

**WOODSTOCK PLANNING & ZONING COMMISSION
PUBLIC HEARING MEETING
THURSDAY, MARCH 15, 2018 AT 7:30 PM
WOODSTOCK TOWN HALL, MEETING ROOM 1**

MINUTES

I. MONTHLY MEETING AT 7:34 PM

- a. Called to Order by Dorothy Durst (Acting as Chair)
- b. Roll Call – Gail Dickinson, Dorothy Durst, Delia Fey (ZEO/Town Planner), Doug Porter, Syd Blodgett, Joe Adiletta, Allyson Girard (PZC Recording Secretary)
- c. **It is noted for the record that there is a quorum.**

II. CITIZENS' COMMENTS -NONE

III. DESIGNATION OF ALTERNATES – DOUG PORTER

IV. CHAIR'S REPORT- NONE

V. PUBLIC HEARING – 7:36 P.M.

- a. **Public Act No. 17-155 concerning Temporary Healthcare structures- Consideration of opting out.**

CITIZENS' COMMENTS- NONE

COMMISSION MEMBER COMMENTS:

Doug Porter recommends opting out of Temporary Healthcare structures. Doug feels the regulations allow the opportunity for residents to have accessory structures on their property which should provide the same utility that the temporary healthcare structures do. Doug believes that the current regulations are better and that it is a permanent solution, where as a temporary healthcare structure can only be on site for a detailed length of time and then must be removed once the health care assistance is no longer needed. This places a financial burden on an applicant that they may not realize they have to remove the structure at the end. He believes PA-17-155 was done for the Towns that don't allow accessory apartments.

Syd Blodgett believes the Town should not opt out and should pursue because the in-law apartments have a minimum lot size requirement and there may be residents that don't have the land and wouldn't have this as an option. He states that he contacted the tax assessor, Rich Kryzak, and asked him to run a list of how many residents in town have less than $\frac{1}{4}$ of an acre. Out of the approximately 3,000 residential properties, over $\frac{1}{4}$ of them are less than that. So for those approximately 790 families, they cannot have an accessory apartment. With opting out, they wouldn't be eligible for the temporary healthcare structure therefore putting a very large segment of residents in a jam with being unable to care for what this legislation is hoping to help, mentally or physically impaired people. Syd suggests that PZC remove the minimum acreage requirement for accessory apartments and have options to address the needs of our residents.

Joseph Adiletta is requesting input from D. Fey on whether there have been any inquiries to her office on temporary housing or temporary care issues for family members and she responds that the only situation she can recall is temporary housing for residents who have lost their home due to fire and they are building a new home. They would be allowed to have a temporary housing (mobile home) on site which is approved by the Selectmen for a limited period of time. No medical and/or disability situations have been addressed yet. One person with a disability was trying to better accommodate the housing for a family member, they were not able to meet the setback and they never came back to pursue further. **Joseph Adiletta** questioned Delia if she felt any down fall for the Town to allow temporary

structures. **Delia Fey** does not feel they will be in high demand due to requirements and \$50,000 bond. They would have to buy the structure. Perhaps there is an option to lease one, but not sure. It could be a good alternative. **Joseph Adiletta** would like further information from town attorney if PZC chooses to opt out now and then in 2020 can we choose to opt in? Discussion continued on the process, how the zoning regulations could be adjusted with regard to accessory apartments and the possibility of having both options available for people. **William Chaput**, resident, commented that he has worked on a lot of emergency housing projects. He shares his experience with temporary structures. Giving people options would be best. **Gail Dickinson** reiterates her position of choice for residents. **D. Porter** states that his concern is with future enforcement issues when people do not remove the structures. Much discussion went on of unpaid/payment of care takers being made and the relation of caretakers. **Dottie Durst** stated some of the homes we see around Woodstock are not handicap accessible at all so if a person had an issue, some construction would need to be done. She is in favor of not opting out and to look at configuration of our smaller lots to be able to allow possibilities. **Motion to close Public Hearing by Joseph Adiletta, seconded by Gail Dickinson. Motion carried unanimously.**

VI. NON-RESIDENTIAL ZONING PERMITS

- a. **William Chaput, 19 Northgate Road- Replacing existing 30' x 40' building. No change in footprint or use. (Storage of personal tools and equipment for business. Demo of existing.)**

Delia Fey verified a previous business was there and the use can be maintained. **Joseph Adiletta** questioned if lot is non-conforming, was verified by D Fey. Applicants are aware that building must remain on same footprint. **Motion by Gail Dickinson to approve, seconded by Joe Adiletta. Motion carried unanimously.**

Motion to re-sequence OLD BUSINESS after NON-RESIDENTIAL ZONING PERMITS. Motion by Joseph Adiletta, seconded by Syd Blodgett. Motion passed unanimously.

VII. NEW BUSINESS-824 Woodstock Academy Road and Hill Cemetery Road – proposed sidewalk to connect to existing on south side of Academy Building

Gary Giambattista, Director of Capital Projects for Woodstock Academy (WA), is present to explain project that they hope to undertake this summer, a sidewalk on the corner of Hill Cemetery and Academy Road. Safety is main focus since many busses are loading on the easterly side of Hill Cemetery. With the new campus down south, WA is moving more students in this location and is a needed improvement. This will tie into the existing sidewalk that is shown on the plan at the end of the WA building and it is 10 feet in width down to a paved area in front of the granite sign and turns the corner and funnels down to a 5 foot sidewalk in front of the Bracken Building. Sidewalk is a brushed concrete finish with a monolithic concrete curb and WA has recently added lighting to the plan to illuminate the sidewalk. Fixture is LED with down lighting optics. Wiring and bases to be installed and if enough funding, they will install fixtures, as shown, to comply with lighting regulations.

