

Town of Woodbury Zoning Commission

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

**MINUTES – DECEMBER 12, 2023
REGULAR MEETING
7:00 P.M. – SENIOR CENTER, 265 MAIN ST. SOUTH**

MEMBERS PRESENT:

Bob Wilson, Chairman
Robert Clarke
Donald Trella (*arrived 7:25 p.m.*)
Ted Tietz

ALTERNATES PRESENT:

Jack Well

MEMBERS ABSENT:

Thomas Amatruda

ALTERNATES ABSENT:

David Primini
Casey Rushin

ALSO PRESENT: Town Planner Will Agresta, Owners 170 Brushy Hill Road

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

2. PENDING AND NEW APPLICATIONS

- a) **23-ZC-0021 – 1 Sherman Hill Road / Map 102, Lot 28A / MQ District Woodbury Scholarship Fund Dollars for Scholars (applicant) 1 Sherman Hill Road (property owner) Temporary (Provisional) Sign per Zoning §7.5.17 (Sign of a Special Nature)**

Chairman Wilson presented the draft approval resolution for consideration to the Commission. He called for questions or comments. Commissioner Clarke asked for clarification of the time frame for the sign. Town Planner Agresta stated that the approval is for the months of November and December. The applicant will need to come for approval every year. Commissioner Clarke made some grammatical corrections to the draft approval.

MOTION:

To approve a Temporary Sign Permit for a “Sign of a Special Nature” per Zoning §7.5.17 as proposed by the Woodbury Scholarship Fund Dollars for Scholars (23-ZC-0021 – 1 Sherman Hill Road / Map 102, Lot 28A / MQ District) to permit the annual installation of a temporary (provisional) civic organization annual fundraising campaign (event) sign per Draft approval Resolution dated December 12, 2023, as amended, subject to conditions. Woodbury Scholarship Fund Dollars for Scholars (applicant), 1 Sherman Hill Road (property owner).

Made by Chairman Wilson, Seconded by Commissioner Tietz

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

Ayes: Wilson, Tietz, Clarke, Well

Nays: None

Abstain: None

Full approval at the end of this document

- a) **23-ZC-0022 – 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 recused himself at 7:04 p.m.

MOTION:

To table coverage of application 23-ZC-0022 and change the agenda to cover “Enforcement” at this time.

Made by Chairman Wilson, Seconded by Clarke

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

Ayes: Wilson, Clarke, Well

Nays: None

Abstain: None

3. ENFORCEMENT

Commissioner Tietz was reseated at 7:06 p.m.

- **21-ENF-0009 – 437 Sherman Hill Road**
Town Planner Agresta stated that he spoke to Classic Turf and instructed them to attend the meeting tonight. They were not able to. They stated that they were continuing reconstructive work to the property. There is progression on the property but not what it should be. The work will most likely not be done until the spring. They could be instructed to attend a meeting in January to work out a timeline for work completion.
- **23-ENF-ZC03 – 170 Brushy Hill Road / Map 42, Lot 12C-A2 / OS-100 District**
Town Planner Agresta explained that the owners contacted him after the Cease & Desist was issued. He stated that they should have come to the last meeting as instructed. He told them to come tonight. Luis Rodriguez, 32 Street, Danbury, addressed the Commission. Mr. Rodriguez confirmed that they have received the Cease & Desist order and are aware of what the town is requiring. The process is taking longer than expected due to a delay with the surveyor. He is supposed to survey the property this week. Once

that is complete, they can file for a building permit. Chairman Wilson explained that regardless of the building permit, they need to remove the accessory structure on the property and the two unauthorized vehicles (the backhoe and the trailer). They are given a grace period of 30 days from when the Cease & Desist was issued. They need to take care of those items within that period so the Town does not proceed with legal action.

The meeting returned to **Pending and New Applications**

- **23-ZC-0022 – 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 recused at 7:17 p.m.

Richard Warren, O & G Industries, addressed the Commission. Mr. Warren explained the renewal application and the documentation provided. The quarry has under 6 million cubic yards of material.

Commission Trella arrived and was seated at 7:25 p.m.

O & G believes this to equate to approximately 31 remaining years at the quarry. They are almost at the maximum area to the North and are looking to start work towards the East near the asphalt plant. Stockpiling materials around the plant also helps to create an additional noise buffer. The use of solar power rather than generators is also reducing noise pollution. There have been five complaints over the two year permit period which is down from seven with the previous permit. Truck traffic has increased slightly. Commissioner Clarke inquired about the protected vernal pool. The pool has been monitored and has had no change. He also asked to check into the restricted area and provide more information at the Public Hearing.

MOTION:

To schedule a Public Hearing (23-ZC-0022 – Stiles Road Quarry / Map 32, Lot 1 / EE District) for the January 23, 2024, Zoning Commission meeting.

