



# Town of Woodbury Zoning Commission

281 Main Street South  
Woodbury, CT 06798  
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## MINUTES – SEPTEMBER 26, 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 (*arrived 7:15 p.m.*)

### ALTERNATES PRESENT:

Jack Well  
Casey Rushin (*arrived 7:42 p.m.*)

### MEMBERS ABSENT:

### ALTERNATES ABSENT:

Elmer Kiessling

**ALSO PRESENT:** Town Planner Will Agresta

### 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 Well  
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

- 23-ZC-0018 – 135 Bacon Pond Road / Map 21, Lot 35 / PI District  
Special Permit / Site Plan Amendment (of Special Permit #972, July 27, 1999) per Zoning §5.3.2 for the proposed replacement of an existing metal office trailer with a new permanent office building measuring 575 square feet (12' x 48') in the same location. JRD Properties, LLC (owner / applicant)

Ron Wolff, Wolff Engineering, agent, addressed the Commission. Mr. Wolff explained how JRD owns the property across from the quarry. There is an existing paved driveway that leads to the school bus parking lot. Mr. Wolff showed on the site plan where a metal office trailer is currently

located. The metal trailer will be replaced with a permanent office building. He showed that there is a second temporary trailer also on the property at the moment since the metal trailer is currently unusable. The new permanent structure will be on a concrete foundation in the same location as the metal trailer, which will be demolished. The new structure will reconnect to all existing electric, utility, and septic systems. There are several minor issues noted on a memo from Town Planner Agresta dated 9/22/23 which will all be addressed.

Chairman Wilson called for any questions from the Commission. Commissioner Clarke inquired if there will be an attic and a basement. There will be Bilco doors that lead to a crawl space. There is an attic access but there will only be a scuttle for mechanical access. Commissioner Amatruda asked if the original approval in 1999 was for a temporary trailer. The original permit had stated an "office structure" and did not specify permanent or temporary. The second trailer will be removed once the permanent structure is built. The Commission can decide if this could be considered a minor modification to the original permit or if a Public Hearing will be necessary.

**MOTION:**

To waive the Public Hearing on application (23-ZC-0018 – 135 Bacon Pond Road / Map 21, Lot 35 / PI District) since it is a minor adjustment to the original approved Special Permit #972, and to schedule the application for consideration at the next meeting

Made by Chairman Wilson, Seconded by Commissioner Amatruda

Vote: 3-2-0 – Approved – Motion Passed

Ayes: Wilson, Amatruda, Well

Nays: Clarke, Tietz

Abstain: None

*Alternate Well was unseated and Commissioner Trella was seated at 7:17 p.m.*

**4. ENFORCEMENT**

- 23-ENF-ZC02 – 59 Sherman Hill Road / Map 86, Lot 26 / OS-60 / Ryan Melody  
Accessory shed / structure installed without permits in prohibitive front yard setback. NV  
08/14/23

Town Planner Agresta stated that the owner has submitted plans to move the shed to a compliant location. A Zoning Permit was issued on 9/19/23. The shed has not been moved yet, but they are cooperating.

**MOTION:**

To table enforcement item (23-ENF-ZC02 – 59 Sherman Hill Road / Map 86, Lot 26 / OS-60 / Ryan Melody) until the next meeting.

Made by Chairman Wilson, Seconded by Commissioner Clarke

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

Ayes: Wilson, Amatruda, Clarke, Tietz, Trella

Nays: None

Abstain: None

- **23-ENF-ZC03 – 170 Brushy Hill Road / Map 42, Lot 12C-A2 / Luis and Xiomara Rodriguez**  
**Unauthorized site excavation, filling and grading, including tree removal, changes in contour, construction of accessory structures and driveway without prior authorization / permits. NV 09/07/2023**

Town Planner Agresta explained to the Commission the work that is being performed on the property with the use of pictures from the site. There are beginnings of cutting in for a driveway that goes about 200-300 feet in. There is brush and excavating evidence along the driveway to a clearing with building materials under tarps and several temporary structures erected. There is a fireplace and a firepit present that might exceed the size allowed for typical camping. The fire marshal has been notified. There is a camper on the property along with bikes, chairs etc. Since there is no principal use on the property, there can be no accessory structures, including the camper. There have been several complaints from neighbors and there could be drainage and fire concerns.

