

**MINUTES OF THE TOWN PLAN AND ZONING COMMISSION
TOWN OF WOODBRIDGE
SPECIAL MEETING OF MAY 9, 2016**

A special meeting of the Town Plan and Zoning Commission for the Town of Woodbridge was held on Monday, May 9, 2016, in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut.

ROLL CALL

PRESENT: Jeff Kaufman, Chairman, Lawrence Greenberg, and Alan Tyma
ALTERNATES: Stephen Skowronek, Andrew Pels, and Andrew Skolnick
EXCUSED: Allen Lipson and Kathleen Wallace
ALSO PRESENT: Terry Gilbertson - Enforcement Officer
Kristine Sullivan - Land Use Analyst
Anthony Anastasio - Board of Selectmen's Liaison
Tammy Riccitelli – Recording Secretary

The Chairman called the meeting to order at 7:33 p.m. Mr. Skowronek was seated for Allen Lipson in his absence. Mr. Skolnick was seated for Kathleen Wallace in her absence.

PUBLIC HEARING

WOODBIDGE VILLAGE ASSOCIATES, LLC

Application for proposed changes to the Zoning Regulations to allow an alternative housing planned development (AHPD).

The Chairman read the legal notice for the public hearing.

He then identified the following items for the hearing record with exhibit identification as noted:

- **Exhibit 1A:** Receipt of notice dated March 31, 2016 sent to the South Central Connecticut Regional Planning Commission as required by Connecticut General Statutes (CGS) 8.3b of the proposed Zoning Regulation Amendment.
- **Exhibit 1B:** Proof of filing of the Notice dated March 31, 2016 filed with the Woodbridge Town Clerk as required by CGS 8.3.(a) of the proposed Zoning Regulations Amendment.
- **Exhibit 1C:** Copy of the legal notice published in the New Haven Register for the public hearing on the proposed Zoning Regulation Amendment.
- **Exhibit 1D:** E-mail notice dated April 4, 2016 from the South Central Connecticut Regional Planning Commission of receipt of the proposed Zoning Regulation Amendment.
- **Exhibit 1E:** Letter dated April 5, 2016 from Stephanie Ciarleglio commenting on the Proposed Zoning Regulation Amendment.
- **Exhibit 1F:** Letter dated April 18, 2016 from the South Central Connecticut Regional Planning Commission commenting that that Commission does not believe that the proposed Zoning Regulation Amendments will cause any negative inter-municipal impacts to the towns in the South Central Region or any negative impacts to the habitat or ecosystem of the Long Island Sound.

- **Exhibit 1G:** Copy of the legal advertisement sent to the New Haven Register regarding the date of the public hearing on the proposed Zoning Regulation Amendment.
- **Exhibit 1H:** Letter dated April 12, 2016 from Attorney John W. Knuff on behalf of Woodbridge Village Associates, LLC consent to an extension of time in which to open the public hearing on the proposed Zoning Regulation Amendment.

Attorney John Knuff, legal counsel representing the applicant, Woodbridge Village Associates, LLC (WVA), along with Steve Wise, of WVA were present to discuss the application. Attorney Knuff noted:

- The application was to amend three sections of the Zoning Regulations – 3.1.2.5, 3.6.9.2, and 3.11 – all of which relate to the Active Adult Plan Development (AAPD).
- This is only a regulation amendment.
- If this is passed, we cannot do anything different on our property until we come back another time with a full site plan application.
- A brief history of the AAPD was presented to the Commission for the period of 2003 to present time.
- Any issues of concern that had been brought up in the past are not being proposed as a part of this Zoning Regulation Amendment.
- In terms of the proposed changes to the regulations they are guided by three sources only - the 2013 Village of Woodbridge Concept Plan drafted by Alan Plattus, the Commission's 2015 Plan of Conservation and Development which references the 2013 Village of Woodbridge Concept Plan, and the regional marketplace.
- We have taken your planning documents and used those together with what we see in the marketplace to guide these changes.

Attorney Knuff reviewed with the Commission what has changed, what isn't changing, and then went through the provisions of the POCD and the 2013 Village Plan and went page by page through the redline of the Regulation Amendments. (*Copies of a document titled "Application of Woodbridge Village Associates, LLC to Amend the Woodbridge Zoning Regulations May 9, 2016" were handed out to the Commission and Staff this evening.*) Attorney Knuff discussed the first request for a change in the regulation which is the elimination of the requirement that this development be a minimum of 55 years old or greater and noted how this is the single biggest impediment to getting the project underway, and it also excludes precisely those populations that the town and the Village District should be embracing to create a vibrant community. The approved plan is no longer marketable solely to the over 55 populations and they are now proposing an alternative type of housing style that is not solely limited to the people who are 55 and over. The second change in the regulation would eliminate the requirements that the residential units be condominiums as opposed to rentals. The architectural standards will be exactly the same and will remain unchanged. They are capped at 10 units per acre and there are 15 acres. The height restriction will remain the same. The proposal is to reduce the minimum size of the units as noted. The parking requirements have been reduced in a way that is consistent with other towns parking requirements for multi-family residential. There are changes to make

