

Woodstock Planning & Zoning Commission

SPECIAL MEETING

Thursday, November 3, 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/ttALGPLuugQ>

1. **Call to Order-** Chairman Jeffrey Gordon called meeting to order at 7:36 pm

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

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

Members Present via Zoom - David Morse, Dwight Ryniewicz, Doug Porter

Members Absent- Nancy Fraser

Others Present- Delia Fey (Town Planner), Zoning Enforcement Officer Dan Malo, First Selectman Jay Swan, Public Works Director John Navarro, Recording Secretary Amy Monahan and several members of the public including Harold Foscett, Jean Pillo, Ernest St. Jean, Carl Abisi, Rosie Galant, Elizabeth Crampton, Bill Dogman, Charles Kaiser, Kristen Kaiser, Christina Gregorzek, John Gregorzek, Brandon Owens, Jean Marcy, Mike Allen, Kathleen Ellison, Rania Baik, Jose Macho and Brian Victor.

b. Designation of Alternates: Dwight Ryniewicz was 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. There will be a FOI workshop on Wednesday, November 16, 2022 at the Town Hall at 7 pm.

3. **Zoning Enforcement**

a. Dan Malo updated the commission on the following locations

i. Supreme Sheds- Dan Malo reviewed that the original special permit for this location did not include building of sheds on site. He sent out a letter of voluntary compliance to this business and is waiting for a reply. Jeffrey Gordon stated that the applicant knows that a modification is needed as they have been in front of the commission about the actions taking place at their location.

ii. Wedding Venue- Dan Malo stated that there is limited documented information for this location to take action on. He did state that they do not have adequate acreage for operating a venue at this location. He has drafted a letter and is looking for information including current intent of the owner.

b. Jeffrey Gordon stated that there is no report for Air BnB concerns available for this meeting and that the Air BnB topic is not on today's agenda. The topic is being addressed by the Zoning Enforcement Officer

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and he will provide an update at the Regular Monthly Business Meeting. Dan Malo did send out letters requesting voluntary compliance to the locations presented to him and is waiting for replies and actions that may take place from the letters.

4. Public Hearing

- a. SP656-09-22 – Activity on a Scenic Road – Town of Woodstock, Center Cemetery Road
 - i. Jeffrey Gordon opened the public hearing at 7:53 pm. He explained that a public hearing allows the public to voice their concerns on the topic at hand. After the hearing is closed, no more comments can be made by the public. Statutory requirements of notification have been met and signs have been properly posted for this hearing. The Selectmen have been notified, as well as the Highway Department and abutting property owners. The following documents have been received- application by Town of Woodstock, Ordinance Concerning the Designation of Scenic Roads, Scenic Roads Maintenance and Improvements regulations, letter from Woodstock Cemetery Association, reply from Jeff Gordon to the Woodstock Cemetery Association, memo from Delia Fey dated 09/21, email from Fire Marshal dated 10/20, letters from Rosie Galant, Lisa Davidson & Charles Kaiser and Woodstock Conservation Commission correspondence dated 10/27. All documents are available on the Planning & Zoning page of the Town Website under meeting documents. Jeffrey Gordon reviewed rules for speaking during a public hearing.
 - ii. John Navarro is representing the Town of Woodstock as the applicant for this item. John Navarro reviewed the reasons for this application as brought to the Town Highway Department by the Woodstock Cemetery Association including drainage, parking and dead trees at the site. John Navarro created a 2 phase proposal to deal with concerns including the following actions (the complete proposal can be viewed as part of the application under the zoom document tab for this meeting)-
 - 1. Remove 2 dying/dead ash trees
 - 2. Add 2 catch basins
 - 3. Extend apron
 - 4. Re-shape road
 - 5. Fine grade and pave drainage ditch
 - 6. Fine grade and application of chip seal to road
 - iii. John Navarro stated that chip sealing is not paving and leaves a gravel-like surface on the road. John Navarro did show a photo of Mellon Road as an example of what a double chip seal would look like on Center Cemetery Road. John Navarro gave a detailed description of the chip seal process including the materials used.
 - iv. This work is being proposed for safety at the cemetery and safety during muddy season. He noted that there have been concerns with safety vehicles on this road in the past. He also noted that this is not the first time this concern has been brought to the town for consideration.
 - v. John Navarro noted that run off concerns include a wetlands area across County Road from Center Cemetery Road.
 - vi. Delia Fey reviewed her memo which described in writing her conversation with John Navarro while visiting the site. She noted that turning from County Road onto Center Cemetery requires acceleration with disturbs the dirt surface of Center Cemetery Road. This disturbance is then further agitated by rain and run off. She noted that approximately 500 ton of gravel was replaced in that section of road in the previous 3 years. Delia Fey found that the roads she

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visited with chip seal process seem to be holding up well. She shares the Town's concern with safety vehicles getting to homes on this road. She also noted that there are other scenic roads in Woodstock that are paved.

