



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION REGULAR MEETING JANUARY 9, 2017 MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:30 p.m.
Regular Members Present: James Conway, Kim Tester, Alan Johnson, Drew Loya and Elaine Curley
Alternates Present: William Horrigan and Curt Smith
Alternates Absent: David Miller
Staff Present: Karen Eddy
Public Present: None

SEATING OF MEMBERS

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

PUBLIC COMMENT

None

At 7:35 p.m. Mr. Johnson was seated and Mr. Smith stepped down.

APPROVAL OF MINUTES

Regular Meeting – December 12, 2016

MOTION: To approve the minutes as presented by Tester, seconded by Horrigan and unanimously approved.

BUSINESS

Farmer's Market

Chairman Conway noted that following a preliminary inquiry, the Commission began to look into developing a regulation, but as no application has been received, further work on this regulation will be discontinued at this time.

Nonconformity Regulations

Chairman Conway commented that the proposed text amendment, Section 3.10.4a prepared by the Town Attorney was a new section and it was pretty concise.

Mr. Horrigan related his experience with the Mumford house where he decreased the nonconformity by reducing the footprint thus obtaining ZBA approval to put on a second floor. He noted that a loophole in Section 3.10.4 allows for expansion in both the footprint and height. He questioned whether a height limitation should be considered. Chairman Conway opined that most people just want to add a bedroom and would not go to that kind of trouble. He did not think that this would change the streetscape that much.

Mr. Smith pointed out that the terms "dwelling unit" and "building" are defined in the regulations, but "nonconforming dwelling" is not.

Chairman Conway felt that decks should not be considered part of the footprint of a building as it was not habitable space.

Mr. Johnson felt the proposed amendment was concise and to point.

Elaine Curley arrived at 7:45 p.m.

Chairman Conway noted he did not want to see small homes with huge additions on South Street. Mr. Horrigan reiterated that this amendment gives homeowners the opportunity to have two stories. Mr. Conway reminded that we currently have two story houses and height limits; it's the sprawl that he would like to avoid.

Mr. Smith prepared and distributed 3 scenarios showing possible additions. In Example A less than 25% of the original house is behind the setback and would be allowed. Example B would not be allowed. In Example C, the Hat Shop, the entire house is within the 50' setback. Several members argued that the addition is moving away from the setback line and would be allowed. Mr. Smith did not agree.

Chairman Conway explained that he values the advice of the Town Attorney when it comes to developing regulations as she has to defend them for the town.

Mr. Smith reiterated that nonconforming dwelling was not defined and Chairman Conway agreed that it should be. Mr. Horrigan suggested using the phrase "setback basis" which would be the road. Chairman Conway felt that that the Town Attorney's language about moving in the direction away from the setback was understood by all and would not cause a problem. He noted that Route 317 has the biggest setback in town. Mr. Horrigan argued that if example 3 was changed so that the footprint did not reach the setback line, it would not be moving away from it, and therefore, "setback basis" would be more descriptive.

Chairman Conway reiterated that in order to qualify for the 25% expansion, the structure must exceed the setback line.

Mr. Smith's proposed revisions included "any such expansion must conform to all applicable setback requirements and shall not increase any pre-existing nonconforming setback violations." Plot plan would be replaced with Class A-2 Zoning Location Survey.

Chairman Conway reiterated his goal was to allow a family to put on a spare bedroom up to 25% (of the footprint) as long as the addition is going away from the setback.

Mr. Johnson estimated there are approximately 50 homes that fit this category and 25% addition on a small house is pretty straightforward. He would support approval even if they don't penetrate the setback line.

Chairman Conway explained that there is no rush on this proposal and he supports sending the revised edition to the town attorney.

Chairman Conway agreed with Mr. Smith suggestion to follow the current format of Section 3.10.1 and keep with the terms "nonconforming building" and "dwelling unit".

Mr. Horrigan noted that the cost of producing architectural plans and A-2 surveys can be prohibitive. He noted that architectural plans are not necessarily required for a building permit and don't always require a licensed architect.

Mr. Smith explained that the A-2 survey is a critical component in determining the setbacks, building footprint and 25% expansion.

Mr. Conway reiterated that he would like to hold down the cost for a young family who wants to add a bedroom by not requiring surveys and plans that would be prohibitive. It was noted that the ZEO has latitude to determine when a survey is necessary.

Mr. Smith discussed the state standards for the various types of surveys. He noted that a Zoning location survey which doesn't show the entire property boundary is less costly. He noted that "Plot Plan" is an old term that is no longer used.

Mr. Conway confirmed with members that the revised proposal was ready for review by the town attorney. Chairman Conway asked Mrs. Eddy to send the proposal to the town attorney as presented. Mr. Smith agreed to email the proposal to Mrs. Eddy.

Ms. Curley was seated at 8:21 pm and Mr. Horrigan stepped down.

Outdoor Lighting

Awaiting response from the Town Attorney.

REPORTS

ZEO Report

None

Chairman's Report

Chairman Conway raised the issue of possible changes to Zone A to encourage development of a Village District with smaller lots and smaller, more affordable housing to allow for down-sizing for seniors and encourage younger families to purchase. Reducing lot size from 3 to 2 acres, reducing frontage requirement from 250' to 200' and shared driveways were noted as possible changes.

Mr. Smith opined that large lots are what make Roxbury what it is. Chairman Conway noted that most of the town (Zone C) is four acre zoned. Mr. Smith worried about the reaction of the residents living in the zone.

Mr. Loya questioned whether the upzoning to 4 acres had slowed the growth of new people to Roxbury. Chairman Conway noted that it was hard to say as "the crash" happened soon after that. Mr. Smith noted that 40% of housing sales in Roxbury have been under \$400,000.

Mr. Horrigan suggested conducting an analysis of the lots in Zone A to understand feasibility. Chairman Conway noted that Planning was waiting to take direction from the Zoning Commission on this issue.

Ms. Tester asked to see a map of Zone A to determine how many lots might be affected. Mrs. Eddy will bring a map to the next meeting.

Ms. Curley thought it would be helpful to study the market, houses sold, median prices, traffic issues as background information.

Chairman Conway asked about the rationale behind the creation of Zone B and wondered whether it might be incorporated in Zone C.

Chairman Conway suggested looking into changes that might make the regulations more user friendly such as revisions to the Table of Contents.

COMMUNICATIONS

- NHCOG – Land Use Academy training session - K. Tester has sign up for both sessions.
- NHCOG – 5th Thursday Forum - E. Curley will attend.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:45 p.m. Motion by Loya, seconded by Johnson and unanimously 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 REGULAR MEETING FEBRUARY 13, 2017 MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:30 p.m.
Regular Members Present: James Conway, Kim Tester, Alan Johnson, Drew Loya
Regular Members Absent: Elaine Curly
Alternates Present: William Horrigan and Dave Miller
Alternates Absent: Curt Smith
Staff Present: John Cody, ZEO and Karen Eddy, Land Use Administrator
Public Present: None

SEATING OF MEMBERS

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

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Regular Meeting – January 9, 2019

MOTION: To approve the minutes as amended by D. Miller, seconded by A. Johnson and unanimously approved.
Amendment: Page 3- third paragraph under Chairman's Report -- delete sentence beginning Chairman Conway noted that it was.....

BUSINESS

Nonconformity Regulations

Recommended amendments to Section 3.10.4a by the Town Attorney were reviewed. Mr. Miller questioned the need to include home enterprise. Following lengthy discussion, the Commission recommended elimination of the reference to home enterprise by removal of the following section: ***and the expanded area may not be used for a home enterprise as defined in these Regulations.***

Following lengthy discussion the Commission agreed that the expansion should not exceed 25% in the aggregate. The expansion could be done in several stages provided the total does not exceed 25% of the existing footprint.

It was noted that this amendment pertains to dwelling units only and does not include accessory buildings. After discussion of a Weller's Bridge property on which there are two dwellings, the Commission concluded only one dwelling could take advantage of the 25% expansion.

Chairman Conway reminded that the purpose of this amendment would be to allow a homeowner to put on a small addition of a bedroom or bathroom.

The following text generated a lengthy discussion: ***Further, any increase in footprint within the front setback line must be positioned behind the nonconforming dwelling (or away from the affected setback line) with no lateral expansion within that setback.*** To further define where the expansion can take place on the property, the Commission recommended changing ***setback line*** to ***property line.***

The definitions of Lot Line, Front, Rear and Side were reviewed. It was noted that the word ***property*** line is missing from these definitions (Sections 20.47 & 20.48) and should be added for clarity.

It was noted that the following sentence needed correction by changing conformity to nonconformity as follows: *For example where a dwelling is located within the front setback, the addition must be behind the dwelling so that no portion of the expanded footprint laterally increases the setback nonconformity.*

It was the consensus of the Commission to leave the word **may** in the following sentence: *To exercise this right, the zoning enforcement officer may require a to-scale plot plan or a Class A-2 Zoning Location Survey.....*

It was noted that if a nonconforming dwelling is moved further away from the front property line, it would become less nonconforming and therefore, would be allowed.

The Commission discussed adding the word **primary** before dwelling units to further restrict the expansion to **primary dwelling units**. They agreed to seek the advice of the town attorney on these proposed changes.

