

# KELLY



LAW OFFICES

July 29, 2022

Shelley White  
Washington CT Zoning Board of Appeals  
2 Bryan Plaza  
Washington Depot, CT 06794

Re: Petition for Special Exception  
7 Worcester Road, Washington

Hi Shelley,

Enclosed please find the Petition for Special Exception for the slight expansion of the footprint of the barn on the premises at 7 Worcester Road. This application follows the granting of the Special Permit to rebuild these accessory buildings in September 2021 and Zoning Permit in April 2022.

Included with this application are the Approved & Proposed Drawings, a copy of the filed 9-27-21 Special Permit, the 4-13-2022 Zoning Permit, Mandatory Land Use Pre-Application Form, Client Authorization, copy of the 8-2-21 Health Approval, a letter in support from The Brooklyn Studio and checks for \$150 and \$60 for the filing fees.

I am happy to answer any questions you may have.

All the best,

James G. Kelly

JGK/ms  
Enclosures

THE NATIONAL IRON BANK  
SALISBURY, CONNECTICUT 06088  
(880) 435-2581

1240

51-263/111

CHECK ARMOR  
BY ADVANCED PROTECTION

**JAMES G. KELLY LAW OFFICES**  
**OPERATING ACCOUNT**  
8 TITUS ROAD, P.O. BOX 469  
WASHINGTON DEPOT, CT 06794

2022/06/03

PAY TO THE ORDER OF Town of Washington

\$ \*\* 150.00

One Hundred Fifty and 00/100\*\*\*\*\* DOLLARS

Town of Washington  
P.O. Box 383  
Washington, CT 6794

MEMO

*Mary Spivey*  
AUTHORIZED SIGNATURE

⑈001240⑈ ⑆011102638⑆ 600619011⑈

JAMES G. KELLY LAW OFFICES

OPERATING ACCOUNT

1240

National Iron Bank - Operating

Check #	Client ID	Client Name
1240	0198	Adam & Sylvana Durrett
Check Date	Matter File #	Matter
2022/06/03	0198-001	Land Use
Check Amount	Sub Acct #	Payee
\$150.00		Town of Washington
Memo1:		

Photo Safe Deposit  
Details on Back.

**JAMES G. KELLY LAW OFFICES**  
**OPERATING ACCOUNT**  
 8 TITUS ROAD, P.O. BOX 469  
 WASHINGTON DEPOT, CT 06794

THE NATIONAL IRON BANK  
 SALISBURY, CONNECTICUT 06068  
 (860) 436-2581

1241

51-263/111



2022/06/03

PAY TO THE ORDER OF Town of Washington

\$ \*\*60.00

Sixty and 00/100\*\*\*\*\* DOLLARS

Town of Washington  
 P.O. Box 383  
 Washington, CT 6794

MEMO

*Mary Spic*  
 AUTHORIZED SIGNATURE

⑈001241⑈ ⑆011102638⑆ 600619011⑈

JAMES G. KELLY LAW OFFICES

OPERATING ACCOUNT

1241

National Iron Bank - Operating

Check #	Client ID	Client Name
1241	0198	Adam & Sylvana Durrett
Check Date	Matter File #	Matter
2022/06/03	0198-001	Land Use
Check Amount	Sub Acct #	Payee
\$60.00		Town of Washington
Memo1:		

Photo Safe Deposit®  
 Details on Back.

# 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 Adam and Sylvana Durrett

Subject Property Address 7 Worcester Road

A. I hereby certify that **there are no** conservation easements or restriction, nor any preservation restrictions on that portion of the property on which the subject of this application applies to.\*

Signature of Property Owner James M Kelly attorney Date 7/29/2022

\*CGS 47-42d (b) as amended by PA 10-85 states: Nothing in this section shall be construed to prohibit the filing of a permit application or to require such written notice when the activity that is the subject of such permit application will occur on a portion of property that is not restricted under the terms of such conservation or preservation restriction.

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.



