



Town of Woodbury Zoning Commission

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

**MINUTES – SEPTEMBER 24, 2024
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 (*arrived 7:03*)

ALTERNATES PRESENT:

Jake Amorando
Casey Rushin

MEMBERS ABSENT:

ALTERNATES ABSENT:

Jack Well

ALSO PRESENT: Town Planner Will Agresta, Applicants & Agents

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

2. PUBLIC HEARINGS

- a) **24-ZC-0012 – 517 Main Street North / Map 25, Lot 22A-A / OS-100 District**
Mattatuck Unitarian Universalist Society (owner/applicant), Civil 1 Engineering (agent)
Special Permit/Site Plan: per Zoning §3.4.8 to permit development of 1,200 sf building and 1,200 sf open-air pavilion to be used as a place of worship with associated site improvements. *Open Public Hearing – CH by 10/29/24*
 1. Meghan Miller, Civil 1, addressed the Commission. Ms. Miller submitted the abutter notices. She explained the purpose of the application to construct a house of worship with an open air pavilion. There will be a driveway with appropriate parking. There are landscaping, lighting, septic, and stormwater management plans. The hours of operation would be for two hours on Sundays and for a one hour weeknight gathering happening sometime between Monday to Thursday from 7:00 to 8:00 p.m. This activity will be lighter in the summer months.

2. The CTDOT has reviewed the plan and a letter of approval for the plans was submitted. There were no signs recommended for merging traffic. There were comments from the Town that were addressed. The applicant has moved the site of the building east and the parking area south. The plan has been adjusted to show additional buffering near the dumpster. The Health Department has given approval for the septic plan. Town Planner Agresta has not looked at all of the adjustments but the application looks straight forward. Chairman Wilson opened the discussion to the Commission.
3. Commissioner Clarke would like to see a site walk. Alternate Rushin asked for clarification on catch basins. Ms. Miller showed the site grading to be done along Route 6 for sight lines. Alternate Amorando clarified if the shared drive is with a resident. Currently, the abutting property is undeveloped. Planner Agresta clarified that the power will cross Route 6 overhead from a pole. Once on the property, the electrical service will be put underground. Commissioner Clarke would like to see the electricity cross Route 6 underground. Alternate Rushin inquired about any sign and lighting. Commissioner Clarke inquired if the proposed handicap spaces could be closer to the building. There was discussion about the indoor and outdoor areas being used simultaneously resulting in approximately 120 people present. Chairman Wilson called for any comments from the public.
4. Andy Gumkowski, 76 Hurds Hill Rd., addressed the Commission. Mr. Gumkowski works in electrical infrastructure for the State of NY. He stated that the cost to go underground would be about seven times the amount to go overhead. The cost to benefit to do so on this project is does not make sense.
5. Nancy Rahuba, Bethlehem, addressed the Commission. Ms. Rahuba stated that she owns the abutting vacant property and was interested to see where this project is in relation to her property. Planner Agresta showed her on the map.
6. Julie Howell, Board President of the MUUS, addressed the Commission. Ms. Howell noted that the intention of the congregation is to have no more than 60 people at any given time. There also is not adequate parking for more patrons. Denise Padane, 894 South Britain Road, Southbury, addressed the Commission. Ms. Padane stated that she has been with the congregation since its formation in 1980 and they have never had a space of their own. She expressed her excitement at the prospect of having their own building. The congregation has used and enjoyed the property already to hold outdoor services. During Covid they had a hard time meeting. They are excited to be able to control their own circumstances now.

MOTION:

To keep the Public Hearing open on application **24-ZC-0012 – 517 Main Street North / Map 25, Lot 22A-A / OS-100 District** and schedule a site walk.

Made by Chairman Wilson, Seconded by Alternate Rushin

Vote: 1-4-0 – Not Approved – Motion Failed

Ayes: Clarke

Nays: Wilson, Amatruda, Tietz, Rushin

Abstain: None

Discussion resulted in some members feeling that a site walk was not necessary. Commissioner Clarke stated that while he passes the property every day he would like to see and walk the location in person.

