

TOWN OF NORFOLK  
PLANNING & ZONING COMMISSION

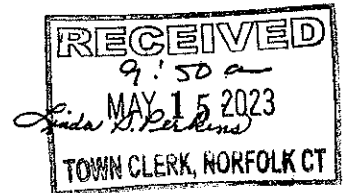
This is to give notice to all concerned that a Public Hearing will be held on Tuesday, June 13, 2023, following the previous hearing, upstairs in the Town Hall.

To consider an application, #23-013 from Marc Tonan and Mari Consolini, for property located at 290 Bruey Road, Parcels 5-04/12 and 5-04/16/3. This application is to consider a modification to a previous Home Enterprise approval in accordance with the provisions of Section 3.05C.

At this hearing, interested parties may appear and be heard and written communication will be received. A copy of the proposed application will be available in the Town Clerks Office for review.

Dated this 15<sup>th</sup> day of May, 2023 at Norfolk, CT.  
Michael J. Halloran, ZEO

Town of Norfolk  
Planning and Zoning Commission  
Norfolk Town Hall  
P.O. Box #552, 19 Maple Ave., 2nd Floor  
Norfolk, CT 06058-0552  
(860) 542-6804 mhalloran@norfolkct.org



May 15, 2023

Marc Tonan  
Mari Consolini  
290 Bruey Road  
Norfolk, CT 06058

RE: Notice of Public Hearing  
23-013 Modification of a Special Permit  
Section 3.05C Home Enterprise  
290 Bruey Road  
Parcels 5-04/12 and 5-04/16/3

Dear Marc and Mari,

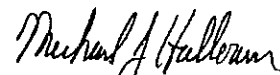
Please be advised that a Public Hearing will be held on Tuesday June 13, 2023, following the previous hearing, upstairs at the Town Hall to consider the above application.

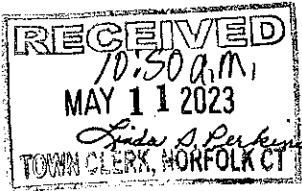
Enclosed please find the legal notice pertaining to this hearing.

You are required to mail a copy of the legal notice to all abutting property owners within 100', at least 10 days prior to this hearing, by certificate of mailing, return receipt requested. Copies of the mailing receipts and any return receipts received must be presented at the start of the hearing.

Please feel free to contact me with any questions.

Sincerely,

  
Michael J. Halloran  
Land Use Office



TOWN OF NORFOLK  
 19 Maple Avenue, P.O. Box 552  
 Norfolk, CT 06058-0552  
 Phone: 860-542-6804 Fax: 860-542-5876  
 email: mhalloran@norfolkct.org

Permit # 23-013  
 Fee Paid: \$ 410<sup>00</sup>  
 State of CT Fee: \$ 60<sup>00</sup>  
 Check #: 10708  
 Date Paid: 4/26/23

APPLICATION FOR SPECIAL PERMIT

Proposed Use: Modification to Home Enterprise - Landscaping  
 Zoning Regulation: 3.05C Home Enterprise Section 8.04 SPECIAL PERMIT APPLICATION Zone: RU GRANTED 2-23-10  
 Property Location: 290 BRUEY RD / 15 PINE LEDGE WAY  
 Assessor's MBLU: 5-04 12 Map No. 5-04 Lot No. 16-3 Vol. \_\_\_\_\_ Page \_\_\_\_\_  
 Acreage of lot: 18.734 acre(s) = 816,035 sq.ft.  
 Total sq. footage of all structures: 9166 = % of lot coverage .01%  
 Record Owners) of Property: MARC TONAN AND MARI CONSOLINI  
 Mailing Address: 290 BRUEY RD, NORFOLK, CT 06058  
 Telephone No. (860) 307-7504 email: marctonan@aol.com  
 Name of Applicant: \_\_\_\_\_  
 (if different than record owner)  
 Mailing Address: \_\_\_\_\_  
 (if different than record owner)  
 Telephone No. (\_\_\_\_) \_\_\_\_\_ email: \_\_\_\_\_

Has application been submitted to Inland Wetlands Commission (if applicable)? N/A

Is there any claim of a "grandfathered" or non-conforming use prior to August 1973 being made pertaining to this application? NO

Is any earth excavation proposed in conjunction with this application other than as permitted with an authorized and permitted use or development of a property? NO

If yes to above, please specify on attachment.

