

**WOODSTOCK PLANNING & ZONING COMMISSION
REGULAR MONTHLY MEETING
THURSDAY, NOVEMBER 16, 2017 AT 7:30 PM
WOODSTOCK TOWN HALL, MEETING ROOM B**

MEETING MINUTES

I. MONTHLY MEETING AT 7:30 PM

- a. Call to Order- Meeting called to order by Jeff Gordon at 7:30
- b. Roll Call- Dorothy Durst, Dexter Young, Fred Rich, Gail Dickinson, Syd Blodgett, Ken Ebbitt, Delia Fey (ZEO / Town Planner), Jeff Gordon, Tina Lajoie (PZC Clerk), Allyson Girard (PZC Recording Secretary), Doug Porter (7:35pm), Joe Adiletta (7:38pm)
- c. Noted for the record quorum

II. CITIZENS' COMMENTS – NONE

III. DESIGNATION OF ALTERNATES – Ken Ebbitt

IV. CHAIR'S REPORT- Thank you to all Commissioners for the attendance at the meetings and Delia, Tina and Allyson. Also, Chair Gordon extends recognition to Gail, Syd, Joe, Doug for being reelected new terms starting on the 21st. Congratulations to David Morse as a new commissioner once his term starts the 21st but he was unable to attend tonight. Chair Gordon discussed next month's meeting will be our annual meeting and will be going over by-law review in addition to election of officers, proposed fiscal year budget, calendar of 2018 meetings that will need to be submitted in January, also to give some dates to the town attorney on the annual legal training session. Delia stated Design Professionals had some changes. Mr. Bernardino, P.E. is no longer with the company and another engineer will be assigned. Chairman wished everyone a Happy Thanksgiving.

V. MINUTES

August 3, Special Meeting, (Community Conversation). **Motion by D. Young to accept and approve. Hesitation to second motion because minutes were just given this evening, not enough time to review. Seconded by D. Durst for purposes of discussion.**

(Doug Porter joined us 7:35pm and it is noted for the record that we can seat D. Porter for the meeting by J. Gordon.)

D. Durst would like to table. D. Young stated he read through them and they appeared more realistic. S. Blodgett would like additional time to review. D. Porter approves minutes as written. Move the question, per D. Durst. **S. Blodgett and D. Durst are opposed to approval. K. Ebbitt and G. Dickinson abstained. Motion passes.**

October 19, 2017 Regular Meeting- **Motion by D. Young, seconded by D. Durst to approve.** (Joe Adiletta joined us 7:38pm). **Motion carried.** D. Porter abstains.

VI. NON-RESIDENTIAL ZONING PERMITS

- a. East Boys LLC (Richard Kryzak), 1053 Rt 198 – 6'x30' awning over garage door; 2'x5' building-mount awning; 5'x6' portico over side door facing Rt, 197. Pending item from last month, NDDH approval, which was received dated October 20th, 2017. Mr. Kryzak was unable to attend this meeting. The business type is clarified for the record as electronic manufacturing, assembly and

storage. **Motion to approve by G. Dickinson, seconded by K. Ebbitt to approve application as presented. Motion passes.**

Noted for the record by D. Durst that there was a question on front setback compliance but her understanding is that the applicant was not proposing any additions to the front of the building, that it's an existing non-conforming use and he will be using poles to hold the awnings up therefore there should be no issue.

- b. Woodstock Evangelical Covenant Church, 24 Childs Hill Rd – proposed 14' x 28' addition. Last month there was a preliminary discussion and this month is an actual application. D. Fey noted a copy of a site map has been provided of the property that was referred to as the small property that the church owns and that was the issue with the boundary line. D. Fey states that these lots have already been merged, filed in the town clerk's office, but it was not reflected on the assessor's map. This may be because it is not taxed being a church. D. Fey confirms there is no longer an issue with the setback. Non-residential permit is needed for the addition. D. Fey noted the application is complete. **Motion by D. Young, second by G. Dickinson to approve. Motion passes.**
- c. Northeast Placement Services, Inc., 308 Rt 169 – change of use from storage to additional client training space within existing barn. D. Fey stated it is not a new use, it is the same use just using a part that was used previously for storage and using it for training space that they already do at another location. Application is complete and do not need the Health Department approval because they are not doing anything that involves anything that is regulated by the Health Department. Mr. Dewitt thanks PZC for consideration and states it is going to be a great space for their clients. Building Official and Fire Marshal have already reviewed safety concerns. Any handicap parking was brought up and the Building Official reviews that aspect. Noted they will be maximizing the space they already have. **Motion by F. Rich, seconded by J. Adiletta to approve. Motion passes.**

VII. OLD BUSINESS

- a. Annelle Syriac, 264 Brickyard Road – Request for waivers re: family transfer subdivision, Mylar filing requirement(s). Subdivision rights chapter III, section 3, subsection g, regarding request not to submit a gift tax return and the other is Chapter IV, section 1, subsection E, part 26 which is requesting that the requirement to have a copy of the proposed deed printed on the Mylar be waived. Not enough Commissioners attended October meeting and the waivers could not be voted on.

