



Town of Woodbury Zoning Commission

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

**MINUTES – SEPTEMBER 12, 2023
REGULAR MEETING
7:00 P.M. – SENIOR CENTER, 265 MAIN ST. SOUTH**

MEMBERS PRESENT:

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

ALTERNATES PRESENT:

Jack Well

MEMBERS ABSENT:

ALTERNATES ABSENT:

Elmer Kiessler
Casey Rushin

ALSO PRESENT: Town Planner Will Agresta

1. OPENING OF MEETING

- a) CALL TO ORDER – Chairman Wilson convened the meeting at 7:02 p.m.
- b) SEATING OF MEMBERS AND ALTERNATES
Seated were Commissioners Clarke, Amatruda, Tietz, Wilson and Trella
CONFLICT OF INTEREST (*CGS Section 8-11 & Woodbury Town Charter Section 901*)

2. PUBLIC HEARINGS

There were no public hearings at this time.

3. PENDING AND NEW APPLICATIONS

- a) 23-ZC-0016 – 785 Washington Road / Map 70, Lot 27 / OS-100
Special Permit Amendment / Flood Plain Permit: Remove and Replace Rotted Wood Bridge Planks and Handrails. Eric Anderson (Applicant), Tapawingo Tubing LLC (owner).
Wetland Application Report Pending / OH or D by 10/26/23

Eric Anderson, Tapawingo Tubing, addressed the Commission. Mr. Anderson explained that repair work had already been performed on the bridge and he was there to answer any questions.

Town Planner Agresta explained how this is a Special Permit Amendment. A repair was made to the existing bridge without a permit. Since this property is in a flood plain it is necessary to obtain a permit and get approval from the Inlands Wetlands Association. This could be deemed a minor amendment to the original special permit. Mr. Anderson provided a letter from an engineer stating that no harm had been done to the flood plain by repairing the bridge. Mr. Anderson appeared before the IWA last evening. The agency had asked for a draft approval to be prepared for the next meeting. The Commission could do the same pending approval from the IWA.

MOTION:

To waive the Public Hearing on application (23-ZC-0016 – 785 Washington Road / Map 70, Lot 27 / OS-100) and prepare a draft approval pending the Inland Wetlands Agency’s approval.

Made by Chairman Wilson, Seconded by Commissioner Tietz

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

Ayes: Wilson, Clarke, Tietz, Amatruda, Trella

Nays: None

Abstain: None

- b) **23-ZC-0017 – 346 Main Street South / Map 104, Lot 2A and 3 / MSD
Special Permit Amendment: Add Two (2) Detached Accessory Garage Buildings. John F.P. Lamb (applicant), The Birches on Main, LLC (owner).**

Gail McTaggart, Secor, Cassidy & McPartland, addressed the Commission. Ms. McTaggart explained that the application is before the Commission to determine if it may be considered minor and therefore waive the Public Hearing; and to be referred to the Planning Commission. The property is located within the Main Street Design district and the Historic district. The application is for a Special Permit Amendment to add two garages to the property. The property has a residential use building comprised of three apartments. The construction and landscaping on the property are complete. They have received a Certificate of Appropriateness from the Historic Commission for the Special Permit. The design for the new garages was shown to be a New England Style with screened landscaping. There would be two separate garages measuring 22’ x 22’. Town Planner Agresta stated that the applicant may enlarge the structures to 22’ x 24’ depth. Commissioner Clarke did not feel this was a minor change.

MOTION:

To waive the Public Hearing on application (23-ZC-0017 – 346 Main Street South / Map 104, Lot 2A and 3 / MSD) and refer the application to the Planning Commission.

Made by Chairman Wilson, Seconded by Commissioner Amatruda

Vote: 4-1-0 – Approved – Motion Passed

Ayes: Wilson, Tietz, Amatruda, Trella

Nays: Clarke

Abstain: None

4. OTHER BUSINESS

- **17-ZC-1708 – 5 Minortown Road / Map 23, Lot 19 / OS-60
Special Permit Approval Condition #5 – Request to accept certified letters from PE and Landscape Architect in lieu of required As-Built Plan. Regional School District #14 (owner).**

Town Planner Agresta explained that the applicant is not there because they had to go to the IWA to obtain approval, which they were not granted. The Commission does not need to handle this in any way at this time.

5. ENFORCEMENT

There were no enforcement items to cover at this time.

6. DELIBERATIONS / DETERMINATIONS

There were no items to deliberate or determine at this time.

7. ADMINISTRATIVE

- **POCD Goals – Discussion Prep for the Joint Land Use Meeting**

The Joint Land Use meeting will be held tomorrow, Wednesday, September 13 at 6:30 p.m. The agenda is very open so it is not clear how the conversation will progress. Chairman Wilson put together some talking points for the meeting. The main points would be 1) **Zoning Regulations** revisions are underway. These have taken so long because of Covid and heavy business since Covid; 2) **Key Changes under Consideration**. Ways to make processes and regulations better for businesses. 3) **Way Ahead**. To have the draft Zoning Regulations ready for a Public Hearing and approval by early 2024.