Exterior Lighting

Chairman Conway noted that we had asked the town attorney to review Washington's regulation. K. Tester noted the current regulation allows for the up-lighting of trees, but wondered how reversing that would be enforced. J. Cody noted that existing lighting would be grandfathered.

K. Tester expressed concern about the lighting on a property on Rt. 199. She wondered how to quantify "Excessive or poorly designed outdoor" lighting (Section 5.5.1.) John Cody reminded the Commission that a complaint from a property owner on Lee's Pond triggered this review of the regulations. J. Conway suggested keeping with our current regulation and adopting the lighting fixture chart from Washington. K. Tester said she liked Washington's Section on Purpose as a means of educating the public. Mr. Horrigan and Mr. Miller agreed. Security and safety concerns are an important consideration. Chairman Conway noted that Section 5.5.1 is more of a philosophy than an enforceable regulation. Mr. Miller wondered how to enforce Section 5.5.2 which does not allow light sources to be seen from beyond the property. J. Conway noted the goal was to solve a problem, not to look for more restrictions. K. Tester liked Washington's Section 5.5.2.1 which limits lighting to hours of outdoor activities. M. Miller suggested removing the word "neither" from the current regulation 5.5.4 which would prohibit the lighting of trees.

All agreed with removing time limits on holiday lighting and prohibiting moving lights.

A. Johnson and K. Tester agreed with Washington's "dark-sky friendly" fixtures. Following lengthy discussion the Commission agreed that Section 5.5.2.4 on Security lighting and Section 5.5.2.5 on height limits to fixtures were redundant.

Section 5.5.2.3 which prohibits lighting of trees was discussed at length. J. Conway asked members to consider "what is reasonable" He argued against going too far in restricting what people can do on their property. A light shining down from a garage should be allowed for safety reasons. Shielding of lights to prevent protruding beyond property lines should be considered.

Members agreed with Section 5.5.2.1 which limits nighttime activities to hours when activities are underway.

Chairman Conway asked members to give further consideration to the exterior lighting issue. He argued for a melding of our current regulations with those of Washington's. He noted discussion would continue at future meetings.

Zone A – Village District

Maps of Zone A were distributed and discussed. J. Conway noted that lots that straddle two zones must conform to the more restrictive zone, but that could be reconsidered. He noted that Zone A was formerly 2 acre zoning.

Possible amendments related to creating a Village District were discussed at length. Ideas such as reducing lot size from 3 to 2 acres with less road frontage (200'), a reduced feasibility circle, shared driveways and a maximum house size were reviewed.

Consideration such as the location of septic and wells would be an important component along with the configurations of frontage and interior lots. Another consideration related to increased density would be the impact of increased traffic volume and patterns. A thorough review of data that relates to the impact of any recommendations on the properties and neighborhoods in the Zone would be critical.

K. Tester suggested that maps showing where houses are currently located would be helpful. An understanding of what properties are vacant, which are owned by the Land Trust and which are in other forms of conservation easements would be helpful.

C. Conway noted that discussion of this topic will be continued. He asked members to bring their thoughts and ideas to future meetings.

REPORTS

Zeo Report

None

Chairman's Report

COMMUNICATIONS

K. Eddy reminded about the two upcoming Land Use Seminars. She asked that those interested in attending let her know.

ADJOURNMENT

MOTION to adjourn the meeting at 9:20 p.m. Motion by Loya, seconded by Tester and unanimously 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 REGULAR MEETING MARCH 13, 2017 MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:35 p.m.
Regular Members Present: James Conway, Alan Johnson and Drew Loya
Regular Members Absent: Elaine Curley and Kim Tester
Alternates Present: William Horrigan
Alternates Absent: Curtiss Smith and David Miller
Staff Present: John Cody, ZEO and Karen Eddy, Land Use Administrator
Public Present: None

SEATING OF MEMBERS

Chairman Conway seated regular members D. Loya, A. Johnson, himself and W. Horrigan for E. Curley

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Regular Meeting - February 13, 2017

MOTION: To approve the minutes as presented by W. Horrigan, seconded by D. Loya and unanimously approved.

BUSINESS

Nonconformity Regulations

Chairman Conway noted that the latest text amendment proposal by the Commission was approved by the Town Attorney. Members took a few minutes to read the proposed regulation. W. Horrigan questioned how the 25% expansion limitation would be tracked. J. Cody noted that the records would reside in the zoning file as opposed to being filed with the Town Clerk as with a ZBA Variance. A. Johnson questioned why the Home Enterprise reference had been struck. Chairman Conway noted that it was inserted by the Town Attorney but the consensus of the Commission was to delete it. W. Horrigan asked about the percentage of the home's square footage that can be utilized for Home Enterprise. Mr. Cody noted that it was 30% of the footprint.

MOTION: To present for public hearing a proposed amendment to the Roxbury Zoning Regulations regarding Expansion of a Nonconforming Dwelling (Section 3.10.4. a.) to be held on May 8, 2017. Motion by W. Horrigan, seconded by A. Johnson and unanimously approved.

W. Horrigan noted that he liked the fact that this proposal would allow for discretion by the ZEO.

Exterior Lighting

Chairman Conway tabled discussion until the next meeting to include members who are not present.

Zone A – Village District

Chairman Conway referenced the map of Zone A that was included in the meeting packet. He summarized that his goal is to consider possible amendments to Zone A. He suggested that if the town were to considerer multi-family housing for seniors that Zone A might be a suitable location. He noted that Zone A went from 2 to 3 acres in 1983. Chairman Conway reiterated that the ideas being considered are: reduction in lot size to two acres; reduction in road frontage to 150 or 175; reduction in the size of the feasibility circle, allowing for the first 100 feet of driveways to be shared; reduction in the minimum size required for interior lots; and restriction in the size of the

dwelling footprint (max 2,000 sf suggested). Various configurations for splitting off lots were discussed. Chairman Conway noted that Zone A is ¼ of a mile from the center of town and could be considered a Village District. It was noted that wetlands would be a consideration. The intent would be to encourage progressive alternative housing in Roxbury for seniors who want to downsize and to attract young families who might want to live in neighborhood settings. Encouraging shared driveways as a way to prevent excessive curb cuts was addressed. When properties are located in more than one zone, it was noted that the rules that prevail might need to be adjusted. Chairman Conway noted that this topic would remain on the agenda for continuing discussion.

REPORTS

ZEO Report

Mr. Cody raised the issue of the hotdog truck which is parked at the Roxbury Garage. He explained to Mr. Lowe the town policy which allows food trucks by permit only on town property for approved events. Mr. Lowe indicated he may attempt to amend his special permit.

Chairman's Report

No report was given.

COMMUNICATIONS

K. Eddy distributed a memo from NHCOC regarding an upcoming Land Use Forum on demographic changes and the impact on land use. Chairman Conway and Alan Johnson will attend.

The Zoning History sheet was briefly discussed which showed the progression of minimum acreage and road frontage beginning in 1948. Chairman Conway shared some family history about Roxbury and talked about the photos of Roxbury scenes in his family album that date back to the 1930's.

MOTION: To present for public hearing proposed amendments to the Roxbury Zoning Regulations regarding Treehouses (Section 5.2.3, 5.2.4, 4.9.17, 18.2.4.a and 30.10) for a public hearing to be held on May 8, 2017. Motion by A. Johnson, seconded by D. Loya and unanimously approved.

ADJOURNMENT

MOTION to adjourn the meeting at 8:50 p.m. Motion by D. Loya, seconded by J. Conway and unanimously approved.

Respectfully submitted
Karen S. Eddy
Land Use Administrator

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TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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ROXBURY ZONING COMMISSION REGULAR MEETING APRIL 10, 2017 MINUTES

CALL TO ORDER

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

Regular Members Present: James Conway, Alan Johnson, Drew Loya, Elaine Curley and Kim Tester

Alternates Present: William Horrigan

Alternates Absent: Curtiss Smith and David Miller

Staff Present: John Cody, ZEO and Karen Eddy, Land Use Administrator

Public Present: None

SEATING OF MEMBERS

Chairman Conway seated regular members A. Johnson, K. Tester, E. Curley and W. Horrigan for D. Loya

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Regular Meeting – March 13, 2017

MOTION: To approve the minutes as corrected by A. Johnson, seconded by W. Horrigan and approved with 2 abstentions. Corrections: Page 1 last para. correct spelling of consider. Page 2, first sentence add "feet" after 175.

BUSINESS

Nonconformity Regulation

Chairman Conway noted that a public hearing on the proposed regulations is scheduled for May 8, 2017.

Drew Loya arrived at 7:35 was seated and William Horrigan stepped down.

Exterior Lighting

Chairman Conway noted that the Commission had been reviewing Washington's regulations for possible amendments to Roxbury's regulations. Alan Johnson noted that he liked the lighting regulations in Sanibel, Florida where there are no street lights and parking lot lighting is shielded downward.

Kim Tester likes the statement of purpose in Washington's regulations (Section 5.5.1) and others generally agreed it would be a good addition. John Cody suggested incorporating Washington's Lighting Fixture Chart as a recommendation to homeowners which would not require a public hearing. Chairman Conway suggested that Section 5.5.2 which prevents lighting from being seen beyond the property served would be impossible to enforce.

