

# Woodstock Planning & Zoning Commission

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## SPECIAL MEETING

Thursday, October 6, 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/wyqn33F 3Gs>*

### 1. Call to Order- Chairman Jeffrey Gordon called meeting to order at 7:35 pm

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

Members Present- Jeffrey Gordon (Chair), Joseph Adiletta, Mark Blackmer, Timothy Young

Members Present via Zoom - David Morse, Dwight Ryniewicz, Doug Porter, Jeffrey Marcotte, Syd Blodgett

Members Absent-Joe Polulech, Nancy Fraser, Dean Gould

Others Present- Delia Fey (Town Planner), Recording Secretary Amy Monahan and several members of the public including Brian Victor, Jessica Weaver Boose and Mary Weaver. Several members of the public were present via zoom including Mike Allen, Kathleen Ellison and Rania Baik.

#### b. Designation of Alternates: Dwight Ryniewicz and Doug Porter were seated.

#### c. Pledge of Allegiance: Jeffrey Gordon 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. The next Planning & Zoning meeting will be in 2 weeks on October 20, 2022 at 7:30 pm. There will be a public hearing at that meeting. Please let Jeffrey Gordon know if you cannot attend.
- c. A Land Use Department clerk has been hired for the Town of Woodstock. Tracy Giarrusso will be in the office 16 per week on Monday-Thursday from 8:30 am to 12:30 pm.
- d. If any commissioners would like to have their meeting packet mailed to them, please let Tracy Giarrusso or Jeffrey Gordon know.

### 3. Public Hearing

- 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. Jeffrey Gordon opened the public hearing at 7:45 pm. He explained that a public hearing allows the public to voice their concerns on the topic at hand. This public hearing was properly noticed in publication per legal requirements.
  - ii. This text amendment extends the moratorium on cannabis from October 2022 to April 2023 in order for the commission to further determine regulations for cannabis establishments.
  - iii. Joe Adiletta made **\*Motion** to close the public hearing. **\*Seconded** by Mark Blackmer. **\*The motion passed unanimously.**

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## 4. 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. Timothy Young made a **\*Motion** to approve the 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 as presented. **\*Seconded** by Mark Blackmer. **\*The motion passed unanimously.**

\*Jeffrey Gordon moved agenda item #6 on the agenda before item #5 as there are members of the public in attendance for item #6. There was no objection from the commission.

## 5. Cannabis Regulations

- a. There was no discussion. Jeffrey Gordon and Delia Fey will look for actions being taken in other towns that may be helpful for future discussion.

## 6. Home Occupation & Business Permits

- a. Joe Adiletta would like to move forward with the proposed changes to the home occupation application.
  - i. Dan Malo had no objections to the proposed changes when he spoke with Jeffrey Gordon. Jeffrey Gordon will follow up with Dan Malo about the changes.
- b. Brian Victor is concerned with the effect of B&B and air B&B in the community. He is a resident of the private Lake Bungbee Tax District and is concerned with quality of life, safety and property values being affected by the B&B industry. He referenced a legislative report from the State of Connecticut that included Woodstock Regulations from 2018. He is looking for assistance from the Town in enforcing current regulation violations.
  - i. Jeffery Gordon stated the Dan Malo would be the one to handle enforcement as the Zoning Enforcement Officer. He will investigate and then follow a set process to handle any violations.
  - ii. Delia Fey noted that the laws changed after the document referenced by Mr. Victor was released and that it was determined by a Town Attorney that Air B&B are not Bed & Breakfasts. There are currently no specific regulations for Air B&B in the Town of Woodstock.
  - iii. Rania Baik commented on the LBTB deeds & covenants that prohibit commercial business within the LBTB. Jeffrey Gordon clarified that this concern would be handled by the private lake board and not the Planning & Zoning Commission.
  - iv. Kathleen Ellison asked if the rule referenced by Mr. Victor is still in effect. Delia Fey stated that it was reversed by Town Attorney and is currently not considered a Bed and Breakfast. Kathleen asked if the lake districts and town could work together to create regulations. Jeffrey Gordon stated that the commission welcomes the input of the lake districts and they are welcome to attend any Planning & Zoning meetings. Delia Fey noted that the ZEO may have to contact the Town Attorney to clarify air B&B status and offered her assistance to the Lake Districts. She can be contacted by email.
  - v. Mike Allen discussed the specific problems and downfalls that Air B&B can create in the community referring to the experience he has had living next door to an operating Air B&B.
  - vi. Doug Porter noted that regulations created can only be applied to the Air B&B established after regulations and existing operations would not be affected.

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- vii. Timothy Young noted that there are many concerns in this issue including water safety, fire safety, egress, health concerns under the NDDH, traffic concerns, etc. that should have been addressed. He feels that things are not being done right and we need to act on them being done correctly to ensure adequate safety.
- viii. Jeffrey Gordon noted that when the lake districts were created, they wanted to have regulations of Use remain the same as the rest of the community district. Zoning changes can be made within the lake districts if the districts so desire.
- ix. Mark Blackmer noted that in our regulations, uses permitted in lake districts include bed and breakfasts.

### 7. Adjournment

- a. Timothy Young made a **\*Motion** to adjourn. **\*Seconded** by Mark Blackmer. **\*The motion passed unanimously**. The meeting adjourned at 8:52 pm.

\*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.