

Woodstock Planning & Zoning Commission

MONTHLY BUSINESS MEETING

Thursday, September 22, 2022

7:30 PM

WOODSTOCK TOWN HALL, MEETING ROOM 1 & VIRTUAL via Zoom

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

A recording of this meeting can be viewed at: <https://youtu.be/Y-899kt10Yk>

1. Call to Order- Chairman Jeffrey Gordon called meeting to order at 7:37 pm

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

Members Present- Jeffrey Gordon (Chair), Joseph Adiletta, Jeffrey Marcotte, Dean Gould, Mark Blackmer, Timothy Young, Syd Blodgett

Members Present via Zoom - Doug Porter, David Morse

Members Absent- Nancy Fraser, Joe Polulech, Dwight Ryniewicz

Others Present- Delia Fey (Town Planner), First Selectmen Jay Swan, Public Works Director John Navarro, Zoning Enforcement Officer Dan Malo, Members of the Public including Jason & Jamie Beausoleil, Ken Rapaport, Julie Mancini, Jessica Weaver Boose and Recording Secretary Amy Monahan. Jean McClellan and Diane Miller attended the meeting via Zoom.

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

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

2. Chair's Report

a. Thank you to staff and commissioners for all the work at meetings and for what you do between meetings.

b. Jeffrey Gordon introduced and welcomed the new ZEO, Dan Malo. He will be in the office on Tuesdays and Thursdays.

3. Citizen's Comments

a. None

4. Meeting Minutes

a. August 18, 2022 Monthly Business Meeting

b. September 8, 2022 Special Meeting

- i. Joe Adiletta made a ***Motion** to approve the August 18, 2022 Monthly Business Meeting minutes and the September 8, 2022 Special Meeting minutes as presented. ***Seconded** by Dean Gould. ***The motion passed** with 2 abstentions (Blackmer & Young).

5. New Business

a. SP656-09-22 – Activity on a Scenic Road – Town of Woodstock, Center Cemetery Road

- i. Per ordinance, there must be a public hearing scheduled and posted before discussion on this item.

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- ii. Jeffrey Gordon made a ***Motion** to schedule a public hearing for SP656-09-22 – Activity on a Scenic Road – Town of Woodstock, Center Cemetery Road on October 20, 2022 at 7:45 pm.
***Seconded** by Joe Adiletta. ***The motion passed unanimously.**

6. Preliminary Discussion- Azuluna Foods

- a. Jeffrey Gordon noted that preliminary discussions do not have application numbers, act as a conversation and are non-binding.
- b. Ken Rappaport and Julie Mancini are present to discuss this project.
- c. Ken reviewed the board of Azuluna which wishes to become an Agro Ecological Lighthouse. They currently plan to have 10,000 pasture raised chickens processed this year as well as pasture raised sheep and pigs. The goal is to create 200 small farms around a hub farm for these items. They also want to focus on education over all of New England in the 4 pillars of soil/water/energy management, sustainability, food impact and animal science. They want to provide tours and hold minimal private events (i.e. weddings).
- d. Julie Mancini inquired about what the next steps and best process should be to reach the goal state by Ken Rappaport.
 - i. Jeffrey Gordon and Delia Fey both feel that a special permit is required due to the level of activity, type of events and public access. Jeffrey Gordon shared that a special permit would allow for growth of the operation. Delia Fey stated she would be glad to meet with them and review the process for special permit.
 - ii. There is also a part of land in that area that is part of the Windham Land Trust. Ken Rappaport acts as the Steward for those properties through Windham Land Trust.
 - iii. It was noted that there is no plan to put in any paved parking areas as there are plenty of grassy areas that would be adequate for parking.
 - iv. Syd Blodgett noted that numbers would be helpful with the applications. The permit will stay with the land and it is important to know the allowable parameters for future owners. Julie Mancini agrees with Syd's request and she noted that venues often change as the environment around them changes. Julie also referenced her interactions with events over the years and how events benefit and sustain local communities. Jeffrey Marcotte suggested asking for more than you are thinking you may need in the permit process to provide room for change in the activities.
 - v. David Morse asked if they plan to use Calkins Road. Ken Rappaport noted that he maintains portion of that road through the Windham Land Trust. He plans not to access the property with that road for the project but it could be used for farm equipment and personal access to the property.
 - vi. Jeffrey Gordon noted that there is a process to modify special permits if the business model changes in the future.
 - vii. Jeffrey Gordon explained to Julie Mancini that Delia Fey will work with them and go over process outlined by state statute pertaining to special permits. He noted that the Planning & Zoning Commission asks for any documents to be submitted 10 days prior to meetings for placement on the meeting agenda.

