

MINUTES
WOODBIDGE TOWN PLAN AND ZONING COMMISSION
REGULAR MEETING OF JANUARY 3, 2023

The regular meeting of the Woodbridge Town Plan and Zoning Commission (TPZ) was called to order on Tuesday, January 3, 2023, at 6:35 pm in the Central Meeting Room of the Woodbridge Town Hall, 11 Meetinghouse Lane, Woodbridge, CT by Chairman Rob Klee.

MEMBERS PRESENT: Robert Klee – Chair, Jeff Kennedy, Robert Reed, Yonatan Zamir, Paul Schatz, and Andrew Skolnick
ALTERNATES: Chadi Noujaim, Aaron Hoffmann, and Kathy Hunter
ABSENT: No One

Zoning Enforcement Officer (ZEO) Kristine Sullivan also participated in the meeting.

PUBLIC HEARING

Litchfield Turnpike LLC: 10 and 14 Merritt Avenue

Application for 15 lot subdivision

The Chairman opened the public hearing on the application by Litchfield Turnpike LLC for a fifteen lot subdivision of property owned by the LLC located at 10 and 14 Merritt Avenue.

Commissioner Skolnick recused himself from the subject application. Alternate Commissioner Noujaim was seated in his place.

Attorney John Knuff, legal counsel for the applicant spoke first for the hearing record. In his presentation he noted:

- Reviewed the history of the site prior to the application being submitted.
- The Woodbridge Inland Wetlands Agency (IWA) had issued a permit for the subdivision. *Note: The IWA permit dated July 29, 2022 was submitted as part of the application packet and also provided by the IWA for the hearing record.*
- As part of the IWA application review, Consulting Engineer Jim Pretti of Criscuolo Engineering and Soil Scientist Martin Brogie had reviewed the application materials
- The proposed lots all comply with the current Woodbridge Zoning Regulations.
- The applicant is offering a 10% open space set aside for the subdivision.
- Noted that offsite traffic concerns is not a basis for denial of the application based on Connecticut Court decisions.

Note: Commission members requested that the specific court case being cited be provided to for the hearing record. Attorney Knuff stated he would do so.

- The principle of the LLC is Michael Massimino, who is a local business owner.
- The goal is to maintain ownership of the units that are built and rent them.

Project engineer, John Paul Garcia of Garcia and Associates then reviewed the submitted subdivision plans for the hearing record. In his presentation and in response to questions from Commission members he noted:

- The subject property fronts on Litchfield Turnpike and Merritt Avenue
- A one and one half acre parcel along Litchfield Turnpike which is all zoned for business would be created.
- The remainder of the property would be divided into residential lots which would each be developed with a duplex.
- Currently the duplexes on what is shown as lots 11 and 12 are under development via the statutory allowance of a “first split”
- The zoning for the residential portion of the property, Residential T-3D, requires 4000 sq. ft per lot.
- Each of the proposed residential lots are “way oversized.”
- The West River is at the center of the division of the property into the two separate use zones for business and residential.
- 400’ of new road would be constructed.
- Each dwelling unit in each duplex would have two parking spaces inside of the building and one outside for a total of three parking spaces per individual dwelling unit, and six per “duplex”.
- The area is known for flooding.
- The base of each duplex would be raised to an elevation of 93’ which would be above the base flood elevation.
- The garage floor of each duplex would be 2’ above the base FEMA flood elevation.
- The two floors of actual living space would be above the garage level.
- The Merritt Parkway forms the southern boundary of the property.
- The submitted application materials include approvals for both public sewer and public water.
- An open question is the subject of the subdivision open space donation.
- The submitted plan shows an open space corridor along the eastern side of the West River. *Note: An 11” x 17” colored portion of the site plan was submitted by Mr. Garcia indicating with solid blue lines, the area proposed to be dedicated for open space.*
- That corridor, would allow for a walking connection between Pond Lily Avenue in New Haven and Merritt Avenue and was endorsed by the Regional Planning Commission of the South Central Regional Council of Governments in that Commission’s letter to the TPZ dated
- That open space corridor is shown on the plan approved by the IWA.
- No direction regarding open space was received from the Woodbridge Conservation Commission.
- The detention pond and overflow area would be maintained by a private association

Stephen Ulman, Senior Project Engineer with Alfred Benesch & Company,
Traffic

Approved Minutes of the Woodbridge Town Plan and Zoning Commission
Regular Meeting – January 5, 2023

Consultants for the applicant, then reviewed the traffic study for the subdivision and his response to comments that had been received from the Commission's peer review traffic consultants. In his presentation and in response to questions by Commission members he noted;

