

WOODSTOCK PLANNING & ZONING COMMISSION
REGULAR MONTHLY MEETING
THURSDAY, JULY 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 7:33p.m. Noted that there is a quorum.
- b. Roll Call – Jeff Gordon, Fred Rich, Doug Porter, Syd Blodgett, Ken Ebbitt, Dorothy Durst, Dexter Young, Joseph Adiletta, Delia Fey (Town Planner/ZEO), Laura Cournoyer-Gagne (Recording Secretary)
- c. Absent – Travis Serrine, John Anastasi, Duane Frederick, Gail Dickinson

II. CITIZENS' COMMENTS - NONE

III. DESIGNATION OF ALTERNATES – K. Ebbitt, D. Porter

IV. CHAIR'S REPORT

J. Gordon notes that there is an item to add an agenda: the minutes from 5/19/16, this was tabled at the last meeting, **MOTION TO ADD TO THE AGENDA AS ITEM 10B MADE BY F. RICH SECONDED BY D. PORTER. MOTION PASSED UNANIMOUSLY.** J. Gordon thanks Delia, Tina and Laura for their work and a thank you to the commissioners for all of their work.

V. NON-RESIDENTIAL PERMIT

- a. Woodstock Country Shoppe, LLC, 35 Rte 171, Units 8 & 9 – Retail store: D. Fey explains that the applicants submitted an application to move into Little River Plaza, units 8 & 9, notes that there is plenty of parking and the application is complete. **MOTION TO APPROVE APPLICATION AS PRESENTED MADE BY D. PORTER, SECONDED BY D. YOUNG.** J. Adiletta inquires as to the signs locations and if there were going to be 3 of them. D. Fey responds that the information in the packet was accurate. Carl Knittel says the sign on the pole at the current location will be going on the roof, like the other businesses in the plaza. **MOTION PASSED UNANIMOUSLY.**

VI. NEW BUSINESS - NONE

VII. OLD BUSINESS

- a. #SP394-98-01A-M1 Holke Realty LLC, Senexet Rd (Map 5779, Block 56, Lot 02A) – Modification to special permit for tractor sales (Due to procedural error, public hearing will be rescheduled): J. Gordon states that the public hearing was rescheduled due to a procedural issue and the applicant was informed. **MOTION MADE TO RESCHEDULE PUBLIC HEARING TO AUGUST 18, 2016 @ 7:45 P.M. MADE BY F. RICH, SECONDED BY D. PORTER. MOTION PASSED UNANIMOUSLY.** D. Fey explained there is still plenty of time to hold the public hearing per the deadlines in the statutes.

VIII. WOODSTOCK AGRICULTURAL COMMISSION

J. Gordon reminds everyone that there were two items being requested from the AG Commission: 1) to change Equestrian Academy to not needing a Special Permit 2) to change the size allowed for accessory apartments. J. Gordon says that there was correspondence about the Equestrian Academy from Chris McMahon and a memo from D. Fey dated 6/8/2016.

- 1) Reva Seybolt, Chair AG Commission, says that when the McMahon's had their meeting, they had to get a Special Permit. The AG Commission is asking to have horse riding academy [Equestrian Academy] removed from the list of Special Permitted Uses as it is a farm friendly use. F. Rich comments that the state says it is an agricultural business and doesn't see how the PZC can supersede what the state says. Special Permits are not needed for any other AG businesses.

J. Adiletta responds that he understood it had to be reviewed as a Special Permit because of the public coming in to learn how to ride and it being a public safety point of view. D. Durst looked at the definition and teaching is also not included in the definition. She agrees with Joe, public safety definition is not broad enough. F. Rich asks R. Seybolt if she knows of anyone who has a stable that does not teach and she responds that she does not.

A debate ensued as to the definition of Agriculture and whether horses were included and if that includes all that is offered at riding stables, including lessons that are offered to the public, also whether horses are agriculture or pets. D. Fey states the definition of agriculture in the Zoning Regulations includes horses, and that it is based on state statute. R. Seybolt reads a document (couldn't hear source) if providing board & training, then agricultural, if going from home to home to teach riding then it's not agricultural.

F. Rich says they are missing the point: if someone came in and put in 10,000 cows for dairy, the PZC could not stop them, cannot override the state rules. D. Durst says she has concern with safety, sec 8-1 protection of public health and safety. F. Rich points out that it should be up to the individual owners on health and safety if not occurring on public property or town roads. S. Blodgett states if a farming operation wanted to teach shearing of sheep or honey harvest, it is the same. J. Adiletta believes boarding and teaching is different than something called an academy. Academy is different from boarding and there should be some oversight.

D. Young stated horses can be essential to the agricultural character of the town, if property owners are worried about the safety and liability of people visiting, then the property owner should get insurance. People will be around animals – it is part of being an agricultural town. D. Fey states requiring a Special Permit or not doesn't change anything about safety of people on a farm, there's always a risk with animals. Zoning cannot regulate or ensure people's safety near farm animals. In terms of safety related to the construction of the building that is handled by the Building Official.