The following must accompany this application:

- Two (2) copies of the project's Site Plan at an appropriate scale (such as 1" = 40') prepared and signed by a Connecticut licensed land surveyor and stamped with an embossed seal showing, as applicable:

A key map showing:

- the location of the property in relation to surrounding areas
  - the location of the lot in relation to public and/or private streets and access-ways
  - the zoning district in which the lot is located
- A Class A-2 boundary survey including the names of abutting property owners
  - A Site Development plan showing, if applicable:
    - Existing and proposed buildings and other structures on the site
    - Existing and proposed driveway, parking and loading areas
    - Existing and proposed grading with contours at two-foot intervals
    - The location of any wetlands and/or watercourses or areas of special flood hazard
    - The location of any proposed signs
    - Proposed site lighting including the location, size, height, intensity and hours of operation of all lighting fixtures
  - A utility plan showing:
    - The location and design of sewage treatment and water supply
    - The location and design of storm drainage facilities in compliance with the 2004 Connecticut Stormwater Quality Manual, as amended
    - The location and design of refuse disposal facilities
  - A landscaping plan showing existing vegetation and proposed planting showing the Latin and common name of species used, quantity of each plant species and the size and height of the plants at the time of planting
  - Architectural plans and elevations
  - Construction notes and details
  - A zoning informational table showing the existing use, proposed use, zone, size of the property in square feet and acres, gross floor area of existing and proposed structures, proposed ground coverage, proposed building height in stories and feet, number of parking and loading spaces (if any) required and provided (including handicapped)
  - Ten (10) 11x17 photocopies in conformity with Section 8.09 of Norfolk's Zoning Regulations
  - A business plan or written statement describing the proposed use (if applicable)
  - Approval by Torrington Area Health District (if applicable) of the proposed water supply system and on site sewage disposal facilities
  - Erosion and Sedimentation Control Plan (if applicable)
  - Application Fee (payable to Town of Norfolk)
  - A list of names and addresses of all adjacent property owners within 100' of property (including across the street)
  - Written proof documenting any claim of non-conforming use or variances (if applicable)
  - Other: \_\_\_\_\_

Please also refer to Articles 3 and/or 4 for additional information that may be required specific to this application.

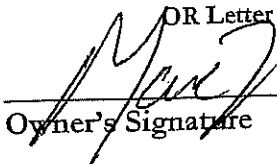
This application is for Special Permit purposes only and does not relieve the applicant of the responsibility of securing, without limitation, all necessary zoning, building, health and fire permits prior to the commencement of any construction or this use.

Upon approval of this application, a Special Permit Certification of Approval will be issued. The applicant will be responsible for filing said certification in the Norfolk Land Records, along with payment of filing fees to the Town Clerk, in order to be valid.

I do hereby declare under penalty of law that the above information is complete and accurate to the best of my knowledge and belief.

Original Signature(s) required

OR Letter of authorization from the owner(s) with an original signature to a designated agent

 Marc Towner 4/25/23  
Owner's Signature Print Name Date

\_\_\_\_\_  
Applicant's Signature (if different) Print Name Date

May 2019

OFFICIAL USE ONLY

Date Application Received: 4/26/23 accepted 5/9/23 by: MJH

Date of Public Hearing: 6/13/23

Legal Notice/Application filed with Town Clerk: \_\_\_\_\_

Dates of Publication: \_\_\_\_\_ Sent to newspaper: \_\_\_\_\_

Public Hearing to be closed no later than: \_\_\_\_\_

Public Hearing continued to: \_\_\_\_\_ Public Hearing closed: \_\_\_\_\_

Decision to be made no later than: \_\_\_\_\_

Notice of Decision to: Town Clerk \_\_\_\_\_ Newspaper \_\_\_\_\_ Applicant \_\_\_\_\_

