

TOWN OF WASHINGTON
Bryan Memorial Town Hall
Post Office Box 383
Washington Depot, Connecticut 06794
Zoning Commission Regular Meeting

MINUTES

January 24, 2022

7:30 P.M. – Zoom Meeting

MEMBERS PRESENT: Chairman Solley, Ms. Hill, Mr. Werkhoven, Ms. Radosevich, Mr. Ferrell

MEMBERS ABSENT: None

ALTERNATES PRESENT: Ms. Smith, Ms. Andersen, Mr. Mongar

ALTERNATES ABSENT: None

STAFF PRESENT: Ms. White, Ms. Haverstock, Ms. Rill

MEMBERS OF THE PUBLIC: M. Girdhar, Attorney Grickis, D. Tagley, R. Owens, L. Anderson, L. Hartley, R. Solomon, M. Solomon, E. LaBella, D. Sullivan, R. Hackney, M. Purnell, P. Chain, W. Bracken, Attorney Pires, P. Szymanski, C. Cascio, B. Bouyea, E. Hearn, M. Gorra, V. Casey, H. Barnett, S. Branson, J. Athas, R. Duke, A. Vagnini, B. Brooks, E. White, P. Becker, K. Feldman, M. Giampietro, J. Ustay

PUBLIC HEARING(S):

Request of The Premier Trust, 157 Calhoun St., Section(s): 13.11.3 – Accessory Apartment – Detached – for a guest house:

Seated for this Public Hearing is Chairman Solley, Ms. Hill, Mr. Werkhoven, Ms. Radosevich and Mr. Ferrell.

Mr. Szymanski, representative for the applicant, stated that the proposed structure was 1190 sq. feet and was reduced from a two story structure to one story that has received Wetlands approval. The proposed would be placed on piers.

There would be minimum blasting to the area and removal of invasives would be done by hand. ** Please note: Mr. Szymanski was referring to the Special Permit Standards – there will be no blasting for this project.

There would be 900 square feet of actual heated space.

A temporary construction driveway would be added to the property and would be removed when the project is completed.

The guest home will be for the owners' guests/family. The homeowner will live on premise during construction.

A wooden boardwalk over the pond will be created with little to no disturbance of water. The boardwalk received wetlands approval.

The structure cannot be seen from the road so a Certificate of Appropriateness was not needed from the Historic District Commission.

Mr. Barnet questioned if there was an existing attached accessory apartment within the house. Mr. Szymanski stated there was only one kitchen in the home and one entrance, so he did not consider there to be an attached accessory apartment.

MOTION: To close the Public Hearing for the Request of The Premier Trust, 157 Calhoun St., Section(s): 13.11.3 – Accessory Apartment – Detached – for a guest house, by Ms. Hill, seconded by Mr. Werkhoven, passed 5-0 vote.

Request of MFSPA2013, LLC, 116 Woodbury Rd., for a Special Permit – Section(s): 4.1.1 – Inn or Tourist Home, 13.1.C – Standards, and 14 – Applicability – for an event tents for wedding, corporate meetings and similar events:

Chairman Solley recused himself from this Public Hearing as he is an adjacent property owner.

Seated for this Public Hearing will be Ms. Hill, Mr. Werkhoven, Ms. Radosevich, Mr. Ferrell and Mr. Mongar.

Ms. Hill informed the Commissioners that Alternates could participate during the Public Hearing, but not during deliberations.

Attorney Grickis, representative for MFSPA2013, LLC (also known as The Mayflower), explained that The Mayflower had been approved for the Hospitality Tent in 2019, however, there had been several complaints from neighbors in the Summer of 2021 because of amplified sound from the tent creating a disturbance. The Town of Washington had issued a Cease and Desist order and the Washington Zoning Board of Appeals upheld that decision. Currently, The Mayflower is asking for the Zoning Commission to allow future events in the Hospitality Tent.

Mr. Girdhar, General Manager of The Mayflower, stated that they are committed to doing whatever possible to be good neighbors. Attorney Grickis added that there would not be generators nor air conditioning units in the Hospitality Tent, and made clear that, going forward, The Mayflower will be in charge of the sound level of all future events.

Mr. Vagnini, founder of Powerstation Events, presented the following to the Commission on behalf of The Mayflower:

https://townofwashingtoncc-my.sharepoint.com/:b:/g/personal/trill_washingtonct_org/EXH5OStHSPBBi-32aJ9-SFAB_Gongi7AmGi2s6uappgJCw?e=p15MNI

Mr. Brooks presented the following on behalf of The Mayflower:

https://townofwashingtoncc-my.sharepoint.com/:b:/g/personal/trill_washingtonct_org/EX25bSu37i5CnpEZmQx-vX4B31Ozn4apHoudwkXgUjFYQ?e=cokzum

Mr. Brooks explained that they had received a few third-party peer review reports, however they had not had a chance to review them.

