

Town of Norfolk  
Planning and Zoning Commission  
Regular Meeting MINUTES for September 9, 2008 @ 7:00PM  
19 Maple Ave, Norfolk, CT – Town Hall

1. Call to Order: The Chairman called the meeting to order at 7:05
2. Roll Call: Present Richard West Lowe (Chairman), William Riiska (Vice-Chairman), Michele Sloane (Secretary), Liane Burke, Starling Childs, Ruthann Olsson, Elizabeth Kittredge (alt.), William Couch (alt.), Scott Eisenlohr (ZEO) Absent : Jeffery Tarrant

Mr. Childs arrived at 7:15

Mr. Couch was seated for Mr. Childs until his arrival

Ms. Kittredge was seated for Mr. Tarrant

3. Agenda Review: None

4. Approval of the 9/9/08 Minutes. Minutes were mailed out to the Commission prior to the meeting for review

**IN A MOTION** made by Ms. Sloan seconded by Ms. Olsson it was voted to APPROVE the regular meeting minutes of 9/9/08 as written. Vote Unanimous

5. Old Business

- a. Conservation Subdivision – This matter will be turned over to the Regional Planning Collaborative (RPC). The RPC will apply for a grant to the State of CT for funds to rewrite the cluster subdivision regulation, and incorporate incentive housing. The grants will pay for Engineering Studies as well as Mapping and Regulation changes. The Commission thinks this is a good idea but wants to be involved with the process and would like the regulation that they have already started incorporated within the new regulation.

**IN A MOTION** made by Mr. Childs seconded by Ms. Sloane it was voted to APPROVE The following resolution:

Local Zoning Authority of the Town of Norfolk met on October 14, 2008 and adopted a resolution by unanimous vote which: (1) Endorses submission of the grant application for assistance under the Housing for Economic Growth Program referenced in Section 8-13 (m-x) of the Connecticut General State Statutes; and (2) Certifies that it will consider the creation of one or more housing incentive zones. Such grant application is attached to and made a part of this record. Vote Unanimous

Public hearing opened at 7:38

- b. Public Hearing: Application for Scenic Road – Winchester Rd. The Legal notice was read into the record. Green Cards had been submitted and are part of the file. The applicant was present to discuss plans with the Commission. She stated that 29 owners are in favor of this application which own more than 3/4 of the total frontage on the road. Winchester Road meets most of the criteria for becoming a scenic Rd; they only have to meet 1 requirement.

Andy Brocway- Spoke in Opposition to the application. He felt that the road is a major artery in Norfolk and that the Town should be able to continue to maintain the road as they have been. He feels that over the past few years the road has under gone significant maintenance which has made the road safer to drive.

Sue Dyer, First Selectwoman, submitted a letter on behalf of the Board of Selectman, the Ambulance and the Fire Rescue. The Letter was read into the record.

Dave Fish spoke in opposition of this application. Mr. Fish agreed with all of Mr. Brocway's comments and in addition feels that the road is no longer as icy as it had been which he attributes to the drainage work done on the road. He States that there are families with children which live on this road and their safety as well as bus travel should be taken into consideration when maintaining the road.

Routine Maintenance would still be allowed with the scenic road designation on Winchester Rd. It was read to the public what would be allowed and what would require a hearing. The applicant feels that most of the work that has been done to make Winchester Road safer would still be considered routine maintenance. The Commission agrees as well.

Five letters in favor of the application were read into the record. The letters were written by Coalition for Sound Growth, Norfolk Lions Club, Town of Norfolk Wetland/Conservation Commission, Kevin Morrissy, and David Donihue and Kathryne Neuman

One letter written by Claudia Lefcheck in opposition to the application was read into the record.

Bea Beaudry asked how can we keep trucks off the road? The Commission responded by stating they can not control the traffic or limit trucks from driving on the road.

Don Griffin stated he likes the road the way it is and asked the Commission what the benefits or disadvantages would be by making Winchester Rd. a scenic road?

The Commission responded by stating that the people who live on the road will know of any maintenance that happens on the road before the work begins, and in some cases, as per the regulation, will have the opportunity to have input. Also puts a certain designation on the road which may be able to help prevent certain types of development.

Ms. Dyer stated that in many cases it is illegal to remove stone walls that face the road because they are the property line

Dan Torrey stated that designating the road as scenic it would give the people living on the road a voice and they should be heard.

The Commission reiterated that Routine maintenance would continue to be allowed and that the canopy over the road would continue to be cut back. They will view Safety before Scenic, but hopes that both can be achieved.

**IN A MOTION** made by Mr. Childs seconded by Ms. Kittredge it was voted to close the public hearing for the scenic road application, Winchester Rd. Vote Unanimous.

