

TOWN OF WASHINGTON
Bryan Memorial Town Hall
Post Office Box 383
Washington Depot, Connecticut 06794
ZBA Regular Meeting
April 18, 2019

7:30 P.M. Main Level
Meeting Room

MEMBERS PRESENT: Mr. Bowman, Mr. Wyant, Mr. Horan, Mr. Wildman

ALTERNATES PRESENT: Mr. Weber

MEMBERS ABSENT: Mr. Peterson

ALTERNATES ABSENT: Mr. Gunnip

STAFF PRESENT: Mr. Tsacoyannis, Ms. Rill

PUBLIC PRESENT: Mr. Fowler, Mr. Benson

PUBLIC HEARING(S):

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

MEMBERS SEATED: Mr. Bowman, Mr. Wyant, Mr. Horan, Mr. Wildman, Mr. Weber

ZBA-1071: 23 Loomarwick Road, LGA Holdings, Variance – Section – 11.6.C – Side Yard Setbacks- for shed placement, fire pit and bocce court:

Mr. Fowler to represent LGA Holdings, 23 Loomarwick Road.

Mr. Fowler presented a set of plans with the location of the proposed shed, fire pit and bocce court. Pictures of all three were also included. Mr. Bowman measured to make sure the plans were to scale. Mr. Fowler stated that the shed's dimensions were 12 ft. wide by 10 ft. deep, with a 13ft x 11ft. wide pad.

Mr. Bowman stated that given the measurements of the shed, if it were to be moved from the proposed location of 43 feet off of the back corner of the property line to 50 feet of setback, that the shed would not require a variance. Mr. Bowman also stated that the bocce ball court was 36 feet from the property line. Mr. Fowler explained that the proposed shed and bocce ball court aligned with each other, 6 feet apart, and that all were set inside of the property lines. Mr. Fowler then went on to explain the dimensions and location of the fire pit, saying that it would be located on an 8ft. x 8ft. pad and was made from a pre-fab kit.

Mr. Fowler then stated that the shed will also be designed from a pre-fab kit, and that it would not require any construction, that there would not be electricity running to the shed. Mr. Bowman questioned whether or not that fire pit would be propane fueled. Mr. Fowler said it was wood burning and would not require propane.

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

Mr. Bowman asked the Commissioners for their thoughts. Mr. Wildman felt that Mr. Fowler answered all of their questions and provided all of the information required. Mr. Wyant agreed.

MOTION: To re-open the Public Hearing for some unanswered questions from the Commissioners, by Mr. Wyant, seconded by Mr. Horan, passed by 5-0 vote.

Mr. Horan questioned the location of the bocce court and why it was not pushed back a little more. Mr. Fowler explained that the grade drops off dramatically in this area, and that it is also heavily wooded. He also stated that both proposed areas were flat and level, whereas the rest of the property was rather steep.

Mr. Fowler questioned whether or not the bocce ball court would also need to be moved if the shed was moved. Mr. Bowman and Mr. Tsacoyannis looked over the proposed map once again and realized that the shed was fine and within the side yard setback. The only variance needed was for the proposed bocce court.

Mr. Bowman questioned the location of the property's septic system. Mr. Fowler proceeded to explain its location. Mr. Bowman asked if the bocce ball court would be located over the septic fields. Mr. Fowler confirmed.

Mr. Weber stated that he is concerned with the bocce ball courts placement over the septic fields. Mr. Bowman stated that if Mr. Fowler went ahead with the proposed as planned, that he would more than likely have to check with the Health Inspector before approval, however, if the bocce court was moved, it would not be an issue. Mr. Fowler stated that he is willing to modify the plans so that the bocce court was not located on the septic fields.

MOTION: To close the Public Hearing for deliberation, by Mr. Wyant, seconded by Mr. Weber. Passed by 5-0 vote.

The Commissioners were unanimously concerned with the location of the bocce court over the septic fields, however with Mr. Fowler stating that he would move the location of the bocce court to 37 feet from the back and 5 feet from the front. Mr. Bowman stated that because the Bocce court was not an actual permanent structure, it could be removed quickly if need be.

MOTION: To approve ZBA-1071 23 Loomarwick Road – LGA Holdings LLC – Variance for 11.6.C – Side and Front Yard Setback for a bocce court and a fire pit, as shown on the site

plan from this evenings meeting that is dated 04-18-19 with the condition of approval being that the final location of the bocce court is coordinated with the as-built location of the existing location of the septic system. By Peter Bowman, passed 5-0 vote.

ZBA- 1073: 4 June Road – Benson – for Variance- Section 11.6.1 – Front and Side Setback

Mr. Benson explained that he would like to tear down the current cottage at 4 June Road and make it into a full time residence, adding a second story, a study and a deck. Mr. Bowman stated that when he saw the application come in that he had questioned the need for a variance and not a permit for an existing building – non-conforming. Mr. Bowman then stated that there was only a small section of where the proposed deck would be located that he thought actually needed a variance, and consulted with Mr. Zizka (Land Use Attorney), for his opinion.

Mr. Bowman then referred to the site plan provided by Mr. Benson, titled “Benson Residence, 4 June Road”, and questioned the location of the chimney on the site plan. Mr. Benson confirmed the location of the existing chimney. Mr. Bowman questioned whether or not Mr. Benson had visited with the Health Department prior to this meeting, and Mr. Benson confirmed that he had, and that Ms. Von Holt (Health Inspector for the Town of Washington), had approved his current plan.

Mr. Bowman stated that the only variance needed was for the proposed study and for the porch/deck area. He then asked if there was a way to change the plans for the proposed addition without having to ask for a variance. Mr. Benson stated that he had designed the proposed addition this way to keep the same look and character to the home and its location. Mr. Bowman stated that Mr. Benson is entitled to change the volume of the existing structure, however the corner where the three season porch is located was not ideal and it would be hard for the Commission to justify a hardship for the property when there are numerous other ways to build without needing a variance. Mr. Benson then asked if he could ask for just the variance for the deck tonight, then re-design the structure completely. Mr. Bowman stated that Mr. Benson would have to withdraw the proposed addition and then reapply with a new proposed plan. Mr. Benson stated that he would withdraw his proposed plan for the addition and request a variance for the front deck at tonight’s meeting.

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

The Commission agreed that the only variance needed for the proposed plan would be the front deck only.

MOTION: ZBA-1073: 4 June Road, Benson – for Variance – 11.6.1 – Front and Side Setback for a front deck addition to the West side of the existing structure. Approved unanimously.

MOTION: To approve the minutes of the March 21, 2019 meeting, by Mr. Bowman, unanimously approved.

DISCUSSION:

Mr. Weber questioned Ms. White's (Land Use Administrator), email that was sent to all commission members referring to meeting minutes and policies regarding the meeting minutes. Mr. Tsacoyannis stated that the purpose of her email was to let the commissioners know that the Land Use Office would be abiding by Robert's Rules of minute taking. The Commissioner's believed that this was the best practice.

Mr. Weber stated that page 41 was missing from his Zoning Regulations packet that he received in the mail in January. Mr. Wyant, Mr. Wildman, and Mr. Horan confirmed that they were also missing page 41. Ms. Rill stated that she will get a copy to all members as soon as possible.

Mr. Bowman would like to set up a contact list of Commission members in case someone is not able to attend the meeting.

MOTION: To adjourn the Public Meeting at 8:54pm. By Mr. Wyant, seconded by Mr. Weber, passed unanimously.

Respectfully Submitted,

Tammy Rill
Land Use Clerk