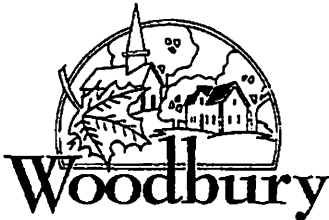


TOWN OF WOODBURY

Zoning Commission

281 Main Street South
Woodbury, Connecticut 06798-0369
(203)263-3467 ~ www.woodburyc.org



First land deed from the Indians
April 12th 1659

MINUTES – JULY 13, 2021 PUBLIC HEARING / REGULAR MEETING 7:00 P.M. – SENIOR CENTER, 265 MAIN ST. SOUTH

MEMBERS PRESENT:

Thomas Amatruda, Chairman
Robert Clarke
Ted Tietz
Bob Wilson
Donald Trella

MEMBERS ABSENT:

ALTERNATES PRESENT:

Elmer Kiesslering
Jack Well
Casey Rushin

ALTERNATES ABSENT:

ALSO PRESENT: Towns people, applicants and agents

1. REGULAR MEETING

- a) CALL TO ORDER – Chairman Amatruda convened the meeting at 7:00 p.m.
- b) SEATING OF MEMBERS AND ALTERNATES
Seated were Commissioners Amatruda, Clarke, Tietz, Trella and Wilson
CONFLICT OF INTEREST (*CGS Section 8-11 & Woodbury Town Charter Section 901*)
- c) CONTINUE REGULAR MEETING AFTER PUBLIC HEARINGS

2. PUBLIC HEARINGS

- a) **21-ZC-2108 / Grew (agent), Lamb (applicant), 346 Main LLC (owner) / 346 Main Street South / Under Sec. 5.1.8 Special Permit to Convert Existing Commercial Portion of Building to be used as (1) Three Bedroom Dwelling and (1) Two Bedroom Dwelling in addition to the Existing Two Bedroom Dwelling / Map 104 / Lots 002A-2 & 003-3 / CH: 8/17/21**

The applicant's abutter notices were not submitted within the proper time frame. The Public Hearing will be tabled until the July 27, 2021, Zoning Commission meeting.

MOTION:

Chairman Amatruda moved and Commissioner Clarke seconded to table the Public Hearing on application (*21-ZC-2108 / Grew (agent), Lamb (applicant), 346 Main LLC (owner) / 346 Main Street South / Under Sec. 5.1.8 Special Permit to Convert Existing Commercial Portion of Building to be used as (1) Three Bedroom Dwelling and (1) Two Bedroom Dwelling in addition to the Existing Two*

Bedroom Dwelling / Map 104 / Lots 002A-2 & 003-3 / CH: 8/17/21) until the July 27, 2021, Zoning Commission Meeting.

Vote: 5-0-0 in favor. Motion unanimously approved.

b) 21-ZC-2109 / 506 Main Street South LLC / 506 Main Street South / Special Permit Change of Use of First Floor of Carriage House to Event Space-Catering Hall / Map 103 / Lot 005 / CH: 8/17/21

Chairman Amatruda read the legal notice of the Public Hearing posted in the newspaper. Rich Deroschers, applicant, addressed the Commission. Architectural plans were submitted to the Commission for review. The plans were also submitted to the Historic District Commission and were approved. Shed dormers and a large overhead door will be added to make the space open to the courtyard area. There will be two restrooms added. A finishing kitchen where no cooking is allowed will be installed along with a bar area. The upstairs configuration of four rooms will not be changed.

Chairman Amatruda called for questions from the Commission. Commissioner Clarke inquired of the septic system. Mr. Deroschers answered that a new septic system will be installed with new tanks and grease traps. Commissioner Clarke wanted to know how that system relates to wetlands. The septic system will be in the parking lot and be approximately 140 feet from the wetlands 100 foot demarcation. The application did not go to the Inlands Wetlands Agency. Chairman Amatruda inquired if the application has gone to the Health Department. The application will not be brought to the Health Department until the change of use permit has been approved.

