

TOWN OF WASHINGTON
Bryan Memorial Town Hall
Post Office Box 383
Washington Depot, Connecticut 06794
Zoning Commission Regular Meeting
June 24, 2019

7:30 P.M. – Main Level Meeting Room

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

MEMBERS ABSENT: Mr. Averill

ALTERNATES ABSENT: Ms. Radosevich

ALTERNATES ABSENT: Mr. Sivick

STAFF PRESENT: Ms. White, Mr. Tsacoyannis, Ms. Rill

PUBLIC PRESENT: Mr. Bedini, Mr. Matthews, Ms. Pote, Ms. Solomon, Ms. Branson, Mr. Charles, Mr. King, Ms. King, Mr. Sneller, Mr. Doherty, Ms. Audet, Mr. Cole, Ms. Fredlund, Attorney Kopp, Mr. Farrell, Ms. Farrell, Other Members of the Public

Chairman Solley called the meeting to order at 7:30pm. He then seated himself, Mr. Reich, Mr. Werkhoven, Mr. Armstrong and Ms. Radosevich.

PUBLIC HEARING (15sec.):

Mr. Matthews representing Washington Park Foundation, Inc., 1 Green Hill Road presented the proposed plan for a modification of an existing Special Permit for Section 8.6 – Minimum Setback and Yard Dimensions for a free standing shed. Mr. Matthews stated that there is currently limited storage at the Park, and that Mr. Osborne, Washington Fire Marshall, requested that they not use a closet that they currently used for storage because of potential hazards. The proposed shed is four feet deep by ten feet wide, will not require a foundation. It will be made of cedar and painted white to match the current building.

Chairman Solley then read through the Land Use Departments new “Completion Form”, containing information compiled by Ms. White, Land Use Administrator, pertaining to this application and what was submitted by the applicant. Chairman Solley asked for Public comment, and there was none.

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

CONSIDERATION OF THE MINUTES (8min. 45sec.):

MOTION: To approve the May 20, 2019 Meeting Minutes, by Chairman Solley, seconded by Mr. Reich, passed by 4-0-1 vote (abstained by Ms. Radosevich, who was not in attendance at the May 20, 2019 meeting).

PENDING APPLICATIONS 9min. 17sec.):

MOTION: To approve Washington Park Foundation, Inc, 1 Green Hill Road, for a modification of the existing Special Permit to include Zoning Regulation Section(s): 8.6 – Minimum Setback and Yard Dimensions – for a free-standing shed, as shown on the A-1 drawing titled “Washington Park Foundation Proposed Detached Shed”, dated April 20, 2019 by WoodCo, LLC. By Mr. Solley, seconded by Mr. Reich, passed 5-0 vote.

NEW APPLICATIONS (10min. 30sec):

Chairman Solley introduced four new applications to the Commissioners that would be scheduling a Public Hearing for the July 22, 2019 meeting.

MOTION: The following Public Hearings have been scheduled for the Regular Zoning Meeting on July 22, 2019 at 7:30pm, in the Main Level Meeting Room at Bryan Memorial Town Hall, Washington Depot, Connecticut:

- Kandel, 28 Tinker Hill Road, for a Special Permit from Section(s): 17.9 – Replacement of a Nonconforming Structure, and 11.6 – Minimum Setback and Yard Dimensions – Replacement of a Boathouse.
- Flirtation Farms, 72 New Milford Turnpike, for a Special Permit from Section(s): 4.4.6, 13.14 – Room and Board or Bed and Breakfast Establishment – For a Seasonal Outdoor Campsite.
- King, 44 Revere Road, for a Special Permit from Section(s): 4.4.6, 13.14 – Room and Board or Bed and Breakfast Establishment – For a Seasonal Outdoor Campsite.
- Klein, 32 Flirtation Avenue, for a Special Permit from Section(s): 13.11.3 – Accessory Apartment – Attached – For a Studio Apartment over Garage.

By Chairman Solley, seconded by Mr. Werkhoven, passed by 5-0 vote.

OTHER BUSINESS (25min. 28 sec.):

Chairman Solley requested that the Commission read over the document titled, "21 June 2019 – Land Use Draft of MAZ DRAFT (as of 20 May 2019), regarding Section 12.8 - Temporary Uses. Chairman Solley, former Land Use Administrator Ms. Hill, and current Land Use Administrator Ms. White met to look over some suggestions made by Attorney Zizka concerning the wording of the regulation.

Chairman Solley clarified that these are proposed changes and wording, and that nothing is written in stone. He stated that once the Commission agreed on the changes, it would then be presented at a Public Hearing in the future.

***PLEASE NOTE: the following are brief descriptions of the proposed revisions DRAFT. A copy of the proposed revisions DRAFT are available in the Land Use Office:**

Proposed regulation 12.8.1 – would be concerning Temporary Construction Structures (example: Con-Ex boxes) used for storage purposes while construction is happening on a property.

Proposed Regulation 12.8.2 – would be regarding Temporary Trailers for Living Purposes.

Proposed Regulation 12.8.3 – Temporary Events. This Section would outline what events would and would not need a permit, if events are "grandfathered" into the process, whether a temporary event will require a permit if located on Town of Washington owned property, school property, or a religious institution property, the amount of vehicles expected at an event and if there is suitable parking, and the amount of permits allowable per year.

