

# 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 – MAY 14, 2024 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

### ALTERNATES PRESENT:

Jack Well

### MEMBERS ABSENT:

### ALTERNATES ABSENT:

Casey Rushin  
Jake Amorando

**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 Trella  
CONFLICT OF INTEREST (*CGS Section 8-11 & Woodbury Town Charter Section 901*)

### 2. PENDING APPLICATIONS

- **24-ZC-0008 – 694 Main Street South / Map 102, Lot 22-D-1 / MQ District  
Good News Cafe, LLC (owner/applicant) Special Permit/Site Plan Amendment:  
*Pending Submission of Additional Information***

Town Planner Agresta stated that with the change of ownership, this application has been withdrawn. The new owner will submit a new application for any changes.

**3. DELIBERATIONS / DETERMINATIONS**

- a) **23-ZC-0024 – 215 Main Street South / Map 104, Lot 73A / MSD District and HD#1  
215 Mainwood, LLC (applicant/owner)**

**Special Permit / Site Plan Approval Amendment – Installation of ADA access ramp over existing walkway, extend side porch and install two (2) new exterior doors.**

Town Planner Agresta recapped the history of the application. The application had been referred to the Planning Commission. The Planning Commission approved the application finding it consistent with the POCD. The application was also referred to the Historic District Commission. Approval of the application has been received from the HDC as well. Chairman Wilson presented the draft approval resolution for consideration. He called for comments or questions. Commissioner Clarke questioned why the HDC Certificate of Appropriateness had not been signed. Mr. Agresta stated that the copy in the file had been signed.

**MOTION:**

To approve the Special Permit per the Draft Approval Resolution dated May 14, 2024, on application **23-ZC-0024 – 215 Main Street South / Map 104, Lot 73A / MSD District and HD#1** as presented.

Made by Chairman Wilson, Seconded by Commissioner Tietz

Vote: 5-0-0 – Approved – Motion Passed

Ayes: Wilson, Amatruda, Clarke, Tietz, Trella

Nays: None

Abstain: None

*Full approval is attached to the end of this document*

- b) **23-ZC-0022 – 11 Stiles Road / Stiles Road Quarry / Map 32, Lot 1 / EE District  
O&G Industries Inc.  
Modification of Conditions of Approval 2024-2025 Renewal**

*Commissioner Tietz was unseated and Alternate Well was seated at 7:05 p.m.*

Town Planner Agresta recapped the modifications being requested in the Special Permit renewal. The new draft approval has changes to conditions 1 and 3F from the original permit renewal as was discussed at the April 23, 2024, Zoning Commission meeting.

**MOTION:**

To approve the Special Permit Modification per the Draft Approval Resolution dated May 14, 2024, on application **23-ZC-0022 – 11 Stiles Road / Stiles Road Quarry / Map 32, Lot 1 / EE District** as presented.

Made by Chairman Wilson, Seconded by Commissioner Trella

Vote: 5-0-0 – Approved – Motion Passed

Ayes: Wilson, Amatruda, Clarke, Trella, Well

Nays: None

Abstain: None

*Full approval is attached to the end of this document*

*Alternate Well was unseated and Commissioner Tietz was reseated at 7:12 p.m.*

**MOTION:**

To modify the agenda to cover the “Correspondence” section prior to “Administrative”

Made by Chairman Wilson, Seconded by Commissioner Trella

Vote: 5-0-0 – Approved – Motion Passed

Ayes: Wilson, Amatruda, Clarke, Trella, Tietz

Nays: None

Abstain: None

**4. CORRESPONDENCE**

- O&G letter, dated 5/6/24  
The letter logged two blast related complaints for the month of April. Mr. Warren, agent for O&G, explained that the blasts were within the recommended limits. Ms. Fogle’s complaint on 4/16/24 could have been a result of a different employee conducting the blasting that day. This could result in the timing of the sequential blasts being different than the standard, resulting in the vibration being more noticeable. New monitors will be set up as a result. The other complaint went directly to the Fire Marshal. All specific blast information will be reported on the next quarterly report.

**5. ADMINISTRATIVE**

Chairman Wilson presented the minutes of the April 23, 2024, Zoning Commission meeting for consideration. He called for discussion. Commissioner Clarke asked for clarification on the variance referenced in Section 2.1.

**MOTION:**

To approve the minutes of the April 23, 2024, Zoning Commission meeting as amended:

- Section 2.1- second sentence should read: “...operations under the issued ZBA variance.”

