

WOODSTOCK PLANNING & ZONING COMMISSION
REGULAR MEETING
Thursday, July 16, 2020 – 7:30 PM
ZOOM Online

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

MINUTES

I. MONTHLY MEETING AT 7:30 PM:

a) **Call to Order:** Jeffrey Gordon called the meeting to order at 7:37 pm.

b) **Roll Call:**

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

Alternates Present: Dwight Ryniewicz, Nancy Fraser, Doug Porter

Absent: Mark Blackmer, Gail Dickinson, Timothy Young

Noted for Record: Quorum

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

II. MEETING RULES AND GUIDE: Chairman Gordon briefly reviewed the rules and regulations associated with the Governor's Executive Orders relative to conducting meetings via Zoom Online during COVID-19.

III. DESIGNATION OF ALTERNATES: Dwight Ryniewicz, Nancy Fraser, and Doug Porter were seated.

IV. CHAIR'S REPORT: Chairman Gordon thanked the Commissioners and staff for their ongoing work with the Planning & Zoning Commission. Agenda item VII(a) will be moved to the next meeting due to supporting documentation still being finalized.

V. CITIZENS' COMMENTS: None.

VI. MEETING MINUTES:

a) June 18, 2020 Regular Meeting

b) July 2, 2020 Special Meeting

Motion was made by Jeffrey Marcotte, and **Seconded** by David Morse, to **Approve** the June 18, 2020 Regular Meeting minutes and July 2, 2020 Special Meeting minutes as presented. Doug Porter **Abstained**. **The motion passed unanimously.**

VII. NEW BUSINESS:

a) #643-06-27 Maplesouth Realty Trust, 11 Senexet Road – 3 lot subdivision (minor)

Supporting documents are being finalized, and this item will be tabled until the August 6, 2020 meeting agenda.

Motion was made by David Morse, and **Seconded** by Joseph Adiletta, to **Table** agenda item VII(a) to the August 6, 2020 meeting. **The motion passed unanimously.**

VIII. NON-RESIDENTIAL ZONING PERMITS

a) Salon 283, 283 Route 169, Unit 2 – Change of Business from Therapist to Hair Salon

Ms. Lajoie stated the application is complete and fees have been paid. There were no questions from Commission members.

Motion was made by David Morse, and **Seconded** by Jeffrey Marcotte, to **Approve** the non-residential zoning permit for Salon 283, 283 Route 169, Unit 2 – Change of business from therapist to hair salon as presented. **The motion passed unanimously.**

Commissioner Adiletta reminded the applicant to review the regulations associated with signage and lighting. The comment was acknowledged by the applicant.

IX. OLD BUSINESS PART #1

- a) #SP641-06-25 – 599 Route 169, Rusty Relic mixed use (retail store and residential uses) – Schedule a Public Hearing

Nancy Fraser and David Morse recused themselves from this agenda item.

Chairman Gordon stated at its last meeting the Planning & Zoning Commission rendered a zoning regulation interpretation for this application to proceed to a public hearing.

Motion was made by Joseph Adiletta, and **Seconded** by Doug Porter, to **Schedule** a public hearing for the Rusty Relic mixed used special permit for August 20, 2020, at 7:45 pm. **The motion passed unanimously.**

- b) Former Minchoff Subdivision on Brickyard Road (#492-04-06 Voided) – Decision about Required Open Space Set Aside

Doug Porter recused himself from this agenda item.

Chairman Gordon stated the 2004 Planning & Zoning regulations were used when this subdivision was approved as an open space subdivision and required a 40% open space set aside. Taking into consideration the amount of acreage that has gone into the three housings lots that were built and currently occupied, there should be a provision of 1.62 acres set aside as open space. Atty. Rich Roberts recommended to the Commission since the remaining property that was left un-subdivided is now essentially other land of Minchoff, and not an approved building lot, that a notation be placed in the land records indicating that at the time that property is either sought to be further subdivided or modified into an approved building lot, there be a requirement that the open space that would have been required for the three previously sold lots be set aside out of the balance of that property as well as the requirement of the dedication of open space be attached to this additional property. Further, the property cannot be turned either into a building lot or an additional subdivision without making an accommodation for the 40% set aside that was required for the three lots that had been conveyed out.

Commissioner Blodgett recommended this be clearly documented, perhaps in two locations, for future reference. Atty. Roberts recommended noting this in the zoning file for the subdivision, as well as placing a notice on the land records under the name of the current owner clearly indicating the requirement that open space be dedicated as a result of the prior conveyance of the three lots.

Motion was made by Joseph Adiletta, and **Seconded** by David Morse, to **Accept** the recommendation to place a notation on the land record for the remaining parcel of property that was the undeveloped part of the former Minchoff subdivision (#492-04-06) that if/when this portion of land is to be modified into a buildable lot or otherwise re-subdivided that the required 1.62 acres of open space set aside land pertaining to the already developed 4.04 acres will be required to be put into effect separate from any additional open space set aside land that might be required at such future time. **The motion passed.**

X. PUBLIC HEARING

- a) #SP640-04-24 ND Swadia, LLC, dba Woodstock Country Store – Special Permit Modification to #SP396-98-02 at 1484 Rte. 171 – Proposed Woodstock Country Store & Gas Station with Apartment below.

