TOWN OF WASHINGTON

Bryan Memorial Town Hall

Post Office Box 383

Washington Depot, Connecticut 06794

ZBA Special Meeting

November 26, 2018

7:30 P.M. Main Level Meeting Room

**MEMBERS PRESENT:** Mr. Bowman, Mr. Horan, Mr. Wyant

**MEMBERS ABSENT:** Mr. Peterson

**ALTERNATES PRESENT:** Mr. Wildman, Mr. Gunnip

**STAFF PRESENT:** Ms. White, Ms. Hodza

**OTHERS PRESENT:** Mr. Tiernan, Mr. Rieghard, Mr. Howard

**PUBLIC HEARING(S):**

Mr. Bowman called the meeting to order at 7:30 p.m.

**SEATED:** Mr. Bowman, Mr. Horan, Mr. Wyant, Mr. Wildman, Mr. Gunnip

**ZBA-1058: Request of Cowles, 210 West Shore Rd, for a Special Exception/Section 12.1.1-Structure (Wetlands & Watercourse Setbacks), to tear down existing shed and rebuild with slightly larger footprint w/in 50ft of a water body:**

Mr. Reighard was present to represent Cowles of 210 West Shore Rd for this application. He submitted the A-2 Survey titled, “Zoning Location Survey,” prepared for New Castle Homes for Cowles, 210 West Shore Road, by Berkshire Engineering & Surveying, LLC., dated 9/28/18.

Mr. Reighard presented pictures of the existing shed, proposed floor plan and elevations of the proposed shed. He demonstrated that the existing shed is dilapidated and it cannot accommodate the property owner’s boating equipment. It was noted that the existing shed is approximately 9 ft. tall and the proposed shed would be no more than 12’ high. The existing shed is 8’ x 12’ and the proposed would be 10’ x 16’ with the proposed height being 11’ 6”. Mr. Reighard noted that the proposed overhang is 3ft. deep, the structure would be set on concrete blocks, they are proposing a double door on the side and a single door on the side facing the lake.

The Commissioners discussed the submitted materials.

The Commissioners asked that Mr. Reighard provide an architectural rendering of the exact dimensions of the proposed and existing shed. Mr. Bowman explained that due to the proximity of the lake, the Commission requires a very clear understanding, including exact dimensions, of what is being proposed.

There were no further questions.

**MOTION:** to close the public hearing for **ZBA-1058:** Request of Cowles, 210 West Shore Rd, for a Special Exception/Section 12.1.1-Structure (Wetlands & Watercourse Setbacks), to tear down existing shed and rebuild with slightly larger footprint w/in 50ft of a water body, by Mr. Wyant, seconded by Mr. Wildman, passed by 5-0 vote.

**Meeting:**

Mr. Wildman stated that he was pleased that the porch overhang was eliminated from the proposed plan. He feels that Mr. Reighard has made an effort to answer all of the Commission’s questions and provide the correct information that was requested of him. Mr. Wyant agreed with Mr. Wildman. Mr. Horan agreed that the applicant has provided the necessary information and he is in favor of this neater design. Mr. Gunnip agreed and is in favor of this scaled back version of the shed and said he could see why the shed needs to be taller. Mr. Bowman agreed with the other Commissioners. He noted that the height was necessary for the pitch of the roof, the existing shed is clearly in disrepair and this is a reasonable request.

**MOTION:** to approve **ZBA-1058:** Request of Cowles, 210 West Shore Rd, for a Special Exception/Section 12.1.1-Structure (Wetlands & Watercourse Setbacks), to tear down existing shed and rebuild with slightly larger footprint w/in 50ft of a water body, per the plans titled, “New Shed” prepared for New Castle Homes, by A. Hennessy Architects, P.C. dated 11-15-18 and the Zoning Location Survey, prepared for New Castle Homes by Berkshire Engineering & Survey, LLC., dated 9-28-18, by Mr. Wyant, seconded by Mr. Horan, passed by 5-0 vote.

**ZBA-1062: Request of Washington Club, Inc., 92 Green Hill Rd, for a Variance/Section 11.5.1A – Lot Coverage, 11.6.1 – Setbacks, to install platform tennis court, stairs, and terrace:**

Ms. White noted that Mr. Farmer had emailed a request to continue this public hearing at the December 20, 2018, regularly scheduled meeting.

