

**REGULAR MEETING
TOWN OF BOZRAH
PLANNING AND ZONING COMMISSION
August 9, 2018**

Acting Chairman Stephen Seder called a regular meeting of the Town of Bozrah Planning and Zoning Commission to order at 7:30 PM, at the Bozrah Town Hall, on Thursday August 9, 2018.

Members present: Stephen Seder (act. Chm.), Stephen Gural, Scott Barber, Steve Coit (alt.), Manny Misarski (alt.), Seymour Adelman (Chm.).

Members absent: Nancy Taylor.

Others present: Ray Barber (resident), Elena Rogan Cecil (resident), Tom Weber (Zoning Enforcement Officer, Wetlands Agent, Building Official), Sam Alexander (Town Planner/SCCOG), Brian Sauvageau (landowner), Kerry Gross (landowner), Nate Weiss (Freehold Real Estate), Amber Sardo (attorney to Freehold Real Estate), Carroll Gothie (resident), Bob Coleman (business owner), Mark DeSantis (business owner), Richard Neuendorf (resident), Elaine Neuendorf (resident), additional members of the public.

1. Review and approve the minutes of the June 14, 2018 regular meeting.

Seymour Adelman recused himself from the meeting.

Stephen Seder appointed alternates Steve Coit and Manny Misarski to sit as members of the Commission.

Scott Barber made a motion to accept the April 12, 2018 regular meeting minutes as presented. Stephen Gural seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

2. Review correspondence pertaining to agenda items.

S. Seder stated that there is a memorandum addressed to the Commission, from the First Selectman, relating to agenda item 4b. S. Seder stated he will describe the letter under item 4b.

3. Hear the report of the Zoning Enforcement Officer.

Tom Weber gave an update on businesses in town: Michelle's Barbershop on Rachel Drive and the multi-tenant building at 46 Lebanon Road.

T. Weber explained that Bozrah Senior Living expects to begin pouring the first section of their floor on Tuesday, August 14. T. Weber stated that the elevator shafts for Bozrah Senior Living are currently in place, at the site.

4. New Business.

a. Scott Gladstone/Freehold Real Estate.

Nate Weiss spoke on behalf of Freehold Real Estate. N. Weiss explained that no members of the group Freehold Real Estate were able to attend the meeting. N. Weiss was accompanied by Carroll Gothie, executrix for the estate of Marion O'Neil, owner of Acorn Acres Campground, and Amber Sarno, attorney with Shipman & Goodwin.

N. Weiss explained that Freehold Real Estate is in the process of purchasing Acorn Acres Campground at 135 Lake Road. N. Weiss explained that Freehold Real Estate has multiple business ventures, including land holdings and mobile home parks. N. Weiss explained that the intent was to operate the campground as-is.

S. Seder explained that a memo from the First Selectman outlines concerns regarding the use of sites year-round, detailing a Stipulated Judgement from 1992. S. Seder asked N. Weiss what the plans are for the 45 sites subject to the Stipulated Judgement. N. Weiss explained that the Stipulated Judgement allows use of 45 sites for year-round occupancy, so long as the sites do not become the residence of the occupants, as well as use of the other sites on a year-round basis for 4 out of 7 days per week. N. Weiss explained that camper units can be kept there at all times.

S. Barber asked what other plans Freehold Real Estate has for the campground. N. Weiss explained that there is paving work that needs to be done, rehabilitation of the tennis court, fixing up the store, possible creation of a new water system, and possible establishment of limited food services.

S. Seder asked how the 45 year-round, unrestricted sites are used currently. C. Gothie explained that the sites are never used all at the same time—usually 32 are occupied. S. Seder explained that he has heard of people living at the campground full-time. C. Gothie explained that she is unable to answer to that, and stated that their market is mostly transient workers.

N. Weiss explained that Freehold Real Estate is a good partnership and he feels they will add value to the property as its new owners.

S. Barber asked if the 45 sites used year-round are the same ones as the Stipulated Judgement. S. Barber asked if T. Weber has inspected the sites' upgrades to water, septic, and electrical lines. C. Gothie affirmed they are the same sites. T. Weber stated he has inspected work done at the campground but does not know if he was inspecting the year-round sites or not. C. Gothie explained that most of the recently inspected sites were seasonal. S. Barber insisted that the year-round sites should be inspected. C. Gothie explained that when transient workers come in, they often bring a trailer. C. Gothie added that some residents leave their camper or trailer there and go south for the winter.

M. Misarski asked about the water lines for the seasonal sites. N. Weiss explained that the seasonal-site water lines are blown out during the winter. T. Weber suggested getting certification from UNCAS Health District that the septic system is adequate. C. Gothie explained that UNCAS Health District, as well as the Connecticut Department of Public Health, have recently been out to inspect the septic system and the public water system.

N. Weiss explained that Freehold Real Estate is licensed to operate mobile home parks and is very experienced in working with septic and water systems at the parks.