- He would be referring to his most current comments, which had been made in response to peer review comments made by the Commission's peer review consultants, VN Engineering, dated December 19, 2022.
- His most current comments which have been submitted for the hearing record are dated December 30, 2022.
- Litchfield Turnpike is a principal arterial road with a posted speed limit in the immediate area of 35 mph.
- The State traffic controls at the lights at the intersections of Litchfield Turnpike and Merritt and Litchfield Turnpike and Lucy Street. DOT could be asked to retime that signal.
- Reviewed the traffic volumes for both pre and post pandemic.
- Reviewed the crash statistics for the immediate area.
- Reviewed the ITE trip generation for the subdivision
- Based on the foregoing statistics, it was his professional opinion that there would be no adverse impact on traffic to the immediate area.
- There is an area on Litchfield Turnpike which is marked on the ground as "Do Not Block", but three out of four of the signs that should be posted to identify that area are missing.
- That area is intended be void of cars when the traffic signal is in favor of allowing vehicles to turn into Merritt Avenue from Litchfield Turnpike or from Merritt Avenue to Litchfield Turnpike. At times that traffic was being observed, that area was typically filled with cars.
- The traffic "trip generation" to and from the subdivision are based on the peck two hour period in the morning and evening.
- The methodology for determining the traffic trip generation is based on developments all over the country.

Note: As of this hearing dated, Mr. Ulman's December 30, 2022 comments had not yet been reviewed by the Commission's peer traffic consultants, VN Engineering, so it was noted by staff that the public hearing should be kept open to allow for receipt of response comments by VN Engineering to Mr. Ulman's December 30, 2022 comments. Staff also noted that representatives from VN Engineering would be present if the public hearing where to be continued, ostensibly to the Commission's regular meeting on February 6, 2023.

Commission members then briefly reviewed the open space requirements as set forth in the Woodbridge Subdivision Regulations as amended in September 1993. Amongst other provisions, those regulations provide that the 10% open space set aside, may be representative of the total land in the tract and that the Commission may waive or modify the open space land dedication requirement.

Two separate letters from the Woodbridge Conservation Commission, one dated January 4, 2022 and another dated June 30, 2022 had been received for the hearing record.

The Commission members also reviewed with Mr. Garcia the color coded open space plan that he had provided earlier to clearly understand the area of the open space that was being offered by the applicant.

Staff notation for the record: The Woodbridge Subdivision Regulations state: In any case where the dedication is to a third party grantee, the subdivider shall present to the Commission evidence that the grantee approves of the dedication and will accept it.

At this time, the Commission took a brief recess.

When the public hearing resumed, the Chairman opened the public hearing to comments from the public. The following spoke for the hearing record at this time: **Woodbridge Conservation Commission represented by Commissioners Sharon deKadt, Valerie King, Tim Austin, and Paul Harrigan who commented, and responded to questions by TPZ Commission members by noting:**

- The Commission members had walked the site and had a special meeting on January 4, 2022 to discuss the subdivision. (*Staff note: This was when the subdivision was before the Woodbridge Inland Wetlands Agency*)
- A significant portion of the proposed open space is “under water” where the West River is.
- In the spirit of the regulations where the TPZ can request that the open space being offered can be representative of the subject property as a whole, they recommended that the open space area be increased and recommended the inclusion of lots 13 and 14.
- Lots 13 and 14 would connect to the wetlands along the Merritt Parkway and potentially to the trails at West Rock State Park.
- Access to that area would be from the new subdivision road.
- Donation of those parcels would provide a corridor for wildlife and in discussion by the Conservation Commission it had been noted that there would be a side benefit of reducing density.

Kelly Parker: 35 Manila Avenue, whose comments included that:

- Her family had lived in the area for over 100 years.
- There is very heavy traffic on Litchfield Turnpike in the morning.
- Both in the morning and evening traffic rushes, the “do not block” box on Litchfield Turnpike is covered with cars so that traffic trying to exit or enter Merritt Avenue cannot do so.
- Some of the proposed dwellings would be in a flood zone.
- Was really concerned about the proposed 14 duplexes with 28 additional families are in an area prone to flooding.
- The new duplexes that have been build are 2’ apart.
- The development will change the lifestyles of the existing residents of the area.
- Strongly encouraged members of the Commission to visit the area
- Was surprised there were not many members of the public present.

Tim Austin: Chairman of the Conservation Commission

- Encouraged the Commission at having more open space donated.

- Recommended additional open space near the Merritt Parkway, by lot # 8 which could become a micropark for the residents of the subdivision.

