



# 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 – JULY 11, 2023

REGULAR MEETING

7:00 P.M. – SENIOR CENTER, 265 MAIN STREET SOUTH

**MEMBERS PRESENT:**

Bob Wilson, Chairman  
Bob Clarke  
Ted Tietz  
Don Trella (7:16 P.M.)

**ALTERNATES PRESENT**

Casey Rushin  
Jack Well

**MEMBERS ABSENT**

Tom Amatruda

**ALTERNATES ABSENT**

Elmer Kiessling

**ALSO PRESENT:** Town Planner Will Agresta, Kathryn Eren, Vincent LaFontan, Kathy Doyle,  
members of the public

**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, Tietz, Wilson and Alternates Rushin and Well  
CONFLICT OF INTEREST (CGS Section 8-11 & Woodbury Town Charter Section 901)

**2 PUBLIC HEARINGS**

- **23-ZC-0013 – 5 Church Hill Road / Map 96, Lots 21 & 22 / OS-100 District**  
Special Permit / Site Plan per Zoning §3.4.8 to permit the new construction and use of an educational open-air pavilion over a monolithic concrete pad measuring 1200 sf (20 ft x 60 ft) with roof solar panels and connecting subsurface electrical lines to existing buildings. Flanders Nature Center & Land Trust, Inc. (applicant/owner). CH by 8/15/23

Flanders Nature Center Executive Director Vincent LaFontan presented the proposal for an open-air pavilion adjacent to the Van Vleck home. It will be used to further the Nature Center's farm and environmental education programming. The roof-mounted solar panels will provide sufficient electricity to take the whole facility "off the grid." The design is architecturally similar to existing campus buildings. The proposal has received Inland Wetlands and Watercourses Agency (IWWA) approval.

Questions or Comments?

Commissioner Clarke asked whether the solar panels would cover the entire roof, or a portion; the south-facing portion. Does that provide adequate generation to take the facility "off the grid"; yes. Commissioner Rushin asked for confirmation that the IWWA approved the control of drip-line runoff; yes.

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

There were no questions or comments from members of the public.

**MOTION:**

To close public hearing and direct staff to prepare a draft approval resolution (23-ZC-0013 – 5 Church Hill Road / Map 96, Lots 21 & 22 / OS-100 District) for Special Permit / Site Plan approval per Zoning §3.4.8 to permit the new construction and use of an educational open-air pavilion over a monolithic concrete pad measuring 1,200 sf (20 ft x 60 ft) with roof solar panels and connecting subsurface electrical lines to existing buildings. Flanders Nature Center & Land Trust, Inc. (applicant/owner).

Made by **WILSON**, Seconded by **TIETZ**

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

Aye: Wilson, Clarke, Tietz, Rushin, Well

Nay: None

Abstain: None

- **23-ZC-0014 – 48 North Forty Road / Map 52, Lot 27-6 / OS-60 District**  
**Special Permit/Site Plan per Zoning §3.4.8 to permit the administrative operations and activities of an Instructional, Philanthropic and/or Charitable Institution “Hammers and Heroes Therapeutic Blacksmithing” (Hammers and Heroes Inc., EIN 84-4737718 Non-Profit 501(c)3 Organization). Hammers and heroes Inc (applicant), 48 North Forty Road LLC (applicant/owner). CH by 08/15/23**

Commissioner Clarke suggested tabling the hearing to the next meeting due to the absence of a proposal representative.

**MOTION:**

To open public hearing and adjourn to regular meeting of July 25, 2023, due to no show by the applicant (23-ZC-0014 – 48 North Forty Road / Map 52, Lot 27-6 / OS-60 District) for Special Permit/Site Plan per Zoning §3.4.8 to permit the administrative operations and activities of an Instructional, Philanthropic and/or Charitable Institution “Hammers & Heroes Therapeutic Blacksmithing” (Hammers and Heroes Inc., EIN 84-4737718 Non-Profit 501(c)3 Organization). Hammers and Heroes Inc (applicant), 48 North Forty Road LLC (applicant/owner).

Made by **WILSON**, Seconded by **CLARKE**

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

Aye: Wilson, Clarke, Tietz, Rushin, Well

Nay: None

Abstain: None

**3 PENDING AND NEW APPLICATIONS**

None

**4 ENFORCEMENT**

- **21-ENF-0009 – 437 Sherman Hill Road / Map 4, Lot 8A / OS-100 District**  
**Request for Retroactive Time Extension to Complete Remediation Plan (22-ZC-0007)**

Kathryn Eren appeared before the Commission to explain the delays in finishing the required remediation. The Commissioners understood the nature of the cause and discussed extending the deadline to accommodate the family’s needs. They were assured the remediation is underway and can be completed within the month.

