

NORFOLK PLANNING & ZONING COMMISSION

Regular Meeting

July 11, 2023@ 6:30 p.m.

Draft Minutes

Present: Tom Fahsbender-Chair, Christopher Schaut, Paul Madore, Melissa Renkert, Jonathan Sanoff, Marion Felton, Edward Barron-alternate, Wiley Wood-alternate, Steven Landes-alternate

Also Present: ZEO Michael Halloran

1. **Call to Order**-6:30pm
2. **Roll Call** -Wiley Wood will sit for Kevin Gundlach.
3. **Agenda Review**-Discussion about Norfolk Now article about the Firehouse, added to ZEO Report.
Christopher Schaut made a motion to add discussion of reporting of the Firehouse in the Norfolk Now to ZEO Report, seconded by Marion Felton and approved unanimously.
4. **Public Comment**-none
5. **Approval of minutes**-Edward Barron arrived.
Christopher Schaut made a motion to approve minutes of the regular meeting of June 13th, 2023, as amended, seconded by Jonathan Sanoff and approved unanimously.
6. **Old Business (changed)**
 - A. **23-027 Site Plan Approval 4.03-1A1 retail store/retail sales will be moved to 7A since it is new business.**
Christopher Schaut made a motion to move New Business to before Old Business and move 6A to be under New Business which makes it 7A, seconded by Melissa Renkert, and approved unanimously.
7. **New Business-**
 - A. **23-027 Site plan Approval 4.03-1A1 retail store/retail sales. Applicant is Dawn Muzzulin for Royal Arcanum LLC.**
Dawn Muzzulin bakes cookies and cupcakes and wants to have a place to sell them. The front room is 232 square feet and the back room is 232 square feet as well and Mrs. Muzzulin is only using the front for

occupancy and Michael Halloran said according to the fire code the occupancy load is no more than 15 people with a few tables and chairs. All of Mrs. Muzzulin's baked goods are prepared off-site. The hours are 6am-9pm.

Christopher Schaut made a motion to approve 23-027 Site Plan Approval 4.03-1A1 retail store/retails sales, Dawn Muzzulin for Royal Arcanum LLC. in compliance with the fire marshal's occupancy load, Marion Felton seconded, and the application was approved unanimously.

B. Discussion and changes to Special Permit application review Section 8.09 J and K.

Wiley Wood said according to section 8.09 J if any portion of the property is located within the Natural Diversity Database the applicant when applying for a Special Permit shall notify the Connecticut Department of Energy and Environmental Protection, DEEP, for the pending project and a report from DEEP shall be required for any site plan or special permit if the property is located in the shaded area of the NDD map, and submitted with the special permit. Mr. Wood suggests adding to the checklist for the Special Permit application something that notifies the applicant that this might be required. Also included is that it is within a Watershed or Aquifer Protection area they also require documentation. Discussion ensued.

Michael Halloran will draft an addition to the application form, and they will discuss later.

6. Old Business

B. Continuation of deliberation, possible vote on #23-013 Application for Modification of a Home Enterprise 3.05C Marc Tonan and Mari Consolini 290 Bruey Road. Parcels 5-04/12 and 5-04/16-3

Jonathan Sanoff will step down and Steve Landes will sit.

An extensive discussion ensued. Tom Fahsbender reminded the Committee that when they left last month, they were to consider appropriate restrictions if any. There had been concerns about the number of employees and the vehicular traffic on Pine Ledge Way.

Christopher Schaut made a motion to approve the application with the following conditions:

- 1-All access for retail sales shall enter and exit only from 290 Bruey Rd.
- 2-Employees shall be capped at 20 maximum.
- 3-All employee personal vehicles must park at 290 Bruey Rd.
- 4-No more than 5 commercial vehicles in regular use shall be parked at 15 Pine Ledge Way.
- 5-15 Pine Ledge Way may be used for the long-term parking and storage of trailers.

6-Hours of operation are 8-6pm Monday-Saturday. Sundays are taken off except on some spring and fall weekends or during storm events.

This includes the notation that wherever the Committee referenced 290 Bruey Road

and 15 Pine Ledge Way it is as shown in the survey submitted with the application from Berkshire Engineering, dated 5.27.20, revised 5.19.23, seconded by Steven Landes and approved by

Tom Fahsbender, Christopher Schaut, Melissa Renkert, Wiley Wood, Marion Felton, Steve Landes

Nay was voiced by Paul Madore.

Tom Fahsbender noted that the approval was in accordance with our regulations with consideration for the impacts on a residential neighborhood which is in the regulations 3.05 C11.

Jonathan Sanoff was again seated and Steve Landes stepped down.

8. Bills & Correspondence- None

9. ZEO Monthly report- June and July were very busy with lots of permits.

- A. There was a signage violation from the Tao Confusion group. They were told to keep their sign 10' from the road and it was attached to the stone wall. They took it down and now they are putting it up 10' from the road.
- B. Opinion regarding front and side yard setbacks. Michael Halloran received an email from Elias from Cardinal Engineering, representing the Manor House, on June 28th wanting to know if the Commission would consider two sides of their yard-Maple Avenue and Mills Way both as front yard setbacks. Mr. Halloran explained that in Norfolk it has been typically done as a front and side and back yards. The answer from the Commission is that a front yard is a front yard, and a side yard is a side yard.
- C. Michael Halloran noted that the July 2023 issue of the Norfolk Now, the article "Fire Department eager to move forward with new Firehouse", was incorrect. Mr. Halloran mentioned this article because he has received several calls saying that Wetlands is holding them back from building a new firehouse and in fact in the September, 2022 minutes from Wetlands stated that Mr. Walters from the engineering firm, said he would come back before the Wetlands in two months with further plans. There has been no other correspondence. The article stated that the Wetlands agency asked them for a plan to replace the wetlands that would be disturbed by the new building and in exchange for the loss of 5,000 square feet of wetlands near the firehouse, 10,000 to 12,000 square feet of wetlands must be created elsewhere in town. This was never discussed with Wetlands. The article also said that P&Z asked for changes to the plans but P&Z has never had an application presented to them. Mr. Halloran contacted Norfolk Now and they said they would correct the article.

10. Action Items-

Wiley Wood and Michael Halloran will work together on revising the site Plan and special permit applications to include the possibility of submitting to DEEP.

11. Adjournment-A motion to adjourn was made at 9:19 by Marion Felton, seconded by Jonathan Sanoff, and approved unanimously.

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Respectfully submitted,

Marinell Crippen, Secretary