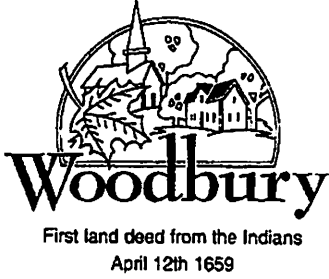


# TOWN OF WOODBURY

## Zoning Commission

281 Main Street South  
Woodbury, Connecticut 06798-0369  
(203)263-3467 ~ www.woodburyct.org



### MINUTES – JANUARY 12, 2021 REGULAR MEETING 7:00 P.M. – VIRTUAL MEETING

#### MEMBERS PRESENT:

Thomas Amatruda, Chairman  
Robert Clarke  
Ted Tietz  
Bob Wilson  
Donald Trella

#### ALTERNATES PRESENT:

Casey Rushin  
Elmer Kiessling  
Jack Well

#### MEMBERS ABSENT:

#### ALTERNATES ABSENT:

**ALSO PRESENT:** Town Planner Maryellen Edwards, Richard Warren, Michael Devino and Rich Desrochers

#### 1. REGULAR MEETING

- a) CALL TO ORDER – Chairman Amatruda convened the meeting at 7:00 p.m.
- b) SEATING OF MEMBERS AND ALTERNATES  
Seated were Commissioners Amatruda, Clarke, Tietz, Wilson and Trella
- c) ELECTION OF OFFICERS  
As required by law, the election of officers for the 2021 calendar year took place. Chairman Amatruda called upon Commissioner Tietz of the Nominating Committee who voiced the nominations of Thomas Amatruda and Robert Clarke for the position of Chairman.

The nomination for the position of Chairman was closed with a vote.

Vote: 3-2-0 in favor of Thomas Amatruda. Commissioners Clarke and Tietz being the nay votes

Commissioner Tietz of the Nominating Committee, nominated Commissioner Clarke for the position of Vice Chairman; and Commissioner Wilson for the position of Secretary.

Vice Chairman vote: 5-0-0 in favor of Robert Clarke

Secretary vote: 5-0-0 in favor of Bob Wilson.

- d) CONFLICT OF INTEREST REMINDER(CGS Section 8-11 & Woodbury Town Charter Section 901)

## **2. OTHER BUSINESS**

### **a) Discussion with Richard Warren of O&G Industries Regarding 4<sup>th</sup> Quarter Reports for both Park & Stiles Road Quarries**

Richard Warren, O&G Industries addressed the Commission. Mr. Warren reviewed the 4<sup>th</sup> Quarter Reports for the Park Road quarry. There were for the quarter a total of eight complaints. Mr. Barsi, 217 Bacon Pond Road, represented five of the complaints all in the month of October. There were two truck traffic complaints logged. There were no complaints in the month of December. There was one survey completed for a homeowner, however there was no indication of the blasting having any impact on the location. There were more frequent blasts made, however the quarry used less explosives each time to reduce complaints. The total amount of materials excavated for the year was less than the total for 2019.

There were no complaints for the Stiles Road quarry. The asphalt plant was run for 13 nights during the last quarter. The amount of material excavated and blasts made were in line with the amount of previous years.

The Chairman called for any questions from the Commission. Chairman Amatruda noted that a homeowner had complained of clear cutting, but no indication of that was found. Commissioner Clarke and Chairman Amatruda requested to be put on the blast notification list.

Chairman Amatruda asked for Ms. Edwards to follow up on revised annual reports needed from Frank Talarico, 119 Quonopaug Trail.

## **3. NEW APPLICATIONS**

### **a) 20-ZC-2004 / Ambrosio & Crump / 60 Main St. South / Special Permit for Change of Use from Storage Barn to Retail Shop / Map 105 / Lot 130 / OH: 3/18/21**

The applicant was not present. Ms. Edwards stated that the applicant was aware of the meeting.

#### **MOTION:**

Commissioner Clarke moved and Commissioner Trella seconded to table application (20-ZC-2004 / Ambrosio & Crump / 60 Main St. South / Special Permit for Change of Use from Storage Barn to Retail Shop / Map 105 / Lot 130 / OH: 3/18/21)

Vote: 5-0-0 in favor. Motion unanimously approved.

### **b) 21-ZC-2101 / Desrochers (506 Main Street South LLC) / 506 Main Street South / Special Permit to Enlarge Parking Lot / Map 103 / Lots 005 & 004A-B / OH: 3/18/21**

Richard Desrochers, 50 Great Quarter Rd., Sandy Hook, addressed the Commission regarding the property at 506 Main Street South. Mr. Desrochers stated that an application for a Special Permit has been submitted to expand the parking lot for 40 additional parking spots. Currently there have been requests for the wedding venue at their location. It has not been determined if the

old carriage house will be cleaned up or a new building erected, but the goal is to utilize the area and to make it nicer.

Chairman Amatruda called for any questions. Commissioner Clarke stated that he will wait for the public hearing.

#### **MOTION:**

Chairman Amatruda moved and Commissioner Tietz seconded to schedule a Public Hearing for application (21-ZC-2101 / Desrochers (506 Main Street South LLC) / 506 Main Street South / Special Permit to Enlarge Parking Lot / Map 103 / Lots 005 & 004A-B / OH: 3/18/21) for the February 9, 2021 Zoning Commission meeting.

Vote: 5-0-0 in favor. Motion unanimously approved.

