

MINUTES
WOODBIDGE TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING OF MAY 1, 2023

A regular meeting of the Woodbridge Town Plan and Zoning Commission, was held on May 1, 2023, in the Central Meeting Room Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut, attended by:

Members: Robert Klee ~ Chairman, Yonatan Zamir, Paul Schatz, and Jeff Kennedy

Alternates: Kathy Hunter and Aaron Hoffmann

Excused: Andrew Skolnick and Chadi Noujaim (alternate)

Hunter voted in place of Skolnick; Hoffmann voted in place of the vacant full member position on the Commission. Zoning Enforcement Officer Kristine Sullivan was also in attendance. The Chairman called the meeting to order at 6:30 pm.

PUBLIC HEARING

Luciani Properties LLC: 110 Luciani Street

Application for special permit for excavation to construct two residential homes

The Chairman opened the public hearing on the application by Luciani Properties LLC for a special permit for excavation related to the construction of two residential homes at 110 Luciani Street.

Attorney Joshua Pedreira of Cohen and Wolf PC was present on behalf of the applicant as well as Dariusz Iwaszkiewicz, partner in Luciani Properties LLC. They gave a presentation regarding the application and responded to questions from Commission members, which included:

Attorney Pedreira in his presentation:

- Reviewed the memorandum from the Commission’s engineering consultant, Criscuolo Engineering dated April 28, 2023.
- Reviewed the report of the applicant’s Geotechnical engineer dated February 17, 2023,
- Reviewed the letter dated February 2, 2023, from the applicant’s arborist, Out on a Limb
- Noted that as required that the site plan, dated 5/27/2022 revised to 2/17/2023 in addition to being stamped by a surveyor is also stamped by an engineer, licensed in the State of Connecticut.
- Noted there will be no health and safety concerns due to the project.
- Noted variances are required for the project
- Noted the project will not result in an increase in traffic.

Mr. Iwaszkiewicz then reviewed the excavation plans for the hearing record during which he noted:

- The concerns about runoff from the site have been addressed by the use of swales and sediment traps. Those devices will be relocated during the project as the excavation moves to achieve the elevations shown on the submitted site plan.

- The geotechnical engineer will reinspect the site during the progression of site work to advise if site conditions change from those in his report.
- As identified in the report of the arborist, three existing trees will be removed. Additional trees will be removed as needed.
- The top of the excavated slope will be sixty feet.
- There would be a buffer layer at the top of the excavation.
- With the recent rains there has been no erosion from the site.
- The site plan includes the use of rain barrels and inground infiltrators to retain water on the site.
- Currently water that flows onto the site goes directly into the existing road drains.
- The drainage swales would be temporary and move as the excavation progresses.
- A ramp from the excavated materials would be used to access the upper reaches of the excavation area.
- The fence at the top of the excavation would be a safety fence to keep humans and animals from the edge of the excavation. It would be firmly secured to the ground and would not interfere with site drainage.
- Large machinery would be used to perform the sitework.
- Site work could take three to four months ~ but could go faster.
- Tree issues that might occur in the course of the site work would be addressed at that time for the safety of the site workers. There would be no danger to abutting properties.
- The order of site work would be installation of the safety fence, installation of haybales, grub and cut trees and excavate to achieve the grades necessitated by the approved zoning site plan.
- No blasting is anticipated , but rather use of heavy machinery.
- Blasting is more expensive, requires the taking of seismic readings, a pre-blast survey including home inspections. For a project of this size, blasting would not be cost effective.
- If material were encountered that required blasting, a permit would be obtained from the Fire Marshal. It is impossible to tell at this time if that type of material will be encountered.

There being no further questions by Commission members or comments by the applicant at this time, the Chairman reviewed the ground rules for the public providing testimony for the public hearing and opened the hearing to public comment. The following members of the public spoke at this time and provided comments, including as noted:

Peter Cofrancesco: 108 Luciani Street

- Had to deal with the hammering and blasting from the prior developer, Vizzo.
- Basements have been cracked.
- Thought that this project was not going to involve blasting or hammering.

Rosalie Rowland: 102 Luciani Street

- Had lived in on the road for 40+ years.

