

**MINUTES OF THE TOWN PLAN AND ZONING COMMISSION
TOWN OF WOODBRIDGE
REGULAR MEETING OF MAY 5, 2009**

A regular meeting of the Town Plan and Zoning Commission for the Town of Woodbridge was held on Tuesday, May 5, 2009, in Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut.

ROLL CALL

PRESENT: Donald Celotto, Jr., Chairman; Allen Lipson; Kathleen Wallace; Gilbert Hogan; and Joseph Palmieri

ALTERNATES: Peggy Rubens-Duhl, seated for Jeff Kaufman

EXCUSED: Jeff Kaufman

ABSENT: Christopher Dickerson (alternate), and Akhil Reed Amar (alternate)

ALSO PRESENT: Terry Gilbertson, Zoning Enforcement Officer
Linda O'Neill – Recording Secretary

The meeting was called to order by the Chairman at 7:40 p.m.

PUBLIC HEARINGS

**YOUGHIOGHENY COMMUNICATIONS NORTHEAST, LLC, D/B/A
POCKET COMMUNICATIONS: 3 MEETINGHOUSE LANE**
Application under Section 3.24 of the Zoning Regulations, to install a wireless telecommunications facility in the church steeple.

Tom Shevlin, representing Youghioghenny Communications, spoke on behalf of the application. Mr. Shevlin explained that Pocket is a wireless communication carrier that is moving into the Northeast; namely, New Haven County. Mr. Shevlin produced several demonstrative photo simulations and responded to questions from the Commission.

No one spoke in support of the application.
No one spoke in opposition.
The public hearing was closed.

Following discussion, Commission members acted as follows on the application:

- ** Commissioner Celotto moved approval**
 - ** Commissioner Lipson seconded**
 - ** Voting for: Commissioners Celotto, Lipson, Wallace, Hogan, Palmieri and Rubens-Duhl**
 - ** Opposed: No One**
 - ** Abstained: No One**
- Passed by unanimous approval**

WANDA PODGWAITE: 533/535 AMITY ROAD (hearing continuation)
Application under Section 3.43 of the Zoning Regulations, to authorize the issuance of a special permit to allow a rear lot on property known as 535 Amity Road owned by Wanda Podgwaite. The application also involves lot line revisions between the property at 535 Amity Road and property at 533 Amity Road also owned by Wanda Podgwaite to provide an accessway to 535 Amity Road and area for a reserve septic system for 533 Amity Road.

Project Engineer John Paul Garcia spoke on behalf of the application. Review comments were received from the DOT and copies were given to the Town. The letter dated 4/24/09 from the DOT indicated that an approval letter is required from the TPZ along with bond and insurance in order to issue a curb cut permit.

No one spoke in support of the application.
No one spoke in opposition.
The public hearing was closed.

Following discussion, Commission members acted as follows on the application:

- ** Commissioner Celotto moved approval for special exemption of rear lot**
 - ** Commissioner Hogan seconded**
 - ** Voting for: Commissioners Celotto, Lipson, Wallace, Hogan, Palmieri and Rubens-Duhl**
 - ** Opposed: No One**
 - ** Abstained: No One**
- Passed by unanimous approval**

- ** Commissioner Celotto moved approval for lot line revisions**
 - ** Commissioner Lipson seconded**
 - ** Voting for: Commissioners Celotto, Lipson, Wallace, Hogan, Palmieri and Rubens-Duhl**
 - ** Opposed: No One**
 - ** Abstained: No One**
- Passed by unanimous approval**

**RECEIPT AND APPROPRIATE ACTION ON APPLICATIONS AND 8-24
REFERRALS RECEIVED SINCE THE APRIL 6, 2009 MEETING OF THE
COMMISSION**

CYNTHIA AND DAVID MORGAN: 175 SEYMOUR ROAD

**Application for a Flood Hazard Permit related to the reconstruction of the access
bridge to 175 Seymour Road.**

Kevin Curseaden, Esq. and Fred D'Amico, engineer, spoke on behalf of the application. Attorney Curseaden pointed out that the project has received approval from the Inland Wetlands. The approval from IWA was entered into the record along with a memo from Commission Consulting Engineer Robert Criscuolo, dated 2/9/09, and another memo from Kristine Sullivan, land use analyst, dated 4/9/09. Additionally, a letter was received by the Commission from D'Amico Associates, dated 5/4/09.

Engineer D'Amico indicated that a flood hazard permit had been requested by the town engineer. The work is within the floodway area; however, the actual work is above the 100-year flood elevation. There will be no grading or filling below that level.

The project will consist of replacing a wood deck on an existing bridge that serves the dwelling. The deck will be replaced with a concrete reinforced deck.

Commission Consulting Engineer Criscuolo requested a permit from the DOT. The plans were submitted to the DOT and a letter is anticipated from the DOT indicating no objections and/or a permit allowing access through DOT property. Mr. Criscuolo also requested a letter from FEMA and/or DEP to assure that all requirements are met. Upon receipt of the letters from DOT and FEMA, they will be entered into the file.

No one spoke in support of the application.

No one spoke in opposition.

The public hearing was closed.

Following discussion, Commission members acted as follows on the application:

**** Commissioner Celotto moved approval with conditions**

**** Commissioner Hogan seconded**

**** Voting for: Commissioners Celotto, Lipson, Wallace, Hogan, Palmieri and
Rubens-Duhl**

**** Opposed: No One**

**** Abstained: No One**

Passed by unanimous approval

**Conditions as set forth in the report to the Town, dated 4/29/09, from Town
Engineer Criscuolo**

**CARL DAVIA, DEVELOPER FOR OLGA V GALUSTIAN: 140 RIMMON
ROAD**

**Application for a two lot subdivision and associated request for a waiver of the
requirement for the provision of an open space set-aside in the subdivision.**

The matter will be referred to Commission Engineer Criscuolo for input and scheduled for a public hearing in June 2009.

