

WOODSTOCK PLANNING & ZONING COMMISSION  
REGULAR MONTHLY MEETING  
WOODSTOCK TOWN HALL, MEETING ROOM 1  
THURSDAY, OCTOBER 18, 2018 AT 7:30 PM

MEETING MINUTES

I. MONTHLY MEETING AT 7:30 PM

- a. **Call to Order:** J. Gordon called the meeting to order at 7:32pm
- b. **Roll Call:** J. Adiletta, G. Dickinson, D. Durst, K. Ebbitt, J. Gordon, D. Porter, F. Rich, and D. Young  
**Also Present:** Tina Lajoie (ZEO/Wetlands Agent), Delia Fey, Terri Lasota (Recording Secretary)
- c. Noted for the record: Quorum

J. Gordon welcomed Terri Lasota as the new Recording Secretary, and briefly reviewed FoIA for submitting motions, minutes, and votes, and State Statutes compliance.

II. CITIZENS' COMMENTS:

J. Gordon reviewed what can or cannot be discussed, noting that sub division comments must be made during the Public Hearing. He briefly talked about the Signs Regulations Public Hearing, noting that the Public Hearing has been closed and therefore cannot accept further input from the Public.

III. DESIGNATION OF ALTERNATES:

D. Porter and K. Ebbitt were seated

IV. NEW BUSINESS

a. **#SP634-09-18 Smith Road, Scott & Pamela Shaw – Activity on a scenic road:**

J. Gordon asked Tina Lajoie (Town ZEO) and Delia Fey (NECCOG Regional Planner) if there were any items to note related to this application; T. Lajoie stated John Navarro (Public Works Director) received the driveway permit application and will have documents ready for the Public Hearing. J. Gordon said per ordinance the Selectmen need to be notified, as well as notices to be sent to property abutters and those along the highway or portion of the highway.

J. Adiletta **MOVED** to hold the Public Hearing on Thursday November 15, 2018;

G. Dickinson **SECONDED**;

No Discussion.

**MOTION PASSED UNANIMOUSLY; Public Hearing date set for 11/15/2018 at 7:45pm.**

b. **#570-07-08-M1 Route 171, Mark & Katherine Logee (Map 7274, Block 45, Lot 06C) – Modification of a subdivision/driveway location:**

J. Gordon noted for the record the application, D. Fey's memo from 10/11/2018, and the letter dated 09/17/2018 from the State DOT.

The PZC Commission **RECEIVED** the Waiver Request submitted by Pete Parent, P.E. of CME Associates, Inc., representing the applicant (dated 10/18/2018) to waive Chapter 4 of the Subdivision Application Requirements, Sections 1.B through 1.E.19, and Sections 1.E.21 through 1.HG.

J. Gordon confirmed with T. Lajoie and D. Fey that the application was complete; T. Lajoie noted for

the record that the original subdivision application was submitted for Emil & Dorinda Lundin, application #570-07-08, approved with conditions on September 20, 2007.

T. Lajoie said from a Wetlands point of view the applicant is proposing that the disturbance will be 50 feet closer to the wetlands area, though they are still within the upland review area, and she as Wetlands Agent was able to sign off on the wetlands portion of this application.

Mr. Parent displayed the original approved site line plans showing the house and driveway locations, which were adequate at the time, however now 10-11 years later when the applicant requested an encroachment permit the DOT told them the plans were no longer adequate and needed a new site line demonstration. D. Porter asked what had changed to make the plans inadequate, Mr. Parent explained that the intersection site line requirements were previously more lenient for driveways, D. Porter confirmed with Mr. Parent that the requirements didn't change however the requirements are now enforced differently.

Mr. Parent continued to explain the driveway will be relocated approximately 50 feet to the east in order to maintain the required 445 foot site line distance requirement to the west, which requires minor regrading. Also in development of the lot, the Logee's are proposing to rotate the house approximately 30 degrees. A new site line analysis was provided that demonstrates the 445 foot site line to the west which is the minimum requirement, and over 500 feet to the east beyond the Smith Road intersection. Mr. Parent also noted they will be elevating the driveway to meet the road.

J. Gordon read from the September 17, 2018 State DOT letter, which states in #2 to revise the plans to show the entire portion of proposed drive located in state right-of-way, to be paved with hot mix bituminous asphalt and asked if that had been addressed. Mr. Parent replied that it has and a note has been added to the plans. D. Durst clarified for the record that the 6 requirements from the Dept. of Health per the letter dated 06/06/2018.

