

November 25, 2013

Present: Mr. Fitzherbert, Mr. Solley, Mr. Werkhoven, Mr. Averill

Alternates Present: Mr. Sivick, Alt.

Absent: Mr. Reich, Mr. Wyant, Alt.

Staff Present: Ms. White, Ms. Hill

Others Present: Mr. Duggin, Mr. Talbot, Architect, Mr. Viehland, Mr. Weiner, Ms. Jackson

Mr. Solley, called the meeting to order at 7:32 p.m.

PUBLIC HEARING(S)

Seated: Mr. Solley, Mr. Fitzherbert, Mr. Werkhoven, Mr. Averill, Mr. Sivick, Alt.

Lake Waramaug Country Club, LLC/22 Golf Links Road/Special Permit: Section 4.4.17/Accessory Structures Used to Operate or Maintain a Golf Course/addition of sheds, fence, concrete blocks:

Mr. Duggin, Superintendant, was present to represent the Lake Waramaug Country Club. Mr. Duggin submitted a letter of representation and the certified mailing receipts for the neighbor notifications. Ms. Hill confirmed that everything that is required of the applicant has been submitted for the file.

The commissioners and Mr. Duggin looked at the drawing titled "Site Plan," scale 1" = 100", dimensions of proposed structures shown in red.

Mr. Duggin stated that the LWCC is looking to use the proposed sheds for tool, supplies and basic storage. The proposed shed at the shop location would be 10' x 16' and the proposed shed near the tennis courts would be 10' x 10', both on a pad of ¾" gravel.

The commissioners looked at the spec sheet for the sheds.

Mr. Duggin confirmed that these proposed sheds would be pre-constructed and delivered to the site. He indicated the location of the existing fence adjacent to the tennis courts.

The commissioners looked at a photograph of the existing fence.

Mr. Duggin confirmed that the proposed replacement fence would be 6 feet tall.

Mr. Duggin indicated the proposed location of the 3' x 6' x 18" concrete blocks, 3 feet high for materials storage would be in the same proximity of the first shed as indicated on the site plan.

There were no more comments or questions.

Motion:

to close the Public Hearing to for the request of Lake Waramaug Country Club, LLC at 22 golf Links Road for a Special Permit: Section 4.4.17 - Accessory Structures Used to Operate or Maintain a Golf Course, for the addition of sheds, fence, concrete blocks, by Mr. Fitzherbert, seconded by Mr. Averill, passed by 5-0 vote.

223 Litchfield Turnpike, LLC/223 Litchfield Turnpike/Special Permit: Section 10.4.1.a – Permitted Uses/Addition to a Restaurant, Deck, Lighting:

Mr. Talbot and Joel Viehland were present to represent 223 Litchfield Turnpike LLC. Mr. Talbot stated that they are proposing an addition with a new entrance, rear deck, outdoor lighting and an additional a/c compressor for the Community Table restaurant. He noted that the property directly across from the restaurant on Wilbur Road has been purchased and will accommodate an expansion to the existing septic system.

Mr. Talbot submitted copies of the Inland Wetland, ZBA and Health Department approvals for the record as well as revised floor plans, exterior elevations and electrical plans.

The Commissioners looked at the site plan drawings titled “Community Table Wine Bar,” Sheets SP-1, and SP-3 date October 24, 2013 and LA-1(prepared by Dirk Sabin, Landscape Architect) with revision dates of November 25, 2013 by Peter Talbot Architects.

Mr. Talbot noted that they are proposing additional screening by planting 7 additional Western Cedars were the parking on Wilbur Road use to occur as well as other plantings for screening of additional adjoining properties.

Mr. Talbot and the commissioners looked at the drawing titled Electrical Plan that also shows the architectural details of the proposed addition. The drawing depicts the existing 38-seat restaurant with and the proposed additional 20 table seats and 12 bar seats. He pointed out the proposed rear deck, side entry porch and the propose location of compact fluorescent low level lights.

The commissioners looked at the photograph of the proposed lighting.

The commissioners looked at sheet A-103, Proposed Exterior Elevations.

It was noted that the proposed rear deck would not be screened in or covered with a roof and the proposed a/c condenser would be located along where the existing a/c condensers are located.

Mr. Solley pointed out that in the event that the restaurant is being sold, the purchaser would have to buy at least two if not all three separate parcels. He feels that if the second property on Litchfield Turnpike weren't purchased with the restaurant then the parking would not meet the Special Permit requirements.

Mr. Talbot stated that the lot coverage with the proposed structures has been calculated at 23%, which is under the allowable 25%. He feels that it could be sold as well as meet the Special Permit requirements with the parking that is on the lot the restaurant is located.