**Town of Washington**  
**Zoning Board of Appeals**  
 P. O. Box 383  
 Washington Depot, CT 06794  
 Land Use Office: 860-868-0423

**ZBA USE ONLY:**

Appl. # ZBA- \_\_\_\_\_  
 Date Rec'd \_\_\_\_\_  
 Fees Paid \_\_\_\_\_  
 Cash/Chk # \_\_\_\_\_  
 Chk writer \_\_\_\_\_

**PETITION FOR SPECIAL EXCEPTION for Expansion of Nonconforming ~~Dwelling~~**  
 Accessory Structure

**APPLICANT INFORMATION**

(If there are two or more applicants, provide the following information for each)

Name: Sylvana and Adam Durrett  
 Home Address: all mail to c/o Kelly Law Offices P.O. Box 469 Wash. Depot CT 06794  
 Business Address: \_\_\_\_\_  
~~Home Phone:~~ \_\_\_\_\_ Business Phone: 860.868.1230  
 Email Address: c/o Jim@ JGK-Law.com

**PROPERTY INFORMATION**

Street Address: 7-11 Worcester Road, Washington  
 Assessor's Lot No.: \_\_\_\_\_ Zoning District(s): R-1 Acreage of Property: 46 .56  
 Owner(s) of Record: Sylvana and Adam Durrett  
 Home Address: all mail to c/o Kelly Law Offices P.O. Box 469 Washington Depot CT 06794  
 Business Address: \_\_\_\_\_  
~~Home Phone:~~ \_\_\_\_\_ Business Phone: 860.868.1230

Record Owner(s) Deed is filed in the Land Records at: Vol. 243 Page 665  
 Is the property located within 500 feet of any town line? Yes \_\_\_\_\_ No X

*James H. Kelly, Attorney*  
 Signature of Owner (if Owner is not the Applicant)

**PRIOR APPEALS OR APPLICATIONS**

Have any variances been granted to this property in whole or in part? Yes \_\_\_\_\_ No X  
 If yes, attach to this application a copy of each such variance and state the volume and page at which each such variance is recorded in the Land Records. Vol. \_\_\_\_\_ Page \_\_\_\_\_

**EXPLANATION OF REQUEST FOR SPECIAL EXCEPTION**

In the spaces below, explain why the increase in nonconformity is needed. The explanation should include, at a minimum, a description of the proposed expansion and the special circumstances that make the special exception necessary. Attach additional sheets, if needed. **The applicant has the burden of proving to the board that the requested special exception is justified.** ~~Refer to "Guidelines for Applications for a Special Exception for Expansion of a Nonconforming Dwelling" for guidance.~~

Please see letter attached from The Brooklyn Studio dated July 26, 2022. Further support will be provided at the hearing.

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**ADDITIONAL REQUIREMENTS**

The applicant must submit:

1. **One original** and eight copies of a class "A-2" **survey** indicating all existing and proposed structures, septic systems, wells and water sources, easements, rights of way and legal restrictions, as well as all measurements and distances, needed to show the extent and nature of the requested special exception.
2. **Building and Elevation (if applicable) Plans** giving complete details with scaled measurements (see "Guidelines" for explanation).
3. **Filing fees** of \$150 and \$60, in separate checks, payable to the Town of Washington.
4. **Required by hearing date:** Evidence of certificate of mailing to the owners of all property located within 200 feet of the property involved in this application, notifying them of the date, time and location of the hearing and the nature of the requested special exception.
5. **Signed Letter of Representation** (if applicable)

**CERTIFICATION**

**I hereby certify that the information I have provided in this application, including any attached sheets, is true, and I acknowledge that any false information may cause the denial or revocation of a Special Exception.**

  
\_\_\_\_\_  
Signature of Applicant

# Town of Washington Zoning Commission

## Agent Authorization Letter

I (print property owner name) Adam&Sylvana Durrett of (print property address)  
7 Worcester Rd authorize (print contractor name) James Kelly to apply for all  
permits regarding (describe work below) or Andy Engel

Petition for Special Exception that seeks a slight expansion of the footprint of an centuries old existing barn located in a front yard set back.

