**ZONING BOARD OF APPEALS**

MINUTES

Public Hearing – Regular Meeting

**December 21, 2017**

7:30 P.M. Main Level Meeting Room

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

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

**ALTERNATES ABSENT:** Ms. Kaplan

**STAFF PRESENT:** Mr. Ajello, Ms. White

**OTHERS PRESENT:** Atty. Kelly, Ms. Audet, Mr. Kalur, Mr. Greenwood, Mr. Aurigemma, Ms. Purdy, Architect, Mr. Bradley, Architect, members of the public

**PUBLIC HEARING(S):**

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

Seated: Mr. Bowman, Mr. Catlin, Mr. Wyant, Mr. Peterson, Mr. Horan

**CONTINUED: ZBA-1044: Request of Arthur H. Howland & Associates, P.C./169 West Shore Road/For Variance from Section 11.6.1.C, Front, Side & Rear Setbacks and Section 12.1.1:**

Mr. Bowman read a letter addressed the Zoning Board of Appeals dated December 21, from Mr. Szymanski of Arthur Howland Associates, P.C. requesting a withdrawal of this application.

**ZBA-1046: To schedule a public hearing for the appeal of 101 Wykeham Rise, LLC/101 Wykeham Road/ Decision by the Zoning Commission of the Town of Washington:**

Mr. Bowman read a letter addressed to the Zoning Board of Appeals dated December 20, 2017 from Attorney Fisher requesting a withdrawal of this appeal.

**ZBA-1051: Request of Spring Hill Farms, LLC. /2 New Milford Tnpk/Special Exception from Section 17.5 – Non Conforming Structures – To expand breezeway, add dormers, and front porch:**

Atty. Kelly and Ms. Audet of Fletcher Carpentry and Design, LLC. were present to represent the property owners for this application. Atty. Kelly stated that the applicants are making modest modifications to an existing house that will promote housing choices for low to moderate income families. He explained that the existing driveway is right off the intersection of Bee Brook Road and New Milford Turnpike and they are proposing to relocate it to the Christian Street side of the property by inversing the entire house, putting the garage on the opposite side and constructing a small entry porch at the front of the dwelling. He noted that the existing entry and hatchway will be removed.

The Commissioners looked at the property survey prepared for Spring Hill Farms, LLC. dated 10-14-17 by John M. Farnsworth & Associates.

Ms. Audet stated that they have received approvals from the Inland Wetlands Commission and the Health Department. She noted that they will not be modifying the footprint except for the addition of the front porch. Ms. Audet stated that once they get the approvals from Land Use the Selectman’s Office will approve the proposed curb cut.

Atty. Kelly stated that the existing lot coverage is 2.56%, the proposed lot coverage is 3.31% and he feels that these are modest improvements.

There was a brief discussion regarding the history of this property.

It was confirmed that the existing dormers would stay and a shed dormer would be added.

There were no further questions from the commissioners or the members of the public.

**MOTION:** To close the public hearing for application ZBA-1051/Request of Spring Hill Farm, LLC/2 New Milford Turnpike/Special Exception from Section 17.5 - Non Conforming Structures/To expand breezeway, add dormers, and front porch, by Mr. Wyant, seconded by Mr. Catlin, passed by 5-0 vote.

**Meeting:**

Mr. Wyant stated that he supports this application and agrees with relocating the driveway to Christian Street for safety reasons. Mr. Horan feels the modifications to the house are reasonable and increases the value and utility of the property. Mr. Peterson stated that he agrees with Mr. Wyant and Mr. Horan and feels that the proposed plan is reasonable and modest, so he is in favor of this application. Mr. Catlin agrees with getting the access of Route 202 and stated that this “clearly promotes housing choice and economic diversity in housing for low and moderate income households…” as per Section 17.5.C.1.a in the Town of Washington Zoning Regulations. Mr. Bowman agrees with the other Commissioners and stated that he appreciates that they are converting an existing building and keeping it modest.

**MOTION:** To approve application ZBA-1051: Request of Spring Hill Farm, LLC, 2 New Milford Turnpike for a Special Exception from Section 17.5 - Non Conforming Structures to expand breezeway, add dormers, and front porch, per the Elevation Drawings by Fletcher Carpentry & Design, LLC and the Class A-2 Survey Entitled, “Property Survey” prepared for Spring Hill Farms, LLC. By Charles C. Farnsworth, L.L.S., dated October 14, 2017, by Mr. Wyant, seconded by Mr. Catlin, passed by 5-0 vote.

**CONTINUED: ZBA-1050: Request of Columbia-Farmer/55 Rabbit Hill Rd/Variance from Section 11.6.1 & 11.6.2-Front and Town Line Setback-to construct 275 SF addition:**

Mr. Kalur was present to represent the property owner. The Commissioners and Mr. Kalur looked at the floor plans and elevations of the proposed addition. He indicated the area of the addition that is in the Town of Washington.

The Commissioners looked at the existing floor plan and the proposed floor plan. It was noted that the addition would not extend beyond what exists. There is approximately 57 SF in the Town of Washington.

