



TOWN OF WOODBURY
ZONING COMMISSION
281 Main Street South
Woodbury, CT 06798
203.263.3467 ~ www.woodburyct.org

REGULAR MEETING MINUTES
February 22, 2022 – 7:00 P.M.
Oreanaug Firehouse, 25 Quassuk Road

MEMBERS PRESENT:

Robert Clarke
Thomas Amatruda
Theodore Tietz, Jr.
Donald Trella
Bob Wilson

ALTERNATES PRESENT:

Elmer Kiessling
Casey Rushin

MEMBERS ABSENT:

ALTERNATES ABSENT:

John H. Well

ALSO PRESENT:

William Agresta, Town Planner
Tom Kaelin, Town Attorney

Ron Wolff, PE
Brian Baker, Civil One

Gail McTaggart, Attorney
Interested Parties – Listed Below

REGULAR MEETING

The meeting was convened at 7:07 PM.
Seated for the meeting were Members Amatruda, Clarke, Tietz, Trella, and Wilson.
Tietz recused; Kiessling seated.
Amatruda recused; Rushin seated.
Members were reminded of the Conflict-of-Interest Statutes and the Town Charter.
There were no remote attendees.

PUBLIC HEARINGS

22-ZC-0001 – Jason Carroll, Peter Carroll & Joseph Heron / 69 Sanford Road / Map 21, Lot 34
Zoning Map Boundary Amendment Petition seeking to change a 19.67 acres portion of land zoned OS-60 to PI District / Gertrude and Christopher Hardisty and Susan Hanrahan, Trustees of the Chester Hardesty Trust, owner. *CH by 03/29/22*

The Legal Notice was read into the record. The Town Planner confirmed the notice was published on the web and posted at the Senior Center. The Certified Mail return receipts were added to the file.
Ron Wolff, PE presenting: the subject property has been surveyed and soil tested. Color-coded maps illustrated the property and abutters. The proposal is to re-classify 18.1 acres of OS-60 to PI, consolidating with 12.14 abutting acres of PI for a total of 30.24 acres. The topographic map shows steep slopes to the west of the existing OS-60 acreage. The site map shows two potential building locations at the peak of the “knob”, toward Bacon Pond Road; setbacks, the wetlands to the South, the watercourse along the East boundary of the PI Zone were delineated. The Planning Commission supports the application as consistent with the Plan of Conservation and Development (POCD). The lot lines initially considered were moved to reduce the foot-print, providing a larger buffer to the current residential zone. The plan is consistent with the PI zoning regulations in place on the portion of the property not developed due to extreme slopes. Re-classifying the portion of OS-60 requested

makes the property developable and consistent with both current Zoning Regulations and the POCD. The Planning Commission report was read into the record.

Questions?

Rushin: Where do proposed borders meet existing lot lines? The borders follow existing property boundaries, with the southern borders protected by wetlands and topography.

Trella: How many people present will comment on the proposal? Approximately 8 of approximately 22.

Kiessling: Does the driveway off Bacon Pond Road meet grade requirements? Yes.
Is the proposed driveway wide enough to be a road? Yes.

Public Comments – The following provided comments:

Peter Bartoli-64 Sanford Road	Brian Davis-49 Sanford Road	Barbara Bradbury-114 Tuttle Road
Resident @-18 Crane Road	Jose Lopez-181 Joshua Hill Road	Pam Gengenbach-33 Sanford Road
Robert Smith-99 Great Hollow Road		Penelope Eastham-78 Sanford Road

Those providing commentary expressed the following:

Con:

The building sizes are not specified; how did you determine how much acreage to reclassify? Was there a traffic study? The buildings impact ridge-line views; property values will be negatively affected. The area is residential; why was this location chosen for a change? The property is currently recorded as “open space”; why change it to PI? The records regarding the property are contradictory; where are accurate records? People purchased based on the assumption their property was protected; the change removes that perceived protection. An alternative to reclassification is donation to Flanders Nature Center. Were the negative health impacts of petroleum toxicity considered? There is no evidence of health studies. What assures the wetlands will not be impacted? Residents anticipated more residential development, not commercial. How will residents be protected from financial impacts? Residents using the property for recreational purposes will lose access to the property.

Pro:

This is Woodbury’s “industrial” area; we need more industrial space/development.

