

Minutes of the Woodbridge Town Plan and Zoning Commission
Special Meeting of August 22, 2022

A special meeting of the Woodbridge Town Plan and Zoning Commission (TPZ) was held on Monday, August 22, 2022, beginning at 6:34 p.m. in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut.

Present for the special meeting were Commissioners: Klee, Reed, Kennedy, Schatz, and Skolnick. Alternate member Hunter was also in attendance. Full member Zamir and alternate member Cassidy were excused. Hunter was seated in place of Zamir.

Public Hearings

Chairman Klee read the legal notice for the public hearings scheduled for the special meeting. He also noted that the materials related to the applications that were the subject of the public hearings had been available on the Town Website (Note: those materials were also available in hard copy in the Land Use Office).

After reading the legal hearing notice, the Chairman opened the public hearing on the following application:

John Heffernan Jr. dba Savory & Vine LLC: 9 Lucy Street

Application for a special exception permit per Section 3.3.HH of the Zoning Regulations for the Town of Woodbridge for use of a restaurant liquor establishment.

Applicant John “Jake” Heffernan Jr. was present for the public hearing. In his presentation and in response to questions from the Commissioners regarding the application he noted:

- He currently runs a Food Truck called StreetN’Savory
- He is a formally trained Chef, specializing in creating authentic regional cuisine from around the world.
- He will be opening a restaurant at 9 Lucy Street formally occupied by the Woodbridge Gathering and Las Brasas Mexican Grill.
- The change to the restaurant use of the site will be the addition of liquor.
- Minor changes to the structures would include a new vestibule entry at the front of the building facing Lucy Street. The current entry faces Amity Road.
- The addition of storage space off the back “L” of the building.
- Plans for those additions are currently being worked on by an architect.
- Outdoor seating may be provided at a later time.
- The Food Truck operation will be continued, with the truck parked on the site.
- Having been a bartender in the past he has experience with serving alcohol.

The Chairman then asked if there were any members of the public who wanted to speak regarding the application. At this time, the following member of the public spoke:

Chris Dickerson: 6 Mettler Street

- Expressed is 100% support of the application
- The use would add to the businesses in the area.

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

** **Commissioner Schatz moved to close the subject public hearing.**

** **Commissioner Skolnick seconded**

** **Voting for: Commissioners Klee, Kennedy, Skolnick, Hunter, Reed, and Schatz**

** **Opposed: No One**

Unanimous approval

It was then the consensus of the Commission members to move briefly into a work session to act on the subject application at which time the Commission took the following action:

- ** **Commissioner Kennedy moved to approve the application of Jeff Heffernan Jr for a special exception permit per Section 3.3.HH of the Zoning Regulations for the Town of Woodbridge for use of a restaurant liquor establishment at 9 Lucy Street to be known as Savory & Vine.**
- ** **Commissioner Skolnick seconded**
- ** **Voting for: Commissioners Klee, Kennedy, Skolnick, Hunter, Zamir and Cassidy**
- ** **Opposed: No One**

Unanimous approval

The Commission then resumed its posted schedule of public hearings with the Chairman opening the joint public hearing on the following applications:

Toll Brothers, Inc: 1710 & 1722 Litchfield Turnpike, 49, 53 and 57 Bradley Road

The following applications related to the development of an over 55 housing project:

- **Site Plan approval pursuant to Section 6.4 of the Woodbridge Zoning Regulations (the Regulations);**
- **Special Exception Active Adult Community pursuant to Sections 3.3.EE and 6.3 of the Regulations;**
- **Certification of Sediment and Erosion and/or Storm Water Site Plan approval pursuant to Section 5.5. and 5.7 of the Regulations; and**
- **Special Exception for Excavation, Removal, Filling, Grading and Processing of Earth Products pursuant to Section 3.3.N of the Regulations**

Attorney Joseph Williams of Shipman and Goodwin L.C. was present as Toll Brothers Inc. legal counsel regarding the subject applications. In his introduction for the applications, he noted:

