

**WOODSTOCK PLANNING & ZONING COMMISSION
REGULAR MONTHLY MEETING
THURSDAY, APRIL 21, 2016 AT 7:30 PM
WOODSTOCK TOWN HALL, MEETING ROOM 1**

I. MONTHLY MEETING AT 7:30 PM

- a. Call to Order – Meeting was called to order by Jeff Gordon at 7:31p.m. Noted that there is a quorum.
- b. Roll Call – Jeff Gordon, Duane Frederick, Fred Rich, Gail Dickinson, Ken Ebbitt, Dorothy Durst, Dexter Young, Tina Lajoie, Laura Cournoyer-Gagne (Recording Secretary)
- c. Absent – Travis Serrine, Doug Porter, Syd Blodgett, John Anastasi, Joseph Adiletta

II. CITIZENS' COMMENTS - NONE

- III. CHAIR'S REPORT** – Thanks to all the commissioners for all their hard work, and to Delia, Tina, and Laura for meetings and behind the scenes. Tina will be covering the ZEO work while Delia is out, thank you for that. Regarding the PA490: the town attorney supports moving forward. There is a CD available from the training session, see Tina for copy. Lifetime Achievement award to Dexter Young for 25yrs of continuous service to the Town of Woodstock.

IV. DESIGNATION OF ALTERNATES – Duane Frederick

V. MINUTES

Meeting Minutes – March 17, 2016. **MOTION TO APPROVE MADE BY F. RICH, SECONDED BY G. DICKINSON. MOTION PASSED UNANIMOUSLY.**

VI. NON-RESIDENTIAL ZONING PERMITS/NEW BUSINESS

a. 35 Rte 171, Unit 3, Moxie Hair Studio, LLC – Change from NEPS to Hair Salon: T. Lajoie states that the application is complete and was handled by D. Fey. The permit paperwork is complete and a sign permit application has been submitted. Owner, Carrie Juhasz stated that she is happy to be in Woodstock. **MOTION TO APPROVE APPLICATION AS PRESENTED MADE BY G. DICKINSON, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY.**

b. 57 Academy Rd, Woodstock Academy – Storage addition to fieldhouse. T. Lajoie stated that the application is complete for a 17'x45', two-story storage addition. Mr. Joseph Campbell, CFO, is present and states that it is a straight forward application. G. Dickinson asks about the property line set back. Mr. Campbell explains that the proposal is in compliance with zoning setbacks, a photo is passed out. T. Lajoie comments that this will be verified prior to any sign-off. F. Rich asks about the photo that is distributed, is the drawing the addition? Bruce Dexter, East Coast Well Systems, verifies that it is the proposed addition and its 1,500 total sq. ft. between both floors. **MOTION TO APPROVE APPLICATION AS PRESENTED MADE BY D. YOUNG, SECONDED BY K. EBBITT. T. Lajoie will note exact footage for setbacks for next meeting. MOTION PASSED UNANIMOUSLY.**

VII. NEW BUSINESS

a. #SP628-04-16 Old Country, LLC, 320 Pulpit Rock Rd. – Special permit for retail use. T. Lajoie explains that the application is complete except for NDDH approval. D. Durst comments that a copy of the NDDH application document showing that the application was sent in was not included. Mr. Knittel to email to T. Lajoie. **MOTION TO ACCEPT APPLICATION AND SCHEDULE FOR PUBLIC HEARING MADE BY G. DICKINSON, SECONDED BY D. DURST MOTION PASSED UNANIMOUSLY. PUBLIC HEARING TO BE ON MAY 19, 2016 @ 7:45 P.M.**

VIII. PRELIMINARY DISCUSSION

a. 211 Pulpit Rock Rd, Woodstock Sustainable Farms, LLC – wind turbine tower: T. Lajoie states that this is brought up because of the question: if the turbine is used for agricultural purposes, would it be exempt from height restriction. J. Gordon responds that this would be a part of the discussion.

Discussion: J. Gordon explains to the public that no votes will be taken, this is only a non-binding discussion. Mr. Rapoport is the owner, Ted Bartlett, Construction Mngr. representing Mr. Rapoport. He states that this turbine isn't like the cellular network for ATT wireless. This would be far much less intrusive. Jeff Hallowell, 30 Cutler Hill Rd, comments that the regulations only allow 35ft and should be along the tree lines (some trees up to 100ft) to be efficient use for on site. The turbine is 1.7kw and has 6 ½ft opening at the top, so very low profile on the horizon.

Don Robinson, Pulpit Rock Rd, manager for Woodstock Sustainable Farms. He states the power is used in the barn and the house for the farm hands. J. Gordon explains that the regulations go to 35ft for any place in town. As discussed, currently no regulations for wind turbines. T. Lajoie explains that there are other similar CT towns that do have regulations in place for these structures and she could provide some examples. As explained by D. Young, there are many agricultural buildings in town that are over the limit; that if it's proven to be agricultural then it would be exempt. If not an agricultural use, CT Siting Council may be involved. There is discussion about what "agricultural" would encompass. D. Frederick says that the photo is very small, inquires has to how high the turbine would be. Mr. Robinson responds that they only want it to go just above the tree lines; that they are only trying to go green.

