

## WOODSTOCK PLANNING & ZONING COMMISSION

### REGULAR MEETING

Thursday, May 21, 2020 – 7:30 PM

In accordance with Governor Lamont's Executive Order and social distancing guidelines recommended by the CDC in response to COVID-19, members of the PZC participated in the meeting via ZOOM online.

### MINUTES

#### I. MEETING AT 7:30 PM

a) **Call to Order:** Jeffrey Gordon called the meeting to order at 7:35 pm.

b) **Roll Call:**

**Members Present:** Jeffrey Gordon, Frederick Rich, Joseph Adiletta, David Morse, Jeffrey Marcotte, Syd Blodgett, Gail Dickinson

**Alternates Present:** Nancy Fraser, Doug Porter, Dwight Ryniewicz

**Absent:** Timothy Young, Mark Blackmer

**Noted for Record:** Quorum

**Others Present:** Tina Lajoie, Delia Fey, Atty. Rich Roberts, Members of the Public

II. **MEETING RULES AND GUIDELINES:** Chairman Gordon briefly reviewed the rules and regulations associated with the Governor's Executive Order's 7B and 7I relative to conducting meetings during COVID-19.

III. **DESIGNATION OF ALTERNATES:** Nancy Fraser and Dwight Ryniewicz were seated.

IV. **CHAIR'S REPORT:** Chairman Gordon thanked the commissioners and staff for their ongoing work with the Planning & Zoning Commission.

V. **CITIZENS' COMMENTS:** None.

#### VI. MEETING MINUTES:

a) **February 20, 2020 Regular Meeting**

b) **March 5, 2020 Special Meeting**

c) **April 2, 2020 Special Meeting**

**Motion** was made by Jeffrey Marcotte, and **Seconded** by David Morse, to **Approve** the February 20, 2020 Regular Meeting Minutes, March 5, 2020 Special Meeting Minutes and April 2, 2020 Special Meeting Minutes as presented. **The motion passed unanimously.**

#### VII. NEW BUSINESS PART 1:

a) **#637-02-21 (M-#323) Stephen G. & Lorraine E. Gabriele, Lot 39F, Crystal Pond Road – Modification of Subdivision**

Chairman Gordon stated that two applications have been received for the above-referenced property. The first order of business was for the PZC to review the modification of the subdivision as a non-buildable lot. ZEO Tina Lajoie state that the application was complete, and the Wetlands application was previously approved. Delia Fey stated that the application serves as a request to change the status from a non-buildable lot to a buildable lot. If approved, it would allow the PZC to review a special application permit.

Chairman Gordon welcomed applicant Stephen Gabriele to speak. Mr. Gabriele noted that the requirement to designate 50% of the gross area as conservation land has been satisfied. Dr. Gordon requested this topic be discussed during the public hearing.

**Motion** was made by Joseph Adiletta, and **Seconded** by David Morse, to **Approve** the modification of the subdivision located at Crystal Pond Road, Lot 39F, as presented. **The motion passed unanimously.**

#### **VIII. PUBLIC HEARING:**

**a) #SP638-02-22 Stephen G. & Lorraine E Gabriele, Lot 39F, Crystal Pond Road – Multi-Family Residential Development**

Chairman Gordon noted for the record that legal notices regarding the public hearing were published in the Woodstock Villager on May 8<sup>th</sup> and May 15<sup>th</sup>, which satisfies the state statutes. Dr. Gordon listed all supporting documentation received within the required timeframe, except for two documents not received in time to legally include as part of the public record. Should this public hearing be continued to a different date, those documents would be noted for the record at that time.

Ms. Lajoie stated that the application is complete, and notification of the public hearing was mailed to neighboring property owners within the required timeframe. The applicant confirmed for Dr. Gordon that there was no formal written request submitted for any waivers.

Mr. Gabriele shared the family's vision for the development—to build a family compound to age in place and serve as a center of gravity for family to gather at the lake. He believes the proposal satisfies all requirements as noted in the PZC regulations and there was no request for any deviation or variation. He further felt that the proposal is consistent with the Town's plan for conservation and development. Mr. Gabriele addressed several concerns from neighbors.

Commissioner David Morse, and other Commissioners, recommended there be assurances relative to the potential future uses of the proposed dwellings and that the proposed use not be altered. This may require specific language be included should the permit be approved.

Discussion ensued regarding the portion of land donated to New Roxbury Land Trust. Ms. Fey stated that the special permit would be legally enforceable for the life of the land even if the property changed ownership. Ms. Fey clarified that this property came from the same property dated August 1965 and the regulations refer back to this date. After further discussion and reference to certain regulations, the Commission requested Atty. Rich Roberts research and report back on the open space requirement in the regulations, confirming the date and terms of the original subdivision, and how many other buildable lots were created at that time.

Chairman Gordon requested confirmation on the E&S bond of \$8,108. Ms. Lajoie confirmed the amount was correct. He also asked for confirmation that this was private property owned by Mr. and Mrs. Stephen Gabriele. Mr. Gabriele confirmed same.

