



# Town of Woodbury Zoning Commission

281 Main Street South  
Woodbury, CT 06798  
203.263.3467 ▪ [www.woodburyct.org](http://www.woodburyct.org)

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## MINUTES – NOVEMBER 12, 2024 REGULAR MEETING 7:00 P.M. – SENIOR CENTER, 265 MAIN ST. SOUTH

### MEMBERS PRESENT:

Donald Trella—Vice Chairman  
Thomas Amatruda  
Ted Tietz

### ALTERNATES PRESENT:

### MEMBERS ABSENT:

Bob Wilson, Chairman  
Robert Clarke

### ALTERNATES ABSENT:

Jake Amorando  
Casey Rushin  
Jack Well

**ALSO PRESENT:** Town Planner Will Agresta, Applicants and agents

### 1. OPENING OF MEETING

- a) CALL TO ORDER – Vice Chairman Trella convened the meeting at 7:01 p.m.
- b) SEATING OF MEMBERS AND ALTERNATES  
Seated were Commissioners Trella, Amatruda, and Tietz,  
CONFLICT OF INTEREST (*CGS Section 8-11 & Woodbury Town Charter Section 901*)

### 2. NEW APPLICATIONS

- a) **24-ZC-0016 – 656 Weekepeemee Road / Map 44, Lot 11 / OS-100 District  
Andrew Berez (applicant/owner)  
Floodplain Permit – Installation of two above ground propane storage tanks on concrete pad and generator with associated fuel lines connecting to the house.**

Andrew Berez, owner, addressed the Commission. Mr. Berez would like to install two propane tanks and a generator on the south side of the house. Town Planner Agresta explained that there are some difficulties with the application. There is a flood plain which normally would be remedied with strapping the tanks down. The difference on this application is that the location for the tanks and generator would be in the front yard. Planner Agresta directed the members to document “Pertinent Sections of Zoning Regulations” that would be relevant. In reviewing the code, the main issue is if tanks and generators are considered accessory structures. If they are not,

and can be handled by a Zoning Permit, then the code implies a six foot setback would be sufficient. If the items are deemed an accessory structure than they are regulated by all setbacks. Most tank and generator installations are not an issue since they are usually installed on side or rear yards that have smaller setbacks. In asking the Town Attorney, it was determined that tanks and generators are interpreted to be accessory structures. On this application, a front yard installation with a 50 foot setback does not work. The homeowner explained how it is a difficult lot since he has a corner lot and borders a river. Planner Agresta explained that with accessory structures side and rear setbacks can be adjusted, but a front setback does not have that allowance. The final consensus for this application is for the owner to put an application into the ZBA for a variance. If the variance is granted, a flood plain permit is still necessary through the Zoning Commission. This process will take some time and will push the application beyond the 65 day limit that the Commission has to process it. Vice Chair Trella asked Mr. Berecz to grant an extension to the Commission on the 65 day limit. Mr. Berecz granted the extension.

**MOTION:**

To revisit application **24-ZC-0016 – 656 Weekepeemee Road / Map 44, Lot 11 / OS-100 District** at the January 14, 2024, Zoning Commission meeting with the applicant’s consent to extend beyond the 65 day deadline.

Made by Vice Chair Trella, Seconded by Commissioner Tietz

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

Ayes: Amatruda, Trella, Tietz

Nays: None

Abstain: None

- b) **24-ZC-0018 – 129 Main Street North / Mao 90, Lot 8 / MSD District Little Portions Property(applicant/owner) Civil 1(agent) Installation of a diesel generator.**

John Pittari, owner, and Meghan Miller, agent, Civil 1, addressed the Commission. The application is for a generator install on the south side of the property. There was a special exception when the building was built in 2011 to have some reserved parking. This application would impact two parking spaces. Planner Agresta explained that the Commission needs to determine if this modification is a minor one thereby waiving the need for a Public Hearing. The consensus was that this was a minor modification.

**MOTION:**

To waive the need for a Public Hearing on application **24-ZC-0018 – 129 Main Street North / Mao 90, Lot 8 / MSD District** and for staff to draft the approval.

Made by Vice Chair Trella, Seconded by Commissioner Amatruda

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

Ayes: Amatruda, Trella, Tietz

Nays: None

Abstain: None

### 3. ENFORCEMENT

- **24-ENF-ZC05 – 49 Bacon Pond Road / Map 21, Lot 46 / PI District**  
**Gertrude and Christopher Hardisty (owners), Gjergji & Xhin Llenga, Booca Paving**  
**(tenant)**  
**Absent required Special Permit approval unauthorized changes in site use and added site**  
**improvements (storage structure, exterior lights, replacement gate).**

Planner Agresta stated that the tenants have come in and been working with the office on this situation. Mr. Llenga, owner Booca Paving was present. Planner Agresta explained the violation issues. He is waiting for some updated submissions from the tenant, but they are working towards compliance.