Special Permit Issued: \_\_\_\_\_ Filed by Applicant: \_\_\_\_\_

List of abutting property owners within 100'

Of Parcels 5-04/12, and 5-04/16-3 Tonan/Consolini properties

5-04/20 Tim Martin

PO Box 226

Lakeville, CT 06039

5-04/21 David Bain

15 Guinea Road

Sharon, CT 06069

5-04/22 ST Florio and R LoBrutto

293 Bruey Road

Norfolk, CT 06058

5-04/11 Virginia Miller

300 Bruey Road

Norfolk, CT 06058

5-04/13 Adam and Courtney Hendricson

69 Pleasant Street

Cheshire, CT 06410

5-04/16-2 Joseph Rubin

253 Long Hill Road

Short Hills, NJ 07078

5-04/16-1 Norfolk Land Trust inc.

PO Box 363

Norfolk, CT 06058

5-04/16-4 Charles and Tara Yard

37 Pine Ledge Way

Norfolk, CT 06058

5-04/16 Pine Ledge Homeowners Association

C/O Tara Yard

37 Pine Ledge Way

Norfolk, CT 06058

# qPublic.net™ Town of Norfolk, CT

## Summary

Account Number 001063  
 Parcel ID 117  
 Property Address 290 BRUEY RD  
 Use Class/Description 1-1 RESIDENTIAL LOT  
 Map/Block/Block Cut 5-04/12//  
 Zoning RU  
 Acres 6.33



[View Map](#)

## Owner

TONAN MARCA  
 290 BRUEY RD  
 NORFOLK, CT 06058

## Valuation

Assessed Year	2022	2021
Appraised Building Value	\$114,500.00	\$114,500.00
Appraised XF/OB Value	\$18,210.00	\$18,210.00
Appraised Land Value	\$82,320.00	\$82,320.00
<b>Appraised Total Value</b>	<b>\$215,030.00</b>	<b>\$215,030.00</b>
Assessed Building Value	\$80,150.00	\$80,150.00
Assessed XF/OB Value	\$12,750.00	\$12,750.00
Assessed Land Value	\$57,620.00	\$57,620.00
<b>Assessed Total Value</b>	<b>\$150,520.00</b>	<b>\$150,520.00</b>

## Land

Building Number	1	Land Units	2 AC
Land Use	1-1 - RESIDENTIAL LOT	Value	65,000
Building Number	1	Land Units	4.33 AC
Land Use	1-2 - EXCESS LAND	Value	17,320

## Building Information

Building #	1	Notes	2012 21X19 ADDN TO BARN
Style	Ranch	Fireplaces	
Occupancy	1	Roof Cover	Asphalt
Actual Year Built	1960	Roof Structure	Gable/Hip
Effective Year Built	2000	Floor Type	Hardwood
Living Area	1,196	Heat Type	Hot Water
Stories	1	Fuel Type	Oil
Grade	03 C	AC	None
Condition	G	Bdrms/Full Bth/Hlf Bth/Ttl Rm	03/1/1/5
Exterior Wall	Wood Shingle	Basement Finished Area	
Interior Wall	Drywall/Sheet	Basement Sq. Ft.	1,196

Code	Description	Living Area	Gross Area	Effective Area
BAS	First Floor	1,196	1,196	1,196
URB	Basement, Unfinished, Raised	0	1,196	263
WDK	Deck, Wood	0	345	41
<b>Totals</b>		<b>1,196</b>	<b>2,737</b>	<b>1,500</b>

**Out Buildings\Extra Features**

Description	BASEMENT GAR	Year Built	2000
Sub Description		Value	\$1,640
Area	1 UNITS		



Description FIREPLACE C  
 Sub Description  
 Area 2 UNITS  
 Year Built 2000  
 Value \$4,100

Description POLE BARN  
 Sub Description  
 Area 864 S.F.  
 Year Built 0  
 Value \$6,480

Description POLE BARN  
 Sub Description  
 Area 399 S.F.  
 Year Built 2012  
 Value \$5,990