Chairman Conway asked the Commission to take the necessary time to compare our regulations with Washington's and to make recommendations for possible amendments. He asked that members decide which sections they would like to add or amend and forward them to the Office to be compiled for discussion at a future meeting. Members were not in favor of restricting holiday lighting within certain timeframes nor did they agree with height restrictions on security lights.

Zone A Discussion

Chairman Conway reviewed recent discussions from previous Zoning meetings. Ideas discussed included changes such as smaller lot size, less road frontage and shared driveways. Elaine Urban suggested the need for a study to evaluate the impact of such amendments. William Horrigan noted the recently reviewed history chart which

showed the progression of lot size over the years. Chairman Conway noted that in 1983 minimum lot size went from 2 to 3 acres. Mr. Horrigan noted other restrictions that would limit the number of lots created such as wetland, septic, wells and soils. He noted that Roxbury has no neighborhoods. Kim Tester noted that some of the properties have conservation easements. Mr. Johnson suggested that 10 to 15 new houses in the middle of town would be nice. Elaine Curley questioned whether the suggested amendments would actually create the desired neighborhoods. Mr. Johnson suggested that schools were probably projected to be much larger than they are now. Mr. Conway reiterated that these ideas would create a village district with alternative housing and more density in Zone A.

Elaine Curley spoke of a Woodbury development called South Bend. She noted her concern about the previous smart growth direction that considered only high-end condos and no single family homes which she felt precluded downsizing for seniors and attracting new families.

Mr. Horrigan noted there would be no amenities or services within walking distance (of a Village District). Elaine Curley was aware of families that had moved out of town because they wanted a neighborhood community for their kids. Kim Tester explained that recent workshops on demographics showed an aging population in CT. She felt that making lots smaller would not bring in new families and our focus should be to provide less expensive housing. Mr. Horrigan described a Bridgewater couple who inquired about the Mumford property because they wanted a smaller house. Kim Tester suggested undertaking an analysis of the properties that would be affected by these changes. Chairman Conway explained that his goal is to offer smaller, less costly housing. Alan Johnson added that most of our smaller homes in town are really old.

Kim Tester asked if the POCD would support this concept. Chairman Conway noted that when approached, Planning suggested that Zoning put something together for them to review under the guidelines of the POCD. Kim Tester suggested putting together a concept statement and sending it the Planning Commission for feedback. Mr. Conway suggested that Zoning members email their ideas to the Zoning office. He noted that this sort of change would require amending the entire regulations, but it would work toward creating some housing diversity for Roxbury.

Elaine Curley wondered if there was a way to cap the number of structures created. Kim Tester said we needed information about wetlands and easements from the Land Trust. Alan Johnson noted that it's important to understand the maximum number of houses that could be created.

Elaine Curley noted a 200-acre property in Zone A. Alan Johnson agreed that wetlands and easements would have to be considered. Mr. Conway noted that there are 1,175 acres in Zone A and existing housing would have to be counted. Mr. Horrigan reiterated that the geology of the area could provide limitations as well. Kim Tester noted that many of the lots (possibly about half) could not be divided.

Chairman Conway noted that lots that straddle two zones are governed by the more restrictive zone unless that is changed.

Elaine Curley felt a mistake of the earlier smart growth effort was that there was never a study done to educate the public as to the impact of such changes. Mr. Horrigan suggested that an important factor would be the handling of lots that straddle two zones. Mr. Conway recommended looking at how many lots would be affected by such changes in the regulations. Elaine Curley offered to put together some data for the Commission to review. Chairman Conway noted that discussion would be continued next month.

Treehouse Regulations

Chairman Conway noted that the proposed regulation has been given to the town attorney and we are awaiting her recommendations. The next step would be to proceed to a public hearing.

REPORTS

ZEO Report

Mr. Cody reported on the following enforcement issues:

- Nogid - 53 Southbury Road – A new lighting complaint was resolved by painting the back of the lights to cut reflection.
- Chickens – 57 Chalybes Road – Recent visit with health official and was found in compliance.
- Szymanski - Route 67 – A large dirt pile on the property does not comply with the permit. Mr. Cody is currently working with the owner to bring this into compliance.
- 18 Bacon Road – Mr. Cody noted that this property is in foreclosure and he is working with the bank to resolve a wetlands complaint that tenants are driving quads through the wetlands.

Chairman's Report

Chairman Conway noted that he is trying to get in touch with the town attorney to discuss food trucks. He noted the BOS has written a policy to allow food trucks on town property for town sponsored events such as little league games. He noted that there have been requests from the Roxbury Garage and others to allow food trucks permanently on private property. Elaine Curley noted that Ridgefield just banned food trucks except for one grandfathered hotdog cart. Chairman Conway will speak to the town attorney about whether food trucks fall under the purview of Zoning or the BOS.

COMMUNICATIONS

None

ADJOURNMENT

MOTION to adjourn the meeting at 8:40 p.m. Motion by E. Curley, seconded by D. Loya and unanimously approved.

Respectfully submitted
Karen E. Fddy
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 MAY 8, 2017 MINUTES

CALL TO ORDER

Chairman Conway called the Public hearing to order at 7:34 p.m.

Regular Members Present: James Conway, Elaine Urban, Alan Johnson, Drew Loya, Kim Tester

Alternates Present: Bill Horrigan

Staff Present: Zoning Enforcement Officer, John Cody and Karen Eddy, Land Use Administrator

Public Present: Brendan & Stephanie Kolnick, Jeffrey Mose and Mark Lowe

SEATING OF MEMBERS

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

E. Curley was seated at 7:40 p.m. and Mr. Horrigan stepped down.

BUSINESS

Proposed text amendment to the Roxbury Zoning Regulations - Section 3.10.4a to permit a One-time Expansion to Nonconforming Dwelling;

Chairman Conway read the proposed text amendment.

Chairman Conway read from the following notices and referrals:

- Notice to the Roxbury Town Clerk
- Legal Notice as it appeared in Voices on April 26 and May 3, 2017
- The Roxbury Planning Commission letter of support dated May 4, 2017
- Public Notice Registry notification dated March 23, 2017
- The Western CT Council of Government's positive referral
- The Northwest Hills Council of Government's positive referral
- The Naugatuck Valley Council of Government's positive referral

PUBLIC COMMENT

Mr. Horrigan asked if "footprint" would include decks, porches and patios. Chairman Conway explained that the foundation would be considered the footprint which would exclude decks, patios, etc. E. Curley quoted the dictionary's definition of footprint as follows: "A building construction footprint = A description of the exact size, shape and location of a building's foundation as the foundation has been installed on a specific site, also known as the building footprint.

Resident, Brendan Kolnick spoke in support of the amendment. He felt it was a logical way to approve reasonable modifications to preexisting non-conforming houses. His house built in the 1800's is on a corner and is primarily in the setback. He felt this would obviate the need for variances which are costly, time intensive and subjective and it would encourage young families to move into town.

K. Tester noted the Planning Commission's comments regarding the text's language. Mr. Conway said he had spoken to Planning's Chairman and noted their concerns, but the amendment was written by our Town Attorney, who would have to defend it. Mr. Johnson felt that the amendment was only one page and pretty straight forward. Chairman Conway noted that there could be some confusion regarding the accumulative part of the 25% expansion. Mr. Johnson stressed that the expansion is limited to 25% of the original footprint. Mr. Horrigan felt that the term "aggregate" was helpful. Mr. Lowe asked if the 25% was for the life of the property to which Mr.

Conway responded that he was correct. Chairman Conway asked that the expansion be recorded on the property deed.

Chairman Conway noted that this request came to Zoning from ZBA because they were uncomfortable denying everything. He told of an elderly couple that had one bath upstairs and needed a bump out for a bath on the first floor. This would accommodate a growing family who would like to add a bedroom. Mr. Johnson noted this would help those with little antique houses in town.

Hearing no more comments, Chairman Conway asked for a motion to close the hearing.

ADJOURNMENT

MOTION: To close the public hearing at 7:49 p.m. Motion by Tester, seconded by Johnson and unanimously approved.

Respectfully submitted,

Karen S. Eddy

Karen S. Eddy

Land Use Administrator

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Zoning Commission

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ROXBURY ZONING COMMISSION REGULAR MEETING MAY 8, 2017 MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:50 p.m.

Regular Members Present: James Conway, Alan Johnson, Drew Loya, Elaine Curley and Kim Tester

Alternates Present: William Horrigan

Alternates Absent: Curtiss Smith and David Miller

Staff Present: John Cody, ZEO and Karen Eddy, Land Use Administrator

Public Present: Mark Lowe

SEATING OF MEMBERS

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

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Regular Meeting – April 10, 2017

MOTION: To approve the minutes as presented. Motion by Johnson, seconded by Loya and unanimously approved.

BUSINESS

Nonconformity Regulation

Discussion following Public Hearing:

MOTION: To approve an amendment to the Roxbury Zoning Regulations regarding a One-Time Right to Expand a Nonconforming Dwelling, Section 3.10.4a. Motion by Tester, seconded by Loya and unanimously approved. (See Votes/Reasons).

