

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

**MINUTES**

August 22, 2022

7:30 P.M. – Zoom Meeting

**MEMBERS PRESENT:** Chair Solley, J. Hill, D. Radosevich, W. Farrell, D. Werkhoven

**MEMBERS ABSENT:** None

**ALTERNATES PRESENT:** S. Smith, V. Andersen

**ALTERNATES ABSENT:** S. Mongar

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

**PUBLIC PRESENT:** Attorney Sherwood, M. Cain, R. Solomon, M. Solomon, S. Branson, K. Prince, C. Rolli, M. Purnell

**PUBLIC HEARINGS:**

Chair Solley opened the Public Hearing(s) at 7:31pm.

**Request of Lara, 45 New Milford Turnpike, for a Special Permit, Section: 12.6.C – Home Occupation, for a Lash Studio (03sec.):**

The Applicant has submitted a request for a Continuance until the September 27, 2022 meeting.

**MOTION:** To grant a continuance for the Request of Lara, 45 New Milford Turnpike, for a Special Permit, Section: 12.6.C – Home Occupation, for a Lash Studio, for the September 27, 2022 Washington Zoning Commission meeting, 7:30pm, in the Main Meeting Room of Bryan Memorial Town Hall as well as via Zoom Video Conference. Motion made by Chair Solley, seconded by D. Radosevich, approved unanimously.

**Request of Prince, 11 Ives Road, for a Special Permit, Section: 13.11.3 – Accessory Apartment, Detached (01min48sec):**

Seated for this Public Hearing are Chair Solley, J. Hill, D. Radosevich, D. Werkhoven and W. Farrell.

C. Rolli of F+H Architectural Design and Consulting, representing the property owners, stated that his clients were proposing to convert a current barn into a detached accessory apartment that will be 1,198.73 square feet of conditioned floor space within the footprint of the existing barn.

Chair Solley stated that due to the close proximity of square footage total (1,198 sq. feet) to what the regulations allow (1,200 sq. ft total), the Commission will be requiring an as-built to be submitted to the Zoning Enforcement Officer upon completion, prior to receiving a Certificate of Zoning Compliance.

**MOTION: To close the Public Hearing for the Request of Prince, 11 Ives Road, for a Special Permit, Section: 13.11.3 – Accessory Apartment, Detached by D. Werkhoven, seconded by D. Radosevich, approved unanimously.**

**REGULAR MEETING (11min 13sec.):**

Chair Solley called the Regular Meeting to Order at 7:42pm.

He seated himself, J. Hill, D. Werkhoven, D. Radosevich and W. Farrell.

**Consideration of the Minutes (11min 44sec):**

**MOTION: To accept the July 25, 2022 Washington Zoning Commission Meeting Minutes as submitted, by D. Werkhoven, seconded by D. Radosevich, approved unanimously.**

**Pending Applications:**

D. Radosevich questioned if whether a lighting plan would be required. Chair Solley stated that when the patio/terrace application are submitted, which would be an Administrative sign-off, then the lighting plan can be addressed.

**MOTION: To approve the Request of Prince, 11 Ives Road, for a Special Permit, Section: 13.11.3 – Accessory Apartment, Detached, as detailed in the submitted documents titled, “Improvement Location Survey, proposed” by David a Hughes, Professional Engineer and Land Surveyor as well as the plans titled, “Proposed Main Floor Plans” dated 10-29-2021 and prepared by F+H Architectural Design and Consulting, labeled, “Drawing Number A.01 (Barn). Motion made by Chair Solley, seconded by J. Hill, approved unanimously.**

**New Applications (14min 52sec.):**

**Request of Cain, 43 Revere Road, for a Special Permit – Section(s): 12.5 – Accessory Structures and 13.11.3 – Accessory Apartments, Detached:**

M. Cain, owner of the property, stated that due to a recent fire, his former accessory structure would be torn down. He explained that the same footprint would be used, there would be an interior stairwell as well as a 3-car shed roof that would remain open (no doors), with a gravel floor.

**MOTION: To Schedule a Public Hearing for the Request of Cain, 43 Revere Road, for a Special Permit – Section(s): 12.5 – Accessory Structures and 13.11.3 – Accessory Apartments, Detached for Tuesday, September 27, 2022 at 7:30pm, in the Main Meeting Room of Bryan Memorial Town Hall as well as via Zoom Video Conference. Motion made by Chair Solley, seconded by D. Radosevich, passed unanimously.**

**Other Business:**

**PA 21-29 Subcommittee Report (18min 14sec.):**

J. Hill summarized the meeting by stating that Attorney Zizka was in attendance of the meeting and reviewed PA-21-29 and answered several questions the Committee had.