**Sales History**

Sales Date	Instrument Type	Grantor	Grantee	Book/Page
12/16/1998			TONAN MARCA	0086-0301

**Recent Sales In Area**

Sale date range:

From:

05/02/2013

To:

05/02/2023

Sales by Neighborhood

1500

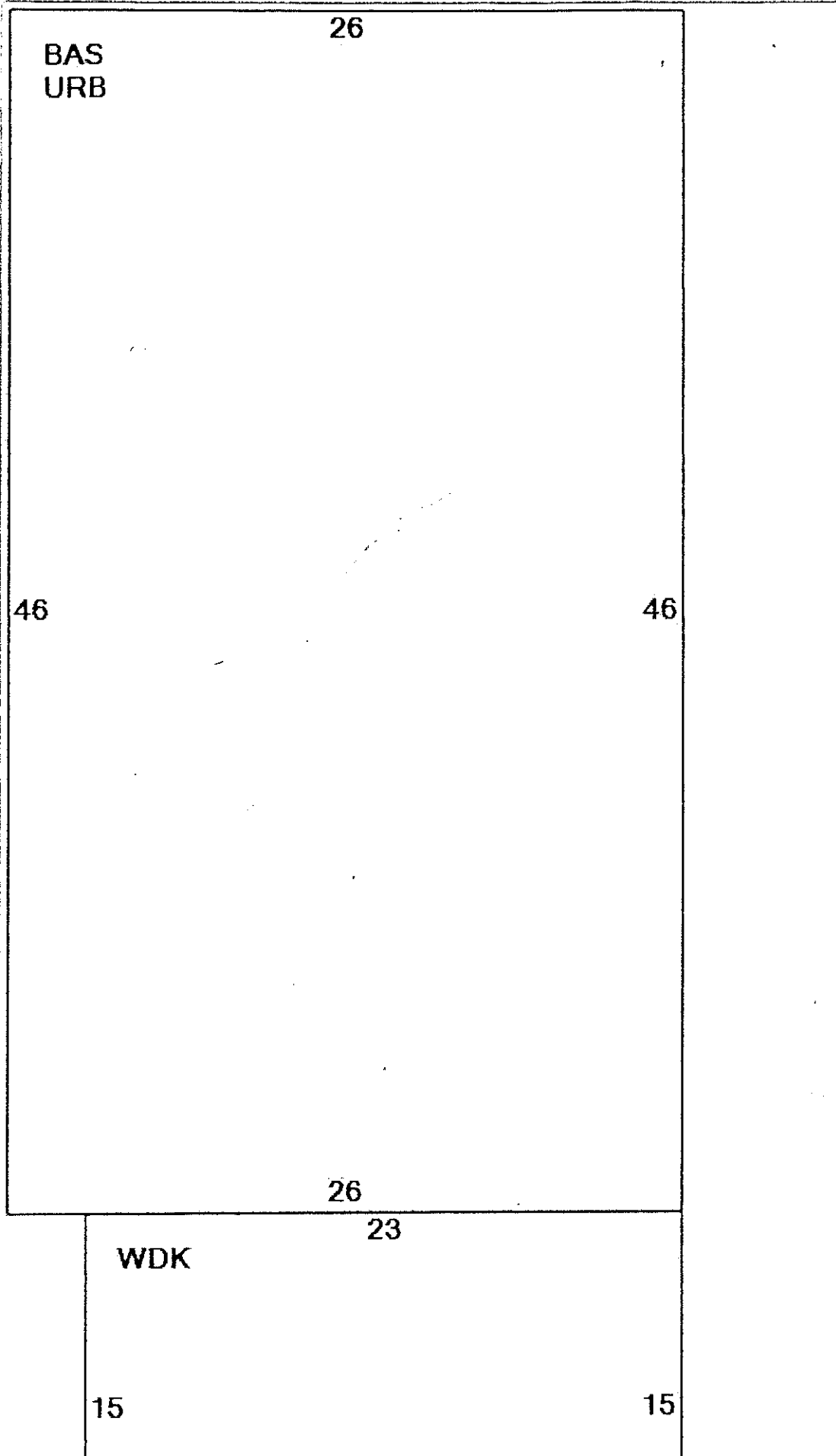
Feet

Sales by Distance

**Permit Information**

Permit ID	Issue Date	Type	Description	Amount	Inspection Date	% Complete	Date Complete	Comments
229-B	07-25-2012	AD	Addition	\$2,600		100		STORAGE AREA USING POST AND BEAM DESIGN WITH 20" x 10" RAFTERS 12" ANCHORED TO EXISTING BUILDINGS
147-M	02-16-2012	PL	Plumbing	\$300		100		MOVING OF TANKS
9845-E	05-21-2011	EL	Electric	\$5,000		100		WIRING
7942-B	04-25-2005	RE	Remodel	\$6,000	4/30/2005 12:00:00 AM	100		RESIDING, ADDING INSULATION, PLYWOOD & TY
7429-B	11-03-2003	RF	Roofing	\$3,000		100		

**Sketch**



Rec'd 12/8/09

MARC Tonan

Business Use Plan – 290 Bruvey Road

We operate two landscape businesses with our employees working primarily offsite at client properties. We have operated continuously from this site since February 1991. Our business involves but is not limited to:

- Planting everything from annuals to large trees
- Garden, shrub bed, and small tree maintenance and removal
- Stone work
- Site prep and final grading
- Mulching and mulch sales
- Lawn installation
- Firewood production and sales
- Compost production and sales
- Some plant propagation and growing
- Brush lot clearing
- Light trucking and excavation services
- Design work and services
- Snow plowing and sanding
- Seasonal decorating

Firewood comes from two sources; job site cleanups and purchased log loads. Production varies from 40- 80 cords per year, with no more than twelve log truck deliveries per year. The rest comes back in our trucks, usually when returning for the night. Wood is sold throughout the year, delivered in our trucks.

We regularly store for the purpose of our business:

- Compost
- Firewood
- Mulch
- Plant Materials
- Excess pots
- Stone and brick
- Top soil
- Various equipment and tools

-1-

Original approval narrative  
MSTH

We occasionally also stockpile for our use(primarily on pallets or in yard bags):

- Gravel
- Sand
- Construction materials
- Organic Fertilizer
- Chopped straw in bales
