

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

BOZRAH PLANNING & ZONING COMMISSION

AGENDA

Thursday, June 10, 2021, 7:00 p.m.

The Bozrah Planning & Zoning Commission will hold its regular meeting on Thursday, June 10, 2021, at 7:00 p.m., at the Bozrah Town Hall, 1 River Road, Bozrah, CT.

1. Review and approval minutes:
 - a. May 13th Regular Meeting.
2. Review correspondence pertaining to agenda items.
3. Hear the report of the Zoning Enforcement Officer.
4. New Business:
 - a. David J. Gesiak, LLC: Extension Request. Applicant requests a 90-day extension to the deadline for filing mylar plans and complying with pre-filing conditions placed on a subdivision approved March 11th. Deadline is currently July 1.
 - b. Lindsey Raczka: Home Occupation. 301 Bozrah Street. Applicant proposes a home occupation for preparing dog treats in her kitchen.
 - c. Public Hearing (see attached notice):
 - i. Bozrah Planning & Zoning Commission: Zoning Text Amendment. Moratorium on “Cannabis Establishments”, related to Senate Bill #888.
5. Affordable Housing Plan.
6. Public comment period.
7. Review general correspondence.
8. Such other business as the commission may vote to hear.

Stephen Seder, Chairman
Planning & Zoning Commission

**TOWN OF BOZRAH
PLANNING & ZONING COMMISSION
TOWN HALL, 1 RIVER ROAD
BOZRAH, CONNECTICUT 06334**

Notice of Public Hearing

The Bozrah Planning & Zoning Commission will hold a public hearing at their regular meeting on Thursday, June 10, 2021, beginning 7:00PM, at the Bozrah Town Hall, 1 River Road, Bozrah, CT. If, due to the COVID-19 pandemic, the location of the public hearing is changed, or the meeting is held electronically, the revised location or participation instructions will be posted to the Town of Bozrah website (<https://www.townofbozrah.org/>).

APPLICATION:

Applicant: Bozrah Planning & Zoning Commission.
Type: Zoning text amendment.
Subject: Consider a 180-day moratorium on “Cannabis Establishments”, for the purpose of deciding how that use should be regulated or if it should be prohibited.

At this hearing interested persons may appear and be heard and written correspondence received. Copies of the application are on file at this link: http://tiny.cc/hearing_pzc and are available for review in the Town Clerk’s Office in the Bozrah Town Hall.

FOR THE COMMISSION
Stephen Seder, Chairman
Planning & Zoning Commission

This notice was posted online to www.townofbozrah.org, fourteen days prior to the public hearing, in compliance with the Governor’s COVID-19 Executive Orders,

**REGULAR MEETING
TOWN OF BOZRAH
PLANNING AND ZONING COMMISSION
May 13, 2021**

Chairman Steve Seder called the regular meeting of the Town of Bozrah Planning and Zoning Commission to order at 7:02pm, on Thursday, May 13, 2021. The meeting was held via Zoom video/teleconference. Alternate Steve Coit was seated.

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: Glenn Pianka (Board of Selectmen), Sam Alexander, AICP (Town Planner/SCCOG), Katey DeCarli, P.E. (Land Use Agent/CHA), Kathy Schoepfer, Evelyn Brown, Scott Taylor, Amy Sanders-Banning.

1. Review and approval minutes:

a. April 8, 2021 regular meeting.

Nancy Taylor noted a grammatical error under agenda item 6. Scott Barber made a motion to approve the minutes with the noted correction. Manny Misarski seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

2. Review correspondence pertaining to agenda items.

A Cease and Correct Order was issued for 166 Bishop Road, and will be discussed under agenda item 3.

3. Hear the report of the Zoning Enforcement Officer.

Katey DeCarli, P.E., Land Use Agent reported on her recent activity. Ms. DeCarli first reviewed administrative matters and approvals.

Ms. DeCarli reported on staff activity associated with 211 Bashon Hill Road. Ms. DeCarli visited the site and noted that the owner is complying with their temporary stabilization plan. Two wetlands applications have been submitted at this time.

Ms. DeCarli reported on 166 Bishop Road. Ms. DeCarli explained that the owner and his engineer attended the May Inland Wetlands and Conservation Commission (IWCC) meeting. The engineer will aim to have applications into both IWCC and the Planning & Zoning Commission by June 24, for the July meetings.

The Commission discussed the report and Ms. DeCarli answered questions from commissioners. Staff will speak to the new tenants at 6 Commerce Park Drive about attending the June meeting for an informal discussion regarding the new business.

4. New Business:

a. Bozrah Planning & Zoning Commission: Zoning Text Amendment. Moratorium on “Cannabis Establishments”, related to Senate Bill #888.

Sam Alexander (Town Planner) spoke about an application for text amendment that he filed on behalf of the Commission. Senate Bill #888 legalized adult-use cannabis in Connecticut. It's a lengthy bill, not yet passed, and has components that affect land use. As currently written, the bill would require that zoning commissions assume that retail-sale cannabis businesses are allowed under the most similar use category in zoning, unless specifically called out in the regulations. The bill also requires that modifications to zoning regulations that affect retail-sale cannabis businesses be approved by both the zoning commission and the legislative body (town meeting). If the bill is passed, these two items would be effective July 1st.

The application for text amendment would establish a moratorium, which would halt incoming applications for cannabis establishments so that the Commission would have time to decide how they will be regulated or if they will be ultimately prohibited. The moratorium would last six months. The way the moratorium is written, if the Commission does not pass new regulations concerning cannabis establishments in the six-month timeframe, the use would be presumed to not be allowed. The proposed language is as follows:

ADD: 10.20 Cannabis Establishments. The Planning & Zoning Commission hereby adopts a Moratorium on cannabis establishments, which, in addition to any definition in the Connecticut General Statutes, provide for the retail sale of recreational cannabis and cannabis-derived products, whether as a primary retail product or in addition to non-cannabis retail products. This moratorium is adopted for a period of time not to exceed 180 days, in order to provide time for the Commission to determine if it will allow or restrict the use in any way. If no action is taken prior to 180 days from the effective date of this section, cannabis establishments shall be presumed to be not allowed in any zones. (Effective Date: [tbd]).

The Commission agreed that this is a pragmatic response to the proposed bill. The Commission determined to accept the application and schedule a public hearing for the June regular meeting. Some concern was raised around wording of the text and its possible effect on existing businesses selling "CBD" products. Prior to the public hearing, Sam Alexander will modify the application to address that concern.

b. Bozrah Board of Selectmen: Pavilion at Maples Farm Park. 45 Bozrah Street. Lot 018 of Assessor's Map 06.

Selectman Glenn Pianka spoke about the planned pavilion construction at Maples Farm Park. Mr. Pianka submitted an application along with a sketch plan. The planned gazebo conforms to zoning, but a site plan application was required because it is a non-residential accessory structure. Mr. Pianka noted that the pavilion will not be a typical pavilion but will include architectural treatments similar to a gazebo.

Sam Alexander suggested that the Commission could make one motion to approve the application in conjunction with the "8-24 referral" (agenda item 4c).

Scott Barber made a motion to approve the application and make a positive "8-24 referral" to the Bozrah Board of Selectmen. Nancy Taylor seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

c. 8-24 Referral: Pavilion at Maples Farm Park.

