

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

MINUTES

June 18, 2020

7:30 PM- Virtual Meeting Via Zoom

Present: Chairman Bowman, Mr. Wildman, Mr. Wyant, Mr. Horan, Mr. Weber
Alternates Present: Mr. Gunnip, Ms. Rebillard. Mr. Sarjeant
Staff Present: Ms. Rill, Mr. Tsacoyannis
Public Present: Mr. Pakula, Ms. Pakula, Ms. Mudge

Chairman Bowman called the meeting to order at 7:31pm.

ZBA:1096 (Continued), Request of Mudge, 240 Woodbury Road, for a Variance from Section(s): 11.6 – Minimum Setback and Yard Dimensions – for a privacy fence (30sec.):

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

Ms. Mudge, owner of 240 Woodbury Road, stated that she was still interested in installing a privacy fence on her property to buffer sound, as well as keep her two young children safe, as the house was located very close to Woodbury Road (also known as Rte. 47). Ms. Mudge stated that she would be willing to come down a bit on the height of the fence, however, a 4-foot fence did not seem feasible.

An email, submitted to Ms. Rill, Land Use Clerk, from Mr. Barnet, resident of Washington, dated June 18, 2020 was then read aloud to the Commissioners. It read as follows;

“The Zoning Commission presumably weighed the benefit of privacy fences (to the homeowner) against the detriment (to the neighborhood) when they adopted the regulation limiting front-line fences to four feet.

This rule applies to everyone (unless there were a “hardship” as legally defined). If an exception is made here, there might as well be no rule—everyone can have a six-foot privacy fence, and our country roads will become like tunnels.”

The Commissioners agreed with Mr. Barnet’s point, stating that they were not in favor of a six-foot fence, asking Ms. Mudge if she would consider something shorter. Ms. Mudge stated that she was flexible. The Commissioners then discussed what they felt was an appropriate height.

Mr. Gunnip stated that he felt a six-foot fence was too high, however a four-foot fence did not seem like enough.

Mr. Wildman pointed out that there were fences all along Route 47 that were at least six-feet tall.

Mr. Wyant agreed with Mr. Gunnip, stating that a five-foot fence would be more reasonable.

Mr. Weber stated that he would be more comfortable with a four-foot fence. He asked for the distance between the road to the house, to which Chairman Bowman stated was approximately ten feet, according to the survey presented. Chairman Bowman then stated that the measurement from the fence to the center of Route 47 was roughly twenty-three feet.

Chairman Bowman asked Ms. Mudge to clarify if she was asking for a six-foot fence, or a five-foot fence.

Ms. Mudge asked if she would be able to change to a semi-open fence if the height was decreased to five feet. Mr. Tsacoyannis explained that she could do a modification if need be. Ms. Mudge stated that she would like to request a Variance for a closed panel five-foot fence.

MOTION: To close the Public Hearing in the matter of ZBA:1096, Request of Mudge, 240 Woodbury Road, for a Variance from Section(s): 11.6 – Minimum Setback and Yard Dimensions – for a privacy fence, by Mr. Wyant, seconded by Mr. Weber, passed 5-0 vote.

Chairman Bowman asked the Commissioners for their thoughts on the matter.

Mr. Weber stated that felt reluctant to approve anything above four feet.

Mr. Wyant stated that he was in favor of a closed panel five-foot fence.

Mr. Wildman stated that he had no issue with the application.

Mr. Gunnip stated that he was in favor of a five-foot closed panel fence.

Chairman Bowman stated that he agreed with the other Commissioners, explaining that a five-foot, closed panel fence was efficient, yet less intrusive.

