



Town of Woodbury Zoning Commission

281 Main Street South
Woodbury, CT 06798
203.263.3467 ▪ www.woodburyct.org

**MINUTES – JANUARY 23, 2024
PUBLIC HEARING / REGULAR MEETING
7:00 P.M. – SENIOR CENTER, 265 MAIN ST. SOUTH**

MEMBERS PRESENT:

Bob Wilson, Chairman
Thomas Amatruda
Ted Tietz

ALTERNATES PRESENT:

Casey Rushin

MEMBERS ABSENT:

Donald Trella
Robert Clarke

ALTERNATES ABSENT:

David Primini
Jack Well

ALSO PRESENT: Town Planner Will Agresta, applicants and agents

1. OPENING OF MEETING

- a) CALL TO ORDER – Chairman Wilson convened the meeting at 7:00 p.m.
- b) SEATING OF MEMBERS AND ALTERNATES
Seated were Commissioners Wilson, Amatruda, Tietz, and Alternate Rushin
CONFLICT OF INTEREST (*CGS Section 8-11 & Woodbury Town Charter Section 901*)

2. PUBLIC HEARINGS

- a) 23-ZC-0022 – 11 Stiles Road / Stiles Road Quarry / Map 32, Lot 1 / EE District O&G Industries, Inc (applicant/owner) Renewal of Stiles Road Quarry Earth Materials Permit (2024- 2025)

Commissioner Tietz was unseated at 7:02 p.m.

1. Richard Warren, O&G Industries, Inc., addressed the Commission. Mr. Warren submitted the certificates of mailing and a memo sent to the various commissions involved. Mr. Warren is requesting the two year Special Permit renewal for the quarry. They are requesting to remove anywhere from 300,000 to 800,000 cubic yards of material over the next two year period. He showed the Commission the recent survey map done in October of 2023 and photos of the property. He indicated the projected blasting areas for the next two years. He noted the restricted area of a 21 acre parcel to maintain a scenic buffer. That buffer can shift as long as 21 acres of buffer zone is maintained.

2. The water monitoring of the site is ongoing by Fuss & O’Neill. The annual report was just sent to the Town Land use office along with DEEP. The ground water monitoring along with the recycled water process have found no negative impacts. The latest diversion permit was issued in 2016. The quarry floor elevation hasn’t dropped. When they are going to lower the floor, they will have to come back to the Commission for lowering the sump pump. There has not been vernal pool monitoring to the north since 2019 after decades of no change in water elevations. However, as they are proceeding north with mining, they are contracting to review the area again to verify there is no impact.
3. The long term mining and reclamation plan is that there is a little under 6 million cubic yards of material left in the quarry with an estimated completion date of 2051. The goal is to reclaim the western edge and slope as they work on the eastern side. They are requesting to maintain the existing permit conditions but also add the right to screen asphalt millings for inclusion in the asphalt mix design. This process would only occur during regular business hours and not at night. This would allow the quarry to add the millings to the mix more efficiently.
4. Chairman Wilson called for any questions or comments from the Commission. Commissioner Amatruda asked if the asphalt millings have any environmental impact. Mr. Warren explained it is an inert product that is only being separated. Commissioner Amatruda also requested that truck traffic graphs over time periods be provided for the permit renewal as well as on the quarterly reports to have a visual gauge. Chairman Wilson clarified the asphalt milling aspect. Currently they are bringing screened millings in to put into the plant. The provision for screening on site would eliminate a step for the applicant. This would not impact the truck traffic. He inquired as to the area that had the stronger blasts reported. Mr. Warren explained that was in the northwest area, which is not the next blasting area to be done. Alternate Rushin clarified the protected 21 acre area. He also inquired as to the amount of millings are where they will be stocked piled. Mr. Warren explained that all the millings would be used eventually. Town Planner Agresta inquired if the quarry is on file with DEEP since a portion of the quarry is in the Aquifer Protection area. Mr. Warren stated that they are on file for another three years.
5. Chairman Wilson called for any questions or comments from the public. Mike Devino, 25 North Forty Road, addressed the Commission. Mr. Devino inquired as to the quarry allowing State Police to practice shooting on the property. Mr. Warren clarified that there used to be shooting allowed at this quarry but it is not allowed any more.

