



Town of Woodbury Zoning Commission

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

**MINUTES – NOVEMBER 28, 2023
REGULAR MEETING
7:00 P.M. – SENIOR CENTER, 265 MAIN ST. SOUTH**

MEMBERS PRESENT:

Bob Wilson, Chairman
Robert Clarke
Thomas Amatruda
Ted Tietz
Donald Trella (*arrived 8:00 p.m.*)

ALTERNATES PRESENT:

Casey Rushin

MEMBERS ABSENT:

ALTERNATES ABSENT:

Elmer Kiesslering
Jack Well

ALSO PRESENT: Town Planner Will Agresta

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 Clarke, Amatruda, Tietz, Wilson and Alternate Rushin
CONFLICT OF INTEREST (*CGS Section 8-11 & Woodbury Town Charter Section 901*)

2. PENDING AND NEW APPLICATIONS

- **Dollars for Scholars**

Town Planner Agresta reviewed the issue at hand. The existing sign is 8' high x 4' wide for a total of 32 square feet. It is a banner type sign on poles 2' off the ground. The time frame the sign will be up is approximately six weeks through the month of December. Mr. Agresta reviewed the different types of signs allowed in the regulations to determine what category this sign would fall under. Due to the size, location, construction and duration, the sign does not appear to fit squarely into any of the listed permitted signs set forth in Zoning §7.5.

Mr. Agresta continued “The proposed sign appears most closely related to a “**Temporary Event Sign**” of a “**Civic Organization**” except it is more of a “**Provisional Sign**” given its proposed duration, but again the construction and size conflict with the types of temporary signs allowed, as well as with the maximum sized sign permitted anywhere within the town (the largest of which is 24 sf in the Middle Quarter District).” He then explained regulation **Zoning §7.5.17** that addresses “**Signs of a Special Nature**” which do not match specifically any of the above listed permitted signs. For such instances “*Signs not specifically authorized by a category in these Regulations, the Zoning Commission may approve such signs in a category that most nearly resembles the use of the proposed sign or category that is consistent with the signs in the vicinity of the affected property.*”

He recommended should the Zoning Commission determine favorably upon the proposed sign; it should address and determine the following consistent with the terms set forth in Zoning §7.5.17:

- Sign Category that “most nearly resembles” the proposed sign
- Sign location , size, construction, and duration

Commissioner Amerada inquired as to how long this sign has been used at this location or at other locations. This would be the third year and only at this location. He would like to proceed with a draft approval under section 7.5.17 with it clearly stated the standards expected and the zoning regulation sections resembled so as not to set a pattern. Chairman Wilson felt that it is important to highlight the purpose of the sign for a civic, non-profit, fund raising event therefore not setting the pattern for all types of signs. Once the parameters are set, the applicant can renew the permit each year through the Land Use office. Alternate Rushin felt that the regulations need to be more specific and a standard created for civic signs of this nature. Discussion continued while looking at the aerial map regarding appropriate sign locations within the MQ district. The town green has more vegetation and placing the sign there could increase distraction. Chairman Wilson asked for Mr. Agresta to put together a draft approval for the sign intended to specify under section 7.5.17 a civic, non-profit, 32 square foot sign, for the time frame of November 1- December 31, placed on the Northeast intersection of Sherman Hill and Main Street South as depicted.

3. ENFORCEMENT

- **23-ENF-ZC03 – 170 Brushy Hill Road / Map 42, Lot 12C-A2 / OS-100 District**
Luis and Xiomara Rodriguez (owner)
Failure to apply/obtain within time allotment required Health/Zoning/Building Permits or remediation of unauthorized site activities absent permits. NV 09/07/23

Mr. Agresta showed the Commission photographs of the property taken on 11/27/23. The main unauthorized structure is still present. One tent / tarp had been taken down. The excavator and trailer were also still present. Alternate Rushin did not agree that a property owner cannot have a backhoe on their property. Chairman Wilson stated that the owner has had ample time to come and plead his case but has not. The owner had been instructed to fill out an application for a building permit and some of these issues would resolve themselves. They have not done that.

