

TOWN OF WASHINGTON
Bryan Memorial Town Hall
Post Office Box 383
Washington Depot, Connecticut 06794
Zoning Commission Regular Meeting
May 20, 2019

7:30 P.M. – Main Level Meeting Room

MEMBERS PRESENT: Mr. Averill, Mr. Werkhoven, Mr. Armstrong, Mr. Reich

MEMBERS ABSENT: Mr. Solley

ALTERNATES ABSENT: Ms. Radosevich, Mr. Sivick

STAFF PRESENT: Ms. White, Ms. Rill

PUBLIC PRESENT: Mr. Carey, Mr. Sherr, Mr. Matthews, Mr. Solomon, Ms. Solomon, Mr. Bedini, Ms. Hill, Mr. Schoellkopf, Mr. Wright, Ms. Wright, Mr. Johnson, Other Members of the Public

Mr. Reich called the meeting to order at 7:30pm.

PUBLIC HEARING (42 sec.):

Mr. Johnson of West Mountain Builders, representing Supply Holdings, LLC, 2 Calhoun Street, gave a brief description of the proposed plan, listed as Building 2 on the plans. He stated that Supply Holdings, LLC would like to demolish the structure currently there, rebuild a new structure that will align with the other buildings currently there and will be used for storage.

MOTION: To close the Public Hearing for discussion, by Mr. Werkhoven, seconded by Mr. Averill, passed by 4-0 vote.

OPEN REGULAR MEETING (05min. 38sec.):

Mr. Reich seated himself, Mr. Averill, Mr. Werkhoven and Mr. Armstrong for this evenings meeting. He explained that Chairman Solley was out of town currently.

CONSIDERATION OF MINUTES (06min. 25sec):

Mr. Armstrong stated that the only correction he had found in the April 22, 2019 minutes was under "**COMMUNICATIONS**", and should read, "Mr. Solley stated that the Commission would be looking into the Statutes closely.

MOTION: To approve the minutes for the April 22, 2019 meeting, with corrections, by Mr. Averill, seconded by Mr. Reich, passed by 4-0 vote.

MOTION: To approve the May 6th, 2019 Special Meeting minutes, by Mr. Averill, seconded by Mr. Werkhoven, passed by 4-0 vote.

PENDING APPLICATION (09min. 42sec.):

With no questions or comments from the Commission, Mr. Reich put forth the following:

MOTION: To approve the Special Permit application, Under Section 8.6 for a reduction of minimum setback and yard dimension, to demolish and rebuild a Retail Lumber Yard outdoor storage building, submitted by West Mountain Builders, For Supply Holdings, LLC, 2 Calhoun Street, Per Plan titled "Site Utility Plan, prepared for Supply Holdings, LLC, by Arthur H. Howland and Associates, with revision date of 10/05/2016, Sheet SU.1_and Architectural Plans titled "Proposed Elevations and Sono Tube Plan, Section Detail, Framing Elevations," prepared for Washington Supply by Arch-Design Services, dated 4-13-2019, sheets A-101 thru A-105, by Mr. Reich, seconded by Mr. Averill, passed by 4-0 vote.

NEW APPLICATION (10min 37sec):

Mr. Matthews representing the Washington Park Association Inc. at 1 Green Hill Road stated that the Park would like to modify an existing Special Permit from Section 8.6 – Minimum Setback and Yard Dimensions, for a free-standing shed to be used for storage of hoses, folding tables and chairs, as well as ladders. Their current means of storage is an electrical/water closet, and Mr. Osborne, (Washington Fire Marshall), has requested that this not be used in such manner. The proposed shed will be 4ft deep by 10 feet wide, and is free standing so that it could be moved if need be.

MOTION: To schedule a Public Hearing on June 24, 2019, at 7:30pm, in the Main Meeting Room at Bryan Memorial Town Hall, Washington, Connecticut for Washington Park Foundation Inc., 1 Green Hill Road, for a Modification of an existing Special Permit from Zoning Regulation Section 8.6 – Minimum Setback and Yard Dimensions – for a free-standing shed. By Mr. Reich, seconded by Mr. Averill, passed by 4-0 vote.

OTHER BUSINESS (16min. 48sec.)