- The applications all are regarding the development of seventy (70) age restricted Carriage Homes.
- The homes would have three bedrooms and be sold at market rate.
- To date the development has been before three different Woodbridge Boards:
 - The Zoning Board of Appeals (ZBA) for a variance to allow a six foot (6') high fence along Litchfield Turnpike to screen the rear yards of occupants in the development and existing residences across Litchfield Turnpike. *Note: a copy of the ZBA variance is in the application files and was provided to the Commission members.*
 - The Woodbridge Inland Wetlands Agency (IWA) which determined since there are no wetlands on the site and there should be no impact from the onsite development to the offsite wetlands that no permit from the IWA was required. *Note: a copy of the IWA report to the TPZ is in the application files and was provided to the Commission members.*
 - The Architectural Review Board (ARB) which provided a report to the Commission. *Note: a copy of the ARB report to the TPZ is in the application files and was provided to the Commission members.*
- The development will be a CIA ~ Common Interest Association. *Note: At the request of Commission members additional information on CIA's will be provided at the hearing continuation on September 6, 2022.*

- The comments of the Commission’s traffic consultants, VN Engineers were received and have been responded to. *Note: Copies of the applicant’s responses to VN’s review were provided to the Commission members and are in the application file.*
- The site of the development is approximately 15 acres in size and is split by Bradley Road.
- There are no wetlands on the site
- The development properties are all in the DEV 1 Zone where active adult uses are allowed.
- Fourteen years ago, the Commission approved a project that would have been twice as dense. That development obviously was never built.
- There is a robust mix of uses all around the site.
- The applicant’s belief is that the development will be a net positive long term addition to Woodbridge.
- The development will be reasonably screened from adjoining residential neighborhoods and will generate less traffic than that of the previously approved development.
- An upgraded storm water management plan has been designed.
- Additional information will be provided on how “Age Restricted” developments meet the qualifications for being “Age Restricted.”
- Model language will be provided to demonstrate how the Homeowners Association (HOA) can enforce that children will not live in the development.
- HOA rules would be filed on the land records and could not be amended by the HOA once recorded.

Erick Lindquist, project engineer from Tighe and Bond then gave a presentation regarding the site development of the development. In his presentation and response to questions by Commission members he noted the following by topic:

Site Plans

- The development would straddle both sides of Bradley Road.
- The development is less dense than the prior over 55 housing project approved for the site and has more green space.
- The north side of Bradley road would be developed using a central road with a short side cul-de-sac.
- There would be a sidewalk on one side of the private road on the south side of Bradley Road and sidewalks on both sides of the private road on the north side of Bradley Road.
- The south side of the development would have two entry points onto Bradley Road.
- There would be a pedestrian crossing in Bradley Road to provide access from the north side of the development to the clubhouse.
- The plans provide good circulation for both pedestrians and traffic.
- All the mailboxes would be located on the south side by the clubhouse.
- Each unit would have its parking needs meet at the unit itself. Two interior garage spaces and two exterior spaces in front of the garages.
- The plans revised to address the Commission’s traffic consultants’ comments now include sight lines.
- There is no “additional” parking provided in the development.
- Parking by the clubhouse would be related to the use of the clubhouse.
- The Fire Department has reviewed the plans for apparatus turning radii and they are adequate.
- Currently no emergency access is provided on the north side of the development. If needed by the Fire Department it could be provided
- There are no “speed” management aspects in the current plans.

Drainage

- The topography of the site has drainage going southerly on both sides of Bradley Road.
- On the south side of the development, the soils provide good infiltration.
- The detention ponds are sized to address the current drainage flows.
- The detention ponds would be “dry basins,” vegetated with a “meadow mix.”
- The drainage treatment plan includes a pre-treatment of runoff to remove oils, and then a sediment forebay to collect sediment solids where they could be removed as need.
- The detention basins are designed to handle the initial “thermal” runoff in the basins based on the height of the basin outlet.
- Peak flows would exit the basins at the current discharge rates.
- Drainage swales would be installed at rear of the unit backyards with perforated piped in the bottoms to provide additional onsite drainage infiltration.
- The north side of the development is split into two drainage systems.
- The plans have been submitted to the Connecticut Department of Energy and Environmental Protection (DEEP) for a NDDDB review (Natural Diversity Data Base).
- The HOA would be responsible for the maintenance of the detention basins based on the maintenance schedule referenced in Section H of the Engineering Report that was submitted.
- The stormwater treatment train is in accordance with normal best management practices.