VOTES/REASONS:

- Loya – To approve. It will allow expansion of older houses.
- Johnson – To approve. This is a reasonable expansion that will help a number of people to stay in or buy homes. It's a win/win for the people and the town.
- Curley – To approve. This is an appropriate modification for situations where ZBA can't provide relief.
- Tester – To approve. This will simplify the process as no ZBA will be required.
- Conway – To approve. This will be helpful to people living in nonconforming homes that want to do a small addition and it will eliminate the need for a variance.

Exterior Lighting

A draft regulation prepared by Mr. Cody was distributed for discussion. Chairman Conway expressed concern about the notion of preventing light from being visible from beyond the property served. Mr. Cody noted that Section 5.5.2 addresses the shielding of the light source (bulb, filament, etc.). He noted that Holiday lighting restrictions were omitted.

Chairman Conway asked about using the chart of preferred fixtures. Mr. Cody noted that it was in the recommendation section, but would not be required.

K. Tester wondered how security lighting as noted in Section 5.5.8. would be identified. Chairman Conway suggested that anything could be considered security lighting by the property owner. Mr. Johnson suggested that it be activated by sensors and should only light up the immediate area. He noted that the only thing not allowed is up-lighting of trees. Mr. Conway felt this amendment would be a bit more dark-sky friendly. E. Curley questioned the term “bloom” as noted in Section 5.5.2 which used to be called “glow”. K. Tester noted that Section 5.5.9 is meant to be a suggestion rather than a hard rule. Section 5.5.7 would prevent search lights and party lights from being directed toward the sky.

It was the consensus of the Commission to forward the draft amendments on Exterior Lighting to the Town Attorney for review and advice.

Zone A Discussion

K. Tester handed out a map of Zone A on which she had noted town and cemetery property and easements. There was a general discussion of the number of parcels that would be affected. She noted several large parcels that had easements on them. It was noted that copies of this map would be distributed for the next meeting. The wetlands map would also be made available for review at the next meeting.

Treehouse Regulations

A draft Treehouse Regulation which had been reviewed and approved by the Town Attorney was distributed for discussion. Chairman Conway questioned Section 4.9.17 – Prohibited Uses. It was noted that treehouses are prohibited from human habitation, commercial use and from construction in endangered/protected trees. A. Johnson recommended that a maximum size such as 500 or 1,000 sf be established. It was suggested that treehouse maximum size might mirror the sheds at under 200 sf (10 x 20). E. Curley questioned whether two stories would be allowed. Mr. Johnson suggested limiting the floor/deck space. E. Curley was not in favor of limiting the size of treehouses as it could interfere with the design. Chairman Conway agreed with no size limit. The Commission agreed that a zoning permit should be required.

Mrs. Eddy indicated that she would check with the Town Attorney as to whether this amendment must go to the Planning Agencies as part of the public hearing process. If so, the public hearing date would need to be pushed forward one month.

MOTION: To present for public hearing proposed amendments to the Roxbury Zoning Regulations regarding Treehouses (Section 5.2.3, 5.2.4, 4.9.17, 18.2.4a and 30.10). The Public Hearing will be held on June 12, 2017. Motion by E. Curley, seconded by K. Tester and unanimously approved.

REPORTS

ZEO Report

Mr. Cody noted he has gotten several inquiries/complaints about Calder’s barn project on Painter Hill Road. One caller commented that “it looks like a cement bunker”. He also noted that he has received several wetlands complaints regarding road- runoff due to the recent storms.

Chairman’s Report

Chairman Conway noted that he had spoken to the Town Attorney regarding food trucks. He explained that the town policy which allows food trucks on town property for town-sponsored functions needs to be clarified. For example, the Board of Selectman could issue a permit for a food truck at the Pavilion for a town event. If the town were to consider allowing commercial food trucks, a Zone would have to be created for them. Mr. Cody noted that Wellfleet, Mass allows food trucks only in designated Zones on town property. Chairman Conway indicated that he would continue to look into this matter and may consider asking the Town Attorney to attend a meeting to discuss it further.

COMMUNICATIONS - None

ADJOURNMENT

MOTION to adjourn the meeting at 8:35 p.m. Motion by Tester, seconded by Loya and unanimously 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 JUNE 12, 2017 MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:35 p.m.
Regular Members Present: James Conway, Alan Johnson and Elaine Curley
Alternates Present: William Horrigan
Staff Present: Karen Eddy, Land Use Administrator
Public Present: None

SEATING OF MEMBERS

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

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Public Hearing – May 8, 2017

Chairman Conway explained the background for his request to amend the minutes for clarification purposes. Amendment: Page 2, first sentence, second paragraph should read: Chairman Conway noted that this request came to Zoning from ZBA **who expressed a concern that recent court decisions reduced their ability to grant variances which might have previously been approved.** E. Curley expressed some concerns about the amendment.

MOTION: To approve the minutes as amended by A. Johnson, seconded by W. Horrigan and approved 3 to 1.

Regular Meeting – May 8, 2017

MOTION: To approve the minutes as presented by E. Curley, seconded by A. Johnson and unanimously approved.

BUSINESS

Exterior Lighting

Chairman Conway led a discussion of the advice memo from the Town Attorney. Her recommendations for minor changes in wording were acceptable to the Commission.

MOTION: To approve for public hearing on August 14, 2017 the proposed regulations regarding Exterior Lighting (Section 5.5, 5.5.1 - 5.5.9). Motion by E. Curley, seconded by A. Johnson and unanimously approved.

Treehouse Regulations

Mrs. Eddy explained that the fee structure for applications for treehouses would logically go into Section 18.2.4 and be handled the same as sheds. No fees are required for sheds 200 sf and under, but sheds over sf sheds require a regular zoning application fee. Chairman Conway noted that elimination of fees for sheds originally required BOS approval and so should treehouses. The Commission agreed to send the final amendment regarding fees for treehouses to the BOS for approval. Mrs. Eddy noted that the office would prepare final language in time for the July BOS meeting. The Commission could then review final proposed amendments at their July meeting and if approved, set a public hearing date for August.

ZONE A – Continue Discussion

Chairman Conway noted that the Commission has been discussing possible amendments to allow lots intersecting with the Zone A circle to be governed by Zone A standards. He briefly reviewed his ideas for changes to Zone A

that would be intended to reduce lot size and house size. Ms. Curley noted that she had previously done a study regarding proportion of house size to lot size which she offered to review with the Commission. Mr. Johnson noted that owners would have the flexibility to be creative with lot line revisions to reconfigure lots to suit their needs. Mr. Conway noted that interior lots in Zone A currently require six acres which he feels is unnecessary. He would also like to allow shared driveways for the first 100 feet. Mr. Horrigan suggested listing all the criteria the Commission feels it wants to consider for Zone A. Mr. Conway noted that smaller lots would lend themselves to more of a village district. E. Curley suggested a study and Mr. Conway agreed the Commission should understand how many and which lots would be affected. He asked that further discussion be tabled until more members were present for discussion. E. Curley expressed the desire to understand the potential issues that might arise.

REPORTS

ZEO REPORT

No Report was available.

Chairman's Report

Mr. Faanes of the Conservation Commission sent an email to Chairman Conway regarding a Smart Growth meeting scheduled for June 14th. Chairman Conway agreed to share the email with the Zoning Commission at their June meeting. Mr. Conway noted that he had served on the Smart Growth Commission (SGC) along with Peter Filous (Chair), Bob Munson and Gary Coburn for over one year and a half. The Smart Growth Commission was charged by the BOS to come up with a "Smart Growth" proposal for the Town. Simultaneously the RCC had been working on a plan which was not heard by the SGC as they wanted to finish their plan first.

According to their email, the RCC is starting a new effort and has invited Zoning to attend a June 14th meeting to discuss "working together to develop a program for presentation in the fall to get Smart Growth moving". Chairman Conway said he would not be able to take this on now, but he invited all Zoning Board members to attend the meeting. E. Curley noted that she had previously done a presentation for the Library on environmental smart growth and utilization of small spaces. It sounded to E. Curley as if the RCC was interested in overseeing a new effort to get something going again. She noted that there had been opposition to large scale developments in the past. Mr. Conway reiterated that he was part of the second Smart Growth Commission which was appointed by the BOS.

Chairman Conway introduced the idea of allowing homeowners to rent out office space in their homes as an expansion of the Home Enterprise Regulations. He envisioned that the offices would be restricted to low impact businesses such as for a CPA, etc. The Commission discussed the pros and cons of this idea at length and decided to continue discussion at future meetings.

Chairman Conway explained that a town ordinance exists that allows the town to be reimbursed for legal fees in situations such as appeals, variances and special permits where the town is required to obtain legal advice and guidance from their attorney. It might be done by requiring a fixed fee up front (ex. \$1,000 down payment) and then requiring the applicant to pay the difference at the end of proceedings.

COMMUNICATIONS

- NHCOG Memo noting the next seminar to be held on June 29th in Goshen. The topic will be the new State POCD. E. Curley will attend.
- CFP&Z Newsletter was noted.
- Zoning Regulations 3.10.4a as amended was handed out.

ADJOURNMENT: MOTION to adjourn the meeting at 9:07 p.m. Motion by E. Curley, seconded by Johnson and unanimously 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 REGULAR MEETING JULY 10, 2017 MINUTES

CALL TO ORDER

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

Members Present: James Conway, Elaine Curley, Kim Tester and Drew Loya (7:33 p.m.)

