

**WOODSTOCK PLANNING & ZONING COMMISSION**  
**SPECIAL MEETING**  
**Thursday, November 5, 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 7:32 pm.

b) Roll Call:

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

Alternates Present: Dwight Ryniewicz, Nancy Fraser, Doug Porter

Absent:

Noted for Record: Quorum

Others Present: Tina Lajoie, Delia Fey, Steve Pikul, Calisto Bertin, 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.

**IV. CHAIR'S REPORT:** Chairman Gordon thanked the Commissioners and staff for their ongoing work with the Planning & Zoning Commission. He also thanked the public for participating in the meetings. Commissioners were reminded of the regular business meeting on November 19, 2020.

Commissioner Marcotte was recognized by Chairman Gordon. Mr. Marcotte suggested the Pledge of Allegiance occur at the beginning of each Planning & Zoning meeting. Chairman Gordon stated a motion would not be required for this suggestion. Mr. Marcotte led the Pledge of Allegiance.

Commissioner Rich joined the meeting. Therefore, Nancy Fraser was no longer seated as an alternate.

**V. PUBLIC HEARING – 7:45 PM:**

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

Chairman Gordon opened the continuation of the public hearing. Dr. Gordon explained the Commission is following provisions of the Zoning Regulations regarding modifications to special permits. He explained the protocol associated with conducting a public hearing continuance. Chairman Gordon shared several documents for the record that were received within the meeting deadlines (by 4:30 pm on October 26 for the applicant and by 4:30 pm on November 2 for the public). He shared a memo dated October 26, 2020 from Mark Adamec, which was received for the record as a memo from the public, as Mr. Adamec was not listed in the file as a designated representative for the applicants or the applicants' representatives Bertin Engineering. Chairman Gordon spoke about the lighting waiver forms and noted the related sections of the Planning & Zoning Regulations. He reminded the applicant and applicant(s) representatives to not comment on documents that have not been officially received within the deadline. He further explained the time remaining to review this application, which is 45 days.

Chairman Gordon opened comments to the applicant and/or applicant(s) representatives. Calisto Bertin of Bertin Engineering stated the only significant change to the site plans submitted was the change in lighting. He detailed the lighting waivers and shared lighting that would be used. There is 57,448 square feet of total disturbance of finished developed area. Steve Pikul from Bertin Engineering confirmed 106,152 total lumens are being proposed. Mr. Bertin stated one nightlight is on the side of Barlow Cemetery Road, and one motion sensor is near the staircase in the back of the building. He confirmed that the lights would be on from 4:30 am – 9:30 pm.

Commissioner Adiletta recommended decreasing the number of pumps, which he felt would in turn decrease the canopy and the amount of lighting. Mr. Bertin explained how the firm reached the 106,152 lumens. He further offered that the firm could drop the lighting on the right side of the convenience store and possibly in the rear parking lot behind the canopy. The 1.5 average foot candles around the parking lot could decrease to 1 and the residential parking lot illumination could go down. Mr. Pikul referenced C-2.4 and explained the lighting as it relates to safety. Some Commissioners felt lighting was critical from a safety standpoint and should not be compromised, especially nearing the fueling area.

Commissioner Dickinson asked for clarification on waiving requirements as it relates to applications and standards. Chairman Gordon stated the Planning & Zoning lighting regulations have a provision that would allow the Commission to waive. Atty. Roberts stated, as a general rule, the Commission can waive administrative requirements for what it needs for an application. With respect to substantive requirements, the current state of the law is that if the regulations authorize the Commission to waive specific requirements and provide objectively verifiable criteria that the applicant, the Commission, and the public can look at to determine whether the criteria that would permit the waiver have been met or not are permissible.

Commissioner Adiletta referenced two CT DOT traffic studies done in Woodstock Valley and on Route 171 over the Putnam/Woodstock line. He would send these to ZEO Tina Lajoie to share with the Commissioners. He stated six pumps might be excessive for the proposed site and referenced the Xtra Mart on Route 171 as a comparison. He also suggested and explained his idea about queuing up vehicles in the back area to be fueled.

Steve Pikul spoke to the item of selling beer at gas stations and referenced a November 16, 2020 email from Jennifer Sturgeon from the Connecticut Department of Consumer Protection. He noted the convenience store will be creating an LLC to manage the store's sale of beer and a cash register will be dedicated exclusively for the sale of beer, which will satisfy the state statute.

Chairman Gordon noted items for the record, which included the E&S Control Bond of \$13,800, which Design Professionals is satisfied with; a statement was provided to the Commission from the applicant of how the application meets the special permit evaluation criteria; the Woodstock Fire Chief and Town Highway Department Foreman signed off on both driveways at the proposed site; Design Professionals is satisfied with the Storm Water Drainage Analysis and Storm Water Operation and Maintenance Manual; and he confirmed the revised project description reflects 19 parking spots. He asked the applicants to be mindful of the sign regulations with respect to lighting. Mr. Pikul confirmed that the July 9<sup>th</sup> traffic assessment reflected accident data that was requested.

Conversation continued regarding the digital price sign. Mr. Bertin and Mr. Pikul confirmed the applicant would formally withdraw the digital price sign with the intention it will not be an internal illuminated price sign. Chairman Gordon noted this for the record.

Chairman Gordon opened the hearing to the public. Citizens shared their support of the proposed project and voiced concern with lighting and light pollution, there being no formal traffic study completed—only a traffic assessment; the close proximity to lakes and the potential for water contamination; the potential

health and safety risks; the potential for property values to decrease; it was suggested the applicant consider reducing the number of pumps; and a site visit by Commissioners be conducted.

Chairman Gordon clarified that Planning & Zoning matters do not go to referendum.

Calisto Bertin confirmed the lighting plan submitted would be the final lighting plan; they would not be providing a revised lighting plan.

Mr. Bertin responded to some environmental questions raised by the public and detailed the multiple safeguards in place. Chairman Gordon noted the Woodstock Inland Wetlands and Watercourses Agency issued its approval on August 3, 2020.

Chairman Gordon stated that once the public hearing is closed, no further documentation will be received or considered.

There was a brief discussion about DEEP regulations and oversight of gas stations.

**Motion** was made by Joseph Adiletta, and **Seconded** by Mark Blackmer, to **Close** the public hearing for #SP640-04-24 ND Swadia, LLC, dba Woodstock Country Store – Special Permit Modification to #SP396-98-02 at 1484 Route 171 – Proposed Woodstock Country Store & Gas Station with Apartment below. **The motion passed unanimously.**

**VI. OLD BUSINESS:**

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

**Motion** was made by David Morse, and **Seconded** by Gail Dickinson, to **Table** Application #SP640-04-24 ND Swadia, LLC, dba Woodstock Country Store – Special Permit Modification to #SP396-98-02 at 1484 Route 171 – Proposed Woodstock Country Store & Gas Station with Apartment Below to November 19, 2020. **The motion passed unanimously.**

**VII. ADJOURNMENT: Motion** was made by Frederick Rich, and **Seconded** by Timothy Young, to adjourn. **The motion passed unanimously.** The meeting adjourned at 9:57 pm.

The recording of this meeting can be found here: <https://youtu.be/T8aANZ47WnE>

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.