Made by Chairman Wilson, Seconded by Commissioner Clarke

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

Ayes: Wilson, Clarke, Well, Trella

Nays: None

Abstain: None

- b) **23-ZC-0023 – 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)**

Mr. Warren explained the renewal application and the documentation provided for this quarry. There are no major changes. There is currently reclamation mining. There were no blasts performed in this quarry in 2023. The main operation is hauling. Reclamation work of the old area on the western slope is being done. There will be blasting in the next years. The quarry is under 850,000 cubic yards of material. That will take about six years to process. Both sites final use of property will cause O & G to come back to Zoning for a plan. Complaints have been down

over the two year period. The most significant complaints are trucking issues. The quarry has revised the routing plan and the neighbors are pleased with the efforts. Trucking traffic is up with 26,000 trips compared to the prior year at 18,000. Commissioner Clarke questioned about the OS60 area on the map and asked where the property ends. Mr. Warren explained the map to Commissioner Clarke and that O & G owns the houses in that zone. Commissioner Trella asked about if there is road damage from all the truck traffic. Mr. Warren stated that O & G has assisted voluntarily with paving projects. Commissioner Trella asked for information on that to show at the Public Hearing.

MOTION:

To schedule a Public Hearing (23-ZC-0023 – Park Road Quarry / Map 88, Lot 5 / EE District) for the January 23, 2024, Zoning Commission meeting.

Made by Chairman Wilson, Seconded by Commissioner Clarke
Vote: 4-0-0 – Approved – Motion Passed
Ayes: Wilson, Clarke, Well, Trella
Nays: None
Abstain: None

Commissioner Tietz was reseated at 7:38 p.m.

4. ADMINISTRATIVE

Chairman Wilson presented the minutes form the November 27, 2023, Zoning Commission meeting for consideration. He called for discussion. There was none.

MOTION:

To approve the minutes of the November 27, 2023, Zoning Commission meeting as presented.

Made by Chairman Wilson, Seconded by Commissioner Clarke
Vote: 5-0-0 – Approved – Motion Passed
Ayes: Wilson, Clarke, Tietz, Well, Trella
Nays: None
Abstain: None

- **Officer Nominating Committee**
All nominations for election to the position of Chairman, Vice Chairman and Secretary should go through the nominating committee. The election will be held on January 9, 2024.

MOTION:

To nominate Commissioner Tietz to head the Nominating Committee

Made by Chairman Wilson, Seconded by Commissioner Clarke
Vote: 5-0-0 – Approved – Motion Passed
Ayes: Wilson, Clarke, Tietz, Well, Trella
Nays: None
Abstain: None

5. PRIVILEGE OF THE FLOOR

There were no comments from the floor.

6. CORRESPONDENCE

There was no correspondence to consider at this time.

7. DRAFT ZONING REGULATIONS WORK SESSION

Chairman Wilson continued discussion of **Section 16: Permits, Certificates and Site Plans.**

16.2 Certificates of Zoning Compliance

16.2.1 Requirements

- **16.2.1.A, B & C:** Good as recommended

16.2.2 Certificate of Zoning Compliance

- **16.2.2.A:** Should include “or designated agent” after “ZEO”.
- **16.2.2.B & C:** Items “B” and “C” should be switched.
- **16.2.2.D:** Should read: “...under the following circumstances.”
- **16.2.2.D.1:** Should read: “When weather conditions cause exceptional...”
- **16.2.2.D.4 & 5:** These items should be changed to letters “E” and “F”
- **16.2.2.E:** Should be changed to 16.2.2.G
- **16.2.2.F:** Should be changed to 16.2.2.H

16.2.3 Building Certificate of Occupancy

- **16.2.3.A & B:** Discussion about adding “or designated agent” after ZEO in both instances. The consensus was to put that information in a more global area and not in every occurrence.

Alternate Well was unseated at 7:57 p.m.

16.2.4 Compliance

- **16.2.4.A & B:** Good as recommended. There was discussion about adding “Zoning Commissioner” in 16.2.4.B. The consensus was to revisit this in the Enforcement section.
- **16.2.4.C:** Remove “hereunder thereby” and add “appropriate” before the word “official”

8. ADJOURNMENT

MOTION:

To adjourn the meeting at 8:15 p.m.

Made by Chairman Wilson

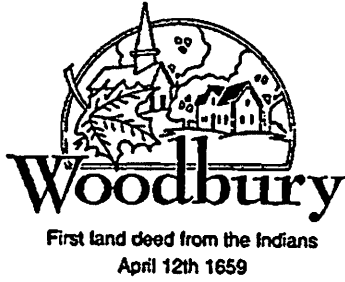
Respectfully Submitted,

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 18th day of Dec 2023
at 12:32 o'clock PM
Maria M. Mancini
Town Clerk



TOWN OF WOODBURY
Zoning Commission
 281 Main Street South
 Woodbury, CT 06798
 203.263.3467 ▪ www.woodburyct.org

