



Town of Woodbury Zoning Commission

281 Main Street South

Woodbury, CT 06798

203.263.3467 • www.woodburyct.org

**MINUTES – JUNE 14, 2022
PUBLIC HEARING / REGULAR MEETING
7:00 P.M. – SENIOR CENTER, 265 MAIN ST. SOUTH**

MEMBERS PRESENT:

Robert Clarke, Chairman

Thomas Amatruda

Bob Wilson

ALTERNATES PRESENT:

Elmer Kiessling

Casey Rushin

MEMBERS ABSENT:

Ted Tietz

Donald Trella

ALTERNATES ABSENT:

Jack Well

ALSO PRESENT: Town Planner Will Agresta, applicants and agents

1. OPENING OF MEETING

- a) CALL TO ORDER – Chairman Clarke convened the meeting at 7:02 p.m.
- b) SEATING OF MEMBERS AND ALTERNATES
Seated were Commissioners Clarke, Amatruda, Wilson, and Alternates Rushin and Kiessling
CONFLICT OF INTEREST (*CGS Section 8-11 & Woodbury Town Charter Section 901*)

2. PUBLIC HEARINGS

- a) **22-ZC-0006 – 442 Main Street South / Map 103, Lot 010A / MSD / George Champion**
Special Permit / Site Plan for mixed use per 5.1.4F to construct a separate single-family residence
(existing building is an existing business) with modified yard setbacks per 5.1.8

Andy Peklo, Peklo Design & Joinery, Agent for the applicant, addressed the Commission. It was determined that the applicant had mailed the notices but had not submitted the certificates of mailing for the Public Hearing. Therefore, the Public Hearing could be held, but could not be closed. Mr. Peklo showed the Commission the plans and discussed the application. The Historic District had reviewed the plan, but the project is out of their jurisdiction. A letter dated 6/1/2022, from the Planning Commission stated that the application is consistent with the POCD.

The front building on the lot is an existing business. There is an existing driveway that will be used and shared. Mr. Peklo indicated where the water and power are and that they will just be extended. The application is for construction of a building with a footprint of 1860 square feet in the back of the property. The applicants are asking for a waiver on the traffic report since that will

not be impacted. He is also requesting a side yard setback modification for better sight lines. The applicant still needs to provide a common driveway and easement plan, a storm water management plan, and the landscaping plan along with any light fixtures chosen. This project will actually make the property more conforming with the Main Street Design District.

Chairman Clarke would like to reorganize another site walk since only two members attended. The site walk will be conducted on June 25, 2022, at 10:00 a.m. The Chairman asked for any comments or questions from the Commission. Alternate Rushin will wait until all the information for the application is in to look at. Commissioner Amatruda inquired if a variance is needed. Town Planner Agresta stated that a variance is not needed. He also inquired regarding neighbors. The closest neighbor is approximately 100 feet away towards the front of the property. Even though currently both properties on the driveway are owned by the applicant, the driveway easements need to be done in case of a sale in the future. There were no members of the public present for the hearing.

MOTION:

To adjourn application (22-ZC-0006 – 442 Main Street South / Map 103, Lot 010A / MSD / George Champion / Special Permit / Site Plan for mixed use per §5.1.4F to construct a separate single-family residence (existing building is an existing business) with modified yard setbacks per §5.1.8.) until the next meeting.

Made by Chairman Clarke, Seconded by Alternate Rushin

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

Ayes: Amatruda, Clarke, Wilson, Kiessling, Rushin

Nays: None

Abstain: None

3. PENDING APPLICATIONS

There were no pending applications at this time.

4. NEW APPLICATIONS

MOTION:

To adjust the agenda to cover application 22-ZC-0012 prior to application 22-ZC-0010

Made by Chairman Clarke, Seconded by Commissioner Amatruda

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

Ayes: Amatruda, Clarke, Wilson, Kiessling, Rushin

Nays: None

Abstain: None

- a) **22-ZC-0012 – 5 Church Hill Road / Map 96, Lot 21&22 / Flanders Nature Center Special Permit for proposed building addition (341 sf – 22 ft. x 15.5 ft.) to Maple Syrup Sugarhouse adding two bathrooms and accessory storage.**

Vince LaFontan, Flanders Executive Director, addressed the Commission. Mr. LaFontan stated that the application is for a Special Permit for an addition to the Sugar House. He also noted that the Sugar House was featured on the "Come to Connecticut" website for the maple syrup program. He showed a model of the Sugar House and showed where the addition would be. The additional bathrooms were always part of the original plan that was made 20 years ago by Civil 1 Engineers which included an existing septic system; however, funds were not available at the time for that portion of the project. The plan and septic system were re-examined by Civil 1 and by H.L. Bennet and deemed adequate. He handed out an additional side view of the building.

