

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

BOZRAH PLANNING & ZONING COMMISSION

AGENDA

Thursday, August 13, 2020
Zoom meeting, 7:00 p.m.

See bottom of agenda for participation instructions

The Bozrah Planning & Zoning Commission will hold its regular meeting on Thursday, August 13, 2020 via Zoom teleconference/videoconference, at 7:00 p.m.

1. Review and approve the minutes of the July 9, 2020 regular meeting.
2. Review correspondence pertaining to agenda items.
3. Hear the report of the Zoning Enforcement Officer.
4. New Business:
 - a. App. #08-00-20: Michael Doughty, 324 Fitchville Road. R-2 Zone. Home Occupation: Welding business in detached garage.
 - b. Affordable Housing Plan Grant.
5. Public comment period.
6. Review general correspondence.
7. Such other business as the commission may vote to hear.

Stephen Seder, Chairman
Planning & Zoning Commission

Join Zoom Meeting

<https://us02web.zoom.us/j/88958864251>

Meeting ID: 889 5886 4251

Call-in

+1 (929) 205-6099

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS

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

TO: Town of Bozrah Planning & Zoning Commission
FROM: Samuel Alexander, AICP, Town Planner/SCCOG SA
CC: Carl Zorn, First Selectman
Katey DeCarli, P.E., ZEO/WEO
DATE: August 6, 2020

Grant funding and process to complete an *affordable housing plan* now required by CGS 8-30j

- Municipalities are now required to complete an “affordable housing plan” every five years. Towns’ first plans must be adopted by 2022.
- The plan must specify how the municipality “intends to increase the number of affordable housing developments in the municipality.”
- SCCOG successfully applied for grant funding from the Connecticut Department of Housing, on behalf of the Towns of Bozrah, Franklin, and Salem to complete plans by the end of FYE 2021.
- \$9,928 is set aside for each of the three towns, which should cover all expenses related to plan preparation, public involvement, and drafting.
- I will lead this process in Bozrah but Carly Holzschuh and Justin LaFountain from SCCOG will also be involved.
- We will prepare a more detailed plan of work, but generally we would like to follow the below process:
 - Initial public outreach in the form of an open-ended, online survey to gauge residents’ housing needs in Bozrah. I would like to begin this soon.
 - Data gathering: Census and other available data; review with PZC.
 - Data analysis to spot future trends and demographic changes; review with PZC.
 - Public meetings to give input into the above.
 - Plan finalization; review with PZC.
 - Public hearing then adoption to follow.

ATTACHMENT: CGS 8-30j

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

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Sec. 8-30j. Affordable housing plan. Hearing and adoption. Amendments. Filing requirement. (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.

(b) The municipality may hold public informational meetings or organize other activities to inform residents about the process of preparing the plan. If the municipality holds a public hearing, at least thirty-five days prior to the public hearing on the adoption, the municipality shall file in the office of the town clerk of such municipality a copy of such draft plan or any amendments to the plan, and if applicable, post such draft plan on the Internet web site of the municipality. After adoption of the plan, the municipality shall file the final plan in the office of the town clerk of such municipality and, if applicable, post the plan on the Internet web site of the municipality.

(c) Following adoption, the municipality shall regularly review and maintain such plan. The municipality may adopt such geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. If the municipality fails to amend such plan every five years, the chief elected official of the municipality shall submit a letter to the Commissioner of Housing that explains why such plan was not amended.

(P.A. 17-170, S. 2.)

History: P.A. 17-170 effective July 24, 2017.

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

Vice Chairman Scott Barber called the regular meeting of the Town of Bozrah Planning and Zoning Commission to order at 7:08 PM, on Thursday, January 9, 2020. The meeting was held via Zoom video/teleconference.

Members present: Stephen Seder (Chairman), Scott Barber (Vice Chairman), Nancy Taylor, Seymour Adelman (alt.),

Members absent: Steve Gural, Manny Misarski, Steve Coit (alt.), Frank Driscoll (alt.).

Others present: Carl Zorn (First Selectman), Glenn Pianka (Board of Selectmen), Sam Alexander (Town Planner/SCCOG), Katey DeCarli (ZEO/WEO/CHA Assoc.), Michael Fowler (Applicant).

Video Recording:

Vice Chairman Scott Barber called the meeting to order at 7:08 PM. Mr. Barber appointed Seymour Adelman (alt.) to sit in place of Steve Gural. Chairman Stephen Seder arrived at 7:10 PM.

1. Review and approve the minutes of the January 9, 2020 regular meeting.

Scott Barber made a motion to approve the January 9th minutes as presented. Seymour Adelman seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

2. Review correspondence pertaining to agenda items.

There was none.