There being no further comments by the applicants representatives, member of the Commission or members of the public, the Commission members acted to continue the public hearing in accordance with the following motion:

***** Schatz moved to continue the public hearing on the application of Litchfield Turnpike LLC for a fifteen lot subdivision of 10 and 14 Merritt Avenue, to the regular meeting of the Commission on Monday, February 6, 2023, beginning at 6:30 pm.**

***** Kennedy seconded**

***** In Favor: Klee, Schatz, Kennedy, Reed, Noujaim* and Zamir.**

***** Opposed: No One**

***** Recused: No One**

***** Abstained: No One**

Unanimous vote of approval.

**Noujaim was seated in place of Skolnick who had recused himself from this application.*

NEW BUSINESS

Joyce Bellamy: 100 Bradley Road

Discussion of potential storage facilities

Joyce Bellamy, owner of 100 Bradley Road was present to have an information discussion with the Commission members regarding the potential additional development of her property located at 100 Bradley Road with storage facilities. In her discussion with the Commission and in response to questions by Commission members she noted:

- She is an entrepreneur
- 100 Bradley is located in the DEV-2 Zone
- Currently the property is occupied by a small building on the parcel which is 1.09 acres in size.
- In a year or so, she was considering adding storage facilities to the property as allowed under the Zoning Regulations.
- Currently there are no storage facilities in Woodbridge.
- She is aware that local business owners have a need to have additional storage areas for paperwork and the like.
- She would do the storage facility as an owner/developer.

The Commission members responded, that while they could not pre-dispose themselves to a decision, that such a use

WORK SESSION

DISCUSSION AND APPROPRIATE ACTION REGARDING CLEANUP OF THE ZONING REGULATIONS

Following a brief discussion, action on this agenda item was deferred until the Commission's regular meeting on February 6, 2023. Commissioners were asked to review Sections 1 ~ 3 for that meeting.

Approved Minutes of the Woodbridge Town Plan and Zoning Commission
Regular Meeting – January 5, 2023

**DISCUSSION AND APPROPRIATE ACTION REGARDING CANNABIS
REGULATIONS**

Following a brief discussion, action on this agenda item was deferred until the Commission's regular meeting on February 6, 2023.

**REPORT REGARDING THE REGIONAL PLANNING COMMISSION OF
SCRCOG**

Commissioner Skolnick reported that at the December 8, 2022 meeting of the Regional Planning Committee of SCRCOG that the Commission acted to find that the following referrals would have no adverse intermunicipal impacts or adverse impacts to Long Island Sound:

- Town of Woodbridge: proposed 14 Lot Subdivision at 10 and 14 Merritt Avenue
Note: Commissioner Skolnick recused himself from this item.
- City of Milford: Proposed Amendment # 22-10 to Article III, Section 3.1.1.7 Accessory Apartments
- Town of Madison: Proposed Text Amendment Moratorium Extension on Retail Cannabis Establishments.
- Town of Cheshire: Proposed Text Amendment to Extend Limited Moratorium on Cannabis Establishments for an Additional 6 Months.
- Town of Prospect: Proposed Text Amendment Section 3.1. Uses by District, Article 5 Accessory Use in Residential Zones Section 5.2.2 & 5.5.5.5 and Article 2 General Provisions Section 2.2.

REPORT REGARDING THE HOUSING COMMITTEE

Commissioner Hunter reported that:

- At the Committee's meeting on December 7, 2022, Ben Fink, consultant engaged by SCRCOG to assist with community conversations regarding housing opportunities, had spoken regarding how to facilitate have those conversations in town.
- A special meeting regarding power mapping to facilitate having town community conversations regarding housing opportunities has been scheduled for January 17, 2023.
- CUPOP is working on a list of town owned properties and any deed restrictions that limit which will assist the Committee in determining if there are any town owned property that have the potential be used for opportunity housing development.

REPORT OF THE ZONING ENFORCEMENT OFFICER

The ZEO noted that there was nothing of substance to report at this time.

APPROVAL OF MINUTES

No action was taken regarding minutes this evening.

MEETING ADJOURNMENT

***** Schatz moved to adjourn the meeting at 9:15 pm**

***** Reed seconded**

***** In Favor: Klee, Kennedy, Zamir, Reed, Schatz, and Noujaim**

***** Opposed: No One**

***** Recused: No One**

***** Abstained: No One**

Unanimous vote of approval.*

***Skolnick had left the meeting by the time of this vote.**

Accordingly, the meeting was adjourned at 9:15 pm.

Respectfully submitted,

Kristine Sullivan,