

Zoning Commission

MINUTES

Public Hearings - Regular Meeting
July 25, 2016

7:30 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. Sivick
ALTERNATE ABSENT: Mr. Solomon
STAFF PRESENT: Mrs. Hill
ALSO PRESENT: Mr. Szymanski

Mr. Solley called the meeting to order at 7:35 p.m. and seated Members Averill, Reich, Solley, and Werkhoven and Alternate Burnham for Mr. Brinton.

PUBLIC HEARING

GSN, LLC./214 West Shore Road/Special Permit: Section 6.5/
Addition to Existing Dwelling within 50-75 ft. of Lake Waramaug

Mr. Solley called the public hearing to order at 7:35 p.m.

Mr. Szymanski, engineer, explained the application was for an approximate 500 sq. ft. second story addition to an existing dwelling. He noted that because it was a non conforming building, the proposed addition had required a special exception, which the Zoning Board of Appeals had granted.

Mr. Szymanski noted he had received Mrs. Hill's application review and in response submitted proof that adjoining property owners had been correctly notified of the hearing, full scale floor plans and elevations, and a site plan revised to 7/25/16. It was also noted that a letter of authorization was now included in the file.

The plans, "Existing Floor Plans," and "Existing Elevations and Sections," dated 10/29/15 and "Proposed Elevations," and "Proposed Floor Plans," both revised to 11/10/15 and all by Peter Talbot AIA Architect were reviewed as well as the map, "Site Development Plan," by Arthur H. Howland and Assoc., revised to 7/25/16.

Mr. Szymanski reported that Inland Wetlands Commission approval of the stormwater management system was pending. He said that the impervious surface on the property would not be increased. Roof runoff would be directed to a splash pad and

would then infiltrate and sheet flow across the lawn to the proposed rain garden. He said this would be an improvement over the drainage pipe, which now outlets directly into the lake. Mr. Averill noted the amount of direct runoff into the lake would decrease and Mr. Szymanski said this was true.

To address Section 6.5.1.A, the "Site Development Plan" had been revised to show the existing landscaping, the construction plans for the rain garden, and planting notes. He briefly explained the design criteria for sizing stormwater management systems and said they are now designed to handle the majority of stormwater events per the 2004 Ct. Stormwater Quality Manual.

Mr. Szymanski said the site plan had also been revised to show the approximate location of the septic system. Health Dept. comments from the 6/30/16 report were reviewed. Mr. Szymanski explained that the existing septic system was functioning properly, but that if it failed, it had been demonstrated per B100(a) that a code compliant replacement system could be installed. Mr. Solley asked if there were any red flags that the existing system needed repairs or replacement. Mr. Szymanski said there were none. He added that the septic system was approximately 65 feet from the lake so there would be no immediate impacts to the lake and time to make repairs should it ever fail.

Mr. Solley reviewed the list of missing documentation and noted the only two remaining were proof that the special exception had been filed on the Town Land Records and Inland Wetlands approval.

MOTION: To continue the public hearing to consider the Special Permit application Section 6.5 submitted by GSN, LLC., 214 West Shore Road for an addition to an existing dwelling within 50-75 feet of Lake Waramaug to 7:30 p.m. on August 22, 2016. By Mr. Solley, seconded by Mr. Averill, and passed 5-0.

Archambault (Greco)/44 Wilbur Road/Special Permit: Section 10.4.1.D/Professional Services/Animal Health Practice

Mr. Solley read the undated statement from Dr. Greco withdrawing the application.

The location of the property was briefly discussed and Mr. Burnham pointed out that the wrong street address had been provided.

REGULAR MEETING

Mr. Solley noted that Mr. Burnham was still seated.

Consideration of the Minutes

MOTION: To accept the 6/27/16 Public Hearing-Regular Meeting minutes as submitted. By Mr. Averill, seconded by Mr. Burnham, and passed 5-0.

MOTION: To add the following subsequent business not already posted on the agenda: IV. New Applications C. Lopez/295 New Milford Turnpike/Special Permit: Section 9.4.1.D/Addition to Restaurant. By Mr. Solley, seconded by Mr. Averill, and passed 5-0.