3. Hear the report of the Zoning Enforcement Officer.

Katey DeCarli, P.E. (Zoning Enforcement Officer (ZEO) and Wetlands Enforcement Officer (WEO)) from CHA Associates introduced herself. Ms. DeCarli is taking over for Emily Perko, former ZEO/WEO, and has been working for the past couple of months. Ms. DeCarli provided a report ahead of time that was displayed on attendees screens for everyone to view.

Commissioners asked question of Ms. DeCarli related to enforcement.

- The ongoing enforcement issue at Haughton Road and Route 2 is delayed in the courts due to the pandemic. The courts are not hearing cases of this kind presently.
- Ms. DeCarli will look into Ms. Perko's files regarding a non-conforming commercial property at 314 Bozrah Street.
- Chairman Seder visited Hillendale Farms and was very satisfied with filtering inside of the coops. The Moon family was also satisfied.

- The current owner at 57 Cedar Lane appears not to be using a non-conforming family apartment, which was constructed by a previous owner. No zoning violation was found at this time.

Sam Alexander (Town Planner/SCCOG) suggested that an additional item 3a be added to the agenda to formally appoint Katey DeCarli as the Zoning Enforcement Officer. The Commission was in agreement.

a. Appoint Zoning Enforcement Officer.

Scott Barber made a motion to appoint Katey DeCarli as Zoning Enforcement Officer. Nancy Taylor seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

The Commission, the Town Planner, and the First Selectman discussed short-term rentals (“Airbnbs”).

- There have been complaints of an Airbnb renting to large groups, which have been having parties.
- The Town may address this through a noise ordinance or possibly another type of ordinance. Towns do not typically address Airbnb through existing zoning, however, some do. The Planning & Zoning Commission could also be the enforcing body for a noise ordinance if one is adopted by the Town.
- The Town or the neighbors of an Airbnb could speak with offending owners if there is an issue.
- The Board of Selectmen may decide if an ordinance is necessary.
- A complaint was made to Airbnb.com and it appears the property in question changed their advertisement to eliminate references to parties, etc.

4. New Business:

a. App. #06-00-20: Michael Fowler, 35 Lake Road. Construction of a 416sqft. Family Apartment. Property is single-family in the RU-1 Zone.

The address for this application was mistakenly marked “15 Lake Road” on a previous agenda. Chairman Seder introduced the application. Michael Fowler, applicant, explained the purpose of the family apartment.

Scott Barber asked about the status of approval for well and septic capacity through Uncas Health District. Michael Fowler stated he has submitted all required documentation. Katey DeCarli mentioned that approval was received to Town Hall a couple of hours before the meeting.

Scott Barber made a motion to approve the application with the condition that formal approval of well and septic system capacity is received from Uncas Health District. Nancy Taylor seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

b. CGS 8-24 Referral: Fitchville Road Sidewalk Project. The Town may submit an application under the Local Transportation Capital Improvements Program

(LOTICIP) to fund construction of sidewalks along Fitchville Road (Post Office to Haughton Road).

Sam Alexander explained the background of the application. This project was submitted under a previous funding program (the Transportation Alternatives Program) but will now seek LOTICIP funding. It's received preliminary approval from the Southeastern Connecticut Council of Governments (SCCOG) and may move on to apply for funding through the Connecticut Department of Transportation (CT DOT).

- Seymour Adelman stated that an 8-24 referral was already made for this project, preceding an application to the Community Connectivity Program in 2016.

Scott Barber expressed a desire to have period lighting incorporated into the plan. The Commission was in agreement. Scott Barber made a motion to support the project with the addition of period lighting. Nancy Taylor seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

5. Public comment period.

Glenn Pianka (Board of Selectmen) discussed the sidewalk project and underscored the need for sidewalks on Fitchville Road. Mr. Pianka asked about "brownfields" funding. Sam Alexander explained state and federal programs for brownfields and stated he will reach out for more information. Mr. Pianka has a potential brownfields project in mind.

First Selectman, Carl Zorn discussed the Gilman mill and potential for a brownfields project that preserves buildings on the property that were involved in production during the War of 1812.

6. Review general correspondence.

There was none.

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

Nancy Taylor explained that Beth Colletti from the Primitive Crow antique store on Salem Turnpike wishes to have a tea shop in her store.

Sam Alexander explained that Ms. Colletti will need to look into and address any needed permits from the Building Official or Uncas Health District. No approval is need from the Planning & Zoning Commission.

Nancy Taylor made a motion to add this item to the agenda under item 7a, so that it shows up prominently in the minutes. Scott Barber seconded the motion.

VOTE UNANIMOUS – MOTION APPROVED

a. Informal Discussion re Primitive Crow.

Seymour Adelman stated that this may require Uncas Health District approval. Beth Colletti will need to look into any required approvals and licenses.