Proposed Regulation 12.8.4 – Temporary Events by Special Permit. Any event that lasts more than one day would be required to receive a Special Permit, and are subject to the standards of Section 13.1.C of the regulations. Businesses within the B1, B2, B3, and B4 districts would not be required to obtain a Special Permit for events happening for more than one day. Events shall be limited to: circuses, carnivals, festivals, concerts, and artistic performances. Galas sponsored by, or principally for the benefit of non-profit organizations that are registered with State or Federal Government, and shall be limited to a time frame of 10:00am-10:00pm. No temporary event may be held for more than seven consecutive days.

The Commission discussed each proposed Section at length.

Mr. Armstrong requested clarification on the definition of non-profit 501-c3's and if the Commission could ask Attorney Zizka to clarify. He then added that he is concerned for the neighbors of such events, and questioned whether or not if the Commission should be more involved with the permitting process. He gave an example of the Gilmore Girl Festival that took place in The Depot a few years ago, stating

that with over one thousand people in attendance, parking was terrible, the fields used for parking at Riverwalk Pavilion was damaged, and that Washington is not made for an event that big. He would like larger events to go through the Special Permit process so that things cannot get out of control.

Chairman Solley stated that he believed it was the intent of the Commission that the Zoning Enforcement Officer could sign off on smaller, one day events, and that the Commission would have to approve larger events. He felt that it would be time wasted if the Commission had to see every single event proposed in the Town. Mr. Armstrong argued that he didn't think there would be too many events coming in, and he felt that allowing neighbors to come and speak at a Public Hearing would not be a horrible idea.

Chairman Solley stated that he wished to avoid regulating every single event in town, but felt that this proposed process was fair.

Mr. Armstrong stated that he felt it was not a good idea to assume that events held on town owned, church, or school property would always run smoothly and that the Commission should be aware that issues could arise. Mr. Solley argued that the people in charge of events held on town owned, church or school property were doing a fine job and should be encouraged to keep doing so. Mr. Armstrong reiterated that parking at these types of events could be an issue, and that the Commission should be aware if there is. Mr. Werkhoven stated that there are plenty of events in town where there is not an overabundance of parking, but that it usually worked out without major issue. Chairman Solley agreed with Mr. Werkhoven, stating that he had never heard of a catastrophe happening at any event in town, and that the Commission should move on to the next subject.

Mr. Werkhoven questioned the number of consecutive days allowable for an event. Chairman Solley stated that no event shall exceed seven consecutive days, that there shall be no more than three Special Permits granted per calendar year. Mr. Werkhoven then asked if whether or not a subdivided parcel of land with one owner would be allowed to break up the properties and hold several events per year at each site. Chairman Solley stated that an event like this would have to come in for a Special Permit, therefore a Public Hearing would be held and the Commission does not necessarily have to approve the event.

Chairman Solley stated that he wished to send the revised proposed changes to Attorney Zizka for his viewing and then hold a Special Meeting to review his suggestions. The date of Monday, July 8th, 2019 at 7:00pm was agreed upon by the Commission.

MOTION: To schedule a Special Meeting to discuss the Revision of Zoning Regulation – Section(s): 12.8 – Temporary Uses and Events, for July 8, 2019 at 7:00pm, in the Main Level Meeting Room at Bryan Memorial Town Hall, Washington Depot, Connecticut, by Mr. Solley, seconded by Mr. Reich, passed 5-0 vote.

ENFORCEMENT (1hr.37min.28sec.):

Mr. Tsacoyannis stated that the Commissioners should have all received his report, dated June 24, 2019. He wished to briefly update the Commission on a property located at 237 Roxbury Road. Mr. Tsacoyannis stated that CTDEEP had visited the Land Use office a few weeks ago with a number of complaints about the property, stating that there were approximately 30 roll-off containers located on the property, mostly filled with construction and demolition debris, however there were some filled with household waste. He then explained that approximately two weeks ago, a few neighbors of the

property had called the Land Use Office to complain about an abundance of black flies coming to their property, to which the Health Department was then contacted, and from there CTDEEP was contacted once again. Mr. Tsacoyannis stated that he hoped that CTDEEP could help in some way and rectify the situation.

COMMUNICATIONS (1hr.42min.51sec.):

There were no communications.

PRIVILEGE OF THE FLOOR (1hr.42min.59sec.):

Mr. Matthews requested information regarding “Landmark Status” as mentioned at the May 20th 2019 meeting as well as the minutes for the May 20th meeting. Chairman Solley stated that a few years ago, Hollister House and Gardens on Nettleton Hollow Road had applied for a Special Permit under Section 4.4.13 – Town Landmark Site. Chairman Solley said that this permitted Hollister House to have signage for their location. Mr. Matthews questioned if this status meant that the property had to follow the regulations just as any other property in town, to which Chairman Solley replied he didn’t believe so. Mr. Matthews stated that he did not walk away from May’s meeting with that understanding, and also did not get that impression from the meeting minutes. Chairman Solley stated that Ms. Rill would happily give Mr. Matthews a copy of the Special Permit Application from the Land Use Office.

Mr. Cole of the Planning Commission introduced himself to the Commission and stated that Mr. Hileman, Chairman of the Planning Commission, had given Mr. Cole the task of reaching out to each Board and Commission in Washington for a status update concerning Washington’s Plan of Conservation and Development. Mr. Cole said that the Planning Commission wished to have a report prepared for the Town by the end of the year, and was hoping for everyone’s cooperation. Chairman Solley thanked Mr. Cole for his work thus far.

MOTION: To adjourn the June 24, 2019 meeting at 9:20pm, by Mr. Reich, seconded by Ms. Radosevich, passed 5-0 vote.

Respectfully Submitted,

Tammy Rill

Land Use Clerk

June 28, 2019

*All documents on file in the Land Use Office

**Minutes subject to approval

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

