

# June 16, 2011

**Present:** Polly Roberts, Todd Catlin, Randolph Snook, Kathy Leab

**Alternates:** Roderick Wyant III, Todd Peterson

**Absent:** Peter Bowman

**Staff:** Shelley White, Mike Ajello

**Also Present:** Mr. van Wyck, Mr. Neff, Engineer

Chairman Polly Roberts called the meeting to order at 7:30 pm.

## **PUBLIC HEARING, Continued**

Seated: Todd Catlin, Randy Snook, Kathy Leab, Rod Wyant, Alt., Todd Peterson, Alt.

ZBA-0893 - Request of van Asch van Wyck, 7 Kirby Road, for Special Exception, Zoning Regulation(s) 17.5 (Increasing Non conformity), to raise roof 8.5' at the rear of the house.

Mr. van Wyck was present and submitted Proposed Exterior Elevations - East & West, sheet A-1, North, sheet A-2 and South, Sheet A-3 Elevations, for van Asch van Wyck Residence Renovation, by Ferret & Hound Architectural Design and Consulting, dated April 23, 2009, with hand drawn revisions, not dated. The proposed elevations indicate a 4-½ foot increase in height to the existing rear roof, which is a decrease of 4 ft. from Mr. van Wyck's first proposal. He stated that this proposed increase would provide enough height to meet building code, smaller windows than indicated on the previous plan would be installed and that he would submit a schedule for the windows. Mr. Snook stated that he is concerned because this is an extensive renovation and the applicant did not submit final drawings that indicate what the ZBA would approve. Mr. Catlin stated that a Special Exception does involve consideration of architecture and that the file must show an exact record of what was approved. The Commission suggested that they could consider approving this application with the changes that have been indicated in ink on sheets A-1, A-2, & A-3, and the explanation that the windows would be a smaller version of the same 6 on 6 windows indicated in the proposed plan with the caveat that final drawings of the exact renovation be submitted for the record. Mr. van Wyck confirmed and signed the 24' 0' ½" measurement indicated for the maximum roof height by hand on the Proposed Elevation East & West Drawing, sheet A-1 and that the windows for the adjusted proposed plan will be the same type windows as the drawings only smaller. There were no further questions or comments.

Motion:

to close ZBA-0893 - Request of van Asch van Wyck, 7 Kirby Road, for Special Exception, Zoning Regulation(s) 17.5 (Increasing Non conformity), to raise roof 4.5' at the rear of the house, by Mr. Snook seconded by Mr. Wyant, by 5-0 vote.

## **MEETING**

Mr. Snook stated that this is an extensive renovation and he would feel more comfortable with final drawings that indicate the window details and the 4' 0' ½' increase in roof height. He stated that he sees the need to raise the roof. Mr. Peterson stated that he agrees with Mr. Snook and that he feels that the revised proposed plan addresses the Commissions concerns and that final drawings for the record are necessary. Mr. Wyant stated that he supports this application and is satisfied with the height of the roof in the revised proposed elevations. Ms. Leab stated that she agrees that the final plans need to be submitted and that she is pleased that Mr. van Wyck addressed the Commission's concerns of scope discussed at last months meeting. Mr. Catlin agreed with Ms. Leab and stated that the proposed plan supports the

continued use of a family dwelling, it is reasonable in scope and that special consideration has been given to the size, location and architectural style and appearance.

Motion:

to approve ZBA-0893 - Request of van Asch van Wyck, 7 Kirby Road, for Special Exception, Zoning Regulation(s) 17.5 (Increasing Non conformity), to raise roof 4.5' at the rear of the house, contingent upon submission of final architectural drawings to the Land Use Office, passed by 5-0 vote.

## **PUBLIC HEARING**

Seated: Polly Roberts, Todd Catlin, Randy Snook, Kathy Leab, Todd Peterson, Alt.

ZBA-0896 - Request of Fernandez, 129 Sabbaday Lane, for Special Exception, Zoning Regulation 17.5 (Increasing Non Conformity), to construct addition: and enclosed connector between main residence and detached garage, and extend existing guest suite on west end of structure for laundry room.

Mr. Neff was present to represent the property owner, Ms. Fernandez. He gave a brief history of the property and read the Explanation of Request for Special Exception dated May 20, 2011 (on file in the Land Use Office). The Commission and Mr. Neff looked at the drawing titled Fernandez Residence, First Floor Plan, Sheet A1-11, revision date of 2/7/11 and Exterior Elevations, Sheet A2-00, revision date 1/31/11 by McIver Morgan. Mr. Neff stated that the proposed addition would be a connector between the existing house and the detached garage. He stated that the existing garage framework (with some reinforcement) and foundation would remain. Mr. Neff stated that there is 2,839 sq. ft. of floor space in the existing house and garage main floor, and that the proposed addition would be 821 sq. ft., which would be a 29% increase. The proposed plan includes a laundry area, bathroom, sunroom and entryway. Mr. Neff stated that the existing barn will remain unchanged. Mr. Snook stated that the proposed plan would be an improvement to the existing structure. There were no further questions or comments.

Motion:

to close ZBA-0896 - Request of Fernandez, 129 Sabbaday Lane, for Special Exception, Zoning Regulation 17.5 (Increasing Non Conformity), to construct addition: and enclosed connector between main residence and detached garage, and extend existing guest suite on west end of structure for laundry room,  
by Ms. Roberts, seconded by Mr. Snook, by 5-0 vote.

## **MEETING**

Ms. Leab stated that she feels that the proposed changes are reasonable in scope and that it promotes continued use for a modern family. Mr. Catlin agreed with Ms. Leab and stated that the proposed addition is reasonable in scope, location and appearance and that he is in favor of this application. Mr. Snook stated that he is happy with the proposed plan and that it was "well thought out" and it extends the use of an existing older structure. Mr. Peterson stated that he feels the proposed plan is reasonable and pragmatic. Ms. Roberts stated that she agreed with the other commissioners.

Motion:

to approve ZBA-0896 - Request of Fernandez, 129 Sabbaday Lane, for Special Exception, Zoning Regulation 17.5 (Increasing Non Conformity), to construct addition: and enclosed connector between main residence and detached garage, and extend existing guest suite on west end of structure for laundry room, passed by 5-0 vote.

**Consideration of Minutes**

The minutes of May 12, 2011 were considered. The Commissioners briefly discussed drawing, maps and survey requirements of an applicant.

Motion:

to approve the minutes of the May 12, 2011 regular meeting of the Washington Zoning Board of Appeals as submitted,

by Ms. Leab, seconded by Mr. Snook, passed by 5-0 vote.

**Other Business**

Ms. Roberts reviewed a legal bill from Murtha Cullina regarding the Jacobsen appeal. Mr. Catlin read a letter that he wrote to Mr. Reese Owens of Halper-Owens Architects, LLC dated May 24, 2011 (on file in the Land Use Office) regarding the First Congregational Church application for a variance.

Motion:

to adjourn at 8:30 pm,

by Mr. Catlin, seconded by Ms Roberts.

Ms. Roberts adjourned the meeting.

Submitted Subject to Approval,  
Shelley White, Land Use Clerk