D. Porter **MOVED to APPROVE** both Waiver Requests as presented to the PZC Commission on 10/18/2018. F. Rich **SECONDED**.

J. Gordon read the 5 Waiver Request conditions into record and confirmed that all conditions have been met:

- a. Conditions exist on the subject property which are not generally applicable to other land in the Town; **NO OBJECTIONS**
- b. Said conditions were not created by the property owner nor by his/her predecessor(s) in title, including the first legal split of the property; **NO OBJECTIONS**
- c. The granting of the modification or waiver would be in harmony with the purpose and intent of these Regulations and the Woodstock Plan of Conservation and Development; **NO OBJECTIONS**
- d. The granting of the modification or waiver would not have a significant adverse impact on adjacent properties' values, or the public health, safety, and welfare, and would not be in conflict of the recommendations of the Plan of Conservation and Development, as the same may be amended from time to time. **NO OBJECTIONS**
- e. The modification or waiver would not allow an increased number of lots to be created than otherwise allowed by these Regulations and the Woodstock Zoning Regulations. **NO OBJECTIONS**

The PZC Commission determined that all waiver requirements have been met. No further discussion.  
**MOTION PASSED UNANIMOUSLY**

D. Young **MOVED to APPROVE** #570-07-08-M1 Route 171, Mark & Katherine Logee (Map 7274, Block 45, Lot 06C) – Modification of a subdivision/driveway location. K. Ebbitt **SECONDED**.

**MOTION PASSED UNANIMOUSLY**

**c. #492-04-06 Brickyard Rd., Peter Minchoff – 14-lot open space subdivision – Expired**

J. Gordon stated for the record the copies of his memo written on 09/19/2018, and copies of the letter written by the town attorney from 09/14/2018. T. Lajoie confirmed that the town attorney gave his permission to share his letter with Mr. Minchoff.

At 7:55pm D. Porter **RECUSED** himself from this agenda item. A quorum is still present to continue.

For the record, J. Gordon reviewed his 3 page memo dated 09/19/2018 written to the Woodstock PZC Commission regarding the Minchoff Subdivision. There was a phone conference with the town attorney regarding the 3 houses/properties that have been bought and occupied, and what process to use to handle the public improvement extensions expirations and address the bond that the town of Woodstock currently retains, as clarification is needed to not cause harm to the 3 property owners. In summary, the town attorney said a notice on the land record that the subdivision approval has expired, but does not affect the 3 properties where the houses are built and occupied was needed. There were several options regarding the bond which is to be discussed. J. Gordon asked T. Lajoie and D. Fey if there was anything to add from a staff perspective, there was not.

Peter Minchoff and India Minchoff were both present and J. Gordon asked if they had any questions; India Minchoff asked for clarification regarding the notification on the land records, J. Gordon commented that according to the attorney there is no other option due to the expiration of the extensions.

G. Dickinson asked and it was confirmed that all three of the built and occupied lots were on the South Common driveway.

J. Adiletta **MOVED** to make the notice on the land record that the Minchoff 14 -lot subdivision approved in 2004 has expired and that no changes will occur to the legal status of the 3 built/lived-in houses/property lots. D. Durst **SECONDED**.

No Discussion.

**MOTION PASSED UNANIMOUSLY**

J. Gordon stated that the Town of Woodstock still holds the bond but the public improvement work has not been completed, and noted the options for the PZC Commission to consider: 1) The town can call the bond and contract out the work that needs to be done; 2) depending on what happens with the status of the land, if someone wishes to obtain it and apply for a new subdivision application the sub division regulations effective at that time would be applicable.

F. Rich asked what work still needed to be done on the land, D. Fey reviewed the item list from the file. India Minchoff added that the South Common driveway where the 3 houses are is paved, the other two common driveways still had vegetation. F. Rich said the only concern for the work to be done was regarding the built house/lots, it was agreed that the rest of the subdivision property was null and void from this consideration. D. Fey and F. Rich discussed.

J. Adiletta suggested a town engineer or highway official to access the current state of the South Common driveway to determine what work still needed to be completed and its cost.

D. Durst mentioned the letter from 02/07/2010 from D. Fey which contained the items left to be completed on the South Common driveway, quoting from the letter "this phase (phase 1) is to be

covered under the existing \$20,000.00 bond” and noted there were 4 items on the list at that time. She agreed that a professional should look at the conditions of the driveway itself, the fire pond and dry hydrant, and any erosion conditions to make sure they are done and done to the town standards, and then identify what remains to be completed.

