

**MINUTES OF THE TOWN PLAN AND ZONING COMMISSION**  
**TOWN OF WOODBRIDGE**  
**REGULAR MEETING OF FEBRUARY 1, 2021 ADJOURNED TO**  
**FEBRUARY 9, 2021**

A regular meeting of the Town Plan and Zoning Commission for the Town of Woodbridge being held via WebEx which was scheduled for Monday February 1, 2021 and adjourned due to a winter storm to Tuesday, February 9, 2021 was called to order at 6:33 pm by Chairman Rob Klee.

**ROLL CALL**

PRESENT: Robert Klee – Chair, Yonatan Zamir, Paul Schatz, Larry Greenberg, and Andrew Skolnick  
ALTERNATE: Jeff Kennedy  
EXCUSED: Kathleen Wallace and Chris Sorensen (alternate)  
Zoning Enforcement Officer (ZEO) Kristine Sullivan also participated in the meeting. Kennedy was seated for Wallace.

**PUBLIC HEARING**

**New England Brewing Company: 1710 Litchfield Turnpike**

**Applications for:**

- **Architectural review under Section 3.3.U.7.**
- **Site plan review under Section 5.5.**
- **Soil erosion and sedimentation control plan review under Section 6.4.**
- **Special exception for a manufacturer of beer and brew pub under Section 3.3.HH.1.i.**
- **Special exception for a second wall sign per Table 4.7, Item 3.**
- **Special exception for two freestanding signs per Table 4.7, Item 8.**
- **Special exception for earth material movement in excess of 1,000 cubic yards on a parcel more than five (5) acres in size per Section 3.3.N.**
- **Zoning text change to add “brew pub” to Section 3.3.HH.3.a. as shown below:  
Except for restaurants in the B, BI, GB, GBA, and Dev 1 Zones operating under CT Gen. Statutes, businesses in the BI, GB, GBA, and Dev 1 Zones operating under a manufacturer of beer permit under CT Gen. Statute Section § 30-20(b), brew pubs, and golf clubs including a catering hall of not more than three thousand five hundred (3,500) square feet in size and/or restaurant and/or concession stand operating respectively under CT Gen. Statute, no building or premises shall be used...**

A request had been received from Doug Gray, President of Eclipse Development to continue the public hearing until the Commission’s regular meeting on March 1, 2021.

**\*\* Commissioner Zamir moved to continue the subject hearing to the Commission’s regular meeting on March 1, 2021.**

**\*\* Commissioner Kennedy seconded**

**\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick and Kennedy**

**\*\* Opposed: No One**

**\*\* Abstained: No One**

**Unanimous approval**

**Wine and Spirits of Woodbridge LLC: 245 Amity Road**

**Application for Special Exception Permit for Retail Liquor Establishment (Package Store)**

The Chairman opened the public hearing on the application submitted by Attorney Bernard Pellegrino on behalf of Wine and Spirits of Woodbridge LLC for a special exception permit for a retail liquor establishment (package store) at 245 Amity Road pursuant to Section 3.3.HH1.4 of the Zoning Regulations.

Attorney Pellegrino participated in the public hearing and noted the following for the hearing record:

- The application was submitted under Section 3.3.HH.1.4 of the Zoning Regulations to operate a retail package store.
- That section of the regulations had been amended in December 2020 to remove the distance requirement from residences.
- The store would be located in the multitenant retail and office development at 245 Amity Road.
- Solun restaurant currently is a tenant in that development and operates with a bar and liquor license.
- That site is 2.45 acres in area.
- The store would be located towards the eastern end of the development in a 1344 sq. ft. space.
- That location meets of the requirements of the amended Section 3.3.HH.1.4.
- The site has ample parking, lighting, and landscaping.
- The site is readily accessible from Routes 69 and 63.
- There would be no adverse impacts from the proposed use to the area.

The Chairman then asked if there was any public comment.

- James Hubbard of Morris Road spoke in favor of the application noting it would be a welcome expansion of the Town's commercial tax base.
- Commissioner Zamir noted for the record that written support of the application had been received from Jim Urbano, town resident and owner of 245 Amity Road.

There being no further comments from the public or Commission members, the public hearing was closed as follows:

**\*\* Commissioner Zamir moved to close the public hearing.**

**\*\* Commissioner Greenberg seconded**

**\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick, and Kennedy**

**\*\* Opposed: No One**

**\*\* Abstained: No One**

**Unanimous approval**

**RECEIPT AND APPROPRIATE ACTION ON APPLICATIONS AND 8-24  
REFERRALS RECEIVED SINCE THE JANUARY 4, 2021 REGULAR MEETING  
OF THE COMMISSION**

**South Central Regional Water Authority: 2035 Litchfield Turnpike  
Site Plan application for upgrading and expanding current processes at the "West  
River Water Treatment Plant"**

The Commission formally received the application of the South Central Regional Water Authority (RWA) for site plan approval of upgrades and expansion of the current processes at the West River Water Treatment Plan located at 2035 Litchfield Turnpike. Present to speak on behalf of the application were Emily Tully, Environmental Planner with Tighe & Bond who had prepared the application plans. In her presentation to the Commission, she noted:

