TOWN OF WASHINGTON

BRYAN MEMORIAL TOWN HALL

**POST OFFICE BOX 383**

**WASHINGTON DEPOT, CT 06794**

**ZONING BOARD OF APPEALS**

**MINUTES**

**JUNE 18, 2015**

**Members Present:** Ms.Roberts, Mr. Catlin, Mr. Bowman, Mr. Wyant, Ms. Leab

Members Absent:

Alternates Present: Mr. Peterson, Mr. Wildman, Ms. Kaplan

Alternates Absent:

**Staff:** Ms. Nelson. Mr. Ajello

**Others:** Mr. & Mrs. Provey, Mr. Sedito, Mr. Szymanski, Mr. Kenney, Mr. Frisch, Mrs. Mackesy

Ms. Roberts, Chairman, called the Public Hearing to order at 7:30 pm.

**Continued:**

**PUBLIC HEARING**

**Seated:** Roberts, Catlin, Bowman, Wildman, and Peterson

**ZBA-0986-**Request of Roger Provey/ 9 Sandstrom Road, for Variance, Zoning Regulation(s) 11.5.1.A (Maximum Lot Coverage) to remodel a house.

Mr. Provey addressed the commissioners and showed them an updated site plan for lot coverage. The first floor plan was revised and it shows the new proposed area. Mr. Provey reduced the living area, reduced the deck, removed the driveway and put in a parking area. Mr. Provey went over some lot coverage figures. His total proposed lot coverage is 2127 square feet. The maximum allowable lot coverage is 2091 square feet. Mr. Provey did not show Sandstrom Road in his lot coverage calculations as discussed at the previous meeting. Mr. Provey submitted a copy of a map from 1955 for the record. Mr. Provey thinks the board will like his scaled down version the proposed footprint will create. Ms. Roberts asked if there were any comments from the public. Mr. Kenney, a neighbor, spoke in favor of the changes that Mr. Provey has proposed.

**Motion:** to close thePublic Hearing for **ZBA-0986 –** Request of Roger Provey – 9 Sandstrom Road, for Variance, Zoning Regulation(s) 11.5.1.A (Maximum Lot Coverage) to remodel a house, by Mr. Catlin and seconded by Mr. Wildman,

passed 5 – 0.

**MEETING:**

Mr. Catlin said he thinks there is definitely a hardship involved with this lot. It is a tricky small space with a road running through it which takes up a lot of coverage. Mr. Catlin also said the applicant has made an excellent effort to reduce the size of his plans. Mr. Bowman agreed with Mr. Catlins’s comments. Mr. Wildman also agreed. Mr. Peterson said the proposed plans looked promising. Ms. Roberts agreed with prior comments and added that the commission was approving this based on the plans submitted on 6/18/15.

**Motion:** to approve **ZBA-0986 –** Request of Roger Provey – 9 Sandstrom Road, for Variance, Zoning Regulation Section(s) 11.5.1.A (Maximum Lot Coverage) to remodel a house, passed 5 – 0.

**Continued:**

**PUBLIC HEARING**

**ZBA-0988-**Request of Scott & Jennifer Mackesy/ 233 West Shore Road, for Variance,

Zoning Regulation Section (s) 11.5.1 (Maximum Lot Coverage) and 12.1.1 (Wetlands and

Watercourses Setbacks) to move a pool, build a pool house and remodel home.

**Seated:** Roberts, Catlin, Bowman, Wildman, and Kaplan

Paul Szymanski, engineer, represented the applicants for this public hearing along with Brad Sedito from Rusco-Sedito Construction and Daniel Frisch, Architect. Mr. Szymanski went over the proposed plans where several reductions to intensity had been made. The commissioners looked at a hand out, Lot Coverage Comparative Analysis dated 6/17/15. Existing lot coverage is 19.88%. Previous submitted to ZBA lot coverage was 19.82%. The proposed alternative submitted 6/18/15 is 17.24%. Mr. Szymanski said the Carriage House has been reduced in length by 3 feet on the East. It is to be torn down and rebuilt. The West side was reduced in length by 1.3 feet. They are proposing a three car garage tucked under the pool house. The ridge was decreased by 1.7 feet. The pool house was also reduced by 106 square feet. The driveway has been reconfigured and is proposed to tuck it near the tree line on the east side. This will reduce the coverage of the driveway. The retaining wall is to be removed. The generator will be behind the Carriage House. The patio in front of the house has been reduced by 15 – 16 feet. The pool has been reduced to 18’ x 40’. The patio will be made of loosely spaced stones with grass between them. The pervious surface now reduced lot coverage by an additional 374 square feet. Mr. Szymanski said there was a reduction of 2,000 square feet in coverage. He distributed to the commissioners a chart and pictures titled “Living Area Per Acre Comparison” no date. This was to show the intensity of the neighborhood.

Mr. Szymanski read a letter addressed to the commission dated 6/18/15 RE: Application of 233 West Shore Road and submitted some court cases for the file. Mr. Szymanski said the proposed landscaping will soften the front. Rain gardens will be added. They are also proposing some additional buffering along West Shore Road. The commissioners looked at maps from last month and compared to proposed alternative dated 6/18/15.

