

**WOODSTOCK PLANNING & ZONING COMMISSION  
REGULAR MONTHLY MEETING  
THURSDAY, APRIL 18<sup>th</sup>, 2019 AT 7:30 PM  
WOODSTOCK TOWN HALL, MEETING ROOM 1**

**MINUTES**

**I. MONTHLY MEETING AT 7:30 PM**

**a. Call to Order:** J. Gordon (Chair) called the meeting to order at 7:30 pm

**b. Roll Call:**

**Members Present:** J. Gordon, D. Young, F. Rich, J. Adiletta, S. Blodgett, D. Morse, D. Porter (Alt), D. Durst

**Members Absent:** G. Dickinson, J. Anastasi, K. Ebbitt (Alt), D. Frederick (Alt)

**Noted for the Record:** Quorum

**Others Present:** D. Fey, T. Lasota, T. Lajoie, M. Diorio, B. Sheldon, and M. Healy.

D. Durst DELAYED due to BOS meeting.

**II. DESIGNATION OF ALTERNATES:** D. Porter was seated

J. Gordon commented the Chair's Report will be addressed after the public business items have been addressed.

J. Gordon noted an application for a modification to a subdivision was submitted in a timely manner on April 8, 2019; The subdivision modification application was not processed in a timely manner at Town Hall because the J. Gordon and D. Fey were not informed about it despite checking in with Town Hall about received applications. D. Fey found out about it by other means yesterday and informed J. Gordon. J. Gordon noted that not all required information was received, but that D. Fey did not have the opportunity to work with the applicant heading into tonight's meeting given what happened. J. Gordon agreed to ask the PZC to add this to the meeting agenda since it is not the fault of the applicant or the PZC about what happened with the application, but that the PZC can table the application tonight after officially receiving it in order to further the application process for the applicant. D. Fey will work with the applicant to obtain the necessary information to move forward.

D. Porter **MOTIONED** to **ADD** a new agenda item to VII: #542-06-08m, modification of a subdivision, 5-lot, Prospect Street, Map #5703, Block 35, Lots #13-4&5, United We Stand, LLC.

J. Adiletta **SECONDED; MOTION CARRIED UNANIMOUSLY**

**III. CHAIR'S REPORT**

**a. ZEO and Regional Planner Services:**

J. Gordon said the Town is trying to get ZEO in the interim and full; the interim would be to cover through the end of June 2019, and the ideally the full would start in July of 2019 for the upcoming fiscal year. This current fiscal year is still at 6 hours per week, 15 hours per week during the next fiscal year.

J. Gordon said one candidate was interviewed and the decision was not to go with that candidate, however another application has been received since that time, which will be looked into. CME did submit proposal which was renegotiated and approved at this evenings Board of Selectmen's meeting. If no candidate is hired by July 1, 2019 the Town should continue with CME's services in the interim to avoid greater problems.

J. Gordon said he was asked previously by the First Selectman if he would sign certain zoning permits that were of a time sensitive nature in the absence of a ZEO, and replied that he is not a Town employee and is not hired by the Town, and it also is neither the role of the Chair of PZC nor a PZC Commissioner to do this type of service. In communications with the Town attorney, it was found

that the Commission could authorize the Chair to do ZEO service, but the Chair does have the right to decline. J. Gordon said as Chair, he would decline to perform this service. J. Gordon also said he was asked to bring this question to the Commission, regarding authorizing or not authorizing a Chair to perform the service of signing certain Zoning permits.

D. Porter **MOTIONED to NOT AUTHORIZE** a PZC Chair or a P&Z Commissioner to do ZEO work signing permits or doing inspections; D. Young **SECONDED**;

D. Durst asked J. Gordon if he had any credentials, or would be getting paid; J. Gordon said he is not.  
**MOTION CARRIED UNANIMOUSLY**

**b. Annual Legal Training Session:**

J. Adiletta questioned if there would be a Legal Training session; J. Gordon said the Town attorney agreed to provide a session. Commission members agreed on June 6, 2019 dependent on the attorney's availability.

**IV. MINUTES**

**a. Regular Meeting: March 21<sup>st</sup>, 2019**

**b. Special Meeting: April 4<sup>th</sup>, 2019**

D. Morse **MOTIONED to APPROVE** the 03/21/2019 Regular meeting minutes as presented, and the 04/04/2019 Special meeting minutes as presented; J. Adiletta **SECONDED**;  
**MOTION CARRIED UNANIMOUSLY**

**V. CITIZENS' COMMENTS: NONE**

**VI. NON-RESIDENTIAL ZONING PERMIT: NONE**

**VII. NEW BUSINESS:**

**a. #542-06-08m, modification of a subdivision, 5-lot, Prospect Street, Map #5703, Block 35, Lots #13-4&5, United We Stand, LLC:**

J. Adiletta **MOTIONED to TABLE** until the May 16, 2019 PZC meeting;

F. Rich **SECONDED; MOTION CARRIED UNANIMOUSLY**

**VIII. PRELIMINARY DISCUSSION**

**a. 258 Rt 171 – proposed future use change of former bank and flower shop property to small family style restaurant and retail:**

Mike Diorio said there were no new documents presented at this meeting. J. Gordon noted this is a preliminary discussion and any questions, answers, or comments are non-binding.

Mike Diorio said his client Brian Sheldon is interested in purchasing the property, turning the bank building into a donut shop for breakfast and lunch, using the house/flower shop building as retail craft store, and using the barn for holiday events; he would like to determine if this would be acceptable by the PZC before purchasing the property.

Brian Sheldon agreed with M. Diorio adding the barn would also be used for selling seasonal items such as pumpkins and Christmas trees, and using the bank's current drive up window for breakfast and lunch to go. He suggested that nothing would change other than that it would not be a bank, and also noted the ease of access and the ample parking on the south side of the property. The Commission members and M. Diorio discussed the parking area which is paved and lighted.