Member Absent: Alan Johnson

Alternate Present: William Horrigan

Alternate Absent: David Miller

SEATING OF MEMBERS

Chairman Conway seated members Tester, Curley, Conway, and Bill Horrigan for Alan Johnson

PUBLIC COMMENT - N/A

Drew Loya was seated at 7:33 p.m.

APPROVAL OF MINUTES

Regular Meeting - June 12, 2017

Curly clarified that she dissented to the amendment to the public hearing minutes.

MOTION: To approve the minutes of the 6/12/17 Regular meeting as corrected. By Horrigan, seconded by Loya and carried 4-0-1. Tester abstained

BUSINESS

Special Permit Application – Dance School – 162 Baker Road

Ms. Kansas came forward and submitted an application and check for \$315. The Commission reviewed the application and found it in need of additional information. Ms. Kansas expressed the need to expedite this matter.

MOTION: To accept Special Permit Application – Dance School – 162 Baker Road with the condition that an owner authorization to appoint Ms. Kansas as agent be submitted and any other information required to make the application complete. By Tester, seconded by Curley and carried unanimously.

MOTION: To set a public hearing for Special Permit Application – Dance School – 162 Baker Road for August 14, 2017. By Conway, seconded by Horrigan and carried 5-0.

Chairman Conway asked Ms. Kansas to further review her proposal with the Commission. Ms. Kansas reviewed her background in Broadway dance and her desire to offer special needs dance. She would like to provide after school hours from 4pm to 8pm, the dance school would be open Saturdays, and morning classes would be held for adults. The Commission asked that Ms. Kansas to submit a complete statement of use for the file. The Commission expressed the need for inclusiveness of all activities anticipated for this statement of use.

Exterior Lighting Regulation – Public Hearing date set for August 14, 2017

No action required

Treehouse Regulations – Final approval by Zoning – set Public Hearing date

Chairman Conway reported that the Board of Selectmen approved the fee schedule. It was clarified that there is a \$160 fee for proposed treehouses that exceed 200 square feet.

MOTION: To accept the Fee Schedule for Section 18.2.4 Treehouse Regulations. By Curley, seconded by Horrigan and carried unanimously.

MOTION: To schedule a public hearing for the approval of the proposed Treehouse Regulations and set a public hearing for September 11, 2017. By Conway, seconded by Loya and carried unanimously.

REPORTS

ZEO Report

No report

Zone A – Continue Discussion

Chairman Conway reported that the Zoning Commission will share what has been discussed with the Planning Commission as suggestions for their consideration. Curley noted the importance of informing the public regarding these ideas and respecting their opinions. Conway commented on the great amount of potential in Zone A.

Chairman's Report

No report

NHCOG Land Use Forum Report

Horrigan and Curley reported that they attended the Conservation Commission meeting. The Conservation Commission members are advocates of small scale smart growth.

Mr. Horrigan reviewed plans for a home on 8/10 acre and explained how it is self-regulated/limiting due to the distance requirements between wells and septic. It was agreed that this would be good information to share as this discussion moves forward.

Curley reported that the overall climate of the Conservation Commission meeting was not one of a specific agenda. The Conservation Commission would like the dialogue to remain open, to keep the proposal small, and offered assistance. It is felt that a free standing model is one that is of appeal rather than a townhouse model.

Conway reported on the Board of Selectmen's meeting with the Planning Chairman. The Plan of Conservation and Development is coming due and the Planning Commission will discuss moving forward with this at their next meeting. The Planners will turn to the Conservation Commission for assistance. The Zoning Commission will not become involved with this process until it is sent to Zoning by the Planning Commission to develop Zoning Regulations.

Curley reported that the NHCOG meeting was about overlay zones, most of which did not pertain to Roxbury. This meeting was for administrative purposes for the Planning Commissions in preparation for the PoCDs.

COMMUNICATIONS

APACT Article concerning Temporary Healthcare Structure

Tester shared SB922 regarding this matter. The group reviewed the handout and it was noted that both Planning and Zoning should review this information. This will go into effect October 1st, but each municipality has the opportunity to opt out. The members agreed that they would like to opt out.

It was noted that both the Planning Commission and Board of Selectmen have to make a decision regarding this matter. Additionally, a unified statement of why the Zoning Commission has chosen to opt out must be developed and a public hearing must be held.

ADJOURNMENT

MOTION: To adjourn the meeting at 9:02 p.m. by Loya, seconded by Horrigan and carried unanimously.

Respectfully submitted

Jai Kern

Tai Kern, Secretary

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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 AUGUST 14, 2017 MINUTES

CALL TO ORDER

Chairman Conway called this public hearing to order at 7:30 p.m.
Members Present: James Conway, Elaine Curley, Kim Tester and Alan Johnson
Member Absent: Drew Loya
Alternate Present: William Horrigan
Alternate Absent: David Miller

SEATING OF MEMBERS

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

LEGAL NOTICES

Chairman Conway read the legal notice of this public hearing for the record, reviewed the file and confirmed that the application is complete.

BUSINESS

Application by Jeri Kansas for a Dance Studio at 162 Baker Road

Member Johnson questioned how many square feet the studio would be. It was noted that it would be 1250 square feet. Ed Cady reviewed the hand drawn map of the property and the plans for the dance studio. He feels that the dance studio would be a great fit for the location and an asset to the town. He has spoken with the Fire Marshal, Building Official and Health Department regarding this proposal.

Ms. Kansas advised that the main hours of operation would be 4:00 pm to 8:30 pm during the week. There will be two classrooms and each room is not to exceed 12 students. Each class would be one hour long. She is especially excited to bring a special needs dance studio to the area. Kellie Barber will be a teacher at the studio and is a certified special needs teacher.

PUBLIC COMMENT

Kellie Barber of Woodbury came forward and noted that she is excited to have a dance studio coming to this area.

Elaine Curley noted that this is a business district and will be low impact on the area.

ADJOURNMENT

MOTION: To close the public hearing at 7:45 p.m. for application by Jeri Kansas for a Dance Studio at 162 Baker Road. By Johnson, seconded by Horrigan and carried unanimously.

Respectfully submitted,

Jai Kern

Tai Kern, Secretary

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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 AUGUST 14, 2017 MINUTES

CALL TO ORDER

Chairman Conway called this public hearing to order at 7:45 p.m.
Members Present: James Conway, Elaine Curley, Kim Tester and Alan Johnson
Member Absent: Drew Loya
Alternate Present: William Horrigan
Alternate Absent: David Miller

SEATING OF MEMBERS

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

BUSINESS

Proposed amendment to the Zoning Regulations regarding Exterior Lighting Sections 5.5 (5.5.1 – 5.5.10)

LEGAL NOTICE

Kim Tester read the legal notice of this public hearing aloud for the record.

REFERRALS & NOTICES

The Roxbury Planning Commission

It was noted that a favorable recommendation was made by the Planning Commission.

Public Notice Registry

It was confirmed that proper notice was given to those on listed on the registry.

Planning Agencies

Copies of the proposed amendment were sent to the NHCOC, West CoG and NVCoG and there were no conflicts found with regional planning.

PUBLIC COMMENT

Elaine Curley questioned whether section 5.5.10 should note that it was added as a guideline only. It was agreed that this is not necessary, but can be amended at a later time.

ADJOURNMENT

MOTION: To close the public hearing for Proposed amendment to the Zoning Regulations regarding Exterior Lighting Sections 5.5 (5.5.1 – 5.5.10). By Curley, seconded by Tester and carried unanimously.

Respectfully submitted,

Jai Kern

Tai Kern, Secretary

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 AUGUST 14, 2017 MINUTES

CALL TO ORDER

Chairman Conway called this public hearing to order at 7:50 p.m.
Members Present: James Conway, Elaine Curley, Kim Tester and Alan Johnson
Member Absent: Drew Loya
Alternate Present: William Horrigan
Alternate Absent: David Miller

SEATING OF MEMBERS

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

BUSINESS

Proposed amendment to the Zoning Regulations regarding Tree Houses: Sections 4.9.17, 5.2.3, 5.2.4, 18.2.4 and 30.10

LEGAL NOTICES

Kim Tester read the legal notice of this public hearing aloud for the record.

REFERRALS & NOTICES

Board of Selectman

The minutes of the Board of Selectmen's meeting with regard to the treehouse fee schedule and approval of this proposal was read for the record.

The Roxbury Planning Commission

The Planning Commission memo reporting that they voted not to support this amendment to the Zoning Regulations was read for the record.

Public Notice Registry

It was confirmed that notice of this hearing was sent to everyone on the public notice registry.

Planning Agencies

Copies of the proposed amendment were sent to the NWCoG, West CoG and NVCoG and there were no conflicts found with regional planning.

Public Comment

None

Chairman Conway reminded the group that the Commission felt there was a need to have some control with regard to large tree houses in Roxbury as it is a concern that they are being built more frequently.

ADJOURNMENT

MOTION: To close the public hearing for the proposed amendment to the Zoning Regulations regarding Tree Houses: Sections 4.9.17, 5.2.3, 5.2.4, 18.2.4 and 30.10. By Horrigan, seconded by Tester and carried unanimously.