Prior to the Board of Selectmen taking final action on a municipal improvement, the Board of Selectmen must refer the project to the Planning & Zoning Commission for their report under Section 8-24 of the Connecticut General Statutes. The Commission made a positive finding of the proposal's consistency with the Plan of Conservation and Development in approving the application by the Board of Selectmen (see agenda item 4b).

5. Affordable Housing Plan.

Sam Alexander reviewed a report of the status of surrounding towns' affordable housing plans required under Section 8-30j of the Connecticut General Statutes. The Commission that Mr. Alexander would refine the draft plan and redistribute it to the Commission for consideration of next steps at the June meeting.

Sam Alexander will report back on an age-restrict senior housing complex in Salem.

6. Update from the Town Planner.

a. GotSpace Data Partners, LLC.

Sam Alexander spoke that day with the land use attorney representing GotSpace, the attorney has permission to begin moving forward with an application for zoning text amendments. Mr. Alexander will work with him to produce a good application before it gets to the Commission. The Commission discussed the proposed payment in lieu of taxes connected with the development.

b. IWCC Open Space Plan.

The IWCC produced a draft Open Space Plan and held a public hearing on May 6th. The IWCC will consider adoption in June.

c. Planning Reports for the Commission.

Sam Alexander reviewed a number of planning reports that were requested either by the Planning & Zoning Commission or by the IWCC:

- "Status of surrounding towns' Affordable Housing Plans" (5/6).
- "Combining zoning and subdivision regulations into one document" (5/6).
- "Open Space fee requirements. Comparison of current requirement to the statutory requirement" (4/29).
- "Process and requirements for selling town-owned open space" (4/29).

The Commission discussed the possibility of combining the subdivision and zoning regulations into one document, by adding the subdivision regulations as an appendix or new section to the zoning regulations. Sam Alexander will speak with the Town Attorney as directed by the Commission.

Steve Seder spoke about a Regional Planning Commission meeting and a "data center" webinar hosted by the Connecticut Conference of Municipalities.

7. Public comment period.

Glenn Pianka spoke about the GotSpace Data Partners project and the need to maintain transparency with the public. Mr. Pianka also mentioned that the Short-term Rental Ordinance will go to referendum/town meeting, which is stalled due to a notice requirement. The Commission discussed adopting parallel regulations to the proposed ordinance, which will stand on its own.

Evelyn Brown (resident/IWCC) asked questions about the data center webinar. Scott Taylor (resident/IWCC Chairman) spoke about the data center webinar and stated that he will arrange for a copy of the webinar to be sent to the land use commissions.

9. Review general correspondence.

There was none.

10. Such other business as the commission may vote to hear.

At this time, the Commission will plan to meet in-person in June. Scott Barber made a motion to adjourn the meeting. Manny Misarski seconded the motion. The meeting was adjourned at 8:20pm.

Respectfully submitted,
Samuel Alexander
Town Planner/SCCOG

To: Town of Bozrah Planning & Zoning Commission
From: Katey DeCarli, Zoning Agent (CHA)
Date: June 3, 2021
Subject: Zoning Agent Activity Report

Below is a brief summary of the various zoning inquiries, permitting, and enforcement activities since my last report:

- 211 Bashon Hill Road – Inspection, photographs enclosed
- 166 Bishop Road – Inspection, photographs enclosed
- Administrative (agent) approvals issued:
 - 95 Bishop Road – farm stand
 - 58 Cedar Lane – garage
 - 25 Wahconah Drive – garage
 - 29 Wahconah Drive – pool
 - Intersection of Noble Hill Road & Salem Turnpike (Route 82) – lot line revision



June 2, 2021

Ms. Katey DeCarli, PE, Zoning Enforcement Official
Town of Bozrah Inland Wetlands Commission
1 River Road
Bozrah, CT 06334

RE: #01-00-21 - South Lake Subdivision
Bozrah Street & South Road, Bozrah, CT
Assessor's Map 13-14, Lot 046

Dear Ms. DeCarli,

On behalf of the owner and applicant, David J. Gesiak, LLC, we hereby request a ninety (90) day extension to file the plans in accordance with Section 3.9 of the Subdivision Regulations. We understand that the requested extension may be covered under the Municipal Land Use Procedures modified by Executive Order issued by Governor Lamont as the application was submitted, reviewed, and approved during the declared state of emergency related to the COVID-19 pandemic.

We would appreciate the Commission's consideration of the requested 90-day extension to file the plans under the Executive Order. We continue to see the ripple effect of labor and supply chain deficiencies from the pandemic that make it difficult to schedule and complete construction activities in a timely manner. Regardless, we are hopeful that this development will be filed and begin in the near term as restrictions continue to ease and the construction climate improves.

Should you have any questions or need additional information, please don't hesitate to contact me at (860) 367-7264 or via email brandon@yrc-ne.com.

Sincerely,

Brandon Handfield, PE
Civil Engineer

Enc.

Cc: David J. Gesiak, LLC (1 copy)

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS

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

MEMORANDUM

TO: Bozrah Board of Selectmen
FROM: Samuel Alexander, AICP, Planner III/SCCOG (Bozrah Town Planner) /s/
DATE: June 3, 2021

Extension for Filing Mylar Plans –David J Gesiak, LLC Subdivision, South Road and Bozrah Street.

Filing Mylar Plans

The applicant for an approved subdivision is given 90 days from the expiration of the appeal period (15 days following the notice of decision) to file mylar plans. Usually conditions are placed on an application (such as posting a surety bond), which are to be complied with prior to filing plans. It's common for an applicant to require additional time to comply with permit conditions and file the mylar plans.

The permit conditions applicable to the Gesiak Subdivision are (relevant conditions underlined):

- 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.*

Statutory Extensions

CGS Section 8-25 allows an applicant to request two 90-day extensions for the purpose of filing the mylar plans and complying with conditions.

Executive Order Extension

Executive Order 7-I allows the Commission to grant an additional 90-day extension on certain timelines in the land use process, including filing mylar plans. The Order is in response to COVID-19 and was recently extended through June 30.

That 90-day extension under EO 7-I could be used now, if the Commission chooses. Since the Order may not be renewed again, the opportunity may not be available in the future.

Timeline Showing All Possible Extensions

Approval	Notice of Decis.	End of Appl. Per.	Mylar Deadline	+90 Days	+90 Days	+90 Days
March 11	March 17	April 2	July 1	Sept. 29	Dec. 28	March 28

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

Planning & Zoning Commission
Town of Bozrah
1 River Road
Bozrah, CT 06334

Zoning Application

Date of Submission: 6/3/21

Application Number: _____

Fee Paid: \$160

- ☐ Site Plan Approval
☐ Special Exception
☒ Home Occupation
☐ Other _____

- ☐ Zoning Regulation Amendment
☐ Zoning Map Amendment
☐ Change of Use

Name, Address and Phone Number of Applicant:

Lindsey Raczka
301 Bozrah Street, Bozrah, 06334

Name and Address of Property Owner: (if different from above)

Stephen Raczka
301 Bozrah Street

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

I am starting a dog treat business. This business
is being started by utilizing my home kitchen - an oven,
dehydrator. I will sell the treats online and at the
local farmers market, and pet supply stores.