Scott Barber made a motion to adjourn the meeting. Seymour Adelman seconded the motion. The meeting was adjourned at 7:56 PM.

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

SOUTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS

5 Connecticut Avenue, Norwich, Connecticut 06360

(860) 889-2324/Fax: (860) 889-1222/Email: office@seccog.org

TO: Bozrah Planning & Zoning Commission
FROM: Samuel Alexander, AICP, Town Planner/SCCOG SA
CC: Carl Zorn, First Selectman
Katey DeCarli, P.E., ZEO/WEO
Tom Weber, Building Official
Michael Doughty, Applicant
DATE: August 6, 2020

Planner Review – App. #08-00-20: Home Occupation, 324 Fitchville Road.

This property is located at 324 Fitchville Road, in the R-2 zone, and is owned by the applicant, Mr. Michael Doughty. The property is 0.3 acres. Home Occupations are allowed in the R-2 zone, subject to certain requirements outlined in section 2.20, and following approval by the Commission.

The applicant has supplied a detailed narrative, which is attached to the application. The narrative addresses the requirements of section 2.20 and is summarized below:

Zoning requirements

- The Home Occupation shall be clearly incidental to the residential use of the dwelling.
 - The home occupation will take place within the garage to the rear of the dwelling.
- The Home Occupation shall not create any noise, odor, dust, vibrations, smoke, gas fumes, radiation, electromagnetic interference, lighting, or unsightly conditions noticeable on or off the lot.
 - The applicant noted that there would be incidental smoke/fumes. He does not believe anyone outside of the garage would detect smoke/fumes.
 - The applicant noted that there would be incidental noise (hammering, cutting, grinding) but that it would be inside the garage. The applicant noted steps he would take to limit any noise (insulating garage and working between 8am and 7pm only).
- There shall be no contractor's equipment (backhoe, bulldozer, etc.), or commercial vehicles larger than a one-ton truck, associated with the home occupation, parked on the property.
 - If the Commission wishes, the applicant will not accept large machinery that is unable to fit indoors. The applicant noted that he may want to have a diesel pickup truck one day.
- The Home Occupation shall be conducted within the residence or an outbuilding as provided in subsection 5. There shall be no outside storage permitted.

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- The applicant noted that all tools will be stored indoors. The applicant noted that he will not store clients' machinery outdoors, and will reject anything that he cannot fit in his garage.
- If located within the residence the Home Occupation shall not occupy more than 25% of the gross floor area of the residence. If located in an outbuilding the Home Occupation shall not occupy more than 50% of the gross floor area of the residence.
 - The applicant noted that he plans to use a portion of his garage that is less than 50% of the floor area of the residence. There will be a separate room in the garage not used for his business. The applicant provided a sketch plan of the garage with room dimensions.
- Employees of the Home Occupation shall consist of residents and no more than two (2) non-residents.
 - The applicant noted that he is the only employee. If the need arises for another employee, he is happy to hire a local teenager interested in learning the trade.
- The Home Occupation shall provide off-street parking on the property.
 - The applicant noted that he has room in his driveway for one or two customers and that off-street parking would not be needed.

Other reviews

- I've referred this application to both the Fire Marshall and Building Official, who may have comments regarding the fire and building codes. According to Tom Weber, Building Official: The applicant may need to upgrade electrical capacity; building permits are required; and separation of flammable equipment will need to be looked at.

ATTACHMENTS: Location map
 Picture of garage

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App. #08-00-20: Michael Doughty, 324 Fitchville Road
Home Occupation - small welding business in detached garage

Location of garage and driveway

SSA 08/06/2020





PLANNING & ZONING COMMISSION

Town of Bozrah, 1 River Road

Bozrah, Connecticut 06334

ZONING APPLICATION

Date of Submission: _____ Application Number: _____

Fee Paid: _____

- | | |
|---|--|
| <input type="checkbox"/> Site Plan Approval | <input type="checkbox"/> Zoning Regulation Amendment |
| <input type="checkbox"/> Special Exception | <input type="checkbox"/> Zoning Map Amendment |
| <input checked="" type="checkbox"/> Home Occupation | <input type="checkbox"/> Change of Use |
| <input type="checkbox"/> Other _____ | |

Name, address and phone number of applicant:

Michael M. Doughty
324 Fitchville Road, Bozrah CT 06334
(860) 574-4915

Name and address of property owner: (if different than above)

Same as above

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

I intend to start a small weld business in my detached garage. My house is at 1,096 sqft and the space outlined in drawing is 478 sqft. Please see attached documents for full details.