7. Public Hearing

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- a. Text Amendment to Zoning Regulations, Article III, Section A.2.e.A.4, for the purpose of extending the temporary and limited moratorium on cannabis establishments.
 - i. One of the newspapers failed to publish the public notice within state statute requirements. The only business that can be done tonight is to reschedule the public hearing.
 - ii. Doug Porter made a ***Motion** to reschedule the public hearing, Text Amendment to Zoning Regulations, Article III, Section A.2.e.A.4, for the purpose of extending the temporary and limited moratorium on cannabis establishments, to October 6, 2022 at 7:45 pm. ***Seconded by Joe Adiletta. *The motion passed unanimously.**
- b. SP641-06-25M- Jason & Jamie Beausoleil- 290 Route 169- Rusty Relic- add retail space to barn
 - i. Jeffrey Gordon noted for the record that there are 37 days of extension available for this public hearing to remain open. The following documents have been received: A revised application from the applicant, a revised parking plan for the application, a letter from Design Professionals dated 9/20/22, a letter from Michael Soucy dated 9/20/22, informational document from Delia Fey, document of customer frequency dated 09/22/22.
 - ii. Delia Fey had sent the parking plans to Design Professionals for review. The comments made for consideration by Design Professionals has been sent to the commission. Delia also distributed customer purchase log to use as an idea of customer traffic.
 - iii. Jason Beausoleil stated that he is all set and has nothing to add for discussion at this time.
 - iv. Jeffrey Gordon noted that a new person reviewed the plan and the items requested from Design Professionals seem to be an excessive level of detail. Delia Fey agrees with Jeffrey Gordon.
 - v. The additional proposed parking would be on the existing gravel/grass and would not block the fire lane access. The lean-to and concrete slab originally proposed has been removed in the revised plan. The revised application also proposes that the second floor be used as retail space.
 - 1. Delia suggested that the parking be placed in the previous lean-to area instead of in the drive access lane. This would allow for more space for cars to maneuver in the parking area.
 - vi. Syd Blodgett referenced the spreadsheet of sales made over 7 day period. He asked how many customers purchase items vs. just look and do not purchase items. The owners stated that most people do make purchases but it is very challenging to predict retail. Syd stated he would rather see a few cars along the road on high customer days than have a large parking created and unused.
 - vii. Joe Adiletta asked for actual count of parking spaces and it was determined that new parking would have 22 spots. Joe Adiletta asked if the Historic District needs to review and approve the new application. Delia Fey noted that there is nothing being built to go before the Historic District. The applicant stated he did not approach the Historic District as he is using the same materials previously approved by the Historic District.
 - viii. Joe Adiletta asked about the display items previously discussed. Jason stated that the items will be brought into the barn for display.
 - ix. David Morse asked for clarification on use of the barn in the form of a barn plan with clearly marked use space for storage and sales. Jason Beausoleil stated that the first floor will be storage and only 3400 square feet on the second floor will be used for retail. David asked what the total square feet of sales would be and it was determined that the total sales square footage would be 6800 for house and barn. David also requests a final drawing with parking location noted against the barn.

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- x. Doug Porter noted that the plans for special permit require to be submitted by professional licensed engineer or CT licensed surveyor according to special permit requirements outlined in Town of Woodstock Zoning Regulations (starting on page 71). He feels that accepting plans without meeting this requirement would set a terrible precedent. Doug Porter noted that he requested and engineers report of compliance at the last meeting. This request has not been met and he feels that it is needed before rendering a decision.
 - 1. Delia Fey noted that she did not accept the revised parking drawings as the final plan and was using the drawing for decision making. Doug referenced minutes from the last meeting noting the request for engineered review. Doug also wants to see plans with use noted for the project as it is a large-scale project. Delia Fey noted that barn plans were submitted with the original application and she apologizes that commissioner did not get that plan.
 - 2. David Morse and Joe Adiletta agree that a final drawing with all items discussed would provide a clear plan to approve. Mark Blackmer feels that we can tell from the current plan but a final plan will be helpful for future commissions. Tim Young feels that one final document would make the decision clear and neat for the future. Syd Blodgett noted that the applicants do not need to start from scratch and that a final plan would be beneficial.
 - 3. Doug Porter also mentioned that there is not NDDH approval for the updated application submission. This concern also pertains to the Fire Marshal and Historic District.
 - 4. Doug Porter again requested a report from the applicants engineer on the compliance of the initial permit. He also wants a summary of truck traffic for the site in writing for the commission to review.
 - a. Applicant noted that the safety officer from Woodstock Academy did submit a letter pertaining to traffic
 - b. Doug Porter stated that regulations allow for the commission to request a traffic study.
 - c. Delia stated that she did not request the engineer reports from the applicant because the commission did not make a motion to request the reports. She did request the applicant address the concerns listed from the meeting.
- xi. Joe Adiletta made a ***Motion** to seek the clarification of the input required from the Historic District in this process. ***Seconded** by Timothy Young. ***The motion passed unanimously.**
- xii. Doug Porter made a ***Motion** that a final plan with all information be submitted by a professional licensed engineer or CT licensed surveyor according to special permit requirements outlined in Town of Woodstock Zoning Regulations. ***Seconded** by David Morse. ***The motion passed unanimously.**
- xiii. Doug Porter made a ***Motion** that a compliance report be submitted from the applicants engineer on the status of compliance on original approvals. ***Seconded** by David Morse. The motion was denied with a vote of 4 yes and 5 no votes.
 - 1. Jeffrey Gordon asked if an engineer is needed for this compliance report vs. the applicant to make the statement. Mark Blackmer asked if this item could be addressed by the Zoning Enforcement Officer.