Stephen Raczka
Signature of Owner

Liz Raczka
Signature of Applicant

Commission Action: ☐ Approved ☐ Denied Date: _____ Initialed: _____



Property Information

Property ID 13-09/036-D
Location 301 BOZRAH ST
Owner RACZKA STEPHEN A & ELLEN



**MAP FOR REFERENCE ONLY
 NOT A LEGAL DOCUMENT**

SCCOG makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 05/31/2017
 Data updated 05/04/2021

Print map scale is approximate.
 Critical layout or measurement
 activities should not be done using
 this resource.

LINDSEY RACZKA

1-2
210 49644

195

PAY TO THE
ORDER OF

DATE

June 3, 2021

CHASE
JPMorgan Chase Bank, N.A.
www.Chase.com

Town of Bozrah
One hundred and sixty one

\$ 160.00

DOLLARS



Security Features
Included
Details on Back

MEMO

Lir Kay

MP

Planning & Zoning Commission
Town of Bozrah
1 River Road
Bozrah, CT 06334

Zoning Application

Date of Submission: April 29, 2021

Application Number: _____

Revised May 14, 2021

Fee Paid: _____

- ☐ Site Plan Approval
☐ Special Exception
☐ Home Occupation
☐ Other _____

- ☒ Zoning Regulation Amendment
☐ Zoning Map Amendment
☐ Change of Use

Name, Address and Phone Number of Applicant:

Sam Alexander for the Bozrah Planning & Zoning Commission

1 River Road, Bozrah, CT 06334


Name and Address of Property Owner: (if different from above)

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

Establish a 180-day moratorium on "Cannabis Establishments", as defined by Senate Bill 888.

ADD new Section 10.20, Cannabis Establishments.

Signature of Owner


Signature of Applicant

Commission Action: ☐ Approved

☐ Denied

Date: _____ Initialed: _____

Proposed New Text: *ADD entire section 10.20. Text revised 5/14 shown in red.*

10.20 Cannabis Establishments. The Planning & Zoning Commission hereby adopts a Moratorium on cannabis establishments, which, in addition to any definition in the Connecticut General Statutes, provide for the retail sale of recreational cannabis and cannabis-derived products, whether as a primary retail product or in addition to non-cannabis retail products, **except for products not containing Tetrahydrocannabinol**. This moratorium is adopted for a period of time not to exceed 180 days, in order to provide time for the Commission to determine if it will allow or restrict the use in any way. If no action is taken prior to 180 days from the effective date of this section, cannabis establishments shall be presumed to be not allowed in any zones. (Effective Date: [tbd]).

Purpose for the Amendment:

Senate Bill 888 proposes legalization and regulation of “adult-use cannabis” in the State of Connecticut. In its current form, the bill states in part that recreational “cannabis establishments”, which include retail sale locations, are presumed to be allowed in a town under the most similar use category in its zoning (eg: retail, package stores, pharmacies), unless the zoning regulations specifically prohibited or regulated the use. The bill may evolve, but if that section (Section 83) stays in, it would be effective July 1, 2021.

The bill also states that a municipality must get approval from its legislative body when modifying zoning regulations related to cannabis establishments. That part is particularly strange. Supposing the bill passes, by adopting a moratorium prior to July 1, the Commission would not need to get approval from the legislative body (a town meeting), since the law would not yet be in effect.

Adopting a moratorium will allow the Commission to carefully determine whether it will:

- a) Prohibit cannabis establishments.
- b) Allow cannabis establishments in certain zones and under certain conditions.

Consistency with the Plan of Conservation and Development:

Although the POCD itself does not speak directly to this land use, it would be counter to the spirit of the POCD for any commercial land use to be presumed as allowed, as is provided in the current iteration of the bill, without consideration from the Planning & Zoning Commission.

**TOWN OF BOZRAH
PLANNING & ZONING COMMISSION
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BOZRAH, CONNECTICUT 06334**

Notice of Public Hearing

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APPLICATION:

Applicant: Bozrah Planning & Zoning Commission.
Type: Zoning text amendment.
Subject: Consider a 180-day moratorium on “Cannabis Establishments”, for the purpose of deciding how that use should be regulated or if it should be prohibited.

At this hearing interested persons may appear and be heard and written correspondence received. Copies of the application are on file at this link: http://tiny.cc/hearing_pzc and are available for review in the Town Clerk’s Office in the Bozrah Town Hall.

FOR THE COMMISSION
Stephen Seder, Chairman
Planning & Zoning Commission

Bozrah Planning & Zoning Commission application for Zoning Text Amendments

Re: Cannabis Establishments

Public hearing date: June 10, 2021

[Public hearing file:](#)

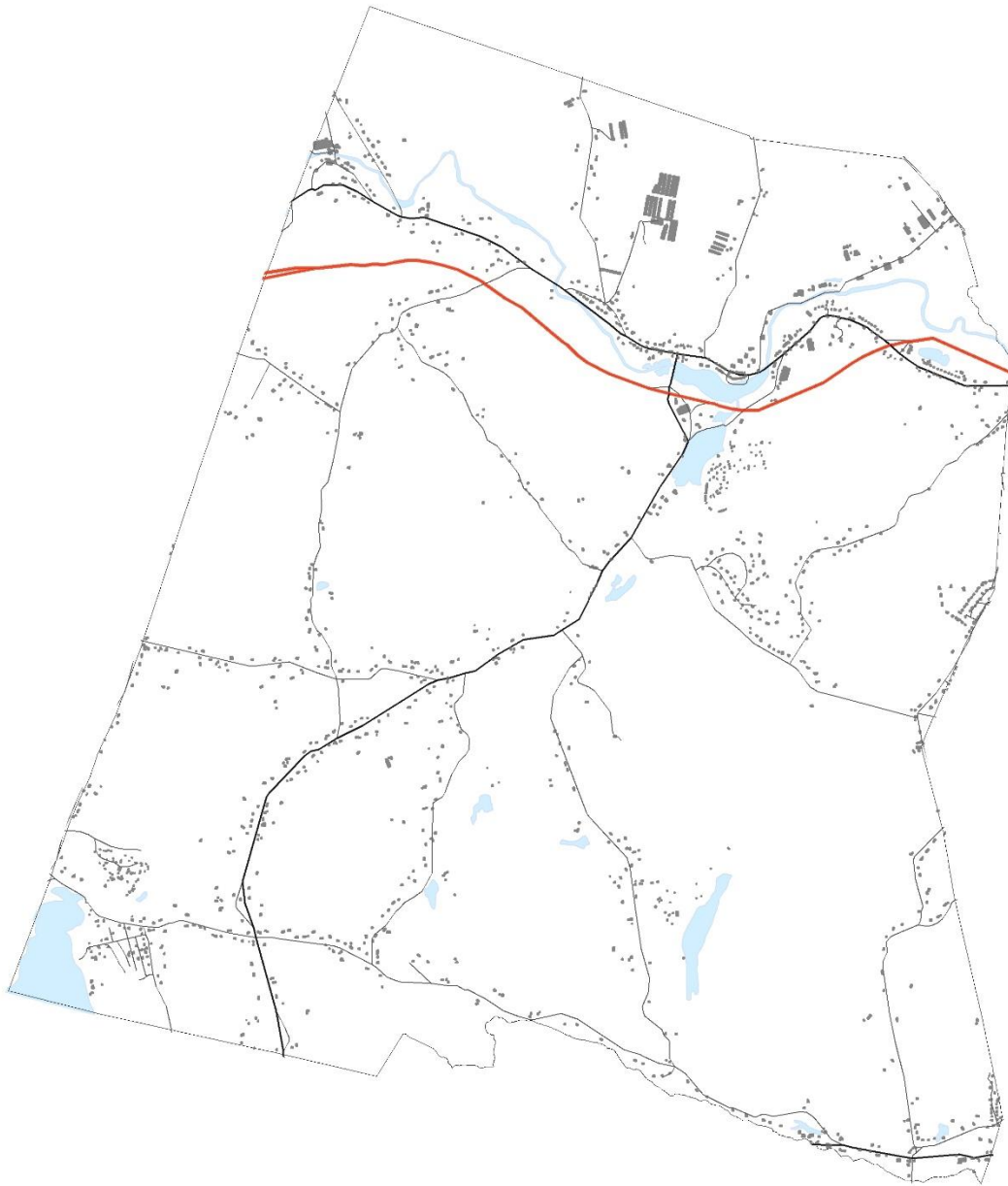
- Planner memo (April 1)
- Initial application (April 29)
- Revised application (May 14)
- Abutting towns' notice
- Bozrah website notice
- Online notice text

