



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING JANUARY 12, 2015

CANCELLATION NOTICE

The regular meeting of the Zoning Commission scheduled for January 12th has been canceled due to inclement weather. The next regular meeting of the Roxbury Zoning Commission is February 9th.

Respectfully submitted,
Karen S. Eddy
Karen S. Eddy
Land Use Administrator



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING FEBRUARY 9, 2015

CANCELLATION NOTICE

The Public Hearing and Regular Meeting of the Roxbury Zoning Commission scheduled for Monday, February 9, 2015 were cancelled due to inclement weather.

Both the Public Hearing and next Regular Meeting of the Zoning Commission will be held on Monday, March 9, 2015 beginning at 7:30 PM.

Respectfully submitted,
Karen Eddy
Karen Eddy
Land Use Administrator

Dated: February 10, 2015



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION PUBLIC HEARING MARCH 9, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the Public Hearing to order at 7:30 PM.

Regular Members Present: Kellerman, Urban, Crawford, Tester and Conway, Alternates Present: Cody, Johnson

Staff Present: Gary Coburn, ZEO and Karen Eddy, Land Use Administrator, Public Present: None

SEATING OF MEMBERS

Chairman Conway seated regular members Kellerman, Crawford, Tester, Urban and himself.

BUSINESS

Proposed Text Amendments regarding Portable Storage Containers, Land Filling, Electrical Meter Pods & Yard Definition

Legal Notices

Chairman Conway read and/or noted that the following notices had been sent:

- Roxbury Town Clerk – memos dated 1-9-15 and 2-11-15
- Voices – Legal Notice appeared in Voices on 2-25-15 and 3-4-15
- Public Notice Registry dated 12-29-14 and 2-13-15

Referrals and Notices

NOTE: Referrals and notices were sent for a public hearing scheduled for February 9, 2015 which was cancelled due to inclement weather. Postponement notices were sent for a rescheduled public hearing on March 9, 2015

Chairman Conway read/commented on the following notices sent/received regarding the proposed amendments:

- The Roxbury Planning Commission's notice dated 12-29-14
- The Roxbury Planning Commission's favorable response dated 2-5-15
- Northwest Hills Council of Government's notice dated 12-29-14
- Northwest Hills Council of Government's favorable response dated 1-5-15
- Housatonic Valley Council of Elected Official's notice dated 12-20-14
- Housatonic Valley Council of Elected Official's acknowledgement received 1-5-15
- Council of Governments of the Central Naugatuck Valley's notice dated 12-29-14
- Council of Governments of the Central Naugatuck Valley's acknowledgement received 12-29-14
- Town Clerks - Bridgewater, New Milford, Southbury, Washington and Woodbury notices dated 1-8-15 and 2-12-15

PUBLIC COMMENT

Chairman Conway noted that no members of the public were present and no written communication was received.

ADJOURNMENT

MOTION to close the public hearing at 7:43 pm. Motion by Tester, seconded by Urban and unanimously approved.

Respectfully submitted,

Karen E. Eddy

Karen Eddy, Land Use Administrator

These minutes are subject to approval by the Roxbury Zoning Commission



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING MARCH 9, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:30 PM.

Regular Members Present: James Conway, Stewart Kellerman, Ray Crawford, Elaine Urban and Kim Tester

Alternates Present: John Cody and Alan Johnson

Staff Present: Gary Coburn, ZEO and Karen Eddy, Land Use Administrator

Public Present: None

SEATING OF MEMBERS

Chairman Conway seated regular members Kellerman, Crawford, Tester, Urban and himself.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Regular Meeting – December 8, 2014

MOTION: To approve the minutes of the Regular Meeting of December 8, 2014 as presented. Motion by Crawford, seconded by Tester. Motion approved with one abstention.

BUSINESS

Public Hearing on proposed text amendments: Portable Storage Containers, Land Filling, Electrical Meter Pods and Yard definition – Discussion following public hearing

Chairman Conway noted that the proposed amendments have been scrutinized at length by the Commission. He asked for a motion.

MOTION: To approve all text the amendments considered at the public hearing held today regarding Portable Storage Containers, Land Filling, Meter Pods and Yard definition. Motion by Kellerman, seconded by Conway.

VOTE--REASON

- **Tester – Approved.** A time limit on portable storage containers is reasonable; Land filling should be limited because of environmental issues; Meter Pods should be screened from view and the yard definition is clearer with this amendment.
- **Crawford – Approved.** Each amendment improves our zoning regulations by clarifying issues for homeowners and serves the general welfare of the town.
- **Urban – Approved.** Controls on portable storage containers was previously lacking; the land filling amendment is reasonable; meter pods should be screened from view and the amendment clarified the yard definition.
- **Kellerman – Approved.** Amendments are in keeping with our zoning regulations as well as the POCD and are supported by the Planning Commission. They fill in some gaps, correct an error regarding meter pods and clarify yard definition.
- **Conway – Approved.** Agreement with reasons previously stated. Limits were needed on storage containers to protect neighbor, the amount of land filling is clarified, meter pods is a correction and yard definition is clearer. These amendments provide protection for neighbors and are good government.

Chairman Conway noted: MOTION was unanimously approved.

ZEO REPORT

Mr. Coburn reported on the following:

Hodges – 8 Chalybes Road

Notice of Violation history was discussed and it was noted that compliance has been achieved. A letter of acknowledgement was sent.

Hodges – 20 Chalybes Road

Notice of Violation history was discussed. All equipment and vehicles have been removed except those belonging to the deceased husband. An extension of time due to snow removal was granted. If equipment is not removed, screening will be required.

Stormwater Regulation

DEEP is requiring regulations on stormwater runoff for new constructions. Wetlands Chairman Dirienzo feels this would be best handled by the Wetlands Commission and he will write new wetlands regulations. The Zoning Commission agreed to let the Wetlands Commission handle this.

Site Plan Regulation

Town Attorney advised that the site plan regulations pertain only to commercial development, subdivisions or special permits. Single-family development should be referred to as a plot plan and/or an A-2 survey which can be approved by the ZEO. Mr. Coburn is working with the Town Attorney to clarify the language in Section 7.1 of the Site Plan Regulation as to requirements for approval.

Mine Hill Quarry

Complaint received regarding truck traffic and noise. After research Mr. Coburn determined that rock has been taken out of the quarry forever and there are no grounds for a zoning complaint or justification for a special permit. The town attorney has suggested obtaining a Statement of Use regarding current operations to determine whether there is expansion of operations in the future. A complaint received by the DEEP about water contamination will be investigated by them as well as by Mr. Dirienzo and Mr. Coburn.

ZBA review of variances for 2014

As advised by the Town Attorney, variances issued during 2014 were reviewed with the Chairman of ZBA. In a memo to the Zoning Commission she recommended consideration of regulations to accommodate special needs such as wheel chair ramps. Chairman Conway noted that most variances were due to nonconformity issues and were necessary. He suggested that Zoning look into regulations for handicap access.

F & S Auto

Complaints received about tractor trailers getting stuck and blocking Garnet Road. The complaints were turned over to the trooper as a traffic safety issue. Mr. Coburn's recommendation was to clear an area within the permitted special permit zone where trucks could pull off the road and not create dangerous traffic situations.

CHAIRMAN'S REPORT

Role of Alternates

A memo by the Town Attorney was noted. The Zoning Commission currently has an alternate position open.

Zoning Meetings Schedule for 2015

Was noted.

Roles and Responsibilities of Land Use Commissions

A seminar sponsored by the NHCOCG was attended by Mr. Johnson, Mr. Cody, Mr. Crawford and Mr. Conway. All felt it was a worthwhile class.

COMMUNICATIONS

Mrs. Urban discussed the NHCOG seminar she attended last October on the topic of cell towers. She noted that towns have more input/influence on the decisions than they think. The new trend will be to mount equipment on telephone poles thereby eliminating the need for cell towers in the future.

Mrs. Eddy noted that the next Land Use Class offered by the NHCOG will be March 19th at 6:30 pm on Site Plan Reading. Chairman Conway and Mrs. Urban asked to be added to the list of attendees.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:37 PM, motion by Crawford, seconded by Tester and approved.

Respectfully submitted,

Karen E. Eddy

Karen Eddy

Land Use Administrator

These minutes are subject to approval by the Roxbury Zoning Commission



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING APRIL 13, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:30 PM.

Regular Members Present: James Conway, Stewart Kellerman, Elaine Urban and Ray Crawford

Alternates Present: John Cody and Alan Johnson

Staff Present: Gary Coburn, ZEO, First Selectman Barbara Henry

Public Present: Elliot Davis

SEATING OF MEMBERS

Chairman Conway seated regular members Kellerman, Crawford, and himself. John Cody was seated for Elaine Urban and Alan Johnson was seated for Kim Tester.

PUBLIC COMMENT

See Guidelines – No public comment

APPROVAL OF MINUTES

Public Hearing – March 9, 2015

MOTION: To approve the minutes of the Public Hearing of March 9, 2015 as presented. Motion by Crawford, seconded by Cody. Motion approved unanimously.

Regular Meeting – March 9, 2015

The minutes were corrected to note that the regular meeting was called to order at 7:45 p.m.