provision for the addition of active recreational space. Included in the packet is also a list of all of the provisions in the 2015 POCD with which the new proposed amendments are consistent and it is indicated in parenthesis the page in which each of those provisions can be found. The town POCD portrays a town that is aging and that people are not moving into, school kids are relatively flat and may go down, and housing prices are fairly expensive. *(Attorney Knuff then read through all the provisions of the POCD and the Village of Woodbridge Development Concept Plan dated April 17, 2013, page by page, that indicate the proposed provisions are consistent in relation to this application and presented the proposed regulations.)*

Proposed changes to the regulations are as follows:

- Amend Section 3.1.2.5 – Change the words “Active Adult” to “Alternative Housing”.
- Amend Section 3.6.9.2 – Change the words “Active Adult” to “Alternative Housing”.
- Amend Section 3.11 and 3.11.1 – Change the words “Active Adult” to “Alternative Housing”.
- Amend Section 3.11.3 – Remove a number of provisions removing the over 55 requirement.
- Amend Section 3.11.4 – Changing the name.
- Amend Section 3.11.5 – Remove a number of provisions with the over 55 requirement.
- Amend Section 3.11.6 – Change the name and change section (d) Multi-family buildings with not more than 20 (change to 30) residential units in a single building, which buildings may also include restaurants, retail, commercial, or community uses.
- Amend Section 3.11.7 – Change the name, change section (e) Living Area: change to 700 gross square feet instead of 1,000 gross square feet, change 6(b) to multi-family instead of mixed-use building with the spaces changing to 1.5 spaces instead of 2 spaces, remove section (l), and 18(o) providing for fencing around certain portions of the unit.
- Amend (4) Performance Bond – If a pool or tennis court is added, a bond would not be required for this portion of the project.

Attorney Knuff continued his presentation by adding in terms of the look and feel for this project, that will be unchanged from what the Commission contemplated when they approved this back in 2008. What will change is the look and appearance and the age of the people and feels that this is a positive change. Regarding the traffic and school children, a letter from a professional traffic engineer was presented providing the comparison of traffic with a senior home versus a residential condominium townhouse that is not age restricted and discussed the DOT proposed changes for Interchange 59. The Beecher Road School Enrollment Projection for 2024 was presented to the Commission noting that it is anticipated that enrollment will move upward through 2019 and then decline. The total 10-year projected decline of 35 students is 4.4% below the current enrollment.

Attorney Knuff then added that he feels that the town’s plan is very clear on what it wants their property to be and what it can do for the flats, what it can do for your Village, and what

it can do for the entire town and we don't see the negative impact that you will be hearing about and although he would urge the Commission to weigh the concerns of the public in terms of the substantial and numerous benefits that can be generated by making this a free market rental mixed use community.

Commissioner Kaufman discussed the concerns with the traffic issues and the effects to the police department that will come due to the change from 55 and older to alternative housing, storm water issues and septic.

Attorney Knuff agreed to provide the Commission with more information regarding the traffic concerns and comparable developments along the lines of what is being proposed.

The Chairman asked if anyone was present that wanted to speak in favor or opposition of the application. Present to speak in favor of the application were:

Diane Urbano, 52 North Pease Road, expressed that she is in favor of the opportunity to consider development in this parcel and leaves it to the wisdom of the Commission of the Town and of the Community. This community and town have approved a rather dense development in those two parcels and the market doesn't sustain it and she is grateful that the developers really knew better than to go ahead with it. Everything must be considered and she is hopeful that we move wisely.

Chris Dickerson, 6 Mettler Street, spoke neither in favor nor against this application and stressed how this is not an application for a development, this is an application for a regulation change and then you will start an application for a development and at that point you can look at traffic, flooding, zoning, fire safety, police safety, and all sorts of other issues. Working together with the neighbors, the developer, and the Commission a consensus should be built.

Present to speak in opposition of the application were:

Michael D. Broderick, adjacent property owner at 1746 Litchfield Turnpike and former Commission Member, agreed with Mr. Dickerson's comments regarding the consensus between the neighbors, developers and Commission on the approved application and added his concerns as to how this parcel is developed and how it will effect the entire Town of Woodbridge. Mr. Broderick added that he is not against a project on this parcel but is against the zoning regulation change that is being proposed because it is not what is needed in this area. What the Zoning Commission has done to this area has been so positive with so many good changes being done for this area and it is taking shape to what everyone in the town wanted it to do. This is where senior housing should be built and not a rental property. Mr. Broderick then discussed his concerns regarding traffic issues and possible property value decreases.

Mike Walter, 66 Laurani Road, echoed Mr. Dickerson and Mr. Broderick's comments and added that he is against the proposed changes to the regulations.