D. Durst **MOVED** to **TABLE** Agenda item IV c. until the 11/15/18 meeting for a decision about the bond for the Minchoff 14-lot subdivision so that engineer review by Design Professionals can occur and be reported to the Commission, and that any cost incurred by the Town for the engineer review be taken from the bond. G. Dickinson **SECONDED**.

India Minchoff was concerned with the actual list of work items remaining to be completed which may be beyond the scope of the needs; D. Fey explained the approval, inspection, and bond release process, and since there was no conclusion to the first driveway there was no agreement by the Commission to move on to the next phase. There is no final review or inspection of the driveway to confirm what had been completed.

#### **MOTION PASSED UNANIMOUSLY**

### **V. PUBLIC HEARING**

#### **a. #101818 Proposed Comprehensive Revision to the Woodstock Subdivision Regulations via Text Amendment, draft dated 07/08/18**

J. Gordon commented that although this is the first public hearing for the subdivision regulation revisions, the process has been ongoing for the last three years, and public meetings, minutes, and input have been available. The PZC Commission appreciates the input received to date from the public, the staff, and from the other Commissions. Through subcommittee a draft has been finalized, and a copy with the proposed revisions/edits is available online. J. Gordon added that the public hearing is the final time for the public to provide input, and once the public hearing is closed no further public input can be considered, and briefly explained the public hearing and the process that follows.

J. Gordon noted for the record that legal notices for this public hearing were published in The Woodstock Villager on October 5, 2018, and October 12, 2018, therefore are compliant with the State Statutes notifications. Also, NECCOG was notified on September 14, 2018, the adjoining towns and town clerks were notified October 10, 2018; and public registry members were notified on September 27, 2018. J. Gordon opened the floor for public comment and asked that time be limited to 3 minutes to allow everyone time to speak.

Jean Pillo, a member of the Conservation Commission distributed to the PZC Commission a document which was read into record by Dr. Wesler (Chair of the Conservation Commission).

Jonathon Grody felt “Fee in Lieu” was a critical component, but was concerned with sidewalks, easements, and small storage buildings being included in open space.

Jeremy Serwer expressed concern for the future of Woodstock, as open space and farms were what drew him to the town.

Fredrick Rich (PZC Commissioner) felt the land should be given back to the people who own it, and felt that farms are not being saved by asking a farmer to give up a large portion of their land.

Lisa Davidson (Conservation Commission Member) asked about small subdivision requirements: D. Fey responded. She also asked about minor versus major subdivisions; G. Dickinson and J. Gordon responded.

David Holk agreed with the comments made by the Conservation Committee.

Jeff Davis was concerned with Woodstock becoming like Long Island N.Y., which started out as all farm land and ended up elbow to elbow with practically no farm land left.

Delia Fey (Regional Planner NECCOG) commented about the different types of open space parcels and why some in certain scenarios would need sheds or sidewalks, for example in a recreation park for walkways or in a ball field for equipment storage, or to store maintenance equipment for those parcels.

Jean Pillo (Conservation Commission Member) commented that 1.5 acre open space lots were not in the towns best interest.

Fredrick Rich (PZC Commissioner) commented about doubling lot sizes, and asked why add in lots that were already regulated. He also commented about septic set back requirements.

Jim Bennley said he moved to Woodstock for what it currently is, and agreed with the comments made by Jeff Davis, adding that the rural feel should be kept, and everything should be aligned to keep it that way.

Jeff Gordon (PZC Commission Chair) talked about the build out analysis and stated for the record that previously there were two choices for open space, which were 25% or 40% for open space. Current regulations are 50%.

Maura Robie (Conservation Commission Member) and Jeff Gordon briefly discussed affordable housing; Delia Fey (Regional Planner NECCOG) noted the regulations area of reference page 47.

Rich Roberts and Jeff Gordon discussed regulation definitions; Rich Roberts provided a document to the PZC Commission regarding major and minor subdivision concepts.

Dorothy Durst (PZC Commissioner) noted that the regulation changes had been triggered by one subdivision application; the idea is to make the regulations more adaptable.

D. Young **MOVED** to **CONTINUE** the public hearing to November 15, 2018 at 7:45pm;  
J. Adiletta **SECONDED**.

D. Fey noted the amount of work related to regulation amendments, and said that minutes of the previous meetings between farmers and large land owners and the Conservation Commission regarding open space and sub division regulations are documented and available online.