V. Andersen stated that she was surprised to hear that trailers/mobile homes would now be considered acceptable as a single-family dwelling.

The Committee will meet again on Thursday, August 25, 2022 at 4:00pm, in the Main Meeting Room of Bryan Memorial Town Hall.

**Enforcement (25min. 10sec.):**

M. Haverstock informed the Commission that pre-application meetings have been going smoothly.

D. Radosevich questioned the height of a fence at 57 Flirtation Avenue. Ms. White explained that where the fence is located is not considered to be the property's front yard.

Fence height at Lake Waramaug was also mentioned. Ms. White explained that several of the fences were grandfathered in.

**COMMUNICATIONS:**

**Halloran Sage Invoices (30min 22sec.):**

Ms. White explained that she would like to start a monthly review of the Attorney fees, as they had been over budget last year and wanted the Commission to be informed.

**Privilege of the Floor (34min 00 sec.):**

Attorney Sherwood, representing 101 Wykeham Road, LLC, stated that he had read the minutes for the June 29, 2022 Special Meeting as well as the July 25, 2022 meeting minutes. He shared that the activity happening at the site was a hired contractor clearing brush and overgrown weeds. He presented pictures to the Commission of the work completed thus far.

Attorney Sherwood questioned if it would be permissible for him to reach out to and work with Attorney Zizka on the Settlement Agreement requests made at the June 29<sup>th</sup>, 2022 Special Meeting.

Lastly, Attorney Sherwood questioned if the Commission would like to review the revised plans at the next regularly scheduled meeting or schedule a Special Meeting/Work Shop.

Attorney Sherwood explained that he and his client would like to satisfy the less complicated, smaller compliance requests and focus on completing the larger tasks.

It was agreed that Attorney Sherwood could contact Attorney Zizka regarding the Settlement Agreement.

Attorney Sherwood stated that he will submit 11" x 17" versions for all Commissioners, three full size plans will be submitted to the Land Use Office as well as pdf versions of the revised plans for review.

He added that he appreciated J. Hill's memo because it informed him of what need to be completed ahead of the meetings.

(48min 14sec) M. Purnell stated for the record that the audio via Zoom is difficult to hear. She added that 101 Wykeham, LLC was not on the Agenda for this evenings meeting and that during the Workshops the Public was not allowed to obtain Privilege of the Floor.

M. Solomon stated that he felt there was a double standard in allowing Attorney Sherwood to speak at tonight's meeting, while not allowing the public to speak at the workshops for 101 Wykeham, LLC. He added that he was concerned over water supply to the property and if Aquarion Water Company was fully aware of 101 Wykeham's needs.

(59min 00sec.) V. Andersen questioned how a business was allowed in an R-1 district, and felt that an open Public Hearing was needed. Chair Solley explained that there had been several Public Hearings, litigation, and numerous years of time invested on 101 Wykeham. J. Hill stated she would like to meet with V. Andersen to go over the history of the project with her.

**Administrative Business:**

T. Rill reminded the Commission that the September meeting will be held on Tuesday, September 27, 2022 in observance of Rosh Hashanah.

**Adjournment:**

**MOTION: To adjourn the August 22, 2022 Washington Zoning Commission meeting at 8:33pm, by J. Hill, seconded by D. Radosevich, approved unanimously.**

**Respectfully Submitted,**

*Tammy Rill*

**Tammy Rill**

**Land Use Clerk**

**August 23, 2022**

**\*Minutes are subject to approval**

To listen to the recording of tonight's meeting, please click here:

[https://townofwashingtoncc-my.sharepoint.com/:u:/g/personal/trill\\_washingtonct\\_org/ER8lNBuDujRFljJti1gGU0gBsoa7EuROe0d2L2M0wlsUBw?e=mYIVXy](https://townofwashingtoncc-my.sharepoint.com/:u:/g/personal/trill_washingtonct_org/ER8lNBuDujRFljJti1gGU0gBsoa7EuROe0d2L2M0wlsUBw?e=mYIVXy)

