

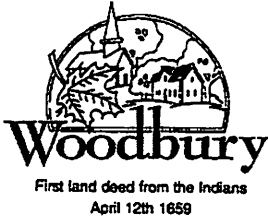
TOWN OF WOODBURY

Zoning Commission

281 Main Street South

Woodbury, CT 06798-0369

(203)263-3467 ~ www.woodburyct.org



MINUTES – October 26, 2021
REGULAR MEETING – 7:00 P.M.
Senior/Community Center, 265 Main Street South

MEMBERS PRESENT:

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

ALTERNATES PRESENT:

Elmer Kiessling
Casey Rushin

ALTERNATES ABSENT:

Jack Well

ALSO PRESENT: Will Agresta, Town Planner and Andy Peklo

OPENING OF MEETING

Call to Order - Chairman Amatruda convened the meeting at 7:00 p.m.

Seating of Members/Alternates - Seated were Commissioners Amatruda, Clarke, Tietz, Trella and Wilson

Conflict of Interest Reminder (CGS Section 8-11 & Woodbury Town Charter Section 901) – Members were reminded of the Conflict-of-Interest Statutes and the Town Charter.

PENDING APPLICATIONS - None

NEW APPLICATIONS - None

OTHER BUSINESS

Pre-Application Review / Main Hollow LLC / 442 Main Street South / Construction of an 1860 sq. ft. 2 Bedroom Residence to Complement the Existing 1152 sq. ft. Commercial Building. Increase Building Coverage from 10% to 13.5% (Per Sec. 5.1.8) / Map 103 / Lot 010A

Member Tietz recused himself from the discussion and left the room. Member Tietz was unseated, and Alternate Rushin was seated.

Andy Peklo was present for the pre-application discussion. A survey of two parcels was shared with the Commission and the property locations were described. The owner is looking to construct a single-family home behind the existing business building but wants to have a view of Main Street. The proposed site is 100' from the existing building, the footprint being approximately 1,800 sq. ft. The area would be located outside the Historic District. Mr. Peklo noted Section 5.1.8 of the Zoning Regulations which allows the Commission a bit of flexibility to increase the coverage and modify the setbacks. The existing building coverage is 4.7% and total ground coverage is 8.4%. The proposed building coverage is 13.5%, just over the maximum 10%. Mr. Peklo requested that the Commission determine if this would require a Special Permit or if it could be done with just a Site Plan approval. Will Agresta noted that there is no Site Plan approval under the Main Street Design District. The MSD requirements are reflected in a table in the regulations under Section 5.1.5, however, Section 5.1.8 allows the Commission the ability to change those setbacks. This other section allows flexibility seemingly because of the diversity of lots in the district. Mr. Agresta's opinion is that "you can't get to that without a Special Permit." Residential by itself would not need to come to the Commission, but this property already has an existing business and would make it a mixed use. Mr. Peklo felt that a Site Plan approval is a simpler process, so was looking to the Commission for guidance if it needed a Special Permit. There was question whether this

would need to go to the Historic District Commission for review. The Pre-Application review process was discussed briefly. Mr. Agresta explained that they were before the Commission because he felt it required a Special Permit and the applicant was looking to do it through a Site Plan approval. The idea of multiple principal uses on a property were reviewed, this would fall under the primary use provisions, not accessory use. This application would not be before the Commission if it was a single-family home going up on a vacant parcel, they are adding a use. Consensus of the Commission was that a Special Permit application is required.

Member Tietz came back to the meeting and was reelected, unseating Alternate Rushin.

ENFORCEMENT

21-ENF-0006 / Taff / 148 Sycamore Avenue / NPV Unpermitted and Occupied Recreational Vehicles / Map 036 / Lot 035

At the last meeting it was noted that the Commission requested this item go to the Town Attorney. Will Agresta stated that looking through the files the only letters sent have been Notices of Possible Violation. There are steps in the Enforcement Process that need to be done prior to sending to the attorney. A Notice of Violation will be sent, and they need to give some time for a response. The next step would be a Cease and Desist or sending to the attorney.

21-ENF-0008 / Beyer / 46 Leavenworth Rd. / NPV Construction of Unpermitted Pavilion & Possible Home-Based Business / Map 070 / Lot 048-12

Chairman Amatruda recused himself from the discussion. Vice Chairman Clarke unseated Chairman Amatruda and seated Alternate Kiessling.

Will Agresta explained that a permit has been applied for, however, it is waiting for Health Department approval which cannot be given as it has been placed on top of a septic system. The resolution would be for them to take it down or get a new septic system. A Notice of Violation will be sent, again giving a timeframe to respond.

Chairman Amatruda was reelected and Alternate Kiessling was unseated.

DELIBERATIONS / DETERMINATIONS

Select Items from this Agenda – as determined ready by the Commission

Meeting Minutes - 10/12/21

Page 2 – First Paragraph, Last Sentence to read: “Vice Chairman Clarke called for questions...”

Page 3 – First Paragraph, 7th Sentence to read: “The complaint came from a long-time resident who is currently home more now because of Covid. The truck and traffic report is comparable...”

Page 5 – First Paragraph, 6th Sentence to read: “O&G has been in town for 88 years and wants to be a good neighbor.”

MOTION:

To approve the minutes (of October 12, 2021) as amended.

Made by Chairman Amatruda, Seconded by Vice Chairman Clarke

Vote: 4-0-1 – Approved - Motion Passed

Ayes	Amatruda, Clarke, Trella, Wilson
Nays	None
Abstain	Tietz

REGULATION WORKSHOP – Discussion Focus:

Cannabis – Add to DRAFT Section 3.3 Prohibited Uses

The Commission discussed the draft relating to Cannabis as a Prohibited Use. Members questioned if they could allow farmers to grow cannabis. With some discussion, they asked to have the state definitions related to this item for review so that they could better decide how to move forward.

Accessory Apartments – Confirm DRAFT Section 5.2 is consistent with recent State CGS standards
Section 5.2.1 regarding Accessory Apartments and use limitations was reviewed with the Commission.

Item A was amended to eliminate wording about offices converted from a single-family residential structure.

Item E was discussed members reviewing what the proposed amendment was in comparison to how the State Statutes were written, ultimately deciding to use the State Statute standards.

Item F was included to address potential short-term rentals of accessory apartments (including Airbnb's). There was discussion amongst members about the pros and cons of allowing Airbnb and other such short-term rentals. It was asked that sample regulations from other towns that have addressed these be provided for their review.

Mr. Agresta noted that the proposed draft regulations does not address setbacks for accessory buildings with an accessory apartment. It was decided that they use the same setbacks as an accessory structure to maintain consistency.

Signs

Chairman Amatruda stated that they need to work on the sign regulations to make them simple and clear. They need to be enforceable. There was a brief discussion about signs and enforcement.

PRIVILEGE OF THE FLOOR - None

CORRESPONDENCE – Correspondence included the Fall 2021 CFPZA Newsletter.

ADJOURNMENT

MOTION:

To adjourn the meeting at 8:46 p.m.

Made by Chairman Amatruda

Filed Subject to Approval

Respectfully Submitted,

Anne Firlings

Anne Firlings
Administrative Assistant, Land Use Office

RECEIVED & FILED
IN WOODBURY, CT

This 28th day of Oct 2021
at 3:25 o'clock PM

Maria M. Marconi
Town Clerk

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