MOTION: To approve the minutes of the Regular Meeting of March 9, 2015 as corrected. Motion by Crawford, seconded by Kellerman. Motion approved with one abstention. 4-0-1 Urban abstained.

Elaine Urban was seated at 7:33 PM and John Cody stepped down.

BUSINESS

Presentation by Elliott Davis regarding business proposal at Roxbury Station

Elliot Davis came forward and reported that he is under contract for the purchase of the Roxbury Station. He distributed a package regarding a business proposal for the Roxbury Station and explained that he would like to informally discuss this proposal tonight and take any questions the Commission may have. He would like to build a craft based distillery at the 5 Mine Hill property, which includes the station, warehouse, lumber shed and the red barns. The business would be used to make money, but also to give back to the community. They will try to use local farm products and will be a good citizen of the town.

Mr. Davis reviewed the proposal in great detail. He noted comparable businesses in the area and the proposed distilling operations. He reviewed the buildings and the proposal for their adaptation while using the architecture and preserving the historical value to the Station. 11% of the square footage will go toward the distillery and the other portion will be used for retail, storage, etc.

Mr. Davis would like to work with Zoning Commission to address this use in this district. He is defining use as craft distillery. He reviewed the criteria for a craft distillery. It would be a small distillery with very few employees. The

proposal would draw the agritourist; however, would be much less disruptive than other potential businesses for this property.

Mr. Davis took questions from the Commission members. It was explained that the Zoning process would be to add Craft Distillery to Special Exception uses and then hold a public hearing. It is unknown how the public will react. Additionally, both the IWWA and Planning would require a review of this proposal. Gary Coburn reviewed the research that he has done regarding this topic.

Chairman Conway explained that this is merely a presentation; however, during the May meeting discussion can begin regarding the regulation regarding this proposal. There is a timeline for this proposal and he would like to proceed with the goal of August as a public hearing date.

First Selectman Barbara Henry noted that she is in favor of this concept for this site. She feels it could be beneficial to the town in many ways.

Proposed text amendment regarding accommodations for disabled

Chairman Conway confirmed that the members received a copy of the regulation used by the Town of Weston that Stewart Kellerman put forward regarding this matter. It was agreed that this should be forwarded to the Town Attorney for review and will await her recommendations.

REPORTS

ZEO Report

Gary Coburn reported that he is working with Gail McTaggart regarding revisions to site plans. This item should be included on the agenda for next month.

Chairman's Report

No report

COMMUNICATIONS

Distribute Zoning Regulations dated 3/30/15

The revised Zoning Regulations were distributed to the members.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:46 PM, motion by Crawford, seconded by Urban. Motion approved unanimously.

Respectfully submitted,

Jai Kern

Tai Kern, Clerk pro tem

These minutes are not considered official until approved at the next Meeting of the Roxbury Zoning Commission



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING MAY 11, 2015

AGENDA

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:34 PM.

Regular Members Present: James Conway, Stewart Kellerman, Elaine Urban

Regular Members Absent: Ray Crawford, Kim Tester

Alternates Present: John Cody

Alternates Absent: Alan Johnson

Staff Present: Gary Coburn, Karen Eddy

Public Present: Barbara Henry, Elliot Davis

SEATING OF MEMBERS

Chairman Conway seated regular members Kellerman, Urban and himself. John Cody was seated for Ray Crawford.

PUBLIC COMMENT

No public comment.

APPROVAL OF MINUTES

Regular Meeting – April 13, 2015

The minutes were corrected under the section “Proposed text amendments regarding accommodations for disabled” to note that the proposed regulation was a modified version from the Town of Weston’s regulations.

MOTION: To approve the minutes of the Regular Meeting of April 13, 2015 as corrected. Motion by John Cody, seconded by Elaine Urban and unanimously approved.

BUSINESS

Diebold – Living History Farm - Special Permit expansion request

Mr. Coburn explained that Mr. Diebold has submitted a proposal for a new barn. He has previously erected several more barns on the property which he considers to be part of the Living History Farm as shown on the site plan entitled “Limited Property Survey Map with Proposed Construction” prepared for Dudley G. Diebold, “Living History Farm”, 102 painter Hill Road, dated March 31, 2015 by Arthur Howland & Assoc. New Milford, CT.

Mr. Conway stated he has no problem with the expansion. Mr. Coburn felt this needed to go to the commission for approval because it is a special permit and the new site plan brings it up to date.

MOTION: To bring to the table for a vote (the application of Diebold for three additional tractor barns to be included in the Special Permit for the Living History Farm). Motion by James Conway, seconded by John Cody. Mr. Conway, Mrs. Urban, Mr. Kellerman and Mr. Cody stated their reason for approving the motion. The motion passed unanimously.

Roxbury Station Proposal

Chairman Conway noted that Mr. Davis had given a detailed presentation on craft distilleries at last month’s meeting. He explained that he and Gary Coburn were assisted by the town attorney in writing a regulation with input from Mr. Davis. The new regulation was sent to Commissioners in their meeting packets. Mr. Conway stated

that the new regulation is very complete and thorough and he would like it to go to public hearing in July. If the regulation is approved, all requirements of the special permit (Section 6) would apply. Mr. Kellerman noted several punctuation errors in the regulation which were corrected. Mr. Conway noted that working with the town attorney has expedited the completion of this regulation.

Mr. Cody questioned whether other drinks such as water or juice could be sold on the premises. Mr. Coburn noted that the federal and state liquor guidelines would have to be followed.

Mrs. Urban asked whether the retail space would be strictly for use by the distillery. Mr. Coburn explained that it would have to be an accessory use of the business. Chairman Conway agreed and read an excerpt from section (e) which states "shall be allowed as an accessory use that is incidental to the Craft Breweries".

MOTION: To schedule a public hearing on the date of the July Zoning Meeting (7/13/15) to discuss the proposed changes to the regulations in business Zone D as presented in the document, Redraft 5/6/15 from Gail McTaggart. Motion by James Conway, seconded by Stewart Kellerman and unanimously approved.

Mrs. Urban raised concerns about the possibility of subletting retail space to another business. Mr. Conway noted that any such changes to a special permit would have to come back through the commission.

Mrs. Eddy questioned whether the "purpose" section of the text amendment would be included in the regulation. Mr. Conway felt that it should be included. Mr. Coburn suggested that it could be numbered as Section 4.7.6. Mr. Conway asked that the town attorney be consulted, but noted he would like it to be included.

PROPOSED TEXT AMENDMENTS

Business Zone D

This proposed text amendment was inadvertently discussed above.

Accommodations for disabled – Section 4.2.11

It was noted that Chairman Conway felt the regulation closely followed the town of Weston and did not need to be reviewed by the town attorney.

Motion to schedule a public hearing on the date of the July Zoning Meeting (7/13/15) to discuss a newly proposed zoning regulation, Section 4.2.11 – Accommodation for the Disabled. Motion by Urban, seconded by Cody unanimously approved.

Definition of Family – Section 20.27

It was the consensus of the Commission to change the word "servants" to "household staff". It was noted that no public hearing would be required to make this change.

REPORTS

ZEO Report

Mr. Coburn noted he did not have a report prepared.

Chairman's Report

Mr. Conway noted that we currently need an alternate commission member and we will need a second alternate after Stewart Kellerman leaves. Mr. Cody will be moved up to become a regular member replacing Mr. Kellerman.

Mr. Conway explained that when Gary Coburn leaves he will be replaced by John Cody as Zoning Enforcement Officer. The Board of Selectman suggested appointing John Cody as Assistant Zoning Enforcement Officer in order that he could shadow Mr. Coburn for training purposes in a volunteer capacity.

MOTION – To appoint John Cody to the position of Assistant Zoning Enforcement Officer (a volunteer position). Motion by Conway, seconded by Urban and unanimously approved.

Chairman Conway thanked Stewart for his all of his work writing and editing regulations during his many years on the Commission and for his work as Vice Chair. Mr. Conway noted how helpful he had been during his years on the Commission. He noted that the BOS plans to recognize Mr. Kellerman's service at their June meeting.

John Cody asked about his wife joining the Zoning Commission. Chairman Conway noted he would check with the first selectman and the town attorney.

Mr. Urban gave an overview of the NHCOG meeting she attended which focused on a new bike trail being created linking some of the East Coast bike trails. It is hoped that the project would increase interest and tourism in the towns of Simsbury, Sharon, New Milford and surrounding towns. Mrs. Urban will attempt to obtain some brochures describing the bike trails which are being subsidized by federal funding.

COMMUNICATIONS

P & Z Newsletter distributed.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:18 PM, motion by Conway, seconded by Urban. Motion carried.

Respectfully submitted,

Karen S. Eddy

Karen S. Eddy

Land Use Administrator

Dated: May 7, 2015

CC: Town Clerk



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING JUNE 8, 2015

AGENDA

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:32 PM.

Regular Members Present: James Conway, Elaine Urban, Ray Crawford and Kim Tester

Regular Members Absent: Stewart Kellerman

Alternates Present: John Cody and Alan Johnson

Staff Present: Karen Eddy, Land Use Administrator

Public Present: Jay Keillor and Liam King

SEATING OF MEMBERS

Chairman Conway seated regular members Urban, Crawford, Tester and himself. Johnson was seated for Kellerman.