- The project is to improve the water quality by adding a dissolved air flotation system which would provide algae treatment for the drinking water supply.
- The building addition would be a non-residential building.
- The new treatment system would allow seasonal treatment of algae blooms and reduce the need for backwashing and improve the ability to provide water during the warmer months when algae blooms occur.
- As part of the project an outdoor generator would also be replaced.
- The new building would be a two story building, 3,400 sq. ft. in area.
- Two bridges would connect the existing building with the new building.
- The site disturbance would be less than .38 of an acre so it does not require certification of a sediment and erosion control plan.
- Emergency access to the site would be maintained during the project construction.
- The project was brought before the Woodbridge Inland Wetlands Agency which determined that the project was an “as of right” activity under its regulations.
- The project is in a natural diversity data base area which will be incorporated into the project.
- The location of the new structure is zoning compliant.

Chris Bone, P.E. with Tighe and Bond, who serves as principal and project manager for water and wastewater projects added the following comments and also responded to Commission questions as follows:

- The project is in the final stages of design
  - The RWA funding review is the review process.
  - The project completion would be in 2022.
  - The project is a high profile, critical project for the RWA.
  - The new building is close to an existing building and is largely hidden from view by the water tanks.
  - Two 36” underground pipes and several other smaller pipes would go unground for 20’ between the new building the existing building.
  - The walkway between the two buildings would not be enclosed.
  - A small amount of clearing would have to be done in an existing grassed area.
  - Some site grading would be required.
  - After the TPZ approval, the project will be submitted to the Connecticut Department of Public Health (DPH) relative to the State Revolving Fund process.
  - The project would go out to bid in April
- Orville Kelly, Capital Construction Lead at the RWA added:
- The RWA’s Representative Policy Board will have a public hearing on the project on March 18<sup>th</sup> and act on approving the project after that public hearing.
  - The RWA has been working with the DPH since the project is a big project which would address the algae bloom issues in the reservoirs.

There being no further comments, action on the application was deferred until the Commission’s Work Session.

**Glen Fernandez: 33 Lucy Street**

**Application for Special Exception Permit for Vehicle Sales, Repair and Service**

The application submitted by Glen Fernandez for a special permit to operate a business of vehicle sales, repair and service at 33 Lucy Street was formally received by the

Commission. Staff reported that the applicant had asked if the required public hearing could be scheduled as soon as possible.

\*\* Commissioner Klee moved to schedule a public hearing on the application for the next special meeting of the Commission.

\*\* Commissioner Greenberg seconded

\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick and Kennedy

\*\* Opposed: No One

\*\* Abstained: No One

Unanimous approval

#### **WORK SESSION**

##### **Wine and Spirits of Woodbridge LLC: 245 Amity Road**

**Application for Special Exception Permit for Retail Liquor Establishment (Package Store)**

\*\* Commissioner Kennedy to approve the application of Wine and Spirits of Woodbridge LLC for a Special Exception Permit to operate a Retail Liquor establishment at 245 Amity Road

\*\* Commissioner Zamir seconded

\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick and Kennedy

\*\* Opposed: No One

Unanimous approval

##### **South Central Regional Water Authority: 2035 Litchfield Turnpike**

**Site Plan application for upgrading and expanding current processes at the “West River Water Treatment Plant”**

\*\* Commissioner Zamir to approve the application of the South Central Regional Water Authority for site plan approval regarding upgrading and expanding the current water treatment processes at the West River Water Treatment Plant located at 2035 Litchfield Turnpike

\*\* Commissioner Skolnick seconded

\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick and Kennedy

\*\* Opposed: No One

Unanimous approval

#### **REPORT ON ACTIVITIES OF THE SCRCOG**

Commissioner Skolnick reported that there had been no meeting of the Regional Planning Commission of SCRCOG in January.

#### **CORRESPONDENCE RECEIVED**

Aside from correspondence that was received relative to items on the evening’s agenda, there was no other correspondence submitted to the Commission.

#### **ZONING ENFORCMENT OFFICER’S REPORT**

The Zoning Enforcement Officer reported that another error in the zoning regulations had been found regarding rear yard setbacks for swimming pools. That will be

added to the list of items of that need to be considered for correction by the Commission at a future date.

The ZEO also reported that the Baldwin Farm on Baldwin Road has been purchased. The Commission confirmed that in accordance with the Zoning Regulations that an application for site plan approval by the Commission will be required for the operation of a commercial farm at that location.

#### **APPROVAL OF MINUTES**

**\*\* Commissioner Skolnick moved to approve the minutes of the Commission's regular meeting on December 7, 2020 with minor corrections.**

**\*\* Commissioner Klee seconded**

**\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick, and Kennedy**

**\*\* Opposed: No One**

**Unanimous approval**

**\*\* Commissioner Klee moved to approve the minutes of the Commission's special meeting on January 4, 2021 subject to any corrections that may have been found by Commission Wallace.**

**\*\* Commissioner Skolnick seconded**

**\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick, and Kennedy**

**\*\* Opposed: No One**

**Unanimous approval**

#### **MEETING RECESS**

**\*\* Commissioner Skolnick moved at 7:27 pm to have a recess in the meeting until 8 pm**

**\*\* Commissioner Zamir seconded**

**\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick, and Kennedy**

**\*\* Opposed: No One**

**Unanimous approval**

Accordingly, the meeting then went into recess until 8 pm.

