



Town of Woodbury Zoning Commission

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

MINUTES – MAY 23, 2023 REGULAR MEETING

7:00 P.M. – WOODBURY PUBLIC LIBRARY GALLERY, 269 MAIN ST. SOUTH

MEMBERS PRESENT:

Bob Wilson, Chairman
Robert Clarke
Thomas Amatruda
Ted Tietz

ALTERNATES PRESENT:

Jack Well

MEMBERS ABSENT:

Donald Trella

ALTERNATES ABSENT:

Casey Rushin
Elmer Kiessling

ALSO PRESENT: Town Planner Will Agresta, applicants and agents

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

2. PUBLIC HEARINGS

There were no public hearings.

3. PENDING and NEW APPLICATIONS

- **22-ZC-0016-A1 – 146 South Pomperaug Avenue / Map 102, Lot 1 / MQ District
Special Permit / Site Plan Amendment modifying restaurant addition per 22-ZC-0016
(approved 12/13/22)**

George Johannesen, Allied Engineering, North Canaan, agent, addressed the Commission. Mr. Johannesen explained that some changes were being made to the original application. The revisions include eliminating the addition at the north end, moving the kitchen from the basement to the main level, adding a pervious paved patio in the back, eliminating one motel room, changing the compact car spaces to full size spaces, modifying the septic system accordingly and

revising the patron area. He showed the changes to be made using the visual site plan. The basement kitchen was eliminated so that there was no need to become ADA compliant for employees. There are stairs to the basement that will be used for dry storage only.

The application went before the Inlands Wetlands Agency last night. The IWA granted approval with conditions for a guardrail and sidewalk extensions to the parking area. Town Planner Agresta noted that the parking space count includes some shared motel and restaurant spaces. He also recommended some landscaping on the north side where the snow storage area will be. There is a potential restaurant lease in the works.

MOTION:

To instruct staff to prepare a draft approval resolution for consideration.

Made by Chairman Wilson, Seconded by Commissioner Clarke

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

Ayes: Wilson, Clarke, Amatruda, Tietz, Well

Nays: None

Abstain: None

4. ENFORCEMENT

- **22-ENF-0018 – 361 Rail Tree Hill Road / Map 54, Lot 3C-5 / OS-100 District Unauthorized Use: Short-Term Transient Visitor Lodging – Daniel & Francesca Lisk NPV sent 11/22/22, NV sent 04/14/23 – Direction to ZEO to issue Cease and Desist**

Mr. Agresta informed the Commission that per the Town Attorney’s recommendation a Notice of Violation had been sent to the homeowners. Rental activity has not stopped. The property is now being advertised for rental on five different websites. The next step is to issue a Cease and Desist notice. A motion was made. Alternate Well inquired about waiting for the Supreme Court’s decision on a previously cited case. Chairman Wilson stated that the Town Attorney did not recommend that. Discussion continued after the motion was voted on. Commissioner Amatruda and Alternate Well are in favor of residents being allowed to rent their property. Chairman Wilson agreed and stated that the issue will be looked at in the new regulations. Mr. Agresta pointed out that regardless of the outcome of the mentioned case in the Supreme Court; the use is in clear violation of the current town regulations.

MOTION:

To instruct the ZEO to issue a Cease and Desist order in response to this violation

Made by Chairman Wilson, Seconded by Commissioner Clarke

Vote: 3-2-0 – Approved – Motion Passed

Ayes: Wilson, Clarke, Tietz,

Nays: Amatruda, Well

Abstain: None

5. DELIBERATIONS / DETERMINATIONS

There was nothing to consider at this time.

6. ADMINISTRATIVE

• **POCD Goals- Discussion for Joint Land Use Meeting**

The Commission discussed on how best to prepare for the joint land use meeting to be held on September 13, 2023. Town Planner Agresta explained how the meeting is not just to say what objectives each commission has accomplished, but to also look at the goals, how best to implement them and how they inter-relate with other commissions. Mr. Agresta explained how to obtain access to Section 8- the POCD implementation summary in order for the commissioners to look at to refresh themselves on what the Zoning Commission objectives are. The consensus was to prepare a brief slide show of the new regulations to share. The second meeting in August the Commission will review these items.

Chairman Wilson presented for consideration the minutes of the May 9, 2023, Zoning Commission meeting. He called for discussion. There was none.

MOTION:

To accept the minutes of the May 9, 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, Amatruda, Well

Nays: None

Abstain: None

7. DRAFT ZONING REGULATIONS WORK SESSION

Town Planner Agresta had prepared a work session schedule in order to go through the regulations. The goal is to have an organized review of the regulations and have the meetings completed by the end of September. The Commission looked at the schedule. The objective is to have lighter topics scheduled for the first meeting of the month and more complex issues handled on the second meeting of the month. Chairman Wilson noted the objective of each meeting will be to come to a consensus on each item. Once there is a consensus Mr. Agresta will make changes to the draft. Each meeting will review the changes made at the previous one. The revisions should be sent out to the Commission a week in advance so that they have time to review them. Chairman Wilson asked for the Commissioners to please look over what is sent out to them in order to be prepared.

Town Planner Agresta had taken Section 13 Sign Standards and marked it up with changes, revisions and deletions. The Commission went over sections 13.1 through 13.8. This did not include any tables. The goal is to simplify the section. The topics covered were Purpose and Intent, Definitions, Prohibited Signs, Exempt signs, Special Conditions, Design Standards, Zone Permit Application Procedure and Enforcement. The intent for the next meeting is to make the consensus amendments, organize the section and provide revised tables for review.

8. PRIVILEGE OF THE FLOOR

There were no comments from the floor.

9. CORRESPONDENCE

There was no correspondence to consider.

10. ADJOURNMENT

MOTION:

To adjourn the meeting at 9:09 p.m.

Made by Chairman Wilson

Respectfully Submitted,

Robyn Wright

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Clerk for the Zoning Commission

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

OH = Open Hearing PH = Public Hearing CH = Close Hearing D = Decision

RECEIVED & FILED
IN WOODBURY, CT

This 26th day of May 2023
at 7:41 o'clock A M

Maria M. Manari
Town Clerk