

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

MINUTES

July 27, 2020

7:30 P.M. – Meeting Via Zoom Conference

MEMBERS PRESENT: Chairman Solley, Mr. Reich, Ms. Hill, Ms. Radosevich

ALTERNATES PRESENT: Mr. Bent, Ms. Smith, Mr. Sivick

STAFF PRESENT: Ms. White, Mr. Tsacoyannis, Ms. Rill

PUBLIC PRESENT: Mr. Bedini, Mr. Sherr, Mr. Charles, Ms. Solomon, Mr. Herrick, Mr. Weber, Ms. Matteo, Mr. Daly, Mr. Szymanski, First Selectman Brinton, Mr. Rettenmeier, Ms. Dobkin, Mr. Reynolds, Mr. Bowman, Mr. Papsin, Ms. Gorra, Mr. Bartfield, Mr. Sarjeant, Ms. Payne, Ms. Revere

The meeting was called to order at 7:36pm.

Chairman Solley then seated himself, Ms. Hill, Mr. Reich, Ms. Radosevich and Alternate Mr. Sivick.

CONSIDERATION OF THE MINUTES (51 sec.):

Chairman Solley stated that on page two, paragraph six of the June 22, 2020 meeting minutes that the word “disagreed” could be misleading, and thought that changing the sentence to, “Ms. Hill stated that she did not feel the Public Hearing....” would be more appropriate.

MOTION: To accept the June 22, 2020 Washington Zoning Commission Meeting minutes with the following correction; page 2, paragraph 6, “Ms. Hill disagreed, stating that she did not feel the Public Hearing was the appropriate time.....” to, “Ms. Hill stated that she did not feel....”, by Chairman Solley, seconded by Ms. Radosevich, passed 5-0 vote.

PENDING APPLICATIONS (3min. 09sec.):

There were no Pending Applications for this evenings meeting.

NEW APPLICATIONS (3min. 20sec.):

- Request of TFCPS, LLC, 280 Nettleton Hollow Road, for a Special Permit from Section(s): 17.9 – Replacement of a Non-conforming structure – for an accessory building

MOTION: To schedule the Public Hearing at the Request of TFCPS, LLC, 280 Nettleton Hollow Road, for a Special Permit from Section(s): 17.9 – Replacement of a Non-conforming structure – for an accessory building – for the August 24, 2020 Washington Zoning Commission Meeting at 7:30pm via Zoom Conference Virtual Meeting, by Chairman Solley, seconded by Mr. Reich, passed 5-0 vote.

OTHER BUSINESS (7min. 49sec.):

- **Town of Washington pre-application consultation with the Commission on a proposal for the use of the Titus Property:**

Chairman Solley noted that several members from various Washington Boards and Commissions were invited to participate in tonight's presentation. He asked the members to identify themselves for the record.

Representing Zoning Board of Appeals: Mr. Bowman, Mr. Weber, Mr. Sarjeant and Ms. Rebillard.

Representing the Planning Commission: Ms. Matteo.

Representing the Conservation Commission: Ms. Payne.

Representing the Inland Wetlands Commission: Mr. Papsin.

First Selectman Jim Brinton introduced the presentation by explaining that in January of this year, the Board of Selectmen had hosted an informational meeting with town residents regarding a new Senior/Community Center for Washington. He stated that there were three sites that seemed feasible, but that the Titus Road property was the most viable. Mr. Brinton added that a lot of great ideas and informative feedback resulted from that meeting, therefore The SLAM Collaborative, an architectural firm, that is working in conjunction with Milone and Macbroom, a civil engineering and landscape architecture firm.

Presenting this evening will be Mr. Rettenmeier, Landscape Architect with SLAM Collaborative, Mr. Herrick with SLAM Collaborative, and Mr. Daly, Vice President and Civil Engineer with Milone and Macbroom.

Mr. Herrick explained that his team was tasked to complete four items; the first was to define the program of the Community Center inside and out, define a right of site program – meaning parking and outdoor amenities and what the Center would have to offer; the second was to gather information such as Washington's Zoning Regulations, surveys, knowledge and history

of the project – and to create a map with that information. The map would include wetlands information, buffers, flood plain information and more. The third task was to then develop a conceptual site plan. This plan will not be the final overall plan, with Mr. Herrick explaining that this is in the early phase of planning, and would change. Task four was to meet with the various Boards and Commissions in Washington, hold a preliminary informational meeting and gather feedback.

The building will likely be between eight or nine thousand square feet, would be one-story, would have a septic system, and would be outside of the 100-foot line of the Shepaug River, but within the 200-foot line.