- After site work by the prior contractor, during the winter water freezing in the road occurred. *Note: two pictures were submitted showing ice in a driveway and ice on the edge of the road.*
- Did not want blasting/pounding to occur again.
- Did not trust anybody.
- Noted the same arborist was being used by the applicant as the former developer.
- Haybales had been installed at the direction of the blight officer after she had called the police.
- Where would snow be put in the winter.

Kyle Stevens: 15 Aerial Road

- Noted that he lived at the top of the slope above the site.
- Was concerned about the stability of his home due to heavy hammering.
- Was concerned about the noise from hammering.
- Questioned if the applicant would have to have insurance if the permit were granted to cover damage to homes.

Mary Cofrancesco: 108 Luciani Street

- Expressed concern about water coming from the property.
- They had not experienced problems with water until the prior developer had begun work on the site.
- Asked that the Commission members take the neighbor's concerns into consideration.

Richard Silocka: 47 Sunbrook Road, Hamden

- As a friend of the abutting neighbor, was concerned about the disruption to the neighborhood that 4 to 5 months of hammering/blasting would generate.
- Expressed concern about the truck traffic generated by the project
- That the project would be a tremendous disruption to the neighborhood and leave an "open scar."

Joe Yasick: 3 Ariel Road

- Worked from home and endured eight hours of hammering under the prior developer.
- With two houses proposed there will be twice the amount of disturbance.
- The 60' vertical drop is pure ledge and drips water.

Michael Walters: 66 Luciani Street

- Lives 10 houses down from the project and still felt the hammering when work was done by the prior developer.
- Did not want to listen to hammering for three to eleven months.
- Water follows gravity so water is flowing to the site naturally not because of the neighbors.
- Questioned if an additional catch basin will be needed in the road since there is only one in the road by 108 Luciani.
- There is water that freezes in the road by 80 Luciani.
- The fence should be erected before work on the project starts.

There being no further comments from members of the public at this time, Attorney Pedreira and Mr. Iwaszkiewicz made additional comments for the hearing record including:

- Recognize the concerns of the neighbors.
- The application complies with all the applicable regulations.
- The noise from the construction site would be “temporary” and is typical for construction.
- The property is lower than other properties on that side of the road.
- Water drains down from the properties and road higher up.
- The slopes on the proposed driveways are 13.9 % and 14.4%. It is unknown what slopes on other existing residences in the area are.
- Haybales on the site were installed after the site had been “chipped” at the direction of the blight officer.
- The applicant would comply with the zoning regulations limitation on site work of only Mondays through Fridays excluding holidays, with no work between 5 pm and 8 am on those days and trucking hours which would be further limited to not conflict with school bus pickup and drop off.

After the conclusion of closing remarks by Attorney Pedreira and Mr. Iwaszkiewicz the following members of the public made additional comments as noted:

Joe Yasick: 3 Ariel Road

- The type of site work on the property is not “typical” and he did not want to go through the noise and disruption again.

Rosalie Rowland:102 Luciani Road

- The haybales had been required by the blight officer

There being no further comments by the applicant, public or questions by members of the Commission, the public hearing was closed by the following motion.

*** **Schatz moved to close the public hearing**

*** **Kennedy seconded**

*** **In Favor: Klee, Kennedy, Zamir, Hoffmann, Schatz, and Hunter**

*** **Opposed: No One**

*** **Recused: No One**

*** **Abstained: No One**

Unanimous vote of approval.

At this time there was a brief recess in the meeting.

NEW BUSINESS

Toll Brothers LLC : 1710 Litchfield Turnpike

Application for use of a temporary sales trailer and a temporary construction trailer for the Toll Brothers development “Regency at Woodbridge.”

Jason Gottlieb, Senior Project Manager with Toll Brothers was present on behalf of the application by Toll Bros. LLC for use of a temporary sales trailer and temporary construction trailer for the Toll Bros. LLC development “Regency at Woodbridge.” In

his presentation and in response to questions by Commission members his comments included:

- The construction trailer would be used by the site manager and sales trailer would be used by sales staff for the project.
- The length of time the sales trailer would be on the site would be market driven.
- The construction trailer would remain during the duration of work on the site.
- Work on the first unit is expected to commence next week.

