



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

29 North Street • P.O. Box 203 • Roxbury, CT 06783-0203

ROXBURY ZONING COMMISSION REGULAR MEETING APRIL 9, 2018 MINUTES

CALL TO ORDER

Chairman Conway called the regular meeting to order at 8:05 p.m.
Members Present: James Conway, Elaine Curley, Kim Tester and Alan Johnson
Members Absent: Drew Loya
Alternates Present: William Horrigan, Cheryl Rosen, David Miller
Public Present: Mark Zerbe

SEATING OF MEMBERS

Chairman Conway seated members Curley, Johnson, Tester, Horrigan for Loya and himself.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Minutes of the Public Hearing of March 12, 2018 were approved. Motion by Curley, seconded by Horrigan and approved 4-0 with 1 abstention.

Minutes of the Regular Meeting of March 12, 2018 were approved. Motion by Johnson, seconded by Curley and approved 4-0 with 1 abstention.

PROPOSED AMENDMENTS TO BUSINESS ZONE D

Members questioned the reasoning for changing permitted uses to special permit uses. Chairman Conway suggested that the Commission intended to change only retail use.

Mr. Johnson expressed concern that the parking limit of 20 spaces might be too restrictive to run a business. He noted the Roxbury market has more than parking. Mr. Conway cautioned that if these regulations are not changed, we are vulnerable to a large retail stores moving in to town.

Chairman Conway noted the importance of one person speaking at a time so as not to affect the recording of the meeting.

Mr. Conway indicated that he would like to ask the town attorney about some of the changes she recommended.

Mr. Miller commented that he understood the proposed change in square footage was meant to limit the size to Mom and Pop style stores in Roxbury. Mr. Johnson noted the goal was businesses that were fit for the little town of Roxbury.

Others questioned the reason for requiring special permits for all currently permitted uses (Section 4.7.3). Chairman Conway explained that requiring a special permit gives the Commission an opportunity to review and control what comes into the business zone. Mr. Johnson agreed that it is a minor inconvenience to businesses to require a special permit.

Mr. Johnson suggested adding a clause to allow parking over 20 spaces at the discretion of the board. Mr. Conway noted that instead of a cap on parking it should be up to the discretion of the Commission. Mr. Miller was concerned that limiting parking may result in illegal parking. Chairman Conway noted that the current businesses

do not require parking at the same time so it has not been a problem. Mrs. Eddy called attention to Section 13 – Parking which allows 1 parking space per 200 sq. ft. This would give a 5,000 sq. ft. building 25 parking spaces. Adhering to the existing regulation was discussed. Cheryl Rosen agreed with limiting the parking with the caveat that it could be adjusted if appropriate for a particular type of business.

Chairman Conway summarized that the main issues are parking and a handful of permitted uses that got changed. He noted he likes the idea of requiring special permits and Ms. Rosen agreed that a special permit was not really burdensome.

Several members asked for clarification of the town attorney's reasons for changing the permitted uses. Kim Tester suggested that other uses such as restaurants should be included.

Kim Tester read Section 5.1.3 – Accessory buildings and questioned the phrase "attachment by walls and roofs." Mr. Miler explained that a 5,000 square foot building could not be connected to an accessory building and excluded from the allowable square footage. Chairman Conway explained that this would give another element of protection.

Chairman Conway asked the Commission to review these amendments by the next meeting and return with their suggestions to be discussed.

A mistake was noted in the numbers of Section 5.2 which should be 5.3.

MOTION: To deny the proposed amendments to Zone D. Motion by Curley, seconded by Tester and unanimously approved.

REASON FOR VOTE:

- Horrigan – Commission has too many questions.
- Johnson – There are issues that could present future problems.
- Curley – There is some confusion that needs clarification.
- Conway – Several issues are not clear and there are more changes than necessary.
- Tester – Agrees with all previous comments.

Alan Johnson commented that it is important to welcome certain businesses. He reiterated that he feels parking is too restrictive and the Commission needs to be able to exercise discretion.

Chairman Conway noted the importance of giving the Commission control over uses in the Business Zone through the special permitting process and suggested that they may have agreed to move all uses under special permits. Mr. Miller suggested using a blanket special permit without listing all the uses. It was noted that the zoning regulations operate under the premise that unless a permitted use is listed, it is not permitted.

It was noted that the proposed amendments were intended to impose limits by restricting size, setbacks, parking and lot coverage. Chairman Conway noted that if the new changes are minor, this could go back to public hearing. He noted that the Home Enterprise regulations have more flexibility.

ZEO REPORT

Not available

CHAIRMAN'S REPORT

Chairman Conway asked Mr. Horrigan to continue the Zone A discussion. Mr. Horrigan began by commenting that change will be resisted by people, but it is an inevitable part of life. He spoke of the changes that have occurred since he moved to Roxbury. He gave several examples of lot configurations to show how smaller lots could support small homes. These examples, he noted, would work on land that was perfectly flat and completely usable with no limitations such as for wetlands, steep slopes, etc. Mr. Horrigan showed that an 8/10-acre lot could support a house when the land is perfect. These examples were discussed at length.

Mr. Horrigan noted that in a Hamlet style setting, people expect to live closer together. He warned that there would be a lot of resistance to creating smaller lots for smaller homes.

He reiterated the idea of reconfiguring Zone A along road boundaries rather than as a circle boundary. He agreed to bring in a mock-up of Zone A using road boundaries for the next meeting.

Ms. Curley discussed tax incentives for first time home buyers.

NHCOG WORKSHOP

Chairman Conway noted that the recent NHCOG Workshop focused on the problems that businesses have hiring in our rural district. They also discussed home based businesses which have been allowed in Roxbury for many years. The discussion of Air B&B's was very short and emphasized that regulation should be done through town ordinances not zoning regulations as that would create a grandfathering effect for existing ones.

ADJOURNMENT

Motion to adjourn at 9:25 p.m. by Horrigan, seconded by Tester and unanimously approved.

Respectfully submitted
Karen E. Fddy
Land Use Administrator