

TOWN OF WASHINGTON

Bryan Memorial Town Hall

Post Office Box 383

Washington Depot, Connecticut 06794

Zoning Commission Regular Meeting

**MINUTES**

February 27, 2023

7:30 P.M. – Hybrid Meeting

**MEMBERS PRESENT:** Chair Solley, J. Hill, D. Werkhoven, V. Andersen, W. Farrell (arrived at 7:35pm)

**MEMBERS ABSENT:** None

**ALTERNATES PRESENT:** S. Smith, S. Mongar, E. White

**ALTERNATES ABSENT:** None

**STAFF PRESENT:** S. White, T. Rill, M. Haverstock

**PUBLIC PRESENT:** G. Lewis, S. Lewis, W. Minor, R. Parker, P. Dutton, J. Barnet, K. Collum, First Selectman Brinton, J. Lodsin, K. Gallagher, L. Frank, S. Branson, M. Revere, R. Rebillard, L. Gendron, M. Showalter, R. Papsin, K. Hunt, A. Farmer, B. Braverman, D. Arturi, J. Harris, R. Solomon, M. Solomon, D. Pushlar, M. Giampietro, M. Purnell, J. Ziebold, P. Talbot, R. Reich, L. Anderson, P. Szymanski, B. Adams, T. Adams, Other Members of the Public

**PUBLIC HEARING(S):**

Request of Ingrassia, 292 Bee Brook Road, for a Special Permit, Section 12.8: Temporary Events, for the 2023 Spring Hill Arts Gathering (SHAG), June 22<sup>nd</sup> – June 25<sup>th</sup>, 2023 (23sec):

Seated for this Public Hearing is Chair Solley, J. Hill, D. Werkhoven, V. Andersen and S. Mongar for W. Farrell

Dana Gluck, representative for Ingrassia - Spring Hill Arts Gathering, stated that the event will be four days of art exhibitions, live music and community programs. Parking will be partly on-site (at 292 Bee Brook Road), as well as off-site parking at the Washington Primary School with a shuttle bus, that will bring guests to and from the event. The gathering will last until 10:00pm nightly.

J. Hill requested confirmation that the event would adhere to the lighting requirements of Section 12.15 of the Washington Zoning Regulations. Ms. Gluck confirmed.

**MOTION:** To close the Public Hearing for the Request of Ingrassia, 292 Bee Brook Road, for a Special Permit, Section 12.8: Temporary Events, for the 2023 Spring Hill Arts Gathering (SHAG), June 22<sup>nd</sup> – June 25<sup>th</sup>, 2023, by V. Andersen, seconded by S. Mongar, approved unanimously.

REGULAR MEETING:

Regular Business

Chair Solley called the meeting to order at 7:39pm

Chair Solley, J. Hill, D. Werkhoven, V. Andersen and W. Farrell are seated for the Regular Meeting.

Consideration of the Minutes:

J. Hill requested that E. White's reason for voting "no" regarding the Frederick Gunn School's application be added to the minutes.

MOTION: To approve the Washington Zoning Commission's January 23, 2023 Regular Meeting Minutes as amended, by Chair Solley, seconded by D. Werkhoven, approved unanimously

Pending Applications:

Seated members are Chair Solley, J. Hill, D. Werkhoven, V. Andersen and S. Mongar (for W. Farrell)

Request of Ingrassia, 292 Bee Brook Road, for a Special Permit, Section 12.8: Temporary Events, for the 2023 Spring Hill Arts Gathering (SHAG), June 22<sup>nd</sup> – June 25<sup>th</sup>, 2023:

MOTION: To approve the Request of Ingrassia, 292 Bee Brook Road, for a Special Permit, Section 12.8: Temporary Events, for the 2023 Spring Hill Arts Gathering (SHAG), June 22<sup>nd</sup> – June 25<sup>th</sup>, 2023, by Chair Solley, seconded by S. Mongar, approved unanimously.

Seated are Chair Solley, J. Hill, D. Werkhoven, V. Andersen and W. Farrell.

New Applications:

Request of Harris, 254 New Milford Turnpike, for a Modification to an Existing Special Permit, Section(s): 9.5 – Maximum Lot Coverage, 9.6-Minimum Setback and Yard Dimensions, 11.6.3.A – Open Fences, 12.3-Buffers, 12.15 Outdoor Lighting in Residential Districts and 15.2 – Number of Parking Spaces:

Chair Solley questioned if the proposed was all within the Commercial District and S. White confirmed.

J. Hill noted that she will be questioning the lighting at the Public Hearing.

MOTION: To schedule a Public Hearing for the Request of Harris, 254 New Milford Turnpike, for a Modification to an Existing Special Permit, Section(s): 9.5 – Maximum Lot Coverage, 9.6-Minimum Setback and Yard Dimensions, 11.6.3.A – Open Fences, 12.3-Buffers, 12.15 Outdoor Lighting in Residential Districts and 15.2 – Number of Parking Spaces, for the March 27, 2023 Washington Zoning Commission Meeting at 7:30pm in the Main Level Meeting Room of Bryan Memorial Town Hall as well as via Zoom Video Conference, by Chair Solley, seconded by D. Werkhoven, approved unanimously.

