

Zoning Commission

MINUTES
Public Hearing
June 15, 2016

7:00 p.m.

main level meeting room

MEMBERS PRESENT: Mr. Averill, Mr. Reich, Mr. Solley
Mr. Werkhoven
MEMBER ABSENT: Mr. Brinton
ALTERNATES PRESENT: Mr. Burnham, Mr. Solomon
ALTERNATE ABSENT: Mr. Sivick
STAFF PRESENT: Mrs. Hill

Mr. Solley reconvened the public hearing at 7:05 p.m. and stated the purpose was to continue discussion regarding the comments and recommendations by Atty. Olson for the Commission's proposed revisions to the Washington Zoning Regulations.

The document, "Comparison: Proposed Language vs Recommendations by Atty. Olson," by Mrs. Hill was used for reference and each issue addressed by Atty. Olson was discussed.

1. Section 21.1.53: To add a definition for Pool House.
There was a brief discussion regarding how to ensure pool houses could not be used as dwelling units. Mrs. Hill noted the enforcement officer checks to make sure there is no heating for the building and writes "not to be used as a dwelling unit" on each permit issued. It was the consensus to keep the definition as originally proposed.

2. Section 6.3.2: Stairs in the Lake Waramaug Residential District.

Mr. Solley explained that the current regulations permit only wooden stairs, but under the proposed revisions, stone stairs would also be permitted. He stated that the enforcement officer must frequently deal with stairs around the lake and that with the proposed revisions, he would be able to better regulate them and to issue administrative permits. It was the consensus to describe the types of stairs to be included using language to match that in Section 6.6.9 so the phrase, "to access a dock or waterfront" will be added at the end of 6.3.2.

3. Section 6.6.6.C: Inflatable Floats:
The proposed revision was not changed.

4. Sections 6.6.9 and 6.6.10.D: Stair Design in the Lake Waramaug Residential District

It was noted that stairs were being added to Section 6.3.2 so that permits could be issued administratively and that these

sections were adding standards for stair construction. Atty. Olson had recommended that a diagram be required with these applications, but it was noted that maps and diagrams are always required for zoning applications and so additional language was not necessary. The commissioners rewrote some of the proposed language to shorten it and after a discussion about natural vs processed materials, decided to delete the word, "unprocessed."

5. Section 6.6.13: Street Numbers for Docks and Floats. After a brief discussion it was the consensus to add the language recommended by Atty. Olson and specify that it is the street address of the primary residence that is required.

6. Section 12.7.5: Tag Sale Fee. "Cellar" sales was changed to "similar" sales. The language recommended by Atty. Olson was not incorporated because the tag sale permit fee is not specified in the Commission's fee schedule.

7. Section 13.1.B.3: Modification of Special Permits. After a lengthy discussion and consideration of Atty. Olson's recommended language, the last two lines of this proposed section were deleted and the following sentence inserted instead: "All modifications shall require a public hearing and approval by the Zoning Commission."

8. Section 13.1.B.9: Addition of Standard for Blasting and Rock Removal. The commissioners accepted Atty. Olson's recommendation, but changed "the" improvement to "any proposed" improvement.

9. Section 13.2.B: Filing of Special Permits. Mr. Solley noted that the current regulations do not inform the applicant that his special permit must be filed on the Land Records and he recommended that Atty. Olson's language be implemented. The commissioners agreed.

10. Section 13.3: Effective Date. There was a brief discussion regarding whether the date the permit is filed on the land records should be specifically referenced. Mrs. Hill explained that the Land Use Office is not always informed the day a permit is filed and so the Special Permit is often issued days later. The commissioners opted to use Atty. Olson's language.

11. Section 13.4: Bonding. The revision proposed by the Commission was to change "shall" to "may" because the Commission does not always want to require that a bond be posted for approved projects. However, Atty. Olson had recommended further revisions to this section. It was not clear whether these further revisions would limit the Commission's authority to require a bond to public improvements only. The types of work for which the Commission has typically required bonds were reviewed. It was the consensus to go ahead with the

change of "shall" to "may" but to consult further with Atty. Olson before deciding on whether to incorporate her recommended language.

12. Section 13.8: Excavation.

It was noted that "processing" had been added to this section to address past problems the Commission has had to resolve concerning excavation work. It was the consensus to adopt all of Atty. Olson's proposed language.

13. Section 13.8.10: Revocation of Excavation Permit:

It was the consensus that Atty. Olson's addition should be incorporated.

14. Section 13.10.4: Residential Conversion of Older Home.

It was agreed that "originally" should be inserted in this section as recommended by Atty. Olson.

15. Section 3.11.3.6: Detached Accessory Apartments.

Mr. Solley read the proposed revisions and after a brief discussion it was the consensus that the proposed language was adequate.

16. Section 11.4.5: Accessway and Number of Lots to be Served by an Accessway.

Mr. Solley explained that the word, "interior" had been deleted so that an accessway would be able to serve two frontage lots or one frontage and one interior lot, or two interior lots as is now allowed. It was noted that discussions resulting from the Ingrassia subdivision application had made it clear that major further revisions were needed in this section and so it would be worked on in the upcoming round of revisions.

Although it was the consensus of the commissioners that a continuation of the public hearing was not needed, they asked to see the text of the revisions agreed upon tonight before voting. Mrs. Hill will prepare the revised text in time for review before the next meeting on June 27.

MOTION: To close the public hearing to consider revisions to the Washington Zoning Regulations. By Mr. Werkhoven, seconded by Mr. Reich, and passed 4-0.

Mr. Solley adjourned the hearing at 8:30 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,
Janet M. Hill, Land Use Administrator