

Town of Woodbury Zoning Commission

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

**MINUTES – AUGUST 13, 2024
REGULAR MEETING
7:00 P.M. – SHOVE BUILDING, 281 MAIN ST. SOUTH**

MEMBERS PRESENT:

Bob Wilson, Chairman
Robert Clarke
Ted Tietz
Donald Trella (*arrived at 7:03 p.m.*)

ALTERNATES PRESENT:

MEMBERS ABSENT:

Thomas Amatruda

ALTERNATES ABSENT:

Jake Amorando
Casey Rushin
Jack Well

ALSO PRESENT: Town Planner Will Agresta, Agents, 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, and Wilson
CONFLICT OF INTEREST (*CGS Section 8-11 & Woodbury Town Charter Section 901*)

2. PUBLIC HEARINGS

- **24-ZC-0011 – 127 Bethlehem Road / Map 14, Lot 11 / OS-100 District
Special Permit / Site Plan application per Zoning §3.4.1 to permit the construction and use of an accessory public water utility storage building measuring 4,800 sf (60' x 80').
Watertown Fire District (owner/applicant), Ron Wolff, PE (agent)**
 1. Ron Wolff, Wolff Engineering, addressed the Commission. Mr. Wolff submitted the certificates of mailing. The property on the application is on the west side of Route 61. Mr. Wolff showed the property on the map. It is located in an OS100 zone. It consists of 6.11 acres. The application proposes a driveway off of Church Hill Rd that would be 12 feet wide. The proposed building would be 60" x 80" and is for a public utility storage building to be built in a pole barn style. There will only be water main materials stored in the proposed building such as pipes and valves.

There will be no chemicals involved. The application falls under zoning regulation 3.4 for public utilities. The Watertown Fired District is a public water company chartered in 1913.

2. The building will not have gutters. Water will be captured by an infiltration trench from the building and down the east side of the driveway. There is well-drained soil on the property. Mr. Wolff addressed the comments from the Town Planner dated August 8, 2024. The area falls in the Aquifer Protection area however there will be no chemicals stored on site so registration is unnecessary. Mr. Wolff submitted a revised approval from the Health Department stating that a floor can be installed. There is an existing house and garage on the property. The garage is also used for storage. Limits of disturbance were added to the site plan. The site is screened by existing trees on the road. Six Green Giant arborvitaes will be planted to fill in a gap near the corner of the proposed building for screening. They have added a paved apron. There will be no dumpster on site.
3. Town Planner Agresta felt that all items were addressed by the applicant. The Commission needs to determine if the garages will be deemed the principal use of the property, otherwise they will exceed limits for accessory use buildings. Chairman Wilson opened the discussion to the Commission. Commissioner Clarke asked if they have calculated for 50 to 100 year storms. Mr. Wolff based the calculations on the regulations which require a 25 year storm. Commissioner Clarke was concerned with the amount of water that could come off a roof of that size. Mr. Wolff stated that there is no point of discharge which helps eliminate erosion. The infiltration trench will be 80 feet long by two feet wide by two feet deep with crushed stone.
4. Commissioner Clarke inquired about deliveries. There will be infrequent deliveries and there is a turn around for a UPS size truck. There is a sliding door at the back of the barn. Mr. Tannas of the Water Department joined the conversation to answer questions. Mr. Clarke asked about any abutting neighbors. Mr. Wolff showed where the neighbor is located and that all vegetation will remain. Commissioner Trella asked about the height of the building. The midpoint roof is 18 feet and 12 feet at the eaves. The elevation of the building is higher than the road, so the screening will help the impact. Chairman Wilson asked about exterior lighting. There will only be what is required on the building. No pole of flood lights will be present. Chairman Wilson called for comments from the public. There were none.

MOTION:

To close the Public Hearing on application (24-ZC-0011 – 127 Bethlehem Road / Map 14, Lot 11 / OS-100 District) and for staff to prepare the application for consideration.

Made by Chairman Wilson, Seconded by Commissioner Clarke

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

Ayes: Clarke, Wilson, Tietz

Nays: None

Abstain: None

Commissioner Trella was seated at 7:33 p.m.

3. ENFORCEMENT

There were no enforcement issues to consider.

4. ADMINISTRATIVE

Chairman Wilson presented the minutes of the July 23, 2024, Zoning Commission meeting for consideration. He called for comments. There were none.

