

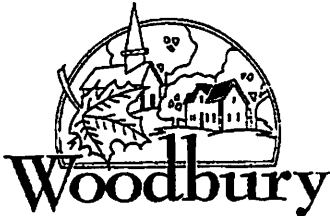
TOWN OF WOODBURY

Zoning Commission

281 Main Street South

Woodbury, Connecticut 06798-0369

(203)263-3467 ~ www.woodburyct.org



First land deed from the Indians
April 12th 1659

MINUTES – AUGUST 24, 2021

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 (*arrived 7:05 p.m.*)

ALTERNATES PRESENT:

Elmer Kiessling
Jack Well
Casey Rushin

MEMBERS ABSENT:

ALTERNATES ABSENT:

ALSO PRESENT: Towns people

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, Wilson, Tietz and Alternate Rushin
CONFLICT OF INTEREST (*CGS Section 8-11 & Woodbury Town Charter Section 90.1*)

2. ENFORCEMENT REPORT

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

The Commission noted that there was still no updated information on this potential violation.

MOTION:

Commissioner Amatruda moved and Alternate Rushin seconded to table item (*21-ENF-0006 / Taff / 148 Sycamore Avenue / NPV Unpermitted and Occupied Recreational Vehicles / Map 036 / Lot 035*) until there is more information.

Vote: 4-1-0 in favor. Commissioner Clarke being the nay vote.

- b) 21-ENF-0008 / Beyer / 46 Leavenworth Rd. / NPV Construction of Unpermitted Pavilion & Possible Home-Based Business / Map 070 / Lot 048-12

Chairman Amatruda recused himself and turned the meeting over to Vice Chairman Clarke. Vice Chairman Clarke unseated Commissioner Amatruda and seated Alternate Kiessling at 7:03 p.m.

Vice Chairman Clarke read an email dated 8/17/21, from Land Use secretary Anne Firlings, stating that there was a response from the property owner indicating that there is not a business at this address, and that they were unaware they needed permits for the pavilion. The process for a permit application has begun. It was recommended by Ms. Firlings to hold off on sending additional violation notices as they have begun the permitting process and had responded to the initial NPV.

MOTION:

Vice Chairman Clarke moved and Commissioner Wilson seconded to table item (21-ENF-0008 / Beyer / 46 Leavenworth Rd. / NPV Construction of Unpermitted Pavilion & Possible Home-Based Business / Map 070 / Lot 048-12).

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

*Alternate Kiessling was unseated and Chairman Amatruda was reseated at 7:07 p.m.
Alternate Rushin was unseated and Commissioner Trella was seated at 7:07 p.m.*

3. REGULATION WORKSHOP

1. Chairman Amatruda opened the discussion regarding proposed signage regulations. Chairman Amatruda presented and submitted to the file photos of several signs around town along with their approximate square footage to begin the discussion. Some of the business signs mentioned were The 1754 House, Southwood Auto, Monique Shay, The Pantry, Terrace Apartments, 1080 Main St. S., Constantine's, Spruce Bank, Mixed Prime and Discount Liquor in order to compare size and visibility.
2. Alternate Well stated that he drove through the town going the speed limit and was able to read every sign. He does not feel increasing sign square footage is what is needed. Chairman Amatruda felt that increasing the square footage from nine to approximately 12 square feet would not make a huge difference in the look of the town but would help business owners.
3. Directory signs were also discussed. Sherman Village and the Hamlet were used as good examples of directory signage. Chairman Amatruda felt that these types of signs should also be increased thus showing the town to be business friendly. Discussion ensued regarding if this really mattered to business owners. Commissioner Wilson noted that when he was speaking to people when running for the Commission, business owners did talk about the signage challenges in town. Chairman Amatruda felt that by giving more options to businesses, the town will get better looking signs. Commissioner Clarke disagreed. Commissioner Trella felt that there is room for negotiating in order to deal with the prolific amount of temporary signs.
4. The Commission started to go through the Sign Standards section 13 of the revised Zoning Regulations draft. There was discussion on understanding the differences between permanent,

provisional and temporary signs. Alternate Kiessling noted that provisional signs are in the current regulations, but the length of time has been shortened in the revised regulations. The Commission decided in section 13.3.2 to remove the word “normally” from the definition. Chairman Amatruda stated he will speak to the consultant regarding provisional signs.

5. Discussion continued regarding Prohibited Signs in section 13.5.1. It was decided that banner signs could be allowed as a temporary sign. Flag signs were also considered to be allowed in certain circumstances. Alternate Rushin suggested a total square footage allowance that a business could use with a variety of signs. Otherwise if the square footage is increased on the permanent signs, and banners and flags could be used also, then there could be too many signs to preserve the town character. The issue of enforcement of these regulations came up as the town currently does not have a ZEO or a Town Planner and most violations occur on the weekends. Commissioner Clarke read the Purpose and Intent section 13.1.A for clarification.

Noticing that a member of the public was waiting to speak, the Commission decided to pause the Regulation Workshop.

MOTION:

Commissioner Clarke moved and Chairman Amatruda seconded to amend the agenda to cover the Privilege of the Floor ahead of finishing the Regulation Workshop.

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

4. PRIVILEGE OF THE FLOOR

Thomas Burns, 63 Leavenworth Road, addressed the Commission by reading a statement.

