

# September 15, 2005

**Present:** Edmund White, Bradford Sedito, Randolph Snook, Polly Roberts

**Alternates:** Todd Catlin, Georgia Middlebrook

**Guests:** Robert Baker, Robin Brass, Luis Gutierrez, Bill McCarthy Jr., Nick Solley, Valerie Anderson

Edmund White, Chairman called the meeting to order at 7:30pm and read the legal notice for tonight's meeting.

By request of a party for ZBA-0512 Mr. White started with the third agenda item.

## **PUBLIC HEARING**

Mr. White seated regular members Bradford Sedito, Randolph Snook, Polly Roberts himself and alternate Georgia Middlebrook.

**ZBA-0515 Request of Robert A. Baker, 63 Calhoun Street, a petition for a special exception for expansion of nonconforming dwelling, to make improvements to an existing dwelling.** Robert Baker was present to represent his application. Mr. White read the explanation of request into the record. Mr. Baker stated that he has obtained a permit for demo work and has removed asbestos. Mr. Baker went on to state that he was trying to make the house more family friendly, the original section of the house dates back to 1860 with additions made in 1940. Mr. Baker would like to change the rear roof line and raise the rear wall height to give more head room, line up the ridge lines and alleviate a leakage problem. The only addition to the footprint of the existing house is the addition of a porch on the north side. Mr. Baker would also like to rebuild the front of the house, keeping the same building line, enclosing the porch to make it heated living space. The house sits on 2.93 acres and the existing garage will not be changed. Robin Brass, a neighbor came forward to view the proposed changes. Ms. Brass had no objection to the proposed changes, adding it will be a nice change in the neighborhood. Mr. Baker is requesting this special exception because the existing house is within the 50' front yard setback. Mr. White asked for further questions or comments from the public.

**MOTION: to close ZBA-0515 request of Robert A. Baker, 63 Calhoun Street, a petition for a special exception for expansion of nonconforming dwelling, to make improvements to an existing dwelling was made by Mr. Sedito, seconded by Ms. Roberts, by a 5-0 vote.**

## **MEETING**

Mr. Snook feels this is a reasonable request and improvement to the property. Ms. Middlebrook added that the changes will make the house more livable. Mr. Sedito stated that this application is a perfect example of why the regulations were changed to allow special exceptions. Ms. Roberts feels that the architectural changes are modest and in keeping with the character of the existing house, it makes sense. Mr. White agrees the additions are within the existing footprint with a small bump out for the porch.

**MOTION: to approve ZBA-0515 request of Robert A. Baker, 63 Calhoun Street, a petition for a special exception for expansion of nonconforming dwelling, to make improvements to an existing dwelling by a 5-0 vote.**

**PUBLIC HEARING CONTINUED**

Mr. White seated regular members Bradford Sedito, Randolph Snook, Polly Roberts, himself and alternate Georgia Middlebrook.

**ZBA-0512 Request of Red Barn Revocable Trust, 342 Woodbury Road, a petition for a special exception, a request for a generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2 and 12.14.3 of the Zoning Regulations.** Luis Gutierrez and Bill McCarthy Jr. were present to represent this application. Members had a chance to visit the site. Mr. White began by stating that this is a great property and his only concern is with the generator location close to the house and swing set area, he would enclose the unit for noise and safety reasons. Ms. Roberts has no objection to the proposed placement of the 50kw generator. The property is 86 acres. Mr. Gutierrez stated that the generator will be screened by pine trees. Mr. Snook calculated that at the nearest property line the db level is 52 which is very modest. Mr. White asked for comments or questions from the public.

**MOTION: to close ZBA-0512 request of Red Barn Revocable Trust, 342 Woodbury Road, a petition for a special exception, a request for a generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2 and 12.14.3 of the Zoning Regulations, was made by Mr. Sedito, seconded by Ms. Roberts by a 5-0 vote.**

## **MEETING**

Mr. Snook has no problem with this application; there is enough distance between the generator and closest neighbor. Ms. Middlebrook is in agreement. Mr. Sedito noted that the proposed location is further away from existing neighboring houses. Ms. Roberts and Mr. White agreed and had nothing to add.

**MOTION: to approve ZBA-0512 request of Red Barn Revocable Trust, 342 Woodbury Road, a petition for a special exception, a request for a generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2 and 12.14.3 of the Zoning Regulations by a 5-0 vote.**

## **PUBLIC HEARING**

Mr. White seated Bradford Sedito, Randolph Snook, Polly Roberts, himself and alternate Todd Catlin.