Utilities

- All the utilities, natural gas, public water, and public sewer would all come in underground off of Bradley Road.
- The onsite electrical transformers would be screened.

Landscaping

- The onsite lighting would be focused downward, with road lighting spaced every two hundred feet (200')
- A minimalist approach to lighting at the intersections has been taken.
- The streetlights would be twelve feet (12') high and “soft toned”, not “stark”.
- 90% of the trees planted onsite would be domestic trees, maple, birch, and linden, a minimum of 2 ½” to 3” in caliper.
- Dense evergreens would be used for residential screens.
- The privacy fence would six feet (6') in height and along Litchfield Turnpike set back fifteen (15) to twenty (20) feet off the curb line.
- Plantings would be done on both sides of the privacy fence.
- A four foot (4') high black vinyl covered chain link fence would surround the detention basins with gated entries for maintenance purposes.
- No fencing along Bradley Road is proposed except around the two existing private residences.
- The detention basins would be planted with a rain garden mix of tall grass.
- Drought resistant plantings would be done between the houses.

Jason Gottlieb, project architect, then reviewed the architectural plans for the development and responded to comments from Commission members noting the following. Supplemental input at this time was also made by Michael Zemola, Senior Land Development Manager at Toll Brothers.

- Coach lights would be located above the garages and doors on each unit.
- The majority of the units would be “four packs.”
- The units would have natural stone bases and vinyl siding with black window trim and doors.
- Each unit would have a ground level patio off the back of the unit with no privacy fencing between the back yards of the units.
- The units will be built slab on grade.
- Rear decks would not be an option.

- The Clubhouse would have a “two story” height “meeting/great room,” with the rest of the Clubhouse being one story in height where the bathrooms and lockers would be.
- The pool will be an outdoor pool, with a separate pool house and mechanical space.
- The units will be separated by firewalls.
- Customers will initially have four to five floor plans to select from. Those floor plans will be market drive.
- The square footage of the units will vary between 2000 and 2600 square feet based on if the second floor is totally finished or if there are any cathedral ceilings.
- There will be two to three bedrooms per unit, with the master bedroom always on the first floor.
- The south side of the development will be built first since it has the Clubhouse amenities and would take about eight months to build out.

Thomas Wamser, project traffic engineer, then reviewed the traffic study for the development, including his responses to the review comments made by the Commissions traffic consultants, VN Engineering. The initial traffic study and the response documents had been provided to the Commission members.

In his discussion and in response to comments from Commission members he noted the following:

- The development would have intersections on both sides of Bradley Road.
- A traffic study shows that there are 3,300 vehicles per day that travel on Bradley Road at an average speed of 34 mph.
- Using the 10 - traffic conditions the traffic study projects out to 2025 after the development would be completed.
- The site driveways exceed the requirements of the Institute of Transport Engineers.
- There would be no measurable impact for the morning afternoon trips from the development at the peak traffic times.
- Site visits at peak traffic periods showed queuing at Amity Road at the most of three vehicles.
- In response to the comments from VN Engineers, the study distance and crash history of the area was expanded so that it encompassed years before COVID 19, when less traffic occurred.
- Bradley Road would not be closed during the construction process.
- Contractor parking and construction equipment would be kept on site.
- When tying into utilities there most likely would be a one lane closure in Bradley Road during daytime hours.
- The submitted plans show the rough fill and repair lines in Bradley road for road openings.
- The revised plans show added signage and site line information.
- The 2008 approved over 55 development had an increase of 122 vehicle trips in the peak morning hours and an additional 215 vehicle trips in the peak afternoon hours.
- The police chief has reviewed the plans

Note: In the course of Mr. Wamser’s presentation, Commission members expressed concern about the need for traffic calming devices and a traffic light at the intersection of Bradley Road and Amity Road.