There was a brief discussion regarding the parking on the two lots. Mr. Averill stated that the property could be sold as something other than a restaurant. The commissioners and Mr. Talbot calculated the required amount of parking spaces per the zoning requirements. Ms. Hill confirmed that if the property were to be used as something other than what is specified on the Special Permit that a new Special Permit would have to be applied for.

Ms. Hill suggested that if the owner of the restaurant property is inclined to make any adjustments, additions, improvements to the property that would decrease the amount of parking spaces, that would be considered a major adjustment to the Special Permit and would require the owner to come back to the Zoning Commission for consideration.

Mr. Talbot stated that the addition to the existing septic would be installed in the recently purchased property that is across from the restaurant on Wilbur Road. He said that they would remove any existing structures on the property and the septic area would be left as a meadow and mowed two times a year.

Ms. Hyde at 25 Wilbur Road stated that she was happy that there would be additional screening because of the lighting at the restaurant. She said that the lighting was not noticeable in the summer when the leaves were on the trees and bushes but is quite visible at the present time. She asked for clarification as to whether food would be served on the rear deck and that she is concerned by the potential noise that this could bring.

Mr. Viehland, Chef at the Community Table, stated that it is not their intent to serve food out on the rear deck.

It was noted that the only entrance to the proposed deck would be from the restaurant.

Ms. Hyde asked if there would be an increase in staff, which would result in a need for more parking.

Mr. Talbot stated that they are not planning on hiring any additional staff.

Mr. Solley asked if there would be events at the restaurant such as weddings.

Mr. Viehland responded that if someone wanted to have a private party it would not change the function of the restaurant.

Mr. Talbot briefly revisited the subject of plantings that are being proposed for screening and confirmed that they are not proposing a roof over the rear deck. He said they may consider an awning but he knows they would have to come back to Zoning for that.

There were no further questions or comments.

Motion:

to close the Public Hearing to for the request of 223 Litchfield Turnpike, LLC at 223 Litchfield Turnpike for a Special Permit: Section 10.4.1.a – Permitted Uses for an Addition to a Restaurant, Deck, Lighting,
by Mr. Fitzherbert, seconded by Mr. Averill, passed by 5-0 vote

Jackson/90 Old Litchfield Road/Special Permit: Section 3.11.3 – Detached Accessory Apartment:

Ms. Jackson, property owner, was present. She stated that the previous owners added to the existing barn, which included a loft above the three-car garage, and she is proposing to convert the loft into a one bedroom, one bathroom with kitchen apartment.

It was noted that Ms. Jackson has submitted all required documentation.

The Commission looked at the photos of the existing barn and the proposed floor plan. It was noted that there would be no changes in the footprint of the existing barn.

There were no further questions or comments.

Motion:

to close the Public Hearing to for the request of Jackson at 90 Old Litchfield Road for a Special Permit: Section 3.11.3 – Detached Accessory Apartment,
by Mr. Fitzherbert, seconded by Mr. Sivick, passed by 5-0 vote

Weiner/110 Litchfield Turnpike/Special Permit: Section 12.6.1 – General Home Occupation:

Mr. Weiner, property owner, was present to discuss this application. Mr. Weiner stated that he refurbishes antique firearms in an approximately 200 sq. ft. space in the basement of his home and the ATF has requested that he obtains a Special Permit from Zoning so that he may continue his hobby.

Mr. Weiner read his letter addressed to the Zoning Commission stating how he meets all the requirements for a Special Permit (on file in the Land Use Office).

It was noted that all green return receipt cards sent to the neighbors have been received and are on file in the Land Use Office.

There were no further questions or comments.

Motion:

to close the Public Hearing to for the request of Weiner at 110 Litchfield Turnpike for a Special Permit: Section 12.6.1 – General Home Occupation,
by Mr. Averill, seconded by Mr. Sivick, passed by 5-0 vote

REGULAR MEETING

Consideration of the Minutes

The Commission considered the October 28, 2013 Regular Meeting Minutes of the Town of Washington Zoning Commission.

Motion:

to accept the Zoning Meeting Minutes of October 28, 2013 as submitted,
by Mr. Fitzherbert, seconded by Mr. Werkhoven, passed by 5-0 vote.

Pending Application(s)

Lake Waramaug Country Club, LLC/22 Golf Links Road/Special Permit: Section 4.4.17/Accessory Structures Used to Operate or Maintain a Golf Course/addition of sheds, fence, concrete blocks:

The commissioners considered this application for Lake Waramaug Country Club for two sheds, a fence and concrete blocks. Mr. Solley stated that he does not feel that there is a need for any conditions if approved.

There were no further comments.

Motion:

to approve the Special Permit, Section 4.4.17 to install 2 sheds, rebuild 6' tall fence and install 3'x

6'x 18" concrete blocks, 3 feet high for materials storage at 22 Golf Links Road for Lake Waramaug Country Club per drawing titled "Site Plan," scale 1" = 100", dimensions of proposed structures shown in red and all other pertinent documents in the file, by Mr. Averill, seconded by Mr. Fitzherbert, passed by 5-0 vote.

