



Town of Woodbury Zoning Commission

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

**MINUTES – JUNE 28, 2022
PUBLIC HEARING / REGULAR MEETING
7:00 P.M. – SENIOR CENTER, 265 MAIN ST. SOUTH**

MEMBERS PRESENT:

Robert Clarke, Chairman
Bob Wilson
Donald Trella

ALTERNATES PRESENT:

Elmer Kiessling
Casey Rushin

MEMBERS ABSENT:

Thomas Amatruda
Ted Tietz

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 7:01 p.m.
- b) SEATING OF MEMBERS AND ALTERNATES
Seated were Commissioners Clarke, Trella, Wilson and Alternates Kiessling and Rushin
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. CH by 07/19/22**

Chairman Clarke reconvened the hearing continued from June 14, 2022. He noted that a site walk had been conducted on June 25, 2022. Town Planner Agresta noted that the Certificates of Mailing had been submitted to the office. Andy Peklo, Peklo Design & Joinery, Agent for the applicant, addressed the Commission. Mr. Peklo presented the storm water drainage plan which includes two infiltrators. He presented a parking area detail and the area of easement. They are still in need of an attorney drafted agreement and to choose the light fixtures.

Mr. Peklo noted that Mr. Champion has been doing all things properly on the property and is hopeful that the Commission recognizes he is adding a residence to Main Street which is positive

for the Town. They are awaiting approval from the Health District which needs to submit the application to the State since two buildings are connected on one septic system.

Town Planner Agresta asked for clarification on the water lines. The discussion was opened up to the Commission. Alternate Rushin inquired of the septic system and the storm water plan. There will be no holding tank and the perc tests are good. Chairman Clarke opened the discussion up to the public. There were no questions or comments from the public at this time.

MOTION:

To extend the Public Hearing on 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 July 12, 2022, meeting.

Made by Chairman Clarke, Seconded by Alternate Kiessling

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

Ayes: Clarke, Wilson, Trella, Rushin, Kiessling

Nays: None

Abstain: None

3. PENDING APPLICATIONS

- a) **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**
- b) **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.**

These two applications were handled concurrently. The Public Hearing is scheduled for the July 12, 2022, meeting. Chairman Clarke set up a site walk for July 9, 2022; at 10:00 a.m. Town Planner Agresta will ask the applicants to mark the property.

- c) **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.**

The Public Hearing for this application is scheduled for July 12, 2022.

4. NEW APPLICATIONS

- a) **22-ZC-0013 – 346 Main Street South / Map 104, Lots 2A &3-3 / MSD / The Birches on Main LLC / Amendment of Special Permit 21-ZC-2208 to add rear wooden deck, reconfigure paver walking paths and add steps from existing stone deck on building south side.**

Mr. John Lamb, property owner, addressed the Commission. Mr. Lamb described the property and the plans. This was a commercial space and the existing bluestone steps are cracked from use.

These will be replaced and the path will be narrowed. When the deck was approved by the Historic District, Mr. Lamb built it not realizing that he also needed to obtain a building permit. He is trying to rectify that issue with this application. The wooden deck is built over a stone patio. There will be stairs built from an existing stone porch down to the property. The Historic District has approved this as long as natural materials are used. There was discussion regarding the lattice screening used for the refuse containers. The lattice had rotted and was removed.

Town Planner Agresta noted that the property is actually two lots which should be combined into one. The Commission discussed the plans. There will be a wall built for privacy separation of the units. The septic system is at its maximum; so there will be no additional living spaces. Mr. Lamb also explained to the Commission the result of the court case regarding the deeded parking easement with the land and the neighbor. The neighbor has exclusive use of the parking area in question. Even though Mr. Lamb owns the property, he does not have the right to cross their property to use the parking. That ruling has no bearing on this application. After consideration, the consensus of the Commission was that this application is minor.

MOTION:

That the Commission has deemed that the alterations proposed on application (22-ZC-0013 – 346 Main Street South / Map 104, Lots 2A & 3-3 / MSD / The Birches on Main LLC / Amendment of Special Permit 21-ZC-2208 to add rear wooden deck, reconfigure paver walking paths and add steps from existing stone deck on building south side) are minor in nature and consistent with the original Special Permit in regards to the use and overall plan. With the conditions of a replacement refuse screen and a new lot merger map recorded to be met within three months.

Made by Chairman Clarke, Seconded by Commissioner Wilson

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

Ayes: Clarke, Wilson, Trella, Rushin, Kiessling

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.
NPV sent 12/28/21 - Pending Inland Wetlands Approval

Town Planner Agresta noted that Mr. Teixeira was supposed to appear before the IWA yesterday, but did not. Chairman Clarke wants to see progress for the next meeting.

MOTION:

To table enforcement item (22-ENF-0001 – 466 Flanders Road / Map 94, Lot 16-A / OS-100 / Chris Teixeira) until the next meeting.

Made by Chairman Clarke, Seconded by Alternate Rushin

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

Ayes: Clarke, Wilson, Trella, Rushin, Kiessling

Nays: None

Abstain: None

- b) **21-ENF-0009 – 437 Sherman Hill Road / Map 4, Lot 8A / OS-100 / Tumer Eren Unauthorized structures. NPV sent 12/07/21 – Pending resolve of Phase II**
Town Planner Agresta stated that the drainage work is coming along. He will check with the ZEO to make sure the unauthorized structure phase is going to the ZBA.

MOTION:

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

Made by Chairman Clarke, Seconded by Commissioner Trella

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

Ayes: Clarke, Wilson, Trella, Rushin, Kiessling

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. NPV sent 04/12/22**

Town Planner Agresta informed the Commission that the violator is out of town right now. However, this has been ongoing for eight months and she is not responding.

MOTION:

For staff to send a Notice of Violation on enforcement item (22-ENF-0008 – 319 Main Street South / Map 104, Lot 091 / MSD / Lance & Christine)

Made by Chairman Clarke, Seconded by Commissioner Wilson

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

Ayes: Clarke, Wilson, Trella, Rushin, Kiessling

Nays: None

Abstain: None

6. DELIBERATIONS / DETERMINATIONS

There were no items to consider at this time.

7. MEETING MINUTES

Chairman Clarke presented the minutes of the June 14, 2022, Zoning Commission meeting for consideration. He called for comments. There were none.

MOTION:

To accept the minutes of the June 14, 2022, Zoning Commission meeting as presented.

Made by Chairman Clarke, Seconded by Commissioner Wilson

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

Ayes: Clarke, Wilson, Trella, Rushin, Kiessling

Abstain: None

8. OTHER BUSINESS

There was no other business to consider at this time.

9. PRIVILEGE OF THE FLOOR

There were no comments from the floor at this time.

10. CORRESPONDENCE

There was no correspondence to consider at this time.

11. ADJOURNMENT

MOTION:

To adjourn the meeting at 7:59 p.m.

Made by Chairman Clarke

Respectfully Submitted,

Robyn Wright

Robyn Wright
Clerk for the Zoning Commission

RECEIVED & FILED
IN WOODBURY, CT

This 5th day of July 2022
at 9:10 o'clock PM

Maria Mancini
Town Clerk

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