**MOTION:**

To grant a retroactive time extension relative 21-ENF-0009 to September 1, 2023, to complete the previously approved Remediation Plan (22-ZC-0007 – 437 Sherman Hill Road / Map 4, Lot 8A / OS-100 District), Tumer Eren (owner).

Made by **WILSON**, Seconded by **RUSHIN**

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

Aye: Wilson, Clarke, Tietz, Rushin, Well

Nay: None

Abstain: None

*Chair unseated Well and seated Trella*

**5 DELIBERATIONS / DETERMINATIONS**

- **Select Items from this Agenda – As determined Ready by the Commission**  
None

**6 ADMINISTRATIVE**

- **Meeting Minutes 06/27/2023**

**MOTION:**

To approve the minutes of the Zoning Commission regular meeting held on June 27, 2023, as presented.

Made by **WILSON**, Seconded by **RUSHIN**

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

Aye: Wilson, Trella, Clarke, Tietz, Rushin

Nay: None

Abstain: None

**MOTION:**

To adjust the order of the agenda to move up “Privilege of the Floor.”

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

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

Aye: Wilson, Trella, Clarke, Tietz, Rushin

Nay: None

Abstain: None

**7 PRIVILEGE OF THE FLOOR**

Kathy Doyle: Lettering applied to windows: will the windows be regulated as signs? An example is the stencil-style lettering applied to the windows in the building between Woodbury Shell and Canfield Corner Pharmacy. The current proposal is to allow up to ten per cent coverage as signage.

**8 DRAFT ZONING REGULATIONS WORK SESSION**

- **Discussion of Draft Zoning Regulations**  
**Review – Section 14 – Architectural Design Guidelines**

The changes made to the prior draft were reviewed to ensure they now achieved the commission’s objective. The verbiage provides guidance, is not prescriptive; the illustrations are recommendations, not specifications.

**Review – Section 13 – Sign Tables**

The sign size section is okay. The maximum size and number of signs allowed in a multiple-tenant building was discussed and the intent clarified. The language and punctuation will be edited.

**New – Section 1 – General Provisions**

**Article 1 – Regulatory Basis**

- 1.1 The intent of the traffic circulation language relative to “growth” was questioned; new language was suggested with “and growth” being removed. References to vehicular traffic will be changed to “vehicular and pedestrian traffic”.
  - 1.1.A No changes.
  - 1.1.B Commissioner Clarke commented regarding use of quotation marks.
- 1.2.1 No changes. In addition to adopting new regulations, will be adopting new zoning map.
- 1.2.2 Add coma after “when”.
- 1.2.3 No changes.
- 1.3.1 Potentially redundant/conflicting language regarding the ADA was discussed.
- 1.3.2 No changes.
- 1.3.3 Discussion about timing of code changes relative to permit issuance and retroactivity. Commissioner Clarke requested deletion of the phrase “of land, buildings, or other structures”. Delete the last three words of line one, and the first three words of line two.
- 1.3.4 No changes.
- 1.3.5 The Town Planner believes this is an atypical allowance potentially creating greater non-conformity.
- 1.3.6 Discussion to clarify intent with regard to setback adjustments at abutting zones.
- 1.3.7 The Town Planner suggests this should be reviewed by the town attorney. Chairman Wilson requests this be referred to the town attorney for an opinion.
- 1.3.8 Change language to “by applicable agencies as required”.
- 1.4.1 Commissioner Wilson suggested a rewrite of subparagraph B, second sentence; express intent.

Will begin with 1.4.2 during next session.

**MOTION:**

To adjourn continued discussion and review of draft Zoning Regulations from the point completed this evening to the next meeting.

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

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

Aye: Wilson, Trella, Clarke, Tietz, Rushin

Nay: None

Abstain: None

*Chair unseated Trella and seated Well*

*Chair unseated Well and seated Trella*

**9 CORRESPONDENCE**

O&G Industries reported a seismograph reading at 102 per cent of that permitted (but still below Federal guidelines). O&G Facilities Manager Richard Warren will be asked to attend the August 8 meeting to discuss the reasons(s) why the reading was high and how to avoid a future occurrence.

**10 ADJOURNMENT**

**MOTION:**

To adjourn the meeting at 9:12 P.M.

Made by Chairman Wilson and hearing no objections

Respectfully Submitted,

*Edward S. De Cortin*

Edward S. De Cortin, Substituting for Robyn Wright, Conservation Commission Clerk

**UPCOMING MEETING SCHEDULE – NO NEW HEARINGS SCHEDULED AT THIS TIME.**

RECEIVED & FILED  
 IN WOODBURY, CT

This 20<sup>th</sup> day of July, 2023  
 at 2:40 o'clock P.M.  
*Maureen Mancini*  
 Town Clerk