

First land deed from the Indians  
April 12th 1659

# TOWN OF WOODBURY

281 Main Street South  
Woodbury, Connecticut 06798-0369

## Board of Selectmen Joint Land Use Meeting

Wednesday, January 20, 2016 ♦ 7:00 p.m.  
Senior/Community Center

### MINUTES

**Present:** First Selectman Butterly, Attorney Thomas Kaelin, Kathy Castagnetta, Town Planner, Various Members of the Land Use Boards/Commissions/Agencies, Members of the Public and Press

#### Call to Order

First Selectman William Butterly convened the meeting at 7:05 p.m. and had everyone present stand up to introduce themselves.

#### Introduction – First Selectman

First Selectman Butterly discussed that another SDAT meeting will be scheduled soon, possibly on a Saturday. He then described Land Use office improvements with the help of Kathy Castagnetta and Bryan Baker. Also mentioned was the potential of a new software program designed to integrate the various departments involved with the permitting process. New development possibilities are being discussed in both the South and North end of Town. Mr. Butterly discussed the importance of Land Use Boards and commissions being cooperative and friendly. He then introduced Attorney Thomas Kaelin.

Attorney Kaelin noted that he has been the Town attorney through three administrations and had also been a member of the Zoning Board of Appeals. He then gave an overview of the basics of the “Guide to Service on Woodbury Boards, Commissions & Committees.”

First discussed was Conflict of Interest. This is set forth in the Charter. He noted for members that it is a personal decision for members if something will have an impact, suggesting when in doubt, recuse yourself. Simply knowing a person does not necessarily disqualify you. He asked members to be mindful of the “appearance” of a conflict of interest.

Attorney Kaelin then discussed Freedom of Information and warned members not to conduct business outside of meetings about substantive matters; this could be FOI-able. He suggested not using personal phones, computers, e-mail, etc. Although the Charter permits participation in meetings by phone, his advice is not to do this when discussing a substantive matter. Mary Tyrrell brought up her concerns with using private e-mail. It was suggested to use a separate e-mail or create a folder to be used just for Town related things. Attorney Kaelin reminded that Regular Meeting Agendas can be amended at meetings, however Special Meeting agendas cannot.

Interaction with the public, boards and staff was discussed. Everyone needs to work on being polite and civil. Going the extra step to show consideration has a positive impact. Members need to remember that meetings are not a courtroom and should not be adversarial. It’s good to question, but applicants are not on trial. Body language and tone are important.

Alternates are allowed by Charter and Statutes to participate in general meeting and public hearing discussions, however, they should not make, vote or discuss motions unless seated. The Courts say that alternates who are not seated cannot participate in deliberations. Attorney Kaelin noted that once an Alternate is seated on a matter, they remain seated until that matter is settled.

First Selectman Butterly reminded members that they are representing the Town. He reminded everyone to know their purview, what they have authority over and to be forceful.

### **Brief Overview of Successes and Challenges– Commission Chairs (or designees):**

**Planning Commission** –*Katy Sherer*: Ms. Sherer noted that she is the new Planning Commission Chairman and that the Planning Commission is also the Water Pollution Control Authority. She noted that the Commission was able to ultimately come to a resolution regarding the septic system installed both in Middlebury and Woodbury that did not get Woodbury approvals prior to its installation. She noted that the Commission is looking at action items in the Plan of Conservation and Development. Although the Commission cannot implement changes, they can assist other Boards. The Planning Commission recently sent a regulation to the Zoning Commission regarding Non-Conforming structures. She noted they have several things in the “pipeline” including a Right to Farm ordinance and Horizon/Ridgeline protection.

**Zoning Commission** – *Bob Clarke*: Mr. Clarke expressed his appreciation to Voices newspaper. He noted that the Commission is in the long process of revising their regulations. It’s their function to work under the regulations. They review new applications on use of the property. Any proposed regulations go to the Planning Commission, as well as Naugatuck Valley Council of Governments before they can be voted on. They deal with new businesses, changes of use and enforcement issues with the regulations. Middle Quarter regulation amendments were approved this past year. Chairman Clarke noted that Zoning did not turn down applications this year. The Zoning Commission is also the Aquifer Protection Agency, responsible to protect the aquifer; they have nothing to do with wetlands or watercourses. It was noted that the Agency began its certification process this past year.

**Inland Wetlands & Watercourses Agency** – *Mary Tyrrell*: Ms. Tyrrell noted that the Agency looks at things first hand; they don’t rely solely on maps. The Agency is set up by Federal mandate. They are responsible to protect not only what is there now, but what will be in the future. They have not had a lot of applications this past year and have denied just one. She noted that they are finalizing one application that was denied and went to litigation. She noted that the Quassapaug application discussed by Ms. Sherer was approved by the Agency; however there was apparently a gap in communication. They strive to allow people to do what they want with their property without impacting the wetlands or flood plain.

**Zoning Board of Appeals** – No one was present from the Board.

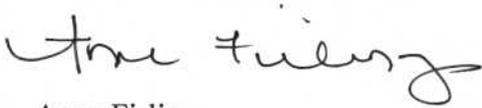
**Historic District Commission** – *Susan Cheatham*: Ms. Cheatham noted that the Commission has purview of two districts. They don’t deal with just houses, it’s the setting, some aesthetics, history of the Town, present and future and how the Town presents itself. They have approved improvements to homes and signs. They continue to review their regulations which maintain the integrity of the districts. The Commission participated in the SDAT meetings and is working on moving the Bicentennial sign to

make it more visible. Three preservation awards were given this year, which are not limited to just properties in the Historic Districts, they look at the whole town. Appreciation was given for Bill Drakeley's service to the Commission, as well as Linda Leigh, the Historic District Commission Clerk, the Town Planner and administrative assistant.

**Conservation Commission** – *Dick Leavenworth*: Mr. Leavenworth stated the Commission has no real authority over anything. They offer advice and are usually silent, however are loud when they feel the need. They advocate keeping land and water "as is." Open Space priorities have been the Reservoir Property, Expansion of Orenaug Park and the purchase of the Hollow property. He also discussed the importance of Low Impact Development (LID).

First Selectman Butterly thanked everyone for coming and ended the meeting at 8:24 p.m.

Respectfully submitted,



Anne Firlings  
Administrative Assistant, Land Use Office

RECEIVED & FILED  
IN WOODBURY, CT

This 21<sup>ST</sup> day of Jan 2016  
at 2:05 o'clock P M  
Suzanne Cooper  
Asst Town Clerk