J. Adiletta asked about expanding the drive in overhang; B. Sheldon indicated that may be a future plan and would like to keep the structure as-is but add on a kitchen as the roof and concrete are already in

place. J. Gordon noted anything not included in the initial modification would be an additional modification and application.

S. Blodgett inquired about the property's original approval as a restaurant and any conditions of use that may have been approved at that time. J. Gordon suggested reviewing the original 1987 application with the Clerk's office. S. Blodgett said B. Sheldon has some good ideas, but felt as properties are bought and sold, changes requested to accommodate this application to expand its use could result in becoming a larger commercial fast food drive through establishment.

D. Porter suggested per the zoning regulations, the only drive throughs that may be currently allowed in Woodstock are for banks, but this would need to be researched. M. Diorio asked who researches what is allowed; J. Gordon said staff can assist.

D. Morse asked if the current septic system will support restaurant; B. Sheldon felt it should not be an issue and added the city sewer is present but not currently connected. J. Gordon said WPCA would have to provide approval, which would be required by PZC.

J. Gordon suggested awareness of the new lighting and sign regulations, and also noted input from DOT would be needed for any possible traffic concerns, and because the location is at the intersection of 2 state routes.

D. Durst arrived at 7:55 pm.

F. Rich noted the business hours would be different than that of the bank and agreed that DOT input would be needed.

S. Blodgett asked if the approval as a restaurant was still valid even though it was never pursued. D. Fey said the original approval in 1987 was previous to zoning, and viewed in parallel to a Special Permit, they do not expire, but could be reviewed by the Town attorney. J. Gordon added the property was converted to commercial space in 1987; D. Fey and J. Gordon discussed various previous approvals and special permits for this property, and agreed on the need to review the Town records.

J. Adiletta and the Commission members felt over all it was an acceptable idea, but would need to get the input from DOT. J. Gordon and D. Fey noted regarding the process, the application would need to be complete, submitted, and accepted, and if accepted at a PZC meeting a public hearing is scheduled, and that sets a specific process in place.

## **IX. UNFINISHED BUSINESS**

- a. **#583-09-1M (Penny Lane Development) – Douglas A. Davis & Rachel J. Littman, 50 Brickyard Rd + adjacent lot & two Rte 197 lots (map 5126 block 17 lots 13; 13-1; 13-2; 13-3; 13-4) Modification to merge 4 previously approved building lots into 2 building lots:**

J. Gordon said the subdivision was approved in 2009, and 2 extensions have been granted since then. The last extension was 2016.

J. Gordon said this application appears to be complete; the application is to reduce 4 lots to 2 lots, and falls under subdivision regulations chapter 4 part 3, "Other Applications" sub item A. Boundary Line Adjustments and Modifications of Previous Approvals. D. Fey noted there will be less area disturbance and no new structures.

Mike Healy of BSC Group in Glastonbury, representing Doug Davis, owner of property lots 1-4, and also owner of the open space between the lots. He went on to say lots #1 & #2 are on Route 197 and have a shared common driveway; the builder who purchased those lots installed the driveway and the drainage

but then backed out. M. Healy said Mr. Davis wishes to merge lots #1 and #2 to one lot and plans on developing lots #3 and #4 as a residence; he noted lots #3 and #4 are off of Brickyard Road, and Mr. Davis is restoring the barn to convert it to a 2 bedroom house.

M. Healy said the driveway plan site plan that will be submitted to NEDDH is to add a garage to the barn, and the driveway, which is proposed to be in the same location as the original subdivision plan is just to access garage and patio from the back of the barn but will not be a shared driveway.

M. Healy said when the subdivision was approved there was a common driveway and stone wall which cut off access to barn, and Mr. Davis does not want to block that access. Also, in the second part of the subdivision approval showed a proposed berm, but Mr. Davis would like to leave this as potential access and not berm it.

J. Gordon confirmed with M. Healy they wanted to merge lots 1 & 2 into one lot, and merge lots 3 & 4 into one lot; he felt everything needed for the application was in place. D. Fey questioned the need to notify abutters; J. Gordon felt according to the regulations there was not a need to do so.

D. Porter **MOTIONED** to **APPROVE** #583-09-1M (Penny Lane Development) – Douglas A. Davis & Rachel J. Littman, 50 Brickyard Rd + adjacent lot & two Rte 197 lots (map 5126 block 17 lots 13; 13-1; 13-2; 13-3; 13-4) Modification to merge 4 previously approved building lots into 2 building lots as presented by the applicant; D. Durst **SECONDED**;

J. Adiletta asked if a waiver was needed regarding the stone wall; D. Fey noted that since the proposal is being changed from 4 lots to 2 lots without a driveway and stone wall, so no waiver is needed.

D. Young asked if once lots are merged can they be “unmerged”? J. Gordon and D. Fey said it would become a resubdivision; there would be no set aside since there is already open space from the original approval.

#### **MOTION CARRIED UNANIMOUSLY**

#### **X. ZEO REPORT: NONE**

#### **XI. CITIZENS' COMMENTS: NONE**

#### **XII. BUDGET REVIEW AND BILLS: NONE**

#### **XIII. CORRESPONDENCE:**

The Town of Dudley, MA is amending zoning bylaws.

D. Durst noted the Building Official Assistant was voted on and approved at the BOS meeting and will start Monday.

#### **XIV. ADJOURNMENT:**

F. Rich **MOTIONED** to **ADJOURN**; J. Adiletta **SECONDED**; **MOTION CARRIED UNANIMOUSLY.**

The meeting was **ADJOURNED** at 8:40 pm.

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.