

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

MINUTES

August 28, 2023

7:30 P.M. – Hybrid Meeting

MEMBERS PRESENT: Chair Solley, Mrs. Hill, Mr. Werkhoven, Mrs. Andersen, Mr. Farrell

MEMBERS ABSENT: None

ALTERNATES PRESENT: Mrs. Smith, Mr. White (departed meeting at 7:40pm)

ALTERNATES ABSENT: Mr. Mongar

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

PUBLIC PRESENT: Mrs. Solomon, Mr. Solomon, Mr. Win, Mr. Szymanski, Attorney Marcus, Ms. Rebillard, Mr. Duke, Mr. Casey, Ms. Averill, Ms. Murray, Ms. Arturi, Mr. Woodroffe, Ms. Purnell, Ms. Giampietro, Mr. Nurnberger

Chair Solley called the meeting to Order at 7:33pm

Chair Solley, Mrs. Hill, Mr. Werkhoven, Mr. Farrell and Mrs. Andersen were seated.

PUBLIC HEARING(S):

Request of Carter, 142 Shinar Mountain Road, for a Special Permit – Section 4.4.2 – Uses by Special Permit – for a cemetery:

Attorney Marcus and Mr. Szymanski were present to represent the property owner.

Attorney Marcus explained that there would not be any added structures built on the property, that there were no wetlands in the proposed area and that plots would be out of the upland review area. The soil was tested and suitable for the proposed with no ledge. The Department of Public Health had been notified and an application has been submitted, and they will approve the plan once the Town of Washington approves. Only family members will be buried here. There would be little to no traffic impact.

MOTION: To close the Public Hearing for the Request of Carter, 142 Shinar Mountain Road, for a Special Permit – Section 4.4.2 – Uses by Special Permit – for a cemetery, by Mr. Werkhoven, seconded by Mrs. Andersen, approved 5-0 vote.

Request of Win, 29 Wykeham Rd., for a Special Permit – 12.6.1.C – General Home Occupation – for a therapist’s office:

Mr. Win, owner of 29 Wykeham Road, stated that the proposed use will be a therapist’s office by appointment only. There would no changes to the building. The timing of those appointments would be approximately 10:00am to 6:30pm spaced throughout the day. Overlap of appointments were not expected. There is

adequate space to turn around in the parking area, and several spaces open for clients to park. The upstairs of the building has one apartment unit – which has one parking space and one garage space available for the tenant.

Ms. Bouyea of Old North Road submitted an email addressed to Tammy Rill earlier in the day, stating that she is concerned about the amount of traffic and speeding on Wykeham Road.

Mr. Casey, a resident of Old North Road, questioned if the Commission could condition the approval by limiting the number of cars per day, as traffic has become a major concern recently. Mr. Win expressed that he would have no problem with this condition if the Commission decided to do so.

MOTION: To close the Public Hearing for the Request of Win, 29 Wykeham Rd., for a Special Permit – 12.6.1.C – General Home Occupation – for a therapist’s office, by Mrs. Andersen, seconded by Mrs. Hill, approved 5-0 vote.

REGULAR MEETING:

Chair Solley called the Regular Meeting to order at 8:01pm.

Chair Solley, Mrs. Hill, Mr. Werkhoven, Mr. Farrell and Mrs. Andersen were seated.

Consideration of the Minutes:

MOTION: To approve the July 24, 2023 Washington Zoning Commission Meeting Minutes, as submitted, by Mrs. Hill, seconded by Mr. Werkhoven, approved 5-0 vote.

Pending Applications:

Request of Carter, 142 Shinar Mountain Road, for a Special Permit – Section 4.4.2 – Uses by Special Permit – for a cemetery:

The Commission wished to clarify that this would be a private cemetery for family use only.

MOTION: To approve the Request of Carter, 142 Shinar Mountain Road, for a Special Permit – Section 4.4.2 – Uses by Special Permit – for a cemetery - for private, family use, as shown in the plan provided and titled, “Proposed Private Cemetery Plot Map for Arthur L. Carter”, dated July 10, 2023, Sheet CEM.1, by Arthur H. Howland & Associates, P.C with accompanying documentation included in the application. Motion made by Chair Solley, seconded Mrs. Anderson, approved 5-0 vote.

Request of Win, 29 Wykeham Rd., for a Special Permit – 12.6.1.C – General Home Occupation – for a therapist’s office:

The Commission discussed Mr. Casey’s request of conditioning the Special Permit to state that the total amount of client cars shall not exceed 10 (ten) per day, and agreed that it should be a condition of the permit.

MOTION: To approve the Request of Win, 29 Wykeham Rd., for a Special Permit – 12.6.1.C – General Home Occupation – for a therapist’s office with the condition that the total number of client’s cars per day shall not exceed ten, with the accompanying documentation included in the application submitted by Mr. Win. Motion made by Chair Solley, seconded by Mrs. Andersen, approved 5-0 vote.

