

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

**BOZRAH PLANNING & ZONING COMMISSION**

AGENDA

Thursday, September 12, 2019  
Bozrah Town Hall, 7:30 p.m.

The Bozrah Planning & Zoning Commission will hold its regular meeting on Thursday, September 12, 2019 in the Bozrah Town Hall meeting room at 7:30 p.m.

1. Review and approve the minutes of the August 8, 2019 regular meeting.
2. Review correspondence pertaining to agenda items.
3. Recognize the new Zoning Enforcement Officer.
4. Hear the report of the Zoning Enforcement Officer.
5. New Business.
  - a. **Kurt Reynolds, Gifford Lane (08/005-B):** Discuss (and/or receive) upcoming application for a Resubdivision. Applicant wishes to reconfigure a reserved drainage area to make a vacant lot buildable.
  - b. **Discussion regarding Collins and Jewell:** Collins & Jewell is planning to construct a new building on Rachel Drive.
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

**REGULAR MEETING  
TOWN OF BOZRAH  
PLANNING AND ZONING COMMISSION  
August 8, 2019**

Chairman Stephen Seder called the 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 8, 2019.

Members present: Stephen Seder (Chairman), Scott Barber (Vice Chairman), Nancy Taylor, Stephen Gural, Frank Discroll (alt.).

Members absent: Manny Misarski, Steve Coit (alt.), Seymour Adelman (alt.)

Others present: Glenn Pianka (First Selectman), Sam Alexander (Town Planner/SCCOG), Ray Barber (resident), Mark Reynolds (Reynolds Engineering Services - applicant's engineer).

Chairman Stephen Seder called the meeting to order at 7:30pm. Stephen Seder seated Frank Discoll in place of Manny Misarski.

1. Review and approve the minutes of the July 11, 2019 regular meeting.

Scott Barber made a motion to approve the minutes as presented. Nancy Taylor seconded the motion.

**VOTE 4 in favor / 0 opposed /1 abstention – MOTION APPROVED**

2. Review correspondence pertaining to agenda items.

Town Planner Sam Alexander stated that a letter was received from Niko Papathanasiou of Three & An Apple, LLC ("Bozrah Pizza"), amounting to a withdrawal of the application due to time constraints, and stating the goal of resubmitting the application with revised plans to address comments from the Connecticut Department of Transportation (CT DOT) District 2 and the Town Engineer. Stephen Seder read the letter to the Commission.

3. Hear the report of the Zoning Enforcement Officer.

Stephen Seder addressed an issue on a parcel of land between Route 2 and Fitchville Pond, onto which someone (likely the landowner) has moved a 50-foot mobile home and two camper units, supposedly using Route 2 to access the land. Stephen Seder stated that CT DOT District 2 and the Connecticut State Police are both involved due to the use of the Route 2 right-of-way.

Stephen Seder stated that he has inspected the site from a distance. Stephen Seder stated that Tom Weber (Building Official and former Wetlands Agent and former Zoning Enforcement Officer) assisted in drafting a Cease and Desist Order. Stephen Seder stated that, at the July meeting, it was decided that he would take over zoning enforcement with assistance from the Town Planner and First Selectman; however, the Commission should make a formal motion to appoint him as the interim Zoning Enforcement Officer.

Scott Barber made a motion to appoint Planning & Zoning Commission Chairman, Stephen Seder, as interim Zoning Enforcement Officer. Nancy Taylor seconded the motion.

**VOTE UNANIMOUS – MOTION APPROVED**

Stephen Seder stated he would sign and mail a Cease and Desist Order.

4. Old Business.

- a. Bozrah Pizza: Three and an Apple, LLC, 409 Salem Turnpike. Site Plan application. Construction of a restaurant, parking, and other site improvements.

Mark Reynolds, P.E. (Reynolds Engineering Services) reiterated that his client will be withdrawing their application due to time constraints caused by various departmental reviews, in particular the Connecticut Department of Health (CT DPH) and CT DOT caused project delays.