This is the 3rd of a 3 step permit process which the Owners have engaged in to both save the barn and modernize its use to better conform with their present day residential use of the property.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed,



\_\_\_\_\_  
Adam Durrett

Date: 7/29/22

## MEMORANDUM

DATE 07.26.2022  
PROJECT WORCESTER RD RESIDENCE  
7-11 WORCESTER RD  
WASHINGTON DEPOT, CT 06794  
RE ZONING PERMIT #ZP-4159-22

Dear Zoning Board of Appeals,

We are writing to explain our request for a minor alteration to our proposed barn reconstruction at 7-11 Worcester Rd. The existing dilapidated barn is to be rebuilt in kind, with all of the original street-facing features restored. The proposed interior changes are being made to allow for a more efficient, contemporary use as a gymnasium and sports equipment storage facility, and have previously been approved under permit number ZP-4159-22.

We are requesting, at this time, permission to relocate the existing small annex, measuring approximately 58 sq. ft., from the north façade to the east façade. We believe this relocation is architecturally and historically appropriate, as it is a functional piece of the building that would have been located where necessary for practical use. The existing annex served as the entry to the barn, adjacent to the road, for farming use. We wish to retain the function of the annex as an entry vestibule, however, the proposed entry will be relocated to the east, nearest to the house where the homeowners reside. The footprint and massing of the annex will remain unchanged.

Since the existing interior ground floor of the barn steps down approximately 2 ft below exterior grade, we are also requesting to create a slightly lowered areaway at the southeast corner of the barn. Relocating the annex to the east would allow us to provide this lowered access, out of public view. The proposed areaway would serve the dual purpose of connecting to the existing ground level, as well as allowing for a taller, more usable entry door, compared to the current door measuring less than 6 ft tall.

Thank you for time and consideration of this matter.

Respectfully,



Brendan Coburn, FAIA



To be filed on the Land Records:

**DURRETT, SYLVANA and ADAM SURV**

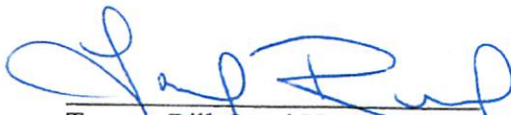
**7-11 WORCESTER ROAD**

On Monday, September 27, 2021, the Washington Zoning Commission took the following action:

**APPROVED: Request of Durrett, 7-11 Worcester Road, for a Special Permit from Section(s): 17.9 – Replacement of a Nonconforming Structures- to demolish an existing barn and shed and rebuild within footprint with the following condition(s): 1.) That the Applicant will apply for additional permitting required if changing the use of the barn and/or shed – Motion made by Chairman Solley, seconded by Mr. Werkhoven, passed 5-0 vote.**

Property recorded in Washington Land Records: Vol. 0243, Pg. 0665.

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Tammy Rill, Land Use Clerk  
October 4, 2021

RECEIVED FOR RECORD  
JAN 26, 2022 at 10:54 AM  
Sheila M Anson  
TOWN CLERK  
Washington, CT

## Town of Washington – Zoning Commission

Permission is granted to Adam and Sylvana Durrett for a change of use – to a sports barn, on the same footprint with identical volume and add a septic and well on the premises located at 7 Worcester Road as detailed in the supporting documents included with the application for a Zoning Permit approved 4-13-2022.

Washington Zoning Commission



MaryAnn Haverstock  
Zoning Enforcement Officer

**THIS IS A ZONING PERMIT ONLY. BUILDING PERMITS MUST BE APPLIED FOR SEPERATELY.**

This permit is valid for one year from date of issue.  
ZP-4159-22 - Expires: 04-13-23

New Milford Health Department  
10 Main Street – Town Hall  
New Milford, CT 06776  
telephone: (860) 355-6035

TO: Brian Neff  
FR: JOE KMITZ

Date: 8-5-21  
Signed: Joseph Kmitz

RE: Review of Engineering Plan for Subsurface Sewage Disposal System located at:

7 WORCHESTER RD

Engineer: Brian Neff

Date Received: 8-2-2021

REASON FOR SUBMISSION:

- |   |  |
|---|--|
| <input type="checkbox"/> Minimum percolation rate poorer than 30 minutes/inch | <input checked="" type="checkbox"/> New Construction |
| <input type="checkbox"/> High maximum ground water level                      | <input type="checkbox"/> Shallow ledge rock          |
| <input type="checkbox"/> Other: _____   | <input type="checkbox"/> Repair                      |

