



# TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

## ROXBURY ZONING COMMISSION REGULAR MEETING JANUARY 11, 2016

### MINUTES

#### CALL TO ORDER

Chairman Conway called the Regular Meeting to order at 8:15 PM.

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

Alternates Present: Alan Johnson and David Miller

Alternates Absent: Drew Loya

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

Public Present: Rob Horrigan and Greg Cava

#### SEATING OF MEMBERS

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

#### PUBLIC COMMENT

None

#### APPROVAL OF MINUTES

Public Hearing – Sheds – December 8, 2015:

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

Public Hearing – Swanson's/39 Davenport Rd. – December 8, 2015:

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

Regular Meeting of December 8, 2015:

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

#### BUSINESS

Swanson/39 Davenport Road – Special Permit Application

Chairman Conway noted that the Public Hearing was extended at the request of the applicant to allow them to include "Outdoor Storage" as part of their application.

Tree House Regulations

It was noted that the draft regulations discussed at the last meeting have been submitted to the town attorney for review.

#### REPORTS

ZEO Report

Mr. Cody noted that he has received another complaint about chickens (Chalybes Road). Section 3.9 was briefly discussed. Mr. Cody will be checking into the complaint.

### Chairman's Report

Mr. Conway explained that Alan Johnson has been moved up to a regular member to fill John Cody's vacancy. A search is on for an alternate to replace Mr. Johnson.

Chairman Conway noted that the Planning Commission is putting together some ideas regarding alternative housing to include single-family homes. Peter Filous has requested the opportunity to present Planning's ideas at a future zoning meeting.

Elliott Davis of Mine Hill Distillery (Roxbury Station) will be starting the application process. The initial application presented several days ago was incorrect. Because of the nonconformity of the property and buildings, the process is complicated so we will meet with the town attorney and Mr. David to discuss how the process should proceed. We will also discuss with the Town Attorney the plan to change the zoning regulations to allow the Land Trust to convert a residence into an office with apartment above in the business zone.

Chairman Conway asked about the status of the Weaving complaint. Mr. Cody noted he has a recent complaint from the neighbor that the activity has picked up. Mr. Cody reminded the Commission that Mr. Coburn had previously issued a Notice of Violation. Chairman Conway suggested that Mr. Cody speak with Mr. Weaving, evaluate the situation and report back to the Commission.

By way of reviewing some previously addressed issues Ms. Tester questioned the status of the Hodges permit which was briefly discussed. She also asked about the request by the Stuarts for a sign at the bottom of Weller's Bridge announcing the businesses in the Zone D. Chairman Conway noted it was discussed by the Board of Selectman, but nothing was done. He noted he would bring it up at the next meeting. Chairman Conway noted that according to the town attorney private burials are not allowed under the regulations whereby if a use is not specifically allowed, then it is prohibited. It was noted that the Fine Ordinance was approved by the Board of Selectman. Regulation of blight did not get any momentum.

David Miller spoke about the difficulty involved with intervening in a neighbor dispute such as with Weaving and Singer. Mr. Conway noted that the commission must investigate all complaints of commercial activity in a residential zone. Mr. Crawford explained that it is up to the business owner not to create a problem for the neighbors. He further explained that they were expected to apply for a home enterprise permit. The State requires approval by Zoning before a permit to repair vehicles can be obtained and there are lots of requirements that must be met.

Regarding the Swanson's application, Chairman Conway noted that the town attorney advised that any questions of ownership of the property and business should be clarified. The Commission must ask all of its questions during the public hearing. Once the hearing is closed, no further questions can be asked of the applicant.

### **ADJOURNMENT**

MOTION: To adjourn the meeting by K. Tester, seconded by A. Johnson. Motion carried.

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*