Request of Karas, 58 Shearer Road, for a Special Permit, Section(s): 13.11.3 Detached Accessory Apartment:

MOTION: To schedule a Public Hearing for the Request of Karas, 58 Shearer Road, for a Special Permit, Section(s): 13.11.3 Detached Accessory Apartment, for the March 27, 2023 Washington Zoning Commission Meeting at

7:30pm in the Main Level Meeting Room of Bryan Memorial Town Hall as well as via Zoom Video Conference, by Chair Solley, seconded by W. Farrell, approved unanimously.

### Other Business

#### 101 Wykeham, LLC – Update – No vote (25min34sec.):

Chair Solley stated that there would be no vote this evening regarding 101 Wykeham due to questions regarding Aquarion Water and with the lighting plan. He added that he would like Attorney Sherwood present at the March 27, 2023 regularly scheduled meeting an hour or so prior for a Special Meeting to discuss the compliance of the conditions of approval.

The Commission discussed date and time options and whether or not the public would be allowed to speak at that time. Clarification was requested what the issues were regarding Aquarion and the lighting plan. Chair Solley explained that there had been questions involving the sprinkler system, (for fire safety), as well as the lighting in public areas and the duration of time in which they will be lit.

V. Andersen requested a workshop to discuss the history of Wykeham to date. Chair Solley explained that this had already been done in previous years and he suggested sending questions to S. White, who could then send those questions to Attorney Zizka. Chair Solley added that he has asked J. Hill to provide a timeline of events leading to the current status of 101 Wykeham.

D. Werkhoven, E. White and V. Andersen and S. Mongar voiced that they are in favor of allowing the public to speak at the Special Meeting. D. Werkhoven added that if the Commission were to vote at the March 27, 2023 meeting, they will be voting on whether the Conditions of the Special Permit are satisfied or not. Chair Solley confirmed.

First Selectman Brinton questioned if whether the water issue was with the Zoning Commission or the Fire Marshal. Chair Solley explained that it is actually an issue that 101 Wykeham needs to resolve with Aquarion, however, it would affect the Conditions that need to be satisfied, so it has to be resolved prior to a vote.

J. Hill stated that she had more questions for Cardinal Engineering, (the third-party review firm), and asked if she could forward questions to them. E. White added that he is questioning the lighting in the parking area and whether this would adhere to the current Zoning Regulations.

Chair Solley requested a Motion to schedule a Special Meeting that will take place at 6:00pm on Monday, March 27, 2023 to discuss 101 Wykeham. E. White, who was not seated for the vote, stated that he preferred the discussion to take place a Regular Meeting, as opposed to a Special Meeting.

**MOTION:** To schedule a Special Meeting to discuss the third-party review of the plans for 101 Wykeham, LLC for March 27, 2023 at 6:00pm in the Main Meeting Room of Bryan Memorial Town Hall as well as via Zoom Video Conference, by Chair Solley, seconded by J. Hill. Approved 5-0 vote.

#### Enforcement:

M. Haverstock encouraged residents and contractors to contact the Land Use Office for pre-application meetings prior to beginning a project.

#### Communications:

Communications received regarding 101 Wykeham, LLC:

Chair Solley acknowledged the letters received regarding 101 Wykeham.

He thanked the public for their interest in the matter.

Privilege of the Floor

M. Solomon of Bell Hill Road stated that if it had not been for the public's concern over 101 Wykeham, the issue of the water adequacy questions would have been completely overlooked. He encouraged the Commission to thoroughly read through all of the letters submitted.

R. Solomon asked the Commission to take the time to listen to the concerns of the community.

G. Lewis of Wykeham Road encouraged the Commission to not issue the Special Permit to 101 Wykeham, as she felt the conditions of approval have not been met.

V. Andersen requested another attempt at remediation.

An unidentified member of the public questioned what would happen if the water issues could not be solved.

Administrative Business

Reminder: Connecticut Land Use Seminar – Saturday, March 11, 2023

Adjournment:

MOTION: To adjourn the February 27, 2023 Washington Zoning Commission meeting at 8:50pm, by Chair Solley, seconded by S. Mongar, approved unanimously.

The recording for this evenings meeting can be found here:

[https://townofwashingtongcc-my.sharepoint.com/:u:/g/personal/trill\\_washingtonct\\_org/EdT18-6gdU1Cj\\_YfiX8hvtQBr5JMAvqNzD5D\\_nv14qfrkQ?e=WuFdkP](https://townofwashingtongcc-my.sharepoint.com/:u:/g/personal/trill_washingtonct_org/EdT18-6gdU1Cj_YfiX8hvtQBr5JMAvqNzD5D_nv14qfrkQ?e=WuFdkP)

Respectfully Submitted,

Tammy Rill

Land Use Clerk

March 6, 2023