

WOODSTOCK PLANNING & ZONING COMMISSION
REGULAR MEETING
Thursday, October 15, 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 7:33 pm.

b) Roll Call:

Members Present: Jeffrey Gordon, Frederick Rich, Jeffrey Marcotte, Joseph Adiletta, David Morse, Mark Blackmer, Syd Blodgett, Gail Dickinson, Timothy Young

Alternates Present: Dwight Ryniewicz, Nancy Fraser, Doug Porter

Absent: N/A

Noted for Record: Quorum

Others Present: Tina Lajoie, Delia Fey, Members of the Public

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

III. DESIGNATION OF ALTERNATES: Nancy Fraser was seated. Consequently, Gail Dickinson signed into the meeting and Ms. Fraser was no longer needed as an alternate.

IV. CHAIR'S REPORT: Chairman Gordon thanked the Commissioners and staff for their ongoing work with the Planning & Zoning Commission. There will be a special meeting on November 5, 2020 for the continuation of the public hearing for the Woodstock Country Store & Gas Station application. The deadline to submit items for the November 5 meeting is October 26. Dr. Gordon asked Commissioners to let him know prior to the November 5 meeting if they cannot attend. There will be a dedication ceremony on Sunday, October 18, at 3 pm, for the Eagle Nest Block Painting, which will take place at Rocky Hill Road and Route 171.

V. CITIZENS' COMMENTS: None.

VI. MEETING MINUTES:

a) September 17, 2020 Regular Meeting

b) September 24, 2020 Special Meeting

c) October 1, 2020 Special Meeting

Gail Dickinson requested her name be removed on the September 17, 2020 meeting minutes as the Commissioner who seconded the motion on VII(a) The Inn at Woodstock Hill and replaced with David Morse, who was the Commissioner who seconded the motion.

Motion was made by Joseph Adiletta, and **Seconded** by David Morse, to **Approve** the September 17, 2020 Regular Meeting minutes, as amended, and the September 24, 2020 Special Meeting minutes and October 1, 2020 Special Meeting minutes as presented. **The motion passed unanimously.**

VII. NEW BUSINESS:

a) 605-03-12 – Jen Dean Brown, 232 W. Quasset Road – 2-lot subdivision bond release to Ray Tremblay, Jr. – E&S Bond of \$6,370; Driveway Bond of \$15,260

ZEO Tina Lajoie and Highway Department Foreman John Navarro visited the site to inspect the construction zoning compliance and whether any erosion was evident on the particular site and as it related to the re-subdivision approved in 2012. They confirmed the lot is stable, no erosion was evident, and both are in favor of releasing the bonds as requested by the property owner.

Motion was made by Gail Dickinson, and **Seconded** by Joseph Adiletta, to **Release** the E&S Bond of \$6,370 and Driveway Bond of \$15,260 for 605-03-12 – Jen Dean Brown, 232 W. Quasset Road – previously approved 2-lot subdivision. **The motion passed unanimously.**

- b) 644-10-28 – Eric T. & Tracy J. Asikainen, 53 Jeans Court – boundary line adjustment

ZEO Tina Lajoie confirmed the application is not intended to create a new lot. She noted the application is complete, signatures have been received on the application and on file, and everything looks in order from her perspective. Health Department approval was received. Greg Glaude from Killingly Engineering Associates, who was representing the applicants, provided a brief overview of the boundary line adjustment. Roughly a half-acre in size will be combined from the Carlone property to the Asikainen property. He explained the history and separation of the property. Lots 3H, 3I, and 3J were merged and approved by the Commission. In researching the deed, they discovered there was an error on the deed where only two of the lots were merged. This was since corrected before the meeting.

Motion was made by Joseph Adiletta, and **Seconded** by Gail Dickinson, to **Approve** 644-10-28 – Eric T. & Tracy J. Asikainen, 53 Jeans Court – boundary line adjustment as presented. **The motion passed unanimously.**

- c) 645-10-29 – Center Road LLC – Center Rd (Map 5126 Block 23 Lot 11) – 3-lot subdivision

Tina Lajoie noted the application is complete and fees have been paid. Chairman Gordon stated for a minor subdivision a mandatory public hearing is not required. Regulations require that all owners of property abutting a proposed subdivision and those within 500 feet of a proposed subdivision be notified no later than 7 days after the application was submitted using certified mail return receipt. He noted the Governor's Executive Order relating to this in which a sign posted on the property would satisfy the mailing notification. However, staff do not recall seeing a sign posted. Notifications to abutters were delivered by next day notification, but the Zoning Department did not receive this information in time to be included in the packets. The town attorney reviewed the process of this notification and determined the mailing method used would satisfy this issue.

Dr. Gordon further noted there is a review pending from Design Professionals thus this agenda item would need to be tabled. Delia Fey will be reviewing the application and providing comments.