Mark Reynolds discussed changes to the current site plan that were a result of the CT DOT review and review by the Town Engineer. Mark Reynolds explained that there is now proposed to be one curb cut with an entrance/exit, instead of two curb cuts, each with a combined entrance/exit. Mark Reynolds explained that eliminating the easterly curb cut allows an additional overflow retention area for stormwater, which was a suggestion of the Town Engineer.

Mark Reynolds explained that CT DPH has preliminarily approved the well and subsurface disposal system. The Commission reminded Mr. Reynolds that the new set of plans, once submitted, will require review by the Town Planner, Town Engineer, and Fire Marshall.

Glenn Pianka (First Selectman) asked if the location of the single entrance/exit would impact the use of the adjacent undeveloped access strip for land in back of the proposed Bozrah Pizza. Mark Reynolds stated that he would ask CT DOT.

5. Public comment period.

Citizen, Ray Barber commented on the current zoning-enforcement matter at Fitchville Pond. Ray Barber stated that a previous owner accessed the land by boat once it was made clear that he was not able to use the Route 2 right-of-way. The Commission further discussed the zoning-enforcement matter and its genesis. It was noted that people have seen fires out there at night.

Sam Alexander stated that a CT DOT worker was moving a deer off the road last week and discovered the trailer and campers and land path that had been cleared (clearing was also done interior to the parcel). Sam Alexander stated that the State Police were notified and that he and a police officer went out to Route 2 on Friday, August 2<sup>nd</sup>, and investigated. Sam Alexander stated that CT DOT moved a pile of mulch to block the path and that CT DOT will take more drastic action to prevent use of Route 2.

The Commission revisited discussion of the Cease and Desist Order and determined that it was adequate to send.

6. Review general correspondence.

None.

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

Stephen Seder stated that he attended a Regional Planning Commission meeting the previous month with former chairman, Seymour Adelman. Stephen Seder reported that topics discussed were Air B&B and tiny houses.

Scott Barber made a motion to adjourn the meeting. Stephen Gural seconded the motion. The meeting was adjourned at 8:02pm.

Respectfully submitted,

Samuel Alexander (acting secretary)  
Town Planner/SCCOG



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

August 9, 2019

Ryan K. Haugh  
16 Wellington Way  
Hebron, CT 06248

**CEASE AND DESIST ORDER**

Re: Your property abutting Fitchville Pond and Connecticut State Route 2  
Assessor's Map #6 / Lot #28 in the Town of Bozrah, CT

Dear Mr. Haugh,

According to our records, you are the owner of the referenced property. This property has recently been found to be in violation of the "Zoning Regulations of the Town of Bozrah" due to the presence of one (1) mobile home and two (2) camper units as defined in Section 2 of the zoning regulations.

Use of a mobile home for reasons other than those specifically allowed under Section 10.7 of the zoning regulations is not permitted. Use of camper units is only provided for in Section 11.8, inside a legally permitted "Recreational Campground", and therefore is not allowed elsewhere. Also, you do not have a legal access to this property from State of CT Highway Rt 2.

**You are hereby ordered to Cease and Desist this activity by removing the mobile home and camper units from your property at the referenced address within thirty (30) days of this notice. You must correspond with the Connecticut Department of Transportation District 2 offices to coordinate removal across State property.**

Pursuant to Section 16 of the zoning regulations, and Section 8-7 of the Connecticut General Statutes, you have the right to appeal this order. Appeals taken to the Zoning Board of Appeals to reverse any order, requirement, or decision of the Zoning Enforcement Officer must be taken within thirty (30) days after receipt of this order. Forms to make an appeal can be obtained at the Bozrah Town Hall.

Failure to comply or appeal this Cease and Desist Order will result in further legal action in which you may be responsible for the attorney's fees of the Town of Bozrah.

Thank you for your anticipated cooperation in this matter. If you have any questions, please contact me.

Sincerely,

Stephen Seder  
Chairman Planning & Zoning Commission, Acting Zoning Enforcement Officer

CC: Glenn Pianka, First Selectmen, Town of Bozrah  
Atty. Jeffrey Londregan