

**MINUTES OF THE TOWN PLAN AND ZONING COMMISSION
TOWN OF WOODBRIDGE
REGULAR MEETING OF JULY 6, 2009 ADJOURNED TO AND CONTINUED
ON JULY 20, 2009**

On Monday, July 20, 2009, members of the Town Plan and Zoning Commission met at the reconvened meeting of the July 6, 2009 regularly scheduled meeting of the Commission which had been adjourned on July 6th to July 20, 2009. The reconvened meeting was held in the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, Connecticut.

ROLL CALL

PRESENT: Philip DeGennaro Lawrence Greenberg, Allen Lipson, Jeff Kaufman, Alan Tyma and Kathleen Wallace.

ALTERNATE: Robyn Berke and Peggy Rubens-Duhl

ABSENT: Akhil Reed Amar (alternate)

ALSO PRESENT: Terry Gilbertson, Zoning Enforcement Officer
Robert Criscuolo, Commission Consulting Engineer
Kristine Sullivan – Acting Recording Secretary

The meeting was called to order by Acting Chairman Jeff Kaufman at 7:31 p.m.

ELECTION OF OFFICERS AND APPOINTMENTS

Election of Chairman for the Town Plan and Zoning Commission.

***** Ms. Wallace moved to nominate Jeff Kaufman as Chairman.**

***** Mr. Tyma seconded.**

***** In Favor: DeGennaro, Greenberg, Lipson, Kaufman, Tyma and Wallace.**

***** Opposed: No One**

***** Abstained: No One**

Unanimous Approval

Election of Secretary for the Town Plan and Zoning Commission.

***** Mr. Kaufman moved to nominate Allen Lipson as Secretary.**

***** Mr. Greenberg seconded.**

***** In Favor: DeGennaro, Greenberg, Lipson, Kaufman, Tyma and Wallace.**

***** Opposed: No One**

Unanimous Approval

Later in the meeting the following appointments were made:

- Appointment for full representative to the South Central Regional Council of Governments (SCRCOG).
It was the consensus of the Commission members to appoint Peggy Ruben-Duhl as a full representative to SCRCOG.

- Appointment for alternate representative to the South Central Regional Council of Governments (SCRCOG).
It was the consensus of the Commission members to appoint Kathleen Wallace as an alternate representative to SCRCOG.
- Appointment to West Rock Ridge Advisory Council.
It was the consensus of the Commission members to appoint Philip (Buddy) DeGennaro as a representative to the West Rock Ridge Advisory Council.
- Appointment of member to the Architectural Review Board to fill the vacancy of Patricia Warren who moved out of State.
Note: Commission members deferred action on this appointment to the September 8, 2009 regular meeting of the Commission to allow time to gather names of prospective appointees to fill this vacancy.
- Appointment of representative to the “Building Blocks for Development” Joint subcommittee formed with the Economic and Development Commission.
Note 1: Action on this position which was previously held by former TPZ Alternate Christopher Dickerson was deferred pending staff contact with the Economic and Development Commission to determine if the subcommittee is still operative.
Note 2: As noted below, TPZ members have volunteered to serve on two other Joint subcommittees formed at the joint EDC/TPZ meeting on January 27, 2009. To the best of the members’ knowledge, neither of those subcommittees have met to date.
 - Peggy Rubens-Duhl : Lighting/streetscapes/traffic flow/signage
 - Alan Lipson: Regulations

PUBLIC HEARINGS

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.

No one was present representing the applicant for the re-continuation of the public hearing on the subject application, waiver request and certification of sediment and erosion control plan which had been commenced on June 1, 2009.

A letter of extension for continuation of the hearing and action on the application until the Commission’s August meeting had been submitted- but there is no regular meeting of the Commission scheduled for August.

Since the application needed to be acted on prior to the next regular meeting of the Commission on September 8, 2009, later in the meeting, following discussion, the following action was taken by the Commission relative to this application:

***** Mr. Lipson moved to deny the application without prejudice, unless, an**

additional extension of time is granted to the Commission, which would allow the hearing and action on the application to be addressed at the Commission's next regular meeting on September 8, 2009.

