

April 22, 2013

Present: Mr. Fitzherbert, Mr. Reich, Mr. Solley, Mr. Werkhoven, Mr. Abella

Alternates Present: Mr. Dutton

Absent: Dr. Craparo, Alt, Mr. Wyant, Alt.,

Staff Present: Janet Hill, Mike Ajello

Others Present:

Mr. Fitzherbert, Chairman, called the meeting to order at 7:30 p.m.

Seated: Mr. Reich, Mr. Werkhoven, Mr. Abella, Mr. Solley, Dr. Craparo, Alt. (for Fitzherbert)

Consideration of the Minutes

The Commission considered the March 25, 2013 regular Meeting Minutes of the Town of Washington Zoning Commission.

Motion:

to accept the Zoning Meeting Minutes of March 25, 2013 as written,
by Mr. Reich, seconded by Mr. Werkhoven, passed by 5-0 vote.

The Commission considered the March 26, April 2, & April 9, 2013 Special Meeting Minutes of the Town of Washington Zoning Commission.

Motion:

to accept the Zoning Special Meeting Minutes of March 26, April 2 & April 9, 2013 as submitted,
by Mr. Reich, seconded by Mr. Werkhoven, passed by 5-0 vote.

New Application(s)

Haddad/155 West Shore Road/Section 6.6.12/Modification of Special Permit – Extend Dock:

The Commission scheduled a public hearing to consider the application for Haddad to modify an existing Special Permit to extend the dock at 155 West Shore Road.

Motion:

to schedule a Public Hearing for May 20, 2013 at 7:30 pm, in the Upper Level Meeting Room at Bryan Memorial Town Hall for Haddad/155 West Shore Road/Modification of Special Permit: Section 6.6.12/Extend Dock,
by Mr. Reich, seconded by Mr. Fitzherbert, passed by 5-0 vote.

Other Business

Proposed Revisions to Zoning Regulations/ Discussion Draft Revisions Sections 1-12:

Mr. Solley and Mr. Fitzherbert reported the progress of the Zoning Regulation Revision Subcommittee, which has been meeting every week for two hours. Ms. Hill stated that most of the revisions were “housekeeping” revisions and anything that they came upon that they thought needed an attorney’s advice or was a much more complicated matter was put aside to review at a later date in more depth. The Commission reviewed the proposed revisions to Sections 1-12 in

detail. It was the consensus of the Commission that Sections 21.1.28 – Farm Stand, 12.7.3 – No Machinery and 12.14.2 – Noise Generating Equipment be reviewed again by the Zoning Regulations Revision Subcommittee at its next meeting on Tuesday April 23 at 9:30 am. Ms. Hill stated that applicants are given a Residential Density Determination form to help them with the soil based zoning calculations and she suggested that it would be helpful to include this form in the Zoning Regulations either in Section 11 or an appendix. Mr. Solley stated that they would discuss where this form should be inserted in the Zoning Regulations at the next Revision Committee meeting. Ms. Hill stated that Town Counsel recommended adding ‘impact to neighboring properties’ as a standard to consider when making a determination regarding whether to approve a Special Permit to allow a dock to be located closer than 25 feet to the side yard setback. Town Counsel also recommended that Section 2.2.1 more clearly state that the Zoning Enforcement Officer is the agent of the Commission and the Zoning Commission retains the ultimate jurisdiction over zoning applications. Another recommendation from Town Counsel is that the Commission reserves the right to enforce Zoning Regulations in Section 2.3.3. The Zoning Regulations Revision Subcommittee will meet tomorrow April 23, 2013 at Bryan Memorial Town Hall in the Upper Level Meeting Room at 9:30-11:00 am.

Referral from CT DEEP re: Town of Washington/Intersection Shinar Mountain and Walker Brook Roads/Replace Culvert:

Ms. Hill informed the Commissioners that the DEEP is required to refer all of these types of changes to Planning, Zoning and Inland Wetlands Commissions. She stated that the plans would be in her office if any of the Commissioners would like to review them.

Enforcement Enforcement Report:

The Commissioners considered the Zoning Enforcement Report dated April 22, 2013.

Mr. Ajello noted that he forgot to include the request from the Washington Supply store to display the Art Association’s mural (currently in front of the Art Association Building) on one of their barns facing Titus Road. He stated that he and Ms. Hill do not object and would like the Commission to weigh in on the matter. The Commission discussed the Special Permit that was granted to Washington Supply for the storage barns. It was the consensus of the Commission that the Washington Supply would need to come back to Zoning and request a revision to their Special Permit.

Privilege of the Floor

Mr. Charles discussed the future of generators with the Commission.

Mr. Charles stated that his neighbors were granted permission to put temporary housing on their property for a year and it has now been 18 months that this temporary housing has been three feet away from Mr. Charles’ driveway. He noted that Section 12.8.3 in the zoning regulations require RVs to be parked on the rear half of a single family dwelling lot but not within 25 feet of a lot line and for not more than four weeks in a calendar year.

Mr. Ajello stated that the neighbor has told him that the temporary housing would be removed by the end of the month.

Mr. Charles feels that the regulations should require temporary housing units to be located on the rear half of a lot as well.

Mr. Charles discussed his ideas for revising the zoning regulations that address affordable housing. He feels that the Town of Washington should adopt a set of regulations that say if you are a developer and you would like to build an affordable housing project and you observe these standards the Town would be more inclined to approve the plan. He feels a developer would be much more inclined to come to the Town with a project that conforms to things the Town views as important.

Mr. Fitzherbert stated that he feels the Zoning Commission should take a hard look at affordable housing regulations. He noted that when the State of Connecticut approves an affordable housing project there is very little local input. He agrees that the regulations should include standards that would make it worthwhile for a developer to build in the Town of Washington. He noted that one of the main goals of the revised POCD is diversity in housing and regulations that support this goal should be considered.

Mr. Charles stated that he is opposed to the Housing Trusts plans for the Vincent property because he feels that it does not make financial sense. He is troubled that they have received approval from the Zoning Commission for their site plan and they have represented to others that the Zoning Commission is enthusiastically behind this project.

Mr. Charles addressed his letter that he submitted to the Zoning Commission for the March 25, 2013 regular meeting regarding the Wykeham Rise property.

Mr. Fitzherbert stated that the Commission would not discuss Wykeham Rise because it is currently in court.

There was a brief discussion as to why the Zoning Commission would not discuss anything on this property at a Commission meeting.

Motion:

to add New Business to the agenda regarding appointing a Deputy ZEO,
by Mr. Werkhoven, seconded by Mr. Abella, passed by 5-0 vote.

New Business

Appointment of Deputy ZEO:

The Commission appointed Ms. Hill as Deputy ZEO.

Motion:

to designate Janet Hill as Deputy ZEO effective upon swearing in date,
by Mr. Werkhoven, seconded by Mr. Abella, passed by 5-0 vote.

Adjournment

Motion:

to adjourn at 10:14 pm.

by Mr. Fitzherbert, seconded by Mr. Werkhoven, passed by 5-0 vote.

Mr. Fitzherbert adjourned the meeting.

SUBMITTED SUBJECT TO APPROVAL:

Shelley White, Land Use Clerk