Pete Parent from CHA was present and representing the applicant. He provided a brief overview of the proposed subdivision. It appears from the history of the property that the lot that has the existing house (Lot 11B) was the first lot off. The applicants are seeking to create two lots to the east of Lot 11B and a third lot utilizing a 50 foot access strip that was left behind in between Lot 11A and Lot 11B. Mr. Parent stated he will confirm the total number of acres, further detail on the lot history, and a large-scale, Class D survey showing the entirety of the parcel, as there is additional land to the north not noted on the current mapping.

Chairman Gordon asked for a copy of the health department approval letter if one has been received for the next meeting. He further cited regulations relating to E&S Control Bond amounts noting a 15% contingency. Based upon the 15% contingency, the total E&S Control Bond would be \$20,642.50. The proposed E&S Control Bond presented used a 10% contingency.

Motion was made by David Morse, and **Seconded** by Gail Dickinson, to **Table** 645-10-29 – Center Road LLC – Center Rd (Map 5126 Block 23 Lot 11) – 3-lot subdivision to the November 19, 2020 meeting. **The motion passed unanimously.**

VIII: PUBLIC HEARING – 7:45 PM:

- a) #SP641-06-25 – Jason & Jamie Beausoleil, Rusty Relic – 599 Route 169 – Special Permit for Change of Use from Residential to Retail/Commercial

Chairman Gordon opened the public hearing. He noted that Nancy Fraser and David Morse recused themselves. As a result, Dwight Ryniewicz was seated as an alternate for the public hearing and the remainder of the meeting due to David Morse's departure.

Chairman Gordon shared several documents for the record that were received within the meeting deadlines. He noted Commissioners did not have a copy of Design Professionals letter dated October 15, 2020 replying to questions of Delia Fey, as it was received past the deadline. This letter was posted to the town website. The document was shown on a shared screen to be seen. Chairman Gordon noted that he had a discussion today with Town Attorney Roberts about his document, who advised that the Commission could accept tonight the document if it so decided to do so given that the document contains only information about Design Professionals stating the proposed application/plan was OK from a nm engineering point of view.

Commissioner Adiletta expressed concern from a process point of view about accepting this document at this time, especially because of the public hearing and the ability of the public to have time to review. Commissioner Dickinson noted the letter is basically staff communication to the Commission and not something the applicants had control over. Commissioner Rich agreed.

Chairman Gordon noted that since no further comments were provided by the Commission regarding this item, the consensus was to enter the letter into the record.

John Guskowski, CHA, who represents the applicants, highlighted the changes primarily on sheet 2 that were made. Specifically, the driveway width was narrowed, the start of the parking area was pushed back farther to the northwest, the number of parking spaces was reduced to 15 total (13 regular and two handicap), the parking was reconfigured to preserve the existing well house, a wooden gate was added to the end of the parking area to prevent vehicles from exiting onto the Route 169 driveway, the dumpster and dumpster pad were eliminated, the sidewalk was removed, and landscape plantings to further screen the parking area from both the church to the northeast and from Child Hill Road to the east generally were added. The Historic District Commission voted to issue a conditional certificate of appropriateness pending receiving a list of plantings to be used and a rendering of a small ramp that will be on the porch.

Mr. Guskowski and Mr. Parent clarified several items Dr. Gordon questioned, some of which included the removal of the dumpster, the paving of the parking lot, and lighting. Mr. Parent noted the trimming of trees and other vegetation on Child Hill Road could be reduced now that the sidewalk will be removed. He confirmed 18 feet will be the width of the driveway per CT DOT regulations. Mr. Guskowski stated the applicant would not be proceeding at this time with the Historic Properties Commission's recommendation to have an archeological survey completed.

Chairman Gordon opened the hearing to public comments. He shared the protocol associated with public comments during a public hearing.

Mr. Dunlea asked for clarification on the actual use of the proposed property. Second, he was concerned about the lighting and asked for it to be a condition of approval and how it relates to hours of operation. Mr. Guskowski responded that the intent of the proposal as stated on the application is for a retail commercial operation with an accessory apartment (residential component) upstairs.

Ms. McClellan appreciated the progress of the proposal by the applicants. She suggested the curb cut at the Route 169 driveway be removed. She supported the archeological monitoring that HPC recommended.

Mr. Rewinski, representing the Evangelical Church, noted his appreciation of the buffer agreed upon. He was concerned with possible parking spill over to the church parking lot. Applicant Jason Beausoleil clarified that there will be no tractor trailer trucks delivering to the property.

Mr. McClellan expressed his appreciation to the applicants. He is in favor of keeping the sidewalk from a safety standpoint and suggested an archeological survey may be something to consider as a benefit to the applicant and the entire town should something be uncovered.

Mr. Dunlea asked for clarification on the intended use of the barn on the property. Mr. Guskowski cited page 2 of an August 10 letter regarding the original statement of proposed use, which states the retail operation will be centered in main building with the barn primarily for storage and overflow display space.

