NORFOLK PLANNING & ZONING COMMISSION
Special Meeting
May 24, 2016 @ 6:30 p.m.
Minutes - Draft

Present: Michele Sloane – Chair, Tom Fahsbender, Larry Freedman, Betsy Little, Marion Felton and Paul Madore.
Also Present: West Lowe, interim ZEO

1. **Call to Order**
2. **Roll Call**
   A. Marion Felton sitting for Vint Lawrence and Paul Madore sitting for Schuyler Thomson

3. **New Business:**
   a. Application for Site Plan Approval for a Convenience Store/Deli, as per Section 4.03-1A.1 of the Regulations, to be located at #6 Station Place as submitted by the Norfolk Foundation, Agent, on behalf of Station Place RE LLC, owner.
   b. Michele read the notice of the Public Hearing into the record at 6:30 p.m.
   c. Commission members seated for the hearing: Michele Sloane, Larry Freedman, Tom Fahsbender, Betsy Little, Marion Felton and Paul Madore. Also present: West Lowe, interim ZEO.
   d. West Lowe noted that all of the return receipts had been received.
   e. Michele Sloane noted that #6 Station Place is now owned by the Norfolk Foundation and that even though the former owner authorized the Norfolk Foundation to act as their agent for the Site Plan Application, now that the building is owned by the Norfolk Foundation this makes no material change to the application according to the Commission's attorney David Cusick.
   f. Ryan Craig gave a brief description of the proposed convenience store/deli business he would like to develop.
   g. Michele Sloane told those assembled that #6 Station Place is located in the town's Business District as well as in the Village District.
   h. Paul Madore asked how deliveries will be made. Ryan Craig responded that they will be made in a similar manner as they are made to other businesses in town and that goods will be brought into the building through the side door.

i. Larry Freedman asked for more detail about the internet café. Ryan Craig said there will be a couch and a couple of chairs where people can hang out, get a cup of coffee and work on their i-pads or read the newspaper.
j. Larry Freedman asked how long the build-out would take and what it will cost and if Ryan Craig was investing in the business. Ryan responded that he anticipates that the build-out will take 60 to 90 days. He has some estimates and is working with the Torrington Area Health District to determine what the health department requires and he anticipates he will invest about $100,000 in this project.
k. Tom Fahsbender asked how many people will likely be using the internet café at any one time. Ryan Craig said he thinks about 7-10 people will be there at any one time and there will be sitting room for 16 – 18 people.
l. Michele Sloane asked where the recyclables and refuse read and cans will be located. Ryan Craig pointed out the two squares marked "R" and "G" on the site plan to the left of the side door and noted that this area would be screened to minimize unsightliness.
m. Michele Sloane asked about signage. Ryan Craig said there would be one sign of not more than 15 square feet over the front door and that there would be no change to the building's existing exterior lighting.
n. Michele Sloane spoke about parking saying that Norfolk's in-town parking is not owned by anyone, it is for all of the businesses in town. She also told those assembled that the Selectmen will be discussing the town's parking situation tomorrow night (Wednesday, May 25th) if anyone wants to attend that meeting.
o. Michele noted that the original application documents have been received from West Hill Properties as has the original authorization for Samuel "Pete" Anderson to act as agent for the Norfolk Foundation.
p. Michele Sloane read into the record a letter dated May 20, 2016 from attorney Thomas F. McDermott Jr. who is representing Joseph Stannard, owner of an abutting antique business. Mr. McDermott stated that Joseph Stannard objects to the application because the application is incomplete in that it does not show where the fuel source is, where the venting will be for the range in the commercial kitchen, where the trash and

garbage containers are located and what they are located on, where adequate parking is located, what are the loading and unloading plans, that the setback requirements have been met, etc. He also said the street scape could become unsightly, there would be access and removal problems and there would be parking problems and delivery problems.