An application has been made to the Health Department. The property is not in any wetlands area. Chairman Clarke called for any questions from the Commission. Commissioner Amatruda questioned if a Public Hearing is necessary for this application or could it be a minor modification to an existing permit. Town Planner Agresta noted the regulations. The question remained if there was a Special Permit for the original application on file. If none is found then this application will need to encompass the original plan from 2001.

MOTION:

To schedule a Public Hearing on application (22-ZC-0012 – 5 Church Hill Road / Map 96, Lot 21&22 / Flanders Nature Center /Special Permit for proposed building addition (341 sf – 22 ft. x 15.5 ft.) to Maple Syrup Sugarhouse adding two bathrooms and accessory storage.) for the July 12, 2022, Zoning Commission meeting. In preparation for the meeting, staff is to find the original documentation for the sugarhouse building.

Made by Chairman Clarke, Seconded by Alternate Rushin

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

Ayes: Amatruda, Clarke, Wilson, Kiessling, Rushin

Nays: None

Abstain: None

- b) 22-ZC-0010 – 1080 Main Street South / Map 32, Lot 6 / Phillip Simpson and Pamela Kurtz Zone Boundary Change Petition OS-60 to Garden Apartment (GA) District.
- c) 22-ZC-0011 – 1080 Main Street South / Map 32, Lot 6 / Phillip Simpson and Pamela Kurtz Garden Apartments Special Permit for conversion of existing Office/Residential building into 2 garden apartments and development of new 4,650 sf building with 8 garden apartments with related garages, surface parking and associates utilities

Both applications were discussed concurrently.

Gail McTaggart, Secor, Cassidy & McPartland, Agent for the applicant, addressed the Commission. Ms. McTaggart stated that the building currently on the property is a mix of office and residential uses. This will be converted to an all residential use along with an addition of eight more apartments. The applicant needs a zone change and a Special Permit for the Garden Apartments. The property is over five acres with half of it in a conservation easement by the Town. First Selectman Perkinson signed off that the property is in accord with the easement.

Ms. McTaggart stated that the two applications qualify under the 3.5 acre requirement. She submitted plans showing the boundaries and location of the apartments. She noted a letter she

sent dated 5/31/22, which stated that the POCD shows this area of Main Street as specifically suited for Garden Apartments. The property is sandwiched by multi-family apartments. The eight new units will be modular and tiered down and set well back from Main Street. They will be 100' from wetlands and the Inlands Wetlands Agency has signed off since there are no regulated activities. With the river behind the property, the proposed building will be out of the 100 year flood plain.

The Historic District signed off and approved materials for the project on 8/31/21. Discussion continued as to what should be presented at the Public Hearing and if sample building materials should be included. Discussion then ensued regarding scheduling and time frames since the applications need to be referred to the Planning Commission and they do not meet in July. The applicant will provide a consent letter to go beyond the 35 day requirement.

Chairman Clarke called a recess from 8:13-8:16 p.m. Any remarks on the recording are off record.

MOTION:

To schedule a Public Hearing on applications (22-ZC-0010 – 1080 Main Street South / Map 32, Lot 6 / Phillip Simpson and Pamela Kurtz /Zone Boundary Change Petition OS-60 to Garden Apartment (GA) District) and (22-ZC-0011 – 1080 Main Street South / Map 32, Lot 6 / Phillip Simpson and Pamela Kurtz Garden Apartments Special Permit for conversion of existing Office/Residential building into 2 garden apartments and development of new 4,650 sf building with 8 garden apartments with related garages, surface parking and associates utilities) for the July 12, 2022, Zoning Commission meeting. Application 22-ZC-0010 should be referred to the Planning Commission with the understanding that the applicant is consenting to grant all 65 days to be used by the Commission on both applications if necessary.

Made by Chairman Clarke, Seconded by Commissioner Amatruda

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

Ayes: Amatruda, Clarke, Wilson, Kiessling, Rushin

Nays: None

Abstain: None

5. ENFORCEMENT

- a) **22-ENF-0001 – 466 Flanders Road / Map 94, Lot 16-A / OS-100 / Chris Teixeira**
Unauthorized land filling; and unauthorized parking and storage of commercial vehicle.
 Town Planner Agresta updated the Commission that Mr. Teixeira has hired an engineer and is waiting for the Topo plan.