DESIGN SPECIFICATIONS:

No. of bedrooms <u>50 gpd</u>	Design percolation rate <u>10-20</u> minutes/inch
Septic Tank <u>1000</u> gals.	Leaching system <u>24" x 12" galvanized</u>
Fill system <u>12-24</u> feet	Curtain drain <u>NO</u>

ACTION:

- Approval. - REVISIONS WERE DONE 8-2-2021
- Approval with provisions noted below.
- Conditional approval subject to provisions noted below.
- No action at this time. Design plan is acceptable. No approval can be issued until site conditions meet the requirements of the Connecticut Public Health Code.
- Approval denied. Site unsuitable for sewage disposal.
- Approval denied. Insufficient information on plan. Revise as noted and resubmit.
- Approval denied. Further site investigation required.

COMMENTS:

Note: This system does not provide for water softener discharges OR kitchen garbage grinders.

- ① water supply for drain - need to know
- ② Bath needs water test.





**7-11 WORCESTER RD  
RESIDENCE**  
WASHINGTON DEPOT, CT 06784

**CWBA ARCHITECTS**

1000 Main Street  
Newtown, CT 06457  
Tel: 860.442.1234  
www.cwba.com

PROJECT NO: 2022-001  
DATE: 08/2022  
SCALE: AS SHOWN

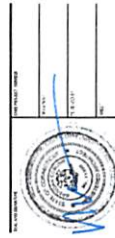
APPROVED

DATE: 08/2022  
SCALE: AS SHOWN

PROJECT NO: 2022-001

**7-11 WORCESTER RD  
RESIDENCE**  
WASHINGTON DEPOT, CT 06784

**CONSTRUCTION:  
1ST FLOOR PLAN**



**A-201.00**

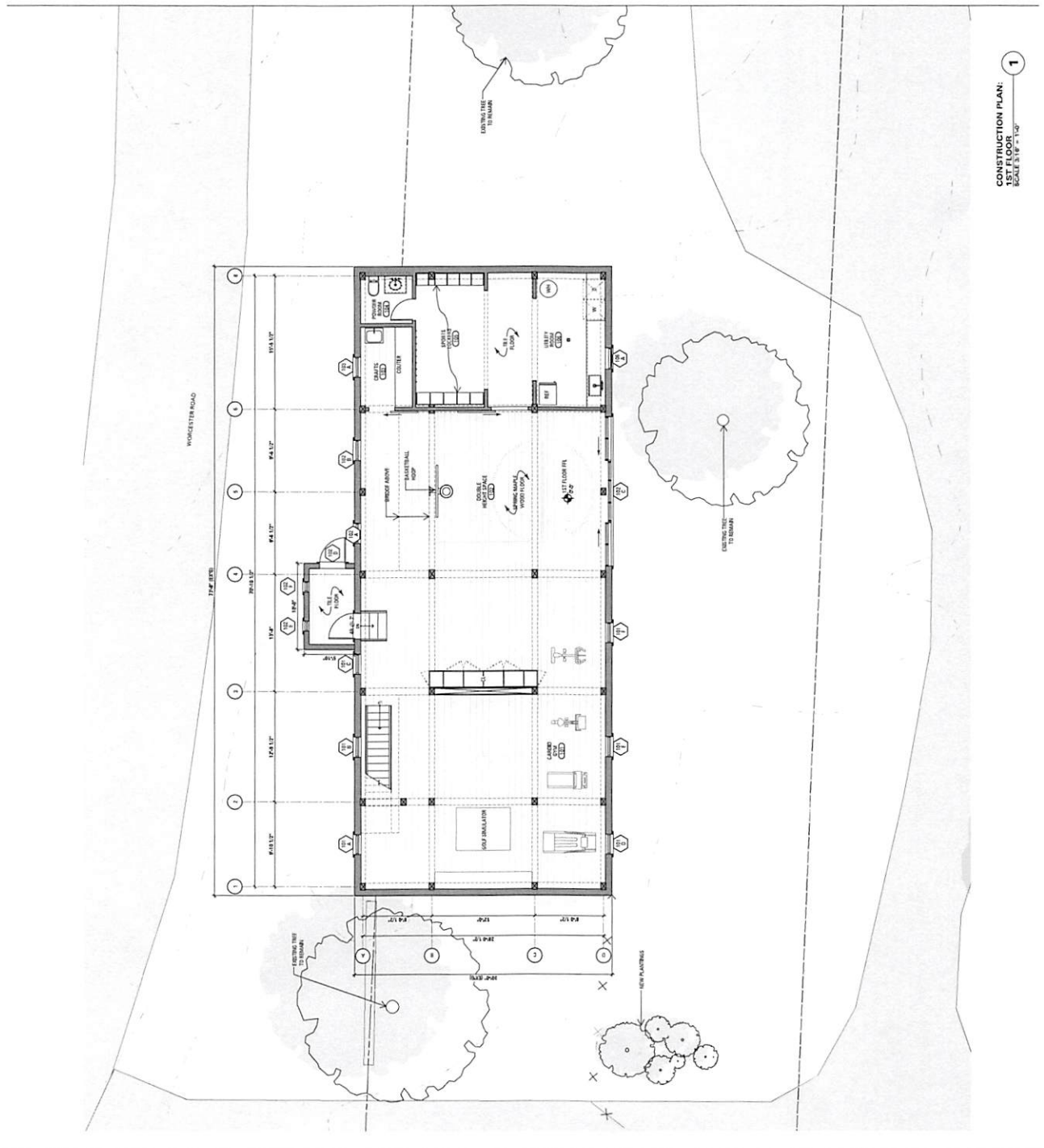
**CONSTRUCTION NOTES**

1. CONTRACTOR RESPONSIBLE TO VERIFY ALL DIMENSIONS.
2. VERIFY ALL DIMENSIONS TO BE SHOWN TO MATCH EXISTING CONDITIONS.