Pending Applications

GSN, LLC./214 West Shore Road/Special Permit: Section 6.5/ Addition to Dwelling within 50-75 ft. of Lake Waramaug: Mr. Solley noted the Commission was waiting for Inland Wetlands approval.

New Applications

Harker/248 West Shore Road/Special Permit: Section 6.4.6/Fence: Several commissioners voiced their concern about fences around the lake, which either seem too tall or which block the view from the road. Mrs. Hill noted she had advised the applicant that he would have to prove to the Commission that the fence met the height requirement of Section 6.4.6 and that it would not unduly obscure the view of Lake Waramaug from the road.

MOTION: To schedule a public hearing at 7:30 p.m. on August 22, 2016 to consider the Special Permit Application: Section 6.4.6 submitted by Mr. Harker for a fence at 248 West Shore Road. By Mr. Solley, seconded by Mr. Reich, passed 5-0.

Whalen/270 Litchfield Turnpike/Special Permit: Section 17.7.C/ Change of Non Conforming Use to Another Non Conforming Use/Retail to Professional Services/Animal Health Practice: Mrs. Hill explained the applicant now proposed to install a new parking area off Wilbur Road because the state right of way includes the entire area between the building and Rt. 202. She did not know the exact location or the size of the parking area because a revised site plan had not yet been submitted. Given the small lot size and its location in the R-1 District, she was concerned about lot coverage. She noted in a commercial district the 25%

maximum coverage could be increased by special permit to up to 50% if needed, while the maximum residential coverage was only 10% to 15%. She suggested since the Commission was considering restoring at least some of the Woodville Business District, that this property was appropriate for commercial use, and that this property would most likely be included in any restored business district, that the Commission now move forward with the revision process. The current Woodville Business District boundaries versus its previous boundaries were reviewed. The commissioners were hesitant to proceed with an expansion of the Woodville Business District until a large scale map showing the relationship of this property to the rest of the district and to Town boundary lines could be prepared and studied. Mr. Solley said he hoped to have the District boundary revised by October. In the meantime, a public hearing was scheduled to consider the application.

MOTION: To schedule a public hearing to consider the special permit application: Section 17.7.C submitted by Mr. Whalen (Greco) for an animal health practice at 270 Litchfield Turnpike at 7:30 p.m. on August 22, 2106. By Mr. Solley, seconded by Mr. Reich, and passed 5-0.

Lopez/292 New Milford Turnpike/Special Permit: Section 9.4.1.D/
Addition to Existing Restaurant:

MOTION: To schedule a public hearing to consider the special permit application: Section 9.4.1.D submitted by Mr. Lopez for an addition to the restaurant at 295 New Milford Turnpike at 7:30 p.m. on August 22, 2016. By Mr. Solley, seconded by Mr. Averill, and passed 5-0.

Enforcement

Two enforcement reports by Mr. Ajello dated June 27 and July 25, 2016 were circulated for review.

Correspondence

Mr. Solley noted that a letter of resignation from Mr. Brinton would be received at the next Board of Selectmen's meeting. As the Zoning Commission is an elected Commission and Mr. Brinton is a Republican, it was thought that he would have to be replaced with a Republican. Mr. Solley said he would confirm this with the Town Clerk. It was also noted that it has been the

Commission's policy to appoint serving alternates to fill vacant full member seats.

Administrative Business

A revised Special Permit application form will be reviewed at the next meeting.

Mr. Reich suggested that interested commissioners tour the Lake Waramaug area with Mr. Ajello to learn more about the large projects underway in this sensitive area. He said that many residents have contacted him to say they are confounded by what is going on around the lake. Mrs. Hill noted that if more than one commissioner accompanies Mr. Ajello it would have to be noticed as a special meeting and minutes taken. Several commissioners expressed their interest in attending such a meeting. Mr. Solley said he would work with Mr. Ajello to schedule an inspection before Labor Day.

MOTION: To adjourn the meeting. By Mr. Averill.

Mr. Solley adjourned the meeting at 8:45 p.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted,

Janet M. Hill
Land Use Administrator