TEMPORARY SIGN PERMIT

1 Sherman Hill Road

**Temporary (Provisional) Civic Organization Dollars for Scholars Sign
 23-ZC-0021**

Date of Approval December 12, 2023

Applicant	Woodbury Scholarship Fund Dollars for Scholars
Owner	1 Sherman Hill Road, LLC / Lombard Group Waterbury II, LLC
Application	23-ZC-0021 – Temporary Sign Permit for a “Sign of a Special Nature” per Zoning §7.5.17
Project	Installation of a Temporary (Provisional) Civic Organization Annual Fundraising Campaign (Event) Sign measuring 32 sf (4 ft x 8 ft) at the corner of Routes 6 and 64 on property located at 1 Sherman Hill Road for a period not to exceed two (2) months (November and December).
Address	1 Sherman Hill Road, Assessor Map 102, Lot 28A
Site Acreage	3.53 acres
Zone	MQ District

WHEREAS the Town of Woodbury Zoning Commission (“Commission”) has received an application as submitted by the applicant/owner listed above seeking a Temporary Sign Permit for a “Sign of a Special Nature” pursuant to Zoning §7.5.17 of the Zoning Regulations to implement the “project” as described herein; and

WHEREAS no impacts or disturbances to regulated inland wetlands, watercourses, or 100-foot upland review areas are proposed, thus there is no corresponding report or approval required from the Woodbury Inland Wetlands and Watercourses Agency. The subject property is not located within 500 feet of a municipal boundary nor a regulated 100-year floodplain. The subject property is located within an Aquifer Protection District, but the temporary sign is not a restricted use, nor does it pose any measurable impact to the aquifer; and

WHEREAS application materials include details and photo images of the sign, and the Commission has carefully considered all the information submitted and received, including all verbal, and written public commentary; and

WHEREAS this action does not eliminate the necessity for the applicant to obtain any other required local, state or federal permits and approvals;

NOW THEREFORE BE IT RESOLVED upon careful consideration of the information received, the Commission, in accordance with §7.5.17 of the Zoning Regulations, hereby determines the following:

- The Commission is authorized pursuant to Zoning §7.5.17 to approve a “Sign of a Special Nature” for a sign not specifically called out by the Zoning Regulations but which is most closely related to a permitted sign as determined by the Commission;

- The proposed sign seeks to advertise and promote a nonprofit civic organization annual fundraising campaign event by installation of a temporary sign;
- The proposed sign is most closely related to a “Temporary (Provisional) Event Sign” of a “Civic Organization” given its proposed duration for a maximum of two (2) months (November and December);
- The size of the proposed sign is reasonable for the purpose of the sign and most closely relates to the maximum sign size otherwise allowed in the Middle Quarter District where the sign is proposed;
- The material and mounting of the proposed sign are similar to other permitted temporary signs;
- The owner of the subject property has authorized the use of its property for no remuneration; and

BE IT FUTHER RESOLVED based on the above findings, the Commission hereby **APPROVES** the application for a Temporary (Provisional) Sign Permit, subject to the conditions and modifications set forth below; and

BE IT FURTHER RESOLVED this approval is specific to that detailed herein and the sign details as endorsed as “approved” by the Zoning Commission / Town Planner, **subject to the following modifications and conditions:**

1. **Endorsement of Temporary Sign Details** – The Town Planner shall endorse the sign details as submitted as “Approved” by the Zoning Commission.
2. **Duration** – Installation of the temporary sign shall be limited to the months of November and December, annually, subject to obtaining an annual Zoning (Sign) Permit a minimum of thirty (30) days prior to the installation of the sign, which annual renewal shall be accompanied by a letter from the property owner authorizing the temporary use of the subject property without benefit of any kind of remuneration.
3. **Changes** – Any variation from or alteration of the sign **SIZE** (except if made smaller), **LOCATION, APPEARANCE, PURPOSE, or DURATION** shall require the prior review and separate approval of an amended Temporary Sign Permit from the Zoning Commission.
4. **Sign Maintenance** – The temporary sign shall be maintained upright and in good working order for the temporary duration the sign is installed at the property location.
5. **Prior Conditions of Approval** – This approval in no way grants or otherwise alters any prior zoning permit, conditions, or requirements applicable to the use, development and performance of the subject premises and the improvements thereon. Any and all prior conditions shall remain in full force and effect.
6. **Applicant/Owner Acceptance** – Acceptance of this approval shall be evidenced by the passage of the appeal period, indicating the applicant/owner’s agreement that this approval is contingent upon the strict compliance with the Town Regulations and the modifications and requirements set forth herein.
7. **Approval Compliance** – Failure to maintain compliance with this approval and the associated sign details as endorsed as approved shall constitute a violation of the terms of this approval and the Zoning Regulations, subject to revocation.

MOTION

Made by **WILSON**, Seconded by **TIETZ**

Vote: 4-0-0 – **APPROVED** – Motion **PASSED**

Aye	Wilson, Clarke, Tietz, Well
Nay	None
Abstain	None