3. PROVIDE ALL NECESSARY MATERIALS AND LABOR FOR ALL WORK SHOWN TO BE CONSTRUCTED.
4. PROVIDE ALL NECESSARY MATERIALS AND LABOR FOR ALL WORK SHOWN TO BE DEMOLISHED.
5. PROVIDE ALL NECESSARY MATERIALS AND LABOR FOR ALL WORK SHOWN TO BE REPAIRED.
6. PROVIDE ALL NECESSARY MATERIALS AND LABOR FOR ALL WORK SHOWN TO BE FINISHED.
7. PROVIDE ALL NECESSARY MATERIALS AND LABOR FOR ALL WORK SHOWN TO BE REMOVED.
8. PROVIDE ALL NECESSARY MATERIALS AND LABOR FOR ALL WORK SHOWN TO BE RELOCATED.
9. PROVIDE ALL NECESSARY MATERIALS AND LABOR FOR ALL WORK SHOWN TO BE ADDED.
10. PROVIDE ALL NECESSARY MATERIALS AND LABOR FOR ALL WORK SHOWN TO BE CHANGED.

**SYMBOLS LEGEND**

SYMBOL	DESCRIPTION
	EXISTING WALL
	NEW WALL
	EXISTING DOOR
	NEW DOOR
	EXISTING WINDOW
	NEW WINDOW
	EXISTING FLOOR
	NEW FLOOR
	EXISTING CEILING
	NEW CEILING
	EXISTING ROOF
	NEW ROOF
	EXISTING STAIRS
	NEW STAIRS
	EXISTING ELECTRICAL PANEL
	NEW ELECTRICAL PANEL
	EXISTING ELECTRICAL OUTLET
	NEW ELECTRICAL OUTLET
	EXISTING ELECTRICAL SWITCH
	NEW ELECTRICAL SWITCH
	EXISTING ELECTRICAL CONDUIT
	NEW ELECTRICAL CONDUIT
	EXISTING ELECTRICAL CABLE
	NEW ELECTRICAL CABLE
	EXISTING ELECTRICAL RACEWAY
	NEW ELECTRICAL RACEWAY
	EXISTING ELECTRICAL PANEL SCHEDULE
	NEW ELECTRICAL PANEL SCHEDULE
	EXISTING ELECTRICAL OUTLET SCHEDULE
	NEW ELECTRICAL OUTLET SCHEDULE
	EXISTING ELECTRICAL SWITCH SCHEDULE
	NEW ELECTRICAL SWITCH SCHEDULE
	EXISTING ELECTRICAL CONDUIT SCHEDULE
	NEW ELECTRICAL CONDUIT SCHEDULE
	EXISTING ELECTRICAL CABLE SCHEDULE
	NEW ELECTRICAL CABLE SCHEDULE
	EXISTING ELECTRICAL RACEWAY SCHEDULE
	NEW ELECTRICAL RACEWAY SCHEDULE