Made by Commissioner Clarke, Seconded by Chairman Wilson

Vote: 5-0-0 – Approved – Motion Passed

Ayes: Wilson, Amatruda, Clarke, Trella, Tietz

Nays: None

Abstain: None

**6. PRIVILEGE OF THE FLOOR**

Kathy Doyle, 35 Washington Rd., addressed the Commission. Ms. Doyle inquired as to how close the Commission is to finishing the draft regulations. Chairman Wilson explained that there is still a significant amount of work to be done prior to going to a Public Hearing. Commissioner Amatruda pointed out that the minutes reflect the work being done. The time frame now is by the end of the year.

Commissioner Amatruda pointed out the CFPZA Spring 2024 newsletter. He noted the information presented on how non-conforming uses can be intensified. The information states that “no matter how created, all non-conforming uses can intensify which is often defined as more of the same.” Discussion

continued on this topic and what it means. Discussion then continued on to the CFPZA conference in March that covered short-term rentals and the many unsuccessful attempts to prohibit them. There is a Senate Bill no. 335 in the state regarding using a town ordinance for this use, but that would impair the authority of the Zoning Commission to regulate the activity. Mr. Agresta also mentioned the bill relating to conversion of commercial buildings to residential use.

Commissioner Clarke inquired about a new alternate member. Mr. Agresta stated that a new member, Jake Amorando, had been sworn in at the last BoS meeting. He was a previous member of the ZBA and could not make it tonight.

## **7. DRAFT ZONING REGULATIONS WORK SESSION**

Chairman Wilson began the work session starting with section 17.5. There was a lot of discussion on understanding bonds that are held for soil, erosion controls and site stabilization. The Commission will be more aware of bonds on an application going forward.

### **17.5 Bonds**

#### **17.5.1 Financial Guarantee**

- **17.5.1.A:** replace “required documents” with “supporting documents”
- **17.5.1.B:** No changes made
- **17.5.1.C:** “...posted by one or more of the following...”
- **17.5.1.D:** No changes made
- **17.5.1.E:** “contingency amount to be a minimum of 10% of such costs...”
- **17.5.1.F:** reword to eliminate “as if let to bid”
- **17.5.1 G:** No changes made
- **17.5.1.H:** remove “not later than” and replace with “within”
- **17.5.1.I:** Minor word changes

#### **17.5.2 Completion of Work**

- This statement will be reworded to include “shall render the approval null and void”

### **17.6 Zoning Board of Appeals**

#### **17.6.1 Powers and Duties**

- **17.6.1.A & B:** No changes made

#### **17.6.2 Appeals**

- **17.6.2.A:** This will be cleaned up
- **17.6.2.B.1-3:** No changes made

#### **17.6.3 Hardship Variances**

- **17.6.3.1-5:** No wording changes made. Numbering and subjugating changes

#### **17.6.4 Variances Reducing a Non-Conforming Use**

No changes made

**17.6.5 Variance Approvals**

- 17.6.5.A-D: No changes made

**17.6.6 Special Permits**

- 17.6.6.A: Minor changes to opening statement
- 17.6.6.A.1-6: This will be cleaned up and the numbering and subjugated letters changed accordingly.
- 17.6.6.B: No changes made

**17.6.7 Applications**

- 17.6.7.A: Minor changes made
- 17.6.7.B: The word “exactly” replaced with “precisely”
- 17.6.7.C: Minor changes made
- 17.6.7.D: The Commission would like feedback from the ZBA on this issue
- 17.6.7.E: The sentence will stop after the word “fee”
- 17.6.7.F: This will be reworded
- 17.6.7.G: Minor grammatical changes

**8. ADJOURNMENT**

**MOTION:**

To adjourn the meeting at 8:52 p.m.  
Made by Chairman Wilson

Respectfully Submitted,

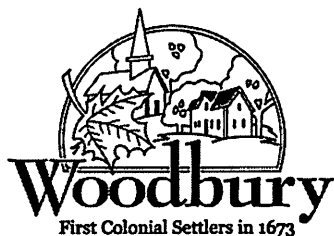
*Robyn Wright*

Robyn Wright  
Clerk for the Zoning Commission

RECEIVED & FILED  
IN WOODBURY, CT

This 20<sup>th</sup> day of May 2024  
at 12:49 o'clock P M  
*Maria M Mancini*  
Town Clerk

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



# TOWN OF WOODBURY

## Zoning Commission

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### EARTH MATERIALS PERMIT (RENEWAL) APPROVAL

