TOWN OF WASHINGTON

Bryan Memorial Town Hall

Post Office Box 383

Washington Depot, Connecticut 06794

Zoning Board of Appeals Regular Meeting

**MINUTES**

January 21, 2021

7:30 PM- Virtual Meeting Via Zoom

Present: Chairman Bowman, Mr. Wildman, Mr. Wyant, Mr. Horan

Alternates Present: Ms. Rebillard. Mr. Sarjeant, Mr. Gunnip

Absent: Mr. Weber

Staff Present: Ms. Rill, Mr. Tsacoyannis

Public Present: Ms. Brandon, Attorney Fisher, Mr. Weaver, Mr. Connor

Chairman Bowman called the meeting to order at 7:32pm.

**Public Hearing:**

**ZBA-1104: Request of Rabin Interest, LLC, 7 Old Litchfield Road, for a Variance – Section(s): 11.6 – Minimum Setback and Yard Dimensions, and 12.1.1-Wetlands and Watercourse Setbacks – for propane tanks.**

The representative for Rabin Interest, LLC, 7 Old Litchfield Road was not present for this evenings meeting. Chairman Bowman stated that the Board could grant another continuance, however they would need to vote on it next month, or the applicant would need to withdraw before next month’s meeting.

**MOTION: To grant a Continuance for ZBA-1104: Request of Rabin Interest, LLC, 7 Old Litchfield Road, for a Variance – Section(s): 11.6 – Minimum Setback and Yard Dimensions, and 12.1.1-Wetlands and Watercourse Setbacks – for propane tanks. The continuance will take place on Thursday, February 18, 2021 at 7:30pm via Zoom. Motion made by Mr. Wyant, seconded by Mr. Wildman, passed 5-0 vote.**

**ZBA-1108: Request of Lake Waramaug, LLC, 182 East Shore Rd, for a Variance – Section 11.4.5 – Minimum Lot Width and Frontage – for a driveway.**

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

Attorney Fisher, representing the applicant, explained that the owner of 182 East Shore Road acquired the property which has 5 acres in Warren and 20 acres in Washington. With Washington’s Zoning Regulations requiring 50 feet of road frontage for an interior lot, this property did not meet this requirement with only 25 feet of frontage, therefore needing a Variance. Attorney Fisher stated that the property owner intended on donating some land to Steep Rock in the future, and had no intention to build on the lot.

Mr. Gunnip questioned where the driveway would be located. Attorney Fisher explained that the driveway would be located in the location highlighted in yellow on the map he provided. The location was the only area with road frontage. Mr. Gunnip noted that there was currently a driveway and questioned if the new driveway could somehow be connected to that. Attorney Fisher explained that the driveway in question was located through the former Boulders Inn property which is located in Warren, and that the Warren Zoning regulations stated that the driveway would need to be capable of holding 50,000 pounds for emergency vehicles, and the property owner did not feel this would be viable.

Chairman Bowman questioned if the current driveway would be removed. Attorney Fisher stated that he was not sure, but could check with the property owner. Chairman Bowman stated that he would like the proposed driveway location marked on the map.

Mr. Horan stated that if the Board did grant the Variance, it would add market value to the land. Attorney Fisher stated that this was correct.

Mr. Sarjeant questioned why the current driveway would not be grandfathered. Attorney Fisher explained that the current driveway was located in Warren, and that Warren’s regulations were very specific. Attorney Fisher explained that when his client purchased the Boulders Inn property, he decided to make the property a residence. Warren Zoning Regulations required his client to remove all of the cottages and divide the property because only one primary residence was allowed on one lot.

Mr. Wildman stated that he was familiar with the property and noted that the proposed driveway area was pretty steep. He stated that he would like to see elevations marked out for the location. Attorney Fisher stated that he could provide that.

Attorney Fisher stated that his client had no intention of developing the property whatsoever. His intent was to donate some land to Steep Rock, but in order to do so, there needed to be access from the road. He stated that he had no problem coming back in February to provide more information to the Board, specifically the exact driveway location as well as the grade.

Mr. Weaver, who is an abutting property owner, stated that he felt that the application was incomplete. He explained by saying that he would like to see the exact location of the driveway, as well as how the property is potentially subdivided between what is currently lot number one and the land that is Washington that could potentially be developed.

Mr. Connor, who was in attendance on behalf of the Lake Waramaug Association, stated that their concern was the water quality, therefore the need for an engineered proposed location and grade that could determine what the water quality would be. Mr. Connor also stated that the applicant would need to speak with the Connecticut Department of Transportation seeing that it was located on a state road.

Attorney Fisher stated that he would like to ask for a continuance until the February 18, 2021 meeting.

**MOTION: To grant a Continuance for ZBA-1108: Request of Lake Waramaug, LLC, 182 East Shore Rd, for a Variance – Section 11.4.5 – Minimum Lot Width and Frontage – for a driveway. The continuance will take place on Thursday, February 18, 2021 at 7:30pm via Zoom. Motion made by Mr. Wyant, seconded by Mr. Horan, passed 5-0 vote.**

**ZBA-1109: Request of Brandon, 87 Shinar Mountain Rd, for a Variance – Section: 11.6.1.B – Minimum Setback and Yard Dimensions:**

Seated for this Public Hearing was Chairman Bowman, Mr. Wildman, Mr. Wyant, Mr. Horan and Mr. Sarjeant.

Ms. Brandon explained that their lot was an odd shaped site, and because of this, they were requesting a Variance so that they could add an addition to their home while meeting the required setback criteria.

Chairman Bowman questioned if the applicant was requesting a side yard setback variance or a variance from the requirements of the minimum frontage. He explained that if they were requesting a variance from the requirements of the minimum frontage, they would be compliant.

Chairman Bowman explained that if the Board granted a Variance that is specific to their proposed addition, that the Variance would be for the addition only. If they granted a Variance for the minimum frontage from 200 feet to 198.57 feet, they would be considered a “normal lot”, and would not need a Variance in the future.

Ms. Brandon stated that this seemed like a better solution, not only for her, but for any future owners of the property.

Chairman Bowman stated that the Variance request of 11.6.1.B, Minimum Setback and Yard Dimensions should be revised to Section 11.4.1 – Minimum Lot Width and Coverage.

**MOTION: To close the Public Hearing in the matter of ZBA-1109: Request of Brandon, 87 Shinar Mountain Rd, for a Variance – Section: 11.6.1.B – Minimum Setback and Yard Dimensions. Motion made by Mr. Wyant, seconded by Mr. Sarjeant, passed 5-0 vote.**

The Board discussed the application and were all in favor, with no concerns.

**MOTION: To approve ZBA-1109: Request of Brandon, 87 Shinar Mountain Rd, for a Variance – from Revised Section 11.4.1 – Minimum Lot Width and Frontage – to from 200 feet to 198.57 feet. Motion made by Mr. Wyant, seconded by Mr. Horan, passed 5-0 vote.**

**Consideration of the Minutes:**

**MOTION: To accept the December 18, 2020 Meeting Minutes as submitted, by Mr. Sarjeant, seconded by Mr. Wyant, passed 5-0 vote.**

**Adjournment:**

**MOTION: To adjourn the January 21, 2021 Washington Zoning Board of Appeals meeting at 8:26pm, by Mr. Gunnip, seconded by Mr. Sarjeant, passed 5-0 vote.**

**Respectfully Submitted,**

**Tammy Rill**

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**Land Use Clerk**

**January 25, 2021**