

TOWN OF WASHINGTON  
Bryan Memorial Town Hall  
Post Office Box 383  
Washington Depot, Connecticut 06794  
Zoning Board of Appeals Regular Meeting

**MINUTES**

September 16, 2021

7:30 P.M. – Meeting In-Person

**MEMBERS PRESENT:** Chairman Bowman, Mr. Wildman, Mr. Wyant, Mr. Weber, Mr. Horan

**ALTERNATES PRESENT:** Ms. Rebillard, Ms. Sweeney

**STAFF PRESENT:** Ms. Rill, Ms. Haverstock

**ALTERNATES ABSENT:** Mr. Sarjeant

**PUBLIC PRESENT:** Mr. Pushlar, Mr. Morales-Barron, Ms. Brodhead, Ms. Matteo, Ms. Halvey, Mr. Charles, Mr. Vorderwuelbecke, Other Members of the Public

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

**ZBA-1121: Request of Harris, 181 West Shore Road, for a Variance from Section 11.6.1 – Minimum Setback and Yard Dimensions – for a shed:**

Seated for this Public Hearing is Chairman Bowman, Mr. Wildman, Mr. Horan, Mr. Wyant and Mr. Weber.

Mr. Pushlar, representing the property owner, stated that his client would like to construct a 6' x 8' shed that will be used for storage of water activities. He explained that the house is 40 feet above Lake Waramaug, and carrying these objects across the busy street was a safety issue. The proposed will be 14 feet from the water edge and meets the side yard setback, but does not meet the front yard setback, therefore they were asking for a Variance. Mr. Pushlar presented the Board with photos of other sheds and boat houses along West Shore Road, explaining that his client was asking for something similar.

Chairman Bowman read a letter submitted by the Lake Waramaug Association in objection to the proposed shed.

Chairman Bowman explained that Mr. Harris had previously submitted an application for a larger shed that was denied based on the lack of proof of hardship. Chairman Bowman stated that he did not recognize proof of hardship in this application, either. Mr. Pushlar stated that safety was the hardship, as crossing the busy road with arms full of equipment was not safe. Mr. Pushlar then discussed the difference between a boat house and a shed, and questioned if he should come back for a boathouse. Chairman Bowman stated that if he wished to do so, he would have to withdraw this application and resubmit as a boathouse. Chairman Bowman stated that he revisited the property this week and found it difficult to see where something would fit between the road and the lake. He added that he understood there were several boathouses and shed along Lake Waramaug, however a number of those were pre-

existing, non-conforming or they complied with the requirements and the Zoning Board of Appeals did not have any jurisdiction over them.

Mr. Pushlar questioned why a shed located at 193 West Shore and was once owned by Mr. Harris as well, had been approved several years ago. After a brief discussion, Mr. Wildman stated that he believed there had once been a shed at the property at 193 West Shore, and Mr. Harris at that time had proven this, which is why the shed had received approval.

After some discussion, Mr. Pushlar stated he would discuss with his client whether he would like to withdraw the current application and resubmit as a boat house, or if he would like to move forward with the shed application.

**MOTION: To continue ZBA-1121: Request of Harris, 181 West Shore Road, for a Variance from Section 11.6.1 – Minimum Setback and Yard Dimensions – for a shed. Motion made by Mr. Wyant, passed unanimously.**

**ZBA-1123: Request of Morgan Piper, LLC, 49 Ferry Bridge Road, for a Variance – Section 11.6.1.B – Minimum Setback and Yard Dimensions – to reduce setback requirements to work with existing structures:**

Seated for this Public Hearing is Chairman Bowman, Mr. Wildman, Mr. Horan, Mr. Wyant and Mr. Weber.

Mr. Vorderwuelbecke, representing the property owner, stated that his clients would like to update several aspects of the property, including a change to the landscape, the driveway, car park, add a terrace around the pool, convert the pool house into a four-season room, new mechanical equipment for the pool house, removal of a pool fence, addition of a fence surrounding the home on either side, a full renovation of the home, air condensers as well as generator. The property and setbacks are very narrow.

Chairman Bowman read aloud a letter submitted by neighboring property owners, Mr. Morales-Barron and Ms. Halvey. Mr. Morales-Barron stated that they were not against every aspect of the proposed work, however, they were concerned with the proposed work around the pool, including the grill, terrace and A/C units that would be located close to their property.

Chairman Bowman informed Mr. Vorderwuelbecke that he would need to provide more information regarding the decibel levels of the pool equipment and generator as well as the size. He added that the current pool house is outside of the buildable area, and because the use of the pool house will change to an accessory building, more information needed to be provided. Also, a hardship needed to be proven.