*** Mr. DeGennaro seconded.

*** In Favor: DeGennaro, Greenberg, Lipson and Kaufman.

*** Opposed: No One

*** Abstained: Tyma and Wallace*

Unanimous Approval

**Tyma and Wallace had not yet reviewed the DVD of the June 1, 2009 hearing proceeding on this application.*

RECEIPT AND APPROPRIATE ACTION ON APPLICATIONS AND 8-24 REFERRALS RECEIVED SINCE THE JUNE 1, 2009 MEETING OF THE COMMISSION

DIANE AND JAMES URBANO: 245 AMITY ROAD

Application to amend use of the site to include restaurants in accordance with Section 3.123(3) of the Table of General Use Regulations.

The application was formally received by the Commission and scheduled for a public hearing per Section 3.123(3) of the Table of General Use Regulations, effective April 20, 2009.

*** Mr. Tyma moved to schedule a hearing on the application for the Commission's regular meeting on September 8, 2009.

*** Mr. DeGennaro seconded.

*** In Favor: Tyma, DeGennaro, Greenberg, Lipson, Wallace and Kaufman.

*** Opposed: No One

*** Abstained: No One

Unanimous Approval

CARESTREAM HEALTH INC: 4 RESEARCH DRIVE

Application to amend use of the site to include uses of tissue cultures, use of radioactive materials and onsite use of small animals.

The application was formally received by the Commission.

William McLaughlin, director of applications and research for Carestream Health, was present to discuss the application with the Commission. During his presentation he reviewed a narrative dated July 14, 2009 detailing how the facility would be operated. Carestream Health develops, manufactures and sells imaging agents and supplements for imaging of molecules.

He responded to questions from Commission members including:

Q: How are tissue culture wastes killed.

A: With bleach

Q: What is the half-life of the radioactive isotopes.

A: The half-life is a matter of weeks.

Q: Who selects/what is the membership of the in house IACUC committee.

The company typically selects the members. The committee membership is from

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in house staff, a veterinarian and a representative from the community.

Q: How is the culture waste stored

A: In plastic containers – which are removed by a waste management company.

Q: Is the site currently occupied by Carestream Health

A: A small number of employees are currently using the building. After renovations the whole building will be occupied.

Q: Do the radioactive isotopes have to be stored in a special room.

A: Lead lined walls are not required. At most only one ounce of isotopes would be on site.

Q: Is there a special exhaust system for the building.

A: Air is exhausted from the building through chemical hoods and stacks on the roof.

Q: Where are waste products taken.

A: To designated facilities that are subscribed to by Carestream.

Q: Have there been any incidents to people or property.

A: Not that Mr. McLaughlin was aware of.

Q: Are there any particular traffic issues associated with the facility.

A: The employees are office workers, research scientists and marketers – who would present no issues to traffic.

Q: Would there be any problems from fumes or odors.

A: The chemical stacks and hoods on the roof were designed for the prior occupants, Bayer and Kimiera, and provide a very high class exhaust system.

Q: Is there a radiation safety officer – or use of monitors.

A: Workers will wear badges. There will be gauges in the rooms – with alarms. The system is not an automatic system – but uses readings taken with a Geiger counter.

There was discussion of the notice provided to abutters for the application.

Zoning Enforcement Officer Terry Gilbertson explained that when the exhaust hoods and stacks had first been installed in 1999, that the TPZ had required that an air quality study be done to insure there would be no adverse impacts to three specific target areas: the intake air point to the building itself, the daycare center across the street and the ball field behind the building. The extensive air quality study was performed and is in the file for the site and demonstrated that there were no adverse air quality impacts. Mr. Gilbertson also noted that the prior use permits for the site had not contemplated that the use of the facility would involve tissue cultures, radioactive materials or animals. The prior permits for the site all noted that any change to the use of the site involving the foregoing items was subject to approval by the Town Plan and Zoning Commission.