At the conclusion of Mr. Gottlieb’s remarks, the Commission acted on the application as follows:

- ***** Hoffman moved to approve the application by Toll Bros. LLC for use of Both a temporary construction trailer and temporary sales trailer at 1710 Litchfield Turnpike during the development of the Toll Bros. “Regency at Woodbridge”.**
 - ***** Zamir seconded**
 - ***** In Favor: Klee, Kennedy, Zamir, Hoffmann, and Hunter**
 - ***** Opposed: No One**
 - ***** Recused: No One**
 - ***** Abstained: Schatz**
- Unanimous vote of approval.**

WORK SESSION

Amity Regional School District: 25 Newton Road

Letter regarding conditions of driveway parking lighting.

The Commission had received a letter dated April 28, 2023, from Attorney Nicholas Bamonte, of Berchem and Moses, PC, legal counsel for the Amity Regional School District regarding conditions of the permit approved by the Commission on March 6, 2023, regarding additional lighting for the driveway access to N. Pease Road from the High School.

Present for discussion of the letter were Attorney Bamonte, District Superintendent Dr. Jennifer Byars, and Steve Martoni, Director of Facilities. In their presentation and in response to questions by Commission members their comments included the following:

- The Commission had requested that the driveway lights be put on timers, but the UI lights that would be installed cannot be on timers/photocells.
- The lights staying on all night would be consistent with the rest of lighting at “core” of the school that stay on all night.
- The “modern” lighting will comply with the Zoning Regulations and dark sky requirements.
- The lights will be “shielded” but could have an additional shielding installed to further direct the light to the driveway and parking area and limit spillage to the neighboring properties.
- The existing lights are LEDs, but the “new” parking area/rear driveway lights would be a new technology LED light.
- If there are issues with light spillage after the lights go up, the cost of resolving the issue would be with the UI who will own the lights.

- The lights will be about 25’ above the ground.
- The “temporary” lighting owned by the school is only used at events and has not been the subject of any complaints by neighbors.

At the conclusion of the discussion the Commission members acted on the following motion to amend the approval for the lights made at the Commission’s regular meeting on March 6, 2023

- *** Klee moved to amend the first condition of the approval made by the Commission at its regular meeting on March 6, 2023, regarding the proposal submitted by the Amity Regional School District prepared by the United Illuminating Company (UI), entitled “Amity High School Entrance N Pease Road,” dated 01/13/23. The condition which had stated: “Use of a timer for the lights so that they are not on all night” shall be amended to state: “That the Commission recognizes that a time cannot be used on the lights, but the UI will use all measures it can to shield the lights from the neighboring properties.”**
- *** Zamir seconded**
- *** In Favor: Klee, Kennedy, Zamir, Schatz, Hoffmann, and Hunter**
- *** Opposed: No One**
- *** Recused: No One**
- *** Abstained: No One**
- Unanimous vote of approval.**

Luciani Properties LLC: 110 Luciani Street

Application for special permit for excavation to construct two residential homes

The Commission members discussed the application, including:

- Issues that had been raised at the time of the previous denial of an application by the same applicant for the same work, regarding geotechnical data, status of trees on the site, signature of an engineer on the submitted plans, and erosion control issues, had been addressed with the subject application.
- Noise would be minimized by the limited work hours and days set forth in Section 3.3.N of the regulations.
- Truck traffic would not be allowed to occur during school bus runs.

At the conclusion of their discussion, the Commission members acted on the subject application as follows:

- *** Klee moved to approve the application of Luciani Properties LLC for a special permit for excavation to construct two residential homes on property located 110 Luciani Street. The approval is based on the plans entitled and dated as follows, prepared, and stamped by Paul J. Stowell, Land Surveying and David L. Nafis, PE.**
- **“Site Plan for Excavation prepared for Luciani Properties LLC on Lots 15 & 16 (AKA 110 Luciani Rd, Woodbridge, CT”, dated 5/27/2022, revised to 2/17/2023, Sheet 1 of 2; and**

- “Project Details prepared for Luciani Properties LLC on Lots 15 & 16 (AKA) 110 Luciani Rd, Woodridge, CT”, dated 5/27/2022 revised to 9/30/22, Sheet 2 of 2.