Chairman Gordon shared the rules and process for conducting a public hearing. The public hearing notice was posted online within the required time period. Additionally, property owners within 500 ft. of the proposed parcel were notified, along with posted signs on Route 171 and Barlow Cemetery Road.

Dr. Gordon stated this application was received by the Planning & Zoning Commission at its regular monthly meeting on May 21, 2020. The application is complete and associated fees were paid. The public hearing will be continued beyond this meeting as various approvals are pending from the Inland Wetlands & Watercourses Agency, Northeast District Department of Health, and the Department of Transportation. Additional documentation was received after the deadline and was not mentioned during this public hearing.

For the record, Chairman Gordon referenced all documents received to-date for the purpose of this public hearing. Steven Pikul from Bertin Engineering was in attendance and represented the applicants. He confirmed the applicants anticipate submitting a formal waiver request.

Mr. Pikul was invited to speak. He thanked the Chair for the summary of documents that were presented. He directed the Commission to document C-2.0 Existing Conditions Plan, which was shared on the screen. He explained existing condition details of the single-family house and driveways for the convenience store and house. The June 3, 2020 Site Plan C-2.1 was then shared. The proposal is to demolish all existing buildings and have a one-story walk out basement in the rear. The proposal also calls for a first floor 3,000 sq. ft. convenience store with food prep and a subdivided basement, with approximately 1,400 sq. ft. for a two-bedroom residential and 1,600 sq. ft. of storage capacity. However, this has since been revised and a full review of the updated plans will occur at a subsequent meeting. He shared details on the canopy for the pump distribution system and the proposed driveways.

Mr. Pikul referenced Site Plan C-2.2 labeled Grating Utility and Soil Erosion Control Plan. He addressed Design Professionals' peer review comments dated June 12, 2020 and responded to some of the questions/statements on page 2. He stated the Comment Resolution Form will be updated and submitted to Commission members.

He closed by offering that the Swadia family purchased the property in 2002 and are loyal members of the community and respect their relationship with the Town of Woodstock. The Swadia family's intent is to update their facility and make it a resource to the community. Mr. Pikul encouraged the Commission to approve the application.

Discussion ensued relative to the lighting plan. Site Plan C-2.4 was referenced during the conversation. Mr. Pikul informed the Commission that house-side shields would be installed to minimize the lighting projected on Barlow Cemetery Road.

Mr. Pikul confirmed the applicants do not intend to ask for waivers for the lighting and intend to comply with the Planning & Zoning standards and any safety standards being used for this facility. He also confirmed that the operating hours proposed are 5 am – 9 pm. Lighting will be operated from 4:30 am – 9:30 pm. Commissioner Adiletta recommended that should this application be approved, the hours of operation and lighting schedule be clearly documented for future reference. Mr. Pikul stated the applicants would reduce the levels of lighting during the 30 minutes prior to opening and 30 minutes after closing should the Commission require this.

In response to Commissioner Blodgett's question, Mr. Pikul detailed safety precautions relating to wells, the detention basin, underground storage tanks, and pumps under the canopy. He referenced Site Plan

C-2.2 to explain these safety measures. Calisto Bertin clarified that the reference “automobile service station” noted in the supporting documentation should have been named “motor fuel sales for convenience store.”

Members of the public were invited to speak. Several citizens voiced their concern with the applicant’s proposal, specifically regarding the impacts on area lakes, wells, traffic, natural habitat, and night sky. Some also felt the hours of operation were excessive. It was suggested by one citizen that if the application is approved, would a compromise be considered to install two gas pumps rather than the proposed six. Other comments included the opinion that the proposal does not comply with the dark sky regulations and questioned whether a gas station in Connecticut could sell alcohol.

There were no further comments from the public.

Motion was made by Joseph Adiletta, and **Seconded** by Jeffrey Marcotte, to **Continue** the public hearing to August 6, 2020 at 7:45 pm. **The motion passed unanimously.**

The public hearing was closed.

XI. OLD BUSINESS PART #2

- a) #SP640-04-24 ND Swadia, LLC, dba Woodstock Country Store – Special Permit Modification to SP396-98-02 at 1484 Rte. 171 – Proposed Woodstock Country Store & Gas Station with Apartment below.

No action was required on this item.

XII. ZEO REPORTS

- a) Office Update
- b) Permits
- c) Enforcement

The ZEO Report was not provided in the meeting packets. Ms. Lajoie share that over the last several weeks she has approved 26 permits, four of which were for new homes. Approximately six inspections were conducted for zoning compliance purposes. She will email the report to Commissioners.

XIII. CITIZENS’ COMMENTS: None.

XIV. BUDGET REVIEW AND BILLS

- a) Bills to be Paid: None.
- b) Treasurer’s Report: The Treasurer’s Report was included in the meeting packets for Commissioners’ reference.

XV. CORRESPONDENCE: The Commission was notified that Pomfret Planning & Zoning Commission held a public hearing on July 15 to address an amendment about defining what an agricultural food vendor is and to make it a permitted use. The Commission was recently notified that equipment will be installed on the Coatney Road tower site.

XVI. ADJOURNMENT: **Motion** was made by Frederick Rich, and **Seconded** by David Morse, to adjourn. **The motion passed unanimously.** The meeting adjourned at 10:17 pm.

The recording of this meeting can be found here: <https://www.youtube.com/watch?v=sJrU-c4sGTM>

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.