Responses to residents comments and questions include:

The traffic study predicts an increase of 113 trips per day for residential development versus 45 per day for commercial. The driveway was intentionally sited on Bacon Pond Road to avoid a traffic increase on Sanford Road. Wetlands buffer abutting properties. Further site-specific planning could be part of the process at application time. There are still 20.29 acres of OS-60 zone on the parcel, buffering abutting properties. The traffic study was based on the proposed use, not all allowable uses. The specific location was selected due to the unfavorable topography. It was reiterated: this is a zone-change request, not a request to redraw property boundaries. The Town Planner described the process for requiring a super-majority vote. Residents were encouraged to talk with the owners/developers to find common ground.

MOTION

To CLOSE the Public Hearing.

Made by Chairman Clarke, No Second.
No Vote.

MOTION

To HOLD OPEN the Public Hearing until the first meeting in March, to be held at the Senior Center.

Made by Chairman Clarke, Seconded by E. Kiessling
Vote: 5-0-0; MOTION PASSED

22-ZC-0002 – Woodbury Shops South, LLC / Middle Quarter District

Zoning Text Amendment Petition to amend the Zoning Regulations pertaining to the Middle Quarter District to add a new Section 5.2.6 to permit consolidated and integrated site development of abutting properties. *CH by 03/29/22*

The application was read into the record.

Unseat Rushin, reseal Amatruda.

Unseat Kiessling, reseal Tietz.

The legal Notice was read into the record.

Attorney McTaggart explained the intent of the application is to allow more efficient use of setbacks, increasing the usable space for parking and circulation. Read justifications to commissioners. Explained the need for cross-easements and setback protections. Requires shared use and insurances. Requires special permit. If any party withdraws from the agreement, the affected lots return to their original Zoning status. The Planning Commission reports the change is consistent with the POCD.

Questions?

Commissioners: Do applications require Town approval? Yes.

Public: Does it allow building expansions? No.

MOTION

To CLOSE the Public Hearing.

Made by Chairman Clarke, Seconded by B. Wilson

Vote: 5-0-0; MOTION PASSED

22-ZC-0003 – Marcus Ventures Inc. / 466 Main Street North / Map 23, Lot 31B-3

Special Permit & Site Plan applications to construct a commercial self-storage facility pursuant to Zoning SS5.3.2H / DDS Properties LLC (owner) *CH by 03/29/22*

The application was read into the record.

The legal Notice was read into the record.

The property has been surveyed. Topographic maps were added to the application. The site has prior approvals. Well and septic space will be untouched. The building will be one-story. Proposed hours of operation are 6:00 AM to 10:00 PM. The facility is self-contained and remotely operated. Items allowed to be stored under contract are restricted: to explosives, motor vehicles, petro-chemicals. Landscape buffers will protect adjoining properties views.

Questions?

Commissioners: No.

Public: Is a copy of the lease agreement available? Yes.

Is the lighting plan available? Yes.

Are leases allowed to drive into buildings? No.

Are you proposing alternate uses on the site? No.

MOTION

To HOLD OPEN the Public Hearing until the first meeting in March, to be held at the Senior Center.

Made by Chairman Clarke, Seconded by D. Trella

Vote: 5-0-0; MOTION PASSED

NEW APPLICATIONS

None.

ENFORCEMENT

21-ENF-0008 – Bever / 46 Leavenworth Road / Map 70, Lot 48-12

Unauthorized construction of pavilion structure over existing septic system (NPV sent 10/27/21)
Received Health Approval – Pending construction of new septic system.

MOTION

To TABLE discussion until the first meeting in March, to be held at the Senior Center.

Made by Chairman Clarke, Seconded by T. Amatruda
Vote: 4-0-1; MOTION PASSED

Unseat Trella.
Seat Rushin.

MOTION

To TABLE discussion until the first meeting in March, to be held at the Senior Center.

Made by Chairman Clarke, Seconded by T. Amatruda
Vote: 5-0-0; MOTION PASSED

21-ENF-0009 – Eren / 437 Sherman Hill Road / Map 4, Lot 8A

Unauthorized site development activities, including excavation; and unauthorized structures (NPV sent 12/07/21)
Pending receipt of application to Zoning Commission

MOTION

To TABLE discussion until the first meeting in March, to be held at the Senior Center.

Made by Chairman Clarke, Seconded by C. Rushin
Vote: 5-0-0; MOTION PASSED

Unseat Rushin.
Seat Trella.

