



# TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

## ROXBURY ZONING COMMISSION REGULAR MEETING MAY 14, 2018 MINUTES

### CALL TO ORDER

Chairman Conway called the regular meeting to order at 7:35 p.m.  
Members Present: James Conway, Elaine Curley, Kim Tester, Drew Loya  
Members Absent: Alan Johnson  
Alternates Present: William Horrigan, David Miller  
Alternates Absent: Cheryl Rosen  
Staff Present: John Cody, ZEO and Karen Eddy, LUA

### SEATING OF MEMBERS

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

### PUBLIC COMMENT

None

### APPROVAL OF MINUTES

#### Public Hearing – April 9, 2018

Minutes of the Public Hearing of April 9, 2018 approved as presented. Motion by Tester, seconded by Curley and unanimously approved.

#### Regular Meeting – April 9, 2018

Minutes of the Regular Meeting of April 9, 2018 approved as amended. Amendment: Page 1, para. 4, second sentence, delete than; page 2, para. 7, correct spelling of Miller. Motion by Miller, seconded by Curley and unanimously approved.

### BUSINESS

#### Proposed Amendments to Regulations – Business Zone D

Chairman Conway noted that following the public hearing last month questions were raised. Members were asked to review the proposed regulations and bring their recommendations forward. Chairman Conway noted that he and the zoning staff reviewed notes from their original meeting with the town attorney at which it was discussed that “retail” may be too broad a permitted use and should be moved to a special permit use. Mr. Cody urged members to consider what types of business that might come in down the road. The special permit would give the Town control over what goes in there. Mr. Miller argued against the requirement of a special permit for retail businesses. Chairman Conway noted that the professional offices such accountants and doctors, etc. would also have a home enterprise option and would not be restricted to the business zone. Chairman Conway argued that a bank for example would be a bigger consideration because of parking, hours, drive-thru traffic, etc. He felt that requiring a special permit would not seriously impact potential businesses, but it would give the town an opportunity to review and approve the nature and scope of potential businesses. He reiterated that the main changes proposed are limitations to building size, parking and the requirement for a special permit. This gives the public an opportunity to weigh in and it would not really be a deterrent to businesses. Chairman Conway noted that we need to look ahead. Kim Tester cautioned about the future impact of someone buying up the land and reconfiguring the area.

There was lengthy discussion of accessory buildings/structures being connected to a primary building. Kim Tester raised the issue of whether the connection should be by **walls or roofs** (as it is in the proposed regulation) or changed to connected by **walls and roofs**. It was noted that Section 5.1.3 which was located under “Residence

Buildings” should be located under “Building Requirements for Zone D. The consensus following discussion was to delete section 5.1.3, leave this under Section 5.3.1. and to confirm this with the town attorney.

Other proposed regulation changes noted were:

- Motor Vehicles for Hire to be deleted - Section 4.7.3
- Building setbacks would be increased - Section 5.3.1 c.
- Maximum building size would be established - Section 5.3.1.d
- Maximum lot coverage of 25% - Section 5.3.1 j
- New definitions for Accessory Buildings, Structures, Uses would be added to Section 20.

MOTION: To approve for public hearing proposed text amendments to the Roxbury Zoning Regulations pertaining to Zone D contingent upon clarification of Section 5.1.3. A Public Hearing is to be scheduled by July 9, 2018. Motion by Conway, seconded by Loya and unanimously approved.

## **REPORTS**

### ZEO Report

John Cody reported on a new, very large project on Bacon Road. He also noted he has been busy with wetlands issues.

### Chairman’s Report

Chairman Conway summarized the latest developments regarding a previous request to open a package store. He reiterated that the interested parties had come to Zoning and been told how the State process would work in terms of the steps required to call a town vote to allow a package store. Chairman Conway referred to a town vote in 2010 to allow alcohol at fundraising events which may be related. He reminded that the Zoning Regulations since 2011 do not allow package stores. Chairman Conway noted that at this point there is no application for a package store before the Commission.

## **COMMUNICATIONS**

The following items were noted and discussed:

- Special Permit Application – Region 12
- Notice of proposed PDD – Southbury
- Proposed Amendment to Zoning Regulations – Washington
- Proposed Amendment to Zoning Regulations – New Milford
- NHCOC – Land Use Forum

Chairman Conway asked William Horrigan to present his latest findings regarding Zone A. Mr. Horrigan presented a color-coded map of Zone A with boundaries based on roads. His analysis identified properties of less than 4 acres, over 4 acres, Church, Town and Land Trust properties, and properties with wetlands, topographical and frontage restrictions. He noted that existing buildings were not factored in. Specific properties were discussed. He noted that there are not many properties that could be divided even if the lot size and other criteria were reduced. Chairman Conway reiterated that the goal of this review of Zone A was to look at the possibility of creating smaller lots and smaller houses. He suggested that the frontage and circle may be creating barriers. Chairman Conway wondered if an overlay/floating zone might work. Mr. Horrigan noted that smaller lots are definitely cheaper to which Mr. Miller disagreed. Chairman Conway said we are looking for alternatives going forward. Mr. Horrigan said the increase to 4 acre lots really did not change anything to which Mr. Miller noted that it decreased the number of available lots. Chairman Conway suggested that the size required for interior lots is too large. It was noted that larger interior lots were previously used as a tool to restrict development. Ms. Curley noted that there is a growing trend for smaller homes. The Commission thanked Mr. Horrigan for his hard work.

## **ADJOURNMENT**

Motion to adjourn the meeting at 9:01 p.m. by Miller, seconded by Loya and unanimously approved.

Respectfully submitted,  
*Karen Eddy*  
Karen Eddy, LUA