

• March 29, 2004

MEMBERS PRESENT: Mrs. Friedman, Mr. Martin, Mr. Owen, Ms. Page

MEMBER ABSENT: Mr. Fitzherbert

ALTERNATES ABSENT: Mr. Abella, Mr. Brinton, Mr. Shapiro

STAFF PRESENT: Mr. Chalder, Mrs. Hill, Mr. Wood, Mr. Sears

ALSO PRESENT: Mr. Charles, Mr. Papsin, Mr. Pearsall, Mr. Williams

Mr. Martin called the meeting to order at 7:30 p.m. and seated the four Members present.

The purpose of the Special Meeting was to conduct a work session with Mr. Chalder and Mr. Wood, consultants from Planimetrics, regarding how the four key zoning issues in the Plan of Conservation and Development, which were prioritized by the Zoning commission should be implemented: 1) protection of scenic resources, 2) the Washington Green District, 3) bulk and dimensional requirements, 4) and alternate housing options. Planimetrics drafted discussion outlines, which were reviewed by the Members and used as a basis for the discussions. These outlines are incorporated in these Minutes and are attached. Mr. Martin explained that first the Zoning Commission will evaluate and decide upon the concepts to be adopted. Next draft regulations will be written. Then, informational meetings will be held with the public.

- **Protection of Scenic Resources:** Mr. Chalder reviewed the options and strategies in the discussion outline and recommended the Commission add criteria to the Special Permit standards and also consider overlay regulations. The Commission could indicate areas of special concern; ridgelines, vistas, etc., and for those areas establish specific criteria to be met. Some of the new criteria could also be added to the Special Permit standards, but in order to govern uses permitted by right, the overlay regulations would also be needed. Mr. Martin stated the Commission would have to balance the rights of property owners to do what they want on their properties with the collective rights of the public regarding the protection of scenic resources. Mr. Wood agreed and described some of the mitigation measures that could be required if a structure was proposed in a scenic overlay area. These included use of non reflective building materials, proper orientation of the building, landscaping, ensuring the maximum height of the building would not be taller than the existing canopy, limiting clear cutting, preserving vegetation in the view cones, etc. Mr. Chalder explained the key issues for the Commission to consider were 1) how to define the overlay areas and 2) how to administer the overlay regulations. He recommended Zoning get advice from its legal counsel regarding how to structure the proposed regulation revision. Mr. Martin said the specific language of any proposed revisions would be reviewed by the Town Attorney. Mr. Martin pointed out the Planning Commission would be reviewing the Subdivision Regulations and possibly revising them to protect scenic resources and thought the efforts of these two Commissions towards that goal should be coordinated. Mr. Chalder recommended Zoning consult with the Conservation Commission about how best to define the Town's scenic priorities and noted some of these resources were already protected as open space. Mr. Martin expressed concern that the shaded areas on the "Scenic Areas Map" were too great a percentage of the Town to be the overlay zone. He suggested only the most prominent sections be included. Mr. Chalder suggested the Commission consider a three level regulation approach, which would range from an administrative approval for projects utilizing mitigation methods below the ridgeline to Special Permit approval for projects using few or no mitigation methods located in prominent areas. It was noted that lighting would also be a significant factor to consider in overlay areas.