Inside, the building will be a multi-generational, multi-purpose facility that encourages social interaction in the community. The space will allow areas for Arts and Crafts, light exercise, shuffle board and other various games. There will be a “prep-kitchen” space that will allow light meal prep, and possible cooking classes. There will be a nurse area that will offer wellness consultations.

Mr. Herrick then introduced Mr. Rettenmeier who would be explaining the design concept. Mr. Rettenmeier explained that the Titus Property was a 4.7-acre lot located next to the Shepaug River. The site was considered to be in the B-2 (Business) Zone of Washington Depot which is accessed by a 30-foot right-of-way off of Titus Road. Mr. Rettenmeier explained that there is a 75-foot front setback to the West, a 50-foot side yard setback as well as a 50-foot rear-yard setback.

Because the site is within the flood plain, the site is required to be one-foot above the 486 elevation. The proposed would be 487 feet above the elevation.

There would be approximately 36 parking spaces with two overflow parking areas that would total 44 parking spots.

There would be an outdoor dining area, pergola, as well as walking paths throughout the property.

Mr. Rettenmeier then introduced Mr. Daly, who explained that there were a few challenges regarding the project, however, they tried to take those challenges and turn them into opportunities. With the entire Depot located in the flood plain, but based upon the Zoning Regulations in Washington, they were required to raise the first floor elevation one-foot above the flood plain, which they were successful in doing so with elegant grading. Mr. Daly further explained that they were not proposing to clear any vegetation near the Shepaug River, and believe they were in full compliance with Washington’s Zoning Regulations, as well as Inland Wetland’s Regulations.

First Selectman Brinton then concluded the presentation by thanking Mr. Herrick, Mr. Rettenmeier, and Mr. Daly for their time and effort. He then turned the meeting back over to Chairman Solley, who asked for comments/questions from the Commissioner’s.

Chairman Solley began by asking about the areas for water storage, and if they would be considered more of a rain garden or a moved lawn area. Mr. Rettenmeier explained that the definition of rain garden would be fairly accurate, stating that it would be more of a wildflower meadow that would need to be mowed once every few years.

Chairman Solley then questioned the proposed kitchen area and what it could accommodate as far as meals for an event held there. Mr. Herrick explained that there would be residential appliances, but not a large scale kitchen.

Mr. Reich questioned whether or not this could possibly interfere with the American Legion Hall and the events they currently hold there. He also questioned whether the project would be a “phased-in” construction project or if it would all be completed at the same time. First Selectman Brinton stated that there was absolutely no intention of stepping on the Legion Hall’s toes whatsoever and they would continue as-is. He went on to state that the goal was to hit the ground running with a capital campaign and raise all of the money needed to complete the project start to finish.

Mr. Sarjeant stated that he believed this was a great plan and applauded the presentation. He questioned if whether this was truly a Senior Center or if this could be considered a Community Center. First Selectman Brinton stated that the goal was for an all-encompassing building available to the community without interfering with anything the American Legion or the Washington Fire Department does.

Ms. Hill questioned the location of the refuse area, stating that it seemed very close to the property line and not a very “neighborly” area. Mr. Rettenmeier stated that it could definitely be moved and better screened.

Ms. Hill then questioned the paved parking area, wondering why it was not a pervious surface being that this is to be a low-impact development site. Mr. Herrick stated that it was something that could be discussed. Mr. Daly explained that he believed that all of the goals of low-impact development were being met without the pervious material being used directly.

Ms. Hill then stated that the 2003 Plan of Conservation and Development earmarked this site as a location for Village Housing, and asked if a second or third story could be added to the building and used for apartments. First Selectman Brinton stated that there would be a second informational meeting with town residents in the near future, and if the consensus from that meeting was to add housing units, that they would adjust the plans accordingly.

Chairman Solley recalled that several years ago there had been a lengthy power outage in town and that Town Hall had been designated an area for residents to come for shelter. Chairman Solley questioned if adding a shower or two to the proposed building had been considered. First Selectman Brinton stated that it would have showers and would also be considered a shelter in an emergency, with a back-up generator in place for emergencies.

Mr. Weber questioned what a 500-year flood line would be. Mr. Daly stated he was not sure, but would definitely check. Mr. Weber asked about the septic system if a flood happened to hit

town, and how sustainable it would be. Mr. Daly explained the goal was to make the septic system as sustainable as possible, so there would be provisions made to the system such as clean-outs and covers on the tanks.