Proposal is explained by Mr. Bartlett. It's in a protected area, fenced off, not a common traffic area, and there is a fall zone. Must have land space and it must be very well marked. Jeff Hallowell asks if there is no connection to the house, would it be allowed under agricultural use? J. Gordon responds that additional information is needed to answer that question. PZC needs an opportunity to get guidelines for the town, including state statutes and state and federal regulations. This will be a follow-up discussion at next month's meeting. Mr. Hallowell would like to work with T. Lajoie to get information, and would like to continue the discussion on May 19, 2016, @ 7:30 P.M. T. Lajoie agreed to provide information to the PZC before next meeting.

b. Thompson Tractor, LLC – Rte. 171 and Senexet Rd. – Clarification on whether " Modification of Special Permit" would be necessary. J. Gordon states that there was a memo dated 4/5/16, and minutes from 1998. Mr. Holke states that he holds the business permit at this site, and wants to address any concerns from the commission and will go through the formal process if necessary. D. Fey's recommendation is a Modification of Special Permit and PZC concurs with this recommendation. Mr. Holke will be the legal owner of this property in a week.

c. 26 Cutler Hill Rd, Patricia Woehrman – request for free split. J. Gordon states the documents received: memo from D. Fey and memo from Terry Bellman. Mr. Archer believes that the property is entitled to a free split. The CT State Statutes grants authority to PZC to make this determination. J. Gordon notes for the record: memo dated March 29, 2016. Mr. Archer refers to pg. 2, says the yellow & green shows one property. It has been sold a few times over the years, and no frontage was ever conveyed back to the property. J. Gordon responds that there is nothing in writing from the town attorney and no documents in the packets. Mr. Archer provides a copy of a memo from D. Fey to himself. It states that 13 A was conveyed in 1975, before that, Mr. Archer says in 1964 the property was all in one piece. If done before 1964, then a free split qualifies. J. Gordon states that a decision cannot be made during a preliminary discussion. **MOTION TO ADD AGENDA ITEM #9 FREE SPLIT FOR 26 CUTLER HILL RD. MADE BY F. RICH, SECONDED BY D. FREDERICK. MOTION PASSED UNANIMOUSLY.**

IX. 26 Cutler Hill Rd., Patricia Woehrman - REQUEST FOR FREE SPLIT

a. Mr. Archer is present, requesting the free split. G. Dickinson inquires as to 13A being listed on Conservation Easement and Mr. Archer responds no. F. Rich asks if any other land owned around this. Mr. Archer says no, all land owned by the same person now. **MOTION TO ACCEPT AS ONE FREE SPLIT MADE BY D. YOUNG, SECONDED BY K. EBBITT.** D. Durst states that to be clear, adequate documents have been received and shows property can have one free split. **MOTION PASSED UNANIMOUSLY.**

X. OLD BUSINESS – NONE

XI. BUSINESS WINDOW SIGNS

J. Gordon explains that violations have been sent out to businesses in regards to using internally lit or flashing signs. The current regulations do not allow for this. J. Gordon made a request to the ZEO and all involved to put the violations on hold temporarily in order to hear from the members of the community. Noted for the record: enforcement is not voided but just on hold; the discussion between J. Gordon & D. Fey results: there are no specifics or clarifications. D. Fey would like to clarify regulations and would like standards set; size, facing of sign, light, flashing etc., standards and how to enforce.

John Antiaris, Sherwood's Restaurant, has read the regulation, internal, no lit signs unless grandfathered in. His structure is below Rte. 171 and signs are small enough, better to have signage inside the windows. His signs don't bother anyone, but does let the public know that his business is open.

Theresa Neely states that she personally thinks her tenants should be able to display what they sell. Companies have paid dues, permits, etc. Nothing stating cannot have a lit sign. She states that permits should not have to be paid for to sell products and appreciates the offer to be able to discuss.

Linda Auger, Taylor Brook Winery, Woodstock Business Assoc., President and member for 12yrs, states that signage has come up many times with the members and approaching town just gets shot down. A new energy along with new members, the town is not very business friendly, and it is too much of an ordeal. She recommends that the sign regulations be reviewed with input from local businesses.

Orion Newell says his concern would be if a business were in a residential area, that it could be a problem for residents.

John Antiaris, Sherwood's Restaurant, agrees if residential, could be in the "requirements".

Calvin Neely comments that he had a small sign in his old shop, which was residential, and there was never a problem and he was there for 6-7yrs with no complaints, motions lights were brighter than the open sign. He should be able to put a reasonable sign in the window without having to obtain a permit.

