



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION PUBLIC HEARING JANUARY 11, 2016

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 Alan Johnson

Alternates Present: David Miller

Alternates Absent: Drew Loya

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

Public Present: Marie & Paul Swanson, Paul Herbert, Arthur Singer, Eliot Johnson, Rob Sladen, Holly Floor, Greg Meredith,

SEATING OF MEMBERS

Chairman Conway seated regular members Urban, Tester, Crawford, Johnson and Himself.

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

Legal Notice

Chairman Conway read the legal notice as it appeared in Voices on Dec. 30, 2015 and January 6, 2016.

PUBLIC COMMENTS

Chairman Conway noted that the Commission had received three more letters regarding this application and he and Kim Tester would read them into the record as follows:

Harry Ong - 102 Davenport Road wrote in favor of the application. In his opinion the Swanson's are not contributing to the noise or traffic on Davenport any more than other neighbors in the area. He sees the Swanson's business as an asset to the community and as loss to the town if they were forced out because of a few disgruntled people.

Brian Larkin – 31 Davenport Road wrote in favor of the application. As a neighbor of 35 years he has never been disturbed by noise from the Swanson's especially weekends and holidays during the last fifteen years of his retirement.

John German – 67 Davenport Rd wrote against the application. In his opinion the Swanson's business has grown too large, is unsuitable for a residential zone and negatively impacts the quality of life of the neighborhood. Complaints about the 'horrendous noise', amount of truck traffic and concerns about ground water quality and chemical smells from smoke were also noted.

Chairman Conway noted that the Swanson's have submitted a copy of a filing with the Secretary of State entitled "Articles of Organization" for their business.

PUBLIC COMMENT CONTINUED

Paul Herbert – 152 North Street commented that the Swanson's have provided emergency services to the town's people. He urged people to be good neighbors, make adjustments and settle this out of court.

Arthur Singer – 111 Mallory Road commented that he lives with a commercial business near him. He feels the noise is irritating and depreciates his property value. He urged the Zoning Commission to make tough decision and stop these violations.

Eliot Johnson – 37 Davenport Road owns property next to the Swanson's which he rents. In his letter he commented that he has had no complaints from his tenants regarding the operations at the Swanson's. He noted the Swanson's are long-time multi-generational residents of the area and contributing members of the Community who provide jobs and offer much-needed services to the town. In his opinion they do not store dangerous chemicals or burn hazardous materials. He argued for compromise between the right to have peace and quiet and the right of individuals to earn a living.

Rob Sladen – 74 Davenport Road introduced himself noting he has been a doctor for 45 years in NYC and plans to retire to his "spiritual home" in Roxbury soon. He feels the issue is an industrial vs. a residential zone. He would like to see full disclosure regarding what is happening on the site. This has nothing to do with character of the Swanson's but he feels it is up to them to show that this application has no adverse impact on the neighborhood.

Holly Flor – 160 North Street, a 40-year resident of Roxbury commented that "rules are not suggestions". This is not about the character of the Swanson's or the neighbors. In her opinion this is not the type of business that belongs in a residential zone.

Chairman Conway noted that a section of the application related to outdoor storage was inadvertently omitted and the Commission asked for a voluntary extension of the hearing by the Swanson's to allow them to submit that information. The Swanson's agreed to continue the hearing to next month and submitted a letter of authorization to that effect.

The Public Hearing will be continued on February 8, 2016.

ADJOURNMENT

The Public Hearing adjourned at 8:00 PM.

Respectfully submitted,

Karen S. Eddy

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Land Use Administrator

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