There was a brief discussion regarding the property.

There were no further questions from the Commissioners or the public.

**MOTION:** to close the public hearing for application ZBA-1050:Request of Columbia-Farmer/55 Rabbit Hill Rd/Variance from Section 11.6.1 & 11.6.2-Front and Town Line Setback-to construct 275 SF addition, by Mr. Wyant, seconded by Mr. Catlin, passed by 5-0 vote.

**Meeting:**

Mr. Wyant stated that the plans presented tonight were well designed and he supports this application. Mr. Horan stated that he was in favor of this application. Mr. Peterson stated that he appreciates the provided plans which indicate what is being proposed and he is in favor of this application. Mr. Catlin that this property is problematic, has a land based hardship as it straddles two towns, the proposed plan is modest and he is in favor of granting the variance. Mr. Bowman stated that he appreciates the level of drawings that were provided.

**MOTION:** To approve application ZBA-1050: Request of Columbia-Farmer, 55 Rabbit Hill Rd for a variance from Section 11.6.1 & 11.6.2-Front and Town Line Setback-to construct 275 SF addition per the drawings prepared for Columbia/Farmer Residence, by F + H Architectural Design & Consulting, LLC., sheets S.02, EX.01, EX.03, A.01 & A.04, dated 9/25/17, by Mr. Wyant, seconded by Mr. Catlin, passed by 5-0 vote.

**ZBA-1052: Request of Aurigemma-Greenwood/225 Roxbury Rd/Variance from Section 11.6.1 Setbacks- to construct accessory structure 30’ from rear lot line:**

Ms. Purdy and Mr. Bradley Architects, were present to represent the property owners. Ms. Purdy explained how this is an internal lot and the unique hardships that create a small building envelope. She stated that the proposed structure would is closest to the neighboring property owned by Steep Rock Association. Ms. Purdy stated that they have discussed the plan with Steep Rock and they reviewed it and have no problems with it. Ms. White requested that they obtain a letter from Steep Rock for the record files.

The Commissioners looked at Exhibit 1 – Site Limitations Diagram – 225 Roxbury Road.

Ms. Purdy stated that the proposed structure is 20’ by 30’. The Commissioners looked at the floor plans and elevations.

Ms. Purdy indicated there would be a powder room in the studio. She confirmed that they received approval from the State to connect to the existing septic.

It was noted that the proposed structure would encroach the 50’ setback by 20’ and be 30’ from the neighboring property line.

There was a brief discussion regarding the hardships being an interior lot, wetlands, ledge and the grade.

The Commissioners looked at the elevation drawings.

**MOTION:** To close the public hearing for application ZBA-1052/Request of Aurigemma-Greenwood/225 Roxbury Rd/Variance from Section 11.6.1 Setbacks- to construct accessory structure 30’ from rear lot line, by Mr. Catlin, seconded by Mr. Wyant, passed by 5-0 vote.

**Meeting**

Mr. Wyant stated that he feels the proposed plan is reasonable and he supports it. Mr. Horan agreed with Mr. Wyant and feels that as accessory building is reasonable in size and the property has many land based hardships to deal with and he is in favor of approving this application. Mr. Peterson feels that this property is very challenging and he supports this application. Mr. Catlin stated that he agrees that this is a difficult property with land based hardships, he appreciates the fact that the structure was located 30 feet off of the property line as most properties that are not interior lots have a 25-foot setback off the property line. He stated that he supports this application. Mr. Bowman stated that he agrees with the other Commissioners and he is familiar with the neighboring areas the difficulty of locating a structure.

**MOTION:** To approve application ZBA-1052: Request of Aurigemma-Greenwood/225 Roxbury Rd/Variance from Section 11.6.1 Setbacks- to construct accessory structure 30’ from rear lot line, per the drawings entitled “Exhibit 1 – Site Limitations Diagram-225 Roxbury Road,” “Construction Plan” sheet A101.00, “Elevations” sheet A-201.00 by H. H. Purdy Arch., LLC, date October 5, 2017, by Mr. Catlin, seconded by Mr. Wyant, passed by 5-0 vote.

**Seated:** All regular members and alternates

**CONSIDERATION OF THE MINUTES:**

The regular meeting minutes from November 16, 2017 were considered.

**MOTION**: To accept the minutes of the November 16, 2017 meeting as amended, By Mr. Catlin, seconded by Mr. Wyant, passed 5-0 vote.

**CONSIDERATION OF ZBA MEETING CALENDAR FOR 2018:**

The Commissioners considered the 2018 ZBA Regular Meeting Calendar.

**MOTION:** To approve 2018 ZBA Meeting Calendar as presented, approved by vote of 7-0.

**ADJOURNMENT**

**MOTION:** To adjourn the meeting at 8:15 p.m. by Mr. Wyant, seconded by Mr. Horan, approved by 7-0 vote.

**Recordings of this meeting are available in the Land Use Office upon request.**

**Filed Subject to Approval.**

**Submitted by:** \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Shelley White, Land Use Clerk

December 28, 2017