22-ENF-0001 – Chris Teixeira / 466 Flanders Road / Map 94, Lot 16-A

Unauthorized land filling; and unauthorized parking and storage of commercial vehicle (NPV sent 12/28/21) –
Pending separate enforcement action by Inland Wetlands

The soil scientist is working on their analysis.

MOTION

To TABLE discussion until the first meeting in March, to be held at the Senior Center.

Made by Chairman Clarke, Seconded by T. Tietz
Vote: 5-0-0; MOTION PASSED

22-ENF-0002 – Richard & Christine Groben / 1053 Main Street North / Map 10, Lot 24-B

Unauthorized parking and storage of commercial vehicles and equipment; and unauthorized housing of animals within applicable setback (NPV sent 02/03/22)

MOTION

To TABLE discussion until the first meeting in March, to be held at the Senior Center.

Made by Chairman Clarke, Seconded by T. Tietz

Vote: 5-0-0; MOTION PASSED

DELIBERATIONS/DETERMINATIONS

T. Amatruda requested a motion to adjust the agenda allowing discussion of 22-ZC-0002 – Woodbury Shops South, LLC / Middle Quarter District.

MOTION

To MODIFY the agenda to discuss application 22-ZC-0002 – Woodbury Shops South, LLC / Middle Quarter District.

Made by T. Amatruda, Seconded by B. Wilson

Vote: 5-0-0; MOTION PASSED

B. Clarke would like time to consider the application; T. Tietz agrees. B. Clarke wants time to draft the Motion. T. Amatruda wants to approve the application during the meeting. B. Wilson wants to see the Motion. The Town Planner will draft a motion to approve the application.

21-ZC-2120 – CT Clinical Services, Inc., Turnbridge / 15 Woodside Circle / Map 56, Lot 16-3

Attorney Kaelin is invited to participate during an Executive Session.

The Voices reporter acknowledges they must be disconnected.

MOTION

To ENTER Executive Session at 9:45.

Made by D. Trella, Seconded by T. Amatruda

Vote: 4-1-0; MOTION PASSED

The clerk exits.

21-ZC-2121 – CT Clinical Services, Inc., Turnbridge / 640 Washington Road / Map 56, Lot16D-2

MOTION

To EXIT Executive Session.

Made by , Seconded by B. Wilson

Vote: 5-0-0; MOTION PASSED

Out of Executive Session at 11:02

MOTION

To TABLE discussion of 21-ZC-2120 – CT Clinical Services, Inc., Turnbridge / 15 Woodside Circle / Map 56, Lot 16-3 and 21-ZC-2121 – CT Clinical Services, Inc., Turnbridge / 640 Washington Road / Map 56, Lot16D-2 until the first meeting in March, to be held at the Senior Center.

Made by Chairman Clarke, Seconded by T. Tietz

Vote: 5-0-0; MOTION PASSED

Select Items from this Agenda – As Determined Ready by the Commission

Meeting Minutes

12/14/21 Meeting

MOTION

To APPROVE the Minutes of the 12/14/21 meeting with corrections.

Made by B. Clarke, Seconded by B. Wilson

Vote: 5-0-0; MOTION PASSED

01/11/22 (cancelled meeting due to inoperable phone-in option)

MOTION

To APPROVE the Minutes of the 1/11/22 meeting.

Made by B. Clarke, Seconded by B. Wilson

Vote: 5-0-0; MOTION PASSED

01/25/22 Meeting

MOTION

To APPROVE the Minutes of the 1/25/22 meeting with corrections.

Made by B. Clarke, Seconded by T. Tietz

Vote: 5-0-0; MOTION PASSED

02/08/22 Meeting

MOTION

To APPROVE the Minutes of the 02/08/22 meeting with corrections.

Made by B. Clarke, Seconded by D. Trella

Vote: 5-0-0; MOTION PASSED

OTHER BUSINESS

None

PRIVILEGE OF THE FLOOR

None

CORRESPONDENCE

CT Federation of Planning and Zoning Meeting: reservations due by March 22.

ADJOURNMENT

ADJOURNMENT

MOTION:

To ADJOURN the meeting at 11:14 P.M.

Filed subject to approval.

Respectfully Submitted,

Edward S. De Cortin

Substitute Clerk

RECEIVED & FILED
IN WOODBRURY, CT
4th day of Mar 22
at 4:00 o'clock P.M.
Maria M. Mancini
Town Clerk