A neighbor of the property shared support for the applicants' stewardship of the property and supported the removal of the curb cut.

Motion was made by Joseph Adiletta, and **Seconded** by Frederick Rich, to **Close** the public hearing. **The motion passed unanimously.**

IX. OLD BUSINESS:

- a) SP641-06-25 – Jason & Jamie Beausoleil, Rusty Relic – 599 Route 169 – Special Permit for Change of Use from Residential to Retail/Commercial

Motion was made by Frederick Rich, and **Seconded** by Dwight Ryniewicz, to **Approve** as presented the special permit application for a change of use from residential to mixed use (residential and commercial) – SP641-06-25 – Jason & Jamie Beausoleil, Rusty Relic – 599 Route 169 with the following conditions:

1. The driveway onto Child Hill Road be no wider than 18 feet
2. The driveway curb cut onto Route 169 be closed and plantings/bushes be placed at that location
3. All required signatures and seals on the plans be provided
4. The Erosion & Sediment Control Bond be in the amount of \$12,100

Discussion ensued about having retail displays on the property and whether this could be added as a condition of approval.

Secondary Motion #1 was made by Joseph Adiletta, and **Seconded** by Gail Dickinson, to **Amend** the primary motion so that it is not allowed to have retail displays on the lawn, yard, and driveway.

Discussion ensued. Commissioners shared their views relative to defining what a display is and the policing of same.

Tertiary Motion was made by Gail Dickinson, and **Seconded** by Frederick Rich, to **Amend** the Secondary Motion #1 so that an exception is made for the displays of vehicles/carts that are drawn by livestock. **The motion passed with 6 yeas** (Blackmer, Dickinson, Gordon, Rich, Ryniewicz, and Young); **3 nays** (Adiletta, Blodgett, and Marcotte).

Chairman Gordon referenced the Secondary Motion on the table. The Secondary Motion was amended by the Tertiary Motion to read:

Secondary Motion #1 was made by Joseph Adiletta, and **Seconded** by Gail Dickinson, to **Amend** the primary motion so that it is not allowed to have retail displays on the lawn, yard, and driveway, except for the displays of vehicles/carts that are drawn by livestock. **The Secondary Motion passed unanimously.**

The Primary Motion was then presented for consideration. Gail Dickinson requested another motion be presented. Further discussion ensued.

Secondary Motion #2 was made by Gail Dickinson, and **Seconded** by Joseph Adiletta, to **Amend** the primary motion so that the applicants are required to contact the Office of the State Archeologist. **The motion passed unanimously.**

Commissioner Blodgett recommended several items be included as conditions of approval in the Primary Motion.

Secondary Motion #3 was made by Syd Blodgett, and **Seconded** by Joseph Adiletta, to **Amend** the primary motion so that the following are conditions of approval, as presented by the applicant:

1. Parking spaces are limited to 15
2. No dumpster is allowed
3. No more than a 40-foot length of a driveway apron on Child Hill Road is allowed

The Secondary Motion #3 passed unanimously.

Chairman Gordon shared the criteria in the Planning & Zoning regulations relative to this special permit and asked Commissioners to voice their objections, should they have any, as he moved through the criteria.

Dr. Gordon referred to the Primary motion which was amended by Secondary Motions #1, #2 and #3 as follows:

Motion was made by Frederick Rich, and **Seconded** by Dwight Ryniewicz, to **Approve** as presented the special permit application for a change of use from residential to mixed use (residential and commercial) – SP641-06-25 – Jason & Jamie Beausoleil, Rusty Relic – 599 Route 169 with the following conditions:

1. The driveway onto Child Hill Road be no wider than 18 feet
2. The driveway curb cut onto Route 169 be closed and plantings/bushes be placed at that location
3. All required signatures and seals on the plans be provided
4. The Erosion & Sediment Control Bond be in the amount of \$12,100
5. It is not allowed to have retail displays on the lawn, yard, and driveway, except for the displays of vehicles/carts that are drawn by livestock
6. The applicants are required to contact the Office of the State Archaeologist
7. Parking spaces are limited to 15
8. No dumpster is allowed
9. No more than a 40-foot length of a driveway apron on Child Hill Road is allowed

The Primary Motion passed unanimously.

X. ZEO REPORTS: There were no questions regarding the ZEO Report.

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

XI. BUDGET REVIEW AND BILLS: The budget was included in the meeting packets.

XII. CORRESPONDENCE: Chairman Gordon referenced correspondence regarding a NECCOG event.

XIII. ADJOURNMENT: Motion was made by Frederick Rich, and **Seconded** by Gail Dickinson, to adjourn. **The motion passed unanimously.** The meeting adjourned at 10:21 pm.

The recording of this meeting can be found here: <https://www.youtube.com/watch?v=wOxksJmUvE&t=5s>

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.