

July 22, 2013

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

Alternates Present: Dr. Craparo, Mr. Dutton

Absent: Mr. Fitzherbert, Mr. Wyant, Alt.

Staff Present: Ms. Hill, Ms. White

Others Present: Mr. Averill, Mr. & Mrs. Hetlam, Ms. Laverge, Mr. Dieterle, Mr. & Mrs. Seidler

Mr. Reich, called the meeting to order at 7:35 p.m.

Seated: Mr. Reich, Mr. Solley, Mr. Werkhoven, Dr. Craparo, Alt., Mr. Dutton, Alt.

PUBLIC HEARINGS

Hetlam/137 Nichols Hill Road/Special Permit: Section 13.14/Ded & Breakfast Establishment:

Ms. Hill read the legal notice that was published in Voices on July 10 & 17, 2013 and the list of documents in the file for this application. Mr. & Mrs. Hetlam were present and stated that they are proposing a 2 guest room Bed & Breakfast and that they have demonstrated that they have met all of the zoning requirements. Ms. Hill stated that their application is complete.

Mr. Reich asked if the commissioners or anyone from the public had any questions or comments.

Ms. Laverge, owner of Hidden Valley B&B, expressed her support for the Hetlam's application for the Bed & Breakfast.

The commission and the Hetlams briefly discussed the location of the property and Mr. Heltam confirmed that there is no pool, pond or conservation easement on the property.

There were no further questions or comments.

Motion:

to close the Public Hearing for the request for Special Permit for Hetlam, 137 Nichols Hill Road for Section 13.14/Bed and Breakfast Establishment,
by Mr. Reich, seconded by Mr. Soley, passed by 5-0 vote.

HORSE of CT/43 Wilbur Road/Special Permit: Section 4.4.3/Indoor Riding Arena:

Ms. Hill read the legal notice published in Voices on June 12 & 19, 2013 and the list of documents in the file for this application.

Mr. Dieterle was present on behalf of HORSE of Connecticut. The commission looked at photos taken by Mr. Dieterle of the different views of the site for the proposed riding arena (on file in the Land Use office).

Mr. Reich asked if the proposed arena would be visible from Route 202.

Mr. Dieterle responded that one corner of the might be seen from Rt. 202 but that the structure is

set back from the road and should be barely visible. He stated that this proposed riding arena is smaller than the standard size riding arena.

The commissioners looked at the drawing titled "Site Plan Depicting Proposed Barn," prepared for HORSE of Connecticut, by Stuart Somers Co, LLC, sheet S/1 dated 5-15-2013 and the drawing titled "New Barn For: HORSE of Connecticut, Inc." prepared by Richardson Structural Engineers, sheet 1 of 1 dated January 2, 2013. Mr. Deiterle stated that there would be no utilities; horses would not be housed in the proposed structure and it would be used solely as a riding arena.

Mr. Deiterle discussed other location options that were considered for the proposed structure on the property. He stated that existing wetlands does not allow the structure to be located closer to the main building on the property. They briefly discussed access to the proposed arena. Mr. Dieterle stated that there would not be a new driveway to access to the proposed arena.

Ms. Hill stated that a neighbor called the Land Use office questioning parking on Wilbur Road. She stated that the applicant has indicated that there would be no new employees or new programs established so there should not be a need for additional parking.

Mr. Dieterle confirmed that the proposed riding arena would strictly be used for the rehabilitation of horses especially during inclement weather.

Mr. Seidler, adjoining neighbor was present to discuss a civil matter regarding trespassing on his property by HORSE of CT. He submitted a letter to Ms. Hill, Land Use Administrator dated July 22, 2013 (on file in the Land Use office) requesting that the Zoning Commission "assure that the property is indeed constructed in conformity with the plans and that after approval Ms. Wahlers does not deviate from the plans."

The commissioners discussed Mr. Seidler's property. It was noted that the structure would have to be constructed according to the approved plans to receive a certificate of occupancy and after that point, if the structure varied from the approved plan it would be a zoning enforcement issue.

Mr. Deiterle stated that they are planning to reseed the pasture in which the proposed structure is built and that the hours of operation would be during daylight since there would not be any utilities.