MOTION:

To close the Public Hearing on application **24-ZC-0012 – 517 Main Street North / Map 25, Lot 22A-A / OS-100 District**

Made by Chairman Wilson, Seconded by Commissioner Tietz

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

Ayes: Wilson, Amatruda, Tietz, Rushin

Nays: Clarke

Abstain: None

Discussion was for staff to prepare a draft approval for deliberation. Commissioner Amatruda felt that the condition of capacity should not exceed 60 people. If the usage increases, the applicant would need to return to the Zoning Commission.

- b) **24-ZC-0013 – 297 & 299 Main Street South / Map 104, Lot 85-2 and Lot 85 / MSD and OS-60 Districts**

Focus Spaces of Woodbury, LLC (owner/applicant), Gail McTaggart, Esq. and Civil 1 Engineering (agents) Zoning Petition: Zoning Map Change per Zoning §9.4.1B to rezone the rear portion of the subject lots currently zoned OS-60 District to MSD District. Open Public Hearing, Receipt of Planning Referral Response – CH by 10/29/24

Alternate Rushin was unseated and Commissioner Trella was seated at 7:42 p.m.

Gail McTaggart, Secor, Cassidy & McPartland, addressed the Commission. Ms. McTaggart explained the purpose of the application to unify the property since the front portion of the property is in the MSD district and the back portion is in an OS60 zone. This would allow having adequate septic systems on the property that they serve. The applicant is looking to put offices in the building and this will make sure that all parking on the upper level is in the MSD district. The Planning Commission has approved the petition as consistent with the POCD. Ms. McTaggart submitted abutter notices. Planner Agresta felt that it is good planning to unify the property. Chairman Wilson called for comments from the Commission. Commissioner Clarke inquired as to where the back of the property abuts. The rear of the property abuts Orenaug Park. Chairman Wilson called for any public comments or questions. There were none.

MOTION:

To close the Public Hearing on application **24-ZC-0013 – 297 & 299 Main Street South / Map 104, Lot 85-2 and Lot 85 / MSD and OS-60 Districts**

Made by Chairman Wilson, Seconded by Commissioner Trella

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

Ayes: Wilson, Amatruda, Tietz, Trella, Clarke

Nays: None

Abstain: None

Chairman Wilson gave guidance to staff to prepare a draft approval for consideration.

- c) **24-ZC-0014 – Zoning Regulations Text Amendment Petition - §7.4.7 Off-Street Parking Standards**

Focus Spaces of Woodbury, LLC (owner/applicant), Gail McTaggart, Esq. and Civil 1 Engineering (agents) Zoning Petition: Zoning Regulations Text Amendment per Zoning §9.4.1C to:

- Amend §7.4.7 to change the minimum required off-street parking standard for retail, banks, business offices, medical, dental and veterinary clinics, and other similar commercial uses; and
 - Amend §5.1.6D to provide an exception to the number of nonresidential uses allowed to exceed two in existing buildings that never included residential uses.
1. Gail McTaggart, addressed the Commission. Ms. McTaggart explained that in looking at other towns parking requirements, Woodbury's standards were out of proportion, resulting in overparking. Too much parking can have a negative impact on the environment and stormwater management. After speaking with Planner Agresta the consensus was that it made sense to separate the requirements for retail stores and business offices. The request is for retail establishments to have one parking space for every 250 square feet; and business offices to have one parking space for every 350 square feet. The Planning Commission reviewed the request and ruled that the request is consistent with the POCD. Planner Agresta read the September 4, 2024, approval. At the Commission's request, Planner Agresta had submitted a list of potential properties that would be affected by this regulation change. Planner Agresta noted a letter submitted from Jonathan Burnham of 301 Main Street S. Chairman Wilson called for any questions from the Commission.
 2. Alternate Rushin clarified that the current regulations would necessitate approximately 68 parking spots. With the proposed amendment there would be 30 spaces required. The applicant is proposing 34 spaces. Commissioner Trella asked that if you don't know who the tenants are, how can you be sure there will be no retail uses. Application 24-ZC-0015 is for business offices only and will not make use of the retail amendment. Alternate Rushin inquired of the proposed amendment to regulation 5.1.6.D to provide an exception to the number of nonresidential uses allowed to exceed two in existing buildings that never included residential uses. The consensus was to remove the word "historically." Chairman Wilson called for any comments from the public. There were none.