Fred Carasone, 1725 Litchfield Turnpike, expressed his concerns with traffic and added that he is opposed to the proposed regulation changes.

Michelle Riley, 19 Landin Street, questioned the statute of limitations on the original proposal and when it would expire and will follow up with Land Use Analyst, Kristine Sullivan for this date.

Marilyn Schatz, 35 Country Club Drive, noted that she is opposed to the proposed regulations change because a rental property will put a tremendous burden on the school system.

Frank DeLeo, Property Owner on Litchfield Turnpike, expressed his concerns with flooding, traffic, and the impact on the school system if the proposed regulations changes were approved and added that it was time to do something for the seniors in the town.

Rosalie Rowland, 102 Luciani Road, presented a question on zoning at this site and asked that the Commission be prudent when making their decision.

Roger Sherman, 5 Fairview Road, believes that whatever affects the residents in this area affects the whole town.

Dorothy Martino, 38 Merritt Avenue, echoes what Dr. Broderick, Mr. Dickerson, and Mr. Carasone discussed and added that she was present for the DOT meeting and that they are not really touching this end of town and expressed that another traffic study should be made.

Lauretta Grau, 3 Fox Den Way, expressed how she does not want to see this area ruined and expressed how Woodbridge is unique and she would hate to see that wronged in any way.

Steven Wise, Applicant, followed up on some of the concerns that were brought up by the neighbors and stated that he feels that context and history are important. Collaboration with the neighbors can continue. He does not hide behind the fact that this is a for profit venture. In many ways we are still feeling the effects of the recession. We are talking about whether or not we can withstand having a change of the demographic for this development and we think that we've been invited to bring forth this kind of a change for this kind of a discussion but it is ultimately the Commission's and the Communities decision. We can get bogged down in some of the details, all of which matter, but they will all get proven out. We do have to come forward with any changes. Because we have not been able to and don't believe that in the foreseeable future we will be able to make this 55 and older community a reality, do you want to entertain relief on that?

Commissioner Tyma questioned Mr. Wise if he would be able to explain why he feels that the 55 and over development cannot be done at this location after you asked for this.

Mr. Wise responded that the ability for 55 and older for that market to entertain something like this, one has to be able to get out of the living situation that they are in and the markets have not cooperated for that to happen. On top of that, the approval conditions were very strenuous.

Commissioner Tyma then questioned if there is a way to impose some limitations on potential overcrowding in the school system.

Mr. Wise explained that the design of the apartments is not conducive to raising a family. There are other communities with rental properties that have data available to you that suggests that the number of school children that are living in these developments is not as great as one would fear. This is not to be a 55 and under community. It is to be an all-inclusive community.

Commissioner Kaufman added that we talked over time and we did say that we were fine with phasing. A lot of concern is with the decision of 55 and over condos to be just rentals. Why not still do a project that is still ownership as opposed to rentals?

Mr. Wise responded that it is basically just marketing.

David Kennel, (no address provided), questioned Mr. Wise about the conditions of his property located on Litchfield Turnpike.

Mr. Wise responded that they have been advised of vandalism but have no knowledge of homeless people living in there. The building has been boarded up and will take his input into consideration.

Mr. Broderick spoke again, directing his question to the owner, that there has been some wrong ideas given about our town and that he personally knows 10 people that wanted to stay in the Town of Woodbridge but had to move to another town because the type of housing that was originally approved wasn't available to them to be able to stay here.

Mr. Wise stated that 10 people don't make a financeable project. We have done what we think that we can do and what we have here is not doable at this time.

Anthony Stango, 11 Landin Street, asked if there is a certain percentage of units that would need to be affordable housing and voiced his concerns with parking and the affect that would be on their property values if this change was approved.

Land Use Analyst, Kristine Sullivan responded that we do have regulations in place that provides for affordable housing in Woodbridge.

Mr. Wise stated that he believes these could be rentals under condominium ownership also.

Mike Voskov, 73 Luciani Street, added that he does not understand where the owner is getting the information that it will be difficult to sell the 55 and over units here.

Commissioner Kaufman reminded everyone that the application before them tonight is to allow for a change in the regulations only.

Attorney Knuff wanted to respond to a question that was brought up regarding our approvals and how long they are good until. The Wetland approval is valid until March 21, 2017 and

the Zoning approval is still valid until June 2, 2017.

At the conclusion of the discussion, it was the consensus of the Commission to continue this Public Hearing until the next regular meeting to be held on June 6, 2016.

MEETING ADJOURNMENT

- ** Commissioner Greenberg moved to adjourn the meeting at 9:43 p.m.**
- ** Commissioner Skolnick seconded**
- ** Voting for: Commissioners Kaufman, Greenberg, Tyma, Skowronek, and Skolnick**
- ** Opposed: No One**
- ** Abstained: No One**
- Unanimous approval**

Accordingly, the meeting was adjourned at 9:43 p.m.

Respectfully submitted,

Ms. Tammy Riccitelli
Recording Secretary