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2. Doug Porter stated that the applicants engineer is most qualified to report on status of the project from initial approval to current proposal.
3. Delia Fey asked why you would want someone outside of the town to handle enforcement within the town. Doug wants the applicant to state the status in a report for our ZEO to review in the form of a formal report with the professional standards of a certified engineer.
- xiv. David Morse made a ***Motion** for Town of Woodstock Zoning Enforcement Officer to review the compliance of the original permit. ***Seconded** by Jeffrey Marcotte. ***The motion passed unanimously.**
- xv. Joe Adiletta made a ***Motion** to have a plan submitted to detail use of internal space for this application. ***Seconded** by Timothy Young. ***The motion passed unanimously.**
- xvi. Doug Porter made a ***Motion** to obtain updated approval on the final plans submitted from regulatory agencies with jurisdiction including NDDH and the Fire Marshal. ***Seconded** by David Morse. ***The motion passed unanimously.**
- xvii. Doug Porter made a ***Motion** to request a traffic study be completed for the site. ***Seconded** by Joe Adiletta. ***The motion passed unanimously.**
 1. Delia noted that the commission already had a traffic study completed and asked if that study could be updated. Doug Porter agreed that updating the original traffic study to include the new proposed square footage of retail space.
 2. The applicants noted that this has been requested of their engineer but the engineer is not available to start the updated traffic study until mid-October.
- xviii. Joe Adiletta made a ***Motion** to accept the extension request of the public hearing to October 20, 2022. ***Seconded** by Mark Blackmer. ***The motion passed unanimously.**
- xix. Timothy Young made a ***Motion** to continue public hearing on October 20, 2022. ***Seconded** by David Morse. ***The motion passed unanimously.**

8. Old Business

- a. Text Amendment to Zoning Regulations, Article III, Section A.2.e.A.4, for the purpose of extending the temporary and limited moratorium on cannabis establishments.
 - i. Not applicable at this time.
- b. SP641-06-25M – Jason & Jaime Beausoleil – 290 Rte 169 –Rusty Relic – add retail space
 - i. Not applicable at this time.

9. ZEO Reports

- a. Zoning Enforcement Officer and Land Use Department
 - i. Dan Malo has forwarded resume and cover letter to Chairman Jeffrey Gordon. He reviewed his working history with the commission.
 - i. Joe Adiletta made a ***Motion** to accept Dan Malo as the Planning and Zoning Commission Zoning Enforcement Agent. ***Seconded** by Timothy Young. ***The motion passed unanimously.**
- b. Zoning Permits
 - i. Nothing to report at this time.
- c. Home Occupation Permit Applications
 - i. There are multiple inquiries about home occupation before the land use office and some incomplete applications as well.

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- d. Enforcement and Follow Up on Commission's Questions about Pending Enforcement Matters
 - i. Supreme Sheds status update is needed. The commission needs to know if a violation notice was sent.
 - ii. Venue location at intersection of Center Road and Route 197 (at the Lyon Hill Road end) also needs a status update. The commission needs to know if a violation notice was sent.

10. Budget Review & Bills

- a. Nothing to report

11. Correspondence

- a. None

12. Adjournment

- a. Timothy Young made a ***Motion** to adjourn. ***Seconded** by Mark Blackmer. ***The motion passed unanimously**. The meeting adjourned at 10:22pm.

*Respectfully submitted by Amy Monahan, Recording Secretary. DISCLAIMER: These minutes have not yet been approved by the Planning & Zoning Commission. Please refer to next month's meeting for approval/amendments.