

Town of Washington Zoning Commission

Special Permit Application

A Special Permit is required for specific uses as listed in the Zoning Regulations for each Zoning district.

Address of Proposed Use: 130 Kinney Hill Rd New Preston, CT 06777

Name and Mailing Address of Property Owner:

Ethan LaBella 130 Kinney Hill Rd. New Preston, CT 06777

Name and contact information for authorized agent (if applicable – attach letter of authorization):

Application is for (Check One):

New Special Permit - Fee: \$150

Proposed Use: Shop and Storage for contractor

Zoning Regulation Section: 13.16

Zoning District: R-1 Historic District: yes no

Attach a written statement with a Description of the Proposed Use. For new buildings include information such as the height and dimensions, for new businesses: type of business, hours of operation, number of employees, square footage of business area, etc. Also attach description of how the proposed use complies with each of the requirements of the specific special permit section listed above.

Attach site plan or survey map showing location of proposed or existing building, location of septic system, distance from each boundary line and from the septic system to the proposed structure, parking spaces, etc.

Attach a floor plan.

*****ALL PLANS/MAPS MUST BE FOLDED TO FIT IN LEGAL SIZE FOLDER*****

Modification of an existing Special Permit – Fee \$50

Approved Use: _____

Zoning Regulation Section: _____

Date of Approval: _____

____ Attach a written description of the proposed revision and why it is needed.

_____ Attach a site plan or survey map showing the location of the proposed revision with distances to property lines, well and septic system

_____ Attach a revised floor plan, if applicable

*****ALL PLANS/MAPS MUST BE FOLDED TO FIT IN LEGAL SIZE FOLDER*****

Also required for **ALL** applications:

Health Department Approval: Health Department Agent Sign-off Date: 12/29/21

Application fee as listed above plus \$60 State Tax – Check payable to Town of Washington

_____ Letter of Authorization signed by the property owner if he will be represented by an agent

Signed Mandatory Land Use Pre-Application Form re: Conservation Easements

_____ Proof of Inland Wetlands Commission approval, if applicable

_____ Proof of Zoning Board of Appeals approval and filing on the Land Records, if applicable

_____ Proof of Historic District Certificate of Appropriateness, if applicable

Driveway sign-off from the First Selectman, if applicable

Site plans and sketch plans shall meet the standards listed in Section 14 of the Zoning Regulations

Additional documentation may be required depending on proposed use.

This application must be submitted to the Land Use Office.

The Undersigned hereby certifies that the information provided in this application, including its supporting documentation, is accurate and true.

Signature of Property Owner:  Date: 1/5/22

Telephone Number: 860-248-1722 Email Address: e.labella60@gmail.com

*****UNFOLDED PLANS/MAPS WILL NOT BE ACCEPTED*****

FOR OFFICE USE:

Received by: _____ Date: _____

Amount Paid: _____ Check # _____ Date: _____ Written by: _____

Scanned _____ Building _____ Index _____

Ethan LaBella
130 Kinney Hill Rd.
New Preston, CT 06777
860-248-1722
Elabella601@gmail.com

The following information includes the details aligned with the proposed contractor shop and storage space:

I am seeking approval for a special permit to construct a contractor shop and storage unit measuring 40-foot x 60-feet; approximately 2,400 square feet. The shop is proposed to be two-stories measuring 24-feet and 4-inches tall. The development of this shop is necessary to house the equipment and parts required to effectively provide local service. This shop will also provide indoor storage for my machines and equipment which supplement my local property care and plumbing business. Indoor storage for the machines and tools is vital to ensure they are in safe and proper working condition as well as maintain their longevity over time. The hours of operation are from 7:00 AM to 5:30 PM. Currently, there are no additional employees associated with the business in which this building will support. When seeking supplementary assistance additional companies are sub-contracted for support; at this time, I partner with 4 contractors. The construction of this proposed building complies with zoning regulation 13.16 shop and storage use by contractors and building tradesman.

13.16.1

The main use of my property is residential. The purpose of the building is storage. Work for the business is performed off site.

13.16.2

No retail sales will occur on the premises.

13.16.3

The number of vehicles will be kept well within the limits stated in section 13.16.2.

13.16.4

If an outside storage area becomes necessary it will not exceed 5000 square feet and will not be in the front yard set back or within 25 feet of side and rear property lines. Any storage area will comply with section A through G restrictions.

13.16.5

N/A

13.16.6

E. The composition of waste will be mainly cardboard and general rubbish that will be kept in a garbage and a recycling container until trash pick up day. Any scrap metal will be kept in a barrel indoors and recycled.