### APPROVAL MODIFICATION

### 23-ZC-0022 – 11 Stiles Road / Great Hollow Road, Stiles Road Quarry O&G Industries. Inc. (Owner/Applicant)

Date of Approval	May 14, 2024
Effective Date	May 14, 2024
Permit Expiration*	Same as February 27, 2024 Approval *Subject to Renewal

Applicant	O&G Industries, Inc.
Owner	O&G Industries, Inc.
Application	23-ZC-0022 – Earth Materials Permit (Renewal) - MODIFICATION
Project	2-Year (2024-2025) renewal to continue earth materials excavation and processing
Address	11 Stiles Road/Great Hollow Road (Stiles Road Quarry) Assessor Map 32, Lots 1 and 1A
Site Acreage	385.39 acres
Zone	Lot 1 – (EE) Earth Excavation District Lot 1A – (EE) Earth Excavation District and OS-60 District (portion not included in permit)

WHEREAS on February 27, 2024, the Woodbury Zoning Commission (“Commission”) approved permit renewal application 23-ZC-0022 as submitted by O&G Industries, Inc. (Applicant/Owner) for the continued operations at the Stiles Road Quarry for an additional two (2) years covering the years 2024 and 2025 of its Earth Materials Permit in accordance with §5.5 and §7.9 of the Town of Woodbury Zoning Regulations (“Zoning Regulations”) on property located at 11 Stiles Road (Assessor Map 32, Lot 1) and the EE District portion of abutting property at Great Hollow Road (Assessor Map 32, Lot 1A); and

WHEREAS the applicant has requested the following modifications to certain renewal conditions included in the February 27, 2024, Permit Renewal (2024-2025) approval Resolution:

- **Modification of the fourth bullet note required per Condition 1 as follows:**

Imported millings may be temporarily stockpiled and screen processed for the sole use in the asphalt mix as produced by the site’s asphalt plant. Such processing operations shall not occur between the hours of 6:00 pm and 8:00 am, nor on weekends or federal, state or town holidays as defined in Zoning Regulations §7.9. The millings shall be solely used in the asphalt mix in the site’s plant; no separate sale or use of the millings (raw or screened) shall be authorized or permitted.

- **Modification of Condition 3f as follows:**

The applicant may stockpile and conduct screen processing of imported millings for sole use in the asphalt mix as produced on the site. Such processing operations shall not occur between the hours of 6:00 pm and 8:00 am, nor on weekends or federal, state or town holidays as defined in Zoning Regulations §7.9. The millings shall be solely used in the asphalt mix in the site's plant; no separate sale or use of the millings (raw or screened) shall be authorized or permitted.

**WHEREAS** the Commission has carefully considered all the information submitted and received;

**NOW THEREFORE BE IT RESOLVED** upon careful consideration of the information received, the Commission, in accordance with §5.5 and §7.9 of the Zoning Regulations, hereby approves the modifications to the February 27, 2024 Approval Resolution for Earth Materials Permit Renewal (2024-2025), subject to the modifications and conditions set forth below; and

**BE IT FURTHER RESOLVED** the Commission hereby authorizes the publishing and filing of a Notice of Decision as required; and

**BE IT FURTHER RESOLVED** this approval is specific to that detailed herein, subject to the following modifications and conditions:

#### **CONDITIONS OF MODIFICATION APPROVAL**

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1. The February 27, 2024, Permit Renewal (2024-2025) conditional approval shall be modified as follows:

- a. Condition 1, fourth bullet – The required note to be included on the final Site Plans shall be modified (revised) to now read as follows:
  - ***Imported millings may be temporarily stockpiled and screen processed for the sole use in the asphalt mix as produced by the site's asphalt plant. Such processing operations shall not occur between the hours of 6:00 pm and 8:00 am, nor on weekends or federal, state or town holidays as defined in Zoning Regulations §7.9. The millings shall be solely used in the asphalt mix in the site's plant; no separate sale or use of the millings (raw or screened) shall be authorized or permitted.***

b. Condition 3.f – The condition shall be modified (revised) to now read as follows:

3.f The applicant may stockpile and conduct screen processing of imported millings for sole use in the asphalt mix as produced on the site. Such processing operations shall not occur between the hours of 6:00 pm and 8:00 am, nor on weekends or federal, state or town holidays as defined in Zoning Regulations §7.9. The millings shall be solely used in the asphalt mix in the site's plant; no separate sale or use of the millings (raw or screened) shall be authorized or permitted.

2. **Prior Conditions** – All other prior conditions shall remain (unchanged) in full force and effect.