MOTION: To approve ZBA:1096, Request of Mudge, 240 Woodbury Road, for a Variance from Section(s): 11.6 – Minimum Setback and Yard Dimensions – for a 5-foot-tall closed panel privacy fence, as presented in the survey titled, “Property/Boundary Survey, prepared for John M.H. Caswell, Mary Brisson, 240 Woodbury Road, Washington, Connecticut”, dated July 2008 and prepared by T. Michael Alex, Licensed Land Surveyor. Approval was granted for the following reasons; the Commissioners felt that a 5-foot-fence was efficient and less intrusive. Motion made by Mr. Wyant, seconded by Mr. Gunnip, passed 5-0 vote.

ZBA:1097, Request of Pakula, 66 Bee Brook Road, for a Variance from Section(s): 17.4.A – Nonconforming Structures – for two front dormers and a front door overhang (33min. 44sec.):

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

Mr. Pakula, owner of 66 Bee Brook Road, explained that he would like to add two front dormers, with a single window in each, that will allow more space, light and ventilation. Mr. Pakula stated that he would also like to add a five-foot wide overhang at the front door, with two steps that would be the approximate width of the landing, that would help keep rain and other weather out of the home at entry. The steps would be approximately 36 inches with a landing/stoop.

Mr. Pakula explained that the home was approximately 48 feet at the base of the home to the property line, therefore creating the hardship.

Mr. Wildman informed the Commissioners that this home was actually moved from across the street after the Flood of 1955.

Chairman Bowman stated that the face of the bottom riser step would be approximately 40 feet from the property line, which should accommodate a three-foot landing as well as two steps.

MOTION: To close the Public Hearing in the matter of ZBA:1097, Request of Pakula, 66 Bee Brook Road, for a Variance from Section(s): 17.4.A – Nonconforming Structures – for two front dormers and a front door overhang, by Mr. Wyant, seconded by Mr. Horan, passed 5-0 vote.

Chairman Bowman asked the Commissioners for their thoughts on the matter.

Mr. Weber stated that he felt this was a useful and attractive improvement.

Mr. Horan agreed with Mr. Weber.

Mr. Wyant agreed, stating that the house was looking better each day.

Mr. Wildman stated that he had no issue with the application, adding that it was nice to see the property coming to life once again and that this would be a great improvement to the property.

Chairman Bowman stated that he felt the application was reasonable and an improvement overall.

MOTION: To approve of ZBA:1097, Request of Pakula, 66 Bee Brook Road, for a Variance from Section(s): 17.4.A – Nonconforming Structures – for two front dormers and a front door overhang – with two steps and a front door stoop, as presented on the survey titled, “Zoning Location Survey, Map Prepared for Amanda Pakula and Christopher Pakula, 66 Bee Brook Road, Washington, Connecticut”, dated May 2020 and prepared by T. Michael Alex, Licensed Land Surveyor. Approval was granted for the following reasons; the Commissioners felt that this was a useful and attractive improvement that would align with the other homes along Bee Brook Road. Motion made by Mr. Wyant, seconded by Mr. Wildman, passed 5-0 vote.

Consideration of the Minutes (48min. 12sec.):

MOTION: To approve the May 28, 2020 Washington Zoning Board of Appeals Meeting Minutes as submitted, by Mr. Wyant, seconded by Mr. Horan, passed 4-0 vote – with Chairman Bowman abstaining for failure to read the minutes prior to the meeting.

Other Business/Discretion of Chair (49min. 30sec.):

Chairman Bowman asked Mr. Tsacoyannis if he had any follow-up information regarding a Variance that was approved on Wykeham Road for propane tanks with the condition that they be covered by lattice. Mr. Tsacoyannis explained that this address is on his list of properties to check into – but that he had no luck running into the property owners. He assured Chairman Bowman that he would keep trying.

MOTION: To adjourn the June 18, 2020 Washington Zoning Board of Appeals Meeting at 8:25pm, by Mr. Horan, seconded by Mr. Wyant, passed 5-0 vote.

Respectfully Submitted,

Tammy Rill

Land Use Clerk

June 22, 2020

***All documents on file in the Land Use Office**

****Minutes subject to approval**

*****A recording of this meeting is available upon request**