**MOTION PASSED UNANIMOUSLY**

## **VI. UNFINISHED BUSINESS:**

- a. Proposed Text Amendment re: Sign Regulations (all as one item)
  - 051718-a Article II Definitions – several proposed revisions
  - 051718-b Article V Permit Requirements, A.1. General, c-v – proposed revision
  - 051718-c Article VI Townwide Requirements/Standards, G Signs – new text and several revisions

- b. #101818 Proposed Comprehensive Revision to the Woodstock Subdivision Regulations via Text Amendment, draft dated 07/08/18

## **TABLED**

### **VII. CHAIRS REPORT:** Discussion in item VIII

### **VIII. DISCUSSION OF SUBCOMMITTEE WORK AND STRUCTURE**

The Commission members discussed the PZC calendar and meeting nights for applications and the subcommittee meetings, as well as calling special meetings, and the legal requirements for such adjustments. The PZC Commissioners agreed to clarify the formal process with the town attorney.

D. Porter **MOVED** to hold no Subcommittee meeting on 11/01/18 and have a Special Meeting on 11/01/18 @ 7:30 PM about the Sign Regulations and the Strategic Plan;

D. Durst **SECONDED. MOTION PASSED UNANIMOUSLY**

T. Lajoie and the PZC Commission members briefly discussed signs around Woodstock.

### **IX. ZEO REPORT**

D. Fey reminded the public about being added to the public registry to receive copies of the agendas and minutes.

### **X. CITIZENS' COMMENTS:** None

### **XI. BUDGET REVIEW AND BILLS:** No Discussion

### **XII. MINUTES**

#### **a. Regular Meetings:** September 20, 2018, August 16, 2018, June 21, 2018, and May 17, 2018

G. Dickinson **MOVED** to **APPROVE** the meeting minutes of 09/20/18, 08/18/18, 06/21/18, and 05/17/18 with the following edits:

- 1.) 08/16/18 minutes: Remove the word "excused" for absent Commissioners;
- 2.) 08/16/18 minutes: agenda item IV motion should read "Motion D. Porter seconded by J. Adiletta to approve the application for Woodstock Massage & Wellness at 158 RT 171 carried unanimously";
- 3.) 08/16/18 minutes: agenda item VI D. Porter was recused;
- 4.) 08/16/18 minutes: agenda item VIII b J. Gordon should be listed as voting "aye" on the motion to remove the reference to "internally lit" signs (iii);
- 5.) 06/21/18 minutes: agenda item IX b D. Porter and F. Rich should be listed as voting "no" on the motion to approve the THCS zoning regulations; and
- 6.) 06/21/18 minutes: agenda item XII should have the word "Bonds" changed to "Bills".

J. Adiletta **SECONDED. MOTION PASSED UNANIMOUSLY**

#### **b. Special Meeting:** September 13, 2018

J. Adiletta **MOVED** to **APPROVE** the meeting minutes of 09/13/18 with the following edits:

- 1.) Agenda item V: state that the "agreed-upon modifications" were the modifications made at the 09/13/18 meeting, and

2.) Agenda item VI: the motion to adjourn was made by D. Young.

D. Young **SECONDED. MOTION PASSED**; G. Dickinson and F. Rich **ABSTAINED**

D. Young and the PZC Commission gratefully thanked Dorothy Durst for taking minutes and bringing them up to date.

J. Gordon also noted for the record that Terri Lasota will be taking minutes for the PZC Commission meetings (first and third Thursday's of the month provided there is a formal meeting held) as per discussion with the PZC Commission and the Selectman's office.

D. Durst provided a handed out document and pointed out the legal requirements for taking meeting minutes and the FoIA. J. Gordon and the commission members briefly discussed.

D. Durst also talked about the list of requirements for minutes. J. Gordon noted the minutes recordings and what is expected in them.

### **XIII. Cottage Food in CT – Information**

The PZC Commissioners recognized the work being done by the State of Connecticut.

### **XIV. CORRESPONDENCE**

D. Durst talked about The Last Green Valley soliciting input on the future planning in this area of the state, and requests of organizations to host workshops (from an article on the 09/14/18 in the Villager), and asked D. Fey to get involved with this process.

### **XV. ADJOURNMENT**

At 10:22pm D. Young **MOVED to ADJOURN**, F. Rich **SECONDED. MOTION PASSED UNANIMOUSLY**

Respectfully submitted by Terri Lasota, Recording Secretary

**DISCLAIMER:** These minutes have not yet been approved by the Planning & Zoning Commission. Please refer to next month's minutes for approval/amendments. Please note that the audio record is the legal record of the meeting.