3. **Recording of Land Records Information Form** – The February 27, 2024 Permit Renewal Approval Resolution shall be revised accordingly to reflect the MODIFICATIONS approved herein, and said revised Resolution shall be recorded on the Woodbury Land Records along with the **Land Records Information Form** as provided by the Land Use Office and otherwise required per Condition 2 of the February 27, 2024, Permit Renewal.
4. **Applicant/Owner Acceptance** – Acceptance of this approval shall be evidenced by the passage of the appeal period and the recording of the Land Records Information Form, 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.
5. **Approval Compliance/Changes** – Failure to maintain compliance with the approved final Site Plans shall constitute a violation of the terms of this approval and the Zoning Regulations, subject to revocation. Any variation from or alteration of the approved final Site Plans shall require prior review and separate approval and permit.

**MOTION**

Made by **WILSON**, Seconded by **TRELLA**

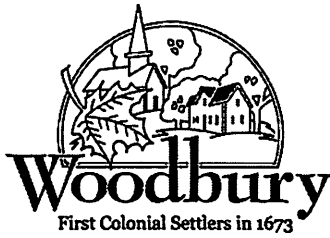
Vote: 5-0-0 – **APPROVED** – Motion **PASSED**

Aye Wilson, Trella, Clarke, Amatruda, Well

Nay None

Abstain None





# Town of Woodbury Zoning Commission

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## **SPECIAL PERMIT / SITE PLAN AMENDMENT APPROVAL**

### **23-ZC-0024 – 215 Main Street South**

**ADA Ramp, New Doors and Extend Side Porch  
215 Mainwood, LLC (applicant/owner)**

Date of Approval	May 14, 2024
Permit Expiration	May 14, 2029

Applicant	215 Mainwood, LLC – Raymond Manzi (agent)
Owner	215 Mainwood, LLC
Application	23-ZC-0024 – Special Permit / Site Plan Amendment
Project	Amendment of Special Permit / Site Plan Approval for ADA access ramp over existing walkway, extend side porch and install two (2) new exterior doors.
Address	215 Main Street South, Assessor Map 104, Lot 73A
Site Acreage	0.83 acres
Zone	MSD District and Historic District #1

**WHEREAS** the Town of Woodbury Zoning Commission (“Commission”) has received application **23-ZC-0024** as submitted by the applicant/owner listed above seeking (Amendment) Special Permit / Site Plan Approval pursuant to Zoning §5.1, §7.3 and §8.2.8 of the Zoning Regulations of the Town of Woodbury (“Zoning Regulations”), to implement the “project” as described herein; and

**WHEREAS** the project seeks to amend and modify the prior Commission approved Special Permit / Site Plan Approvals granted for the subject property; 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; and

**WHEREAS** the subject property is not located within 500 feet of a municipal boundary, an Aquifer Protection District, or a 100-year floodplain; and

**WHEREAS** application materials received include the following:

- Application for Special Permit/Site Plan (Amendment);
- SP-1 – Site Plan, 02/01/24;
- Floor Plan showing existing and new door placements;
- Site and Building Photos;
- ADA Ramp Details; and

WHEREAS on March 6, 2024, the Planning Commission, following a referral thereto pursuant to Zoning §5.1.9A, responded favorably (24-PC-0001) indicating the proposed application was consistent with the POCD, particularly given that *“The project will provide improved ADA access in continued support of the adaptive reuse of the existing historic structure within the center of town,”* and

WHEREAS the subject property is partially located within Historic District #1, for which multiple Certificates of Appropriateness have been granted (23-HD-0036 / March 4, 2024, and 24-HD-0011 / May 6, 2024) by the Historic District Commission in support of the whole project; and

WHEREAS 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 or obviate 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 §8.2.8 of the Zoning Regulations, hereby determines the proposal to be minor in nature that does not change the existing approved Special Permit use and as such does not warrant the need for a public hearing, and further hereby **APPROVES** the application for Amendment of Special Permit / Site Plan, subject to the conditions and modifications set forth below; and

BE IT FURTHER RESOLVED this approval shall amend and supplement, not replace, prior Zoning Commission approvals for the subject premises; and

BE IT FURTHER RESOLVED the Commission hereby authorizes the publishing and filing of a Notice of Decision as required; and

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

**A. Prior to Issuance of a Zoning Permit or Commencement of any Related Site Work or Disturbance**

*The following shall be completed by the applicant prior to the authorized issuance of a Zoning Permit and commencement of any related site work or disturbance.*