PUBLIC COMMENT

No public comment.

APPROVAL OF MINUTES

Regular Meeting – May 11, 2015

Correction to change Mr. to Mrs. Urban in the last paragraph, page 3.

MOTION: To approve the minutes of the Regular Meeting of May 11, 2015 as corrected. Motion by Urban, seconded by Conway and approved.

BUSINESS

Preliminary Discussion of Alternative Housing

Jay Keillor of Land Engineering and Surveying introduced himself and Liam King. Mr. Keillor gave a brief history of his background and education and that of Charles Niewenhous, the former owner of property on Southbury Road now owned by his wife Andrea Niewenhous.

Mr. Keillor presented and reviewed an artist rendering of a project he had worked on called "Great Oak Farm" in Monroe. This project developed 2 & 3 bedroom, single-family units on 100 acres. It was described as having a "town green" type entrance and a "minimal effect" on the town. Commissioners were invited to view the project which is located off Charter and Cuttler Roads in Monroe.

Mr. Keillor recalled the formation of Roxbury's Smart Growth Group about 5 years ago. He noted that he attended a meeting of the most recent Smart Growth Committee (SGC) last fall in which there was lots of opposition to what the committee presented. His assessment of that meeting was that residents were afraid of these dense, cluster-type projects that might be next door or all over town.

Mr. Keillor noted that they have been working on potential regulations summarized in a document he submitted entitled Highlights of Regulatory/Design Concept. He asked the Commission to take a few minutes to read the document and then he briefly reviewed it. Their research involved review of the current zoning regulations, the POCD and subdivision regulations.

Kim Tester asked about floating zones. Mr. Conway explained that this idea got no support (from outside the SGC) and Jocelyn Ayer of NHCOC had referred to them as “overlay zones” but the difference was not made clear.

Mrs. Urban questioned whether Mr. Keillor represented or had consulted Roxbury’s Smart Growth Committee (SGC). Mr. Conway explained that SGC had been disbanded last year and responsibility has been shifted to the Planning Commission. He noted that Mr. Keillor has spoken to the Planning Chairman and will be meeting with them later in the week.

Mr. Keillor presented a Google map type photo of the Southbury Road (Route 67) property. He pointed out the Metcalf Subdivision on Bronson Mt. Road and High Meadow Road. He noted the road to the Cell Tower which is quite steep at the beginning would be the entrance road and the property levels off at the top. They have determined that the cell tower would not be visible from the proposed development site and they have done testing for septic and wells. This concept plan shows 45 sites (100’ x 50’) with 1 or 2 units per site. They understand the housing needs for Roxbury to be smaller homes for younger families and for down-sizing seniors. The site is 95 acres of which 40-50 acres would be utilized.

Mr. Crawford clarified that they would need to change the zoning regulations to allow for some sort of cluster housing which is not currently permitted.

Mr. Johnson expressed concern that a development similar in size to the Monroe project would create a big impact on Roxbury.

Mr. Crawford asked if their concept included single-family owners or common interest ownership. Mr. Keillor noted that the Monroe project was a common interest ownership situation with each house having an easement for yard area so families could have play space for children and to walk dogs. Mr. Crawford described the Great Oak project as a village concept with smaller lots for smaller homes, set in a village type setting, within walking distance of town. He wondered if that was feasible for Roxbury or whether their concept was focused solely on the Southbury Road property.

Mr. Keillor explained that new regulations would be needed for the town and they might include requirements such as a town green type clustering, a location that is not visible from a town or state road, with access off a state highway and a location somewhere near the periphery of the town. When the regulations are completed, they would work to create something for young families and downsizers without disturbing the visual character or Roxbury. He noted that the ideas expressed in their “Highlights of Regulatory / Design Concept were just suggestions for regulations.

Ms. Tester suggested that residents of Southbury Road would be inclined to head toward Southbury for services, shopping, etc. except for schools.

Mr. Keillor read several of the Highlights of Regulatory / Design Concept. He noted that the Monroe project was all single-family dwellings which utilized DEEP septic systems. Smaller projects could utilize State Health Codes as the costs associated with the DEEP systems could be expensive to implement and maintain. The Southbury Road site has good, not excellent soils. Their concept would be to use State Health Codes and to separate the property into a more cost effective realm. They would work with the Planning Commission to determine drainage requirements for the road.

Mrs. Urban asked for stats from the Monroe Project on units occupied, turnover, vacancies, units for sale, etc. Mr. Crawford expressed concern that this project would be too different from Roxbury to draw any sort of correlation.

In answer to Mr. Johnson’s question, Mr. King noted that a unit would be approximately 1,200 sq. ft. Mr. Keillor noted that the Monroe homes were between 2, 200 – 3,000 sq. feet.

Chairman Conway thanked Mr. Keillor and King for coming. He noted that it would be up to the Planning Commission to evaluate their concept and if interested, refer it to the Zoning Commission. He reiterated that the Planning Commission has taken over the role of the Smart Growth Committee.

Mr. Keillor thanked the Zoning Commission for their time.

Mr. Conway noted that three smaller houses in town had recently been sold and he felt they were a good size for younger families.

REPORTS

ZEO Report

Mr. Coburn was not present

Chairman's Report

Chairman Conway noted that there are two openings on the Zoning Commission. He asked members to suggest possible candidates. He noted that John Cody was recently moved up to a regular member.

COMMUNICATIONS

The recently proposed zoning regulation amendments in Washington to eliminate setbacks along town boundaries were briefly discussed. Chairman Conway noted that we received late notice of the public hearing and Mr. Coburn spoke with their ZEO to pass along Roxbury's concerns with the proposal. Mrs. Eddy noted that Washington Zoning had voted the proposal down, but they do plan to review it again. We asked to be informed if it comes up again.

Zoning text amendment referrals from Woodbury and New Milford were briefly discussed. It was noted that neither would create an impact on Roxbury

The Commission was reminded that two public hearings are scheduled for the July Zoning Meeting concerning text amendments to our regulations on breweries and accommodation for the disabled.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:40 PM, motion by Crawford, seconded by Tester. Motion carried.

Respectfully submitted,

Karen S. Eddy

Karen S. Eddy

Land Use Administrator

These minutes are not considered official until approved at the next meeting of the Roxbury Zoning Commission.

CC: Town Clerk



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION PUBLIC HEARING JULY 13, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the meeting to order at 7:30 PM.

Members Present: Conway, Tester and Crawford, Alternate Present: Johnson

Staff Present: Gary Coburn, Zoning Enforcement Officer

Others Present: Arlene Kershner, Phillip Devries, Elliot Davis, Andrew Wood, Susan Purdy, Barbara Henry, Paula Lazesky, Kerri Arsenault, Adam Bedini, Dave Wolf, Wendy Walker, and Richard Patterson.

SEATING OF MEMBERS

Chairman Conway seated members Conway, Tester, and Crawford. Johnson was seated for Cody.

PUBLIC HEARING

Proposed Text Amendment regarding Accommodation for Disabled

Chairman Conway read aloud the proposed text amendment Section 4.2.11 - Accommodation for the Disabled to allow access to homes and other structures.

The Legal Notice published in the Voices and Notice to the Town Clerk were noted.

The Planning Commission's favorable recommendation was read. The Northwest Hills Council of Government's and Western Connecticut Council of Governments favorable responses were noted. Naugatuck Valley Council of Government's proof of compliance was confirmed.

Chairman Conway explained that this text amendment will provide relief from having to go through a lengthy and costly process for accommodations for the disabled.

Chairman Conway opened the floor to public comment. There was no one who wished to comment.

ADJOURNMENT

MOTION: To close the public hearing regarding Proposed Text Amendment regarding Accommodation for Disabled at 7:43 PM, by Tester, seconded by Crawford and carried unanimously.

Respectfully submitted,

Jai Kern

Tai Kern, Secretary Pro tem

Minutes are filed subject to approval by the Roxbury Zoning Commission

cc: Town Clerk



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION PUBLIC HEARING JULY 13, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the meeting to order at 7:45 PM.

Members Present: Conway, Tester and Crawford, Alternate Present: Johnson

Staff Present: Gary Coburn, Zoning Enforcement Officer

Others Present: Arlene Kershner, Phillip Devries, Elliot Davis, Andrew Wood, Susan Purdy, Barbara Henry, Paula Lazesky, Kerri Arsenault, Adam Bedini, Dave Wolf, Wendy Walker, and Richard Patterson.

SEATING OF MEMBERS

Chairman Conway seated members Conway, Tester, and Crawford. Johnson was seated for Cody.

BUSINESS

Proposed Text Amendments to the Roxbury Zoning Regulations to establish a Special Permit Use in Business Zone D for Craft Breweries, Distilleries and Wineries.

The Legal Notice published in the Voices and Notice to the Town Clerk was noted.