New Applications:

Request of Murray, 254 Woodbury Road, Petition for the removal of Section 12.5.2 – Accessory Structures:

Chair Solley began by reading the following letter submitted by Mr. and Mrs. Murray:

“Dear Town of Washington Zoning Commission,

I am writing to petition a removal of Zoning Regulation 12.5.2 relating to accessory structures in accordance with CT General Statute 8.3 a-d.

12.5.2 Accessory buildings shall be clearly subordinate to and smaller in ground floor area and volume than the principal structure on the property except in connection with an agricultural use. The ground floor area and volume of an accessory building shall not exceed 75% of the ground floor area and volume of the principal building.

This guideline limits residents from building accessory structures needed if they have a smaller house. For homeowners who need a certain sized accessory structure, they are encouraged to increase the size of their house in order to comply with this regulation. If this is not possible, another way to comply is to build multiple smaller accessory structures.

Our regulations already include a maximum lot coverage requirement. This ensures that residents are not overbuilding the property and helps to maintain the rural character of Washington. In addition, we have a maximum height regulation. Between these two existing regulations, accessory buildings are sufficiently limited. In order to support working families and small business growth in Washington, how the lot coverage is used in regards to size of principal and accessory structure should be at the discretion of the property owner.

Washington has enough mansions and large houses already without encouraging those with smaller houses to build bigger. What will the future of Washington be without houses that are less than 2000 square feet? From a sustainability perspective, increasing house size and building multiple structures make little sense. More resources are used to build and maintain these structures simply to comply with zoning. From an economic development standpoint, this regulation is challenging to young families with businesses that benefit the town. Please consider removing this regulation to support families, small businesses and the continued economic development of Washington.

Thank you for your consideration.

Mirriah & Erik Murray
254 Woodbury Road”

The Commission discussed the points made by Mr. and Mrs. Murray. Mrs. Andersen questioned if this could somehow be included in the multi-family housing revisions that will be proposed in the upcoming months. Mrs. Hill stated that she would like to explore more options and suggested meeting with Ms. White, Land Use Administrator, and any interested Commission members to discuss. The Commission

ultimately decided to schedule a Public Hearing on the matter. The Washington Planning Commission will be notified, as well as the Council of Governments.

MOTION: To schedule a Public Hearing for the Request of Murray, 254 Woodbury Road, Petition for the removal of Section 12.5.2 – Accessory Structures, for the October 23, 2023 regularly scheduled Washington Zoning Commission Meeting at 7:30pm in the Main Meeting Room of Bryan Memorial Town Hall as well as via Zoom Video Conference, by Chair Solley, seconded by Mrs. Hill, approved 5-0 vote.

Other Business:

PA 21-29 (Multi-Family Housing):

The PA 21-29 Subcommittee presented the Zoning Commission with a draft of proposed language for Multi-Family Housing regulations. The subcommittee members include Chair Solley, Janet Hill, Valerie Andersen, Judith Gorra, Robert Woodroffe, Edmund White and Darryl Wright.

Chair Solley thanked Mrs. Hill for all of her hard work and dedication in this process.

Chair Solley explained that he would like to schedule a workshop so that the Commission could review the language and discuss any questions or suggestions they may have.

MOTION: To Schedule a Workshop to discuss PA 21-29 – Multi-Family Housing – Draft #10, for Monday, September 11, 2023 at 5:00pm in the Main Meeting Room of Bryan Memorial Town Hall and via Zoom Video Conference, by Chair Solley, seconded by Mrs. Hill, passed 5-0 vote.

Enforcement:

Ms. Haverstock informed the Commission that several permits had been granted for the month that included generators, fences, interior renovations, a barn and riding ring, single family dwellings, additions to single family dwellings and signage.

Invoices and Communications:

Ms. White provided the Commission with an update on Legal Fees to date.

Privilege of the Floor:

Mr. Nurnberger, representative for 77 Ferry Bridge Road, wished to clarify that 77 Ferry Bridge Road was owned by Oh Sang Kwan, however Dr. Kevin Bodling has a private mortgage agreement for the property and with Mr. Kwan. The Commission thanked him for the clarification.

Administrative Business:

Ms. White informed the Commission that she would like to make a template for Motions. The use of the template has been successful for the Inland Wetlands Commission, and Ms. White will be implementing this for Zoning in the near future.

Mrs. Andersen questioned the size of signage located on New Milford Turnpike. It was explained that the sign being referred to is a tarp, and there are no regulations regarding tarps.

Adjournment:

MOTION: To adjourn the August 28, 2023 Washington Zoning Commission Meeting at 8:45pm, by Chair Solley, seconded by Ms. Andersen, approved 5-0 vote.

Meeting recording can be found here:

https://townofwashingtongcc-my.sharepoint.com/:u:/g/personal/trill_washingtonct_org/EUCk-oDepD5Ir-UCvHFejcBWCTwb-HM3ljkdoHNz0s85g?e=1InCFk

***Minutes filed, subject to approval**

Respectfully Submitted,

Tammy Rill

Tammy Rill

Land Use Clerk

August 31, 2023