

TOWN OF WASHINGTON
Bryan Memorial Town Hall
Post Office Box 383
Washington Depot, Connecticut 06794
Zoning Board of Appeals Regular Meeting

MINUTES

March 19, 2020

7:30 PM- Main Level Meeting Room
Virtual Meeting Via Zoom

Present: Chairman Bowman, Mr. Wildman, Mr. Wyant, Mr. Horan, Mr. Weber

Alternates Present: Mr. Gunnip

Alternates Absent: Mr. Sarjeant

Staff Present: Ms. Rill, Mr. Tsacoyannis

Public Present: Mr. Rathe, Ms. Taylor, Mr. Showalter, Mr. Gewanter, Ms. Lodsin

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

ZBA-1088: Request of Rathe, 40 Hinkle Road, for a Variance from Section(s) 11.6.1.C – Minimum Setback and Yard Dimensions – for placement of a propane tank (1min. 25sec.):

Seated for this Public Hearing is Chairman Bowman, Mr. Wildman, Mr. Wyant, Mr. Horan and Mr. Weber.

Mr. Rathe, property owner, stated that he was proposing to add a 24 gallon, single propane tank that would serve a gas oven and clothes dryer only. He stated that the home was practically built on the property line, and that there was really no other place to put the tank due to the distance of doors and windows, as recommended by the propane company.

Chairman Bowman agreed, stating that he had visited the property earlier in the day and noticed there really wasn't anywhere else to place the tank. Chairman Bowman explained that Hinkle Road is lower than the home itself, however you more than likely could see the tank from the road. He then asked Mr. Rathe if he would consider placing some sort of screen or privacy fence to block the view of the tank. Mr. Rather stated that he would definitely be willing to do so. With no questions from the other Board Members, Chairman Bowen moved to close the Public Hearing.

MOTION: To close the Public Hearing in the matter of ZBA-1088: Request of Rathe, 40 Hinkle Road, for a Variance from Section(s) 11.6.1.C – Minimum Setback and Yard Dimensions – for placement of a propane tank, by Chairman Bowman, seconded by Mr. Wyant, passed 5-0 vote.

Mr. Wildman stated that he was in favor of the propane tank, mentioning that Hinkle Road was not a well-traveled road in our area. He was in favor of a privacy fence, however.

Mr. Weber agreed with Mr. Wildman, stating that he was in favor of a fence as well. Mr. Wyant and Mr. Horan also agreed with the placement of a privacy fence.

Chairman Bowman stated that he felt that the proposed placement was the only logical location for the tank, but agreed that there should be some type of privacy fence to block the view of it from the road.

MOTION: To approve ZBA-1088: Request of Rathe, 40 Hinkle Road, for a Variance from Section(s) 11.6.1.C – Minimum Setback and Yard Dimensions – for placement of a propane tank, for the following reasons agreed upon by the Board Members; 1.) The Applicant agreed to install a privacy fence 2.) the proposed location is the only logical placement for this property, by Chairman Bowman, seconded by Mr. Wyant, passed 5-0 vote.

ZBA-1089: Request of Gootrad, 187 Wykeham Road, for a Variance from Section(s): 11.6.1.C – Minimum Setback and Yard Dimensions – for the addition of a Master Bedroom on the ground floor of the home (11min. 00sec.):

The Gootrad's have requested a continuance for the April 16, 2020 meeting.

ZBA-1090: Request of Everything Botanical, LLC, 253 Old Litchfield Road, for a Variance from Section(s): 16.4.2 – Residential District Signs – for a business sign exceeding two square feet (11min 36sec.):

Seated for this Public Hearing is Chairman Bowman, Mr. Wildman, Mr. Wyant, Mr. Horan and Mr. Weber.

Ms. Taylor, owner of Everything Botanical, stated that she would like to add a sign to advertise her flower farm on Route 109 in Washington, which is considered a Residential Zone. The sign would be two and a half feet by four feet. Ms. Taylor explained that they had spoken to the CT DOT, and had received their approval for the sign and its placement, and added that the sign would be seasonal, and along with the name of her business, the sign would advertise what was available from the farm for purchase underneath the main sign, similar to what Painter Ridge Farm used to do.

Chairman Bowman stated that he had visited the property earlier in the day and explained to the Board that he could justify the size of the sign, so that it could be seen from the road.

Zoning Enforcement Officer, Mr. Tsacoyannis, stated that it was his understanding that the sign would be made of stone or concrete. Ms. Taylor clarified that in the picture she had submitted with her application, that the actual sign was sitting on the ground, to give the Board an idea of what it would look like. However, the sign would be actually set on two 4' x 4' posts, approximately five feet off of the ground, with the additional signs hanging underneath.

Chairman Bowman explained to Ms. Taylor that if her application is approved, the Board would most likely request that she provides an accurate drawing/as-built of the sign, that also contains the actual height and design, as well as a survey with the exact location identified.

With no further comments or questions, Chairman Bowman requested a Motion to close the Public Hearing.

MOTION: To Close the Public Hearing in the matter of ZBA-1090: Request of Everything Botanical, LLC, 253 Old Litchfield Road, for a Variance from Section(s): 16.4.2 – Residential District Signs – for a business sign exceeding two square feet, by Chairman Bowman, seconded by Mr. Wyant, passed 5-0 vote.