- vii. Jeffrey Gordon noted that the Fire Marshall and Fire Chief are in favor of the proposed changes. It was noted that there is a dry hydrant at this location and improvements to widen the road at this location will increase safety to residents.
- viii. Joe Adiletta asked the distance from County to entrance to the Cemetery. John Navarro estimates this distance to be about 500 feet. Joe Adiletta noted that the original request is to address only the 500 feet to the cemetery entrance. The reason for improvements beyond the 500 feet is that upland conditions affect the area of the cemetery.
- ix. Dwight Ryniewicz feels that the request of John Navarro is reasonable as there has been constant concerns and upgrades needed. He feels this plan is good for the road and will reduce tax dollars spent on maintenance and repair. Dwight addressed the letter of the Conservation Commission and noted his experienced with geotextile material leads him to believe that it would not be adequate material for this project. Dwight is speaking with the experience working on the Woodstock Highway Department and is currently the Public Works Director for the town of Vernon.
- x. David Morse asked for a description of the Cape Cod style curbing referenced in the proposal. John Navarro explained that it is a gradual slope curbing that allows for vehicles to drive over the curb without damages. David Morse agrees with the proposal of John Navarro.
- xi. Tim Young brought up the fact that Child Hill Road has a double chip and has held up very well.
- xii. Joe Polulech asked clarification that the initial 1200 feet section is the most steep and most critical area in the project and John Navarro confirmed that statement to be true.
- xiii. Syd Blodgett brought up the total length to be upgraded. John stated that phase 2 includes a flat section of the road that is prone to mud and the remaining section of Center Cemetery Rd not included in the proposal does not present any maintenance concerns. Syd also noted that widening the road at the dry hydrant is not in the proposal and should be included for consideration in the application. John Navarro would like this item added for consideration with the application as a widening of 50 to 60 feet long approximately 10 feet wide.
- xiv. John Navarro stated that proposed work would take about one month and not take place until spring.
- xv. Jeffrey Gordon noted that removal of dead or hazardous trees in Town Right of Way does not require commission approval.
- xvi. Dean Gould, as a Highway Department employee, noted that maintenance is needed every 3 storms with the grader or backhoe on that road and when mud in second phase has to be addressed with rock, it has to be done with 1 tons as regular trucks are too heavy.
- xvii. Jean Pillo, on behalf of the Conservation Commission, stated that the commission did meet and review the road. Jean noted for the record that she is a certified in sediment and erosion control. She noted that the erosion starts up the street from the cemetery area and read facts about the impact of runoff water for consideration. She would like to see the water flow and its forces broken by rolling dips and the grade into swale changed to allow water to access the swale. She also feels that there are geotextile options that would address the mud section of the road. She also feels that adding storm water piping could impact the town at a later date.

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1. John said that rolling dips can be tried but previous attempts of road changes have washed out. He had looked in to geotextiles and found it too expensive.
 2. Dwight noted that and that MS 4 storm water protocols are currently being followed by the town of Woodstock. He feels that geotextiles would not be cost effective in this situation.
 3. Joe Adiletta asked if any traffic calming actions could be used if chip sealed in order to control possible increase in speed. John Navarro noted that speeding is a current concern on the road in current dirt form.
- xviii. Jeffrey Gordon noted that any maintenance and long term planning falls on the Highway Department not the Planning & Zoning Commission.
- xix. Joe Polulech asked about the mud area. John Navarro noted that the section in question is close to 500 feet long. Joe Polulech noted that for geotextiles to work, all unsuitable material would have to be removed and replaced with process at considerable cost. John Navarro noted that the double chip seal process has worked on other roads for similar mud concerns.
- xx. Syd Blodgett asked if curbing would be installed over the entire hill. John stated that they would not, only in front of the cemetery. Syd also addressed Joe Adiletta's speed concern and asked how stripes on the road would affect traffic speeds. John Navarro feels that striping causes vehicles to move faster but the town does not stripe due to the extensive chip sealing to preserve roads.
- xxi. Carl Abisi has lived on Center Cemetery Road since 1993. He was surprised that the rest of the road was not addressed in the proposal of work. He also noted drainage issues that drain onto his property and that he personally maintains a catch basin and deals with high volumes of water that drains onto his property.
1. John Navarro noted that historically, the problem sections are in the other sections of the road. He is aware of the drainage concerns noted by Carl Abisi.
- xxii. Ernie St.Jean stated that he owns a house on Mellon Road and the town did a great job repairing that road. He stated that the Geer Farm is like a flowing river and water needs to be addressed from the top of the hill at the Geer Farm.
- xxiii. Harold Foscett stated that the West side of Center Cemetery Road has catch basins that are currently above grade. John Navarro plans to address these basins. Harold also asked about the impact of gradual curbing on water flow. Jon noted that the type of curbing proposed will keep water in the roadway.
- xxiv. Rosie Galant of 130 Center Cemetery Road voiced concern about emulsifier used in chip sealing. John noted that emulsifier used is a type of soap and the Town of Woodstock has not performed any testing in chip seal area after application. John noted that the change in grade proposed would be un-noticeable. He stated that culvert work is needed in the area of her home but there is no plan to do that at this point. She also is worried about speeding if the chip sealed. John stated he sees no increase as vehicles already travel at maximum speeds possible.
- xxv. Elizabeth Crampton is a residential real estate agent and resident on Center Cemetery Road. She feels that the biggest draw when purchasing her home was the dirt road. She is concerned with the change in look of Center Cemetery Road.
- xxvi. Bill Dogman of 89 Center Cemetery Road stated that they have a healthy pond and are concerned with water flow that may be directed into that pond and possible silt that would