Chairman Conway read aloud the proposed Zoning Regulation Section 4.7.7 to allow in Business Zone D by special permit small-scale Craft Breweries, Distilleries, and Wineries as defined at new subsection of Section 20 as meaning a "business primarily engaged in the small scale (volume not to exceed 100,000 gallons per calendar year) on-site production of beer, wine, distilled spirits as those beverages are defined under Section 30-1 of the General Statutes. This use includes on-site mashing, fermentation, processing, blending, aging, bottling, storage, packaging and distribution with finished product to be sold at wholesale and limited retail sales for consumption off-premises and sales of related merchandise. Accessory uses may include related offices, tours, and tastings in Tasting Rooms. Also to be amended is Section 13.2 to provide for parking requirements for the Craft Breweries, Distilleries, and Wineries use classification.

The Planning Commission's favorable recommendation was read.

Letters in support of this proposal were read from Sterett-Gittings Kelsey, Edwin Cady Sr., Edwin Cady Jr. and Thomas & Linda Chipman. A petition in support of the proposal was signed by Scott Mulhare, Mamie Keyes and Mark Carlson.

Chairman Conway opened the floor to the public:

Arlene Kershner asked that the plans be stated. Mr. Conway explained that Zoning is proposing that they amend the regulations to allow for this type of business; however, have no application before them.

Phillip Devries asked if there is a representative present who might apply for this. He suggested an architectural code review. Elliot Davis (*a potential applicant was invited to speak*). He explained that if this (*text amendment*) is approved he will come back and lay everything out in detail; however, he has already done an extensive review.

Andrew Wood noted that he is in support of this regulation amendment.

Susan Purdy lives on Mine Hill Rd and is on the Land Trust. She has concerns with the source of the water. Elliot Davis advised that they would have to dig a new well. He understands there is an abundance of water. The (*future*)

proposal will not use water from the river or discharge to river. She also questioned the maintenance of Mine Hill Rd. Barbara Henry explained that when the application comes before the Zoning Commission this is something that can be discussed.

James Conway explained that there will be more opportunities to question the details (*when an application is submitted*). Tonight is to (*consider changes in the regulations*) to allow such a proposal in Business Zone D. The Special Permit (*process*) allows for a lot of fine tuning by the Commission.

Paula Lazesky explained that he is glad to hear the neighbors are embracing this. It will help all of the neighbors in that district and the station needs this vitality.

Kerri Arsenault echoed Paula Lazesky words. She understands the historic value of the Station and is looking forward to seeing what this will do for the real estate values in town.

Adam Bedini questioned whether food will be offered in addition to the spirits. Mr. Conway explained that if this (*regulation amendment*) is approved, this information would be included in the next step with regard to a statement of use (*as part of a special permit application*).

Dave Wolf questioned who proposed the text. Mr. Conway explained that the Town Council, Gail McTaggart drafted the regulation.

Wendy Walker noted her deep appreciation for historic buildings. She thinks this is a fabulous way to finally save the Station.

It was questioned whether there is anything in the regulation that requires the preservation of the building. Mr. Conway explained that this is not specific to a project; however, can be addressed during the special permit process.

Richard Patterson stated that he is in favor of saving the Station. Many of the letters in favor are from businesses who are not vested in the neighborhood. He noted the connection to the aquifer, questioned whether this will become a liquor store and the hours of operation. Elliot Davis explained that the tasting room is regulated by the State. James Conway advised that this will not become a liquor store

Barbara Henry explained that this is a tremendous opportunity for adaptive reuse and will add great first class assets to this area.

MOTION: To close the public hearing for Proposed Text Amendments to the Roxbury Zoning Regulations to establish a Special Permit Use in Business Zone D for Craft Breweries, Distilleries and Wineries. By Crawford, seconded by Testor and carried unanimously.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:24 PM by Crawford, seconded by Testor and carried unanimously.

Respectfully submitted,

Jai Kern

Tai Kern, Secretary, Pro tem

Minutes are filed subject to approval by the Roxbury Zoning Commission

cc: Town Clerk



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING JULY 13, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the meeting to order at 8:20 PM.

Members Present: James Conway, Kim Tester and ray Crawford, Alternates Present: Alan Johnson

Staff Present: Gary Coburn, Others Present: Barbara Henry, Kim and Adam Bedini, and Drew Loya.

SEATING OF MEMBERS

Chairman Conway seated members Conway, Tester, and Crawford. Johnson was seated for Cody.

PUBLIC COMMENT (See Guidelines)

APPROVAL OF MINUTES

Regular Meeting - June 8, 2015

MOTION: To approve the minutes of the June 8, 2015 Regular Meeting as presented. By Crawford, seconded by Johnson and carried unanimously.

BUSINESS

Application by Town of Roxbury for addition to Hurlburt Park pavilion:

Gary Coburn reviewed the plans for the kitchen/bathrooms addition with the Commission. The septic fields have been approved. The required handicap parking space next to the building was noted. Gary Coburn confirmed that the file is complete and that the Statement of Use is in the file. Barbara Henry clarified that the bathrooms will be open for events, possibly sporting games, etc. A plan for opening and closing the bathrooms still has to be developed. It was noted that the plan has already been approved by the IWC.

MOTION: To approve the Application by Town of Roxbury for addition to Hurlburt Park pavilion. By Conway, seconded by Tester and carried unanimously.

Discussion of proposed text amendment-- Craft Breweries, Distilleries & Wineries:

James Conway stated that he feels the regulation was well thought out, written, planned and it was well received by the public. It is in accordance with the current Plan of Conservation and Development and accepted by the Planning Commission.

MOTION: To approve the amendments to Section 4 to add new section 4.7.7 to provide for a new Special Permit use of Craft Breweries, Distilleries & Wineries with the reasons being that the proposal is in compliance with the goals of the Plan of Conservation and Development as follows:

- Business zoning and uses maintain and enhance the operation and appearance of the area
- Preserve community character
- Encourage festivals and other such activities that promote community spirits
- Encourage the efforts of the Roxbury Land Trust
- To pursue innovative strategies that will retain agriculture, land and sustain farming activity.

Motion by Conway, seconded by Crawford and carried unanimously.

VOTING:

Crawford voted in favor because the addition of this kind of a business in the town will provide economic and social benefits. The farmers in the area will benefit by the agricultural component and it supports the POCD.

Tester voted in favor because it will make people become more aware of Mine Hill and will help the tax base of the town.

Johnson stated he is in favor because since he has lived in town that property has been a nonperforming piece of property. Beautiful buildings will hopefully be restored. It will be a positive destination.

Conway voted in favor due to the low impact use for the Business District which will not create a lot of traffic or truck business. This type of business is best suited for a residential zone and will not be disruptive to the neighbors.

Discussion of proposed text amendment re: Accommodation for Disabled following public hearing:

MOTION: To approve the amendment to Section 4.2.11 - Accommodation for the Disabled to allow access to homes and other structures with the reasons being that makes the process more user friendly for anyone who has to make a structural change to their home to accommodate a disability. By Conway, seconded by Crawford and carried unanimously.

Crawford is in favor of this because it facilitates a very necessary building process for someone in that category. It behooves the town to do this.

Tester is in favor as this simplifies the process and it is much more humane.

Johnson in favor for the reasons mentioned.

Barbara Henry asked for more clarification regarding the process. Gary Coburn explained that a zoning permit would be needed, but at no cost as this will be an administrative process.

REPORTS

ZEO Report

Tabled

Chairman's Report

Schedule of fees - Gary Coburn explained that currently there is a \$140 Zoning permit fee for a shed, which is the same as the fee for a single family home. \$60 dollars of this fee is for the State. He proposed to Barbara Henry that any structure that does not require a building permit should be an administrative permit. Anything under 200 square feet does not require a building permit. Currently many sheds are being built without permit due to the permit cost. This change will encourage more oversight.

The Commission agreed with this proposal for sheds under 200 square feet. Gary Coburn will send a letter to the Selectmen with this request. Barbara Henry noted that all fee schedules get approved at a Town Meeting.

Backyard Burials - An inquiry was made regarding backyard burials. There is nothing in the Zoning Regulations regarding this matter. The Commission felt that there would be some other Agency that would prohibit this activity. Gary Coburn will look into the statutes and the State Health Code regarding this matter.

COMMUNICATION

- NHCOC 5th Thursday Forum notice

OTHER BUSINESS

MOTION: To add to Kim and Adam Bedini to the agenda. By Crawford, seconded by Johnson and carried unanimously.

Kim and Adam Bedini / Food Truck Vending

Adam Bedini explained that he has a health code compliant rolling restaurant. Mark Lowe at the gas station has offered to let him park there. He has spoken to Barbara Henry and a few others with the town and found that there is no ordinance regarding vending. He would like to understand the proper process to go through. Gary Coburn confirmed that there is nothing regarding vending in the regulations. Kim Bedini explained that other towns require a peddler's license. The Commission explained that this topic will have to be researched further. The Bedini's agree provide Gary Coburn with examples of other town's regulations for vending.

Chairman Conway introduced Drew Loya to the Commission as a prospective new member.

ADJOURNMENT

MOTION: To adjourn the meeting at 9:12 PM, by Crawford, seconded by Tester and carried unanimously.

Respectfully submitted,

Tai Kern

Tai Kern, Secretary, Pro tem

Minutes are filed subject to approval by the Roxbury Zoning Commission

cc: Town Clerk



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING AUGUST 10, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:30 PM.