**CONSTRUCTION PLAN:  
1ST FLOOR**  
SCALE: 3/8" = 1'-0"



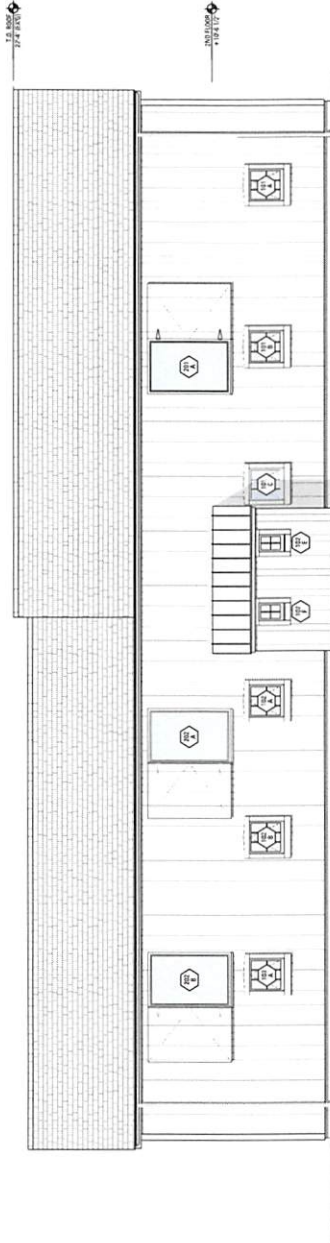


7-11 WORCESTER RD  
RESIDENCE  
7-11 WORCESTER ROAD,  
WASHINGTON DEPOT, CT 06794

CWB ARCHITECTS

ARCHITECT  
PAUL S. CROW  
11 MARKET HALL  
NEWINGTON, CT 06459  
TEL: 860.294.2200  
WWW.CWBARCHITECTS.COM

PROJECT NO: 17-0001  
DATE: 08/2017  
DRAWN BY: PSC  
CHECKED BY: PSC  
SCALE: AS SHOWN  
DATE: 08/2017



CONSTRUCTION:  
NORTH ELEVATION  
SCALE 1/8" = 1'-0"

APPROVED

DATE: 08/2017  
SCALE: AS SHOWN  
DATE: 08/2017

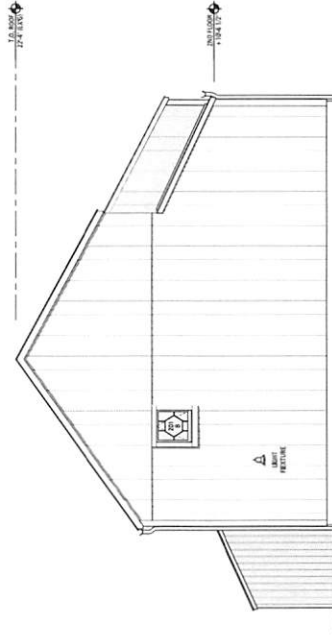
7-11 WORCESTER RD  
RESIDENCE  
7-11 WORCESTER ROAD,  
WASHINGTON DEPOT, CT 06794

CONSTRUCTION:  
NORTH & WEST  
EXTERIOR ELEVATIONS



A-501.00

CWB ARCHITECTS



CONSTRUCTION:  
WEST ELEVATION  
SCALE 1/8" = 1'-0"