Discussion ensued amongst the Commissioners about how to approach the meeting and not to make any new regulation decisions a topic of conversation. In the past these meetings were a more structured format with presentations. The intent of this meeting is not to get into specifics but to talk about how different boards and commissions may have interrelated goals and need to collaborate. Town Planner Agresta gave the example of sidewalks. Sidewalks are a big issue and many groups have an interest such as Planning, Zoning, Conservation, Inland Wetlands and The Shade Tree and Sidewalk Committee. Therefore, it is a good idea to open the conversation about the topic. Commissioner Clarke inquired about the Route 6 study which relates to sidewalks.

- **Meeting Minutes**

Chairman Wilson presented for consideration the minutes of the August 22, 2023, Zoning Commission meeting. He called for discussion. Commissioner Clarke had a correction.

MOTION:

To accept the minutes of the August 22, 2023, Zoning Commission as amended:

- Page 2, 2nd Line—the word “site” should have the correct spelling “sight.”

Made by Chairman Wilson, Seconded by Commissioner Clarke

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

Ayes: Wilson, Clarke, Amatruda, Tietz, Trella

Nays: None

Abstain: None

Chairman Wilson presented for considerations the minutes of the August 8, 2023, Zoning Commission meeting for consideration. He called on clerk Robyn Wright to give a report on what the recording had said. She stated how the minutes should have read based on the recording.

MOTION:

To accept the minutes of the August 8, 2023, Zoning Commission as amended:

- The first paragraph should read:
Richard Warren, agent for O & G Industries, addressed the Commission. Mr. Warren began by reviewing the Second Quarter Compliance Report for the Stiles Road Quarry. There were no complaints. The Commission and Mr. Warren went over the blasting log where there was a single reading spike documented at 102% of the Woodbury regulations. The quarry spoke with the nearest homeowner and there was no damage. The homeowner stated he was not concerned with a single blast but would be with patterns of excessive blasts. Mr. Warren noted that the neighbor has a steel and concrete bunker underground that could have impacted the wave pattern. Commissioner Amatruda confirmed the locations of the blast. He also asked if the quarry was aware immediately that the blast was unusual. Mr. Warren said the quarry was not aware until the reports came back. Commissioner Amatruda noted that maybe this particular vein was different and they need to look at and adjust how much explosives they are using. Commissioner Clarke thought it was an anomaly due to the underground structure. Chairman Wilson asked if it is reasonable to say that O & G is taking action to monitor and ensure in order to mitigate these instances? Mr. Warren stated that they are. While they take those concerns seriously, he wanted it noted for the record that Woodbury’s regulations are very stringent in comparison with the US Bureau of Mines whose guidelines the vibrations fall within. Therefore, he does not believe there is any risk of damage to the public.

Made by Chairman Wilson, Seconded by Commissioner Clarke

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

Ayes: Wilson, Clarke, Amatruda, Tietz, Trella

Nays: None

Abstain: None

MOTION:

To adjust the agenda to cover Privilege of the Floor prior to the Draft Zoning Regulations Work Session.

Made by Chairman Wilson, Seconded by Commissioner Amatruda

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

Ayes: Wilson, Clarke, Amatruda, Tietz, Trella

Nays: None

Abstain: None

8. PRIVILEGE OF THE FLOOR

Chairman Wilson called for any comments from the floor. There were none.

9. CORRESPONDENCE

There was no correspondence to cover.

10. DRAFT ZONING REGULATIONS WORK SESSION

Chairman Wilson opened the work session by continuing discussion of **Section 15. Application Procedures and Action.**

15.1.6 Public Hearing

- **15.1.6 A – E** : These are State regulations. There were minor grammatical changes made.

15.1.7 Notice of Hearing

- **15.1.7.A** – This was good as recommended
- **15.1.7.B- D** : There was a lot of discussion surrounding what type of notice is actually required. State law dictates notice in the newspaper only. Certificates of mailing are required by the town but not receipts by recipient. Abutter notices are sent out to those within 500 feet of the applicant’s property, including across the street. Most towns only require those within 200 feet. Discussion led to situations that are close to town lines and how that is handled by the adjoining town being notified by Woodbury’s Land Use office to contact any other abutters within the adjoining town. The consensus was to stick with the recommendations.

15.2.1 Criteria for Decision

- **15.2.1.A – C**: These were good as recommended
- **15.2.1.D .1-3**: These were good as recommended
- **15.2.1.D.4**: Consensus to remove “property values” from the statement
- **15.2.1.D.5-9**: These were good as recommended with minor grammatical changes.
- **15.2.1.D.10**: Consensus to remove “these regulations” and replace with “this Commission.”
- **15.2.1.D.11**: Consensus to add “utilities and sanitation” to the statement
- **15.2.1.D.12-13**: Minor grammatical changes

11. ADJOURNMENT

MOTION:

To adjourn the meeting at 8:51 p.m.
Made by Chairman Wilson

Respectfully Submitted,

Robyn Wright

Robyn Wright
Clerk for the Zoning Commission

RECEIVED & FILED
IN WOODBURY CT

This 14th day of Sept 2023
at 11:15 o'clock A M

Anna Mancini
Town Clerk

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