R. Seybolt says that she doesn't know where the term equestrian academy came from. She reminds PZC that horses are taxed in Woodstock. J. Gordon asks if it should be kept the way it is or move to not have as a Special Permit and consider it an agricultural use.

Several people state that horses contribute to the character of Woodstock. Several people support the idea of a text amendment to change it so it no longer requires a Special Permit.

The issue of public safety and parking is debated further and whether that is reason to require additional review by PZC with a Nonresidential Zoning Permit and whether a Public Hearing should be held. Nobody knows of any public safety related incidents at horse stable and riding businesses from the past 30 years. D. Fey asks why there is the issue of public safety and D. Durst compares it to farm stands. D. Fey explains farm stands don't currently need a permit nor are they reviewed as they are usually on wheels but that they have to comply with the Regulations, for example no parking is allowed on the street. J. Gordon asks if there's a complaint would ZEO check into it? D. Fey replies she would check and only get involved if there is a zoning violation. It is determined that there will be more opportunities for discussion and input at a Public Hearing.

Discussion ensued as to the proposed text amendment: Article III, B.3 Uses Allowed by Special Permit in Community District and Article III, F.3 Uses Allowed by Special Permit in Lake District – delete from both lists and to delete definition of Equestrian Academy from Article II Definitions. **MOTION TO STRIKE EQUESTRIAN ACADEMY FROM LISTS OF USES REQUIRING SPECIAL PERMIT IN ARTICLE 3, SEC B.3.m OF ZONING REGULATIONS AND REMOVE DEFINITION OF EQUESTRIAN ACADEMY FROM ARTICLE II, MADE BY D. PORTER, SECONDED BY F. RICH.** J. Adiletta says that it states that under the Lake District, article III, F, Sec 3m. **JEFF GORDON AMENDS THE MOTION TO INCLUDE REMOVE EQUESTRIAN ACADEMY AS NEEDING SPECIAL PERMIT FROM ARTICLE III, SEC F.3m FOR THE LAKE DISTRICT AS WELL. PUBLIC HEARING WILL BE ON SEPT 15, 2016 @ 7:45 P.M. MOTION PASSED UNANIMOUSLY.**

- 2) Accessory apartments: R. Seybolt thanks the commission for the vote, previously, the regulation reduced the size to 750sq. ft., from an AG point of view, it should be 1200 sq. ft. as 750 is too small for family members or laborers living on the farm. R. Seybolt refers to a regulation from CT Dept. of Agriculture and states that is where they came up with the requested size. D. Fey asks whether this new regulation would be limited to agricultural workers or allowed for everyone.

J. Gordon says it's a separate issue: for AG use, agrees farm labor is different. R. Seybolt says she is not talking about migrant workers. It was an idea of if she wanted to live on the farm and farmer's adult kids wanted to live there also, and work the farm as well. It doesn't need a special definition; 750 sq. ft. is impossible for "family" to live on farm together.

D. Porter says 750 SF is appropriate size as they use some of the main house. D. Fey explains that the residents in the apartment are not always related to the residents in the main dwelling and therefore may never use any part of the main dwelling. F. Rich asks what is wrong with family transfer by right on the farm? D. Fey replies that a family transfer requires a subdivision with surveys and an application, etc. D. Young says it's not necessary. Family needs a place to live and be comfortable and whatever is done should be specific to agriculture.

R. Seybolt says her understanding is the federal government has specific guidelines, and it is not a camp. J. Gordon states that more discussion is needed. R. Seybolt says that it would be different from migrant housing, more like employee housing. D. Fey says if want regulation to be for agricultural workers it has to be done carefully so as to avoid unfair housing complaints. J. Gordon asks D. Fey if she could get more information. R. Seybolt says she would like to continue with this. S. Blodgett says it would be helpful to know which terms and issues to avoid. D. Fey to look into. F. Rich says he didn't see having a problem, it would basically allow another small house on the farm without needing 2 ½ acres for hired help. K. Ebbitt says there is potential to rent out apartment. R. Seybolt says what the state says, occupied by direct individuals associated to the farm or family. D. Durst says anything from the AG Commission to assist with text will be helpful. J. Gordon asks R. Seybolt to submit thoughts and ideas.

IX. DESIGN GUIDELINES

J. Gordon explains that this was a draft from 2011 – version 6 – S. Blodgett to give an overview, dated July 26, 2011, copy of version 4 distributed. Everyone to receive copy of version 6. S. Blodgett says that this was started 7-8 years ago, 1) it was noticed that some types of development look better than others and 2) read Green Valley Institute (GVI) factsheets on commercial development with character. S. Blodgett goes on to explain that he took the 15 ideas from GVI and added some text and pictures included comments from town attorney and felt the Guidelines should be revisited.

J. Adiletta says it's a good document to start discussion, good time to look at guidelines. J. Gordon says it cannot be enforced as they are guidelines. It gives up front information to each applicant to know what is expected. Need to be mindful of what is put into the document.