The Commission, led by Ms. Hill, presented the following questions:

“Is there a sound or sound level you could describe that could associate with a 45dBa, which is the sound target level you’re aiming for the nearest neighbor at all times?”

Mr. Brooks stated that a quiet whisper would be a comparison of 45dBa.

Ms. Andersen questioned if this measured bass or treble, and whether or not topography was taken into consideration.

Mr. Brooks confirmed that topography was considered. He explained that the bass was considered and the design of the shed area would address these concerns.

“Where have similar tents with similar sound management systems been installed and were they located in similar residential neighborhoods?”

Saint Clements Arena and Wesleyan Barn facility were built in a much smaller confine, literally across the street. After mitigation they have received zero complaints.

“Are the Brooks Acoustics proposal and the Powerstation plan combined as one proposal or are you only taking parts from both?”

Ms. Hill stated that, after the presentations she saw that there were several differences in each one and questioned how the Commission was to determine which option would work without a concrete mitigation plan first. Attorney Grickis explained that The Mayflower intended to use all of what is presented and determine what was the best optimized plan going forward. He added that if the plan put forward does not work, there would not be any events. Mr. Vagnini added that both presentations had vast similarities, and that this was a collaborative approach to discovering what would work best. Mr. Brooks agreed with Mr. Vagnini, explaining that they were in the design process currently, would then test it out, then make any changes necessary while adhering to the Regulations.

Ms. Hill stated that this makes the Commissions process and decision harder, due to the fact that they require plans for the Public Hearing for all applications.

Mr. Vagnini explained that the plan is going to be driven by the results so that adjustments could be made to everyone’s satisfaction. There would be a preliminary plan, but the plan would need to be tested.

Ms. Andersen suggested providing something more concrete for the Commission as well as the neighboring properties. She also questioned if there was a difference in sound between a live band and a deejay. Mr. Vagnini said there was a difference, adding that this would be important for the mitigation plan.

Mr. Vagnini added that The Mayflower would have 100% control over the sound level during events.

Mr. Girdhar added that if the approved sound level could not be met by a live band or deejay, they would no longer allow whichever could not meet the decibel level.

“Are there events other than parties and weddings that you envision using this venue for? For example: yoga under the tent, political fundraising events? (The concern being that this could result in either an increase in

the number of days per year it is used or an increase in the average length of time of each event, which could impact the neighborhood)”:

Mr. Girdhar stated that yes, the tent could be used for other purposes.

Ms. Hill questioned how the events would be held without air conditioning and generators.

Mr. Vagnini stated that fans could be used. Mr. Girdhar stated that air conditioning would not be offered. He added that there was only one event in 2021 where air conditioning was requested by a client.

Mr. Vagnini explained that there were other ways to cool down the area that did not involve air conditioning, but rather other technologies on the market currently.

“Does the elevation of the tent in relation to the surrounding properties impact the level of noise received on those properties?”

Ms. Hill stated that a neighbor on Bell Hill Road stated that not only was the music heard, but the MC as well as the Justice of the Peace could be heard perfectly.

Mr. Vagnini stated that as they get further into the design, they would have exact numbers and directions, whether sides should be closed or open – all driven by measurement.

Ms. Hill stated that they would like as much information as possible prior to the next meeting. She opened the floor to the Public.

Mr. Werkhoven questioned if this should be continued, considering there were applicants waiting and several items on the Agenda awaiting to be heard.

The Commission agreed to allow public comment, but informed the public that the hearing was going to be continued and more could be said at that date.

Attorney Pires, representing Mr. Casey and Mr. Duke of Old North Road, submitted and presented the following:

https://townofwashingtongcc-my.sharepoint.com/:b:/g/personal/trill_washingtonct_org/ERAgMOBPXohCp4cO8rZUVcsBUGEpGssI9iktEYYRkK9Hg?e=SyDvwI

Ms. Chain of SH Acoustics, LLC presented the following on behalf of Ms. Bouyea, neighbor of The Mayflower:

https://townofwashingtongcc-my.sharepoint.com/:b:/g/personal/trill_washingtonct_org/Ef7VJxzLTy5NI3tvka7nK0QBvepkf9hNKZgRQEuW83wExA?e=1K1FI1

Ms. White encouraged the Public to forward any questions they may have to her and she would forward them to the Applicant as well as the Commission.