Substitute House Bill No. 6783

Public Act No. 05-124

AN ACT CONCERNING THE PRESERVATION AND USE OF AGRICULTURAL LANDS AND CONSERVATION AND PRESERVATION RESTRICTIONS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 47-42a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2005):

For the purposes of sections 47-42b and 47-42c and Section 2 of this act, the following definitions shall apply:

(a) "Conservation restriction" means a limitation, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of the land described therein, including, but not limited to, the state or any political subdivision of the state, or in any order of taking such land whose purpose is to retain land or water areas predominantly in their natural, scenic or open condition or in agricultural, farming, forest or open space use.

(b) "Preservation restriction" means a limitation, whether or not stated in the form of a restriction, easement, covenant or condition, in any deed, will or other instrument executed by or on behalf of the owner of land, including, but not limited to, the state or any political subdivision of the state, or in any order of taking of such land whose purpose is to preserve historically significant structures or sites.

Section 2. (a) For purposes of this section, "state or local land use agency" includes, but is not limited to, a municipal planning commission, municipal zoning commission, combined municipal planning and zoning commission, a municipal zoning board of appeals, municipal inland wetlands and watercourses agency, a municipal historic district commission and any state agency that issues permits for the construction or improvement of real property.

(b) No person shall file a permit application with a state or local land use agency or a local building official or director of health, other than for interior work in an existing building or for exterior work that does not expand or alter the footprint of an existing building, relating to property that is subject to a conservation restriction or a preservation restriction unless the applicant provides proof that the applicant has provided written notice of such application, by certified mail, return receipt requested, to the party holding such restriction not later than sixty (60) days prior to the filing of the permit application. In lieu of such notice, the applicant may submit a letter from the holder of such restriction or from the holder's authorized agent, verifying that the application is in compliance with the terms of the restriction. If the applicant has provided written notice pursuant to this subsection, the holder of the restriction may provide proof to the state or local land use agency or local building official or director of health that granting of the permit application will violate the terms of the restriction and such agency, official or director shall not grant the permit.

(c) If the applicant fails to comply with the provisions of subsection (b) of this section, the party holding the conservation or preservation restriction may, not later than fifteen (15) days after receipt of actual notice of permit approval, file an appeal with the state or local land use agency or local building official or director of health, subject to any rules of such agency, official or director relating to appeals. The agency, official or director shall reverse the permit approval upon a finding that the requested land use violates the terms of such restriction.

TOWN OF WASHINGTON

MANDATORY LAND USE PRE-APPLICATION FORM

This form is required for all health, wetlands, zoning, planning, and building applications except for interior or exterior work on existing buildings, which in no way expands or alters the footprint.

No planning, zoning, inland wetlands and watercourses, or historic district commission; health department; building; or zoning board of appeals application for a permit may be filed until the holder(s) of any conservation restriction or preservation restriction on the subject property has been notified. Please see the State legislation in its entirety, reprinted for your convenience on the reverse of this form, Public Act 05-124, Effective October 1, 2005.

Provide the legal name of the property owner(s) and the street address of the property for which one of the above applications will be submitted, then complete either section A or B below.

Property Owner(s) of Record Ethan C. LaBella

Subject Property Address 130 Kinney Hill Rd New Preston, CT 06777

A. I hereby certify that *there are no* conservation easements or restriction, nor any preservation restrictions on the above-referenced property.

Signature of Property Owner Eth C LaBella Date 10-05-21

Signature of Property Owner _____ Date _____

B. *There are* conservation easements or restriction, or preservation restrictions on the above-referenced property.

The name of the easement or restriction holder is _____

The phone number of the easement or restriction holder is _____

You must obtain and attach one of the following:

(1) proof that the easement or restriction holder was notified not less than 60 days in advance of the application by certified mail, return receipt requested, of the property owner's intent to apply for a planning, zoning, inland wetlands and watercourses, or historic district commission; health department; building; or zoning board of appeals permit, *or*

(2) a letter from the easement or restriction holder verifying that the application is in compliance with the terms of the easement or restriction.

DRIVEWAY ORDINANCE

This Driveway Ordinance was adopted by the Town of Washington on June 7, 1962 and amended on February 16, 1989, November 1, 1998, October 2, 2000, and May 23, 2002.

- A. No driveway cut, permanent or temporary, abutting or intersecting any road which is now or which may become part of the town highway system shall be constructed, reconstructed or otherwise altered unless a permit for such has been issued by the First Selectman. A State of Connecticut Department of Transportation (D.O.T.) Encroachment Permit is needed on State Highways.