Town of Bozrah

Affordable Housing Plan

Draft *as of* May 20, 2021

Prepared by Bozrah Planning & Zoning Commission *with assistance from*
the Southeastern Connecticut Council of Governments



Contents

Introduction	1
What is Affordable Housing?	1
Why Plan For Affordable Housing?	1
Plan Development Process	2
Housing Conditions in Bozrah and Southeastern Connecticut	3
Affordability	3
Local and Regional Housing Market	3
Housing Production and Regulation in Bozrah	5
The Local Plan of Conservation and Development	8
Affordable Housing Appeals Act (§ 8-30g)	8
Vision for Future Affordable Housing	10
Growth patterns	10
Place-making.....	10
Fitchville.....	10
Gilman.....	10
Route 82.....	10
Rural Areas.....	10
Action Plan	11
Zoning	11
Accessory Dwelling Units	11
Multi-family Development.....	11
Capacity-Building	11

Introduction

What is Affordable Housing?

Generally, housing is considered *affordable housing* if its occupants are lower-income households who pay no more than 30% of their income toward housing costs, including mortgage, rent, property tax, and utilities. *Affordable housing* created or maintained under government subsidies or programs is usually intended for occupancy by households earning no more than 80% of median income, which funding programs often measure at the regional or state level. The United States Department of Housing and Urban Development (HUD) defines a family of four in the Norwich-New London area as low-income if it earns less than \$78,500 per year; this is using HUD's 80% Area Median Income calculations.ⁱ Housing programs usually require that occupants pay 30% of their income for their housing and subsidies cover the remaining operating costs.

HUD Metro Area	Median Family Income	Income Category	Persons in Family			
			1	2	3	4
Norwich-New London Metro	\$91,800	Low Income (80%)	\$54,950	\$62,800	\$70,650	\$78,500
		<i>Equiv. Monthly Housing Budget</i>	\$1,374	\$1,570	\$1,766	\$1,963
		Very Low Income (50%)	\$35,950	\$41,050	\$46,200	\$51,300
		<i>Equiv. Monthly Housing Budget</i>	\$899	\$1,026	\$1,155	\$1,283
		Extremely Low Income (30%)	\$21,600	\$24,650	\$27,750	\$30,800
		<i>Equiv. Monthly Housing Budget</i>	\$540	\$616	\$694	\$770

Affordable housing is created either with the support of government subsidies assisting in the cost of its construction and long-term affordability provisions, or in the case of some mixed-income set-aside developments, through profits earned through the development of market-rate units supporting the construction cost and long-term affordability provisions of the affordable housing units. Recent public investments in affordable housing in southeastern Connecticut include Stonington's Spruce Meadows (new mixed-income apartments), Waterford's Victoria Gardens (mixed-income elderly apartments), and Groton's Branford Manor (capital improvements to existing 100% affordable apartments).ⁱⁱ Common sources of funding include the Federal Government's Low Income Housing Tax Credit Program and the State of Connecticut's Competitive Assistance for Multifamily Properties (CHAMP) program. Different funding programs can target different types of housing or affordability for households at different income levels. Most affordable housing developments that depend on government subsidies receive funding from multiple State of Connecticut or federal programs.

Why Plan For Affordable Housing?

Connecticut municipalities may regulate land use in ways consistent with Title 8 of the Connecticut General Statutes (CGS). Authorized under CGS Section 8-2, locally adopted zoning regulations may establish rules for the location and type of housing. State statutes specify the conditions under which municipalities may adopt local land use plans and regulations. CGS § 8-23 establishes a requirement for municipalities to adopt local Plans of Conservation and Development, which document policies and goals for the physical and economic

development of a municipality. CGS § 8-2 outlines the authorities municipalities are granted to adopt local zoning regulations. Both CGS § 8-23 (planning) and § 8-2 (zoning) direct municipalities to consider the need for affordable housing, both locally and at the regional level, and to adopt zoning that encourages the development of multifamily dwellings and housing at different price points. CGS § 8-30j, added in 2017, established an additional obligation for municipalities to adopt Affordable Housing Plans that will specify how the municipality will increase the number of local “affordable housing developments”.

The § 8-30j requirement for Affordable Housing Plans was passed in recognition of increasing challenges for Connecticut residents in finding adequate affordable housing, especially outside of Connecticut’s most urban communities. Since 2000, the share of Connecticut renters who pay more than 30% of their income towards housing rose from 37% to 46% in 2019. Homeowners with mortgages also saw their budgets stretched, with 20% of homeowners housing cost-burdened in 2000 and 31% in 2019. In Southeastern Connecticut, one in four households earns less than 80% of the area median income and is housing cost-burdened.

The 8-30j Affordable Housing Plan statute references the definition of *affordable housing developments* included in CGS § 8-30g, which defines them as *assisted housing* that receives government subsidies to provide affordable housing for low and moderate households, or a *set-aside development* where deed restrictions ensure that at least 30% of the housing units are occupied by low-income households at affordable rates for at least 40 years. This definition of housing would include any deed-restricted affordable housing created as part of a mixed-income development, as well as affordable housing built or preserved with the support of state or federal programs.

§ 8-30j(a): “At least once every five years, each municipality shall prepare or amend and adopt an affordable housing plan for the municipality. Such plan shall specify how the municipality intends to increase the number of affordable housing developments in the municipality.”

The Affordable Housing Plan is an opportunity for municipalities to more closely examine housing needs and review how existing housing inventories and land use policies do or do not address those needs. The planning process also prompts a review of potential actions that municipalities may take that would enable or promote the development of housing that is affordable and accessible to lower-income residents. In 2020, the Connecticut Department of Housing worked with the Regional Plan Association to develop guidance on how municipalities might approach the development of Affordable Housing Plans (https://portal.ct.gov/-/media/DOH/AHPP-Guidebook_RPA_120120.pdf), and provided small grants to support municipal work to prepare plans. The initial deadline for compliance with the requirement for an Affordable Housing Plan statute is June 2022, five years from the statute’s effective date.