Mr. Catlin is struggling with finding a reason why you cannot conform to the zoning code. He said this property has an excessive amount of lot coverage that has been granted by variances and that doesn’t mean you can take this out and put it over here. Mr. Bowman said you are not being penalized for having a big lot. He is struggling with the intensity of the lot. Ms. Roberts said yes, they have come to us for a variance for lot coverage and yes, they have done a lot of work to reduce that. She added it was not in the commission’s purview to determine what redesigning the house or what they can or cannot have. Mr. Catlin spoke to the concern of how much structure there is. Mr. Szymanski said this is the only property that has intermittent watercourses running along the property lines. The commissioners continued debating the relocation of the pool. The applicant still has to prove hardship. Mr. Bowman said just because there is a decrease in existing lot coverage doesn’t mean it’s automatically approved. Ms. Roberts said there is a very big building that is being torn down and the opportunity exists to build something smaller and you aren’t. You are adding a pool house that’s 1300 square feet. You are adding back the 1258 square feet by adding the front patio and the pool house patio.

**Motion:** to close the Public Hearing for **ZBA-0987**– Request of Mackesy – 233 West Shore Road, for Variance, Zoning Regulations(s) 11.5.1 (Maximum Lot Coverage) and 12.1.1 (Wetlands and Watercourses Setbacks) to move a pool, build a pool house and remodel home by Ms. Roberts, seconded by Mr. Bowman, passed 5 – 0.

**MEETING:**

Mr. Bowman said he is unconvinced there is proof of hardship. He thinks that work could be done to minimize the coverage and locate some of the proposed new pieces within the buildable area. He also said it intensified the use of the site. Mr. Catlin is having trouble with the exchange of one kind of lot coverage for another and intensifying the use of the site. He appreciated that the applicant made an effort to reduce that. He said there was not enough of a land based hardship to warrant approval even though it is a reduction. Ms. Kaplan believes they have a hardship and with the reduction in coverage there is a legitimate basis on which to approve these plans. She also expressed concern over the sense of mass and approved with sense of caution. Mr. Wildman agreed with previous comments and was not sure of the hardship.

Ms. Roberts said she appreciates the steps taken to try to reduce lot coverage but the efforts are not made in the right direction. However, she was uncomfortable with the addition of the pool house, that it is a big addition to the foot print. She said you have done a good job on paper but nominally reduced the lot coverage.

**Motion:** to approve  **ZBA-0987** – Request of Mackesy – 233 West Shore Road, for Variance, Zoning Regulations(s) 11.5.1 (Maximum Lot Coverage) and 12.1.1 (Wetlands and Watercourses Setbacks) to move a pool, build a pool house and remodel home **VARIANCE DENIED** by 1 – 4 vote

**PUBLIC HEARING:**

**Seated:** Roberts, Catlin, Bowman, Wyant, and Leab

**ZBA-0989-**Request of Duncan Edwards/ 14 Church Hill Road, for Special Exception for

Expansion of Nonconforming Dwelling, 17.5 to build an addition

Michael Carpanzano of Sherman Building Design represented the applicant for this hearing. Proof of mailing has been received along with a letter authorizing him to act as the agent. The Commissioners looked at Proposed Addition Plan by Arthur H. Howland dated May 27, 2015. Mr. Carpanzano said they are proposing to make the kitchen larger and an upstairs bedroom. Although the footprint looks very large the house on the inside is small, it was built in 1890. The second floor is taken up by a lower roof line. The kitchen is also very small. The applicant is proposing to utilize the existing porch and its footprint. The current footprint needs to be squared off and that’s why they are applying for a special exception. The commissioners looked at some photos of the current house. They are proposing to build a second story addition to expand the kitchen on the first floor and adding to the square footage of the upstairs bedroom. Mr. Catlin asked what they were going to do with the existing shed dormer. Mr. Carpanzano said that it will get swallowed up by the addition to the room. The second floor area will become the master bedroom with a bathroom. The commissioners looked at drawings First Floor Proposed, Second Floor Proposed, South View Proposed and West View Proposed which showed the footprint is 16’ x 16’ and volumetrically the second floor is going to increase. There was conversation between the commissioners. Ms. Roberts said the commission needs to see better plans and needs to know exactly what is being proposed. They need to see specific dimensions and size. She also said the elevations don’t add up. Ms. Leab said they need something that has all the dimensions. Mr. Carpanzano said he made a mistake with the elevation drawings. Mr. Bowman said it was an awkward house with a lot of ins and outs. Ms. Roberts asked if the applicant could come back with some revised drawings, including the heights of the peaks. The commission asked for drawings with dimensions on them.

**Motion:** to continue the Public Hearing for **ZBA-0989** – Request of Edwards/14 Church Hill Road, for Special Exception for Expansion of Nonconforming Dwelling, 17.5 to build an addition by Ms. Roberts, seconded by Mr. Catlin, passed by 5 – 0 vote.

**Other Business**

The commissioners considered the Zoning Board of Appeals Meeting Minutes of May 28, 2015.

*Corrections:*

Page 3: Motion **should read:** to approve **ZBA – 0985** –Request of Roger Provey – 9 Sandstrom Road, for Special Exception for Expansion of a Nonconforming Dwelling, Zoning Regulation(s) 17.5 (Special Exception for Nonconforming Structures) to remodel a house, **SPECIAL EXCEPTION DENIED** by 0 – 5 vote

**Motion:** to accept the Zoning Board of Appeals Regular Meeting Minutes of May 28, 2015 as amended by Ms. Roberts, seconded by Mr. Wyant, passed by 5-0 vote.

**Motion:** to adjourn at 10:04 pm, by Mr. Catlin, seconded by Mr. Wyant, passed 5 – 0 vote.

**Submitted Subject to Approval**,

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Linda Nelson, Land Use Clerk

6/24/15

**A recording of the meeting is available in the Land Use Office.**