MOTION:

To close the Public Hearing on application 24-ZC-0014 – Zoning Regulations Text Amendment Petition - §7.4.7 Off-Street Parking Standards

Made by Chairman Wilson, Seconded by Commissioner Amatruda

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

Ayes: Wilson, Amatruda, Tietz, Trella, Clarke

Nays: None

Abstain: None

Chairman Wilson directed staff to prepare a draft approval for consideration.

- d) 24-ZC-0015 – 297 & 299 Main Street South / Map 104, Lot 85-2 and Lot 85 / MSD and OS-60 Districts
Focus Spaces of Woodbury, LLC (owner/applicant), Gail McTaggart, Esq., and Civil 1 Engineering (agents)
Special Permit/Site Plan: per Zoning §5.1 to permit a change of use to allow twenty (20) office suites dependent on separate Zoning Petitions 24-ZC-0013 and 24-ZC-0014; Special Permit per Zoning §7.4.12 to permit "alternate" off-street parking and loading involving location on an abutting lot via easement; and Special Permit per Zoning §7.4.11 to permit fewer loading spaces than otherwise required.
Open Public Hearing, Receipt of Planning Referral Response – CH by 10/29/24

1. Gail McTaggart, addressed the Commission. Ms. McTaggart gave an overview of the application to use the building on the property as office space. There are no wetlands or aquifer on the property. The property has some unusual characteristics with Frontier still owning the building and infrastructure on the property. The Planning Commission reviewed the request and ruled that the application is consistent with the POCD. Ms. McTaggart read the comment from the Planning Commission stating that Woodbury is lacking office space of this nature. Meghan Miller, Civil 1, addressed the Commission. Ms. Miller explained the proposed septic system. The Health Department has approved the plan. She noted the parking, stormwater, lighting, and landscaping plans that have been updated. She highlighted a possible additional lane for delivery truck turnaround that could be built. If this lane is built, two parking spaces would be eliminated.
2. J.R. Laliberte, owner, addressed the Commission. Mr. Laliberte explained the use of the project. He showed the proposed floor plan that indicated shared restrooms and waiting areas. A tenant's monthly rent covers all maintenance of shared areas and utilities. He reviewed the successes he has had with this business model at other locations. There are mostly one room suites, but some two or three room suites. He has not submitted the interior plans yet. There are no modifications to the exterior, only maintenance items. He has proposed an ADA compliant parking space on the upper parking lot by replacing the staircase with a ramp. Chairman Wilson called for any comments from Planner Agresta. Mr. Agresta stated that the spaces that are on the easement with the phone company are part of the plan and need to be re-done also. Ms. Miller explained that there is a dry well on the property that needs to be abandoned. The sanitation department indicated that capping the well would be sufficient. Mr. Laliberte stated that he spent time talking with neighbor Mr. Burnham and believed that Mr. Burnham felt more confident and comfortable with the project. Planner Agresta stated that there is a collective easement on the properties. Mr. Laliberte acknowledge that if damage occurs it is his responsibility. The success of this application is dependent on the approval of the other two applications. Chairman Wilson called for any questions from the Commission.
3. Alternate Rushin would like to see the dry well filled to avoid it becoming a sinkhole. He inquired about the stormwater and gutter drains. He does not feel that the loading zone on the upper level makes sense. Most trucks will probably block the driveway and dump packages in the lobby area. He also inquired about the hours of operation. The individual tenants will need to apply for a Zoning Permit. Ms. McTaggart explained that the application is requesting hours of 24 hours / day, seven days / week to accommodate people's schedules. Mr. Laliberte explained that the doors will be open for a set time during the day. After those hours, the tenant would need to use a code to get into the building. There was some discussion regarding the hours of operation. Commissioner Amatruda felt that there will still be a lot less activity than with the previously approved 10 apartments. Chairman Wilson called for comments from the public.
4. Pat Corrigan, 305 Main Street S., addressed the Commission. Mr. Corrigan expressed that he has no objections to the proposed uses or the septic system. He stated that the existing drywell crosses under his property. If the drywell is to be abandoned, then both the well and access should be removed and patched. He is not concerned with the number of parking spaces but is concerned that the parking plan does not adequately account for the use by Frontier which is heavier than has been stated. There are between one to four large trucks that park at the property. There is little room for another service truck and he has repeatedly had trucks parking on his property. He is concerned that he and his neighbor's property do not become overflow parking during construction. He questioned the request to waive the traffic study and hopes that will be reconsidered.
5. Ken Deshino, 311 Main Street S., addressed the Commission. Mr. Deshino acknowledged that there is some traffic flow with Frontier that should not be minimized. He has an office in Playhouse Square in Southbury. There is a constant flow of FedEx and UPS trucks. He feels that a dedicated delivery area is needed and is not sure the upper loading zone will apply. The trucks