Plan Development Process

The development of an Affordable Housing Plan for Bozrah is being overseen by Bozrah’s Planning & Zoning Commission, with opportunities for members of the public to provide suggestions and feedback. Ultimately, the Plan will be considered by the Commission for adoption. The first five-year revision of this plan may be incorporated into the 2025 Plan of Conservation and Development (POCD).

Housing Conditions in Bozrah and Southeastern Connecticut

Affordability

A 2018 review of housing conditions in southeastern Connecticut prepared by the Southeastern Connecticut Council of Governments (SCCOG) in partnership with the Southeastern Connecticut Housing Alliance (SECHA) showed that demand is most acute in southeastern Connecticut for lower-cost housing and rental housing. The portion of southeastern Connecticut households that can afford the housing they live in has dramatically decreased in the last twenty years. Since 2000, the share of renters who cannot afford their housing, and are therefore housing-cost-burdened, increased from 31% to 46%. As previously mentioned, as of 2018, 29,000 households in southeastern Connecticut earned less than 80% of the area's median income and were housing cost-burdened, or one in four households.

The rise in housing challenges is linked to a growing mismatch between incomes and housing costs. Adjusted for inflation, income growth in the region has been stagnant, growing less than 1% between 2000 and 2019, while for-sale housing prices and rents have increased 23% and 19%, respectively.

SCCOG's projections of future housing needs estimate that based on the expected demographics of future southeastern Connecticut households, demand will continue to increase for lower-cost and multifamily housing. Of the approximately 7,000 additional households expected by 2030, more than half are expected to be low-income, partially due to growth in the number of senior citizens, as baby boomers continue to age into retirement, as well as young workers who typically earn lower wages. New housing production of a little more than 500 units per year would satisfy expected new need for housing, but not address existing unmet needs.

Bozrah has just over 1,000 housing units, of which approximately 86% are owner-occupied. The median value of an owner-occupied home in Bozrah is approximately \$230,000, just slightly under the median value for homes in New London County.ⁱⁱⁱ Median household income is approximately \$87,000, higher than the county median of \$71,000.^{iv} According to census data, there are only about 100 multifamily homes in Bozrah, and data on rental values is not available due to the small data sampling size. The median rent in New London County is approximately \$1,110 per month.

Local and Regional Housing Market

Housing in southeastern Connecticut's suburban and rural municipalities skews toward larger single-family homes, while one-bedroom units are concentrated in the region's urban centers. Many of the region's suburban and rural communities have few alternatives to the single-family home, with single-family housing making up over 90% of housing in some communities. Homeownership is also more common in rural/suburban towns, with urban households slightly more likely to rent (54%) than own, and suburban/rural households much more likely to own their homes (80.1%).^v

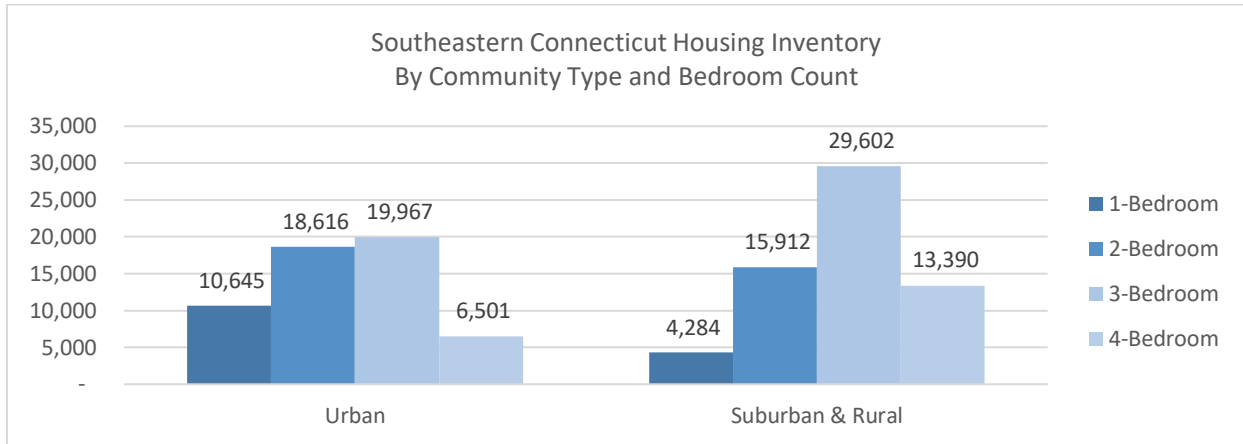


Figure 1. Housing in Southeastern Connecticut: Units by Number of Bedroom and Urban or Suburban/Rural Community Type. Additional 0-bedroom and 5+ bedroom units not shown. Source: U.S. Census American Community Survey (ACS) 2018 5-Year Estimates.

Housing construction in southeastern Connecticut has remained sluggish since the 2008 recession began, with annual production hovering around 300 units per year. Housing construction has traditionally focused on the production of single-family homes in suburban and rural municipalities (Add reference here **Error! eference source not found.**). Recent spikes in multifamily construction in suburban/rural towns occurred in 2014 and 2015, but these levels were not sustained in 2016 and 2017. Building permit data reported to the U.S. Census indicates that from 2000 to 2017, permits for 100 new housing units were awarded in Bozrah, activity similar to the regional average. The median sales price for a single family home in Bozrah was \$239,900, with 27 sales in 2019.^{vi} More recent county-level data shows median sales price increased from \$230,000 in 2019 to \$270,000.^{vii}

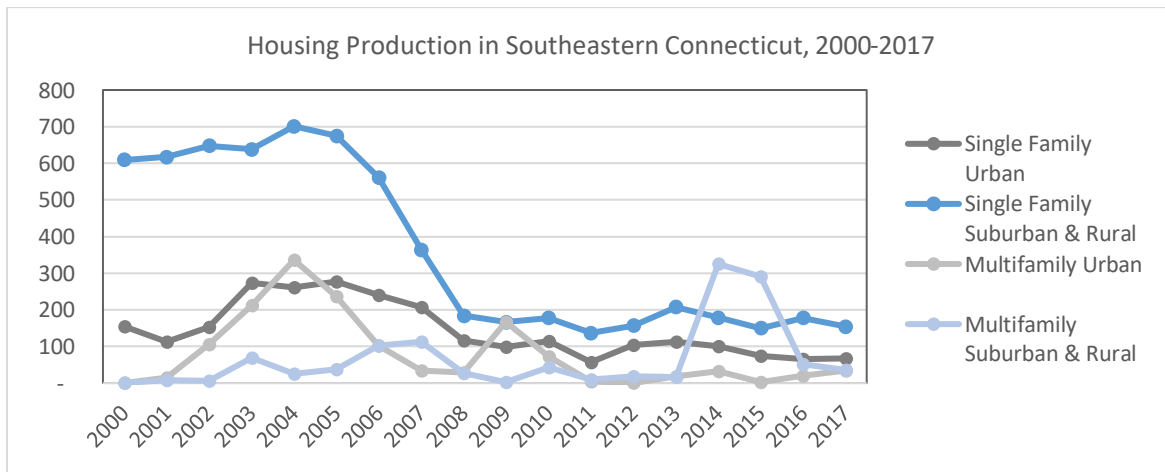


Figure 2. Housing Production Levels by Housing Type and Community Type, 2000-2017. Source: U.S. Census via Connecticut Department of Economic and Community Development.