- **Washington Green Residential (R-2) District:** It was noted this district differs from the other residential districts due to its significant characteristic of residential and institutional uses coexisting there. Mr. Wood pointed out that while the institutions benefit the overall community, the current lot coverage regulations make it difficult for them to maintain their viability. He recommended the Commission consider R-2 District regulations similar to the incentive concept approved for Marbledale. These would allow greater coverage (up to 50%) by Special Permit in return for increased setbacks and buffer areas and compliance with other standards for parking, traffic, pedestrian access, permeable materials, etc. Mr. Wood noted that under the Special Permit process the Commission would have discretion regarding how much coverage to allow based on the property owner's degree of compliance with the new incentive standards. This type of regulation would govern both the institutional and residential properties in the district. Thus, this proposed revision could be helpful to residences on small lots that may be nonconforming due to existing lot coverage limitations. The map of potential boundary changes for the Green District was reviewed. Mrs. Friedman and Mrs. Hill will inspect the district before the next meeting and will make recommendations for district boundary revisions. It was also noted the uses permitted in the District would be reorganized as has already been done for the other zoning districts whose regulations have been revised in the last few years.
- **Height and Bulk Standards:** Mr. Chalder stated as communities grow, it is possible to utilize the Regulations to help protect the views along town roads by incorporating revisions addressing frontage, residential bulk, height, and setbacks. He suggested the Commission consider increased frontage requirements on collector and arterial roads to prevent the appearance of lots every 200 feet. This, he said, would limit the amount of change to the streetscape. Mrs. Hill noted this would not reduce the number of lots permitted, but would change the configuration of subdivided parcels. It was the consensus no changes in lot coverage requirements (other than those relating to the R-2 District as detailed above) were needed. Mr. Chalder noted building height is a key factor in how houses and their bulk are perceived. Washington's method of measuring height from the average grade within 6 feet of the building was discussed and determined to be reasonable. It was generally thought the current maximum height permitted, 45 feet to the peak of the highest roof, was too high. This is higher than the maximum height allowed in all other towns in our area. Mr. Owen said he did not want to achieve a change in maximum height with roofs that were too low pitched. He said older houses have steeper roofs and he wanted to be able to build older looking houses in town. It was the consensus this would still be possible if the maximum height were decreased to 40 feet. It was noted there are other options such as relating the size of a house to the lot size and relating the height of a house to setback and slope, that could be considered in the future if the Commission still perceives residential bulk to be a problem. One additional topic not addressed in the discussion documents was considered. This was height of accessory buildings. Mr. Martin pointed out the current Regulations set a 26 ft. maximum height limit and state accessory buildings may not exceed the height of the primary structure on the lot except when used for agricultural purposes. As a result, some property owners have made their houses taller in order to have their accessory buildings subordinate to the primary structure. Mrs. Hill pointed out that old barns are in keeping with the history and rural character of the Town, but are often not permitted because they exceed the height of the house on the same property. Mr. Chalder said this regulation could be revised by redefining "subordinate."
- **Age Restricted Housing:** Mr. Wood stated it was not unusual for towns to adopt floating zones for specialized housing. This would be a two step process; 1) applying for a floating zone designation, which would be demonstrating to the Commission that the parcel meets the pre established criteria for the use intended and 2) applying for a Special Permit for the specific project proposed. Mr. Chalder noted all floating zone applications would require a public hearing. Because one goal of the Plan of Conservation and Development is to provide housing diversity, Mr. Owen questioned the rationale for focussing on age restricted housing only. Ms. Page said she hoped the Commission would provide options for young families, too. Mr. Chalder explained the current proposal would not jeopardize soil based zoning when taking into

account the total number of bedrooms. For example, a dwelling for a younger family might contain four bedrooms, while a senior housing unit would contain only one or two. So a parcel that could accommodate six unrestricted units could accommodate twelve or more senior units. Mr. Wood thought due to the large lot sizes required in Washington, most lots could handle more than four or five bedrooms. Mr. Martin cautioned that while the Commission wants to be responsive to the need for housing diversity, it would be very careful not to undermine soil based zoning. It was noted that any regulations that would permit condos would have to limit them to small scale projects in keeping with the character of the Town. It was also noted that if age restricted condos were permitted, it would help housing diversity, but not necessarily housing affordability. Mr. Owen asked how the impact of condos could be controlled. Mr. Chalder said they could be dispersed throughout Town or concentrated in the village centers. He recommended the Commission get specific on the criteria for the locations where it would approve a floating zone designation and that it limit the scale of these projects. Mrs. Hill voiced her concern about the design standards, size, and scale of condo projects in residential districts, pointing out that some condos built in New Milford or Waterbury would not be appropriate for Washington. Mr. Williams, a resident of Quarry Ridge Condominiums, said he thought condo units were self regulating as there were too many restrictions for younger families. He also thought condos should be dispersed throughout Town rather than concentrated in one area. Mr. Chalder said that was one advantage of the floating zone concept; if there were already several condo projects in one area, the Commission would not have to approve another zone change there. Mr. Charles thought in the future there would be clustered affordable single family dwelling options for younger families. He recommended that housing projects, dwellings and condos, accommodate a range of sizes, ages, and price ranges. Mr. Sears said he would prefer that condos did not become "lifestyle enclaves" and spoke in favor of condos with amenities for young adults. Mr. Martin thought the regulation language would have to be carefully drafted so there would be no unintended consequences.

Mr. Martin adjourned the meeting at 10:15 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,
Janet M. Hill
Zoning Enforcement Officer