223 Litchfield Turnpike, LLC/223 Litchfield Turnpike/Special Permit: Section 10.4.1.a – Permitted Uses/Addition to a Restaurant, Deck, Lighting:

The Commission considered this application and discussed possible conditions.

There were no further questions or comments.

Motion:

to approve the Special Permit, Section 10.4.1.a for addition to restaurant, side entry porch, rear deck, landscape lighting, a/c unit and related new septic at 29 Wilbur Road at 223 Litchfield Turnpike for 223 Litchfield Turnpike, LLC per drawings titled "Community Table Wine Bar," Sheets SP-1, SP-2 dated October 24, 2013 and LA-1, A-101, E-101, A-103 with revision date of November 25, 2013 and all other pertinent documents in the file, with the following conditions;

1. Rear deck shall not be used for food service,

2. Any future proposal that would decrease the number of existing parking spaces would be considered a major adjustment to the Special Permit and would require the owners to come back to the Zoning Commission for review,

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

Jackson/90 Old Litchfield Road/Special Permit: Section 3.11.3 – Detached Accessory Apartment:

The commissioners considered this application and had no further questions or comments.

Motion:

to approve the Special Permit, Section 3.11.3 for a Detached Accessory Apartment over existing garage at 90 Old Litchfield Road for Jackson as per Floor Plan, titled "90 Old Litchfield Road, Existing Garage/Loft, Proposed Floor Plan for Loft," no signature or date and other pertinent documents in the file,

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

Weiner/110 Litchfield Turnpike/Special Permit: Section 12.6.1/General Home Occupation:

The commissioners considered this application and had no further questions or comments.

Motion:

to approve the Special Permit, Section 12.6.1 for General Home Occupation at 110 Litchfield Turnpike for Weiner, as per Site Plan titled, "Map of Property of Joshua Weiner, Washington, CT, Christmas Tree Farm, no signature, and all other pertinent documents in the file,

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

New Application(s)

The commissioners briefly discussed scheduling public hearings for new applications and whether a public hearing should be scheduled for Carriera before they go to ZBA.

The following Public Hearings are scheduled for December 16, 2013 starting at 7:30 pm in Bryan Memorial Town Hall in the Upper Level Meeting Room:

1. Carriera/19 New Preston Hill Road/Special Permit: Section 12.6.1.c/General Home Occupation
2. EIS Realty/4 Green Hill Road/Special Permit: Section 13.13/Housing in the Business Districts

Other Business

Rumsey Hall School/201 Romford Road/Request to Revise Special Permit/Change to Driveway:

Ms. Hill stated that the ZEO has requested the Zoning Commission's direction as to whether they feel a slight change to the proposed driveway should require a public hearing or can be signed off administratively.

Mr. Solley stated that he would recuse himself from this discussion.

It was the consensus of four of the five Zoning Commissioners that the ZEO could address this change administratively.

There was a brief discussion regarding minor changes to Special Permits and administrative review and approval.

Discussion re: Artwork at 1 Green Hill Road:

Mr. Talbot stated that the Washington Park Foundation purchased the old gas station property. He and the commissioners looked at the proposed 1 Green Hill Road Site Plan. Mr. Talbot explained the concept of the property.

Mr. Talbot and the commissioners discussed whether the Zoning Commission would consider the existing mural that the Washington Art Association painted a sign. Mr. Talbot stated that they would like to move the mural from its current location at the Washington Supply and display it at the 1 Green Hill location.

The Commission agreed that this mural is not a sign.

Mr. Talbot and the commissioners discussed parking for the site.

CT Siting Council 10/18/13 Notice of Public Hearing:

Mr. Solley reminded the Commission that the Connecticut Siting Council would be conducting a balloon float at 2 pm at the Town Garage Site, 10 Blackville Road for the proposed cell tower and a Public Hearing at 3pm, which will break and reconvene at 7pm at Bryan Memorial Town Hall on December 3, 2013.

Chairman's Comments:

Mr. Solley welcomed the new members to the Zoning Commission and Mr. Averill's return to the Commission. He thanked Mr. Dutton and Dr. Craparo for their service and expressed a special thank you to Mr. Abella who served as a commissioner on the Zoning Commission for many years.

Enforcement

Enforcement Report:

The Zoning Enforcement Report dated November 25, 2013 was distributed to the commissioners (on file in the Land Use Office).

Privilege of the Floor

Adjournment

Motion: to adjourn at 8:50 pm. by Mr. Averill.

Mr. Solley adjourned the meeting.

SUBMITTED SUBJECT TO APPROVAL:
Shelley White, Land Use Clerk,