Mr. McLaughlin then explained:

- Remodeling of the building was anticipated to start August 1st
- The move from the New Haven facility would be accomplished between September 1st and 31st – since the lease on the New Haven facility is up on September 31st.
- It would be a huge hardship to the company if a decision on the application was put off until the Commission's September meeting.
- If tissue/radioactive isotope and animal work could not be done at the Woodbridge site, the building would not be of use to the company.
- When the lease was in place they were not aware that additional approvals were needed from the Commission.
- The building has a total of 30,000 sq ft of area, the 10,000 sq ft basement will be used for mechanicals, storage, and production equipment, the 10,000 sq ft first floor will be used for office space and the 10,000 sq ft second floor will be used for chemical and biological labs.

After the applicant's presentation it was the consensus of the Commission member to defer discussion and appropriate action on the application until a special meeting of the Commission to be held on Monday, July 27, 2009, beginning at 8:00 p.m. in the Central Meeting Room of the Town Hall.

WORK SESSION

SHADY LAND NEIGHBORHOOD ASSOCIATION

Discussion of concerns regarding the Jewish Community Center's Summer Camp Program

Members of the Shady Lane Neighborhood Association were present to voice their concerns regarding adverse impacts they are experiencing from the operation of the Jewish Community Center's Summer Camp. Mrs. Wartel distributed packets of materials to the Commission members.

The following members of the Association addressed the Commission:

- Dr. and Mrs. Wartel – 9 Shady Lane
- Mrs. Elizabeth Hennessy – 15 Shady Lane
- Mr. Wu – 139 Pease Road

Concerns raised by the speakers included:

- Noise
- Visibility of the camp from the residences.
- Adverse impacts to property values.
- Use of the "emergency access" by bikers, joggers, etc.
- The fence by the "emergency access" gate should be extended.
- Use of Shady Lane as a thoroughfare for campers to access the Town athletic fields on Pease Road.

ZEO Terry Gilbertson noted:

- At the request of Scott Cohen, Chief Operating Officer of the Jewish Federation of New Haven, staff had arranged a meeting between the representatives of the JCC and the Neighborhood Association.
- The JCC exists as a permitted use by Special Permit
- Noise complaints, under the Town Noise Ordinance, fall under the jurisdiction of the Police Department.

After the residents of Shady Lane had presented their concerns to the Commission, it was the consensus of the Commission members to continue the discussion to the Commission's next regular meeting on September 8, 2009 and invite representatives of the JCC to also attend that meeting and participate in the continued discussion.

ECONOMIC DEVELOPMENT COMMISSION

Update of the Economic Development Commission.

Staff was asked to contact the Economic Development Commission (EDC) for an update regarding the status of Prof. Plattus's work for the EDC.

Staff was also asked to invite members of the EDC to attend the October regular meeting of the TPZ.

REGULATION REVISIONS:

Discussion, update and appropriate action regarding ongoing updates of the regulations, including but not limited to signage.

There was a brief discussion of the status of updating the Zoning Regulations for signs. Further discussion and appropriate action on regulation revisions was otherwise deferred until the Commission's regular meeting on September 8, 2009.

UPDATE OF THE TOWN PLAN OF CONSERVATION AND DEVELOPMENT RELATIVE TO THE TOWN'S PURCHASE OF THE 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

Note: Draft language to amend the Town Plan of Conservation and Development – if the Town was to acquire the properties n/f owned by the Woodbridge Country Club, was distributed and discussed. Action on this draft amendment to the Town Plan was deferred until such time as the Town's purchase of the subject properties is finalized.

CORRESPONDENCE RECEIVED:

Consideration and appropriate action regarding correspondence received since the June 1, 2009 meeting of the Commission, including the following items:

- A copy of a letter and technical information dated June 5, 2009 sent to First Selectman Edward Sheehy by Cuddy & Fedor, Attorneys at Law, regarding a

wireless telecommunications tower facility proposed to be located on property at 1990 Litchfield Tpke.