(Signature of Owner)


(Signature of Applicant)

COMMISSION ACTION: () Approved; () Denied. Date: _____ Initialed: _____

Home Occupation Details:

Intended name: Cross Cannon Welding, LLC

Business intent: Mainly: Fabrication of small metal products, Small weld repairs and services, Metal art, and Surface hardening

Experience:

- Excelled in metals 1 & 2 in high school where I learned different metal fabrication skills
- Maintained a high GPA at Lincoln Technical Institute where I completed their 10-month welding program
- Currently a specialist aerospace welder, welding casting repairs.
- USMC gave me solid time management and good opportunities to succeed now as a veteran business owner

My response and explanation of the 7 issues addressed if for the zoning codes:

1: I live in and own 324 Fitchville Road for almost 3 years. I am starting my business in my garage just because its all the space I need. I did not buy this house just to use it for business purposes

2: I love Bozrah and would not want to lessen the experience of anyone else's day in this great little town with my business. The primary tool used in

my business is going to be a CNC plasma cutting table. It will put off minor fumes and some noise. Welding will also risk making some fumes. I will be doing some grinding, hammering, cutting and some other basic actions. So out of the concerns on subject 2 of the codes concerns, my business will make noise, some fumes/smoke and a little dust as well. I do not see anything else from the list in the zoning codes being produced at my business.

-I do not believe that any one besides someone standing in or immediately outside my garage would detect any smell or fumes or smoke. This issue will be very minimum. Plus, I intend to run air filtration systems with added carbon filters that help with odors and fumes just to make sure I am doing everything I can to mitigate this small issues.

-The noise concern is the trickier thing to battle but to be honest 80% of business activities will be done inside which will help muffle any noise not to mention down the road I intend to insulate my garage to help with sound and also climate of garage. No noises made by my business would be anything out of the normal use of a homeowner. Chop saw, angle grinder, air compressor charging up, hammering. I do not think it will produce noises that will be a disturbance to anyone. I also intend to respect the quiet moments of the day. I do not intend to do any work that creates noise outside

of the hours of 8am – 7pm. So, I believe that with these steps I will not interfere with anyone's life in Bozrah.

-Dust for the most part is not going to be a big part of my business. The CNC plasma cutter will not be leaving much to have to clean up. Like I said though, 80% of my activities will be done inside. I will not be kicking up a dust cloud or making anything that someone would notice. It would be more like me just getting covered a little. So if a dusty man wont scare anyone I don't think my dust production will be even noticed.

3: In terms of contracting equipment, all my tools will be able to be stored in my garage. From time to time, a customer might bring something by in a mason dump, or something might be getting worked on like a tractor or a bucket for some sort of equipment. If this would be unacceptable of course I would gladly pass on any work that would require me to have something parked inmy driveway. I do not intend to have any vehicle or contractor's equipment besides maybe one day a good diesel pickup truck and a small trailer(6x8). I require no large trucks, contractor's equipment or anything along those lines. Also like I said, I am very flexible on this issue. If having one or two projects parked outside for a couple of days is unacceptable, I can run a pickup/deliver service and only work on things that I can fit in the

garage if need be. Weld repair is going to be a small part of my business I believe.

4: I will not be storing anything outside that does not belong outside. Truck, small trailer(6x8), or maybe a tractor someone dropped off that I cannot fit in my garage. I will not be having different tools or materials out and about. I will store my tools, metals, abrasives and any other property of my business inside my garage. Of course, as mentioned earlier, just say that it is a no-go on the ability to leave a customer's tractor parked in my driveway for a day or two and I will adjust that out of my services.

5: My business will be in a detached garage that is already established on my property. My house according to the assessor's office is 1,096 sqft (property card attached) and in my garage I intend to use intend to use 428 sqft which is less than 50% of the gross floor area of the residence. I have included a sketch to scale of the area to be occupied by my business. The area that is excluded from my business is a walled room where I keep my Harley so it is a pretty well defined area standing in the garage.

6: I intend to run my business myself. It will be a small-time operation that I should have no problem managing the work load by myself. I'm sure I will have friends over who may help out at times but there is no money

exchanged. It would be purely, helping friends out kind of a situation.

Although, one day if I ever had someone who wanted to learn some skills, I would be more than happy to hire a local teenager and better our community by giving someone good, valuable skills to get a job with. That of course would be just one person at a time, but there are no intentions of hiring people as of now.

7: Anyone who came to do business would not have to park on the street. I have room for the one or two customers that might be at the garage at the same time. Plus, I have a rock wall right by the road so I couldn't offer anything else but driveway parking. So, my business will not be having customers or anyone else parked on the curb/street.

To sum up everything, I am a Veteran who bought a house 3 years ago in this lovely little town and now I love it here. I want to establish a business here and I would not want and don't believe that it will be an eye-soar or disturbance to the incredible town of Bozrah or my neighbors. In fact one day I hope I can use my business to actually better our community by teaching valuable skills to teenagers to help them get good jobs and learn better work ethic and maybe inspire them to start their own business one day!