Housing Production and Regulation in Bozrah

SCCOG's 2018 Regional Housing Needs Assessment reviewed zoning regulations and the availability of vacant land in all of its member municipalities. The review revealed that large-lot, residential zoning is the most common in the region, based on overall land area. New opportunities for single-family homes exist in all towns, while 14 of the region's towns have opportunities for multifamily development on land in or close to sewer service areas, and an additional four municipalities (including Bozrah) enable multifamily development in areas not served by sewer.

Much of the land in Bozrah is zoned for one- or two-family housing development (R-1, R-2, and RU-1 in the following zoning map). Multifamily development (3 or more units per structure) is permitted where the Village Overlay Zone overlays properties zoned R-2. The intent of the Village Overlay Zone is to allow for the development of permitted uses at a scale and density that enhances the existing Fitchville Center and allows the area to be better defined as a typical Village Center. Additionally, it is intended that this location provide opportunities and benefits for the town with regard to small-scale residential and non-residential developments. It is intended that structures be designed to reflect typical New England architecture, and have site layouts that fit in and compliment the Fitchville Village setting. Multifamily development is allowed on R-2 Village Overlay parcels greater than 30,000 square feet with no more than four units per acre. Multifamily homes cannot include more than two bedrooms per unit or be less than 600 square feet in size per unit. "Elderly Housing" for residents 55 and older is allowed in the R-2 and C/R zones at a density of no more than four units per acre. Regulations were recently adopted permitting assisted living facilities in the Highway Commercial zone, enabling the construction of the Elmbrook Village facility on Salem Turnpike (Route 82).

Accessory dwelling units are allowed as a secondary use to a single family home in residential districts, and are referred to as "Family Apartments" in the Bozrah zoning regulations. The units must be part of the principal structure and occupied by family members of the owner of the residence, and may not be rented or used for income purposes.

Figure 3: Excerpt from 2018 Southeastern Connecticut Regional Housing Needs Assessment

Summary of Bozrah Housing Production Regulations (from 2018 Southeastern Connecticut Regional Housing Needs Assessment)

Town of Bozrah- Sewer only present on Route 82 between Noble Hill Rd and Norwich town line.

Single-Family: Permitted in the R-1 and R-2 residential and the Commercial/Residential (C/R) zones.

Two-family: Permitted in the R-2 zone and the Village Overlay Zone in the Village of Fitchville.

Multi-Family: Permitted in the Village Overlay Zone, overlaying the R-2 zone.

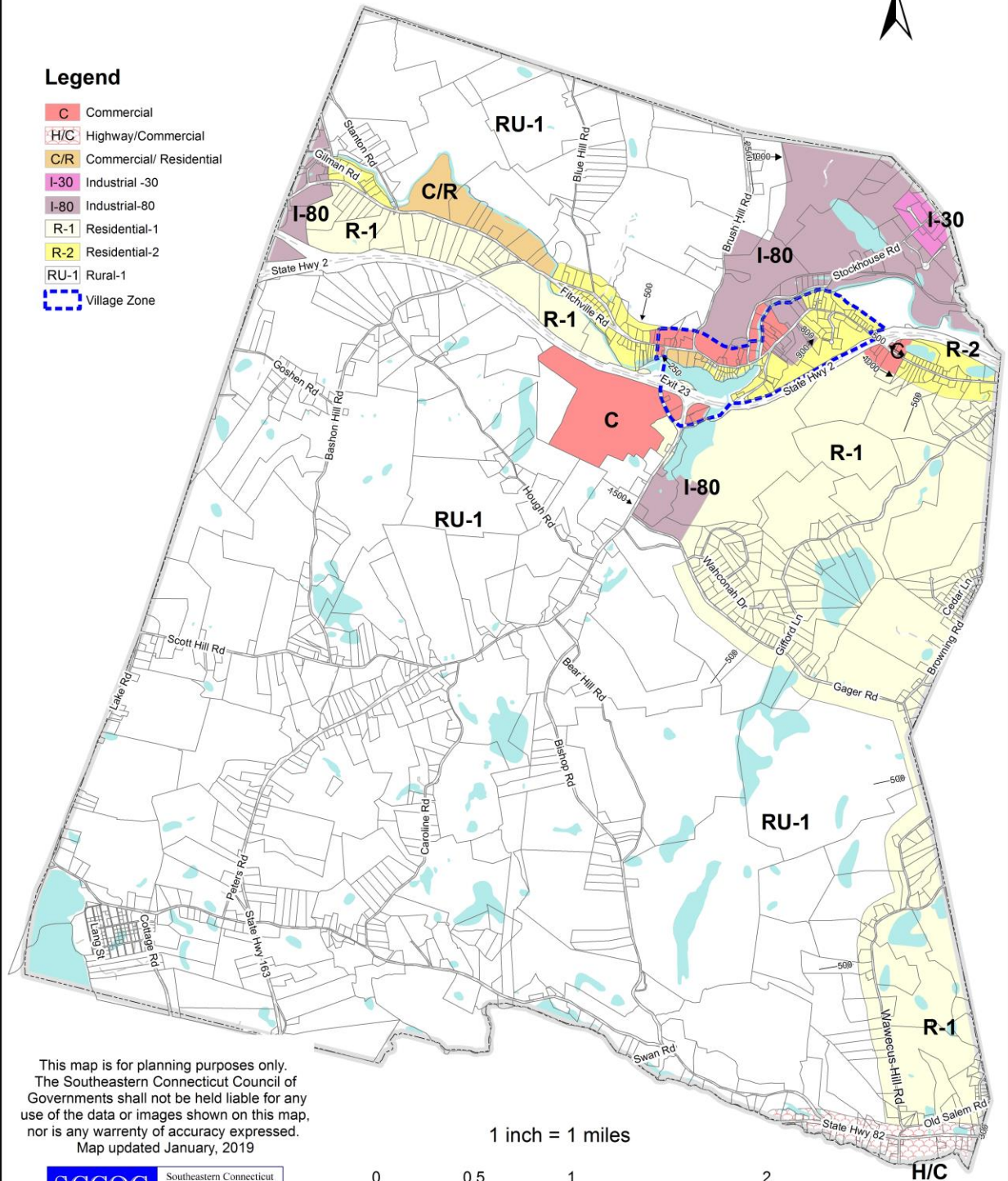
Mixed-Use: Permitted in the Village Overlay Zone, overlaying the R-2 or C zones.

