

Woodstock Planning & Zoning Commission

REGULAR MEETING

Thursday, November 18, 2021

7:30 PM

WOODSTOCK TOWN HALL, MEETING ROOM 1

The state statute currently allows for in person meetings unless quorum or more requests virtual meetings. Doug Porter has chosen to attend this meeting virtually. Because of virtual attendance, this meeting is being recorded. This procedure has been reviewed and approved by Town Attorney Richard Roberts.

1. Call to Order: Jeffery Gordon called meeting to order at 7:33 pm

a. Roll Call- *Noted for record: Quorum*

Members Present- Jeffrey Gordon (Chair), Jeffrey Marcotte, Joseph Adiletta, Mark Blackmer, Doug Porter (Alternate, attended via Zoom), Dean Gould (Alternate), David Morse, Timothy Young, Dwight Ryniewicz (Alternate), Joe Polulech

Members Absent- Nancy Fraser, Syd Blodgett

Others Present- Ashley Stephens (ZEO), Delia Fey (Town Planner), Town Attorney Rich Roberts, Recording Secretary Amy Monahan, Members of the public Robert and Nadine Brusso

b. Designation of Alternates: Dean Gould and Doug Porter were seated

c. Pledge of Allegiance: Jeffery Marcotte lead the Pledge of Allegiance

2. Chair's Report

- a. Thank you to all staff and commissioners for all the hard work that takes place between meetings.
- b. Syd Blodgett and Nancy Fraser were not able to attend tonight.
- c. ***Motion** made by Jeffery Gordon to recommend Syd Blodgett to represent the Planning and Zoning Commission on the Open Space Land Acquisition & Preservation Committee for the upcoming term. ***Seconded** by Joe Adiletta. ***The motion unanimously passed.**
 - i. Open Space has changed the ordinance allowing for an alternate from each board and commission. Chairman Jeffery Gordon asked that members consider volunteering.

3. Citizens' Comments

- a. None

4. Meeting Minutes

- a. October 21, 2021 Monthly Business Meeting
- b. November 4, 2021 Special Meeting

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***Motion** made by Timothy Young to approve as presented the Commission's meeting minutes of September 23rd, 2021, and September 30th, 2021. ***Seconded** by Mark Blackmer. There was no discussion and all were in favor- **The motion passed** with David Morse and Joe Polulech abstaining.

5. Annual Meeting Business

a. Election of Officers

- i. Jeff Marcotte made a ***Motion** to nominate Jeffery Gordon as Chair for the upcoming term. ***Seconded** by David Morse. ***The motion unanimously passed.**
- ii. Joe Adiletta made a ***Motion** to nominate David Morse as Vice Chair for the upcoming term. ***Seconded** by Timothy Young. ***The motion unanimously passed.**
- iii. Mark Blackmer made a ***Motion** to nominate Jeffery Marcotte as Secretary for the upcoming term. ***Seconded** by Joe Adiletta. ***The motion unanimously passed.**

b. Approval of 2022 Monthly Business Calendar

- i. Chairman Jeffery Gordon presented members with the 2022 calendar prepared and noted the following clerical changes to be made
 1. June meeting should be changed to the 16th
 2. July meeting should be changed to the 21st
 3. December meeting should be changed to the 15th
- ii. Joe Adiletta noted for the record that special planning meetings can also be used to conduct business if needed.
- iii. David Morse made a ***Motion** to accept the 2022 Monthly Business Calendar with clerical changes mentioned in discussion. ***Seconded** by Dean Gould. ***The motion unanimously passed.**

c. Scheduling of Annual Legal Training Session

- i. Attorney Rich Roberts reminded the Board that the previous session had been in the month of March and Chairman Jeffery Gordon suggested March 3, 2022 for the next Legal Training Session
- ii. Joe Adiletta made a ***Motion** to schedule the Annual Legal Training Session on March 3, 2021. ***Seconded** by David Morse. ***The motion unanimously passed**

d. Review of Bylaws

- i. The board found no issues to be addressed with the current bylaws at this time
- ii. Joe Adiletta reminded to document the review date in the bylaw document as done previously

Agenda Items #7 and #8 were moved up in order without objection at this time

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6. Non Residential Zoning Permits (Agenda Item #8)

- a. 7 Beeches Lane- Simplicity by Miklynn, LLC at Beeches Lane
 - i. This permit has previously been accepted for a different location. All details with the business remain the same but the location has changed from the Sherwoods Plaza to Beeches Lane Plaza
 - ii. Joe Adiletta made a ***Motion** to accept the Simplicity by Miklynn, LLC non-residential zoning permit as presented. ***Seconded** by Jeff Marcotte. ***The motion unanimously passed.**

7. Preliminary Discussion

- a. 440 RT 198- special permit discussion
 - i. Documents were provided from the applicant and copies made of 3 pages for the commission to review and discuss. The full document will be sent to commission via email.
 - ii. Applicants are Robert and Nadine Brusso, owners of Touch of Light LLC and Whispering Winds LLC. The plan for the property is a variety of therapeutic practices including massage, sound and aroma. Discussion included expected volume of business, number of employees, time frame of activities (including possible overnight guests) and types of activities that would take place on the property.
 - iii. The property is currently zoned as Mixed Use from previous business at the location. Delia Fey recommends a Change of Use for the proposed permit.
 - iv. Jeffrey Gordon discussed Non Commercial or Special Use options for the property. It was noted that there is already parking allotted for 25-30 cars.
 - 1. Delia Fey noted that the cost of non-commercial is far less than special use for the applicant and allows for the operations to start now. Special use would require a survey and large costs associated with that survey and take more time.
 - v. Discussion of the uniqueness of the property revealed it is one property with two addresses. Concern of overnight guests for business purposes vs just a visit was discussed as there are commercial and residential functions on the same property.
 - 1. It was asked if you can put conditions on the scope of non- residential permits. Attorney Rich Roberts clarified that confines can be presented on the permit. He recommended a non-residential permit to start including specifics on the number of people working at the business, the number of people visiting the business and the types of activities taking place at the business.