- Peat moss in bales
- Rental equipment

We currently own and store 7 trucks, 3 trailers, and two tractors, as well as any and all equipment required to provide our landscape services. All vehicles and trailers are registered and all equipment is reported on our annual property tax declarations. The vehicles tend to be maintained professionally off site.

All employee parking is done in our driveway, off the road, as per the site plan. We can easily accommodate up to 20 cars, as well as our own vehicles, in our driveway without blocking access.

All materials are stored well off the road. All trucks including tractor trailers can be accommodated off the road.

#### Vehicular Activity:

Our trucks tend to leave in the morning returning at the end of the day. Occasionally a truck or two will return to reload. All our trucks are used in the season, down to 3-4 during winter. One light truck, a pickup, is also for personal use.

Our employees, when possible,, carpool to our location by 8:00 AM, and leave at the end of the work day.

Delivery trucks are infrequent, and can be accommodated off road.

#### Home use by business:

We have an 1156 sq ft house of which 163 sq ft are used as a home office. We store mechanics tools and small hand tools in the drive-in basement, where we occasionally do light maintenance on smaller equipment.

We rarely conduct business with clients here, any client visits are generally limited to short tours of the gardens for the purpose of planting ideas.

Some firewood is processed on site, never exceeding normal work hours. I do personally do a little for personal use on a rare weekend.

#### Out Buildings:

We have currently as outbuildings:

- 1- 240 sq ft portable garage housing small equipment, seed, burlap
- 1- 240 sq ft portable garage housing hand tools, tarps, watering cans
- 1- 200 sq ft portable garage housing ladders, plows and sanders in the summer, sand/ salt mix in small quantities in the winter in large yard bags, (nylon bags meant to hold up to one ton or cubic yard)
- 1 - 640 sq ft barn housing equipment, fertilizer when needed, misc. supplies and parts
- 1 - 120 sq ft lean-to housing wood and metal stakes and fencing

For a total of: 1440 sq ft.