Regular Members Present: James Conway, Ray Crawford, Kim Tester and John Cody

Regular Members Absent: Elaine Urban

Alternates Present: Alan Johnson

Staff Present: Karen Eddy, Land Use Administrator

Public Present: Matthew Weaving

SEATING OF MEMBERS

Chairman Conway seated regular members Crawford, Tester, Cody and himself. Johnson was seated for Urban.

PUBLIC COMMENT

None

APPROVAL OF MINUTES:

Public Hearing – July 13, 2015 - Text amendment regarding Accommodation for Disabled

MOTION: To approve the minutes as amended: Add Mark Olivieri and Jack Huber as members of the public present and correct the spelling of Tester. Motion by James Conway, seconded by John Cody and unanimously approved

Public Hearing – July 13, 2015 – Text amendment regarding Craft Breweries, Distilleries, etc.

MOTION: To approved the minutes as amended: Pg. 2 para. 5 – Change he to she and correct the spelling of Tester. Motion by Ray Crawford, seconded by Alan Johnson and unanimously approved.

Regular Meeting – July 13, 2015

MOTION: To approved the minutes as amended: Pg. 3 para. 5 – Sentence should read: To add Kim ...

Pg. 3 para. 6 – Sentence should read: The Bedini's agreed to provide... Motion by Kim Tester, seconded by Ray Crawford and unanimously approved.

BUSINESS

Weaving/103 Mallory Road – Application for a Home Enterprise: Category III

Matthew Weaving of 103 Mallory Road explained that he and his father own Southwood Auto Parts in Woodbury. He used to repair cars for friends and family at his home in Washington, but has moved to his father's property in Roxbury about two years ago. Mr. Weaving noted that he does conduct some work at 103 Mallory Road connected with his business in Woodbury. ZEO, Gary Coburn and Barbara Henry advised him to apply for a home enterprise permit. He explained that this is a part-time endeavor which he does not feel requires a professional license as his repair work is done without charge for friends and family. He would like to able to continue this activity, but is aware that there have been complaints by neighbors.

The Commission questioned whether the work Mr. Weaving is doing would require an auto repair license from the DMV. They would like to be assured that such a license would not be required prior to granting any sort of home enterprise permit. Mr. Weaving decided to withdraw his application at this time and to research whether his current activity level would require such a license from the DMV.

The Commission discussed the various criteria they would consider if an application is presented by Mr. Weaving in the future. They noted that a Home Enterprise Special Permit Category III would probably be necessary. That would require a public hearing to allow input from neighbors.

Mr. Cody noted that complaints had been received about large trucks and wreckers entering and exiting the property.

Mr. Weaving was informed that a complete statement of use would be needed on a new application.

REPORTS

ZEO Report

Mr. Coburn was not present. A report of the recently approved zoning permits was briefly discussed. Mr. Cody noted that the activity being conducted on Southbury Road by Mr. Lowe was to connect a new driveway to a catch basin.

Chairman's Report

Chairman Conway noted that Drew Loya has been appointed to the Zoning Commission as an alternate member. He suggested that the Commission elect a vice chairman at the September meeting.

It was noted that the Bedini's had submitted some information to Mr. Coburn, who did not have time to review it due to his absence.

Chairman Conway asked that research be conducted on treehouse regulations. Mr. Crawford agreed to provide some information from other towns. Chairman Conway asked that this topic be put on the next agenda

Chairman Conway explained that Barbara Henry had received an inquiry from a Roxbury resident regarding backyard burials. Mr. Crawford noted that there are no state laws prohibiting backyard burials. The need for zoning regulations and the question of whether there are any health codes governing this was briefly discussed.

COMMUNICATIONS

Handouts on the NHCOC 5th Forum and the P & Z Newsletter were noted.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:19 PM, motion by Crawford, seconded by Tester. Motion carried.

Respectfully submitted,

Karen S. Eddy

Karen S. Eddy

Land Use Administrator

These minutes are not considered official until approved at the next meeting of the Roxbury Zoning Commission



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING SEPTEMBER 14, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:30 PM.

Regular Members Present: James Conway, Ray Crawford, Kim Tester, Elaine Urban and John Cody

Alternates Present: Alan Johnson and Drew Loya

Staff Present: Karen Eddy, Land Use Administrator

Public Present: Adam & Kim Bedini, Art and Maureen Singer

SEATING OF MEMBERS:

Chairman Conway seated regular members Crawford, Tester, Cody, Urban and himself.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

REGULAR MEETING – August 10, 2015

MOTION: To accept the minutes of the Regular Meeting of August 10, 2015 as presented. Motion by K. Tester, seconded by R. Crawford and approved 4-0 with 1 abstention.

BUSINESS

WEAVING/103 MALLORY ROAD - Application for a Home Enterprise: Category III

Chairman Conway noted that the prior application had been withdrawn and no new application has been submitted yet.

Bedini: Food Truck Regulation

Adam Bedini submitted a request to change the zoning regulations to permit mobile food vending in Roxbury. He explained that his truck is 100% self-sustaining with recent upgrades like hand washing facilities and new propane lines. He has secured 13 signatures on a petition of support. He is currently doing Shepaug's Home Coming event, the Elephant's Trunk on Sundays and a concert in Washington. He explained that Washington requires a special permit renewable each calendar year to obtain a permanent location. He has Newtown Health District approval to do private events and he holds a sales and tax ID as a legal business. Adam explained that New Milford allows bidding on five permanent spots through Parks and Rec. He felt that locating his food truck at a gas station would be too risky because of the propane. He considered locations like the bottom of Botsford Hill (Blue Barn) or Hodge Park but that has no parking. Chairman Conway felt the Land Trust would not allow him on the Botsford Hill property. He is attempting to satisfy Bridgewater's requirements for a permanent location on Route 67 (site of former bank) across from the Mobile station. He would also like to serve food at municipal events like baseball games. Adam noted he was on CT Style promoting a competition he is doing this weekend. He's also promoting his business on social media. He hopes the food truck might attract people to Roxbury.

Chairman Conway noted concern about location. Ray Crawford asked about his responsibility to the town to sell to the public on private property? Adam thought that would involve getting a peddler's license like Washington requires for their town beach location. A Peddler License is for seasonal locations. Adam does not plan to operate his food truck in the winter months.

Mr. Conway clarified that the two options would be either special events or a permanent location in town. Adam explained that Papa Joe who was located on Route 202 in Washington had to obtain DOT approval.

Kim Bedini wondered if Maple Bank Farm, a Farmer's Market or the Tractor Parade might be possible locations/events to consider. She feels the town has lost its young families who used to gather at the Roxbury Pond. She wondered if they could vend at soccer or baseball game rather than look for a permanent location. Chairman Conway asked for copies of regulations from other towns. Alan Johnson suggested review of New Haven's regulations. Kim Tester felt New Milford's regulations would be applicable.

Elaine Urban mentioned the controversy surrounding the taco truck in Woodbury which resulted in the owner buying a restaurant in order to park his food truck. Adam would like to open his own restaurant and hopes to use his food truck as a means toward that goal.

Chairman Conway said the Commission would look into this request, review regulations from other towns and would keep it on the agenda.

Sheds Under 200 Sq. Ft.

Chairman Conway noted that the Board of Selectman has approved removal of fees for sheds under 200 sq. ft. There was a question as to whether the zoning regulations needed to formally be changed with a public hearing. If so, this could be added to future text amendments.

ZEO REPORT

Mr. Coburn was not present.

Poultry - 57 Chalybes Road

Chairman Conway was informed by the ZEO that the complaint is nearly resolved. The enclosed complaint form gave further details.

Weaving - 103 Mallory Road

Chairman Conway noted that the Singers have filed a written complaint which was included in the meeting packet and is being addressed by Mr. Coburn. Chairman Conway explained that the Commission should not offer an opinion at this time as it is now an enforcement issue. The Singers expressed dissatisfaction with the process and the length of time to address their concerns. They explained that they have been complaining for two years. They asked that Mr. Coburn provide them with a status update. Mr. Singer noted that an excavator has recently been operating on the Weaving property and Mr. Cody agreed to check on this.

Mr. Crawford noted that to obtain an auto dealer and repair license, the DMV requires prior approval of the local Zoning Commission and police. Mr. Crawford distributed the State statute on Motor Vehicle Dealers and Repairers Licensing and Operations which spells out the requirements for such licenses. He described it as a complicated process.

Chairman Conway reiterated that the Commission should not discuss or be involved in the complaint process at this point as it is under the authority of the ZEO as an enforcement issue. Mr. Crawford noted that there is no matter currently before the Commission.

CHAIRMAN'S REPORT

Treehouses

Chairman Conway noted that the Commission is looking into the regulation of tree- houses. Mr. Crawford distributed some related materials and discussed the research he had done. He noted that most municipalities categorize treehouses as accessory buildings but make an exception for a child's playhouse/treehouse of under 100 sq. ft. and no higher than 12 feet. Some municipalities require a building permit for treehouses larger than 100 sq. ft. that are connected to the ground and/or have water and electric. When they are over 100 sq. ft. they are treated the same as a shed. The major issues to be addressed are setbacks, square footage, height, utilities and supporting structures. Obstruction of views and tree stands were also noted as potential issues. More elaborate treehouses seem to be a growing trend. Once a zoning regulation is in place, the question of whether a building

permit could/should be required needs to be answered. The current building code does not regulate treehouses at all nor does it regulate sheds under 200 sq. ft. Mr. Crawford suggested that if we look at treehouses as accessory buildings, then all the permitting requirements of accessory buildings would apply. John Cody reiterated that the building codes only covers permanent structures and treehouses are not considered as such.