will park wherever they want. Chairman Wilson stated that the dry well will be dealt with. He recommends calling the Selectmen's office for any parking or traffic issues.

6. Mr. Laliberte stated that right now everything is messy and overgrown so people are parking wherever. He will clean up the property and line the parking lot which will aid in the parking situation. Ms. Miller stated that they will work on the plan more to see if there can be a dedicated delivery truck area. Mr. Laliberte said that the first act of construction will be to clear the upper lot for use during the construction phase. Planner Agresta asked for a demolition and construction phase plan to be submitted. Discussion ensued about a traffic study and what the current regulations require.

MOTION:

To keep the Public Hearing open on application 24-ZC-0015 – 297 & 299 Main Street South / Map 104, Lot 85-2 and Lot 85 / MSD and OS-60 Districts

Made by Chairman Wilson, Seconded by Commissioner Amatruda

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

Ayes: Wilson, Amatruda, Tietz, Trella, Clarke

Nays: None

Abstain: None

3. ADMINISTRATIVE

Chairman Wilson presented the minutes of the September 10, 2024, Zoning Commission meeting for consideration. He called for comments. There were none.

MOTION:

To approve the minutes of the September 10, 2024, Zoning Commission meeting as presented

Made by Commissioner Clarke, Seconded by Chairman Wilson

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

Ayes: Wilson, Amatruda, Tietz, Trella, Clarke

Nays: None

Abstain: None

4. PRIVILEGE OF THE FLOOR

Chairman Wilson stated that when site walks are scheduled, he would appreciate for the members to let him know if they will be attending or not, and to be on time. He needs to know if enough members are coming or if the site walk should be rescheduled.

5. CORRESPONDENCE

Planner Agresta presented for consideration the draft letter to the CT Citing Council regarding the Greenskies project dated September 24, 2024. The Commission reviewed the letter.

MOTION:

To submit the letter to the Connecticut Citing Council re: Docket No. 524, Greenskies Clean Energy LLC – Fawn Meadow Lane, Dated September 24, 2024, as presented.

Made by Chairman Wilson, Seconded by Commissioner Amatruda

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

Ayes: Wilson, Amatruda, Tietz, Trella

Nays: Clarke

Abstain: None

The letter is on file

6. DRAFT ZONING REGULATIONS WORK SESSION

MOTION:

To table the Draft Zoning Regulations Work Session until the next meeting.

Made by Chairman Wilson, Seconded by Commissioner Clarke

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

Ayes: Wilson, Amatruda, Tietz, Trella, Clarke

Nays: None

Abstain: None

7. ADJOURNMENT

MOTION:

To adjourn the meeting at 9:52 p.m.

Made by Chairman Wilson

Respectfully Submitted,

Robyn Wright

Robyn Wright

Clerk for the Zoning Commission

RECEIVED & FILED
 IN WOODBURY, CT
 This 30th day of Sept 2024
 at 2:45 o'clock P.M.
Maria M. Mancini
 Town Clerk

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