Deliberations – None

**IN A MOTION** made by Mr. Riiska seconded by Mr. Childs it was voted to APPROVE the application for scenic Road – Winchester Rd. because of the Special Characteristics of Winchester Road set forth in the application under “Description of Characteristics”. Vote Unanimous

c. P&Z Regulations

**i. Signs**

**IN A MOTION** made by Mr. Riiska seconded by Mr. Childs it was voted to APPROVE the Sign regulation as follows:

180-61 (B) (3)

Nothing herein shall prohibit the erection or display of signs advertising any sale or event conducted by a religious, charitable, educational, or cultural organization, except that signs shall be permitted to remain on display for a period no longer than one month. Nothing herein shall prohibit the erection and display of political signs.

180-61 (B) (7)

No Sign or light for the purpose of advertising the presence of any business shall rotate or oscillate.

Vote Unanimous

**ii. Special Permits**

**IN A MOTION** made by Ms. Sloane seconded by Ms. Olsson it was voted to APPROVE the regulation for Special Permits as follows:

180-27 (B) (2) Commercial / Industrial Zone

Warehousing and wholesale businesses; commercial storage and distribution of fuel; trucking businesses and terminals; truck rental (not to exceed 26, 000 GVW and/or two axles) and/or trailer rental businesses (not to exceed 26, 000 GVW and/or two axles); bus terminals; lumber and contractor’s.

Vote Unanimous

**iii. Excavations**

**IN A MOTION** made by Ms. Kittredge seconded by Ms. Sloane it was voted to APPROVE the regulation for Excavations as follows:

180-69 Permitted Excavations

On any lot, the filling of land or the excavation, grading, or removal of stone, earth, loam, topsoil, sand, gravel or clay is permitted in association with the following:

- A. Building: as necessary in connection with the construction of a building, Structure, related site improvements and sewage disposal facilities for which a zoning permit has been approved under these regulations and any required building permit and/or sanitary permit has been obtained. However, any filling of land or any excavation in excess of 1,000 cubic yards may be done only after approval of a special permit in accordance with Article VII.

Vote Unanimous.

**iv. Definitions**

**IN A MOTION** made by Ms. Sloane seconded by Ms. Kittredge it was voted to APPROVE the regulation for Article XI Definitions as follows:

Add Living Space – See Floor Area

Vote Unanimous

- v. **Outdoor Wood burning Furnaces and Boilers** – the Commission discussed the difference between banning Outdoor wood burning furnaces and boilers or

instituting a moratorium on the installation of Outdoor Wood Burning Furnace and Boilers.

**IN A MOTION** made by Ms. Sloane seconded by Mr. Childs it was voted to put in place a moratorium on the installations of any Outdoor Wood Burning Furnaces or Boilers in all zones for a 1 year period, or Oct 2009, in order to protect the health, safety, and welfare of the residence of Norfolk. Vote Unanimous

- d. Town Plan Update – There is a Special Meeting scheduled with Glen Chalder from Planimetrics on Tuesday September 21, 2008
  - e. Municipal Employees – Mr. Lowe spoke with Sue Dyer, First Selectman, regarding this issue. Ms. Dyer stated that it will be on the agenda at the next Board of Selectman Meeting.
6. New Business: None
  7. Other Business: None
  8. ZEO Report
    - a. Permits Issued – The Commission received and reviewed
    - b. ZEO Monthly Report – The Commission received and reviewed
  9. Bills and Correspondence
    - a. Dave Cusick Bills on 9/12/08 – The Commission reviewed the bills

**IN A MOTION** made by Mr. Childs seconded by Ms. Sloane it was voted to APPROVE payment of the bills submitted totaling \$1,440.00. Vote Unanimous

- b. 10-5-08 Correspondence from Dave Cusick re: Travaglini Property. The Commission reviewed the letter stating in part that the Commission would “face some real obstacles in attempting to revoke Mr. Travaglini’s approved zoning permit for retail use.” They Commission reviewed the original plans, Mr. Riiska feels that Mr. Travaglini should come in for a modification to his special permit. Ms. Sloane states she feels the Commission should follow the opinion of the Town Attorney. No decision was reached.
- Other correspondence received: State of CT. Plan of Conservation Letter 9/08, Bog Turtle Article, DEP Conservation Grant Letter 10-08, 9/12/08 Correspondence from the NWCT Regional Planning Collaborative

10. Adjournment

**IN A MOTION** made by Mr. Childs seconded by Ms. Olsson it was voted to adjourn the meeting at 9:55 PM. Vote Unanimous