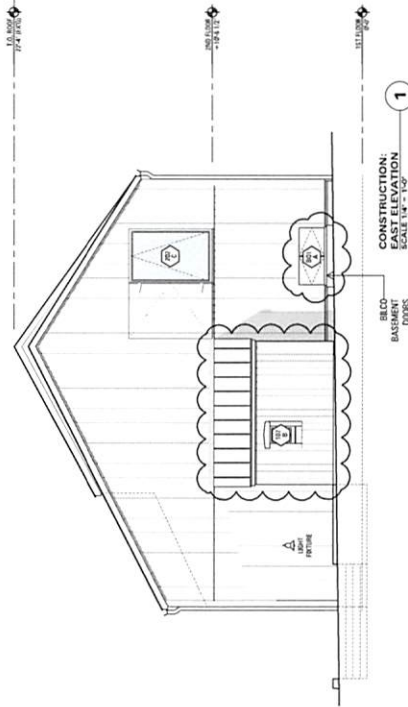
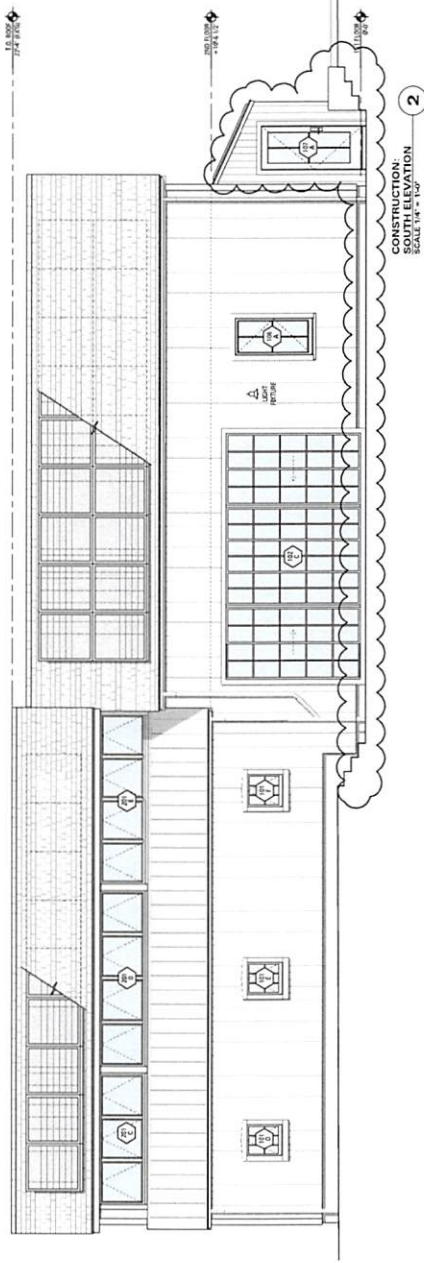
7-11 WORCESTER RD  
RESIDENCE  
7-11 WORCESTER ROAD,  
WASHINGTON DEPOT, CT 06794

CW&S ARCHITECTS

ARCHITECTS  
1000 MAIN STREET  
SUITE 100  
WASHINGTON DEPOT, CT 06794  
TEL: 860-422-1234  
WWW.CWANDSARCHITECTS.COM

PROJECT NO. 2018-001  
DATE: 08/15/2018  
DRAWN BY: J. WILSON  
CHECKED BY: J. WILSON  
SCALE: AS SHOWN  
CONSTRUCTION: 1/4" = 1'-0"

PROPOSED

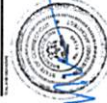


7-11 WORCESTER RD  
RESIDENCE  
7-11 WORCESTER ROAD,  
WASHINGTON DEPOT, CT 06794

CW&S ARCHITECTS

ARCHITECTS  
1000 MAIN STREET  
SUITE 100  
WASHINGTON DEPOT, CT 06794  
TEL: 860-422-1234  
WWW.CWANDSARCHITECTS.COM

PROJECT NO. 2018-001  
DATE: 08/15/2018  
DRAWN BY: J. WILSON  
CHECKED BY: J. WILSON  
SCALE: AS SHOWN  
CONSTRUCTION: 1/4" = 1'-0"



A-502.01

CW&S ARCHITECTS