the process for assessing the fee in lieu of open space figure and when and how to apply it. The Commission asked the applicant for the full amount up-front and the applicant agreed.

The Commission discussed whether or not to wait for a review by the Connecticut Department of Transportation (CT DOT) District 2. It was determined that the Bozrah Street driveways will require permits from District 2, but that there is no guarantee the Commission will receive District 2's comment on the subdivision application.

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

1. Prior to filing mylars with the Town Clerk, the applicant will post a bond in a form acceptable to the Zoning Enforcement Officer, in the amount proposed in the application, to cover proposed work associated with the right-of-way land dedication.
2. The applicant will file mylar copies of the plan with the Town Clerk within 90 days of the expiration of the approval appeal period, or otherwise request an extension.
3. The applicant will complete all proposed work associated with the right-of-way land dedication; the land will then be deeded to the Town.
4. All proposed boundary markers will be in-place prior to lot development.
5. The applicant will deposit a \$10,800 fee in lieu of open space prior to the filing of the mylars.

Manny Misarski seconded the motion.

Scott Barber requested that the applicant forward the final approval letter for the three driveways when it is received. Pat Goff (resident) stated that applications should be approved with careful consideration.

VOTE UNANIMOUS – MOTION APPROVED

5. New Business:

a. #03-00-21. Jennifer Weigand-Watkinson. 356 Salem Turnpike, Bozrah, CT: Home Occupation: Private dance instruction in home office.

Jennifer Weigand-Watkinson presented her application and the Commission had an opportunity to ask questions. Ms. Weigand-Watkinson stated that she would have one or two clients at a time, typically children that get dropped off by parents.

Nancy Taylor made a motion to approve the application for home occupation. Scott Barber seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

b. Informal Discussion regarding Change of Use: Debra White-Palmer, 410 Salem Turnpike, Events Planning.

Debra White-Palmer explained that she would be moving into a home with an existing home office, the former Pathways property on Salem Turnpike. Ms. White-Palmer runs and event planning business and will use the existing office space.

At one point, Ms. White-Palmer considered applying for zoning text amendments to host events at the site, but for now is content with simply using the building for a home occupation. The Zoning Enforcement Officer determined no formal application was necessary.

6. Affordable Housing Plan discussion and next steps:

Sam Alexander stated that a recent draft was forwarded to Commissioners, along with a staff memo describing input to-date. Sam Alexander suggested that the Commission review and provide comments, so that a draft can be quickly developed for public consumption prior to a public hearing.

7. Public Comment Period:

Kevin LeMoine spoke about 0 and 3 Polly Lane. The lots total about 8.4 acres and contain a cell tower. The regulations make the lots difficult to develop in their current state. Mr. LeMoine explained his idea for self-storage and an accessory steel structure for his own use on the property. Regulation amendments and coordination with the Connecticut Siting Council would be needed. The property is currently for sale.

Ray Barber reviewed the history of the Polly Lane properties with regard to the cellular tower. Mr. Barber noted the relative lack of road frontage.

Mr. Barber spoke about coop cleaning at Hillendale farms and suggested that the Zoning Enforcement Officer follow up. Mr. Barber also noted that the fire department responded to the Haughton Road/Route 2 trailer and camper property.

8. Review general correspondence:

There was none.

9. Updates on projects throughout town:

Sam Alexander updated the Commission on various upcoming projects and zoning issues. These include: an up-coming residential subdivision at Bashon Hill Road and Fitchville Road, recreational cannabis, and data centers.

Sam Alexander reviewed upcoming legislation regarding recreational cannabis (marijuana) and retail sales. Sam Alexander suggested that the Commission could adopt a moratorium on such a use while it considers changes to its zoning regulations.

Sam Alexander explained that recent legislation allows for tax exemptions and a licensing program for data centers, which are large facilities containing computer servers for data storage and processing. The Town has been in contact with a group called GotSpace Data, seeking to site data centers in Connecticut. GotSpace's website shows preliminary plans for data centers in Bozrah, Griswold, Groton, Norwich, and Wallingford. All of these towns have municipal electrical utilities, which is attractive for this particular use. Steve Seder suggested that the Commission hold a special meeting. The Commission determined to hold a meeting on March 25th, at which the developers would be able to attend and present on their proposal.

Ray Barber asked about the Short-term Rental Ordinance. The Planning & Zoning Commission is aware that the Board of Selectmen will schedule a public hearing on the proposed ordinance.

10. 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 9:13 PM.

Respectfully submitted,
Samuel Alexander
Town Planner/SCCOG