Luis Rodriguez, owner, addressed the Commission. He explained to the Commission the plan for the property has always been to build a house. The family was paying off the property prior to beginning building. They are now in the beginning stages of obtaining a survey and site plan. The driveway and some cut trees were there when they purchased the property. They have just been cutting the dead trees up. The camper is being used mainly for storing tools. The family does camp sometimes on the weekends, but no one is living there. It was explained to the owners that they are free to camp there but all structures must be taken down when they leave. The property cannot be treated like a semi-permanent campsite.

The owners were directed to tidy up the area, take down the semi-permanent structures and obtain a permit for a principal use building by the end of October. Discussion continued amongst the Commission about the type of lots and raw land and what is allowed.

**MOTION:**

To table enforcement item (23-ENF-ZC03 – 170 Brushy Hill Road / Map 42, Lot 12C-A2 / Luis and Xiomara Rodriguez) until the first meeting in November. The Land Use office will follow up with the Fire Marshal regarding this item.

Made by Chairman Wilson, Seconded by Commissioner Trella

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

Ayes: Wilson, Amatruda, Clarke, Tietz, Trella

Nays: None

Abstain: None

**5. DELIBERATIONS / DETERMINATIONS**

There were no items to consider at this time.

**6. ADMINISTRATIVE**

Chairman Wilson presented the minutes of the September 12, 2023, Zoning Commission meeting for consideration. He called for discussion. Commissioner Clarke had some corrections.

**MOTION:**

To accept the minutes of the September 12, 2023, Zoning Commission meeting as amended:

Page 2, line 3 should read: ... “Inland Wetlands Agency”

Page 4, 1<sup>st</sup> sentence should read: Chairman Wilson presented for consideration the minutes of the August 8, 2023, Zoning Commission meeting.

Made by Chairman Wilson, Seconded by Commissioner Trella

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

Ayes: Wilson, Amatruda, Clarke, Tietz, Trella

Nays: None

Abstain: None

**MOTION:**

To take up Privilege of the Floor and Correspondence prior to the Draft Regulations Workshop.

Made by Commissioner Clarke, Seconded by Chairman Wilson

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

Ayes: Wilson, Amatruda, Clarke, Tietz, Trella

Nays: None

Abstain: None

*Commissioner Amatruda was unseated and Alternate Rushin was seated at 7:56 p.m.*

*Commissioner Trella was unseated at 7:56 p.m.*

**7. PRIVILEGE OF THE FLOOR**

There were no comments from the floor at this time.

**8. CORRESPONDENCE**

Chairman Wilson noted the site visits to the quarries and the subsequent reports.

*Alternate Rushin was unseated and Commissioner Amatruda was seated at 7:57 p.m.*

*Commissioner Trella was reseated at 7:59 p.m.*

**9. DRAFT ZONING REGULATIONS WORK SESSION**

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

**15.2.1 Criteria for Decision**

- **15.2.1.E.1-3:** Minor grammatical changes. Insert a brief description of MS4 in point 3.
- **15.2.1.E.4:** Consensus to remove the word vernacular
- **15.2.1.E.5-8:** These were good as recommended.
- **15.2.1.E.9:** Consensus to remove “shall dominate a site” in first sentence
- **15.2.1.E.10:** Consensus to replace “other places” with “features”

- 15.2.1.E.11-12: Minor grammatical changes
- 15.2.1.F.1: Minor grammatical changes
- 15.2.1.F.2: Consensus to remove “impair property values”
- 15.2.1.F.3-4: These were good as recommended.

*Commissioner Trella left the meeting at 8:34 p.m. Alternate Well was seated.*

- 15.2.1.G: Opening statement had minor grammatical changes
- 15.2.1.G.1: The sentence was restructured to read “At its discretion, the approval agency...”
- 15.2.1.G.2: This was good as recommended
- 15.2.2.A: This statement was simplified. “Property values” and the last sentence were removed.
- 15.2.2.B.1-7: These were good as recommended with minor grammatical changes
- 15.2.2.B.8: Consensus to remove this statement in its entirety
- 15.2.2.C: This was good as recommended

**10. ADJOURNMENT**

**MOTION:**

To adjourn the meeting at 8:54 p.m.

Made by Chairman Wilson

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 WOODBURY, CT

This 29<sup>th</sup> day of Sept 2023  
at 11:55 o'clock A M  
Maria Mancini  
Town Clerk