

## ENFORCEMENT ORDER

To: Mayflower Inn & Spa  
118 Woodbury Road  
Washington, CT 06793

MFMISC2013 LLC  
MFINN2013 LLC  
MFSPA2013 LLC  
Mayflower Owners, LLC  
1375 Enclave Parkway  
Houston, TX 77077

Re: 116 and 118 Woodbury Road and 35 Wykeham Road, Washington, CT

On December 16, 2019, the Zoning Commission of the Town of Washington, Connecticut, granted a special permit for the use of property at 116 Woodbury Road in Washington for a seasonal tent for outdoor events. The applicant represented the name of the property owner as "Mayflower Inn 2013, LLC." We have since determined that no such LLC has been registered with the Secretary of the State.

Section 13.1.C of the applicable Zoning Regulations requires all such uses to meet the following standards, among others:

2. That the location, type, character, size, scale, proportion, appearance, and intensity of the proposed use and any building or other structure in connection therewith shall be in harmony with and conform to the appropriate and orderly development of the Town and the neighborhood and will not hinder or discourage the appropriate development and use of adjacent property or substantially or permanently impair the value thereof.

8. That the proposed use and any building or other structure in connection therewith will not create a nuisance such as noise, fumes, odors, bright lights, glare, visual obstructions, vibrations, or other nuisance conditions at or beyond the property line.

The application was granted upon the applicant's agent's representations, which included the following:

"Mayflower proposes no activity risking ...'noise, fumes, odors, bright lights, glare, visual obstructions, vibrations, or other nuisance conditions....' Success of the Mayflower relies upon maintaining a level of peace and quiet for guests as well as neighbors. No noise generating equipment is proposed."

Despite those representations, sound amplification equipment and noisy generators have been installed and used at the property. For the past several weeks, the activities at and near the seasonal tent have created substantial noise and nuisance to the neighbors, and the Town's efforts to reach an understanding with the Inn's

management have been fruitless. It also appears that access to the activities has been made available through 118 Woodbury Road and 35 Wykeham Road.

The special permit is valid only for the uses that were proposed and as they were represented in the application materials. Since the applicant represented that “no noise generating equipment” was being proposed, the special permit does not authorize the use of any such equipment. Consequently, the use of such equipment in connection with the tent and its associated activities is prohibited.

Therefore, I have determined that the following violations of the Washington Zoning Regulations exist on the premises located at 116 Woodbury Road, 118 Woodbury Road, and 35 Wykeham Road:

1. Violation of Section 2.3: conducting a special permit use without a special permit or zoning permit authorizing the same.
2. Violation of Section 13.1.C.2: location, type, character, size, scale, proportion, and intensity of the use is not in harmony with and does not conform to the appropriate and orderly development of the Town and the neighborhood and hinders and discourages the appropriate use of adjacent property and substantially impairs the value thereof.
3. Violation of Section 13.1.C.8: noise emanating from the tent and its associated uses creates a substantial nuisance in the neighborhood.
4. Violation of Section 13.1.B.1: the application failed to identify the proper owner of the subject property.

By virtue of the authority vested in me by the Washington Zoning Regulations, I hereby ORDER you to CEASE AND DESIST from using any generators or any sound amplification equipment at or in connection with the seasonal tent authorized by the permit or for any uses otherwise authorized by that special permit. If you fail to comply with this order, you may be subject to further orders and enforcement proceedings and penalties in accordance with Connecticut General Statutes § 8-12 and the Town’s Zoning Regulations, including but not limited to revocation of the special permit in its entirety.

You have the right to appeal this action to the Washington Zoning Board of Appeals within 30 days [or as otherwise provided by the regulations] after the service of this order on you, in accordance with Connecticut General Statutes § 8-12.

  
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Shelley White  
Zoning Enforcement Officer