#### **MOTION:**

Chairman Amatruda moved and Commissioner Wilson seconded to forward application (21-ZC-2101 / Desrochers (506 Main Street South LLC) / 506 Main Street South / Special Permit to Enlarge Parking Lot / Map 103 / Lots 005 & 004A-B / OH: 3/18/21) to the Planning Commission for referral.

Vote: 5-0-0 in favor. Motion unanimously approved.

#### **4. OTHER BUSINESS--Continued**

##### **a) Discussion Regarding Potential Minor Site Plan Modification at 740 Main Street South – Unit 4 / Map 102 / Lot 020B#4**

Ms. Edwards addressed the Commission regarding this modification. She is considering whether the addition of a patio and pergola would qualify as a minor site plan modification and therefore be handled administratively, or if the modification is more extensive thereby needing a Special Permit. Michael Devino, applicant, spoke as to the intent of the modification. Currently, the complete intent of the space is not determined. The main intent is to improve the overall aesthetics of the building, however outdoor dining is also a possibility. Some elevations were presented to the Commission, but the overall consensus was that enough information was not provided for them to give direction on how to proceed. The projected patio would be approximately 475 square feet that would wrap around the front of the building to the side. Discussion ensued regarding the issues of the patio/ pergola installation and outdoor dining. The consensus was that most likely this is a minor modification and the Zoning Permit could be handled administrative once more information is submitted. It was recommended that for outdoor dining to be permitted, a Special Permit would need to come before the Commission. Mr. Devino would like to handle both matters at one time and will submit a Special Permit. Commissioner Trella stated for the record that he is very favorable to outdoor dining permits and would like the Zoning Commission to support them.

Commissioner Trella brought up a concern of legality in having these discussions advising whether applications need to come before the Commission. He suggested that Ms. Edwards make these decisions at the administrative level and not ask for the Commission's advice in case it could be misconstrued that

the Commission is making an application harder for one applicant over another. Ms. Edwards stated that the current regulations specify that the Zoning Commission may authorize the ZEO as to whether a modification is substantial or a minor deviation. She will consult the Town Attorney regarding this issue.

**MOTION:**

Chairman Amatruda moved and Commissioner Wilson seconded to add discussion regarding livestock regulation 4.1.2.5 for the property at 3 Lynn's Corner.

Vote: 5-0-0 in favor. Motion unanimously approved.

*Chairman Amatruda recused himself for this discussion and handed the meeting over to Vice Chairman Clarke*

*Chairman Amatruda was unseated and Alternate Well was seated at 8:05 p.m.*

**b) Discussion Regarding the Livestock Regulations 4.1.2.5 at 3 Lynn's Corner**

Ms. Edwards addressed the Commission regarding an email received from a potential property buyer. The potential buyer is a children's book author that incorporates alpacas into the stories. The property under consideration is a total of 1.95 acres and under the current regulations one head of livestock is permissible. The buyer has a maximum of five alpacas and would like to know if this property could allow this use or would it meet the regulations for a documented educational project. The intention for the regulation of a documented educational project is very vague. Discussion of educational projects such as Future Farmers of America, 4H or allowing a student to get their SAE hours ensued, and if this buyer could take advantage of such a program and therefore be compliant. Alternate Kiessling stated that Region 14 does a supervised agricultural experience. Alternate Rushin inquired if the Right to Farm act could come into play. Commissioner Wilson cautioned that advising how to potentially get more livestock on a property than allowed could set a precedent for other applicants. Ms. Edwards felt that the language of a documented educational program needs to be clarified in the new regulations. Vice Chairman Clarke recommended the buyer should speak to the Superintendent to get some additional feedback.

*Alternate well was unseated and Chairman Amatruda was reseated at 8:22 p.m.*

**c) POCD Discussion**

Ms. Edwards stated that she had gone through the POCD table with Mr. Gomes and updated any action item comments that involved the Zoning Commission. Everything that is in year one has been updated to years one and two and in process. She will send the table out to all members. Chairman Amatruda asked all the members to look at the table and it will be discussed at the next meeting.

**5. PRIVILEGE OF THE FLOOR**

There were no comments at this time.

**6. CORRESPONDENCE**

- Tietz Trucking 4<sup>th</sup> Quarter reports

**7. CONSIDERATION OF MINUTES**

Chairman Amatruda presented for consideration the minutes of the December 8, 2020, Zoning Commission meeting. He called for any discussion. Commissioner Clarke stated the title Vice Chairman should appear under Members Present. The clerk was instructed to go through the document to ensure the title was used appropriately. Upon review of the posted minutes the only change to be made follows:

- The title of Chairman should follow Thomas Amatruda under Members Absent.

**MOTION:**

Chairman Amtruda moved and Commissioner Wilson seconded to approve the minutes of the December 8, 2020, Zoning Commission meeting as amended.

Vote: 5-0-0 in favor. Motion unanimously approved.

**8. ADJOURNMENT**

**MOTION:**

To adjourn the meeting at 8:29 p.m.  
Made by Chairman Amatruda

Respectfully Submitted,

*Robyn Wright*

Robyn Wright  
Clerk for the Zoning Commission

RECEIVED FOR RECORD  
 Jan 15 21 at 11:20 AM  
 ATTEST *M. Mancini*  
 TOWN CLERK, WOODBURY CT *ASST.*

*Copies of documents and meeting audio are available at the Land Use Office*