“As a longtime homeowner it appears to me that the biggest issue we have as town is the lack of an effective and aggressive ZEO. I would like to ask the Commission to continue to enforce the zoning rules and regulations as they pertain to home based businesses in residential zones and building additions as it is necessary to prohibit the creation of zoning exceptions. Commercial operations in a residential zone destroy the residential character of a neighborhood. The constant presence and storage of heavy equipment, the traffic from heavy equipment and employees arriving and departing detracts from the quiet and peaceful nature of a residential neighborhood. Overnight parking of equipment and vehicles on the roadway is a hazard and contribute to the destruction of the residential character of the neighborhood. While a home-based commercial operation may start small and be unobtrusive as it grows and succeeds it becomes a nuisance and an undesirable element in a residential zone.”

“I would further request the Commission to act promptly to halt the construction of unapproved and non-permitted structures as it seems once a structure is completed it is unlikely to be removed or torn down. The most likely outcome seems to be a zoning exemption may be granted. As a result, it is imperative that non-permitted construction be halted and removed as soon as possible to prevent them from becoming exemptions.”

“We are not opposed to small businesses in Woodbury or individuals improving their property with additional structures. We do want the owners of residential property to conform to the rules and

regulations established by the town as they have been created for the protection of other owners and residents. Thank you for the privilege of the floor. The Town needs to take quick and decisive action on commercial operations in residential zones and halting non-permitted construction.”

Following his statement, discussion commenced between Mr. Burns and the Commission. The Commission is trying to ascertain what is actually happening in regards to the property at 46 Leavenworth Road. Mr. Burns stated that there are trailers with mowers, Bob-cats and backhoes on a consistent basis. The Commission recommended that in the absence of a Town Planner and ZEO, Mr. Burns should go see the First Selectman and bring photos of the area. Mr. Burns says that he has and was instructed to go to the Zoning Commission. He feels the Town needs to take action so as not to make complaints neighbor versus neighbor. The Commission decided that they would like to take some action.

MOTION:

Commissioner Clarke moved and Commissioner Trella seconded to change the agenda to consider action for item *(21-ENF-0008 / Beyer / 46 Leavenworth Rd. / NPV Construction of Unpermitted Pavilion & Possible Home-Based Business / Map 070 / Lot 048-12)*.

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

Chairman Amatruda recused himself and turned the meeting over to Vice Chairman Clarke. Chairman Amatruda was unseated and Alternate Well was seated at 8:20 p.m.

The Commission reconsidered item 21-ENF-0008. Vice Chairman Clarke noted correspondence with a Mr. Cardona which stated that they own a landscaping business in Woodbury. Often times the mowers are brought back to the address in question at the end of a long day. The business owners also have to mow their own lawns with the equipment. Any cars coming and going are not for the business. The Commission decided that there are conflicting reports and need to compel his presence to get the story from multiple sides.

MOTION:

Vice Chairman Clarke moved and Commissioner Tietz seconded to have staff contact the potential violator (Mr. Cardona) on item *(21-ENF-0008 / Beyer / 46 Leavenworth Rd. / NPV Construction of Unpermitted Pavilion & Possible Home-Based Business / Map 070 / Lot 048-12)* in order for him to appear at the next scheduled Zoning Commission meeting on 9/14/21 at the Shove building.

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

Alternate Well was unseated and Chairman Amatruda was reseated at 8:26 p.m.

Kathy Doyle, 35 Washington Road, addressed the Commission. Ms. Doyle stated that the job description posted for the ZEO does not state it is a Monday through Friday position. She recommends that all Land Use Chairmen should jointly write a letter to the Board of Selectmen to say that this job position should not be considered for weekdays only. Ms. Doyle stated that the signs are a mess, especially the temporary ones and this needs to be enforced. While she is not against flag signs, she asks that the regulations state that they cannot interfere with bike or walking paths that could force someone into traffic. Maybe the size should be limited.

Ms. Doyle is in favor of banner signs for events on a temporary basis. She noted that businesses on State Roads have fees imposed for signs and so fees have not been taken for temporary signs on those businesses to not impose an extra fee. She recommended checking on the law for the State roads so as to avoid the extra fee for businesses. Making the sign piece an ordinance rather than a regulation may be the answer.

The Commission decided not to continue discussion of the Regulation Workshop at this time.

5. CORRESPONDENCE

There was no correspondence at this time.

6. CONSIDERATION OF MINUTES

Chairman Amatruda presented for consideration the minutes of the August 10, 2021, Zoning Commission meeting. He called for discussion. Commissioner Clarke had a correction.

MOTION:

Chairman Amatruda moved and Commissioner Wilson seconded to approve the minutes of the August 10, 2021, Zoning Commission meeting as amended:

- Page 5-Section 6.a, final sentence: correct spelling of word “confidant” to “confident”

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

7. ADJOURNMENT

MOTION:

To adjourn the meeting at 8:35 p.m.
Made by Chairman Amatruda

Respectfully Submitted,

Robyn Wright

Robyn Wright
Clerk for the Zoning Commission

RECEIVED & FILED
IN WOODBURY, CT

This 1st day of Sept 20~~21~~
at 7:55 o'clock A M
Guido L. Clark
Town Clerk

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