S. Seder asked whether he would see campers and RVs if he visited the campground. C. Gothie explained that there are perhaps 80 campers parked there all year, and the 45 year-round campsites are in one area.

S. Barber asked if there were any plans for expansion. N. Weiss stated he does not know if there is even ability to expand and he believes the campground is not even 100% occupied.

S. Seder explained that he would like to follow up with the Town Attorney in order to ensure the Planning & Zoning Commission is doing the right thing by allowing the use to continue. C. Gothie expressed concern over the timing of the property sale. S. Barber explained that there is no application, so nothing is being held up. Amber Sarno explained that the Stipulated Judgement clearly lays out what the campground is entitled to, in terms of year-round occupancy of campsites. S. Seder responded saying that the Commission does not want to make any mistakes.

b. Elena Rogan Cecil (The Animal Experts).

Sam Alexander introduced the next agenda topic. S. Alexander explained that this is a pre-application discussion. S. Alexander stated that Ms. Cecil applied for, and subsequently withdrew, and application for Home Occupation to conduct “dog daycare and kennel-free boarding” in her home at 290 Fitchville Road. S. Alexander explained that the use did not fit within the regulation and, in the interim, there had been discussions about E. Cecil applying for text amendments to allow the use. S. Alexander explained that an abutter (Brian Sauvageau) has also expressed concerns regarding the use of his property as a residences, due to the encroachment of commercial uses and is considering applying for a zoning map, pending cooperation with other residents on Fitchville Road, for his property, E. Cecil’s property, and others.

S. Alexander explained that he provided a memorandum to the Commission, outlining the preferred scope of potential zoning text amendments, giving his recommendations for amendments, and giving his recommendations of zoning map amendments. S. Alexander explained that draft amendments are attached, which were sent to E. Cecil for her input. S. Alexander stated that he suggests any future map amendments consider designating the subject properties as part of Commercial/Residential (C/R) zone (they are now R-2 residential). S. Alexander invited E. Cecil or B. Sauvageau to speak.

B. Sauvageau spoke, explaining that the background of his concerns regarding the zoning designation of his property. In short, B. Sauvageau does not believe his property is properly zoned, and has support of other neighbors in rezoning the parcels between 276 and 300 Fitchville Road, from R-2 to a commercial district.

E. Cecil explained that she agrees with the discussed zoning text and map amendments. E. Cecil explained that the safety on Fitchville Road is an ongoing issue due to high traffic. It was the overall tenor of the Commission and parties involved that pursuing zoning map and text amendments was the proper path forward. Elaine Neuendorf asked if E. Cecil will be taking care of animals other than dogs. E. Cecil explained that she has a pet peacock but does not plan on having other animals. E. Neuendorf expressed concern

over the proximity of the dog area to her property. E. Cecil explained she may consider moving the dog area in the future. Kerry Gross expressed concern over possible odors from the dog daycare.

T. Weber explained that he contacted the owner of 300 Fitchville Road, and the he is in favor of the proposal.

B. Sauvageau asked how he could provide input into the draft regulation amendments. S. Alexander explained that they were in the pre-application stage with E. Cecil and, since a copy of the draft is currently being made public at the meeting, he could send a letter to the Commission; later on there will be a hearing.

S. Seder explained that two other items will be added to the agenda. Both are informal discussions and not formal applications.

c. Coleman Drilling and Blasting.

Bob Coleman of Coleman Drilling and Blasting spoke and answered questions regarding his purchase of the building at 50 Lebanon Road. B. Coleman explained that he owns a company that drills holes for utility poles; the company no longer does any blasting. B. Coleman explained that the building will mostly be used as the company's 'homebase', and for vehicle storage and repair.

d. Mark Desantis/Quality of Life Massage & Wellness

Mark Desantis of Quality of Life Massage & Wellness spoke and answered questions regarding his plans to purchase 347 Salem Turnpike. M. Desantis explained that he owns a massage and wellness business in Norwich and would like to locate to the building on Salem Turnpike, perhaps using it as his home and keeping the established bed & breakfast. The Commission explained the application requirements and M. Desantis agreed to work with the Zoning Enforcement Officer in making an application for the September meeting.

5. Public Comment Period

Ray Barber asked about the Village Overlay District (VOD) in relation to the pre-application discussion with E. Cecil. S. Alexander explained that in the residential sub-zone of the VOD, mixed use is allowed; however, no commercial uses are specifically permitted. S. Alexander explained that if the property were zoned C/R within he VOD, E. Cecil will be able to operate her business out of her single-family home.

Seymour Adelman expressed concern over the possibility of a dog daycare turning into a larger kennel operation. S. Alexander explained that one of the goals of regulation amendments would be to clearly demarcate both uses.

6. Review general correspondence.

S. Seder explained that notification came from the Connecticut Siting Council concerning the placement of additional equipment on a cell tower on Polly Lane.

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

There was none.

S. Barber made a motion to adjourn the meeting. M. Misarski seconded the motion. The meeting was adjourned at 8:45 PM.

Respectfully submitted,

Samuel Alexander
Town Planner/acting secretary