ADDITION TO THE EVENING'S AGENDA

Commission members acted as noted to add to the evening's agenda, the following application which had been submitted after the agenda for the meeting agenda had been posted, but prior to this evening's meeting date:

NEW ENGLAND BREWING COMPANY, 7 SELDEN STREET

Owner/operator Robert Leonard request to modify the business hours to operate on extended hours on the last Friday of each month, as well as holding up to six charitable benefits annually.

- ** Commissioner Celotto moved receipt and appropriate action of the foregoing application to the evening's agenda**
 - ** Commissioner Palmieri seconded**
 - ** Voting for: Commissioners Celotto, Lipson, Wallace, Hogan, Palmieri and Rubens-Duhl**
 - ** Opposed: No One**
 - ** Abstained: No One**
- Passed by unanimous approval**

The application by owner/operator Robert Leonard to amend the hours of operation of the New England Brewing Company to include extended hours on the last Friday of each month, as well as holding up to six charitable benefits annually was formally received by the Commission. Mr. Leonard was present to discuss the application with the Agency

The following members of the general public commented regarding this application:

- * Ernest Britton – resident of 1800 Litchfield Turnpike**
- As a patron of the Brewery, Mr. Britton encouraged approval of the application. He complimented the professional manner in which the Brewery is operated.

Following discussion, Commission members acted as follows on the application:

- ** Commissioner Celotto moved approval with conditions**
- ** Commissioner Palmieri seconded**
- ** Voting for: Commissioners Celotto, Lipson, Wallace, Hogan, Palmieri and Rubens-Duhl**
- ** Opposed: No One**
- ** Abstained: No One**

Passed by unanimous approval

Conditions:

- * Final Friday of each month plus up to six additional fund raisers annually**
- * Must consult with Teen Center regarding any possible conflicts**

WORK SESSION: Consideration and appropriate action regarding:

8-24 REFERRAL FROM THE BOARD OF SELECTMEN RELATIVE TO THE POSSIBLE PURCHASE BY THE TOWN OF THE FOLLOWING FOUR PROPERTIES OWNED BY THE WOODBRIDGE COUNTRY CLUB

- | | | |
|---|---------------------|---|
| * | 805 Fountain Street | .05 Acres – with pump house |
| * | 17 Woodfield Street | 12.06 Acres – parking area |
| * | 50 Woodfield Street | 141.91 Acres – golf course and attending building |
| * | 60 Woodfield Street | 1.50 Acres – residence with garage |

Commissioner Rubens-Duhl recused herself from this discussion. Chairman Celotto noted the anticipated recreational benefits to the Town with the acquisition of these properties. A professional management company will be employed by the Town to operate the facility.

Following discussion, Commission members acted as follows on the application:

- ** **Commissioner Celotto moved approval**
- ** **Commissioner Hogan seconded**
- ** **Voting for: Commissioners Celotto, Lipson, Wallace and Hogan**
- ** **Opposed: No One**
- ** **Abstained: Palmieri**
- ** **Recused: Rubens-Duhl**

Passed by unanimous approval

After the foregoing action on the CGS 8-24 Referral had been taken Commission members discussed and by consensus agreed to consider updating the Town Plan of Conservation and Development as it relates to the Town's purchase of the foregoing properties owned by the Woodbridge Country Club.

CORRESPONDENCE RECEIVED:

Consideration and appropriate action regarding correspondence received since the April 6, 2009 meeting of the Commission, including the following items:

- Appeal by Christine Laydon of the Commission's approval of the 5 lot subdivision of property located at 118 Newton Road owned by Betty and Sanford Soufrine.

Informational only.

- Letter from EBI Consulting, Burlington, MA, regarding a proposed T-Mobile cell Tower on property known as 20 Blue Hills Trails Dr. The letter was sent under Section 106 of the National Historic Preservation Act, and seeks comments related to the proposed project's potential effect to historic properties, not as part of the local zoning process.

Zoning Enforcement Officer Gilbertson noted that there does not appear to be any historical properties affected by the proposed cell tower. A letter of confirmation will be sent to EBI Consulting.

APPROVAL OF MINUTES

Minutes of the Commission's Regular Meeting on April 6, 2009

- ** Commissioner Celotto moved approval with corrections**
- ** Commissioner Hogan seconded**
- ** Voting for: Commissioners Celotto, Lipson, Wallace, Hogan, Palmieri and Rubens-Duhl**
- ** Opposed: No One**
- ** Abstained: No One**

Passed by unanimous approval

Corrections:

Page 3: Change "Teen Center has no **object**" to "Teen Center has no **objection**"

Page 4: Change "UNANIMOUS" to "UNANIMOUS"

Page 5: Change "24 hours n advance" to "24 hours **in** advance"

Any other business which may legally come before the Commission.

There was no further business.

ADJOURNMENT

- ** Commissioner Lipson moved adjournment of the meeting at 8:40 p.m.**
- ** Commissioner Hogan seconded**
- ** Voting for: Commissioners Celotto, Lipson, Wallace, Hogan, Palmieri and Rubens-Duhl**
- ** Opposed: No One**
- ** Abstained: No One**

Passed by unanimous approval

Accordingly, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Ms. Linda O'Neill
Recording Secretary