MOTION:

To close the Public Hearing on application **23-ZC-0022 – 11 Stiles Road / Stiles Road Quarry** and have the office prepare a draft approval for consideration.

Made by Chairman Wilson, Seconded by Commissioner Amatruda. Discussion ensued that Alternate Rushin would like a week to consider the approval once drafted. Town Planner Agresta recommended not closing the Public Hearing in that case so questions or changes could be addressed.

Chairman Wilson withdrew his motion.

MOTION:

For staff to prepare a draft permit approval on application **23-ZC-0022 – 11 Stiles Road / Stiles Road Quarry** to include the conditions of the addition of asphalt screening and traffic reports for consideration

Made by Chairman Wilson, Seconded by Commissioner Amatruda

Vote: 3-0-0 – Approved – Motion Passed

Ayes: Wilson, Amatruda, Rushin

Nays: None

Abstain: None

b) 23-ZC-0023 – 97 Park Road Quarry / Map 88, Lot 5 / EE District O&G Industries, Inc (applicant/owner) Renewal of Park Road Quarry Earth Materials Permit (2024 – 2025)

1. Richard Warren, O&G Industries, addressed the Commission. Mr. Warren submitted a memo to various commissions along with the Certificates of Mailing. The previous two year period did not have blasting. This two year permit renewal request is estimating removal of material to be between 200,000 to 300,000 cubic yards. A survey was done in October 2023. The current map shows construction of a berm and excavation of materials in the north end that was approved by the IWA. A significant amount of material went to the Oxford airport. There has been a lot of truck traffic, but no blasting. They will be reclaiming a significant part of the old quarry and connecting to the quarry floor. He showed on the map where work will be performed. The quarry floor is down in elevation from 370’ to 320’. This will help mitigate the noise from the portable processing plant.
2. Blasting will likely return to one blast every week or so. They anticipate approximately 23 blasts for the next year. Smaller blasts will be used near residents. The estimated reserve of the quarry is 850,000 cubic yards. The estimated life of the quarry is six years. Mr. Warren elaborated on some reclamation plans for the future. They are requesting a two year permit renewal maintaining the existing conditions. Fuss & O’Neill monitors the ground water, vernal pool, and wetland area six times a year.
3. Chairman Wilson called for any questions or comments from the Commission. Mr. Warren clarified certain matters and questions about the wetlands for the Commission. Commissioner Amatruda requested truck traffic graphs and reports for the permit. Those will be included in the annual and quarterly reports. Town Planner Agresta recommended to start working on a reclamation plan with the town in the next year or so since it will take time to implement. Chairman Wilson called for any questions or comments from the public. There were none.

MOTION:

For staff to prepare a draft permit approval on application **23-ZC-0023 – 97 Park Road Quarry** to include the condition of truck traffic reports for consideration.

Made by Chairman Wilson, Seconded by Commissioner Amatruda

Vote: 3-0-0 – Approved – Motion Passed

Ayes: Wilson, Amatruda, Rushin

Nays: None

Abstain: None

3. PENDING AND NEW APPLICATIONS

- a) **24-ZC-0001 – 506 Main Street South / Map 105, Lot 5 / MSD & HD#1 Richard Desrochers (applicant), 506 Main Street South, LLC (owner) Amendment of Special Permit / Site Plan 21-ZC-2109 – Modification seeking to add “outdoor patio” spaces at the back and front of the Carriage House for ancillary use of the Carriage House venue.**

Commissioner Tietz was reseated at 7:58 p.m.

Rich Desrochers, applicant, addressed the Commission. Mr. Desrochers showed on the plan the area for the amendment to the patio areas for the front and back of the Carriage House. The areas are already part of the ground coverage calculation. They would also like to add some walkways. The exact amount of ground coverage will depend on how the landscape architect will design it. It will be approximately 1600 square feet which would be 47% ground coverage which is still under the 50% allowed. The amendment is a deviation from the original plan and part of it is retro-active. Chairman Wilson called for any questions or comments from the Commission. There were none.