It was suggested that regulations should concentrate on height, size, setbacks, location and the construction/safety aspect should be overseen by the building department. There were questions about what other states were doing to insure the safety of such structures. John Cody will look at the town of Morris which is the only local town with regulations. He also raised the question of accessibility such as stairs, ladders, etc. He will look into what other states require building permits and has a call into the CT. Tree Warden to find out if there are other applicable regulations.

Chairman Conway suggested that the Commission would continue to review information and move toward the development of a regulation.

Election of Vice Chairman

Chairman Conway opened nominations. Kim Tester nominated Ray Crawford as Vice Chairman of the Zoning Commission. Motion seconded by Elaine Urban. No other nominations were offered.

Motion to close nominations by John Cody, seconded by Elaine Urban. Motion unanimously approved.

COMMUNICATIONS

- NHCOCG Memo regarding referral submission requirements was mentioned.
- New Milford referral regarding setbacks was briefly discussed.

OTHER BUSINESS

Bedini Food Truck

Chairman Conway noted there are very few possible locations in town besides Hodge Park which has no parking. Special events like ball games, soccer games would provide the primary opportunity. The Roxbury Garage was discussed and then dismissed as a safety risk. Maple Bank Farm would not be suitable as it an agricultural exception and on private property. The ball fields, the schools, the Senior Center and Library could be possible sites by invitation only. A special permit for each event was discussed. It was cautioned that food trucks are a highly competitive and invasive business. If one truck is allowed, there would be pressure to allow others.

Chairman Conway questioned whether there would be a way to limit the number of food trucks to only one. It was questioned whether a bidding process would be necessary. It was noted that events on private property would not be a problem and as the owner could chose who to hire.

Mandating the process and regulating the number of food trucks for municipal events held on town property could be more involved and difficult. The question of whether it would be worth it financially to the sponsoring organization was discussed. It was noted that in New Milford a peddler's license goes out to bid for permanent locations and they would be good for one year.

Chairman Conway suggested that regulations from other towns be reviewed. John Cody noted that he and Gary Coburn had provided a great deal of information from other town to Mr. Bedini and expected he would use it in his presentation to the Commission. He will advise him to return with a more comprehensive presentation.

NHCOCG 5th Thursday Forum

Elaine Urban offered a summary of the Forum on "Aging in Place" which discussed alternative housing for downsizing and keep retirees ink place. A new idea called co-housing was introduced in which a subdivision of free standing homes would share items such as tools and meals in a community kitchen. The idea is to support all efforts to keep the elderly in their own towns.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:53 PM, motion by R. Crawford, seconded by D. Loya. Motion carried.

Respectfully submitted,

Karen S. Eddy

Karen S. Eddy

Land Use Administrator

These minutes are not considered official until approved at the next meeting of the Roxbury Zoning Commission



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING OCTOBER 13, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:30 PM.

Regular Members Present: James Conway, Kim Tester, Elaine Urban and John Cody

Regular Members Absent: Ray Crawford

Alternates Present: Alan Johnson

Alternates Absent: Drew Loya

Staff Present: Zoning Enforcement Officer, Gary Coburn and Karen Eddy, Land Use Administrator

Public Present: Art and Maureen Singer

SEATING OF MEMBERS

Chairman Conway seated regular members Tester, Cody, Urban, Johnson for Crawford and himself.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Regular Meeting – September 14, 2015 2015

MOTION: To accept the minutes of the Regular Meeting of September 14, 2015 as presented. Motion by E. Urban, seconded by K. Tester and approved.

BUSINESS

Bedini: Food Truck Regulation

John Cody noted that his research showed that the surrounding towns do not really have zoning regulations for food trucks. He referred to an article that was circulated about Woodbury which describes how other towns handle this issue. Gary Coburn reiterated that since it's not a regulated use by Zoning Commissions, he recommends that it be controlled by the Board of Selectman as a vendor permit. James Conway noted that he has spoken to Barbara Henry who agreed to discuss it at the next BOS meeting explaining that most towns handle it through an ordinance. Elaine Urban asked if there will be limits placed on the number allowed. Chairman Conway felt that an ordinance would be simpler and easier to develop than a zoning regulation and limiting the number would be considered. He suggested that the Bedini's be informed that the BOS will take this under advisement.

Proposed Text Amendments - Sheds

Gary Coburn noted that the Zoning Commission approved the general language at the September meeting and wondered if it would require a public hearing. He explained that a public hearing is necessary and the text amendment with a minor correction would need to be approved. James Conway read the proposed text amendments to Section 3.1 and 18.2.4.

MOTION: To approved the proposed text amendments to Sections 3.1 and 18.2.4 regarding exemptions for sheds under 200 sq. ft. and to hold a public hearing on the proposed text amendments on November 9, 2015. Motion by Tester, seconded by Urban and unanimously approved.

Tree House Regulations

Ray Crawford who has been researching this topic was not present and asked that this be tabled until next month.

REPORTS

ZEO Report

Gary Coburn reviewed the following ongoing issues:

- Poultry/57 Chalybes Road - This issue is close to being resolved and will be brought into compliance.
- Weaving/ 103 Mallory Road – The town attorney has recommended a course of action which will be implemented and reported on at the next meeting.

Chairman's Report

David Miller has been appointed by the BOS as an alternate which brings the Commission to a full board.

COMMUNICATIONS

- A letter from the Historic District Commission expressing their support for the distillery was noted even though the property is not in the Historic District.
- Report of the Zoning Permits issued was briefly reviewed.
- Chairman Conway reported that the Hurlburt Park project to enlarge the pavilion has received bids that are extremely high and is temporarily being placed on hold while a redesign of the project is completed.

ADJOURNMENT

MOTION: To adjourn the meeting at 7:48 PM, motion by E. Urban and seconded by J. Cody. Motion carried.

Respectfully submitted,

Karen S. Eddy

Karen S. Eddy

Land Use Administrator

These minutes are not considered official until approved at the next meeting of the Roxbury Zoning Commission



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION PUBLIC HEARING NOVEMBER 9, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the Public Hearing to order at 7:30 PM.

Regular Members Present: J. Conway, K. Tester, E. Urban, J. Cody and R. Crawford

Alternates Present: A. Johnson, D. Loya and D. Miller

Staff Present: Zoning Enforcement Officer, Gary Coburn and Karen Eddy, Land Use Administrator

Public Present: Marie Swanson

SEATING OF MEMBERS

Chairman Conway seated regular members Tester, Cody, Urban, Crawford and himself.

PROPOSED TEXT AMENDMENT

Chairman Conway read the proposed text amendments regarding sheds.

NOTICES AND REFERRALS

Chairman Conway read the following legal notices and referrals:

- Roxbury Town Clerk
- Voices
- Public Notice Registry
- Referral to the Roxbury Planning Commission

PUBLIC COMMENT

No public comment was offered.

BUSINESS

MOTION: To continue this public hearing on December 8, 2015. Motion by K. Tester, seconded by R. Crawford and unanimously carried.

ADJOURNMENT

MOTION: To adjourn the public hearing at 7:37 PM, motion by Crawford, seconded by Urban and approved.

Respectfully submitted,

Karen S. Eddy

Karen S. Eddy

Land Use Administrator

These minutes are not considered official until approved at the next meeting of the Roxbury Zoning Commission



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING NOVEMBER 9, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:38 PM.

Regular Members Present: James Conway, Kim Tester, Elaine Urban, Ray Crawford and John Cody

Alternates Present: Alan Johnson, Drew Loy and David Miller

Staff Present: Gary Coburn, ZEO and Karen Eddy, LUA

Public Present: Marie Swanson

SEATING OF MEMBERS

Chairman Conway seated regular members Tester, Cody, Urban, Crawford and himself.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Regular Meeting – October 13, 2015

MOTION: To accept the minutes of the Regular Meeting of October 13, 2015 as amended: First sentence under Proposed Text Amendments should read: Gary Coburn noted that the Zoning Commission approved the general language at the September meeting and **members** wondered if it would require a public hearing. Motion by E. Urban, seconded by J. Cody and unanimously approved.

PROPOSED TEXT AMENDMENTS

Sheds

Chairman Conway noted that the public hearing has been extended until December.

BUSINESS

Swanson/39 Davenport Rd – Special Permit Application Home Enterprise – Category III

Chairman Conway noted that the application submitted includes a statement of use, site plan, property deed and a public hearing will be required. It was noted that the fee has been paid.

The site plan was reviewed. Marie Swanson noted that on Moosehorn Road to the north there is no building lot. It was noted that a portable saw mill is close to the property line and the building used for the business (40' x 50') is near the house. Mrs. Swanson was told that the complaints came from the property across the street, not the adjacent neighbors. She noted they did have two screeners operating to make top soil and crush rock on site at one point and they were noisy. The complaint was about working done on holidays and weekends, but Mrs. Swanson stated emphatically that they have never worked on weekends or holidays.

