



TOWN OF ROXBURY CONNECTICUT

Zoning Commission

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

ROXBURY ZONING COMMISSION PUBLIC HEARING MAY 9, 2016

MINUTES

CALL TO ORDER

Chairman Conway called the Public Hearing to order at 7:31 PM.

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

Regular Members Absent: Elaine Urban

Alternates Present: David Miller, Bill Horrigan, Curtiss Smith

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

Public Present: Jeremy Oskandy, Elliott Davis, Rene, David, Marie Swanson

SEATING OF MEMBERS

Chairman Conway seated regular members Loya, Johnson, Tester, Smith for Urban and himself.

BUSINESS

MH Property, LLC/5 Mine Hill Road – Special Permit Application (Phase 2) for a Craft Brewery, Distillery & Winery in Business Zone D

The following notices and correspondence were read or noted:

- Notice to Town Clerk
- Legal Notice in Voices on April 27 and May 4, 2016
- Notices to adjacent landowners
- Land Trust letter of support dated May 5, 2016

Presentation of Special Permit Application (Phase 2) by Mine Hill Property LLC:

Elliott Davis, owner of MH Property noted that they have gotten approval to rezone the property where the Barrel House is located to include it in the business district (Zone D) and they have obtained approval from ZBA to move the station back an additional 8 feet from the road. He showed a photo of the Train Station dating back to 1872. He explained that they plan to restore the station to its original character to include the platform on three sides and an awning on two sides. He suggested that the platform could be used as public space for a pop-up museum, art gallery and Land Trust fund raising space. The space will be historic on the exterior and functional and open on the interior. The Barrel House will be used as storage for the bourbon Rhine whiskey. Phase 2 involves shifting the station back and using the barrel house for storage. The parking, drainage, rain gardens and lighting were approved under Phase 1 of the proposal. Jeremy Oskandy of Howland and Associates noted additional parking in front of the barrel house which was included on the original site plan. Mr. Davis remarked that the barrel house and the coal shed are under construction. They are on a fast pace and it's been a positive project so far.

Chairman Conway asked if there were additional questions and noted that most of the site plan had been reviewed and approved prior to this application. This Phase 2 has minor changes. Responding to a question from Alan Johnson, Mr. Davis noted that the coal shed will be mostly storage and workshop.

Curt Smith asked about paving the parking areas. Mr. Davis explained that most of the remote parking for overflow will be permeable - chip stone, permeable pavers or grass. The train station and the main building in front of the garage and the distillery will have a short paved stretch. There is already paved parking in front of the garage and they will probably pave part or all of the rail tracks. Their goal is to show the old tracks between the train station and cigar factory.

Curt Smith asked if the plan shows which parking is to be paved and which is not. Jeremy noted that paved parking was not designated but they designed the drainage plan so that it could handle drainage if all the parking were to be paved.

Curt Smith distributed a sheet which highlighted sections of the zoning regulations that he had questions about: Under Section 5.3.b he questioned where there were vehicular entrances onto Mine Hill and onto the state highway. Mr. Oskandy noted there were no entrances onto Route 67. Mr. Smith noted that there are two separate parcels and the barrel house has frontage on the highway. Mr. Oskandy noted that the driveway access is not onto the highway. Mr. Smith noted that the access south of the garage near the rain garden shows 11 spaces up an embankment on the state highway. He asked if the entrance onto a state highway was approved. Mr. Oskandy noted that the state does not require a permit for under a certain number of parking spaces or traffic load. He did not feel this should hold up the permit. Mr. Davis noted that they far exceed the number of parking spaces required by Zoning. Mr. Smith noted they have 45 spaces.

Curt Smith noted that according to Section 5.4 there can be a maximum of one driveway for each lot fronting on a town road and he wondered if a variance had been approved for more than one.

Mr. Oskandy reiterated that the site plan has been approved except for the barrel house and train station and the parking spaces associated with the barrel house. If these are all genuine concerns we can address them, but the driveways and everything else associated with the site plan are not part of this current application. James Conway agreed that the site plan had been approved.

Mr. Smith noted that driveways are supposed to be a maximum of 30 feet, but the site plan approved shows greater than 30 feet.

Mr. Smith asked about the front yard planting strip (Section 7.8.3). In response Mr. Oskandy noted that as a preexisting, nonconforming site, they have done what they could to make it more conforming. Mr. Davis noted that there would not be room to do a planting strip per the ZBA approval. Mr. Smith wondered why the landscape plan was previously approved for the two additional buildings under review. Mr. Oskandy said the permit functions under one big site plan. There were issues with those two buildings that caused them to be separated from the original plan. A variance was needed to include these two buildings.

Mr. Smith noted that Section 5.4 requires driveway and parking areas to be paved. Mr. Davis explained that various neighbors such as the Land Trust asked them to limit the paved areas to preserve lawn. Mr. Davis reiterated that these questions are not germane to this application.

Mr. Smith noted that the two new driveways do not conform to the town driveway ordinance. Mr. Oskandy argued that they did meet the requirements as driveways are graded by the center line of the driveway. Mr. Davis noted that this is an existing driveway that is already graded and the question was whether it would be paved or not. Mr. Smith asked whether the Board of Selectman has approved paved aprons. He noted that Section 13.4 incorporates the Town's Driveway Ordinance into the zoning regulations.

Mr. Smith presented a photo of a large puddle next to the train station and he wondered if that would be addressed. Mr. Conway noted that when the train station is moved he would assume they would alleviate that drainage issue which Mr. Oskandy confirmed. Mr. Smith reiterated that there is a low point there and the grading would need to be modified to remove it.

Mr. Smith apologized that because he is new to the commission he has tried to bring himself up to speed regarding this application and as a surveyor for 40 years; these are the issues he questioned.

Mr. Oskandy explained that when dealing with a preexisting, nonconforming site they have to work with what they have. Mr. Conway reiterated that the site plan was previously approved and this application involves moving of the train station and the use of the barrel house for storage only.

There being no further questions, Mr. Conway called for a motion to close the public hearing.

ADJOURNMENT

MOTION: To close the public hearing at 7:59 PM 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