**MOTION**: to grant a continuance of the public hearing for **ZBA-1062:** Request of Washington Club, Inc., 92 Green Hill Rd, for a Variance/Section 11.5.1A – Lot Coverage, 11.6.1 – Setbacks, to install platform tennis court, by Mr. Wildman, seconded by Mr. Gunnip, passed by 5-0 vote.

**ZBA-1064: Request of Tiernan, 109 Blackville Rd, for a Variance/Section 12.1 – Wetland Watercourse Setback, to propane tank:**

Mr. Tiernan, property owner was present to discuss this application. He explained that they are proposing to locate a propane tank for a gas fireplace. He showed the Commissioners a picture of the location of the proposed tank.

The Commissioners discussed the distance of the tank to the watercourse. There was a brief discussion regarding the dimensions of the tank. Mr. Tiernan stated that he was not sure but it is a standard 120 tank.

Mr. Bowman asked if the regulations mention size of tanks. Ms. Hodza responded that the regulations state above ground storage tanks but do not state size.

There was a brief discussion regarding the regulations.

The Commission requested Mr. Tiernan provide the diameter of the tank, the distance between the center of the tank to the edge of Mallory Brook and the center of a tank to the corner of the house to establish an exact record of this application. It was noted that if this application is approved he will need to bring an as-built to the Land Use Office for the record.

**MOTION:** to close the public hearing for **ZBA-1064:** Request of Tiernan, 109 Wykeham Rd, for a Variance/Section 12.1 – Wetland Watercourse Setback, to propane tank, by Mr. Wyant, seconded by Mr. Horan, passed by 5-0 vote.

**Meeting:**

Mr. Wildman stated that he did not have a problem with the proposed location of the propane tank. Mr. Wyant, Horan, Gunnip and Bowman agreed with Mr. Wildman. There were no objections.

**MOTION:** to approve **ZBA-1064**: Request of Tiernan, 109 Wykeham Rd, for a Variance/Section 12.1 – Wetland Watercourse Setback, to propane tank with the condition that an as built is submitted indicating dimensions of tank, distance of center of tank to watercourse, and to corner of house, by Mr. Bowman, seconded by Mr. Horan, passed by 5-0 vote.

**ZBA-1065: Request of Howard, 99 West Shore Rd, for Special Exception for Section 17.4. – Nonconforming Structures, to rebuild boathouse on existing foundation:**

Mr. Howard, home owner, was present to discuss this application. He informed the Commissioners that the existing boathouse is rotting and he is proposing to replace it within the same footprint but change the shed roof to a hip roof and enclose the existing porch. He noted that these small changes increase the volume of the structure.

The Commissioners looked at photographs of the existing structure. There was a brief discussion regarding the proposed overhang. Mr. Howard stated that the overhang would be 6 inches all around. The Commissioners looked at the elevations of the existing and proposed structure. It was noted that there were dimensions missing on the drawings.

Mr. Bowman stated that when any application regarding a lake property comes before the ZBA they require very detailed drawings to create an accurate record the ruling of the Board. He requested that Mr. Howard provide the ZBA more detailed drawings with accurate measurements as well as the materials of what will be used.

**MOTION:** to continue the public hearing for **ZBA-1065:** Request of Howard, 99 West Shore Rd, for Special Exception for Section 17.4. – Nonconforming Structures, to rebuild boathouse on existing foundation to the regular ZBA meeting of December 20, 2018, by Mr. Horan, seconded by Mr. Wyant, passed by 5-0 vote.

**Consideration of the Minutes**

Consideration of the Minutes of the September 20, 2018 and October 15, 2018 regular ZBA Meetings were considered.

Mr. Bowman had submitted suggested revisions for the October 15, 2018, meeting.

**MOTION:** to accept the September 20, 2018, ZBA Regular Meeting Minutes as submitted and the October 18, 2018 Regular Meeting Minutes as amended by Mr. Wildman, seconded by Mr. Wyant, passed by 5-0 vote.

**Other Business:**

The Commissioners reviewed the invoice from Halloran & Sage dated November 8, 2018, and approved the charges.

The Commissioners reviewed a draft letter to Mr. Fleischmann, written by Mr. Bowman, regarding the decision to sustain the appeal - **ZBA-1057.**

**Adjournment:**

**MOTION:** to adjourn at 8:20 by Mr. Wildman, seconded by Mr. Horan, passed unanimously.

 Respectfully submitted.

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Shelley White, Land Use Clerk, November 29, 2018

 Subject to approval

 \*All materials on file in the Land Use Office

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