F. Rich agrees that the public should be able to have signs, but states that nobody has ever been to any of the meetings when this came up for review in the past. D. Frederick states that he also is a member of the Woodstock Business Assoc., and that common sense says that small signs aren't detrimental to the town. Businesses should be able to advertise their business, regulations should have common sense approach. K. Ebbitt agrees with D. Frederick. There aren't any signs that offend him, need to know how big a sign can be. G. Dickinson says that the reason for non-internally lit signs, unless grandfathered in, was to keep a rural look. The town didn't want "large neon signs". State charges \$60.00, so the town must charge this amount. There is discussion about including this sign permit into the business permit and only charging one state fee.

J. Gordon says it was discussed at one time, not many of the business owners were present. Glad that many members were present tonight. Many of the signs aren't large, it's possible to look into what other towns do; some towns regulate the percentage of the windows. Woodstock wants to keep the rural character: therefore, some signs would not be ok. PZC is trying to encourage businesses to come to Woodstock, we can consider common sense solutions, but not lessen the core of responsibility. D. Frederick says that the Woodstock Business Assoc. can put something together to get some ideas on what businesses are looking for. J. Gordon states that it would go to public hearing if regulation changes are proposed.

Carol Perkins asks what tips the balance as to whether a permit regulation or not. J. Gordon responds that some are done by the state and must be approved. Ms. Perkins says she is trying to see why if one has a business permit, then why is another permit needed? J. Gordon explains that some are based on what the State law asks for, says the question could be brought to town attorney to get legal answer and follow-up. F. Rich says that if you don't have regulations, then anyone could do anything. J. Gordon says that the town attorney can be asked and follow up on.

Linda Auger asks for advance notice for discussions so she may inform members of Business Association to become involved.

Calvin Neely says the sign regulations should be reviewed, perhaps review internally lit signs as well, if not too bright, then should be allowed to light sign. He was originally told that as long as the sign was on his property, then he could have the sign, but that was years ago.

Orion Newell states that the internally lit signs make more sense than spot lights on the outside. G. Dickinson states that the spotlights are regulated as well.

D. Durst comments that regarding the rewrite for zoning for lighting section, that many showed up for those discussions. She also notes that pilots are happy that there's not much light in the night skies. The sign concepts were to keep Woodstock rural. The community needs to understand what's good for a small business will have to be good for a large business as well. Consider a way to finesse the regulations for workable solution. D. Young says that this is a good issue, we want businesses in town. In the meantime, do not enforce until decisions are made; thinks this should be on next month's agenda for public meeting. Okay to put enforcement on hold. D. Fey would want something on record to say where the town stands. **MOTION TO PUT ENFORCEMENT ON HOLD MADE BY D. YOUNG, SECONDED BY D. FREDERICK.** If someone is in violation, a notice will be sent but enforcement would be on hold. **MOTION PASSED UNANIMOUSLY.** G. Dickinson went on record to say that many of the businesses have flags out. Linda Auger says that open flags may not be seen from the road and can't be seen at night.

XII. ZEO REPORT

- a. Report on Zoning Enforcement: Tina is working with a few people with new houses going in, will be on next month's list with permits.
- b. Report on Zoning Permits: no issues except for signage.

XIII. CITIZENS' COMMENTS

Orion Newell inquires as to any regulations to the Bentley Complex and noise. Is there a regulation about noise in general or at the Complex? J. Gordon replies that there is no ordinance about noise for the town, that if the Academy had an agreement with the neighbors, then that it is through them.

Amy Ethier 310 Pulpit Rock Rd. states that would like to thank everyone for allowing a young person to speak, she thinks that it is very important. Can a citizen request a copy of a special permit application? T. Lajoie says yes, will email the information.

XIV. BUDGET REVIEW AND BILLS

a. Bills

Conservation easement markers 200 @ 1.95ea. \$400.84. Invoice from Quality Name Plate. **MOTION TO PAY MADE BY F. RICH, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY.**

Land Use Training, March 26th, reimbursement of \$40.00 to D. Durst. J. Gordon states this is done and already signed.

- b. Budget Review – no question.
- c. Updated List of Bonds – list is complete.

XV. NECCOG ROUTE 169 CORRIDOR MANAGEMENT PLAN

Updated draft went out. D. Durst says the committee is looking for comments by the end of the month.

XVI. TEMPORARY EVENTS

Update: the town attorney says the best way to deal with would be to make it an ordinance. Grandfather in the events that have been ongoing over the years. Bring to BOS, they will bring to attorney. **MOTION MADE TO INFORM BOS TO CREATE A TEMPORARY EVENT ORDINANCE MADE BY D. DURST, SECONDED BY D. FREDERICK. MOTION PASSED UNANIMOUSLY.**

XVII. CORRESPONDENCE – Included in packet

XVIII. MINUTES OF OTHER BOARDS AND COMMISSIONS
Academy will be bringing to PZC a change to buildings

XIX. OTHER - NONE

XX. ADJOURNMENT
MOTION MADE TO ADJOURN MADE BY F. RICH, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY.
ADJOURNMENT 10:19 P.M.

Respectfully submitted,

Laura Cournoyer-Gagne, 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 recording is the legal record of the meeting.