Ms. Rill stated that changing the use of the pool house into a four-season accessory building, she believed that a Special Permit would be needed via the Zoning Commission. Chairman Bowman agreed.

**MOTION: To Continue ZBA-1123: Request of Morgan Piper, LLC, 49 Ferry Bridge Road, for a Variance – Section 11.6.1.B – Minimum Setback and Yard Dimensions – to reduce setback requirements to work with existing structures. Motion made by Mr. Wyant, passed unanimously.**

**ZBA-1124: Request of Martignetti, 10 Kirby Road, for a Variance – Section(s): 11.6.1: Minimum Setback and Yard Dimensions, and 12.14.2: Noise Generating Equipment – for air conditioning condensers.**

A continuance was requested for this Application.

**ZBA-1125: Request of May/Baker, 42 Wykeham Rd, for a Variance – Section 12.1.1: Wetlands and Watercourse Setbacks – for a generator:**

Due to lack of Neighbor Notification, this Application will be heard during the October 21, 2021 meeting.

**ZBA-1126: Request of 75 Green Hill, LLC – Special Exception – 17.5 – Special Exceptions for Nonconforming Structures – for a deck, patio, walkways and expand garage:**

Due to Approval needed via the Historic District Commission prior to any decision made by the Zoning Board of Appeals, the Commission did not open this Public Hearing and it will be heard at the October 21, 2021 Zoning Board of Appeals meeting.

**ZBA-1127, Request of Beck, 4 Perkins Road, for a Variance from Section 11.6.1.C – Minimum Setback and Yard Dimensions, for a new house with deck:**

Ms. Brodhead, representing the property owner, stated that since she appeared in front of the Zoning Board of Appeals earlier this year, she has designed the proposed home to be conforming. Currently there are eight non-conforming issues and she has narrowed those issues down to one. Currently there is cesspool next to the wetlands, but a new septic will be installed that is far from the Wetland area. The entire project is now within the buildable area. The proposed deck is nonconforming; therefore, her clients were requesting a Variance. The hardship for the proposed deck is the extremely narrow property, and the Variance request is from 25 feet to 13.6 feet.

Ms. Rebillard questioned if the generator needed a Variance, stating that it did not look like it was in the buildable area. Ms. Broadhead explained that the generator was not within the buildable area, but her clients were willing to relocate the generator to another area, closer to the bedroom.

Chairman Bowman stated that he felt the deck is a modest sized deck, and he appreciated Ms. Brodhead keeping the home within the buildable area. He suggested locating the generator closer to the bedroom.

**MOTION: To close the Public Hearing in the matter of ZBA-1127, Request of Beck, 4 Perkins Road, for a Variance from Section 11.6.1.C – Minimum Setback and Yard Dimensions, for a new house with deck. Motion made by Mr. Horan, passed unanimously.**

Mr. Wildman stated that he had no issue with proposed and appreciated the home's location in the buildable area.

Mr. Wyant stated that he felt the home was well designed and well thought out.

Mr. Weber agreed with what has been said.

Mr. Horan agreed as well.

Chairman Bowman stated that he agreed with all said and appreciated designing the home within the buildable area with the modest sized deck.

**MOTION: To Approve ZBA-1127, Request of Beck, 4 Perkins Road, for a Variance from Section 11.6.1.C – Minimum Setback and Yard Dimensions, for a new house with deck with the fooling condition; 1.) The generator must be located within the buildable area. Motion made by Mr. Wyant, passed unanimously.**

**CONSIDERATION OF MINUTES:**

**MOTION: To Accept the June 17, 2021 Meeting Minutes as submitted, by Mr. Weber, seconded by Mr. Wyant, passed unanimously.**

**ADJOURNMENT:**

**MOTION: To adjourn the September 16, 2021 Washington Zoning Board of Appeals meeting at 8:46pm. Motion made by Mr. Wildman, seconded by Mr. Wyant, passed unanimously.**

To listen to the recording of this evenings meeting, you can do so here:

[https://townofwashingtongcc-my.sharepoint.com/:u:/g/personal/trill\\_washingtonct\\_org/EdjsfgFVmTdFnixzkCxGU\\_kBUzYapnOjW2PqN7FTAl4RgQ?e=jOUaQ6](https://townofwashingtongcc-my.sharepoint.com/:u:/g/personal/trill_washingtonct_org/EdjsfgFVmTdFnixzkCxGU_kBUzYapnOjW2PqN7FTAl4RgQ?e=jOUaQ6)

**Respectfully Submitted,**

**Tammy Rill**

**Land Use Clerk**

**Town of Washington**

**September 22, 2021**