The permit is subject to compliance with the Standards and Conditions of Section 3.3.N.(6) of the Zoning Regulations for the Town of Woodbridge (the Regulations) and the following additional conditions:

1. As represented during the public hearing, the applicant’s geotechnical expert shall come back to the site at reasonable intervals to analyze the stability of the slopes on the site.
2. The applicant shall maintain the limited operation hours on the site so that no work occurs between 5P.M. and 8 A.M., nor on Saturdays, Sundays, or legal holidays.
3. Truck traffic related to the site operation shall be arranged in accordance with Section 3.3.N.(6)(a)(ix) of the Regulations with particular avoidance of school bus runs on Luciani and Robert Streets for Beecher Road School, and the Amity Regional Middle School and High School.
4. Minimize noise impact
5. Management of storm water flowing through the site shall follow the stormwater retention plan set forth on the approved plans to minimize stormwater flows offsite.
6. In accordance with Section 3.3.N.(8)(a) of the Regulations , prior to the start of work on the site, a bond shall be filed with the Commission in an amount to be proposed by the applicant’s engineer and approved by the Commission’s consulting engineer, to ensure the performance and completion of the operation in conformance with the approved site plans.
7. In accordance with Section 3.3.N.(8)(b) of the Regulations the permit shall expire on May 1, 2024, unless a timely renewal of the permit is made in accordance with Section 3.3.N.(8)c) of the Regulations.

*** Schatz seconded

*** In Favor: Klee, Zamir, Schatz, Hoffmann, and Hunter

*** Opposed: Kennedy

*** Recused: No One

*** Abstained: No One

Majority vote of approval.

Discussion and appropriate action regarding cleanup of the Zoning Regulations

Because of the lateness of the hour, the Commission deferred its continued its review of the clean-up of the until the Commission’s regular meeting on June 5, 2023.

Discussion and appropriate action regarding cannabis regulations

This item was deferred until the Commission’s regular meeting on June 5, 2023.

Report regarding actions of the Regional Planning Commission of SCRCOG

Since Commissioner Skolnick was excused from this evening's meeting there was no report.

Report of the Housing Committee

Commissioner Hunter reported that the Committee continues to hold Community Conversations. The Committee will also be seeking public comment for any changes that should be incorporated into the Housing Plan before it would be incorporated into the Plan of Conservation and Development.

Report on the West Rock Ridge State Park Advisory Council

Commissioner Zamir reported that the bi-annual meeting of the Council had been held on April 27, 2023, via Zoom. Matters discussed included paving the park road to the southern picnic pavilion, and improvements to parking by the park entrance and Lake Wintergreen.

Correspondence

Emails were received from Attorney John Knuff and PE John Paul Garcia both requesting an extension of ninety days to file the mylar for the approved subdivision of 10 and 14 Merritt Avenue.

***** Schatz moved to grant a ninety day extension of time in which to file the mylar for the subdivision of 10 and 14 Merritt Avenue.**

***** Hoffman seconded**

***** In Favor: Klee, Kennedy, Zamir, Schatz, Hoffmann, and Hunter**

***** Opposed: No One**

***** Recused: No One**

***** Abstained: No One**

Unanimous vote of approval.

Approval of Minutes

***** Klee moved to approve the minutes of the Commission's regular meeting on April 3, 2023, as submitted.**

***** Kennedy seconded**

***** In Favor: Kennedy, Zamir, Hoffmann, and Hunter**

***** Opposed: No One**

***** Recused: No One**

***** Abstained: Klee and Schatz**

Unanimous vote of approval.

***** Hoffman moved to approve the minutes of the Commission's special joint meeting with the Zoning Board of Appeals on April 25, 2023, as submitted.**

***** Kennedy seconded**

***** In Favor: Kennedy, Zamir, Hoffman and Hunter**

***** Opposed: No One**

***** Recused: No One**

***** Abstained: Klee and Schatz**

Unanimous vote of approval.

Approved Minutes of the Woodbridge Town Plan and Zoning Commission
Regular Meeting – May 1, 2023

Meeting Adjournment

- *** Schatz moved to adjourn the meeting at 8:50 pm**
 - *** Kennedy seconded**
 - *** In Favor: Klee, Kennedy, Zamir, Schatz, Hoffmann, and Hunter**
 - *** Opposed: No One**
 - *** Recused: No One**
 - *** Abstained: No One**
- Unanimous vote of approval.**

Accordingly, the meeting was adjourned at 8:50 pm.

Respectfully submitted,

Kristine Sullivan,