PZC had questions on extent of excavation, property line location and sign details. Existing posts in front of WA building are 9.5 feet in height and they do not intend on going any higher but do want to match what is there currently. Historic District Commission must still review proposal for lighting and Mr. Giambattista will be attending their meeting on the 20th. J. Adiletta is requesting the Historic District's decision in writing. It was confirmed that the light style will be compatible with existing. D. Fey reminds PZC of the lighting regulations, exemptions noted which addresses lighting in a public right of way or easement for the principal purpose of illuminating public streets that is installed at the request or direction of government entity is exempt. Her interpretation is that this project would fall under this exemption. She believes the local government would more than likely have requested the lighting for

safety on the sidewalk if it were not part of this proposal. D. Durst recognizes that this exemption may certainly apply and also WA's intent to comply with the lighting regulations is appreciated. D. Porter is requesting detail on the proposed lumens. He expresses his concern with the ZEO enforcing these very specific regulations for lighting. Although, this should be exempt, it is a good example of the complications with lighting and verification of lumens. He suggests lighting consultant provide more detail on lumens per square foot. D. Durst confirms the following for the public record: A letter was received from John Navarro, Public Works Director, dated February 5th along with a letter from Historic District Commission dated January 24. **Motion by J. Adiletta that PZC report to the BOS that the 8-24 proposal has been reviewed and that a report be issued that supports the proposal, seconded by D. Porter. It was noted by D. Porter that this is a recommendation and this is subject to the Historic Commission District's review and approval of the proposed changes. Motion carried unanimously.** An added note, for the record, from J. Adiletta: Applicant has agreed to report back to PZC about which lighting fixtures will be purchased and installed.

VIII. OLD BUSINESS

- a. **Public Act No. 17-155 concerning Temporary Healthcare structures- Consideration of opting out. Motion by Gail Dickinson to NOT opt out of the Temporary Healthcare structure provision of PA No. 17-155, seconded by Joseph Adiletta. Opposed : Doug Porter. No absentions. Motion carried.** Confirmed for the record that item was discussed and it was the decision of the commission to not opt out at this time.

IX. MINUTES

- a. **February 15, 2018 Regular Minutes- Motion to table for next month by Joe Adiletta since they just received the minutes and would like time to review, second by Syd Blodgett. Motion passed unanimously.**

- X. **ZEO REPORT-**D. Fey reports that there has not been much activity over the last month, she has been working on the regulations. She is recommending that the fining ordinance be followed up on with the BOS. There is a request for Chairman Gordon to resubmit the proposal to the BOS for action at this time. D. Fey stated that she was not initially in favor of a fining ordinance due to the difficulty with managing it but has found that there are residents who are openly avoiding getting permits. Process would be Notice of Violation, Cease & Desist followed by a fine. Bill Chaput comments that the average resident doesn't really understand the process and the requirements for zoning permits and he doesn't believe people are purposely avoiding the process of getting a permit, but just that they are not aware.

- XI. **CITIZENS' COMMENTS-** Dawn Adiletta from the Open Space Committee is in the process of requesting the PDR approval of another farm. It has already gone through the state process and paperwork is signed. Property is 210 Childs Hill Rd Woodstock, Valley Side Farm owned by Tim and Wendy Young. 129 acres, more than 80% prime soils and it is an active dairy farm. Town's portion will be up to \$140,000 which is available in the Open Space fund. She is requesting to be placed on the April 19th agenda. D. Fey is requesting additional information, a map, photos, diagram, map depicting property lines.

- XII. **OLD BUSINESS (CONTINUED)-** Review of draft and sign zoning regulations. **Motion to table by Doug Porter, seconded by Joe Adiletta. Motion passed unanimously.**

- XIII. **BUDGET REVIEW AND BILLS-**D. Fey went over her March 12th memo and legal bill updated through February. J. Gordon has already signed the bills noted because they did not require a vote.

XIV. CORRESPONDENCE- NONE.

J. Gordon has recommended the cancellation of the March subcommittee meeting.

Doug Porter mentioned the Town Planner is changing from a full time position to a part time and also a move to reduce the town hall hours to 4 days per week. Impact of having a part time planner is something the commission should possibly make a comment to the BOS and BOF. There are very detailed regulations and PZC expects the Planner, who also serves as ZEO, to enforce these regulations and if only a part time position, how will enforcement be managed. Are we wasting time generating these regulations that there will be limited staff to work with?

Motion by Gail Dickinson, to notify the BOS that as the Planning and Zoning Commission, given that we have someone that is both Planner and an ZEO, who is expected to write regulations as well as enforce them, plus meet with the public and explain the regulations to them, having that person as part time is not realistic. **Joe Adiletta seconded motion.** Discussion: D. Porter adds that NECCOG would be providing a shared Planner. He believes it is important for PZC to attend meetings and present their concerns. **Motion carried unanimously. A request is made for Chair Gordon to create a document to present to Selectmen's Office.**

Joe Adiletta questioned if a lighting engineer, with reference to the PZC illumination review, could attend an upcoming PZC regular meeting and take part in their discussion. D. Fey mentioned that due to budgetary constraints, the First Selectman would like to see PZC utilize NECCOG for any engineering review, if possible, and she will investigate to see if someone is available to attend.

XV. ADJOURNMENT AT 8:55 PM. MOTION BY GAIL DICKINSON, SECONDED BY DOUG PORTER. MOTION CARRIED UNANIMOUSLY.

Respectfully Submitted,

Allyson Girard
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.