1. **Final Plans** – The plans presented shall be endorsed as “approved” by the Agency / Town Planner with notation referencing the following:
  - **23-ZC-0024 – Approval Date: May 14, 2024, Expiration Date: May 14, 2029.**
  - **All prior conditions and requirements of prior approvals shall remain in full force and effect.**
2. **Recording of Land Records Information Form** – Upon completion of Condition #1 and prior to issuance of a Zoning Permit, the applicant shall record on the Woodbury Land Records a **Land Records Information Form** as provided by the Land Use Office and containing this approval.
3. **Other Required Permits** – Required **Historic, Health, Zoning, Sign and/or Building Permits** shall be separately obtained by the applicant prior to any site work or construction.

**B. Conditions During Construction**

1. No site work or construction shall commence until the limits of disturbance have been clearly marked in the field, erosion and sedimentation control devices have been properly installed, and inspected by the Land Use Office. The Land Use Office shall be provided a minimum of 48-hours of notice for inspection.
2. The applicant shall maintain and supplement the erosion and sedimentation controls as needed, including dust suppression as may be necessary, and the Land Use Office may require additional controls as may be deemed necessary or warranted.
3. The Land Use Office shall be duly apprised of the status and progress of site work throughout construction, and promptly notified as to an issues or potential deviations in completing the site work as designed and approved, so either appropriate minor field changes may be authorized by the Land Use Office or the need for new or modified permit approval can be identified.

**C. Post Construction Compliance and Permit Closure**

1. **As-Built Plan** – Upon completion of the approved improvements, an As-Built Plan suitably detailing the completed improvements shall be provided by the applicant in a form, content and number as acceptable to the Land Use Office to determine permit compliance and satisfactory completion consistent with this approval and the endorsed final Site Plans.
2. **Final Inspection** – The applicant shall request the Land Use Office conduct a final inspection for determination of permit completion, subject to verification of the following:
  - All improvements have been completed consistent with the approved final Site Plans.
  - All disturbed areas have been stabilized and landscaping is exhibiting healthy growth cover.
  - The site has been cleaned of construction related equipment, materials, and debris.
  - All erosion controls have been appropriately removed and disposed of following Land Use Office confirmation that the site is stabilized.
3. **Continuing Conditions of Operation Following Authorized Occupancy and Use**
  - The premises and improvements shall be maintained in good working order and shall be regularly maintained to function as designed free of debris, sediment, and litter.
  - Appropriate and timely snow removal shall occur so there is no plowed snow stored within travel lanes, parking spaces or over landscaping to its detriment. No snow shall be plowed into or upon any abutting street right-of-way.
  - Permitted parking and loading shall be limited to designated locations only. No unauthorized on-site parking or exterior storage shall be permitted.
  - Site landscaping shall continue to be maintained in healthy growing condition. Dead, damaged, or diseased landscaping shall be replaced in kind promptly.
4. **Applicant/Owner Acceptance** – Acceptance of this approval shall be evidenced by the passage of the appeal period and the recording of the Land Records Information Form, 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.

5. **Prior Conditions of Approval** – All prior conditions, requirements, time periods and bonds of the original related approvals shall remain in full force and effect. The conditions, modifications and requirements as set forth herein shall be in addition to those of the original approvals.
6. **Approval Compliance/Changes** – Failure to maintain compliance with the approved final Site Plans shall constitute a violation of the terms of this approval and the Zoning Regulations, subject to revocation. Any variation from or alteration of the approved final Site Plans shall require prior review and separate approval and permit.
7. **Changes in Use** – Consistent with Zoning §1.3.2, §5.1 and §9.2, as may be amended from time to time, no use shall be established, relocated, changed, or expanded prior to obtaining a Zoning Permit. Substantive changes in use shall require Zoning Commission approval prior to issuance of a Zoning Permit.
8. **Expiration** – This approval shall expire and be null and void without further written notice per the date set forth above unless all improvements as approved, including site stabilization and landscaping, are completed consistent with the approved final Site Plans. The Commission may grant one (1) or more extensions of time to complete same. Any request for extension shall be in writing to the Commission in a timely manner prior to the expiration date for which an extension is requested and shall state the reasons and circumstances for the requested extension. In considering any such request, the Commission may require a public hearing and shall review the continued adequacy of any held bond.

**MOTION**

Made by WILSON, Seconded by TIETZ

Vote: 5-0-0 – **APPROVED** – Motion **PASSED**

Aye	Wilson, Trella, Clarke, Tietz, Amatruda
Nay	None
Abstain	None