We would, at a future time, like to replace the portable garages with a traditional garage, perhaps with office space above, as well as improve/expand the barn.

#### Employees:

We have regularly employed as many as 16 people during the season. Of these, usually 4 or 5 are year round employees. Some do go directly to the job sites, however most carpool in our trucks from our house. Again all parking is off the street.

#### Hours of Operation

Our regular hours are 8AM to 6 PM Mon thru Sat. Usually Sundays are taken off except on some spring and fall weekends or during storm events.

In the winter, snow plows come and go according to any storm event, 24 hours a day.

Retail sales on site are by appointment only, with no regular hours of operation.

#### Retail Sales:

While not our primary business, we have been asked to provide mulch, fertilizer, compost and plants on a retail sales basis by neighbors and townspeople. This represents less than 5% of our sales.

#### Signage:

While we have never had a sign, we reserve the right to install one at a future date, according to current guidelines. We are not interested in lighting the sign at this time.

VOL: 0111 PAGE: 0596

14414

TOWN OF NORFOLK  
PLANNING & ZONING COMMISSION  
19 Maple Ave., P.O. Box #552  
Norfolk, CT 06058-0552  
(860) 542-6804 email: zeonorfolk@yahoo.com

SPECIAL PERMIT  
CERTIFICATE OF APPROVAL

Name of Record Owner of Property: Marc Tonan  
290 Bruey Rd.

Legal Description of Property: Attached

Nature of Special Use Permit: Home Enterprise  
Landscaping Business  
Marc Tonan Landscape Design  
Mari Consolini Landscape Design

Zoning Regulation: Section 180-24 (B)(18)

Conditions of Approval, if any: 1. The current vegetative buffer on Bruey Rd. shall be maintained, 2. A 30' side and rear set-back shall be maintained for any wood-processing equipment (not including storage) and 3. Firewood production shall not exceed 100 cords per year.

Date of Approval: January 12, 2010

Recorded pursuant to Section 8-3d of the Connecticut General Statutes.

NORFOLK PLANNING & ZONING COMMISSION

By: Scott Eisenlohr  
Scott Eisenlohr  
Zoning Enforcement Officer  
TOWN OF NORFOLK

Dated: 2-23-10

## Business Use Plan -290 Bruey Road/ 15 Pine Ledge Way – April 24, 2023

We currently operate our landscape business out of 290 Bruey Road with a current Special Use Permit dated Jan 12 2010. We have operated continuously from this site since February 1991, with our employees working mostly offsite on client's properties. Our business includes but is not limited to:

- Planting everything from annuals to large trees
- Garden, shrub bed, and small tree maintenance and/or removal
- Stone work
- Site prep and final grading
- Mulching and mulch sales
- Lawn installation
- Firewood production and sales
- Compost production and sales
- Some plant propagation, growing, and sales
- Brush lot clearing
- Light trucking and excavation services
- Design work and services
- Snow plowing and sanding
- Seasonal decorating

Firewood in log length, bulk mulch, and fertilizer are delivered in large trucks which are able to enter our driveway. Firewood production is nearly 100 cords per season, usually cut and split during the winter. It is sold throughout the year, generally delivered in our trucks.

We regularly store for the purpose of our business:

- Compost
- Firewood
- Mulch
- Plant material
- Excess pots
- Stone and brick
- Top soil
- Various equipment and tools

- Sand and gravel
- Construction materials
- Organic fertilizer
- Chopped straw
- 11 trucks
- 4 trailers
- Tractors
- All equipment required for our business

All vehicles and trailers are registered, and all tools and equipment are reported on our annual Property Tax return. The vehicles are primarily serviced off-site.

All employee parking is off the road in our driveway. We can easily accommodate up to 15 employee vehicles as well as our own without blocking access.