There will be no additional signage to the premises. Commissioner Clarke and Chairman Amatruda reviewed the doors on the plans. The walkway will stay the same as it provides access to the upstairs rooms. There was some discussion regarding the railings on the second floor. However since the change of use request only affects the first floor this is not an issue. There were no other questions from the Commission. Chairman Amatruda called for any questions or comments from the public. There were none.

MOTION:

Chairman Amatruda moved and Commissioner Clarke seconded to close the Public Hearing on application (*21-ZC-2109 / 506 Main Street South LLC / 506 Main Street South / Special Permit Change of Use of First Floor of Carriage House to Event Space-Catering Hall / Map 103 / Lot 005 / CH: 8/17/21*)

Vote: 5-0-0 in favor. Motion unanimously approved.

c) 21-ZC-2110 / Cenkolli / 219 Main Street North / Request for Minor Modification to the Approved Site Plan to Construct a 24' x 36' Maintenance Building / Map 090 / Lot 021C / CH: 8/17/21

Chairman Amatruda read the legal notice of the Public Hearing posted in the newspaper. Ron Wolff, Engineer for the applicant, addressed the Commission. Mr. Wolff submitted the abutter

notifications. The applicant took the suggestions made previously by the Commission and the new plans show the proposed maintenance building relocated farther back to the northwest of the property and approximately 24 feet from the side property line. The proposed plan increases the building coverage to 6.6% of the allowed 30%; with the total of the overall coverage increased to 20.5% of the allowed 50%. A revised landscaping plan dated 7/6/21 was submitted. Chairman Amatruda inquired as to how many new plants will be added. Mr. Wolff responded that some plants were relocated but about six new plants will be added. There will be spruce trees and some lower plants as well. The property line is heavily wooded.

Commissioner Clarke recommended that photos of property lines should be included in the future with applications. Commissioner Clarke inquired regarding a structure in the corner of the plans that he did not remember on the original application. Mr. Cenkolli responded that it is a removable gazebo.

Chairman Amatruda asked for any further questions from the Commission. There were none. The hearing was opened to the public.

- Tony Mongillo, 53 Woodbury Hill, addressed the Commission. Mr. Mongillo wanted to see exactly where the structure was to be placed on the plan.
- Sandy Mazar, 71 Woodbury Hill, addressed the Commission. Ms. Mazur stated that the residents of Woodbury Hill were promised with the original plan that they would not be able to see the complex. However in the winter, the complex is visible. Mr. Wolff noted that the project is not complete and plants do need time to mature. He stated that all plantings that are required will be planted.
- Colleen Mongillo, 52 Woodbury Hill, addressed the Commission. Ms. Mongillo inquired as to why the building was needed and if it was for Mr. Cenkolli's business or for the complex only. Mr. Wolff answered that the building will be for storing grounds keeping equipment strictly for this property only. Chairman Amatruda reiterated that the Commission was originally concerned with the same issue
- Frank Trombetto, 17 Woodbury Hill, addressed the Commission. Mr. Trombetto wanted to look more closely at the plan. He felt that the building seemed large for the area. Chairman Amatruda stated that during the site walk, the perimeter of the building was staked out. He felt the size of the proposed building was appropriate for the property.

There were no further comments from the public.

MOTION:

Chairman Amatruda moved and Commissioner Wilson seconded to close the Public Hearing on application (21-ZC-2110 / Cenkolli / 219 Main Street North / Request for Minor Modification to the Approved Site Plan to Construct a 24' x 36' Maintenance Building / Map 090 / Lot 021C / CH: 8/17/21)

Vote: 5-0-0 in favor. Motion unanimously approved.

REGULAR MEETING CONTINUED

3. NEW APPLICATIONS

There were no new applications.