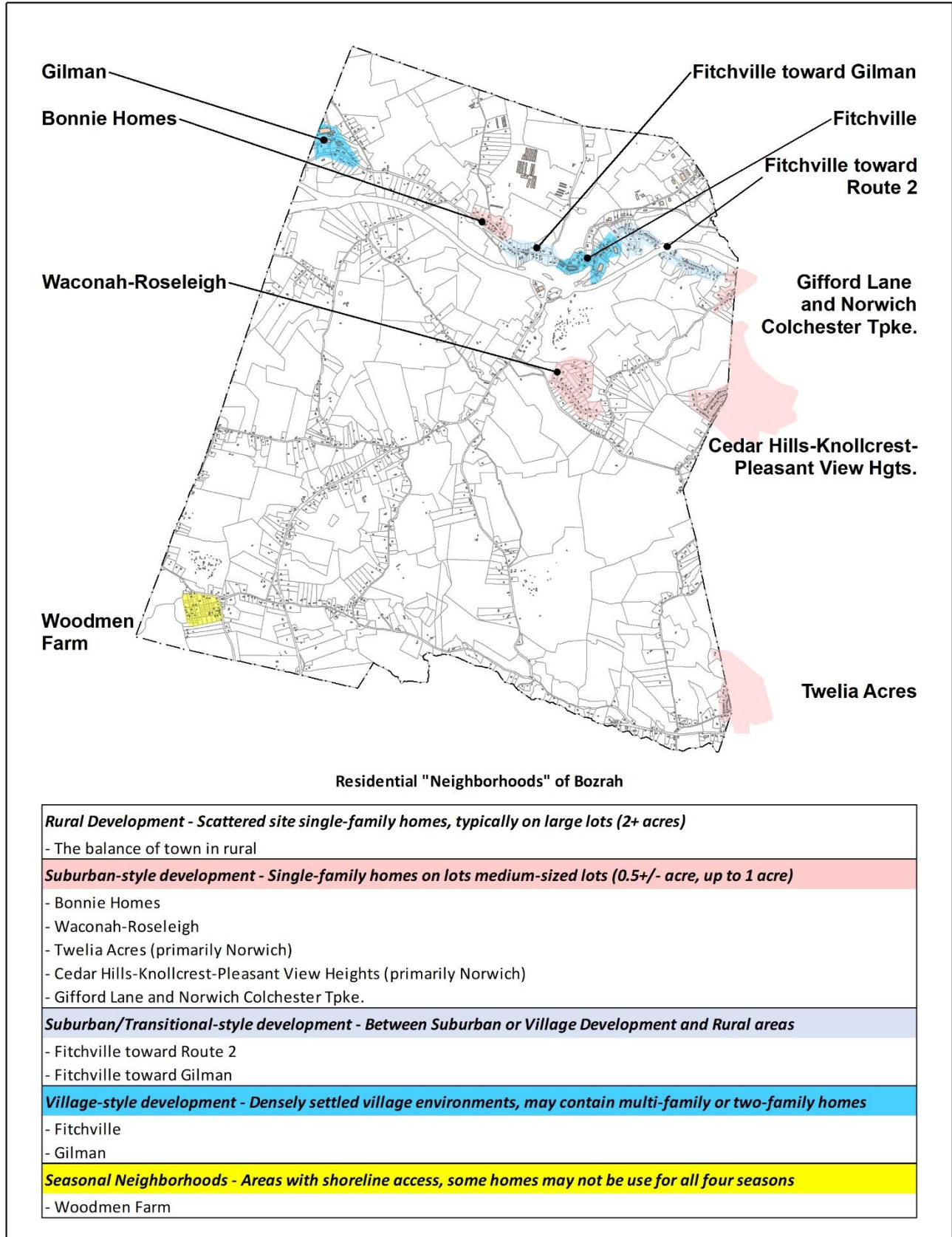
Accessory Apartments: Permitted for occupancy by relatives only, in zones permitting single-family.

Bozrah, Connecticut Zoning Map

Legend

- C Commercial
- H/C Highway/Commercial
- C/R Commercial/ Residential
- I-30 Industrial -30
- I-80 Industrial-80
- R-1 Residential-1
- R-2 Residential-2
- RU-1 Rural-1
- Village Zone





The Local Plan of Conservation and Development

The Bozrah Plan of Conservation and Development (POCD) was most recently updated in 2015. The POCD addresses the fact that housing prices have risen dramatically across the State, including in Bozrah, since the turn of the century, even in the years following the most recent recession. It also acknowledges that Bozrah, like many rural towns, is well under the CGS § 8-30g goal of 10% assisted housing.

A POCD questionnaire administered to residents in 2013 yielded the following results:

- Respondents were asked to rank their preferences of housing types that should be allowed in town. The overall high-to-low ranking is as follows: Single-family, Elderly, Single-family in clusters, Accessory apartments, Two-family, and Condominiums (tied), Rental apartments.
- Respondents were asked which group of individuals' housing types should be encouraged in town. 33.6% chose "Elderly" housing, 27.9% chose housing for "Singles", 20.8% chose housing for "Families", and the remaining 17.7% choose "None".

The 2015 POCD identified the following Community Development Goals related to housing:

- Retain Bozrah's rural character outside of the designated higher density growth areas delineated in this plan.
- Encourage a variety of housing types, designs, and settings to accommodate present and future residents of all age groups and economic levels.
- Promote the enhancement of the existing densely settled village areas of Fitchville and Gilman.
- Encourage the utilization of existing public water supply for intensive land uses and patterns of development.
- Encourage the improvement and utilization of the public water supply in the Fitchville area of town.
- Promote the expansion of public utilities in areas deemed appropriate by this plan.
- Preserve and enhance those features in the town that have historical and architectural significance.
- Promote architectural design standards which have styles typical of New England and which are harmonious within each locational setting as part of the site plan requirements.

The POCD clearly calls for a greater diversity of housing choices, sited and built in a way that complements the orderly development of the Town. This sentiment is reflected in the zoning regulations as well, in particular the Village Overlay District.

Affordable Housing Appeals Act (§ 8-30g)

Connecticut's Affordable Housing Land Use Appeals statute, C.G.S. § 8-30g, was established in 1997 to enable the development of affordable housing in municipalities where zoning regulations would otherwise prevent its construction. Municipalities are subject to § 8-30g of the Connecticut General Statutes when less than 10% of the municipal housing stock meets the statute's definition of affordable. The statute encourages development approvals for deed-restricted affordable housing by requiring that upon appeal of a development proposal for affordable housing that is rejected by a municipality with less than 10% affordable housing, the municipality must demonstrate that public interests in health, safety, or other matters clearly outweigh the need for affordable housing.

The State of Connecticut's 2019 Housing Appeals List shows that just over 3% of housing in Bozrah counts as affordable housing for the purpose of determining the applicability of the § 8-30g statute. In determining the percent of affordable housing present in a municipality, the CT Department of Housing counts:

- Assisted housing units or housing receiving financial assistance under any governmental program for the construction or substantial rehabilitation of low and moderate income housing that was occupied or under construction by the end date of the report period for compilation of a given year's list;
- Rental housing occupied by persons receiving rental assistance under C.G.S. Chapter 138a (State Rental Assistance/RAP) or Section 142f of Title 42 of the U.S. Code (Section 8);
- Ownership housing or housing currently financed by the Connecticut Housing Finance Authority and/or the U.S. Department of Agriculture; and
- Deed-restricted properties or properties with deeds containing covenants or restrictions that require such dwelling unit(s) be sold or rented at or below prices that will preserve the unit(s) as affordable housing as defined in C.G.S. Section 8-39a for persons or families whose incomes are less than or equal to 80% of the area median income.