Mr. Reich questioned how the Selectmen were going to display these plans for the public's view when Town Hall is currently closed to the public. First Selectman Brinton stated that the opportunity will happen at the next informational meeting, and that there was some uncertainty as to when and how that will happen currently due to Covid-19. First Selectman Brinton stated that the presentation tonight was not definite and that no plans were set in stone and would more than likely change a number of times before presented to the public.

Continued Consideration Re: 12.8- Temporary Uses (1hr. 03 min. 49sec.):

Chairman Solley stated that he was currently awaiting Attorney Zizka's response to a few questions the Commission had during a previous meeting. He stated that he did not feel a Public Hearing would be scheduled until September, if then.

Ms. Radosevich stated that she had questions regarding the clean-up of 101 Wykeham Road, and the bond for the property.

Ms. White stated that she had received a response from Inland Wetland Attorney, Ms. Olson, and could answer Ms. Radosevich's questions.

Chairman Solley stated that the Enforcement Report was coming up on the Agenda shortly, but asked if Mr. Tsacoyannis was present to discuss the matter. Mr. Tsacoyannis stated that he was.

Ms. White explained to the Commission that everything is currently on hold due to an appeal in court.

Ms. Radosevich asked where that leaves the Commission as far as Zoning Regulation 2.3.2.A – Abandoned buildings, which may be detrimental to health, safety, and welfare of townspeople, or impair property values.

Ms. White reiterated that this is what legal counsel advised her, and that everything will remain on hold.

Mr. Tsacoyannis stated that the numerous lawsuits against the property and property owner were to blame for the lack of progress at the site.

Ms. Radosevich stated that she could not believe that the town could be so open to a liability such as this.

Ms. White explained that this was private property, and if someone were to enter it, they would be doing so at their own risk.

Ms. Radosevich argued that she did not agree with this, explaining that the property is detrimental to the health, safety and welfare of townspeople, and that if someone were to get injured there, it would be a liability for Washington.

Mr. Tsacoyannis explained that it would not be a liability to the Town because it would be considered trespassing if someone were to enter the property.

Ms. Radosevich stated that she was currently looking at the Regulations and felt that this matter fell under Section 2.3.2.A. Mr. Tsacoyannis stated that this property was not in the center of town with people walking past it several times a day.

Ms. White then read Attorney Olson's response regarding the bond situation;

"The matter is on appeal, so all deadlines are effectively stayed. We are briefing the case".

Chairman Solley thanked Ms. White and asked to move on.

Continued discussion regarding the letter from Planning Commission Chair, Wayne Hileman, regarding Section 3.2 – Zoning District Boundaries and extending the waiver to Washington Depot and Woodville (1hr. 09min. 50sec.):

Chairman Solley stated that he had spoken to the Land Use Staff and believed there would be a small presentation on the matter in the upcoming months, and that there would be a formal vote to go to Public Hearing at some point. Ms. White stated that she would confirm with Mr. Hileman if the same language could be used as in the previous regulation.

Enforcement (1hr. 11min 06sec.):

Mr. Tsacoyannis stated that currently he is working with three properties on Section 6.4.6 – which is the hedge height surrounding Lake Waramaug. He explained that he expects more properties in the near future, but that it is hard to identify which property is which on the lakefront.

Mr. Tsacoyannis stated that he has been following the progress of several properties that have gone past their permit timeframe. He stated that there is nothing currently in the Zoning Regulations that protect the town from projects going on way past their deadline, and felt that this is something that should be looked into.

Communications (1hr. 15min 58sec.):

There were no Communications this evening.

Privilege of the Floor (1hr. 16 min. 00sec.):

None for this evening.

Administrative Business (1hr. 16min. 18sec.):

Chairman Solley stated he is currently the Zoning Commission representative on the Economic Development Committee, but had not been able to attend a number of meetings as of late. He asked the other Commission members to consider taking on this role. The Committee meets once a month on the second Tuesday of each month. Mr. Reich asked who the current members are. Mr. Sherr stated that himself, Mr. Bedini, Chairman Solley of Zoning, Mr. Hileman, Chair of Planning, members of the Washington Business Association, as well as members of the Community at large.

Chairman Solley stated that if anyone was interested in taking his spot, to contact Ms. White.

Adjournment (1hr. 19min. 08sec.):

MOTION: To adjourn the July 27, 2020 Washington Zoning Commission Meeting at 8:57pm, by Mr. Reich, seconded by Mr. Sivick, passed 5-0 vote.

Respectfully Submitted,

Tammy Rill

Land Use Clerk

July 31, 2020

*All documents on file in the Land Use Office

**Minutes subject to approval

***A recording of this meeting is available upon request