

**Woodstock Zoning Board of Appeals  
Tuesday, October 10, 2017  
Regular Meeting– 7:00 p.m.  
Town of Woodstock Town Hall, lower level, Meeting Room B**

**MINUTES**

**I. Public Hearing**

- a. Call to Order – Meeting was called to order by Chair William Brower at 7:00 p.m.
- b. Roll Call – Robert Laurens, Suzanne Woodward, Martin Nieski, Ray Smith, William Brower (Chair). Others present: Tina Lajoie (ZBA Staff), Susan Derosiers, Judy Daviau, Douglas Porter
- c. **#17-02 The Arc of Quinebaug Valley, Inc., 22 Rte 171 (Map 6397, Block 57, Lot 1D) – Relief from Art. IV.E.1.c.ii (Side-yard setback)**

A legal notice published in the Woodstock Villager on September 29 and October 6, 2017 was read for the record regarding a public hearing. Susan Derosiers, Executive Director and Judy Daviau, Chief Operator Officer, are present on behalf of the applicant, The Arc. As stated by the applicant, when they purchased the building there was a trailer on the side that had been there for many years. They would like to move the trailer to the side of the other one against the loading dock. It is used for storing some of the products for the redemption center. The stairs that were there were dangerous so new stairs were built that have a platform on it for safety reasons. The stairs, that are not permanently placed, are the issue since the trailer would not be regulated as it is moveable. The stairs are necessary for safety reasons to get into the trailer. They cannot place the trailer on the other side of the building because there is an overhang there and also the people they provide services to cannot safely cross the parking lot and be that far out of sight. The best place for the trailer is next to the building with the stairs.

The stairs are measured at 24 feet to the side property line and the required setback for non-residential is 40 feet. The variance being requested is for 16 feet. There is some confusion on the older aerial photographs and the layout of the trailers on site. There is some discussion on alternative locations. Proposed location seems to block the driveway. It is pointed out that the application does not mention the stairs, only the trailer. J. Daviau responds that it was her understanding from Linda Lamoureux, the previous representative that the variance was for the trailer. She did not understand that the stairs had to be part of the request. The application is clarified for the record by Doug Porter, who represents Woodstock Building Associates, as to the structure in question and also specifics as to the town owned land and right-of-way. He states he has no problem with their variance request. He then gives the history of the area, the previous subdivision and access way that was kept for the rear lot. WBA subsequently bought property and it was developed into The Beeches/Senexet Village Subdivision. This access is part of the 50% open space set aside that was required with this subdivision. This was deeded to the Town of Woodstock. D. Porter also explains that over the years when the lot was expanded, the corner pin may have been buried and the new owners may not have known where the property line was and then placed their truck in this location. D. Porter has hired CME to re-establish the pins. His only concern is to move the truck out of the town right-of-way back over into their property. He speaks in favor of the variance because the trailers that were in this vicinity from the previous owners were much more prominent and more of an eyesore and this proposal is a more attractive approach. He views the stairs as a temporary structure.

There are questions and comments from the Board members. When was the building constructed? Was it prior to zoning? How far is this building from the side property line? Is this a self-imposed

hardship since they recently purchased and should have known about the lot limitations, as stated by M. Nieski? The applicant has requested that the public hearing be continued to allow them additional time to present their case. D. Porter specifically asks ZBA: Is this deck considered a structure? Is this deck subject to the setback because it is not on piers or permanently attached to the ground? Metal stairs on wheels that lock in would not be considered a permanent structure. Is the platform on the stairs the issue? ZBA would like a legal opinion on this and has asked T. Lajoie to send a letter to their attorney requesting assistance.

The definition of structure in the Town of Woodstock Zoning Regulations is read for the record. "Structure: Anything constructed, erected or assembled that requires a location on, above or below the ground, or attachment to something having location on the ground."

According to the applicants, there really is no other safe alternative location to place this trailer with the stairs that would meet the setback requirement.

It is the agreement of the Board to leave the Public Hearing open, and authorize T. Lajoie to contact our town attorney to get an opinion on whether these stairs should be considered a structure or not because they are not permanently installed and can be moved. Chair Brower also asks the applicant to check with their own attorney for clarification and get the details clear for ZBA to understand for the continued Public Hearing as the application was not well prepared.

**MOTION BY M. NIESKI TO KEEP PUBLIC HEARING OPEN AND AUTHORIZE COMMUNICATION WITH TOWN ATTORNEY AS INDICATED ABOVE, SECONDED BY R. LAURENS. MOTION CARRIED UNANIMOUSLY.**

**II. Designation of Alternates: None**

**III. Review of Minutes**

a. May 9, 2017 Special Meeting

b. May 9, 2017 Regular Meeting

**MOTION TO APPROVE MINUTES BY M. NIESKI, SECONDED BY S. WOODWARD. MOTION CARRIED UNANIMOUSLY.**

**IV. Unfinished Business**

**#17-02 The Arc of Quinebaug Valley, Inc., 22 Rte 171 (Map 6397, Block 57, Lot 1D) – Relief from Art. IV.E.1.c.ii (Side-yard setback)**

No further discussion, Public Hearing Continued.

**V. Other**

**VI. Correspondence & Bills**

a. CT Chapter of American Planning Assoc. re: An Act Concerning Temporary healthcare Structures.

As explained by T. Lajoie, Planning & Zoning Commission will be addressing at their next meeting. If any comments for PZC, ZBA should note for the record. ZBA opinion is very positive as it seems to provide a solution to a big problem.

b. Case by Case newsletter – Summer 2017 edition

c. CT Federation of Planning & Zoning Agencies Quarterly newsletter – Spring and Summer editions

- Old Bills were presented to be signed off on for legal notices – Treasurer has already paid them.
- Payment to Attorney Byrne’s training session of \$180 was already paid. Both Town of Brooklyn and Killingly participated and have paid their portion already.

**VII. Citizen’s Comments - None**

**VIII. Adjournment**

**MOTION TO ADJOURN AT 7:42 P.M. BY M. NIESKI /S. WOODWARD. MOTION CARRIED UNANIMOUSLY.**

Respectfully Submitted,

Tina M. Lajoie, Clerk  
Zoning Board of Appeals