There were no further questions or comments.

Motion:

to close the Public Hearing for the request for Special Permit Section 4.4.3 for Horse of CT, 43 Wilbur Road for Indoor Riding Arena,
by Mr. Werkhoven, seconded by Mr. Reich, passed by 5-0 vote.

8:15 pm

REGULAR MEETING

Seated: Mr. Reich, Mr. Solley, Mr. Werkhoven, Dr. Craparo, Alt., Mr. Dutton, Alt.

Consideration of the Minutes

The Commission considered the June 24, 2013 regular Meeting Minutes of the Town of Washington Zoning Commission.

Mr. Werkhoven and Mr. Dutton abstained from voting because they did not attend the last Zoning meeting.

Motion:

to accept the Zoning Meeting Minutes of June 24, 2013 as submitted,
by Dr. Craparo, seconded by Mr. Solley, passed by 3-0 vote.

Pending Application(s)

Hetlam/137 Nichols Hill Road/Special Permit: Section 13.14/Ded & Breakfast Establishment:

The commissioners agreed that this application is complete and that all requirements have been met.

Motion:

to approve the Special Permit for Section 13.14/Bed and Breakfast Establishment for Hetlam, 137 Nichols Hill Road, Per floor plans and drawings labeled 137 Nichols Hill Road, Washington, CT – 1st Floor and 2nd Floor and all pertinent documents in the file,
by Dr. Craparo, seconded by Mr. Solley, passed by 5-0 vote.

HORSE of CT/43 Wilbur Road/Special Permit: Section 4.4.3/Indoor Riding Arena:

Dr. Craparo expressed concern as to whether the closest adjoining neighbor to the proposed structure had been properly notified of this public hearing.

Ms. Hill stated that several neighbors came into the Land Use office to look at the file for this application.

There was a brief discussion as to whether this neighbor returned the green return receipt postcard to the Land Use office informing them of this Special Permit Hearing.

8:23 pm Mr. Reich called a recess so that Ms. Hill could see if the return receipt green cards for this application are down in the Land Use office.

8:30 pm Meeting resumes.

The commissioners discussed at length the possibility of an approval with a condition for this application.

Mr. Solley noted that he hopes the property owner considers the neighbor's and the Town's concern regarding parking on Wilbur Road.

There were no further questions or comments.

Motion:

to approve the Special Permit for Section 4.4.3/Indoor Riding Arena for HORSE of Connecticut, 43 Wilbur Road, per drawing titled "Site Plan Depicting Proposed Barn," prepared for HORSE of

Connecticut, by Stuart Somers Co, LLC, sheet S/1 dated 5-15-2013 and pertinent documents in the file, with the condition that written proof that the adjoining neighbor at 299 Litchfield Turnpike has been notified regarding the proposed plan,
by Dr. Craparo, seconded by Mr. Reich, passed by 5-0 vote.

New Application(s)

There were no new applications to discuss.

Other Business

Myfield, LLC./7 Mygatt Road/ Request to Amend Special Permit for Affordable Housing:

Ms. Hill recommended that the commission schedule a meeting for the next regularly scheduled Zoning Commission Meeting in August. The commissioners and Ms. Hill looked at a photograph of the sign on the property.

Motion:

to schedule a Public Hearing for August 26, 2013 to consider the request to amend the Special Permit for Myfield, LLC/7Mygatt Road at 7:30 pm, in the Upper Level Meeting Room at Bryan Memorial Town Hall,
by Mr. Reich, seconded by Mr. Solley, passed by 4-0 vote.

Revisions to Zoning Regulations :

The commissioners discussed when they could schedule the next meeting for the Regulations Revisions Subcommittee.

Enforcement

Enforcement Report:

The commissioners considered the Zoning Enforcement Report dated July 22, 2013 (on file in the Land Use Office).

Privilege of the Floor

There were no comments or questions from the public.

Adjournment

Motion:

to adjourn at 8:55 pm. by Mr. Abella, seconded by Mr. Dutton, passed by 4-0 vote

Mr. Solley adjourned the meeting.

SUBMITTED SUBJECT TO APPROVAL:

Shelley White, Land Use Clerk