4. PENDING APPLICATIONS

- a) **21-ZC-2108 / Grew (agent), Lamb (applicant), 346 Main LLC (owner) / 346 Main Street South / Under Sec. 5.1.8 Special Permit to Convert Existing Commercial Portion of Building to be used as (1) Three Bedroom Dwelling and (1) Two Bedroom Dwelling in addition to the Existing Two Bedroom Dwelling / Map 104 / Lots 002A-2 & 003-3 / CH: 8/17/21**

This item has been tabled.

- b) **21-ZC-2109 / 506 Main Street South LLC / 506 Main Street South / Special Permit Change of Use of First Floor of Carriage House to Event Space-Catering Hall / Map 103 / Lot 005 / CH: 8/17/21**

Chairman Amatruda opened this application for discussion to the Commission. Alternate Rushin inquired regarding the drainage system on this application. Chairman Amatruda stated that will be handled through the Health Department. Commissioner Clarke inquired regarding correspondence dealing with this application, but it was determined that any correspondence was part of an earlier application

MOTION:

Chairman Amatruda moved and Commissioner Wilson seconded the following motion for application *(21-ZC-2109 / 506 Main Street South LLC / 506 Main Street South / Special Permit Change of Use of First Floor of Carriage House to Event Space-Catering Hall / Map 103 / Lot 005 / CH: 8/17/21)* :

WHEREAS, the Woodbury Zoning Commission (Commission) has received a Special Permit application, 21-ZC-2109 submitted by 506 Main Street South, LLC, for the conversion of the first floor of the carriage house from a barber shop to an event space/catering hall at 506 Main Street South (Map 103/Lot 005); and

WHEREAS, the Commission has received the following material:

- a. An application dated June 4, 2021, and received June 7, 2021;
- b. A set of map sheets prepared by Stuart Somers Co., LLC titled Subsurface Sewage Disposal System for Carriage House Conversion and Details for Carriage House Conversion, dated May 28, 2021, and received June 7, 2021;
- c. Abutter notifications received June 29, 2021;
- d. Rendering and building layout received July 6, 2021; and

WHEREAS, under Section 5.1.9 of the Woodbury Zoning Regulations the Commission referred the application to the Planning Commission for its study and report; and

WHEREAS, the Commission received the report of the Woodbury Planning Commission, which reviewed the application on July 7, 2021, and found that the proposed use of the site would be consistent with the Town Plan of Conservation and Development and the Plan of Development; and

WHEREAS, a duly noticed public hearing was convened on July 13, 2021, to consider the application and receive public comment; and

WHEREAS, the submitted plans, as detailed in this approval demonstrate conformance with the applicable zoning regulations of the Town of Woodbury; and

WHEREAS, the Commission has carefully considered all the information submitted and received at the public hearing;

WHEREAS, this motion does not eliminate the necessity for the applicant to obtain any required local, state or federal authorizations, including but not limited to, Building, Zoning and Driveway Permits, Fire Marshal and Health District approvals, Planning Commission, Historic District Commission or Inland Wetland Agency approvals.

NOW, THEREFORE, BE IT RESOLVED that the Woodbury Zoning Commission approves application, 21-ZC-2109, submitted by 506 Main Street South, LLC, for the conversion of the first floor of the carriage house from a barber shop to an event space/catering hall at 506 Main Street South (Map 103/Lot 005) as described on the submitted Zoning Commission application dated June 5, 2021, and received June 7, 2021. Subject to the following conditions:

1. A Land Records Information Form, containing the text of this approval, shall be filed on the Woodbury Land Records prior to the issuance of a Zoning Permit.
2. Any variation from or alteration of the approved Special Permit shall require review and approval in accordance with the Woodbury Zoning Regulations.

Vote: 5-0-0 in favor. Motion unanimously approved.