**ZBA-0514 Request of Town of Washington, 10 Blackville Road, for a variance from Zoning Regulation 11.5.1 (lot coverage), to erect a storage facility.** Nick Solley, Selectman was present to represent this application. Mr. Solley read the explanation of request. Mr. Solley noted that this parcel is now 17+ acres due to a land swap with Steep Rock, it has two prior variances from when the property was 4+ acres. The elevation for the proposed storage facility is 598'. Mr. Solley went on to state that the area is densely wooded and the proposed structure will not be seen by neighbors. It will be a pole barn style building with 12' overhead doors and metal roof. They will need to blast to create a flat area because of rock outcrops. Members were concerned about neighboring properties seeing the facility and Mr. Solley assured them that you can only see the rock cut away from property off of Parsonage Lane. When asked Mr. Solley stated that you will not be able to see it from the Pinnacle in Steep Rock's Hidden Valley. He added that the building will have natural/barn like siding. Mr. Solley explained that the Town has 11 trucks, a grader, a backhoe and a sweeper. They do not have enough storage space for the equipment in the existing garage on Blackville Road and do not want to clutter up the site. Mr. White asked if after this proposed construction the site will be built out. Mr. Solley said that the Town is still looking for a material storage area but the Blackville Road location is not conducive for this material storage. Mr. Sedito asked if this proposed storage facility will clear out the "old town garage". Mr. Solley answered that this was an effort to clean stuff out but not the conclusion. Mr. Sedito thought that when

the new garage was built on Blackville Road that it would replace the "old town garage". Mr. Solley explained that the Blackville Road garage site is not near big enough to replace the "old town garage" a Steap Grant is being used to fund this project so there are budget constants. This will be a cold storage building with gravel floor and a graveled road leading to it. Mr. White asked if other locations have been investigated. Mr. Solley stated that there is not a lot to work with on the property and they will need to blast to make the site work. Discussion went back to vacating the "old town garage" and Mr. Solley stated that the buildings will remain with things inside until the town votes to discontinue use of or abandon the property. Valerie Andersen expressed concern about the view shed and questioned the procedure for blasting both of which affect the neighboring properties. Nick Solley stated that blasting permits are done through the Fire Marshall's office. Ms. Andersen also asked if this expansion will accommodate what is needed and will this be the end of expansion on the site? Mr. Solley ended by saying that this is an effort to clean up the "crap" on the "old town garage" site the proposed structure needs a variance because the lot coverage is increasing from 10% to 12 1/2 %. Mr. White asked for questions or comments from the public.

**MOTION: to close ZBA-0514 request of Town of Washington, 10 Blackville Road, for a variance from Zoning Regulation 11.5.1 (lot coverage), to erect a storage facility, was made by Ms. Roberts, seconded by Mr. Snook by a 5-0 vote.**

## **MEETING**

Mr. Catlin felt the proposed storage facility made good sense and was a move in the right direction. Mr. Snook agreed it is a positive step in the right direction. Mr. Sedito stated that it is a modest increase in lot coverage but was disappointed that this would not abandon the "old town garage" site. Ms. Roberts agrees adding it should be made as big as possible to accommodate everything at the "old town garage" site. Mr. White is in favor of this application.

**MOTION: to approve ZBA-0514 request of Town of Washington, 10 Blackville Road, for a variance from Zoning Regulation 11.5.1 (lot coverage), to erect a storage facility by a 5-0 vote.**

**Consideration of the minutes of August 18, 2005:** Ms. Roberts made the following correction to the minutes: that the minutes did not reflect that she was seated for ZBA-0511 when in fact she was.

**MOTION: to accept the minutes of the August 18, 2005 meeting of the Zoning Board of Appeals as amended was made by Ms. Roberts, seconded by Mr. Catlin, by a 5-0 vote.**

## **Other Business**

Members continued discussion on the requirement for an A-2 survey for ZBA applications. It was decided that Ms. Roberts will work on a statement.

Members were informed of PA 05-124 which requires property owners with "conservation restrictions" or "preservation restrictions" on their property to notify the holder of the restriction before applying for land use permits. Janet Hill Land Use Coordinator has drafted a "Mandatory Pre Application" form to be used in the Land Use Department. Members reviewed the form and thought that the time frame of 60 days prior needs to be added to the front when referring to the certified mail notice or needs to be highlighted on the reverse side.

Mr. Snook handed out a draft of revisions and suggestions to the Zoning Regulations regarding Special Exceptions to emergency power generators.

Members expressed concern with signage at 210 New Milford Turnpike, the 202 Marketplace, Pam

Osborne; secretary will ask Mike Ajello the ZEO to check it out.

**MOTION: to adjourn was made by Mr. Snook seconded by Mr. Catlin, by a 5-0 vote.**

Submitted subject to approval,

Pamela L. Osborne, Secretary