Respectfully submitted,

Jai Kern

Tai Kern, Secretary

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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 AUGUST 14, 2017 MINUTES

CALL TO ORDER

Chairman Conway called this Regular Meeting to order at 8:00 p.m.
Members Present: James Conway, Elaine Curley, Kim Tester and Alan Johnson
Member Absent: Drew Loya
Alternate Present: William Horrigan
Alternate Absent: David Miller

SEATING OF MEMBERS

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

PUBLIC COMMENT

N/A

APPROVAL OF MINUTES

Regular Meeting - July 10, 2017

The spelling of Tester was corrected. It should be added under the Zone A Discussion that the Zoning Commission's ideas regarding this topic should be forward to the Planning Commission.

MOTION: To approve the minutes of the 7/10/17 Regular meeting as amended. By Tester, seconded by and Curley carried 5-0.

NEW BUSINESS

Dance School Special Permit Application – Discussion following Public Hearing

MOTION: To approve the Special Permit Application by Jeri Kansas for a Dance Studio located at 162 Baker Road, Roxbury, CT. Motion by James Conway, seconded by Alan Johnson and unanimously approved.

- Tester voted in favor and noted that she feels that this was a great addition to the town and that the community is in need of the types of programs being offered.
- Conway voted in favor. He is in favor of everything to do with teaching and education and believes what will be offered will be an asset to the town.
- Curley voted in favor noting that this a business district and a low impact use.
- Johnson voted in favor. It is a good use of the limited commercial space in Roxbury.
- Horrigan voted in favor and commented that this will bring vitality to the area.

Exterior Lighting Regulations – Discussion following Public Hearing

MOTION: To approve proposed amendments to the Roxbury Zoning Regulations regarding Exterior Lighting Regulations (Section 5.5, 5.5.1 thru 5.5.9. Motion by James Conway, seconded by Alan Johnson and unanimously approved.

- Tester voted in favor as this will clarify regulations and make the public cognoscente of what happens due to too much lighting.
- Conway voted in favor and strongly believes that all of the regulations must be updated from time to time to comply with new findings. He noted that this regulation will be Dark Sky compliant.
- Curley voted in favor for reasons previously stated and concerns for conservation and animal life.
- Johnson voted in favor as this addresses important quality of life issues.

- Horrigan voted in favor and is in agreement with previously reasons given. He also agreed that regulations should be amended to address new technology.

Tree House Regulations – Discussion following Public Hearing

MOTION: To approve proposed amendments to the Roxbury Zoning Regulations regarding Tree Houses (4.9.17, 5.2.3, 5.2.4, 18.2.4 and 30.10). Motion by James Conway, seconded by Kim Tester and unanimously approved.

- Conway voted in favor noting that these regulations are needed for some control on the height and size of tree houses. It legally protects the town.
- Horrigan voted in favor noting that tree houses are a wholesome country structure; however, kids tend to lose interest and this will protect adjoining property owners.
- Johnson voted in favor. He feels that this protects Roxbury’s townspeople from having to view something unpleasant.
- Curley voted in favor. She feels that the regulation is sound and will keep tree houses sensible.
- Tester voted in favor for the reasons previously stated.

REPORTS

ZEO Report

John Cody reported that he anticipates two applications coming in regarding connecting two buildings. The Town Attorney has advised that the Zoning Commission should develop its own definition of “connected”.

Chairman’s Report

Karen Eddy reported that she has a call into Jocelyn Ayers regarding the public hearing process for SB922 Granny Pods. She expects that the public hearing should be held by the Zoning Commission. The members agreed that they should schedule the public hearing to be held during their next meeting. The group questioned whether this should be a joint public hearing with the Planning Commission. James Conway suggested that the Town Attorney be contacted to determine whether Planning can be part of this public hearing.

MOTION: To schedule a public hearing to entertain input regarding SB922, An Act regarding Temporary Health Care Structures - Granny Pods on 9/11/17. By Conway, seconded by Curley and unanimously approved.

Chairman Conway reminded the group that the Zoning Commission is in need of an alternate member.

OLD BUSINESS

Zone A – Continue Discussion

It was agreed that the Commission would research the area included as part of the circle of Zone A and discuss in further detail at the next meeting.

COMMUNICATIONS

NHCOG Land Use Forum – August 31, 2017 - The group reviewed what would be discussed at this forum.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:50 p.m. by E. Curley, seconded by A. Johnson and unanimously approved.

Respectfully submitted,

Jai Kern

Tai Kern, Secretary

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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 SEPTEMBER 11, 2017 MINUTES

CALL TO ORDER

Chairman Conway called the public hearing to order at 7:30 p.m.
Members Present: James Conway, Kim Tester, Alan Johnson, Drew Loya and Elaine Curley
Alternate Present: William Horrigan
Alternate Absent: David Miller

SEATING OF MEMBERS

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

LEGAL NOTICES

Chairman Conway read the legal notice of the Public Hearing as it appeared in Voices on August 30, and September 6, 2017 and as filed with the Roxbury Town Clerk.

Planning Commission minutes were distributed. Minutes showed that the Planning Commission voted to opt out of CT PA 17-155 by a unanimous vote.

BUSINESS

Connecticut Public Act No. 17-155 concerning Temporary Health Care Structures

PUBLIC COMMENT

None

ADJOURNMENT

MOTION: To close the public hearing at 7:34 p.m. Motion by Elaine Curley, seconded by Drew Loya and carried unanimously.

Respectfully submitted
Karen E. Fddy
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 SEPTEMBER 11, 2017 MINUTES

CALL TO ORDER

Chairman Conway called this Regular Meeting to order at 8:00 p.m.

Members Present: James Conway, Kim Tester, Alan Johnson, Drew Loya and Elaine Curley

Alternate Members Present: Bill Horrigan

SEATING OF MEMBERS

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

PUBLIC COMMENT

None.

APPROVAL OF MINUTES

August 14, 2017 - Dance School Special permit

MOTION To approve the minutes of the Public Hearing as presented. Motion by Kim Tester, seconded by Alan Johnson and unanimously approved.

August 14, 2017 - Exterior Lighting Regulations

MOTION To approve the minutes of the Public Hearing as presented. Motion by Elaine Curley, seconded by Kim Tester and unanimously approved.

August 14, 2017 - Tree House Regulations

MOTION To approve the minutes of the Public Hearing as presented. Motion by Alan Johnson, seconded by Drew Loya and unanimously approved.

August 14, 2017 - Regular Meeting

MOTION To approve the minutes of the Regular Meeting as presented: Motion by Kim Tester, seconded by Drew Loya and unanimously approved.

NEW BUSINESS

Carhart / 238 Painter Hill Road – Covered walk-way

Brian Neff presented an application for 238 Painter Hill Road to turn a barn into living space and connect it to the main residence by a covered walkway. Mr. Neff presented a plan showing a side view from the street. He noted that the barn's exterior would remain the same except for a 3-bay garage which would enlarge the footprint. There is currently a 4,000 sf pool house connected to the main house by a pergola. The 5,100 sf barn is larger than the main house which disqualifies it as a legal accessory apartment under current zoning regulations. The A-2 plan confirmed that there are no setback issues with the barn. Mr. Neff spoke of several projects in the 1990's where connectors were approved by the Health Department to qualify septic systems. Mr. Neff noted that the owner's intent was to connect the main residence and the barn in order to reclassify them as one building with one septic system. It was noted that the pool house which is connected via a pergola was never approved by Zoning as an addition to the main dwelling. The definitions of structure (20.72) and building (20.14) were discussed. Mr. Neff noted that in terms of inspections, the Building and Health Departments would look at this as one building.

Mr. Conway noted that the Commission will accept this application, continue to review it and has up to 65 to make a decision. He also noted that currently there is no zoning regulation to allow connectors. He noted that the barn

would be changed to a residential use. Mr. Horrigan noted that the applicant is free to put an addition on to the main residence without limitation.

Mr. Conway explained that if a regulation is written for connectors that it would be for living space only. Ms. Curley and Mr. Johnson pointed out that the distance from the house to the barn was approximately 100'. It was reiterated that the pool house was never approved as an addition to the main house. Mr. Neff argued that the pool house could be considered living space as it is heated.

Mr. Conway explained that a breezeway is not considered living space. He reiterated that the connector between the buildings would have to be heated, living space and Ms. Tester agreed. Ms. Curley noted that the entire area between barn and house would have to be enclosed. Mr. Neff explained that the barn could not be converted to living space unless it is connected to the main residence as it does not fit the regulations for an accessory apartment. The owner would like to use the entire barn as an entertainment area. Mr. Neff asked if they would be allowed to enclose the entire connector. Mr. Conway felt that would make it into living space. Mr. Cody suggested enlarging one of the buildings to meet the proportion required of the accessory apartment regulation.

Mr. Neff asked to leave the application in play while he speaks to the owner about possible amendments.

Mr. Johnson opined that future owners could use the second building as a full-time rental. Mr. Conway noted the town attorney's advice that if there is no regulation to allow it, then it can't be done. Ms. Tester cautioned that allowing any structures to be connected by lengthy pergolas/walkways would not be a good precedent for the Town.

Temporary Health Care Structures

Chairman Conway noted that the town attorney advised that voting members should give reasons for their vote. He noted that the health care structures could be utilized by all ages and could be needed for many years. Chairman Conway called for motion.

