

TOWN OF WASHINGTON
Bryan Memorial Town Hall
Post Office Box 383
Washington Depot, Connecticut 06794
Zoning Board of Appeals Regular Meeting
June 20, 2019

7:30 PM- Main Level Meeting Room

Members Present: Mr. Bowman, Mr. Wyant, Mr. Wildman

Members Absent: Mr. Horan, Mr. Peterson

Alternates Present: Mr. Weber, Mr. Gunnip

Staff Present: Mr. Tsacoyannis, Ms. Rill

Public Present: Mr. Tandler, Ms. Tandler, Mr. Jacobs, Ms. Jacobs, Ms. Valkyr

Chairman Bowman called the meeting to order at 7:30pm. He then seated himself, Mr. Wyant, Mr. Wildman, Mr. Weber and Mr. Gunnip.

ZBA- 1078: Request of Jacobs, 257 West Shore Road (12 sec.):

Mr. and Ms. Jacobs presented the Commission with an A-2 Survey, as requested, and discovered that their patio was actually 2.8 feet over their property line. They stated that when they checked with the Town Clerk for an A-2 survey on file, that there was none, and that they had just received this current survey this morning. Mr. Jacobs referred to the A-2 map, as well as pictures of their current patio, and explained that the current stones that are there, replaced rotted wood and a decayed retaining wall.

Chairman Bowman stated that he contacted legal counsel concerning this matter, and wanted to state for the record that Mr. and Ms. Jacobs went through this entire process correctly and legitimately, and by no means did anything wrong. Mr. Gunnip stated that it is fairly common for a property owner to approach their neighbor concerning issues such as these, explaining that there is a land encroachment, and coming up with a feasible solution. Chairman Bowman stated that another option would be to simply tear down that section on their neighbors' property so that it would not be an issue, but that he did not feel comfortable discussing the issue further until their neighbor was contacted. He encouraged the Jacob's to return after this happens.

MOTION: To grant a continuance to Jacobs, 257 West Shore Road, for a Variance – Section(s) – 11.6.1.C and 11.6.3 – Setbacks, and 12.1.1 – Wetlands and Watercourse

Setbacks, for the August 15, 2019 meeting, by Mr. Wildman, seconded by Mr. Weber, passed 5- vote.

ZBA- 1079: Request of Tendler, 66 Old North Road (16min. 57sec.):

Mr. Tendler stated that this property has been in his wife's family for six generations, and that there had originally been a house on another portion of the land until 2010, when he and his wife built their current home. Their current plan was to convert their existing garage into an accessory apartment, and then demolish a current non-conforming shed and build a garage for the apartment. He stated that their need for a Variance is based on the shape of their lot, noting that they had 118 feet of frontage to Old North Road, which would trigger the Interior Lot regulation, changing their allowable setback to 50 feet. He stated that there is already an established driveway going where the proposed garage would go.

Chairman Bowman and Mr. Tsacoyannis, (Zoning Enforcement Officer for the Town of Washington), had a brief discussion concerning Mr. Tendler's need to request a Special Permit through Zoning, which Mr. Tsacoyannis explained would be happening. Chairman Bowman explained that his concern over what was being presented was that there were no dimensions listed for the proposed garage to locate how far it was from the property line. Mr. Tendler asked for clarification. Chairman Bowman stated that the Commission would need for it to be located exactly on the plan, with dimensions, from all corners of the building, with relation to the property line, in order to grant the Variance.

MOTION: To grant a continuance to Tendler, 66 Old North Road, for a Variance – Section(s)- 11.6.1.B – Minimum Setback and Yard Dimensions – On Interior Lots – Convert Existing Garage to an Accessory Apartment – Demolish Current Shed and Build a Garage, for the July 18, 2019 meeting, by Mr. Wyant, seconded by Mr. Weber, passed 5-0 vote.

ZBA-1080: Request of Sarjeant, 9 Church Hill Road (36 min. 06sec.):

The applicant was not in attendance at this evenings meeting, however, Mr. Sarjeant's neighbor, Ms. Valkyr, was there to voice her concerns and state why she was not in favor of the proposed. Chairman Bowman agreed to allow Ms. Valkyr to present her case to the Commission. Ms. Valkyr stated that the proposed was too large and far too close to her property line. Ms. Valkyr presented pictures to the Commission of an already installed "fence" that had a sliding wall. She stated that Mr. Sarjeant had installed a post connected to the "fence" that he did not have a permit for. Ms. Valkyr had Mr. Alex, a Land Surveyor located in Washington, survey her property and determined that where Mr. Sarjeant would like to install the proposed is 18 inches from her property line. She stated that the plans submitted by Mr. Sarjeant were hand drawn without dimensions, and that she was concerned about the roof line and any water run off that could drain onto her property.

Chairman Bowman concurred with Ms. Valkyr, stating that the plans were insufficient, therefore making the application insufficient. The Commission was disappointed that Mr.

Sarjeant was not at the meeting to explain his side. Mr. Wyant asked if the Commission was still allowed to vote on the proposed plan considering the applicant was not there, and Chairman Bowman confirmed that an applicant does not have to be present for the Commission to vote, as long as the case was/is properly advertised to the public and the applicant has not stated that he was withdrawing or requesting a continuance.

MOTION: To close the Public Hearing, by Mr. Wyant, seconded by Mr. Wildman, passed 5-0 vote.

The Commission agreed unanimously that the application was not sufficient, and Mr. Sarjeant's absence did not help.

MOTION: To deny the Request of Sarjeant, 9 Church Hill Road, for a Variance – Section(s) – 11.6.1.B – Minimum Setback/Yard Dimensions, and 12.1 – Wetlands and Watercourse Setback – For a Shed Roof with Wood Cover/ Lattice – Garbage Can Storage, denied by 5-0 Vote.

MOTION: To approve the Meeting Minutes of the April 18, 2019 meeting, by Mr. Gunnip, seconded by Mr. Wyant, passed 5-0 vote.

MOTION: To approve the Meeting Minutes of the May 23, 2019 meeting, by Mr. Gunnip, seconded by Mr. Wyant, passed 5-0 vote.

MOTION: To adjourn the June 20, 2019 meeting at 8:15pm, by Mr. Wyant, seconded by Mr. Weber, passed 5-0 vote

Respectfully Submitted,

Tammy Rill

Land Use Clerk

June 21, 2019

*Filed subject to approval

**All documents are on file in the Land Use Office, and a digital recording of this meeting is available upon request