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affect the pond. John state that the water is directed to that pond currently and with chip seal, there will be less silting.

- xxvii. Charles Kaiser owns Geer Farm and stated that Center Cemetery bisects his property and they maintain sides of the road. He would love to see the gravel stabilized as it is ending up in his agricultural fields. The run off also ends up on his property on the other side of County Road and would like to see runoff gravel not deposited into that property. He asked how drainage would be diverted. John Navarro stated that by removing the current double ditching would divert water into grassy swales. He would also place a catch basin to cut water on corner and direct to grassy swales. Charles noted the ditches on the north side and asked the plan to control drainage on the flat section. John stated it would be open ditch and he will get together with Mr. Kaiser to discuss specific concerns.
- xxviii. Kristen Kaiser has concern that a paved road look would bring additional motorcycles onto the road and would like a speed bump or signage to keep the character of the less traveled road.
- xxix. Christina Gregorzek stated she is very disappointed by this proposal and feels that the Town of Woodstock should go through great lengths to preserve its dirt roads. She read a statement about her opposition to the proposal.
- xxx. John Gregorzek- commented on safety issue as a first responder. He noted that he has never had an issue on the road or heard a complaint from any other first responder. He also commented on the economic times and the need for cost analysis, environmental concerns and property value changes that could result from changes in the road as well as speeding concerns and safety for children on the road.
- xxxi. Jean Marcy attests to the road grading increasing her speeds just by eliminating potholes. She wants to know what will happen if cars have to pull over to the side of the chip seal. John Navarro stated there will still be gravel on the side of the road and pulling over will be the same as it is currently.
- xxxii. Delia Fey suggested having Design Professionals review proposal. This would require a plan of some sort and John Navarro is willing to create a plan to submit.
 - 1. Joe Adiletta feels this is a great idea for all involved to see the plans for this project.
 - 2. Tim Young feels that John Navarro has been through this concern before and successfully solved mud and drainage issues on other roads in town without a problem. He feels that John Navarro's plan would suffice.
 - 3. Joe Polulech also feels that at this point, John Navarro should be able to create a plan and if engineering is needed at a later date, then it would be addressed.
 - 4. John Navarro will have a plan submitted to Delia and Dan Malo next week.
- xxxiii. Branden Owens shared that he loves the character of the road and thinks the town has been doing a good job maintaining it. He would like to keep it the way it is and if changes are to be made, he would like to see plans for the work being done and a possible data study. He noted that 2/3 of residents live on the 1/3 of road not included in the proposal.
- xxxiv. Joe Adiletta made ***Motion** to continue the public hearing on November 17, 2022 at 7:45 pm.
***Seconded** by Mark Blacker. ***The motion passed unanimously.**

5. Cannabis Regulations

- a. There was no discussion at this time.

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6. Home Occupation & Business Permits

- a. Jose Macho has researched towns and has 20 towns input on Air BnB regulations that he is willing to share. Jeffrey Gordon requested him to send the information to the land use office to be distributed to the commission.
- b. Kathleen Ellison asked about the definition of commercial and if a bed and breakfast is considered a commercial business. Jeffrey Gordon and Delia Fey both feel it is a commercial use.
- c. Brian Victor asked for status of letters sent pertaining to Air BnB. Dan Malo stated he is working with one person to reach compliance and it is in process. Dan is looking for accurate address for returned letter.
- d. Jose Macho asked about using zoning vs. an ordinance to address the Air BnB concerns. Jeffrey Gordon stated that one has to be careful about creating both zoning regulations and town ordinances.
- e. Dan Malo will upload the new Home Occupation application to the website as requested by Joe Adiletta.

7. Adjournment

- a. Timothy Young made a ***Motion** to adjourn. ***Seconded** by Mark Blacker. ***The motion passed unanimously**. The meeting adjourned at 10:03 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.