MOTION:

To issue a Cease and Desist on Enforcement Issue (**23-ENF-ZC03 – 170 Brushy Hill Road / Map 42, Lot 12C-A2 / OS-100 District**) to remove the unauthorized structure and equipment. There is 30 days for compliance.

Made by Chairman Wilson, Seconded by Commissioner Clarke
Vote: 4-0-1 – Approved – Motion Passed
Ayes: Wilson, Amatruda, Clarke, Tietz
Nays: None
Abstain: Rushin

4. ADMINISTRATIVE

Chairman Wilson presented the minutes of the November 14, 2023, Zoning Commission meeting for consideration. He called for discussion. There was none.

MOTION:

To approve the minutes of the November 14, 2023, Zoning Commission meeting as presented.

Made by Chairman Wilson, Seconded by Commissioner Tietz
Vote: 3-0-2 – Approved – Motion Passed
Ayes: Wilson, Amatruda, Tietz
Nays: None
Abstain: Rushin, Clarke

5. PRIVILEGE OF THE FLOOR

Commissioner Clarke inquired of training opportunities. He will stop into the office for more details.

6. CORRESPONDENCE

Town Planner Agresta brought up information regarding Frank Talarico & Sons, Inc. He had been asked to look into why Mr. Talarico never needs to come in for a permit renewal. He presented the information that he had.

Commissioner Tietz was unseated at 8:01 p.m.

Mr. Agresta's research found that the original approval was in 2006 where it had been established that the excavation activity was pre-existing and was for a set footprint of 150 feet by 150 feet that would not get larger over time. A memo from the Town Planner was presented to the Zoning Commission in 2006 with this information and how Mr. Talarico's activity was different from other excavating permits of the time. The implication of the memo recommendation is that Mr. Talarico was not required to renew his permit.

Commissioner Clarke inquired if inspections could be done. Mr. Agresta stated inspections can be done whenever they want or ask for Mr. Talarico to make an appearance to the Commission. Mr. Agresta has not located an original map for the property. Discussion commenced on how excavation is not actually his business; it is just a byproduct. The Commission looked at aerial maps of the property. Based on the views from 2006 to 2019, the operation area has not increased. Mr. Agresta stated that a more recent aerial view should be available within the next six months. The Commission was satisfied with the aerial maps showing that the excavating area had not increased from 2006 the year of the original approval.

Alternate Rushin was unseated and Commissioners Trella and Tietz were seated at 8:12 p.m.

7. DRAFT ZONING REGULATIONS WORK SESSION

Town Planner Agresta opened the discussion with review of the Section 15 changes. Chairman Wilson acknowledged that Mr. Agresta had implemented the changes requested. The Commissioners were instructed to specify if there were any glaring problems.

Section 16. Permits, Certificates, and Site Plans

A 2 minute recess was taken at 8:19 p.m.

16.1 Zoning Permits

- **16.1.1 Requirements:** minor grammatical changes
- **16.1.2 Zoning Permit**
- **16.1.2.A-B :** This was good as recommended
- **16.1.2.C:** The sentence will be restructured
- **16.1.2.D:** “made in” should be replaced with “submitted”; “shall be” will be removed
- **16.1.2.E:** minor grammatical changes
- **16.1.2.F:** “relating thereto” will be removed
- **16.1.2.G:** This will be reworked into two sentences
- **16.1.3:** Chairman Wilson asked for a description of the section such as who and how building permits are issued. There was discussion if this section was necessary since it was addressed in 16.1.2.B. This section will be revisited after section 16.2 is completed.

8. ADJOURNMENT

MOTION:

To adjourn the meeting at 9:03 p.m.
Made by Chairman Wilson

Respectfully Submitted,

Robyn Wright

Robyn Wright
Clerk for the Zoning Commission

RECEIVED & FILED
IN WOODBURY, CT

This 18 day of Dec 2023
at 11:10 o'clock A M

Maria Mancini
Town Clerk

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