MOTION: To opt out of Connecticut Public Act 17-155 --An Act concerning Temporary Health Care Structures. Motion by James Conway and seconded by Alan Johnson.

Reasons/Vote:

Kim Tester voted in favor noting the town offers comparable alternatives in the current regulations in particular accessory apartments.

Elaine Curley voted in favor and agreed with Kim Tester.

Alan Johnson voted in favor siting sewage, water and other future issues that would be a burden to the town.

Drew Loya voted in favor siting agreement with Kim Tester and because of a potential impact on emergency services.

James Conway voted in favor and he sited agreement with Kim Tester reasons. He noted our regulations for accessory apartments fulfill the same purpose.

MOTION approved by unanimous vote.

Chairman Conway noted that the Board of Selectman will hold a special meeting to discuss and vote on this issue. He further noted that these Health Care Structures must remain on wheels and caregivers can't be paid.

REPORTS

ZEO Report

John Cody explained that most of his current work involves wetlands issues. Mr. Booth plans to submit an application for an observatory and is in the process of revising lot lines to accommodate this project.

Zone A

Chairman Conway will ask the Assessor if there is a program available to cull out lots that might be divisible. John Cody prepared a color coded map that marked all lots under 4 and 6 acres in Zone A. Chairman Conway noted that this topic will remain on the agenda.

Chairman's Report

Chairman Conway reported on a (NHCOC) workshop he and Alan Johnson attended recently on Airbnb's. Other towns reported on problems they are experiencing with them. They report that houses are being purchased by out-of-town owners strictly for the purpose of short-term rentals. They are being rented as party houses and have been causing lots of problems for the towns. Most towns do not have regulations governing Airbnb's yet, but see the need them. They recommend using town ordinances rather than through zoning regulations. Another approach would be to regulate via home enterprise which are intended to be owner occupied. Chairman Conway posed the question to the Commission as to whether regulations might be needed. One suggestion was to use Bed and Breakfast Regulations. It was noted that there is no law against renting out ones house.

COMMUNICATIONS

COG's notice of public hearings on the regional POCD draft was distributed.

ADJOURNMENT

MOTION: To adjourn the meeting at 9:00 p.m. by Elaine Curley, seconded by James Conway and unanimously approved.

Respectfully submitted

Karen S. Fddy

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 OCTOBER 10, 2017 MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:35 p.m.

Members Present: James Conway, Kim Tester, Alan Johnson, Drew Loya and Elaine Curley

Alternate Members Present: Bill Horrigan

Public Present: Ed Cady Jr., Mark & Sabrina Carhart

SEATING OF MEMBERS

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

PUBLIC COMMENT

None

APPROVAL OF MINUTES

September 11, 2017 - Public Hearing (Temporary Health Care Structures)

MOTION To approve the minutes of the Public Hearing as presented. Motion by Loya, seconded by Johnson and unanimously approved.

September 11, 2017 - Regular Meeting:

MOTION To approve the minutes of the Regular Meeting as amended: Motion by Horrigan, seconded by Tester and unanimously approved. Amendments: Meeting called to order at 7:36 PM. Under the Carhart application the size of the pool house should be 365'. The last sentence on page 2 should read Tester's. Under Chairman's Report, the 5th sentence should read "need for them."

CHAIRMAN'S REPORT

Chairman Conway raised the issue of a Dollar Store that was recently approved in Morris. He questioned whether our regulations prohibit Chain Stores? Apparently it was approved as a permitted retail use without public hearings and residents are very upset.

Elaine Curley arrived at 7:40 pm. She was seated and Bill Horrigan stepped down.

Prohibiting "chain stores" in Roxbury's Zoning Regulations was discussed.

BUSINESS

CARHART / 238 Painter Hill Road – Barn Renovation

Mark & Sabrina Carhart arrived at 7:47 pm and introduced themselves. They spoke of their farming roots, stressed their desire to preserve the O'Brien homestead and utilize the barn on their property. Mr. Carhart noted that John Cody has been helpful to them. They had hoped to convert their barn to a guest house, but that was not allowed by zoning regulations. After several attempts, they are confident that this application meets the zoning requirements. Ed Cady noted that John Cody suggested that they apply for a permit under the Adaptive Reuse of Historic Barn Regulation - Section 4.3.8. Mr. Cady explained that the plan is to keep the barn's exterior the same while enlarging the footprint with several small bump outs. The barn will be used as an entertainment center with a catering prep area and for some storage in the garage area.

Chairman Conway questioned the difference between a catering prep area and a regular kitchen. Mr. Horrigan confirmed that the barn will be considered an accessory building. Mr. Conway noted that the application will be accepted and discussed further at the next meeting. He noted that a statement of use will be needed.

Mr. Conway noted that the Town Attorney would be consulted regarding whether this application should be a special permit. He noted that Section 4.3.8 calls for a special permit for adaptive reuse of a historic barn. Mr. Cady questioned whether the regulation applies only to nonconforming structures. Mr. Horrigan noted that the 50% rule for accessory apartments would not apply. The Commission discussed whether a special permit application should be required. Elaine Curley asked if the Historic District Commission has been consulted. Mr. Carhart said he had attempted to contact them several times.

Mr. Cady asked about submitting a special permit application at this meeting.

Mrs. Carhart spoke of the time and money required to preserve "these structure that are crumbling". She urged the town to consider how they could help people preserve the old barns. Chairman Conway noted that this regulation was written to do that and the Commission must decide if this project falls within this regulation. Mrs. Carhart reiterated that they really hope to keep their barn because these older structures help to make Roxbury what it is.

Mr. Carhart noted that John Cody had warned them that a special permit might be required. He asked if they would be allowed to have bedrooms, baths and a stove. Mr. Conway reiterated that this is an accessory structure and not considered habitable space. Mr. Conway explained that the Commission has more flexibility under the Special Permit process and he would prefer to accept the application as a special permit under the adaptive reuse regulation.

Mr. Cady wondered whether including a stove would be deal breaker. It was explained that as part of the special permit process, the Commission could put conditions on the permit. Items such as a stove might not be allowed, but that wouldn't necessarily be a deal breaker. Chairman Conway noted that whatever is included in the application is what the Commission will rule on.

The applicant indicated they would like to submit a special permit application and proceeded to complete the form and submit it.

Chairman Conway said the Commission would not discuss the application again until after a public hearing is held. Mrs. Eddy noted that neighbors must be notified and property deeds must be submitted.

MOTION: To accept a Special Permit Application by Mr. & Mrs. Carhart of 238 Painter Hill Road for adaptive reuse of a historic barn. Motion by James Conway, seconded by Alan Johnson and unanimously approved.

MOTION: To schedule a public hearing on November 13, 2017 to solicit public comment on the Special Permit Application by the Carharts.

It was noted that the Commission has 65 days to make a decision following the public hearing. If approved, the special permit would become effective 15 days after the legal notice is published.

Mr. Carhart thanked the commission. Mr. Conway explained that the Commission's job is to adhere to the regulations and interpret them.

ZEO Report

John Cody not present. No report was received.

Zone A

Chairman Conway obtained a new map which depicted Zone A in green as it overlaps with Zone C shown in yellow. The map was reviewed. It was suggested that the yellow overlap area be added to Zone A. The pros and cons of this approach were discussed at length. Chairman Conway questioned why Zone A was originally depicted as a circle. All agreed that the commission should develop bullet points listing the possible changes to Zone A. Members were asked to bring their recommendations to the next meeting.

COMMUNICATIONS

FOI Workshop sponsored by CCM was noted.

ADJOURNMENT

MOTION: To adjourn the meeting at 8:55 p.m. by Conway, seconded by Loya was unanimous.

Respectfully submitted,

Karen Eddy

Karen 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 NOVEMBER 13, 2017 MINUTES

CALL TO ORDER

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

Members Present: James Conway, Kim Tester, Alan Johnson, Elaine Curley; Members Absent: Drew Loya

Alternate Present: William Horrigan; Alternate Absent: David Miller

Staff Present: John Cody, ZEO and Karen Eddy, LUA

Public Present: Edward Cady, Jr., Mark & Sabrina Carhart, Wendy Walker, Bradley Bombard, Thomas Scanllon

SEATING OF MEMBERS

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

LEGAL NOTICES

James Conway read the legal notice of the Public Hearing as it appeared in Voices on November 1 and 8, 2017 and as filed with the Roxbury Town Clerk.

CORRESPONDENCE

Kim Tester read correspondence received pertaining the application.

- Letter from Dennis Mouyios of 17 Painter Ridge Road stated no objection to the application.
- Letter from Paula and Tom Keltner of 242 Painter Hill Road in support of the application.

PRESENTATION OF APPLICATION

Special Permit / 238 Painter Hill Road - Adaptive Reuse of Historic Barns (Section 4.3.8)

Ed Cady, Jr presented the Special Permit Application on behalf of Mark & Sabrina Carhart. He noted the plan is to keep the look of the barn intact. Several minor footprint changes are shown in black on the Site Survey for a shed roof to park a car which will be visible from the road and for a small porch near the pool. Mr. Cady read a prepared letter which gave background information about the applicants and their plans for the property on Painter Hill Road. He showed a photo of the original barn from 1872 and noted that a second barn was added in early 1900's.