#### **PUBLIC HEARING CONTINUATION**

#### **2 Orchard Road LLC and Open Communities Trust, LLC (Hearing Continuation) Application for Zoning Regulation Amendment and an Amendment to the Town Plan of Conservation and Development (TPCD) Regarding Multifamily and Affordable Housing**

At 8 pm, the Chairman called to the meeting back into order from recess and called to order the hearing continuation on the application by 2 Orchard Road LLC and Open Communities Trust, LLC for zoning regulation amendments and an amendment to the Town Plan of Conservation and Development regarding multifamily and affordable housing.

The Chairman noted that:

- Attorney Herbst representing residents living in the area of 2 Orchard Road would be asking questions of the applicants.
- There would then be a presentation by Planning Consultant Brian Miller, engaged by Attorney Herbst.

- For the benefit of the public, there would be another hearing continuation at a special meeting of the Commission on February 22, 2021.
- It is anticipated that the hearing proceedings on the subject application would conclude before April.

The Chairman then called on Attorney Herbst who asked questions of the applicant's planning consultant, Donald Poland. In the process of his questioning of Mr. Poland, Attorney Herbst referenced to copies of Connecticut General Statutes 8-2 and 8-23 which he screen shared during his presentation. *Note: Those statutes as screen shared by Attorney Herbst were requested to be submitted for the hearing record.*

Planning Consultant Brian Miller then gave a presentation for the hearing record on behalf of Attorney Herbst and his clients. In his presentation he used a power point presentation and referred to a document entitled "Planning for Affordability in Connecticut, Approved Housing Plan and Process Guidebook", dated December 2020, published by the Connecticut Department of Housing. *Note: Both Mr. Miller's power point presentation and the foregoing document were requested to be submitted for the hearing record.*

At the conclusion of Mr. Miller's presentation Attorney Herbst provided closing remarks.

Chairman Klee then as noted above, asked for the submission of the documents and power points used/referred to by Attorney Herbst and Planner Brian Miller.

The Chairman also asked for a motion from the Commission members to allow cross examination of Attorney Herbst and his planning consultant Brian Miller, by representatives of the applicants. Commission members acted on the Chairman's request as follows:

- \*\* **Commissioner Schatz moved to allow cross examination by the applicants' representatives of Attorney Herbst and his planning consultant Brian Miller.**
- \*\* **Commissioner Zamir seconded**
- \*\* **Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick and Kennedy**
- \*\* **Opposed: No One**
- \*\* **Abstained: No One**

**Unanimous approval**

Patrick Holland, a Yale law student member of the applicant's presentation team, then cross examined Mr. Miller.

At the conclusion of Mr. Holland's cross examination, the Chairman then outlined the dates and format for the next hearing continuation on the subject application as follows:

- The public hearing would be continued to a special meeting of the Commission on Monday, February 22, 2021.
- At that special meeting, the Commission would hear a presentation from the Planning Consultant that had been engaged on behalf of the Commission by Attorney Marianne Dubuque with the consent of the Board of Selectmen.
- Following the planning consultant's presentation, time would be provided for Commission members to ask questions.
- If there was additional at that special meeting the public would be invited to speak.
- The first item of business at the special meeting on February 22, 2021 would be to conduct a public hearing on and take appropriate action regarding the application that had been received earlier in the evening from Glen Fernandez relative to a

special exception permit to operate a business of vehicle repair, service, and sales at 33 Lucy Street.

- The presentation by the Commission's planning consultant would be scheduled to begin at 7 pm.
- The public hearing would then be continued again to the Commission's regular meeting on March 1, 2021.

Following the Chairman's comments Commission members acted as follows to continue the public hearing.

**\*\* Commissioner Schatz moved to continue the public hearing to a special meeting of the Commission to be held on Monday, February 22, 2021 via WebEx, with the public hearing continuation to commence no earlier than 7:00 pm at that special meeting.**

**\*\* Commissioner Zamir seconded**

**\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick and Kennedy**

**\*\* Opposed: No One**

**\*\* Abstained: No One**

**Unanimous approval**

#### **MEETING ADJOURNMENT**

**\*\* Commissioner Kennedy moved to adjourn the meeting at 10:06 pm.**

**\*\* Commissioner Schatz seconded**

**\*\* Voting for: Commissioners Klee, Zamir, Schatz, Greenberg, Skolnick and Kennedy**

**\*\* Opposed: No One**

**\*\* Abstained: No One**

**Unanimous approval**

**Accordingly, the meeting was adjourned at 10:06 pm.**

Respectfully submitted,

Kristine Sullivan, Acting Recording Secretary