The Commission agreed that they would like Attorney Zizka to review this meetings recording and continue the Public Hearing to a later date.

Ms. Hartley-Urquhart of 44 Wykeham Road stated that she lives directly across the street from The Mayflower and felt that they were disrespectful to the neighbors last summer, and that the noise level and sound issue is crucial in making a decision moving forward.

Ms. Bouyea of Old North Road stated that an ambient level needs to be determined before moving forward. She added that she and several neighbors called The Mayflower repeatedly over the Summer and they refused to music down at that time, and was nervous that they would be in control of the music level going forward.

The Commission agreed on the date of February 7, 2022 at 5:30pm.

MOTION: To continue the Public Hearing for the Request of MFSPA2013, LLC, 116 Woodbury Rd., for a Special Permit – Section(s): 4.1.1 – Inn or Tourist Home, 13.1.C – Standards, and 14 – Applicability – for an event tents for wedding, corporate meetings and similar events, at a Special Meeting that will take place on Monday, February 7, 2022 at 5:30pm via Zoom Video Conference, by Mr. Mongar, seconded by Mr. Werkhoven, passed 5-0 vote.

REGULAR MEETING:

Chairman Solley called the Meeting to Order at 10:18pm.

CONSIDERATION OF THE MINUTES:

MOTION: To approve the December 20, 2021 Washington Zoning Commission Meeting Minutes as submitted, by Ms. Hill, seconded by Mr. Werkhoven, passed 4-0 vote, with Ms. Radosevich abstaining due to absence.

PENDING APPLICATIONS:

MOTION: To approve the Request of The Premier Trust, 157 Calhoun St., Section(s): 13.11.3 – Accessory Apartment – Detached – for a guest house with the following conditions: 1.) that the temporary construction road will be restored to its original state in a timely manner and 2.) written approval will be obtained from the Health Department and submitted to the Land Use Office. Motion made by Chairman Solley, seconded by Ms. Radosevich, passed 5-0 vote.

NEW APPLICATIONS:

Request of LaBella, 130 Kinney Hill Rd., for a Special Permit – Section 13.16 – Shop and Storage Use by Contractors and Building Tradesmen – for a shop and storage unit:

MOTION: To schedule a Public Hearing for the Request of LaBella, 130 Kinney Hill Rd., for a Special Permit – Section 13.16 – Shop and Storage Use by Contractors and Building Tradesmen – for a shop and storage unit for the February 28, 2022 Washington Zoning Commission Meeting at 7:30pm via Zoom Video Conference, by Chairman Solley, seconded by Mr. Werkhoven, passed 5-0 vote.

OTHER BUSINESS:

Reminder that the Public Hearing for Tree Regulations would be held at the next Regular Zoning Commission meeting on February 28, 2022.

ENFORCEMENT:

Ms. Haverstock reported that there had been a complaint regarding signage at the Citgo Station on Route 202. She has reached out to the property owner to come to a solution.

Route 202 – across from Garland Road – looking for clarification from the property owner regarding what was reported as a service station/garage.

Ms. Haverstock is requesting clarification from the Zoning Commission regarding the Hospitality Tent at the Mayflower and whether it is considered a temporary or permanent structure.

The Commission decided to table a discussion until a later date.

The Land Use Office reminded the Commissioners to inform the Chairman or Vice Chairman of any property they would like looked into, so that they had time to prepare and research it further.

COMMUNICATIONS:

PRIVILEGE OF THE FLOOR:

ADMINISTRATIVE BUSINESS:

Election of Officers:

MOTION: To elect Nicholas Solley as Chairman, Janet Hill as Vice Chairwoman and Debra Radosevich as Secretary to the Washington Zoning Commission for the 2022 calendar year, by Ms. Hill, seconded by Ms. Radosevich, approved unanimously.

ADJOURNMENT:

MOTION: To adjourn the Washington Zoning Commission January 24, 2022 Regular Meeting at 10:42pm, by Mr. Ferrell seconded by Chairman Solley, passed 5-0 vote.

To listen to the recording of this meeting, please click here:

https://townofwashingtongcc-my.sharepoint.com/:u:/g/personal/trill_washingtonct_org/Eeb86tfdlFNvNwDtvUNNAYBK-6iRn9GmtEiQeNwWvWw9g?e=wahB9Q

Respectfully Submitted,

Tammy Rill
Land Use Clerk

January 31, 2022
Revised: February 1, 2022

Minutes are subject to approval