When asked about outside storage, Gary Coburn explained that most of the stuff on site comes in and goes out. There is a small dump truck, a small pick-up and a box container for storage. He noted the regulations are vague about what is considered outside storage.

Chairman Conway noted the Commission would attempt to compare this application with previously approved ones. He noted that 500 feet of outside storage is allowed but he was not sure if piles of dirt would qualify. He explained that on previous applications the number of vehicles allowed were restricted. The goal would be to

minimize the impact on the neighbor as much as possible. Screening the site and potential agricultural use regarding firewood were briefly discussed. Chairman Conway noted that the statement of use includes a triaxle, 3 large trucks, 3 trailers and 5 pick-up trucks. Marie remarked that she has a lot of property and all vehicles are registered. Alan Johnson noted that the goal would be to set limits on future growth.

Chairman Conway noted that the regulations allow for up to 3 nonresident employees. Mrs. Swanson indicated that all employees are family members. It was further noted that the regulations limited inside storage to 2,000 sq. ft. Outside storage limits is 500 sq. ft. which on a previous application translated to parking space for five vehicles. The questions as to parking space for vehicles qualified as storage was briefly debated. Mr. Coburn noted that on street parking is not allowed. Ms. Tester noted that parking areas shall be screened from neighbors. Mr. Coburn explained that the complaints received were not about traffic, parking, etc. but rather about noise and it has not been proven that the noise came from this site. There was discussion of restricting the hours/days that screeners could be used. Mr. Coburn suggested that commissioners visit the site individually

Marie Swanson asked about housing some of the pickups in her garage. Chairman Conway indicated that the Commission would look at how many vehicles would be allowed outside.

Mr. Crawford asked about restricting noise on holidays and weekends and Mrs. Swanson said they would. She indicated that when they use the screener it is for several days. Mr. Miller noted that the screeners are small ones and not as loud as the larger ones.

Chairman Conway suggested that the Commission accept the application and schedule a public hearing. The statement of use and site plan would be considered and restrictions might be imposed by the Commission. Mrs. Eddy noted that Mrs. Swanson would be required to notify the neighbors and could provide a legal notice for her use. A public hearing on December 8, 2015 would be possible. Mr. Conway noted that the Commission would have 65 days following the close of the hearing to make a decision. He encouraged commissioners to visit the site. Mrs. Swanson provided a contact number.

Kim Tester brought attention to the regulation that requires that a special permit for outdoor storage be renewed annually. Gary Coburn explained that according to the town attorney special permits are not renewed annually and section should be stricken. He further explained that permits can be reviewed annually to insure that stipulations/conditions are being followed. It was noted that a change in Section 8.8.9 of the regulations would require a public hearing and Ms. Tester agreed to review this regulation for the Commission. Gary Coburn explained the problems involved with requiring an annual renewal of special permits. Chairman Conway asked that he provide to the commission a list of the special permits that have been issued.

Tree House Regulations

Ray Crawford distributed a sheet summarizing his research. He noted that treehouses have become a growing popular trend and where municipalities don't have regulations in place, they have done poorly in litigation. He submitted and briefly outlined his research notes regarding Treehouse regulations which covered the following points: Proposed definition and consideration of regulations which might restrict height, placement on property outside of setbacks, required distances from other structures and prohibit utilities.

Following discussion by the commission Chairman Conway recommended that treehouses need to be regulated as there are already several in Roxbury. He thanked Mr. Crawford for his input and asked that the commission continue its discussion of potential regulations.

REPORTS

ZEO Report

Gary Coburn reviewed the following ongoing issues:

- **Weaving/ 103 Mallory Road** – An NOV has been issued. He is currently working with the owner to resolve the issues and will report progress at a later date.

- **Poultry/57 Chalybes Road** – The number of birds and structures on the property have been reduced to meet compliance; therefore, this complaint has been closed.

Chairman's Report

Chairman Conway reported on his conversations with Elliott Davis and the Land Trust regarding their desire to revise the boundary lines in the Business Zone D. Their goal would be to include all of the properties related to the Roxbury Station within the zone by slightly altering the configuration of the boundaries of the zone. Chairman Conway recommended that Mr. Davis and the Land Trust jointly propose a text amendment to the regulations which would eventually require a public hearing possibly in February 2016.

COMMUNICATIONS

The P & Z Newsletter distributed to the commission was noted

ADJOURNMENT

MOTION: To adjourn the meeting at 8:42 PM, motion by R. Crawford and seconded by E. Urban and approved.

Respectfully submitted,

Karen S. Eddy

Karen S. Eddy

Land Use Administrator

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TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION SPECIAL MEETING NOVEMBER 12, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 1:00 PM.
Regular Members Present: Ray Crawford and John Cody
Alternates Present: Alan Johnson and David Miller
Staff Present: Gary Coburn, ZEO and Karen Eddy, LUA
Public Present: None

SEATING OF MEMBERS

Vice Chairman Crawford seated members Cody, Johnson for Tester, Miller for Urban and himself.

PUBLIC COMMENT

None

PURPOSE OF THE SPECIAL MEETING

Vice Chairman Crawford noted the purpose of the Special Meeting was to consider an application from Swanson/39 Davenport Road for a Special Permit – Home Enterprise Category III for acceptance and scheduling of a public hearing date.

MOTION: To accept the application by Swanson of 39 Davenport Road for a Special Permit – Home Enterprise, Category III. Motion by Johnson, seconded by Miller and unanimously approved.

MOTION: To schedule a public hearing on the application by Swanson for December 8, 2015. Motion by Cody, seconded by Johnson and unanimously approved.

ADJOURNMENT

MOTION: To adjourn the meeting at 1:03 PM, motion by Miller, seconded by Johnson and approved.

Respectfully submitted,

Karen S. Eddy

Karen S. Eddy
Land Use Administrator

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TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION PUBLIC HEARING DECEMBER 8, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the Public Hearing to order at 7:30 PM.

Regular Members Present: Conway, Tester, Urban, Cody and Crawford

Alternates Present: Johnson and Miller

Staff Present: Zoning Enforcement Officer, Gary Coburn and Karen Eddy, Land Use Administrator

Public Present: Members of the public present – 30 to 40 not identified.

SEATING OF MEMBERS

Chairman Conway seated regular members Tester, Cody, Urban, Crawford and himself.

PROPOSED TEXT AMENDMENT

Chairman Conway read the proposed text amendments regarding sheds.

NOTICES AND REFERRALS

Chairman Conway read a memo from the Roxbury Planning Commission which gave a favorable referral regarding the proposed text amendments.

PUBLIC COMMENT

No public comment was offered.

ADJOURNMENT

MOTION: To close the Public hearing at 7:34 PM, Motion by Crawford, seconded by Urban and unanimously approved.

Respectfully submitted,

Karen S. Eddy

Karen S. Eddy

Land Use Administrator

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TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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ROXBURY ZONING COMMISSION PUBLIC HEARING DECEMBER 8, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the Public Hearing to order at 7:35 PM.

Regular Members Present: James Conway, Kim Tester, Elaine Urban, Ray Crawford and John Cody

Alternates Present: Alan Johnson, David Miller

Staff Present: Gary Coburn, ZEO and Karen Eddy, LUA

Public Present: Marie & Paul Swanson, Harry & Rosie Ong, Greg Meredith, Mat Weaving, Missy Cole, Geoff Fairbairn, Brian Neff, Mark Olivieri, Susan Payne, Rob Horrigan, Mary Ognan, Paul Herbert,

SEATING OF MEMBERS

Chairman Conway seated regular members Tester, Cody, Urban, Crawford and himself.

LEGAL NOTICE

Chairman Conway read the legal notice that appeared in Voices

PURPOSE OF HEARING

APPLICATION BY SWANSON/39 DAVENPORT ROAD FOR A HOME ENTERPRISE – CATEGORY III SPECIAL PERMIT

PUBLIC COMMENTS

Chairman Conway noted that initially all speakers would be allowed up to three minutes. After everyone has spoken, more time could be requested. He asked that speakers their name and addresses.

Chairman Conway and Kim Tester read letters from the following residents: Robert & Mary Ognan, John German, Lisa Smith, Harry & Rosie Ong and Maureen & Robert Sladen.

The following residents addressed the Commission regarding this application:

Mat Weaving of 103 Mallory Road

Spoke in support of the application. He noted he has been friends with the Swanson's for a long time and he has never had a problem with them. He can vouch for the high quality of their character. Mr. Weaving said, "You can't take away someone's right to make a living."

Greg Meredith of 62 Davenport Road

Noted he lives across the road. He read a lengthy letter detailing his objections to granting this special permit on the basis that it fails to comply with the requirements of a Category III Home Enterprise. He noted that he was also speaking on behalf of Lisa Smith/6 Davenport Road, John & Nancy German/67 Davenport Road and Maureen & Rob Sladen/74 Davenport Road. He closed by saying that Oakridge Service is asking that the neighbors sacrifice far too much of the quality of their life to provide Oakridge with the financial benefit of locating this type of business in a residential neighborhood.

