

NORFOLK PLANNING AND ZONING COMMISSION

Regular Meeting

Norfolk Town Hall

September 12, 2023, at 6:30 p.m.

Present: Tom Fahsbender (chairman), Jonathan Sanoff, Christopher Schaut, Edward Barron (alternate), Steven Landes (alternate), Wiley Wood (alternate)

1. **Call to Order:** 6:30 p.m.
2. **Roll Call:** Edward Barron was seated for Kevin Gundlach, Steven Landes for Paul Madore, and Wiley Wood for Marion Felton.
3. **Agenda Review:** A motion was made by Jonathan Sanoff to address Item 5 (Approval of Minutes) after Item 6 (New Business). The motion carried unanimously.
4. **Public Comment:** There was no public comment.
6. **New Business**
Election to fill vacancy: Jonathan Sanoff moved that nominations be opened to fill the vacancy on the Commission left by Melissa Renkert's resignation. Steven Landes seconded, and the motion carried.

Jonathan Sanoff nominated Wiley Wood to fill the vacancy. Chairman Fahsbender called for other nominations. There were none. A vote was held, and Wiley Wood was unanimously elected to fill Melissa Renkert's term on the Commission, which runs until November, 2025.

Jonathan Sanoff then made a motion to accept nominations to fill the vacancy on the Commission's Board of Alternates left by Wiley Wood's election to the Commission.

Sanoff nominated Lise Read, a Norfolk resident previously introduced to the Commission. There were no further nominations. The motion was seconded. The discussion, led by Edward Barron, determined, however, that while the Commission has the authority to fill vacancies, no vacancies on the Board of Alternates existed at the moment, nor would they until Wiley Wood formally resigned. The motion to vote on the appointment of Lise Read to fill Wiley Wood's position on the Commission's Board of Alternates was continued until the October meeting.

Site Plan Application 23-032, Royal Arcanum LLC for pop-up site:

Joseph Herst, a consultant for Norfolk Foundation, made a brief presentation to the Commission, explaining that the space in question was the retail shop on the ground floor of the Royal Arcanum Building, the furthest to the right when facing the building and the closest to Robertson Plaza. It was most recently used by Dawn Muzzulin for a retail bakery. While Norfolk Foundation is hoping to find a long-term tenant for the store, according to

Herst, it has decided to make the space available in the meantime for short-term pop-ups. The businesses or groups would not pay rent. More than one might occupy the space at a time, if appropriate. Herst is willing to check with the Zoning Enforcement Officer before signing up any businesses to make sure that the intended use falls within the range of permitted uses.

Edward Barron noted that the applicant, Elizabeth Borden, was not present, and that in the absence of authorization from Ms. Borden formally designating Joseph Herst as her agent, the Commission could not grant the application at the present meeting. Herst called Ms. Borden, who then and there authorized the Commission to accept Joseph Herst as an agent for Norfolk Foundation in the matter of pop-ups.

Discussion ensued. The wide range of uses envisioned as pop-up opportunities by Norfolk Foundation struck the Commission as difficult to square with the general business uses that could be permitted under a Site Plan application. Signage is an issue.

Jonathan Sanoff urged the Commission to resolve the application at this meeting.

The consensus, articulated by Christopher Schaut, was to restrict the pop-ups to the uses listed in the Town's Zoning Regulations as permissible with the Commission's approval of a Site Plan application.

Jonathan Sanoff made the following motion:

I propose that we approve Site Plan Application 23-032, a request by the Norfolk Hub to use the retail shop at the southeast corner of the Royal Arcanum Building, 3 Station Place, for short-term pop-ups, provided that the uses are in accordance with the general business uses listed under section 4.03-1A of the Town of Norfolk Regulations, and provided that a member of the Norfolk Foundation confer with the Zoning Enforcement Officer to ascertain compliance with those general business uses in advance of each proposed use, and subject to compliance with the signage regulations in section 6.01D of Norfolk's Regulations.

The motion was seconded and passed unanimously.

Joseph Herst delivered a \$60 check for the application fee to Chairman Fahsbender and a diagram showing the location of the retail space within the Royal Arcanum Building.

5. Approval of Minutes

Regular meeting minutes, July 11, 2023: The minutes were approved, as amended, by a unanimous vote.

Regular meeting minutes, August 8, 2023: Approval of the minutes was continued until the October meeting, as a correction was needed that could not be made with the materials on hand.

- 7. Old Business:** There was no old business pending.
- 8. Bills and Correspondence:** In the ZEO's absence, there were no bills or correspondence. The minutes of the Inland Wetlands regular meeting of August 7, 2023, were briefly reviewed, and the presence of the CFPZA quarterly newsletter in the Commission's packets was noted.
- 9. ZEO Report:** The ZEO's written report was briefly reviewed.
- 10. Action Items and Responsibilities:** Chairman Fahsbender will communicate with ZEO Mike Halloran; Recording Secretary Marinell Crippen; Board of Alternates candidate Lise Read; and Town Clerk Linda Perkins.

Wiley Wood will resign from the Board of Alternates and appear before the Town Clerk to be sworn in as a Commissioner.
- 11. Adjournment:** Jonathan Sanoff made a motion to adjourn, seconded by Christopher Schaut. The meeting adjourned at 8:30 p.m.