q. Ryan Craig responded that this application is for a convenience store/deli not a restaurant but even so the health district requires certain things including a fan and a fire suppression system. He said he plans to use the existing propane tanks which are located at the back of the building. He intends to work with his neighbors to locate the exhaust fan in the best location possible from their points of view. He will adhere to the setbacks. He stated that parking can be found at the town hall and in other places that are not right in the center of town.
r. Michele Sloane brought up the Town Plan which discusses the need to strengthen the town and make it and its businesses more vibrant. Michele then opened the discussion up to the public.
s. Robert Pallone, owner of the Arcanum building, stated that the center of town is vibrant. His business is active and his rental apartments are full. He said that the garbage should be stored on the west side of the #6 Station Place where it could be hidden between the two adjacent buildings. Ryan Craig said he would look into this idea.
t. Stefanie Gouey, operator of Station Place Café, said the town is not vibrant and new businesses are needed just not businesses that will compete with existing businesses. She said there is no need for a convenience store/deli to have a commercial kitchen and that the corner of Route 44 and Station Place is a dangerous place for cars and trucks.
u. Molly Ackerly spoke to that fact that there was a convenience store/deli in town some time ago and questioned how different things would be now as far as deliveries go. She said she would be delighted to be able to go to a convenience store right in town to get a cup of coffee a newspaper and a quart of milk.
v. Michele Sloane noted that it is not under the commission's purview to decide how many restaurants there can be in town.
w. Rod Perkins, owner of a condo in the Frog building next door, said he is grateful to the Norfolk Foundation for trying to better our downtown. He expressed concerned, however, that

the vent/fan will give off smells and noise and that garbage, propane tanks are unsightly and will lower the value of the property he lives in. He asked that these issues be addressed to the satisfaction of the neighbors under the regulations.

x. Attorney McDermott stated that the issue is not the development of the downtown. The issue is that this is an incomplete site plan missing the location of the exhaust fan, the detail of the screening and pad for the refuse and recycling, a schedule for trash removal, propane and goods deliveries and a demonstration of parking capabilities. He said the commission should not approve this application because the regulations require that specific things be on a site plan so they can be enforced.

y. Michael Dinsmore, owner, with his wife, of the Wood Creek Bar and Grill stated that he is all for improving Norfolk's downtown and he has no problem with having a convenience store/deli. He stated that parking is an issue and deliveries are dangerous in the limited space available. He said he and his wife have struggled for 6 years to make their business viable and urged the commission to consider the repercussions to other businesses in town were this application to be approved. He said he had heretofore not heard of the Norfolk Foundation and that no-one had consulted him about running a restaurant business in town.

z. Michele asked what the proposed hours of operation were and how many employees there would be. Ryan Craig said 7:00 a.m. to 7:00 p.m. and that there would be 2 employees.

aa. West Lowe asked the Norfolk Foundation to describe who they are and what they want to accomplish.

bb. Samuel "Pete" Anderson spoke for the Foundation stating that they have three goals. The first is to improve Norfolk by bringing more people to town to appreciate Norfolk's art and culture and to do that there cannot be empty storefronts in town. The second is to improve the City Meadow and work on the rails to trails system. The third is to establish a linkage between the multiple not for profit organizations in town so they can work together toward common goals. A good meeting place for these discussions could be the new convenience store/deli. Pete said that the Norfolk Foundation has no intent to subsume other organizations in town. Their mission is to help, not tell other people what to do. Pete

Anderson noted that the Norfolk Foundation has purchased #6 Station Place and they have received their 501C3 status. He said the foundation's next steps are to consult with other businesses in town and the people of the town. Members of the Norfolk Foundation are Joe Hurst, Mark Burke, Molly Ackerly, Catie Dougan, Libby Borden, Steve Melville, Lisa Atkin and Pete Anderson.

cc. Larry Freedman asked if the propane tanks which exist are what will be used. Ryan Craig said that he has to work with the Fire Marshall and the propane company to determine if they are sufficiently sized.

dd. Onyx Orton, neighbor on John Curtiss Road, said that there are changes to the building including the exhaust fan and the potential use of more propane.

ee. Tom McGowan, Norfolk resident, asked if a compromise might be possible.

A motion made by Tom Fahsbender, seconded by Marion Felton, to close the public hearing was approved unanimously.

A. Discussion

a. Michele Sloane said she is concerned about parking in general in town and wants to work with the selectmen on this.

b. Larry Freedman said parking does not apply to this situation.

c. West Lowe, ZEO, stated that this is a permitted use in the business zone and that to deny this application based on insufficient parking would be a mistake.

A motion made by Paul Madore, seconded by Tom Fahsbender, to schedule a site walk of #6 Station Place on Friday, May 27th at 5:00 p.m. and continue deliberations at our next regular meeting on June 14, 2016 was approved unanimously.

4. Adjournment:

A motion made by Marion Felton, seconded by Paul Madore, to adjourn the meeting at 8:25 p.m. was approved unanimously.

Respectfully submitted,

Betsy Little

Betsy K. Little
Secretary