D. Durst says that Woodstock hasn't had any "big" box stores approach as yet, so this may help these entities should they approach. J. Gordon says yes, if move forward. S. Blodgett states that an updated set of Design Guidelines should be checked for compatibility with the Zoning Regulations. D. Durst stated the Guidelines were started while the Commission was working on the POCD and was set aside to complete the POCD, which includes references to said Guidelines. J. Gordon states that the town attorney's input was included. S. Blodgett comments that the graphics do not look good, but he has updates and can email them to Delia.

F. Rich adds that with working on the Subdivision Regulations already, they may need to wait, there's just not enough time and thinks the Subdivision Regulations should be completed first. D. Durst says that ideally the PZC meetings have been light, perhaps the work on Guidelines can be done at Regular Meetings. J. Gordon says the focus of the Subcommittee Meetings are on reviewing the Subdivision Regulations. D. Young agrees with Fred, that they should wait, and are a last priority, get the regulations finalized then add this to them. J. Gordon states that

comments and other information can still be looked at when available at regular meetings. There is discussion on how to move forward with review of Guidelines. Some discussion is fine, but it should be at a subcommittee meeting. D. Fey and S. Blodgett can still update PZC at meetings.

D. Durst says to receive information for updates would appear on the agenda, once data is in, final discussion should wait. Can't tell what future meetings will hold or how long they will last. J. Gordon agrees that updates can be given at PZC meeting. D. Porter replies that meetings are twice a month, and expects some robust conversations, just doesn't want to see too much on both meetings. Guidelines should be discussion on its own merits, at its own meeting. J. Gordon says to see where it stands next month, encourage attendance, and go forward, keep on the 'To Do list', and remain on the list, not the agenda.

X. MINUTES

a. Meeting Minutes – June 16, 2016: **MOTION MADE TO APPROVE AS PRESENTED MADE BY F. RICH, SECONDED BY D. YOUNG. MOTION PASSED UNANIMOUSLY.**

b. Meeting Minutes – May 19, 2016: **MOTION TO APPROVE AS PRESENTED MADE BY F. RICH, SECONDED BY J. ADILETTA. MOTION PASSED UNANIMOUSLY.**

XI. ZEO REPORT

a. Report on Zoning Enforcement: 10 Oak Hill Lane, resolved, going to check on with Terry.

b. Report on Zoning Permits

D. Durst says that there were some people, with raised voices in her presence, about gun fire between 5-9 pm. There's a home occupation permit to sell and repair firearms. Is there any information from Delia if the owner is discharging weapons or customers test firing before a purchasing? D. Fey says she didn't know of any, if it's open yet, she will try to find out. D. Young asks where this is. F. Rich says it echoes from down in the valley. D. Young replies that the gun club fires guns all the time. F. Rich also responds that the guns are all legal, not automatic. D. Fey says the home occupation regulations would not regulate something like that and that Zoning doesn't regulate target shooting or hunting.

XII. CITIZEN'S COMMENTS - NONE

XIII. BUDGET REVIEW & BILLS

Bill: Design Professionals, Inc.; Inv. #0309-0266-2 work related to engineering consultant review of proposed driveway modifications for #624-2-15 Patrick & Erica O'Brien: \$998.75

D. Fey explained an invoice has been sent to the O'Briens for reimbursement.

MOTION TO PAY DESIGN PROFESSIONAL'S BILL FOR \$998.75, MADE BY F. RICH, SECONDED BY J. ADILETTA. MOTION PASSED UNANIMOUSLY.

XIV. CORRESPONDENCE

a. CT Federation of Planning & Zoning Agencies Quarterly Newsletter – Good information to read through.

b. Thank you note from Mr. & Mrs. Ethier regarding PZC review of special permit application on Pulpit Rock Road.

XV. MINUTES OF OTHER BOARDS AND COMMISSIONS - NONE

XVI. OTHER

1. The subcommittee is working on having a special meeting with some guest speakers including Lynn Weaver and Ed Higgins to discuss subdivision regulations and land value at the end of August or maybe September as August may be difficult due to vacations, etc..
2. PZC has a new application submission deadline of 10 calendar days before the meeting but regulation actually says 7 days. To change this would require a text amendment of Article I. E, subsection 1.b and Article V. B.1 subsection e. **MOTION TO SET DATE FOR PUBLIC HEARING ON A TEXT AMENDMENT OF ARTICLE I. E,**

SUBSECTION 1.b AND ARTICLE V. B.1 SUBSECTION e REGARDING THE APPLICATION SUBDMITTAL DEADLINE FOR SEPTEMBER 15, 2016 AT 7:45 P.M. MADE BY D. PORTER, SECONDED BY D. DURST. MOTION PASSED UNANIMOUSLY.

- XVII. ADJOURNMENT
MOTION TO ADJOURN MADE BY D. YOUNG, SECONDED BY F. RICH. MOTION PASSED UNANIMOUSLY @ 9:55 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.