MOTION:

To waive the need for a Public Hearing on application **24-ZC-0001 – 506 Main Street South** and for the Land Use office to prepare the draft approval amendment for consideration.

Made by Chairman Wilson, Seconded by Commissioner Tietz

Vote: 4-0-0 – Approved – Motion Passed

Ayes: Wilson, Amatruda, Rushin, Tietz

Nays: None

Abstain: None

- b) **24-ZC-0002 – 641 Main Street South / Map 102, Lot 28 / MQ District
641 Main Street South, LLC (applicant/owner)
Amendment of Special Permit / Site Plan 05-ZC-5007 – Modification of Condition 15
seeking a Change of Use of the lower-level accessory retail tenant storage area to allow
leasing of the storage space as a “principal use” separate from just the tenants of the upper
floor permitted retail tenants.**

Ron Wolff, Engineer, agent, addressed the Commission. Mr. Wolff explained that owner Michael Devino was present. The application is to modify the existing Special Permit. The original permit allowed for lower level storage for the tenants of the main level. They are requesting to lease the storage to anyone, not limited to the upstairs tenants. Mr. Wolff drew attention to a parking table indicating that there is adequate parking to allow for this use. Town Planner Agresta noted that the application essentially is turning an accessory use into a principal use and not a sub-lease. He clarified that the conditions of the original Special Permit are that any change of use needs to come back to the Commission for approval. There will be no additional signage or lighting as a result.

MOTION:

To waive the need for a Public Hearing on application **24-ZC-0002 – 641 Main Street South** and for the Land Use office to prepare the draft approval amendment for consideration.

Made by Chairman Wilson, Seconded by Commissioner Tietz

Vote: 4-0-0 – Approved – Motion Passed

Ayes: Wilson, Amatruda, Rushin, Tietz

Nays: None

Abstain: None

4. ENFORCEMENT

- a) **21-ENF-0009 – 437 Sherman Hill Road / Map 4, Lot 8A / OS-100 District Eren Tumer (owner) – Classic Turf. Amendment of Approved Remediation Plan (22-ZC-0007)**

Town Planner Agresta updated the Commission on this item. They have met with Mr. Eren in the field. There has been communication with him. He was expected to be in attendance at this meeting.

MOTION:

To table Enforcement item **21-ENF-0009 – 437 Sherman Hill Road** pending continued discussion between the tenant and the Land Use office.

Made by Chairman Wilson, Seconded by Commissioner Amatruda

Vote: 4-0-0 – Approved – Motion Passed

Ayes: Wilson, Amatruda, Rushin, Tietz

Nays: None

Abstain: None

5. ADMINISTRATIVE

Chairman Wilson presented the minutes of the January 9, 2024, Zoning Commission meeting for consideration. He called for discussion. There was none.

MOTION:

To approve the minutes of the January 9, 2024, Zoning Commission meeting as presented.

Made by Chairman Wilson, Seconded by Alternate Rushin

Vote: 4-0-0 – Approved – Motion Passed

Ayes: Wilson, Tietz, Amatruda, Rushin

Nays: None

Abstain: None

6. PRIVILEGE OF THE FLOOR

There were no comments from the floor.

7. CORRESPONDENCE

There was no correspondence to consider.

8. DRAFT ZONING REGULATIONS WORK SESSION

Chairman Wilson stated that the Land Use office had been busy dealing with other matters and had not been able to put together the next item to work on. He asked Town Planner Agresta to put together a

review of what has been accomplished in the work sessions along with an updated schedule of what still needs to be considered for the next meeting.

9. ADJOURNMENT

MOTION:

To adjourn the meeting at 8:20 p.m.

Made by Chairman Wilson

Respectfully Submitted,

Robyn Wright

Robyn Wright
Clerk for the Zoning Commission

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

RECEIVED & FILED
IN WOODBURY, CT
This 26th day of Jan 2024
at 1:02 o'clock P M
Maria M Mancini
Treasurer