Chairman Gordon welcomed public comments. Several members of the public shared concerns toward the proposed development. The concerns focused primarily on the number of dwellings being developed and the potential for commercial use in the future. Other concerns included traffic, the applicant's ability to oversee the approved use in the future, and the number of people on the premises at one given time, which would negatively impact neighboring homes.

Mr. Gabriele responded to the concerns and explained that their intentions and motivation are clear. He has received positive feedback from the previous owner relative to their plans, and referenced the Town's fair, transparent process for requesting a modification of a special permit should this be considered by others in the future.

The definitions of dwellings as outlined in the regulations were discussed.

**Motion** was made Frederick Rich, and **Seconded** by David Morse, to **Continue** the public hearing regarding Lot 39F, Crystal Pond Road, to June 4, 2020 at 7:30 pm. **The motion passed unanimously.**

**IX. NEW BUSINESS PART 2:**

**a) #609-01-13 Zdanys Family Transfer, 567 Center Road – Request for Prorated Fee**

Alternate Commissioners Nancy Fraser and Doug Porter recused themselves. ZEO Tina Lajoie noted for the record that due to her representing the seller for this property, she has not been involved and referred this request to Delia Fey. Ms. Fey provided some history on the property and stated that the town attorney was consulted for legal opinion. After further discussion, it was determined the Commission has no statutory authority to prorate fees.

**Motion** was made by Gail Dickinson, and **Seconded** by Jeffrey Marcotte, to **Deny** the request to prorate the fee on #609-01-13 Zdanys Family Transfer, 567 Center Road, due to the Planning & Zoning Commission having no statutory authority to prorate. **The motion passed unanimously.**

**b) #639-03-23 Bruce Noren, Rtes. 198 & 197 (Map 5124, Block 19, Lots 13D & 20A) – Modification of Subdivision**

The above-referenced request was specific to a boundary line adjustment. Supporting documentation, including maps, were shared with the Commission and members of the public. Mr. Noren's representative provided some history on the subdivision and specifics on the relining of one of the boundaries.

**Motion** was made by Joseph Adiletta, and **Seconded** by David Morse, to **Approve** #639-03-23 Bruce Noren, Rtes. 198 & 197 (Map 5124, Block 19, Lots 13D & 20A) – Modification of Subdivision as presented. **The motion passed unanimously.**

**c) #SP640-04-24 NW Swadia LLC dba North Woodstock Country Store – Proposed Automobile Service Station**

Alternate Commissioner Doug Porter recused himself. Chairman Gordon stated the only action to take was to schedule a public hearing relative to this agenda item. It was recommended that all supporting documentation be received in the appropriate timeframe prior to the scheduled public hearing and to ensure all documentation is accurate relative to address and name of country store.

**Motion** was made by Joseph Adiletta, and **Seconded** by Gail Dickinson, to **Schedule** a public hearing on June 18, 2020, at 7:45 pm, for #SP640-04-24. **The motion passed unanimously.**

**X. PRELIMINARY DISCUSSION:**

**a) Kerri Mullen (Agent), 599 Route 169 – Proposed Retail Operation and Residential Rental**

Ms. Lajoie recommended a preliminary discussion may be helpful for this proposal prior to submitting a formal application. Kerri Mullen, the agent representing the buyers, explained the purpose of the proposal. The buyers are looking to purchase a Woodstock Academy residential property to serve as their primary residence with a portion used for their retail operation. The buyers are not planning to modify the structure. The buyers are also considering renting a one-bedroom apartment on the top floor of the property. The buyer was invited to speak. He reiterated Ms. Mullen's comments and thanked the Commission for their time.

Ms. Lajoie confirmed for a Commission member that the applicant would need to apply for a special permit.

No further action occurred.

**XI. ZEO REPORTS:**

- a) **Office Update:** Chairman Gordon stated that the PZC budget requests for FY 2020-21 were approved. Additionally, Ms. Lajoie's hours will increase to 18 hours per week.
- b) **Permits and Enforcement:** Tina Lajoie's report on the status of permits and enforcement were distributed to Commissioners prior to the meeting.

**XII. CITIZENS' COMMENTS:** None.

**XIII. BUDGET REVIEW AND BILLS:**

- a) **Bills to be Paid:** None.
- b) **Treasurer's Report:** The Treasurer's Report was included in the packets to Commissioners.

**XIV. CORRESPONDENCE:** None.

**XV. ADJOURNMENT:** Motion was made by Frederick Rich, and **Seconded** by David Morse, to adjourn. **The motion passed unanimously.** The meeting adjourned at 10:00 pm.

The recording of this meeting can be found here: <https://www.youtube.com/watch?v=hwXLN3WiRkQ>

Respectfully submitted by Cynthia Brown, Recording Secretary. **DISCLAIMER:** These minutes have not yet been approved by the PZC. Please refer to next month's minutes for approval/amendments.