

May 7, 2013

Special Meeting

9:30 a.m. Upper Level Meeting Room

MEMBERS PRESENT: Dr. Craparo, Mr. Solley

STAFF PRESENT: Mr. Ajello, Mrs. Hill

Mr. Solley called the meeting to order at 9:37 a.m. The purpose of the meeting was for the revision of the Regulations subcommittee to discuss and decide upon language for minor revisions to the Zoning Regulations.

Mrs. Hill passed out packets containing copies of the work accomplished to date:

- 1) Proposed Revisions to the Washington Zoning Regulations, Sections 1-12 – 5/2/13 Draft (dated 5/6/13 in the upper corner)
- 2) Lists of Sections the Subcommittee Decided to Leave As Is or Consider Changes in the Future, Sections 1-12, also dated 5/6/13, 3) the 5/3/2013 referral letter to Atty. Olson and the complete list through 5/6/13, 21 pages, of issues and concerns to be discussed regarding possible revisions to the Zoning Regulations. She asked the commissioners to review these documents for any errors or omissions.

Mr. Solley stated, however, that Mrs. Hill had reviewed the proposed revisions at the last Zoning Commission meeting and so he was fairly certain they were accurate.

A list of the revisions agreed upon and their proposed language is attached.

In addition, sections of the Regulations, which were discussed, but for which it was determined that

- a) further consideration was warranted,
- b) legal advice was needed, or
- c) the section should remain as is were:

13.8: The question of whether excavation resulting in more than 100 cubic yards from a bonafide construction, landscaping, or agricultural project should be required to meet the same standards as a commercial excavation operation approved by Special Permit was discussed at length. It was noted that extremely large homes and estates were being issued zoning permits and were being constructed in the area, generating large amounts of excavated material. Mr. Solley thought that Special Permit projects such as the construction of Rumsey's hockey rink should have to meet the Section 13.8 standards. However, the commissioners did not want to impose any undue restrictions on homeowners conducting permitted projects generating less than 100 cubic yards of excavated material. Mrs. Hill noted that Atty. Olson had advised her that the definition of Excavation should be improved. In addition, to be considered in the future:

- 1) whether to drop "calendar" in calendar year in both Section 13.8 and 21.1.25,
- 2) whether to divide excavation into separate categories such as homeowners vs. commercial, under 100 cubic yards, over 100 cubic yards, bonafide construction projects, and any other categories applicable,
- 3) whether there should be specified limitations for the on site crushing of materials or whether

conditions of approval would be sufficient to handle this matter,

4) whether a separate section to govern construction noise is needed, and

5) whether it is possible/legal to require that large construction projects not requiring Special Permits must comply with the standards of Section 13.8.

The issue of stockpiling by contractors was noted, but this will be considered in the future under Section 13.16; Shop and Storage Use by Contractors and Building Tradesmen.

13.8.c: The last part of this section had been omitted in the most recent versions of the Zoning Regulations. It should read as follows: "No excavation shall take place...c. within 50 feet of a property line or 150 feet of any building unless the owner of such adjoining property or building shall have consented in writing in which case the provisions of Section 13.8.4 shall apply." No change was contemplated at this time.

13.9: It had been decided in a previous meeting that a definition and standards for inns would be discussed at a later date.

13.10: After a general discussion, it was the consensus that 1950 might be a more appropriate cut off date. The subcommittee will consult with the Assessor before making a final recommendation.

13.10.7: Regarding the residential conversion of an older home, it was the consensus that converted buildings should still have the appearance of a single family dwelling from the front view and that this requirement should be added. Several different versions such as view from the street, front façade, front yard appearance, existing architectural appearance, etc. were considered and this matter will be sent to the Commission's attorney for a recommendation for the most suitable language.

13.10.5: The subcommittee considered whether the current parking requirement was adequate and decided it should be changed to require 2 parking spaces for the first unit and 1.5 spaces for each additional unit.

13.11.2 and 13.11.3: Pool houses and detached accessory apartments were discussed. The issue is that recently, property owners have wanted their pool houses to contain both a full bath and a kitchen or kitchenette. This qualifies them as accessory apartments and since only one detached accessory apartment is permitted per property, that means they can not then apply for a detached accessory apartment in addition to the pool house. This issue as well as whether there should be any special provisions for housing for farm workers on a farm will be considered in the future.

13.11.2.g, 13.11.3.g, and 12.5.2: The language of these sections was coordinated. See attached proposed revision.

13.11.2.d and 13.11.3.d: Both of these sections should include septic systems. Mrs. Hill will research previous Regulations to determine whether this was omitted in error or whether a revision is needed.

An additional question the subcommittee will ask its attorney is whether the Zoning Commission can waive Special Permit requirements.

The next subcommittee meeting was scheduled for Tuesday, May 14, 2013 at 9:30 a.m. in the Upper Level Meeting Room.

Mr. Solley adjourned the meeting at 11:30 a.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,
Janet M. Hill
Land Use Administrator