- c) **21-ZC-2110 / Cenkolli / 219 Main Street North / Request for Minor Modification to the Approved Site Plan to Construct a 24' x 36' Maintenance Building / Map 090 / Lot 021C / CH: 8/17/21**

MOTION:

Chairman Amatruda moved and Commissioner Tietz seconded the following motion for application *(21-ZC-2110 / Cenkolli / 219 Main Street North / Request for Minor Modification to the Approved Site Plan to Construct a 24' x 36' Maintenance Building / Map 090 / Lot 021C / CH: 8/17/21)* :

WHEREAS, the Woodbury Zoning Commission (Commission) has received a request, 21-ZC-2110, from Ron Wolff (applicant) on behalf of Gurali Cenkoli(owner), for a minor modification of the site plan associated with the previously approved special permit (19-ZC-1908) to allow for the construction of a 24' x 36' maintenance building at 219 Main Street North (Map 090/Lot 021C); and

WHEREAS, the Commission has received the following material:

- a. An application received June 14, 2021;
- b. A Site Utility, Grading, Drainage, and Sedimentation Erosion Control Plan prepared by Wolff Engineering, dated February 28, 2019, and revised June 11, 2021;
- c. Schematic Plan and Schematic Elevations, Typical 3 Bay Garage, prepared by Blue Moon Design, Architectural Design, LLC, dated June 12, 2021, and received June 14, 2021;
- d. A Revised Site Utility, Grading, Drainage, and Sedimentation Erosion Control Plan prepared by Wolff Engineering, dated February 28, 2019, and revised July 6, 2021;
- e. Abutter notifications received July 6, 2021; and

WHEREAS, the Commission conducted a site walk on June 26, 2021; and

WHEREAS, a duly noticed public hearing was convened on July 13, 2021, to consider the application and receive public comment; and

WHEREAS, the submitted plans, as detailed in this approval demonstrate conformance with the applicable zoning regulations of the Town of Woodbury; and

WHEREAS, the Commission has carefully considered all the information submitted and received at the public hearing;

WHEREAS, this motion does not eliminate the necessity for the applicant to obtain any required local, state or federal authorizations, including but not limited to, Building, Zoning and Driveway Permits, Fire Marshal and Health District approvals, Planning Commission, Historic District Commission or Inland Wetland Agency approvals.

NOW, THEREFORE, BE IT RESOLVED that the Woodbury Zoning Commission approves application, 21-ZC-2110, submitted by Ron Wolff (applicant) on behalf of Gurali Cenkoli (owner), to construct a 24' x 36' maintenance building at 219 Main Street North (Map 090/Lot 021C) as described on the submitted Zoning Commission application received June 14, 2021. Subject to the following conditions:

1. The applicant shall provide the Land Use Office with 48-hour notice prior to construction and shall not commence approved work until soil erosion and sedimentation control devices have been installed and inspected.
2. Any variation from or alteration of the approved Site Plan shall require review and approval in accordance with the Woodbury Zoning Regulations.

Chairman Amatruda called for discussion on this application. Commissioner Clarke asked to see the original motion passed for this property. It could not be located at the moment. Commissioner Clarke stated for the record that he does not recall that a condition of the original application was that the buildings would be totally obstructed by vegetation. Ms. Mazur had pointed to the area that does not face Woodbury Hill but rather the main road. The plantings that are to face Woodbury Hill are deciduous. The 2019 planting map was reviewed. Alternate Rushin commented that the applicant went above and beyond with the plantings that are required. He expects that the applicant will continue to do the same. The trees will be eight feet tall once they are mature.

Chairman Amatruda stated that all plans are at the Town Hall for review. The project still has a bond out which will not be released until the project is complete as per the plans submitted. He encouraged the public to please go and review the plans and notify the Town Planner if there are any conditions that are not being met. However, the plantings are not conditions on this application.

Vote: 5-0-0 in favor. Motion unanimously approved.

5. ENFORCEMENT REPORT

21-ENF-0006 / Taff / 148 Sycamore Avenue / NPV Unpermitted and Occupied Recreational Vehicles / Map 036 / Lot 035

The clerk informed the Commission that per Town Planner Maryellen Edwards, an inspection of the property had not been conducted to confirm the status. Therefore, the item should be tabled.