Note: Kevin Dey, site acquisition consultant for ATT and Attorney Daniel Lowe, outside counsel for ATT, were present to answer questions from the Commission regarding the proposed telecommunications facility. Constance Ecklund of 27 Cedar Road also commented on the

In discussion with the Commission they noted:

- 1. After discussion with staff, revised plans have been prepared making the lease site a “rectangle” instead of a “square” to reduce the amount of site work that would need to be done for the facility.*
- 2. Facilities can be co-located on other structures. In this search area there are no existing structures to co-locate on except the high tension poles. In a dialogue with the power companies the electrical poles are rated “4”, which would limit the time that a pole could be accessed for service work. In addition, the poles are not tall enough (170’) to achieve the coverage results that the proposed tower would provide.*
- 3. The tower would be accessed at least once a month maintenance.*
- 4. The access drive would be gravel.*
- 5. The 40’ x 90’ compound for the tower is necessary for co-location by other carriers in the future.*
- 6. The tower would provide coverage for 1 – 1 1/2 miles.*
- 7. Once an application is made to the Connecticut Siting Council is made, other carriers are notified of the proposed tower.*
- 8. The site would be leased for 30 years with 5 year extensions. If it was determined that the tower was not needed it would be taken away.*
- 9. Space for town emergency communication equipment can be provided.*
- 10. After the initial comments are gathered from the town an application will be made to the Connecticut Siting Council. The Siting Council would hold hearings on that application in Town, with site visits. There would be full opportunities for the public to be heard.*

Constance Ecklund of 27 Cedar Road expressed her concerns regarding the impact such a tower would have on this “special” area of town.

- Request from Wanda Luciani-Kesses for a reduction in the completion bond which was posted relative to the residential site development of her property located at 11 Justin Road.

***** Mr. Tyma moved to reduce the performance bond from \$25,000.00 to \$3,500.00 based on the recommendations of Commission Consulting Engineer Robert Criscuolo in a memorandum dated June 22, 2009.**

***** Mr. Greenberg seconded.**

***** In Favor: Tyma, DeGennaro, Greenberg, Lipson, Wallace and Kaufman.**

***** Opposed: No One**

***** Abstained: No One**

Unanimous Approval

- Draft amendments to the Regional Plan of Conservation and Development of the South Central Regional Council of Governments updating the Regional Sewer Service Area Map.

Note: It was noted that based on staff input that the First Selectman had written a letter requesting that the proposed service area from Pease Road north to Meetinghouse Lane be deleted, and that that recommendation had been accepted.

APPROVAL OF MINUTES

Minutes of the Commission's Regular Meeting on June 1, 2009

Motion to approve the minutes as submitted

- ** Moved by: Lipson
- ** Seconded by: Kaufman
- ** Voting for: Lipson, Kaufman and Rubens-Duhl**
- ** Opposed: No One
- ** Abstained: Wallace

Passed by Unanimous Approval**

*** Voting on these minutes were: Lipson, Kaufman, Rubens-Duhl and Wallace. All other members and alternates on the Commission present at the meeting had not been members of the Commission for this meeting.*

Minutes of the Commission's Special Meeting on June 22, 2009

Motion to approve the minutes as submitted

- ** Moved by: Lipson
- ** Second by: Rubens-Duhl
- ** Voting for: Lipson, Kaufman and Rubens-Duhl.
- ** Opposed: No One
- ** Abstained: Wallace

Passed by Unanimous Approval**

ADJOURNMENT

Motion to adjourn the meeting at 10:38 p.m.

- ** Motion by: Wallace
- ** Seconded by: Greenberg
- ** Voting for: Tyma, DeGennaro, Greenberg, Lipson, Wallace and Kaufman
- ** Opposed: No One
- ** Abstained: No One

Passed by unanimous approval

Accordingly, the meeting was adjourned at 10:38 p.m.

Respectfully submitted,

Kristine Sullivan, Acting Recording Secretary