Sydney Brooks and Nancy Gupha of VN Engineering, the Commission’s traffic consulting engineer review firm, spoke and noted:

- VN’s peer review report noted that the traffic study had needed to have expanded data regarding site lines and traffic trips - which had been addressed with the revised report and plans that had been submitted by Toll Brothers Traffic consultants.
- The plans had no provision for bicycle racks.

- Side walks should be provided on both sides of the development.
- The existing service level at the intersection of Bradley Road and Route 63 was a “F” regarding left turns heading south on Amity.
- Toll’s traffic consultants have taken a conservative approach to their traffic study.
- There were no major concerns or comments at this time.

At this time, the Chairman opened the public hearing to comments from members of the public. Speakers were asked to limit their comments to three minutes. The following members of the public spoke at this time:

Chris Dickerson: 6 Mettler Street, who noted:

- He still had concerns about impacts to traffic on Bradley Road from the development.
- Believed the development should extend and connect the sidewalks along Bradley Road and south to Landin Street as well as north to the adjoining Veterinary Office.
- Believed the detention ponds would be unsightly with the fencing and vegetative growth and would prefer to see unground stormwater retention such as was provided at 245 Amity Road.

Frederick Carosone: 1725 Litchfield Turnpike, who noted:

- He lived across the street and was generally in favor of the project
- His major concern was traffic and how it historically bottlenecks in the am and pm peak travel hours and how that could be addressed.

Michelle Riley: 19 Landin Street, who noted:

- She lived behind where units 17, 18 and 19 would be located.
- Could not believe that the site could support 70 units.
- Was concerned about noise and dirt during construction.
- Did not see the fencing that was described on the plans, only erosion control fencing.
- Believed that traffic impacts would be greater than described since most people over 55 still work.
- Hoped the town would appeal to the State Department of Transportation to get a light at the intersection of Route 63 and Bradley Road.
- Requested that phasing of the development be done to have the privacy fencing and tree plantings done between the existing residential neighborhoods and the development done at the beginning of site construction.

Jake Heffernan: 19 Landin Street, who noted:

- He was concerned that changes in site elevations would affect water flow and cause flooding in basements of adjoining residences.
- Requested that the privacy fence be visually appealing.

Frederick Carosone: 1725 Litchfield Turnpike, who noted:

- Bradley Road on the east side of Route 69 is also busy with traffic from the corporate park area.
- There have been several accidents at the intersection of Bradley Road and Litchfield Turnpike.
- There are no traffic lights between the traffic light at Bradley Road and Litchfield Turnpike and the town of Prospect which allows cars to speed.
- Expressed concern about noise pollution.

There being no further comments from the public, members of the Commission, applicant's representatives, or Commission's consultants' the Chairman noted that public hearing would be continued until the Commission's regular meeting on Tuesday, September 6, 2022. Accordingly, the following motion was then made and voted on:

**** Commissioner Schatz moved to continue the hearing to the Commission's regular meeting on Tuesday, September 6, 2022, to be held in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge Connecticut beginning at 6:30 p.m., with the hearing continuation to be the first item of business at that meeting.**

**** Commissioner Skolnick seconded**

**** Voting for: Commissioners Klee, Kennedy, Skolnick, Hunter, Reed, and Schatz**

**** Opposed: No One**

Unanimous approval

There being no further business to come before the Commission at the special meeting, the meeting was adjourned based on the following motion at 8:28 pm.

**** Commissioner Schatz moved to adjourn the special meeting at 8:28 p.m.**

**** Commissioner Skolnick seconded**

**** Voting for: Commissioners Klee, Kennedy, Skolnick, Hunter, Reed, and Schatz**

**** Opposed: No One**

Unanimous approval

Respectfully submitted,

Kristine Sullivan, Staff for the Commission