MOTION:

To table enforcement item (22-ENF-0001 – 466 Flanders Road / Map 94, Lot 16-A / OS-100 / Chris Teixeira / Unauthorized land filling; and unauthorized parking and storage of commercial vehicle.) until the next meeting.

Made by Chairman Clarke, Seconded by Alternate Rushin

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

Ayes: Amatruda, Clarke, Wilson, Kiessling, Rushin

Nays: None

Abstain: None

**b) 21-ENF-0009 – 437 Sherman Hill Road / Map 4, Lot 8A / OS-100 / Tumer Eren
Unauthorized structures.**

Town Planner Agresta stated that not a lot has happened. He will remind them to go to the ZBA to address the structures.

MOTION:

To table enforcement item (21-ENF-0009 – 437 Sherman Hill Road / Map 4, Lot 8A / OS-100 / Tumer Eren / Unauthorized structures) until the next meeting.

Made by Chairman Clarke, Seconded by Commissioner Wilson

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

Ayes: Amatruda, Clarke, Wilson, Kiessling, Rushin

Nays: None

Abstain: None

**c) 22-ENF-0008 – 319 Main Street South / Map 104, Lot 091 / MSD / Lance & Christine
Conducting a retail business absent a Zoning Permit and display of a free-standing sign
absent a required Zoning (Sign) Permit.**

Town Planner Agresta stated that the new tenant has had the inspection from the Fire Department and will hopefully get business approval and then hopefully apply for a sign.

MOTION:

To table enforcement item (22-ENF-0008 – 319 Main Street South / Map 104, Lot 091 / MSD / Lance & Christine / Conducting a retail business absent a Zoning Permit and display of a free-standing sign absent a required Zoning (Sign) Permit) until the next meeting.

Made by Chairman Clarke, Seconded by Commissioner Wilson

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

Ayes: Amatruda, Clarke, Wilson, Kiessling, Rushin

Nays: None

Abstain: None

6. DELIBERATIONS / DETERMINATIONS

There was nothing to consider at this time.

7. MEETING MINUTES

Chairman Clarke presented for consideration the minutes of the May 24, 2022, Zoning Commission meeting. He called for discussion.

MOTION:

To accept the minutes of the May 24, 2022, Zoning Commission meeting as amended:

- Section 7, 1st motion—Should read “To have staff revise the spreadsheets presented.”

Made by Chairman Clarke, Seconded by Alternate Kiessling

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

Ayes: Amatruda, Clarke, Wilson, Kiessling, Rushin

Nays: None

Abstain: None

8. OTHER BUSINESS

Summary Presentation of Town's Adopted Open Space Plan

Town Planner Agresta provided a summary to the Commission regarding the affordable housing plan adopted in November 2021. When looking at the population of the Town, growth is stagnant. Long term is not expected to change much. The population is aging and the average household size is declining. Only 24 % of Woodbury homes have school age children. While the majority of housing is single-family detached; the Town is welcoming to Garden Apartments. He continued to summarize the medium sale price of homes compared to the medium income.

A town survey indicated that the majority of people felt there was enough adequate housing stock. Demographics show that 6% of households in town are at poverty rate. The recommendations of the plan are as follows:

- Increase awareness of availability of USDA and CHFA loans.
- Facilitate an increase in the total number of accessory apartments.
- Encourage the establishment of income limited accessory dwelling units
- Develop Design Guidelines of Standards for multifamily housing and accessory apartments.
- Facilitate the creation of multifamily housing in Woodbury in Town Center area.
- Facilitate the repurposing of existing structures to middle-density and multifamily housing
- Increase public awareness of Woodbury's housing efforts.
- Evaluate properties in Town for potential public-private affordable housing partnership.
- Other opportunities that may be identified in the future.

Town Planner Agresta pointed out that an affordable housing plan needs to be either restated or updated every five years. Commissioner Amatruda inquired if a housing officer would be appointed. Mr. Agresta stated there will not. Discussion commenced regarding deed restrictions and calculations for sales prices and rent. Accessory apartments were considered. The State goal for affordable housing is hard to meet; however, if the POCD and the regulations show that the Town is moving forward that should be sufficient.

9. PRIVILEGE OF THE FLOOR

There were no comments from the floor.

10. CORRESPONDENCE

A letter dated 6/3/22 from O & G Industries, Inc. was noted. There was a blast related complaint. The homeowner was offered private monitoring. Another complaint was dust related. A water truck was immediately dispatched to control the dust.

11. ADJOURNMENT

MOTION:

To adjourn the meeting at 8:59 p.m.
Made by Chairman Clarke

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 21st day of June 2022
at 9:40 o'clock A M
Maia M Mancini
Town Clerk