Attorney Zizka sent in his recommendations for the Revisions of the Zoning Regulations for Sections 12.8 and 12.8.1 – Temporary Events. The Commission looked over their copies of the proposed and noted the following:

Mr. Averill was concerned about Section 12.8.3.F – Single Day Events. In the proposed regulations it is listed as only allowable in R1, R2 and R3 zones (residential), and Mr. Averill wondered if the Regulation should be allowed for B1 and B2 (business), zones as well. Next, in regards to Section 12.8.3, Mr. Averill questioned if whether an applicant would be able to "stack" events, one after another, and pull separate permits for each.

Mr. Armstrong was concerned with having a motor vehicle count rather than a head count for events. He also questioned if the Commission should request a parking plan as well as a safety plan from the applicant. Mr. Averill questioned how the Commission could enforce this practice, stating that

someone from the Commission could not possibly police something of that nature. Mr. Reich suggested asking Attorney Zizka why he was suggesting a vehicle count, rather than a head count. The Commission then questioned the number of vehicles that should be allowed at such event. Mr. Armstrong voiced his concerns about how an event would affect the neighbors and whether or not they should be notified beforehand. Mr. Werkhoven agreed with Mr. Armstrong, and also questioned the permit process for such events. Mr. Reich suggested possibly coming up with some event scenarios for the Commission to discuss to test how the Regulations may or may not affect each. He said there is no way to determine or predict what may or may not be coming down the pike as far as new event possibilities. Mr. Werkhoven suggested that the Commission re-consider the regulation of “one event, per property, per calendar year, for seven consecutive days”.

The Commission agreed to contact Ms. White if they had any suggestions, questions or concerns for Attorney Zizka.

Enforcement (1hr. 08min. 42sec.):

The Commissioners received Mr. Tsacoyannis’ (Zoning Enforcement Officer), report dated May 20, 2019, and had no questions or concerns at this time.

Communications (1hr. 10min. 43sec.):

There are currently no communications to discuss.

Privilege of the Floor (1hr. 10min. 50sec.):

Mr. Schoellkopf, President and Founder of Hollister House Garden on Nettleton Hollow Road voiced his concern over the proposed regulation changes, and how it would “cause great harm” to his organization. He listed programs that his organization has held yearly for some time, and is concerned with the possibility of having to go through the permit process repeatedly, every year. Ms. Hill, former Land Use Administrator, stated that Hollister House Garden applied for a Special Permit as a Town Landmark Site years ago, and was allowed to hold events under that Special Permit.

Ms. Audet, representative for 282 Bee Brook Road/Ingrassia, wanted to clarify to the Commission that the 5 Senses Festival last year was not a “wild party” by any means, stating that there were children in attendance for workshops and art classes, as well as dancing events. She welcomed the Commission to set up a time to visit the property.

Mr. Matthews of Painter Ridge Road acknowledged that change can come very hard at times for a town like Washington, but that it does indeed happen, and is not always a bad thing. However, he believes that grandfathering certain events, while not allowing new events the same privilege is somewhat mean.

Ms. Wright, of Scofield Hill as well as Dodge Farm Road, wanted clarification regarding the April 22, 2019 meeting minutes regarding a discussion that took place concerning regulations and use of what is assumed to be her rental property at 11 Dodge Farm Road. Ms. White and Ms. Rill stated together that while Chairman Solley was not present this evening to confirm this information, that they had both listened to the recording of the April 22, 2019 meeting repeatedly and that Chairman Solley was referring to an attached accessory apartment, not a single family home, when stating that “the homeowner (or the legal adult child of a homeowner), should be residing in the residence”. Ms. Rill stated that there were several scenarios presented to the Commission that evening during the discussion, and that the information given to the Public could have easily been confused. Ms. White stated that a Single Family Home Rental did *not* need a homeowner residing on premises, that there should only be one lease. She also clarified that the home did in fact need an access way *through the residence* to get from one side of the home to the other, without having to go outside of the home. Ms. Wright stated that she and Mr. Wright wanted to comply with the Regulations with no uncertainty, and thanked the Commission for their clarifications.

Administrative Business (1hr. 25sec.):

No Administrative Business this evening.

MOTION: To adjourn the May 20, 2019 meeting at 9:08pm, by Mr. Averill, seconded by Mr. Reich, passed 4-0 vote

Respectfully Submitted,

Tammy Rill

Land Use Clerk

May 24, 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.**