MOTION:

To approve the minutes of the July 23, 2024, Zoning Commission meeting as presented

Made by Chairman Wilson, Seconded by Commissioner Trellis

Vote: 3-0-1 – Approved – Motion Passed

Ayes: Wilson, Tietz, Trella

Nays: None

Abstain: Clarke

5. PRIVILEGE OF THE FLOOR

1. David Lynch, 12 River View Lane, addressed the Commission. Mr. Lynch explained that he has submitted complaints about a neighbor at 92 Judson Avenue that has erected a large chicken coup without a permit that is located five feet from his property line. The setback is supposed to be 100 feet. His initial complaint was made on April 30, 2024. The property owner put in a request for permit to the Historic District Commission. He and his neighbors also presented their complaints to the Historic District Commission. This is affecting his life as the smell from the chickens is very bad and makes his back yard unpleasant along with being unsanitary with a new baby. He is wondering what the enforcement process for is removing an unpermitted structure.
2. Town Planner Agresta explained that the office has been trying to work on the issue. The objective of the ZEO is to obtain compliance. The violator had received a letter of a potential violation explaining that they needed to obtain a permit for compliance and move the structure. A plan was made with a new location for the chicken coup. The violator would need to apply to the HDC first and get approval before obtaining a Zoning Permit. The application was made and received by the HDC; However, they were not present at the most recent HDC meeting and therefore were not able to address questions by that commission. The application was denied with the understanding that they could reapply. The ZEO will be trying to get them to reapply and begin the process again. If they fail to do so, then the ZEO will need to start legal action to get the structure removed.
3. James and Julie McLaughlin, 19 Woodbury Hill, entered the discussion. Ms. McLaughlin's father's property is nearby. They would like to see the issue escalated as the enforcement process is not working and there is a pattern of impunity. They mentioned how he had originally cleaned up the property and then obtained permits for a new garage that has never been completed. Ms. McLaughlin also inquired about that there are three driveways going onto the property. The address is located on Judson Road and yet there is constant traffic onto Riverview by way of a makeshift driveway that goes over the curb. The Commission explained that the Board of Selectmen and the Public Works Department oversee driveways and suggested going to those boards on that issue. Mr. Lynch has gone to the PRWC regarding the makeshift driveway that is creating mud and debris on the River View Lane.
4. Lori Zeltner, 11 River View Lane, addressed the Commission. Ms. Zeltner felt that the violator is making a mockery of the system and wants something to reign him in. Chairman Wilson would like the item added to the agenda for the next meeting with a request for the owner to appear primarily for the setback issue. Commissioner Tietz noted that entrance over a curb without a

curb cut is not allowed and is another avenue for the Commission to pursue. Town Planner Agresta reminded the Commission that their objective is to compel him to correct the permits and move the structure or to remove it.

6. CORRESPONDENCE

- O & G July complaint log Park Road quarry
- Classic Turf update

Town Planner Agresta stated that Classic Turf will need to come back to the Commission and present what has been done since the item was sent to the Town Attorney. The owners would like the Commission to come and look at the site. Mr. Agresta stated that they need to come to the Commission first and show what they have done according to what their engineer said was appropriate. There will likely need to be another site walk to ensure that what they have done is enough. The item will be added to the agenda and the owners have said that they will be at the next meeting.

7. DRAFT ZONING REGULATIONS WORK SESSION

MOTION:

To table the discussion of the Draft Zoning Regulations Work Session

Made by Commissioner Trella, Seconded by Chairman Wilson

Vote: 3-1-0 – Approved – Motion Passed

Ayes: Wilson, Tietz, Trella

Nays: Clarke

Abstain: None

8. ADJOURNMENT

MOTION:

To adjourn the meeting at 8:24 p.m.

Made by Chairman Wilson

Respectfully Submitted,

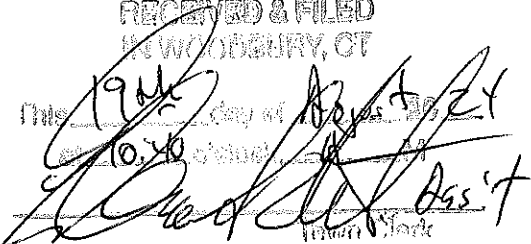
Robyn Wright

Robyn Wright
Clerk for the Zoning Commission

RECEIVED & FILED
IN WOODBURY, CT

19th day of August 2024

Ass't



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