MOTION:

Commissioner Clarke moved and Commissioner Wilson seconded to table enforcement issue (*21-ENF-0006 / Taff / 148 Sycamore Avenue / NPV Unpermitted and Occupied Recreational Vehicles / Map 036 / Lot 035*) until the next Zoning Commission meeting.

Vote: 5-0-0 in favor. Motion unanimously approved.

6. OTHER BUSINESS

Chairman Amatruda stated that he would not be at the July 27, 2021, Zoning Commission meeting. Discussion then commenced regarding a letter from the First Selectman regarding the use of the call in option for meetings and where meetings are conducted. Chairman Amatruda also took into consideration the opinions of Kathy Doyle, a member of the public, John White the custodian, and the Clerk Robyn Wright. The consensus was that normal, low interest meetings could meet at the Shove Building and larger meetings should be at the Senior Center. Discussion on this will continue. The next meeting will be held at the Senior Center.

7. REGULATION WORKSHOP

Chairman Amatruda wanted to discuss the topic of legalized marijuana. Commissioner Trella noted that it is still illegal federally. Alternate Well stated that this is a moot point since the regulations are in the legislation. Information published by the NVCOG summarized that dispensaries will most likely only be allowed in towns with a population of at least 25 thousand. Commissioner Clarke reads some information from the summary. The State will set all of the parameters. Chairman Amatruda wants the Commission to have a stand that can be presented to the public. There was discussion on possibly inviting a State Representative to come and explain the law to the public. Chairman Amatruda wants the Commission to understand what the law is so they collectively can say this is what we are doing or not doing and these are the reasons why. He will speak to the Town Attorney.

8. PRIVILEGE OF THE FLOOR

Kathy Doyle, 35 Washington Road, addressed the Commission. Ms. Doyle had hoped the Commission would discuss signage regulations tonight. She had looked into the Goshen regulations and there signage allowance is slightly bigger. She looks forward to that discussion in the future.

Ms. Doyle also wanted to state that she wishes the Town would be able to use technology at the meetings. There is a screen at the Senior Center and an electronic whiteboard at the Shove Building where files and plans could be used to make it easier for the public to follow along during meetings. She would also like to see audio technology used as well. Commissioner Clarke stated that there used to be microphones, but those are no longer available. Ms. Doyle believes that the technology could help alleviate friction with the public. Ms. Doyle encouraged the Commission to ask for better technology.

Commissioner Clarke complained vehemently regarding the situation that the Town does not have a Zoning Enforcement Officer. He stated the Town needs to find the money in order to retain a proper ZEO.

9. CORRESPONDENCE

- 2nd Quarter Reports from Tietz Trucking
- 2nd Quarter Reports from O&G Park Road Quarry and Complaint Log
- 2nd Quarter Reports from O&G Stiles Road Quarry

The Commission decided to ask the O&G representative to come in for the next meeting regarding the complaints.

10. CONSIDERATION OF MINUTES

Chairman Amatruda presented for consideration the minutes of the June 22, 2021, Zoning Commission meeting. He called for discussion. There was none.

MOTION:

Chairman Amatruda moved and Commissioner Clarke seconded to accept the minutes of the June 22, 2021, Zoning Commission meeting as presented.

Vote: 5-0-0 in favor. Motion unanimously approved.

Chairman Amatruda presented for consideration the minutes of the June 26, 2021, Special Meeting. He called for discussion. There was none.

MOTION:

Chairman Amatruda moved and Commissioner Tietz seconded to accept the minutes of the June 26, 2021, Special Meeting/ Site Walk as presented.

Vote: 5-0-0 in favor. Motion unanimously approved.

11. ADJOURNMENT

MOTION:

To adjourn the meeting at 8:28 p.m.
Made by Chairman Amatruda

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 WOODBRURY, CT
This 20th day of July 2021
at 2:00 o'clock P. M.
Lucy S. Cook
Town Clerk