#### **MOTION:**

To table Enforcement Item 24-ENF-ZC05 – 49 Bacon Pond Road / Map 21, Lot 46 / PI District until the next meeting.

Made by Vice Chair Trella, Seconded by Commissioner Tietz

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

Ayes: Amatruda, Trella, Tietz

Nays: None

Abstain: None

### 4. ADMINISTRATIVE

Vice Chair Trella presented the minutes of the October 22, 2024, Zoning Commission meeting for consideration. He called for discussion. There was none.

#### **MOTION:**

To approve the minutes of the October 22, 2024, Zoning Commission meeting as presented.

Made by Vice Chair Trella, Seconded by Commissioner Amatruda

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

Ayes: Amatruda, Trella, Tietz

Nays: None

Abstain: None

A typographical error was made in the October 8, 2024, Zoning Commission minutes that needed correcting. Under Privilege of the Floor, Booca Paving was listed as being at 49 Main Street. The correct address is 49 Bacon Pond Road.

Vice Chair Trella presented the 2025 Zoning Commission Annual Regular Meeting Schedule for consideration. There was some discussion and clarification about the schedule.

#### **MOTION:**

To accept the 2025 Zoning Commission Annual Regular Meeting Schedule as presented

Made by Vice Chair Trella, Seconded by Commissioner Tietz

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

Ayes: Amatruda, Trella, Tietz

Nays: None

Abstain: None

**5. PRIVILEGE OF THE FLOOR**

There were no comments from the floor.

**6. CORRESPONDENCE**

- Talarico Property Annual Reports were reviewed.
- The ZEO notified the Commission that the Pappas enforcement issue was resolved. The chicken coup has been moved.

**7. DRAFT ZONING REGULATIONS WORK SESSION**

Planner Agresta needed to discuss with the Commission a document he put together about Connecticut Public Act 23-142 amended CGS 8-3j. He explained that every year the First Selectman has to make a sworn statement that the Town is compliant with this statute. Unfortunately, the Zoning Regulations, specifically section 3.4 **Uses Permitted by Special Permit in Any District** is not in compliance with the State statute. This needs to be corrected. Planner Agresta recommended new text to be added under Section 4.1.2 **Accessory Uses in Any Residential District**. He recommends putting the amendment forth soon to get into compliance. The matter will need to be referred to the Planning Commission and have a Public Hearing.

**MOTION:**

For this Commission to accept the proposed amendments advised by the Land Use office to bring the Town into compliance with newly passed State Law, namely CT Public Act 23-142 amended CGS8-3j and for the Land Use office to authorize all appropriate referrals to effectuate this change.

Made by Vice Chair Trella, Seconded by Commissioner Amatruda

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

Ayes: Amatruda, Trella, Tietz

Nays: None

Abstain: None

Vice Chair Trella began the Regulations Work Session with section 12.3.6. **Design Standards.**

**12.3.6 Design Standards**

**12.3.6.E Access**

- 12.3.6.E.1-6: No changes made.
- 12.3.6.E.7-9: No changes made. Discussion about electric vehicle stations. These are only mandated for State facilities. Commissioner Amatruda would like to address electric vehicle

stations later in the regulations and would like these to count toward the total required parking spaces.

**12.3.6.F Construction**

- **12.3.6.F.1:** Discussion about more permeable surface paving being used or encouraged. The best way to manage this is to reduce the amount of parking spaces required.
- **12.3.6.F.2-3:** No changes made.
- **12.3.6.F.4.a-d:** No changes made.

**12.3.6.G Maintenance of Off-Street Parking and Loading Spaces**

- **12.3.6.G.1-5:** No changes made

**12.3.7 Recreational Vehicle and Boat Parking**

- **12.3.7.A.1:** No changes made
- **12.3.7.A.2:** Change length from 40 feet to 45 feet
- **12.3.7.A.3:** Discussion regarding what should be allowed especially on lots where compliance cannot be met. Since no permits are necessary, anything before the Commission needs to come through Enforcement.
- **12.3.7.B:** Discussion about what type of vehicles are allowed. Tractor Trailers will be removed from this description and added to another item under **12.3.8 Commercial Vehicle Parking**. Vice Chair Trella would like to revisit these two items to discuss with the other members.

**12.3.8 Commercial Vehicle Parking**

- **12.3.8.A-B:** Discussion about that “Commercial Vehicle” should be defined. The need for screening and not being seen from the road needs to be addressed.

**8. ADJOURNMENT**

**MOTION:**

To adjourn the meeting at 8:57 p.m.  
Made by Vice Chairman Trella

Respectfully Submitted,

*Robyn Wright*

Robyn Wright  
Clerk for the Zoning Commission

RECEIVED & FILED  
IN WOODBURY, CT

This 18<sup>th</sup> day of NOV 2024  
at 12:34 P.M.  
*Maria M. Mancini*  
Town Clerk

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