Harry Ong of 102 Davenport Road

Spoke in support of the special permit. He has lived in Roxbury for 33 years. As a retiree he has noticed that trucks from many different businesses go up and down Davenport Road as it is a main route to Washington. He uses Davenport several times a day and has observed that the Swanson's property has always been well kept and has

never been unsightly. Mr. Ong noted that he has no objection to this permit. He has heard noises from other neighbors who were cutting down trees, etc. He would like Oakridge Services to be allowed to continue its services.

Jeff Fairbairn of 138 North Street

Has been a builder for 40 years. He remembers when farmers in Roxbury worked 7 days a week. He supports the idea of local businesses working here.

Missy Cole of 115 Davenport Road

Has been in Roxbury for 15 years. She spoke in support of the special permit. She noted she lives on the corner and has had no problems. The Swanson's are good neighbors and she has not heard any excessive noise from their property.

Brian Neff of 128 Bacon Road

Spoke in support of the special permit. He is familiar with the excellent work done by the Swanson's for a long time. He feels this is a valid application and he urges approval of it. The Swanson's are a good family to keep in town. Their work is excellent and they have many happy customers.

Harry Ong

Noted that allowing Fran Hodges to operate a similar type of business has set a precedent and this is no different.

Mary Ognan of 2 Moosehorn Road

Spoke in support of the special permit. She has known the Swanson's to be hard working people for many years and they have done much for everyone. She feels it would be wrong to put them out of business. She stressed the need for neighbors to communicate with each other to solve problems. She noted she has never been bothered by noise. Other similar permits have been approved and this should be too.

Rosie Ong 102 of Davenport Road

Spoke in support of the special permit. She spoke of her respect for the Swanson's and their work ethic. She asked that they be treated as people and not numbers.

Mark Oliveri of 1 Crossbrook Road

Noted he is a contractor who has worked with the Swanson's and can vouch for their integrity and contribution to the town. He feels the regulations are meant for situations where neighbors aren't communicating and others have to be called in to hear both sides. If there's a way that the regulations can give people another chance that's the best bet.

Paul Herbert of 152 North Street

Has known the Swanson's for 32 years and agrees that their work is impeccable. He feels the town needs residents and businesses like theirs because you never know when you might need them. He requested that the Commission approve their application.

Mary Ognan of 2 Moosehorn Road

Remembered that the Swanson worked for two days helping the town during a snow storms and never charged a penny. She feels the town needs them and urged that they not be driven out of town. She expressed the need for communication and concern for neighbors.

Chairman Conway recommended that the public hearing be continued in January to rectify a problem with notices to surrounding homeowners.

Marie Swanson of 39 Davenport Road

Stated that (her son) Paul Swanson has lived at 39 Davenport Road all of his life and he's worked very hard to get this far. She read a letter written by James P. Weaving in support of the special permit. She also spoke of the many ways she and her family have worked on behalf of the Town of Roxbury during her 52 years as a member of the community. She noted that Paul is not home on weekends and their people are off working at job sites for a

good part of the day. She's disheartened by letters from people she has considered friends for years. She feels that the noise is tolerable. Mrs. Swanson commented that she thought "the drone was disgusting".

CONTINUATION OF HEARING

MOTION: To continue the public hearing on the application by Swanson of 39 Davenport Road to the January 11, 2016. Motion by J. Conway and seconded by R. Crawford and unanimously approved at 8:21 PM.

Respectfully submitted,

Karen S. Eddy

Karen S. Eddy

Land Use Administrator

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TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING DECEMBER 8, 2015

MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 8:25 PM.

Regular Members Present: James Conway, Kim Tester, Elaine Urban, Ray Crawford and John Cody

Alternates Present: Alan Johnson and David Miller

Alternates Absent: Drew Loya

Staff Present: Zoning Enforcement Officer, Gary Coburn and Karen Eddy, Land Use Administrator

Public Present: Brian Neff, Susan Payne, Mark Olivier and Rob Horrigan

SEATING OF MEMBERS

Chairman Conway seated regular members Tester, Cody, Urban, Crawford and himself.

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Public Hearing - Sheds – November 9, 2015

MOTION: To approve the minutes of the Public Hearing as presented. Motion by Crawford, seconded by Tester and approved.

Regular Meeting – November 9, 2015

MOTION: To approve the minutes of the Regular Meeting as presented. Motion by Crawford, seconded by Cody and unanimously approved.

Special Meeting – November 12, 2015

MOTION: To approve the minute of the Special Meeting a presented: Motion by Crawford, seconded by Cody and approved 3-0.

BUSINESS

Sheds – Public Hearing Continued from Nov. 9, 2015

MOTION: To approve the proposed text amendments to Section 3.1 and 18.2.4 of the Roxbury Zoning Regulations as presented. Motion by Tester, Seconded by Conway and unanimously approved

Swanson/39 Davenport Road – Special Permit Application – Home Enterprise Cat III

Chairman Conway advised that no further discussion will be entertained as the Public Hearing has been continued to January 11, 2016.

Roxbury Land Trust – Preliminary discussion of Roxbury Station

Brian Neff presented a preliminary proposal for 6 Mine Hill Road to convert the house on this 1.2 acre site to an office for the Roxbury Land Trust (RLT). As most of the property is in Zone D with a small portion in Zone C it was noted that Zone D regulations would apply. Proposal would include converting the second floor into an apartment. The plan is to staff the RLT Office half time. Brian asked if a special permit would be required for a change of use. Mr. Coburn recommended adding a use such as Professional Offices to Section 4.6.2 to allow this use. Mr. Neff noted the Land Trust is a nonprofit organization. He also noted the need for a handicap ramp and

parking. Gary Coburn advised that they would have to apply for a change of use to ZBA and may also need a variance for parking. Mr. Neff noted that the lot size, deed and wetlands restrictions may not accommodate the required number of parking spaces.

It was noted that the required site plan should include signage, lighting and parking. Susan Payne indicated that the RLT would like the exterior to mimic the historic appearance of the former general store. Mr. Neff indicated that the perc test, septic and well are all in good shape. It was mentioned that the RLT has a verbal agreement with Elliott Davis which will allow them to park on his adjacent property. Mr. Neff noted that the area of shared parking would be indicated on the site plan.

Mr. Olivieri asked if they could start on the roof and some interior alterations. It was noted that they could start by obtaining building permits as long as there were no changes to structure or footprint.

Chairman Conway reiterated that the Commission would begin the process of changing the regulations regarding the use. It was noted that a full site plan review and approval by the Commission would be required.

Tree House Regulations

Ray Crawford prepared and distributed a handout entitled "Draft Document for Consideration by Commission" dated Dec. 8, 2015 which outlined potential regulations regarding treehouses. Mr. Crawford noted that treehouses are a growing trend and in the absence of some regulation the courts tend to support homeowners when towns challenge the size and scope of these structures.

A lengthy discussion of the draft regulation on treehouses included definition, height, size limitation, possible setbacks, prohibiting of commercial and human habitation, safety and permit requirements. It was noted that there is currently no oversight by building officials so no building permits are required. The Commission will continue to discuss the formation of possible regulation for treehouses. Mr. Coburn was instructed to contact the town attorney to start a dialogue on this topic.

REPORTS

ZEO Report

Gary Coburn distributed a list of special permits issued. He noted a need to change the regulation which states that special permits are renewed annually when in fact these permits are permanent and run with land. Swift and Holroyd were cited as examples. It was noted that Category I and II Home Enterprise permits do not require approval by the Commission.

Mr. Coburn reviews his recommendation for regulations that should be reviewed and possibly changed to correct discrepancies as follows: Sections 6.2.1 d., 8.5.8, 18.9 and 18.

Home Enterprise - Section 8.5.8 which requires notice to homeowners within 500' of the property in question does not agree with other sections of the regulations regarding notice.

Mr. Coburn noted that this was his last Zoning Meeting as he was moving south. He said he has enjoyed working with the Commission.

Chairman Conway thanked Gary for his hard work on the behalf of the Zoning Commission.

CHAIRMAN'S REPORT

None

OTHER BUSINESS

Zoning Meeting Calendar for 2016

MOTION: To approve the Zoning Meeting Calendar for 2016 as presented. Motion by Crawford, seconded by Tester and unanimously approved.

Election of Officers for 2016

MOTION: To nominate James Conway as Chairman of the Zoning Commission for 2016 by Tester.

MOTION: To close nominations by Crawford, seconded by Tester. Vote to approve James Conway as Chairman unanimously approved.

MOTION: To nominate Ray Crawford as Vice Chairman of the Zoning Commission for 2016 by Tester. MOTION: To close nominations by Tester, seconded by Urban. Vote to approve Ray Crawford as Vice Chairman unanimously approved.

COMMUNICATIONS

Regarding the Notice of Public Hearing received from Woodbury, Gary agreed to contact Jocelyn Ayer to obtain details for discussion at the next meeting.

ADJOURNMENT

MOTION: To adjourn the meeting at 9:25 PM, motion by Tester, seconded by Urban. Motion carried.

Respectfully submitted,

Karen S. Eddy

Karen S. Eddy

Land Use Administrator

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