Mr. Wildman stated that he had no problem with the proposed sign, stating that there were already numerous signs in the town similar to the proposed. Also, the sign would be for a farm, which he felt is warranted advertising.

Mr. Weber stated that he was in favor of a seasonal sign advertising farm products.

Mr. Wyant stated that he was in favor of the sign, explaining that it was the perfect size, in a good location and would be seasonal.

Mr. Horan agreed with the Board members, adding that he is in favor of a picture of the actual sign for the record.

Chairman Bowman also agreed with the Board, stating that he believed farms of this nature add to the character of the town, and therefore he felt it was important to encourage business owners like Ms. Taylor to promote their business. He also agreed with Mr. Horan, that an accurate drawing of the sign would be needed.

MOTION: To approve ZBA-1090: Request of Everything Botanical, LLC, 253 Old Litchfield Road, for a Variance from Section(s): 16.4.2 – Residential District Signs – for a business sign exceeding two square feet, for the following reasons agreed upon by the Board Members; 1.) the sign will be for farm products, which adds to the original character of Washington, 2.) The sign promotes a small business in town, and 3.) The sign will be seasonally placed. The Board Members also agreed to the following conditions of approval; The applicant must provide an accurate drawing of the proposed sign that includes actual height and design as well as a survey with the location of the sign placement shown. By Chairman Bowman, seconded by Mr. Wyant, passed 5-0 vote.

ZBA-1091, Request of The Gunnery, 28 School Street, for a Variance from Section(s): 11.6 – Minimum Setback and Yard Dimensions – for a Storage Shed (31min 15sec.):

Seated for this Public Hearing will be Chairman Bowman, Mr. Wildman, Mr. Horan, Mr. Weber and Mr. Gunnip for Mr. Wyant, who has recused himself from this hearing.

Mr. Showalter, representing The Gunnery, explained that after the January 16, 2020 ZBA Meeting where The Gunnery had received approval for the placement of a shed, that Mr. Gewanter, a

neighbor of the property at 28 School Street, had decided that the original decided upon placement of the shed was not the best location for it. The Gunnery, wishing to respect Mr. Gewanter's request, had decided to come up with another location that was agreeable for all.

Mr. Showalter explained that there would only be one shed on the property, and that it would be placed closer to the Muszala residence. There would be minimal grading done, there did not seem to be any drainage issues, and one or two six-inch trees would be coming down to make space for the shed.

Mr. Showalter then explained that Mr. Muszala was in favor of the re-location of the shed that would now be closer to his property.

Mr. Weber asked about a small structure that was located close to the property line belonging to Mr. Muszala. Mr. Showalter stated that there was a home office on Mr. Muszala's property, and that the proposed shed would mask that structure.

Chairman Bowman stated for the record that The Gunnery's previous application for this shed and its location were properly noticed and approved by the Board.

Mr. Showalter apologized on behalf of The Gunnery for re-applying and thanked the Board for their time. Chairman Bowman assured Mr. Showalter that the Board understood it was out of his, and The Gunnery's control and appreciated that they were trying to be good neighbors.

With no further questions or concerns, Chairman Bowman requested a Motion to close the Public Hearing.

MOTION: To close the Public Hearing in the matter of ZBA-1091: Request of The Gunnery, 28 School Street for a Variance from Section(s): 11.6 – Minimum Setback and Yard Dimensions – for a storage shed. By Chairman Bowman, seconded by Mr. Gunnip, passed 5-0 vote.

Mr. Horan stated that he felt that the new proposed location was much better than the first proposed location.

Mr. Weber stated that this location had better setbacks off of the property line and is more logical.

Mr. Gunnip stated that this location was a great improvement and made mention of The Gunnery being a good neighbor.

Mr. Wildman agreed with the proposed the location and felt it was better overall.

Chairman Bowman stated that the new location reduces the visual clutter in that area, and was a far better choice than the previous location.

MOTION: To approve ZBA-1091: Request of The Gunnery, 28 School Street for a Variance from Section(s): 11.6 – Minimum Setback and Yard Dimensions – for a storage shed, for the following reasons agreed upon by the Board Members; 1.) The shed is in a better location with improved setbacks, and 2.) The placement reduces visual clutter in the area. The Board Members also agreed to following conditions of approval; that the previous Variance approval for the shed’s placement in the North West corner of the property as shown on the map labeled 211B1, as prepared by Harold J. Stoeffler, and dated June 1939, be marked as void on file in the Land Use Office. By Chairman Bowman, seconded by Mr. Horan, passed 5-0 vote.

Consideration of the Minutes (49min. 54sec.):

MOTION: To approve the January 16, 2020 Zoning Board of Appeals Meeting Minutes as submitted, by Mr. Wyant, seconded by Mr. Horan, passed 5-0 vote.

Adjournment (50min 12sec.):

MOTION: To adjourn the March 19, 2020 Washington Zoning Board of Appeals Meeting at 8:21pm, by Mr. Wyant, seconded by Mr. Weber, passed 5-0 vote.

Respectfully Submitted,

**Tammy Rill
Land Use Clerk
March 23, 2020**

- *All documents on file in the Land Use Office**
- **Minutes subject to approval**
- ***A recording of this meeting is available upon request**