- B. All such driveways shall be constructed in accordance with the design standards established by this ordinance and in accordance with such additional requirements as may be imposed by the First Selectman in the interest of public safety.

- C. To provide for the safety of the general public using town or state highways and to prevent the washing of sediment into and the erosion of such highways, the following standards shall apply to the design and construction:
 - 1. All driveways shall have an adequate sight distance along the town highway in both directions.
 - 2. No driveway shall be constructed with a grade greater than ten per cent (10%) within fifty feet (50') of the roadway and not greater than fifteen per cent (15%) thereafter. Certification of said grade percentage by a licensed engineer or surveyor may be required at the discretion of the First Selectman.
 - 3. Where there is any doubt in the mind of the first selectman and/or road foreman as to the location of the driveway in regards to property lines, a survey may be required at the applicant's expense.
 - 4. All driveways shall be paved with bituminous concrete for a minimum distance of ten (10) feet from the intersection of the driveway with the town highway. The bituminous concrete shall be a minimum of three (3) inches in compacted thickness applied on a compacted twelve (12) inch layer of gravel. The driveway should be inspected by the first selectman or road foreman prior to application of the asphalt apron. Paving may not be required on driveways constructed off unimproved dirt roads; however, other improvements may be required.
 - 5. No driveway shall be constructed so that its intersection with the town highway is above the level of the existing gutter line of the highway. Water from all driveways shall be diverted so as not to enter upon the traveled portion of such highway. Where the contour of the land is such that, in the opinion of the First Selectman, the construction of a driveway may create a drainage problem, the First Selectman may order the installation of necessary catch basins, culverts, headers and retaining walls.
 - 6. Unless a permit for such work has been secured from the Inland Wetlands and Conservation Commission of the Town of Washington, no driveway shall be constructed, reconstructed or altered if the proposed work constitutes a regulated activity or is located within a wetland or watercourse as defined in the Inland Wetlands Regulations of the Town of Washington. Said Wetlands permit must be obtained prior to application for driveway permit.
 - 7. The First Selectman may issue a conditional permit for any part of the work required by this ordinance, with the completion of work to be not later than six months after issuance of the permit. As part of such conditional permit, the First Selectman may require a cash bond to be deposited with the Town in a minimum amount of \$1,000 and maximum of \$5,000 to secure the completion of such work. Upon failure of completion within six months, the First Selectman may either declare the amount to be forfeited as liquidated damages for the harmful effects which may have been or will be caused by such failure or may enter into the property and perform the uncompleted work, applying the bond amount toward the expenses of such completion.
 - 8. A certificate of occupancy will not be issued until compliance with this driveway ordinance has been completed.
 - 9. The granting of a permit is not certification by the Town of Washington that the driveway is safe or adequate for use by emergency equipment.
 - 10. Driveways with bridges require engineer-certified HS-20 specifications and load rating.

11. An "as-built" drawing may be required for engineered driveways.
12. There shall be no construction of or alteration to any driveway during the months of January, February or March.
13. Installation of any underground utility across a town roadway shall require approval from the First Selectman prior to commencement of work and will require a bond of \$500. Town road crossings for residential installation of electrical, cable or telephone utilities will be allowed only through the process of boring. No road cuts will be permitted.
14. The conditions of Town Ordinance #710 (an ordinance to charge fees for consultant services and/or legal opinions required in the processing of land use or road construction applications) shall apply to the issuance of a driveway permit.

DRIVEWAY ORDINANCE

Property owner: Ethan C. LaBella

Property address: 130 Kinney Hill Rd NewPreston, CT 06777

Mailing address: 130 Kinney Hill Rd NewPreston, CT 06777

Phone #: 860-248-1722

Contractor: Ethan C. LaBella

Mailing address: 130 Kinney Hill Rd NewPreston, CT 06777

Phone: 860-248-1722

I understand that by signing this application I have agreed to comply with the above town ordinance(s) and will contact the issuing authority upon completion for approval.

Date 10/05/21 Ethan C. LaBella
 Property owner signature

Date _____
 First Selectman, issuing authority

*Ordinance 710 attached.
 Please attach a sketch of proposed driveway and site plan.

Date of Zoning Commission approval _____

Date of Health Department approval _____

See Town's comments on reverse.
 Revisions as approved at the Town Meeting on May 23, 2002 shall take effect June 16, 2002.

(initials)
10/15/21