Elaine Curley arrived at 7:42 p.m.

Mr. Cady noted that the barn has been used as a garage and for storage. The Special Permit Application proposes the following uses: garage space, open entertainment space, play space for children and support area for the swimming pool. The plan calls for the barn to be remodeled, kept in the same location and the exterior character from the street side to remain the same. They wish to preserve and repurpose the barn and thus preserve the history of the O'Brien homestead. Mr. Cady noted the project is expensive. The applicant has consulted with the town about their plans which they have modified several times and he noted Wendy Walker of the Historic District Commission (HDC) agreed to speak.

In response to questions Mr. Cady noted the siding will be shiplap painted barn red. The sizes of the bump-outs are 75 sf and 240 sf. Heavy weight wood shingles will be used on the roof. He also noted that the entire space would be insulated and heated including the garage. He indicated that the entire inside of the barn would be remodeled.

Wendy Walker, Chair of the HDC spoke of this Commission's desire to preserve barns which are being lost because there is no use for them. She applauded the applicants for preserving this "showcase barn". She feels they have done a remarkable job with previous projects. She noted that the Roxbury POCD states that Roxbury should remain a country town and barns are a big part of that. She noted that the HDC endorses this project and would be

glad to submit a letter to that affect.

Chairman Conway noted that the original plan submitted by the applicant was not in compliance with the current zoning regulations as it proposed an accessory apartment that was too large in proportion to the main residence.

The applicant submitted receipts showing that proper notification had been sent to adjacent property owners and with that the application was complete. Chairman Conway indicated that once the public hearing is closed no further information could be accepted.

ADJOURNMENT

MOTION: To close the public hearing at 7:55 p.m. Motion by Kim Tester, seconded by Al Johnson and carried. Vote 4 to 0.

Respectfully submitted,
Karen Eddy
Karen Eddy
Land Use Administrator

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TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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ROXBURY ZONING COMMISSION REGULAR MEETING NOVEMBER 13, 2017 MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:55 p.m.

Members Present: James Conway, Kim Tester, Alan Johnson and Elaine Curley

Alternate Members Present: William Horrigan

Public Present: Ed Cady Jr., Mark & Sabrina Carhart, Wendy Walker, Bradley Bombard and Thomas Scallon

SEATING OF MEMBERS

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

PUBLIC COMMENT

None

APPROVAL OF MINUTES

Regular Meeting - October 10, 2017

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

BUSINESS

Carhart/238 Painter Hill Road – Special Permit Application for barn restoration

Bill Horrigan questioned the need for a special permit. Kim Tester noted that Section 4.3.8 of the Regulations on Adaptive Reuse of Historic Barns requires a special permit.

John Cody noted that split use within a structure is not allowed. Carving out a portion of the barn for use as an accessory apartment is not permitted.

Alan Johnson suggested that this would be a clever use of a barn which might otherwise be torn down. Chairman Conway clarified that the accessory apartment use first presented by the applicant called for bedrooms and a stove which would not be permitted in an accessory structure. He further noted that as part of the special permit process, the Commission could set conditions for the permit such as prohibiting a stove. This could be monitored by an annual review of the permit. Kim Tester noted that the statement of use is part of the application.

MOTION: To approve application for a Special Permit for 238 Painter Hill Road for adaptive reuse of a historic barn. Motion by James Conway, seconded by Kim Tester.

Vote/Reason:

- Alan Johnson voted to approve. He stated it is a good reuse of a building that would otherwise be lost.
- Bill Horrigan voted to approve. He stated it guarantees preservation of a grand building on the four corners.
- Elaine Curley - Abstained.
- Kim Tester voted to approve. She stated it a great adaptive reuse of a historic barn and a great example of helping to maintain barns in town.
- Chairman Conway voted to approve. He agreed with all the reasons previously stated and added that adaptive reuse of barns enhances Roxbury.

Motion carries 4 to 0 with one abstention.

Chairman Conway noted that this sets a positive precedent for future applications of this nature. Mark and Sabrina Carhart and Wendy Walker thanked the Commission.

Package Store – Request to Review Regulations

Brad Bombard and Thomas Scallon introduced themselves. John Cody gave a brief history of the status of this request. He noted that State law requires a town population of 2,500 people before a package store can be considered. He noted that Mr. Bombard and Scallon produced a letter from Richard Blumenthal that seemed to contradict that law.

Chairman Conway noted that the Commission cannot accept an application at this point. He noted that according to State Statutes an applicant must get a petition signed by 10% of voters who support allowing a package store in Roxbury to call for a question at a regular election. He explained that Zoning has no say over a decision on this matter as it must be decided by a town vote.

Kim Tester questioned whether the letter from Blumenthal would set a precedent. Mr. Bombard noted several towns that have package stores are under the population requirement. John Cody suggested that those towns might be grandfathered. Mr. Bombard explained his goal was to have a tasteful wine boutique with a country feel next to Mamie's which current is operating as a BYOB restaurant.

Chairman Conway argued that the State does not distinguish between a wine store and a package store. He reiterated that Zoning cannot allow a package store until the State allows it. Mr. Bombard argued that he understood the issue to be that the town would not permit a package store.

John Cody argued that there is nothing written in the Statutes indicating that the State is likely to approve a package store in Roxbury. He noted that the whole process starts with the town's people approving it and then Zoning would be involved with where it could be located.

Elaine Curley explained that they have 12 months until the next election to get the petition signed and get on the ballot. Mr. Bombard asked about the possibility of a special election. Elaine Curley and Chairman Conway reiterated that nothing can happen until the town votes at a regular election according to 30.10 of the statutes. Elaine Curley advised that August would be the deadline to get on the ballot for a November election.

Chairman Conway noted that any petition should be presented to the Board of Selectman. Zoning would not be involved at all.

Mr. Bombard and Scallon thanked the Commission for their time and left the meeting at 8:25 p.m.

ZEO Report

Mr. Cody noted he had no report as most of the current issues he has been involved in are wetlands related.

COMMUNICATION

- PA 17-39 - An act clarifying the continuation of nonconforming uses was distributed. Members were asked to study it for future discussion.
- The 5th Thursday Forum invite from COG was distributed.
- P & Z Newsletter was distributed. Elaine Curley asked if the handbooks have been updated and Mrs. Eddy agreed to check on their status.

Chairman's Report

Chairman Conway handed out a new map of Zone A showing the intersection with the surrounding zone. He highlighted in yellow the parcels that overlap Zones A and C. His idea would be to merge the area in yellow into Zone A. Mr. Horrigan noted that Easton uses roads to create zones rather than circles. He presented a map of Roxbury based on that model showing the main roads that cross Zone A.

James Conway noted that Peter Filous is starting the next POCD update and he said Planning is interested in the Zoning's ideas for Zone A. They discussed using 51% of the lot area to determine which zone a property would fall in. Peter Filous mentioned that under the Conservation Subdivision regulations, a lot can be 25% less than the

required size for the zone. Mr. Horrigan suggested that reductions in road frontage and lot size would not do much. Chairman Conway noted that establishment of a village district would allow the town to apply for regional grants. Mr. Horrigan referred to Zone A as a dysfunctional village district. Elaine Curley noted that it would never have sidewalks and other attributes of a village. Mr. Horrigan felt that restricted circle and frontage would not work. He noted that sanitary and wetlands restrictions would be self-regulating. Kim Tester suggested setting a maximum house size.

The discussion led into roads and driveways. Mr. Conway relayed the problems with High Meadow and road maintenance issues. The pros and cons of private roads vs. town roads vs. shared driveways were discussed.

Alan Johnson asked about the reason for the frontage regulation. Kim Tester noted that a 250' circle creates 250' of frontage. It was noted that the frontage regulates lot shape. Mr. Horrigan noted that setbacks provide protection. Chairman Conway noted the goal is to get smaller houses in a village district. He noted that driveways and private roads are important to the discussion. Elaine Curley commented that Southbury Road was changed overnight as a result of shared driveways being eliminated so that each new house needed a curb cut. She noted some pros and cons of not allowing shared driveways. She asked if the goal was to create a village setting or to encourage smaller lots. Chairman Conway noted that an interior lot in Zone A requires 6 acres and he felt it should be two acres. He would encourage shared driveways.

Chairman Conway raised the issue of Dollar General Stores coming to the area. He noted the issues currently going on in Morris. He was told that Woodbury has regulations that don't allow chain stores. Members discussed some ideas for a regulation and that will be continued at next month's meeting.

ADJOURNMENT

MOTION: To adjourn the meeting at 9:00 p.m. by Tester, seconded by Curley was unanimous.

Respectfully submitted,
Karen Eddy
Karen 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 11, 2017 MINUTES

CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 7:50 p.m.

Regular Members Present: James Conway

Regular Members Absent: Elaine Curley, Kim Tester, Alan Johnson, Drew Loya

Alternates Present: William Horrigan

Alternates Absent: David Miller

Staff Present: John Cody, Enforcement Officer, Karen Eddy, Land Use Administrator

Public Present: None

ADJOURNMENT

The meeting was adjourned at 7:51 p.m. due to a lack of quorum

Respectfully submitted

Karen E. Eddy

Land Use Administrator