All materials are stored well off the road. All trucks, including tractor trailers can be accommodated off the road if the driver is willing to back in. (Most are)

**We would like to add the land and buildings from 15 Pine Ledge Way to our current Special Use Permit.**

#### **Vehicular Activity: 290 Bruey Rd**

Our employees report for work generally by 8:00 A.M., earlier for snowstorms. They all leave at the end of the day.

Our trucks get loaded here in the morning and then leave for the day, returning at the end of work. Occasionally some return to reload. All of our trucks are used throughout the year.

Delivery trucks are infrequent, and can be accommodated off the road.

#### **Vehicular Activity: 15 Pine Ledge Way**

**\*\*This would be secondary to existing traffic at 290 Bruey RD. Some driveway traffic activity would result from the increase in shop space, but it is not our primary business traffic.\*\***

#### **Home use by Business:**

We have on Bruey Road an 1156 sq ft house of which currently 163 sq ft is used as a home office. We currently store mechanics tools and small hand tools in the drive-in basement, where we occasionally do light maintenance on small equipment. We would expand these spaces through the buildings.

We rarely conduct business with clients here. Generally, client visits that do happen are limited to garden tours for the purpose of planting ideas.



We process our firewood on site during normal business hours. I do personally do a little for myself on a rare weekend.

We tend to screen compost during the week or on Saturdays between 8 and 4.

## Our Buildings:

At 290 Bruey Rd we currently have as outbuildings:

2-240 sq ft Portable garages housing small equipment, hand tools, stakes, burlap, fuel cans

1-640 sq ft barn housing equipment, fertilizer, misc. supplies and parts, salt/sand mix in winter

1-120 sq ft lean-to housing wood and metal stakes and fencing

1-380 sq ft lean-to housing ladders and water tanks

For a total of 1620 sq ft enclosed

At 15 Pine Ledge we have as outbuildings:

1-950 sq ft Two story wood frame building which we would use for equipment storage and repair, with storage and a possible office upstairs

This building has no plumbing, nor do any other out buildings

1-2200 sq ft wood frame workshop that would be used as a wood shop, hobby shop, tender plant storage

1-240 sq ft metal shed that would be used for storing seasonal planters, fencing materials, and edging

The grounds would be used for parking/ storing equipment/ supplies/ materials out of view of the public

For a total of 3390 sq ft enclosed

We would like, at some future time, to replace the portable garages with a traditional garage, perhaps with office space above.

## Employees:

We have regularly employed as many as 17 people during the season, with as many as 7 year-round. They gather together here and leave in our trucks; all parking is on our property. All trucks return at night. We ask to reserve the right to employ as many as necessary for our business as long as we adhere to these agreed conditions as approved in the 2010 special use permit, and in zoning item 3c-II page 22.

## Hours of Operation:

Our regular hours of operation are 8AM to 6PM Monday through Sunday, with our vehicles returning around then or shortly after. Usually, Sundays are off with some small exceptions in Spring and Fall or for snowstorms.

In the winter, snow plows come and go according to the storm, 24 hours per day.

Retail sales are by appointment only, with no regular hours of operation.

## Retail Sales: A Modification

While not our primary business, we have been asked to provide mulch, fertilizer, compost, and plants on a retail basis by neighbors and townspeople. This would represent less than 3% of our sales. We would not have any sales staff, we would only load a clients vehicle on request or show a tree by appointment. This should comply with item 5, Retail sales page 22.

## Signage:

While we have never had a sign, we reserve the right to install one at a future date, according to current guidelines. Lighting the sign is not in our interest.

## Community Composting:

We are interested in offering a way for neighbors to compost their kitchen scraps, grass clippings and yard leaves. We envision leaving a container to deposit into, which we would then add to our own compost daily.

## Special Considerations:

### Combining the properties:

15 Pine Ledge is 3000 sq ft while 290 Bruey Rd is 1156 sq ft, allowing for combining the properties with 290 Bruey Rd being an auxiliary apartment.

### Naming the Properties:

Each house has a separate road frontage and access. We would like to keep each address related to each house for emergency response purposes. 290 Bruey Road will remain the primary address, as an auxiliary apartment to 15 Pine Ledge Way, which will become the primary residence.