The majority of the 33 qualifying homes in Bozrah are homes financed with CHFA or USDA mortgages (30 homes). Three homes are occupied by tenants who receive rental assistance.

As mentioned, municipalities that have 10% or more of their housing inventory falling into the above categories are exempt from § 8-30g appeals. Municipalities may also be granted four-year temporary exemptions by demonstrating progress in facilitating new affordable housing. The threshold for achieving a moratorium is new affordable housing created equal to the greater of two percent of existing housing, or housing earning 50 "Housing Unit Equivalent" points. New housing qualifies for between ½ and 3 Housing Unit Equivalent points based on the size of the unit (more bedrooms earn more points), restrictions on occupancy (senior-only housing earns fewer points), and the affordability level of the unit (affordability to lower income levels earns more points).

The Town of Bozrah could achieve a moratorium with as few as 17 new affordable homes (three bedroom family units affordable to families at 40% Area Median Income) or as many as 100 homes for senior-citizens at 80% Area Median Income.

Vision for Future Affordable Housing

The Planning & Zoning Commission articulates its priorities for growth, and the form and style of that growth through the POCD and through zoning regulations. It is the intent of this plan to be in-sync with the POCD, and for Bozrah to grow both responsibly and in a way that fairly addresses the needs of residents.

Growth patterns

Bozrah has enjoyed slowly changing growth patterns, and most higher-density residential growth historically occurred in Fitchville and along Fitchville Road/Norwich Colchester Turnpike (State Route 608). This area of town has access to public water, which allows for slightly smaller lots. Some areas of town have a more suburban feel, with post-war and mid-to-late twentieth century single-family homes. The majority of the town can be classified as rural; open land is in abundance and the primary land use is single-family residential or agriculture.

Place-making

Architecture of new multi-family and duplex housing should match the character of its place. For instance, Fitchville contains several complementary styles of duplex and multi-family housing that grew up around the village's now-defunct mills. The scale of new developments should match closely what already exists, and fit seamlessly with the neighborhood. Likewise, housing in more rural areas should retain a "New England" feel.

Fitchville

Fitchville provides the greatest opportunity for new multi-family or two-family housing, as well as housing for seniors. Fitchville is the civic center of Bozrah, it contains Town Hall, the school, a general store, the Post Office, and a diversity of housing types. Many of the existing mill housing duplexes are naturally affordable.

Gilman

Gilman presents another opportunity for duplex and multi-family housing. The Gilman Brothers Company had a small stock of worker housing, which is now mostly single-family; however the village is somewhat compact and has good access to Route 2. A portion of Gilman is zoned R-2 already.

Route 82

Route 82 is an important economic development corridor, but it is also the only area of town with access to sewer. As sewer extends west down Route 82, the Commission should consider the addition of residential uses in this area, particularly on larger lots where it can be added in concert with commercial growth, or where an existing single-family home could be converted to accommodate more units.

Rural Areas

Rural areas should maintain a low-density look and feel. New development should largely follow existing patterns and not necessitate the need for future expansion of infrastructure. For this reason, it may be necessary to consider allowing accessory dwelling units to be occupied by non-family members. The Commission may also want to consider ways of supporting low-impact development and cluster-style development, where additional open space is required in exchange for reduced bulk requirements of subdivision lots.

Action Plan

Connecticut municipalities have a range of options to help address housing affordability. Appropriate options will vary based on the goals for conservation and development, municipal staff capacity, needs of renters and homeowners, and funding. It is the goal of this plan to consider the broad suite of tools at the Town of Bozrah's disposal and consider those that are both prudent and within the Town's capability.

Zoning

Accessory Dwelling Units

Consider eliminating the requirement that accessory dwelling units be used only for family members. This change could come with additional consideration to the size, type, and visual characteristic of accessory dwelling units, allowing them to blend more seamlessly with the neighborhood. The City of Norwich requires rented accessory apartment to be governed by a deed restriction that the rents be priced at a level affordable to persons or families earning less than the Area Median Income; that's another consideration.

Multi-family Development

Consider adding an "inclusionary zoning" provision for future multi-family development, requiring a developer to set-aside a number or percentage of new units in a multi-family construction at rents affordable to a certain income threshold. Deed-restricted, "affordable" housing units will increase the Town's percentage of affordable housing under CGS 8-30g, which is discussed on Page 2.

Identify sites, including municipally owned property that could accommodate new development. Articulate the type of development that would be desirable and craft zoning that would enable such development; examine vacant and underutilized land in Fitchville or Gilman. In the case of municipally owned property, identify a trustworthy developer that would be interested in developing the property, providing the Town with income and giving the Town decision-making ability.

Proactively plan for sewer expansion that is expected in the medium- and long-term. Assess how zoning may change in an area like Fitchville if sewer is extended, and the types of infill development, including mixed-use and multi-family options that would be possible. It is important that the Town, primarily through the Planning & Zoning Commission articulate its goals for growth and adapt zoning to changing conditions. The 2025 POCD would be an opportune time to begin this planning.

Consider regulations that allow smaller single-family and two-family homes with less environmental impact and physical space requirements. In rural areas, the cost new construction is inflated in-part by the amount of land required to safely site a well and septic system. Smaller homes with fewer bedrooms will require less land for construction but also for the septic system. Currently single-family and two-family dwelling units must have 1,000 square feet of floor area. This requirement may be reduced or eliminated, particularly for two-family homes.

Capacity-Building

Consider establishing a standing Affordable Housing Committee or subcommittee to support implementation and maintenance of this plan, as well as monitor changing conditions in the housing landscape that could affect renters and homeowners.

Work with the local realtor community to publicize availability of USDA and CHFA low-interest home loans.

These home loans not help young Bozrah residents stay in their community, but the use of these loans has an impact on the Town's standing under CGS 8-30g and could help the Town achieve the 10% target of affordability.

Apply for State of Connecticut "Small Cities" rehabilitation grants, which the Town could use to improve and beautify existing housing occupied by low-income residents and first time homebuyers. The Town may even explore the possibility of asking that a landlord deed restrict a portion of their units to be leased at affordable rents, in exchange for using the rehabilitation program.

ⁱ HUD FY 2020 Income Limits Summary for Norwich-New London, CT HUD Metro FMR Area (towns of Bozrah, East Lyme, Franklin, Griswold, Groton, Ledyard, Lisbon, Lyme, Montville, New London, North Stonington, Norwich, Old Lyme, Preston, Salem, Sprague, Stonington, Voluntown, Waterford).

<https://www.huduser.gov/portal/datasets/il/il2020/2020summary.odn>

ⁱⁱ CHFA 2019 Summary of Programs. https://www.chfa.org/assets/1/6/2019_CGS_8-37bb.pdf.

ⁱⁱⁱ U.S. Census American Community Survey 2018 5-Year Estimates.

^{iv} Ibid.

^v Ibid.

^{vi} New London County 2019 Sales by Town, Eastern CT Association of Realtors.

^{vii} Fourth Quarter New London and Windham County SOLD Comparisons - 2020 vs. 2019, Eastern CT Association of Realtors.