Daniel Blanchette. P.E. of J&D Engineering, representing the property owner, briefly explained Ms. Syriac's wish to maintain control and possession of both properties until the time of her death, at which time would be devised to her son and stepson. Documents are in the record, affidavits from her lawyer, birth certificates, etc. to prove intentions with the relationship. Discussion went on with PZC to decipher the logistics.

Motion by D. Porter to approve first waiver request to forgo the gift tax (Subdivision Chapter III, Section 3, subsection g), seconded by Rich. Noted to be a condition of approval from Aug 2017, original approval.

Secondary Motion to call the question by J. Adietta, seconded by D. Young. No opposition. Motion passed unanimously.

Noted by Chairman Gordon per our regulations before approving a waiver all conditions must be met:

1. Conditions are met on the subject property that are not generally applicable to other land in the town;
No objections were made.
2. Said conditions were not created by the property owner nor by his/her predecessors in title, including the first legal split of property;
No objections were made.
3. The granting of the modification or waiver would be in harmony with the purpose and intent of these regulations and the Woodstock POCD;
No objections were made.
4. The granting of the modification or waiver would not have a significant adverse impact on adjacent properties' values, or the public health, safety and welfare, and would not be in conflict of the recommendations of the POCD, as the same may be amended time from time;
No objections were made.
5. The modification or waiver would not allow an increased number of lots to be created than otherwise allowed by these regulations and the Woodstock Zoning Regulations;
No objections were made.

Motion to pass? Opposed are D. Durst and G. Dickinson. No Abstentions. Motion passes.

Second Waiver request on requiring the proposed deeds being submitted into the permanent record as part of the application package and printed onto the Mylar.

Motion by J. Adiletta to deny this request, seconded by G. Dickinson. Discussion:

Do the regulations say executed deed? Would a form of the deed be acceptable, not executed? If all five (5) conditions are not met, then waiver request cannot be granted.

All in favor of denying second waiver request. Motion passed unanimously.

Motion by J. Adiletta, seconded by D. Young to put the affidavit signed by Ms. Syriac and attested to by Attorney Norman, dated October 19, 2017, on the Mylar on the application approved on Aug 17, 2017. Motion passed unanimously.

G. Dickinson asks if the Town Attorney could be queried as to whether an estate can be a family transfer. It is suggested that this questions be asked at the upcoming annual training.

- b. Phase II - Review of DRAFT sign Zoning Regulations: illumination
Waiting for Design Professionals to complete their internally lit sign review. Fey had to get written permission from business owners to allow consultant to enter the properties to read the light levels. Letters were sent out to Day Kimball, Putnam Science Academy, Cargill Car Wash, WINY, Sherwoods, Foskett Equipment, Yankee Sales & Service, Woodstock Grill. She may ask Putnam High School because there is a new sign. Fey will get Design Professionals started in 2 weeks with the goal of having something for the next meeting.
- c. Phase III – Review of DRAFT sign Zoning Regulations: window signs and miscellaneous items
Chair Gordon asks that the PZC focus on the following:
 - when to require a permit and when to not require a permit

- Number of signs to allow on and off premise
- Regulate or not the number of freestanding on premises signs such as A-frame signs
- What to do with window business signs and also banners

Syd suggests taking time to consider these items. Syd put together a table that was distributed to give a rustic estimate of signs, dimensions and examples of what would be allowed under Phase III. He explains his findings and PZC discusses proposal in detail.

(Fred Rich is leaving the meeting at 9:30 pm).

VIII. TEMPORARY HEALTH CARE STRUCTURES:

Correspondence was received in October regarding a new state statute concerning Temporary Health Care Structures and a proposal was distributed at the last meeting for an amendment to the regulations to allow said structures. Process for opting out is discussed. BOS may vote to opt out of the State Statute which went into effect on October 1st. A public hearing must be held to discuss the reasoning behind the decision and a public notice would be published as well. The goal is to consider this more and conclude soon. D. Young questioned the zoning regulations and it will still have to meet regulations. Board has agreed upon tabling this and discussing next month.

IX. ZEO REPORT

- *466 Rocky Hill Rd - Moving items off the lot as requested. Close to being resolved*
- *64 Laurel Drive – Resolved*
- *Penny Lane Subdivision – new owners have not come in yet to modify the subdivision legally, they are currently in violation.*
- *22 Route 171 – Submitted to ZBA for Variance, awaiting attorney’s opinion regarding steps in setback*
- *207 Rocky Hill Rd – inspection was done, working toward compliance*
- *270 Lyon Hill Rd – family is working on the property toward compliance*

X. CITIZENS’ COMMENTS – NONE

XI. FEE ORDINANCE REVIEW- This is for review and will not be discussed tonight. A few proposals to consider done by D. Fey and J. Gordon. Next month we will discuss more detail.

XII. REPORTS AND EXPENDITURES FOR FY 16-17 – D. Fey has been working on review of the fee schedule.

XIII. BUDGET REVIEW AND BILLS – NONE

XIV. CORRESPONDENCE

- CFPZA Newsletter Fall 2017 Vol. XXI, Issue 4

XIV. ADJOURNMENT – Motion to adjourn by D. Young second by D. Porter at 9:53pm

Respectfully Submitted,

Allyson Girard
PZC 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 record is the legal record of the meeting.