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2. Delia Fey noted that the proposed number of employees and parking use is almost half of the previous regulations placed on the property and that she is comfortable with non-residential permit.
- vi. The applicant asked about the timeline for starting operations. The process was explained and the applicant plans to move forward as quickly as possible.

8. Public Hearing (Agenda Item #6)

- a. Proposed Text Amendment for the Purpose of Updating Accessory Apartment Zoning Regulations; Article IV.A and Article IV.B.2a – continued
 - i. Chairman Jeffrey Gordon discussed the square footage sheet broken down by house sizes to show the difference between 33% of a huge home and a 1500 s.f. home.
 - ii. Chair Jeff Gordon noted that he had let each Lake District know why the Accessory Apartment Zoning Regulations are under review and that the subject is currently in Public Hearing. All lake boards still wanted the option to keep Accessory Apartments in their zones. All lake boards have committees and regulations at this time with no current issues.
 - iii. Attorney Rich Roberts was if the public act allows accessory apartments on non-conforming lots that could potentially make more nonconforming
 1. Accessory apartments are allowed on non-conforming lots as long as all set back regulations are met
 2. You cannot make the owner take down a non-conforming portion to put in an accessory apartment.
 - iv. Delia Fey noted the lot size difference in lake districts. The current regulations require a minimum lot size of 2.5 acres for apartments. New amendments would remove that 2.5 acre minimum and make all lots open to apartments.
 1. Attorney Rich Roberts clarified that you cannot create a minimum lot size specifically for apartment rulings.
 - v. Jeffery Gordon asked the commission if they wanted to change the size and how. The goal of the commission is to help smaller homes build acceptable size apartments. The following ideas were discussed about size provisions:
 1. Should the percentage be raised? The statute is set at 30%
 - a. Keep in mind that 62% of Woodstock homes are less than 2000 square feet.
 - b. Consider the possibility of an accessory apartment being so large that it turns the home into a duplex situation.
 - c. Many different percentage calculations were used for examples in discussion.
 - d. Both Doug Porter and Ashley Stephens were asked about the volume of accessory apartment requests and sizes requested.

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2. Should the board keep the 1000 s.f. as an absolute or increase this number was a question also considered.
- vi. The board agreed that the absolute value of 1000 square feet would remain the same as in the statutes but they would increase the allowable percentage to 50% of the home's square footage.
- vii. Attorney Rich Roberts recommended some wording changes to reflect that accessory apartments can be built on non-conforming lots. The wording needs to not talk about the lot itself, but instead state the accessory apartment must meet the regulations. Delia Fey updated the regulations as suggested.
- viii. Proposed Text Amendment for the Purpose of Updating Accessory Apartment Zoning Regulations; Article IV.A and Article IV.B.2a public hearing will be left open for the commission to see the final version of the document.

***Motion** made by Jeff Marcotte to continue the public hearing to December 2, 2021, at 7:45 PM, on the proposed text amendment for the purpose of updating accessory apartment zoning regulations, Article IV A and Article IV B2a. ***Seconded** by Mark Blackmer. There was no discussion and all were in favor-
The motion unanimously passed.

9. New Business

- a. None

10. Old Business

- a. Proposed Text Amendment for the Purpose of Updating Accessory Apartment Zoning Regulations; Article IV.A and Article IV.B.2a- Continued

11. ZEO Reports

- a. Office
 - i. No concerns
- b. Permits
 - i. No concerns
- c. Enforcement
 - i. Rusty Relic- This location has been inspected by ZEO and found in compliance. All items outside of the building are décor and there are not concerns at this location at this time.
 - ii. Supreme Sheds- The ZEO is still waiting for a response from this business. A certified letter has been sent.
 1. Attorney Rich Roberts and the Commission agree that a modification to the special permit is needed for this location if they continue to manufacture sheds on site.
 - iii. Mark's Castle- The ZEO has sent a letter to the castle owner addressing the concerns of the Fire Marshal and is waiting for a response.

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12. Budget Review & Bills

- a. None to report that require action
- b. Chairman Jeffery Gordon did note that the PZ notices amount on the current financial report is trending rather high. He has sent a request to the Finance Department for clarification of that account.

13. Correspondence

- i. Tom Hennick of the Connecticut Freedom of Information Commission is scheduled to do an FOI Workshop at the Woodstock Town Hall Tuesday, December 7th at 7 pm.
- ii. The quarterly newsletter from the CT Federation of Planning & Zoning Agencies is available.

14. Adjournment

***Motion** was made by Timothy Young and **Seconded** by Mark Blackmer to adjourn. **The motion passed unanimously.** The meeting adjourned at 10:20 pm.

Respectfully submitted by Amy Monahan, Recording Secretary.

DISCLAIMER: These minutes have not yet been approved by the PZC. Please refer to next month's minutes for approval/amendments.