

**TOWN OF WASHINGTON
Bryan Memorial Town Hall
Post Office Box 383
Washington Depot, CT 06794**

ZONING COMMISSION MINUTES

Public Hearings - Regular Meeting

JULY 27, 2015

Present: Mr. Reich, Mr. Solley, Mr. Averill, Mr. Sorce, and
Mr. Werkhoven

Absent: Mr. Sivick, Alt., Mr. Wyant, Alt.

Staff Present: Mrs. Hill, Mrs. Nelson

Others Present: Mr. & Mrs. Sedito, Mr. McGill, Ms. Sweeney,
Mr. Harris, Mr. & Mrs. Solomon

The Chairman called the Public Hearing to order at 7:30 p.m.

Seated: Mr. Reich, Mr. Solley, Mr. Averill, Mr. Sorce, and
Mr. Werkhoven

**Dobson/255 New Milford Tpk./Special Permit: Section(s) 9.4.1.B/
Personal Service Business: Massage Therapy, Personal Training,
Pilates Instruction.**

The administrative report noted the application was in order. Mr. Sedito represented the applicant. The proposed business could have been approved without a Special Permit except that a change was made to the exterior of the building. A doorway was installed to make access easier. The number of parking spaces is adequate. The proposed business will have one employee. There were no questions or comments from the public.

MOTION: To close the Public Hearing for Dobson/255 New Milford Turnpike/Special Permit: Section(s) 9.4.1.B (Personal Service Business: Massage Therapy, Personal Training, Pilates Instruction) By Mr. Averill, seconded by Mr. Sorce, and passed 5 - 0.

McGill and Sweeney/105-107 River Road/Special Permit: Section 4.4.3/Commercial Horseback Riding Establishment.

Mr. Solley called the public hearing to order and noted the list of documents in the file.

Mr. Solley said the plot plan was on file and the administrative report is complete. The applicants are proposing a small commercial boarding facility. They have a total of 55 acres, 39 of which are deed restricted by Steep Rock. The applicants have a letter of approval from Steep Rock. They have a 12 stall barn with 15 acres of pasture. The manure is to be hauled away. The commissioners looked at Property/Boundary Survey, Lot Line Revision Map, by Mr. Alex dated August 2013 with hand written notes by Ms. Sweeney.

There were no comments from the public. Mr. Averill asked if the applicants clients would have access to Steep Rock trails. Ms. Sweeney plans at some point to clear a trail from her property.

MOTION: To close the Public Hearing for McGill & Sweeney/105-107 River Road/Special Permit: Section(s) 4.4.3 (Commercial Horseback Riding Establishment) By Mr. Averill, seconded by Mr. Sorce, and passed 5 - 0.

REGULAR MEETING

Mr. Solley called the meeting to order at 7:50 PM and seated Members:

Averill, Reich, Solley, Werkhoven and Sorce.

MOTION: To add to subsequent business to the New Application Section Atkins/159 West Shore Road/Special Permit: Section 6.4.9/Boathouse and Stone Hill Orchard/88 Kielwasser Road/Special Permit: Section 13.11.3/Detached Accessory Apartment. By Mr. Solley, seconded by Mr. Sorce and passed by 5 - 0 vote.

Consideration of Minutes:

The Commission considered the June 22, 2015 Regular Meeting Minutes.

MOTION: To accept the June 18, 2015 Regular Meeting minutes as submitted. By Mr. Sorce, seconded by Mr. Averill, and passed 5-0.

The Commission considered the July 13, 2015 Special Meeting

Minutes.

Page 1, top of page should read:

Absent: Mr. Sivick, Alt. Mr. Wyant, Alt. and Mr. Sorce

Page 1, middle of page should read:

Seated: Mr. Reich, Mr. Solley, Mr. Averill and Mr. Werkhoven

MOTION: To accept the July 13, 2015 Special Meeting minutes as ammended. By Mr. Reich, seconded by Mr. Werkhoven, and passed 3-0.

Pending Applications:

Dobson/255 New Milford Tpk./Special Permit: Section(s) 9.4.1.B/ Personal Service Business: Massage Therapy, Personal Training, Pilates Instruction.

Mr. Reich asked if the applicant was going to have signage. A 5 sq. ft. sign is proposed for above the entry way and also a 4 Sq. ft. sign in the building directory. The commission had no other questions or concerns.

MOTION: To approve the Special Permit application/Section(s) 9.4.1.B submitted by Mr. Dobson/255 New Milford Tpk. For Personal Service Business: Massage Therapy, Personal Training, Pilates Instruction. By Mr. Solley, seconded by Mr. Reich and passed 5 - 0.

McGill and Sweeney/105-107 River Road/Special Permit: Section 4.4.3/Commercial Horseback Riding Establishment.

Mr. Solley said it was a continuation of use. There were no questions or concerns from the commissioners.

MOTION: To approve the Special Permit application/Section(s) 4.4.3 submitted by McGill & Sweeney/105-107 River Rd. For Commercial Horseback Riding Establishment. By Mr. Averill, seconded by Mr. Sorce and passed 5 - 0.

New Applications:

Harris/254 New Milford Turnpike/Special Permit: Section 13.13/ Housing in the Business District

**Harris/258 New Milford Turnpike/Special Permit: Section 9.4.1.D
Addition to Eating and Drinking Establishment, Additional
Parking, etc.**

Mr. Harris was told his application is incomplete and there is a page of criteria to be fulfilled. Mr. Solley said this is a complicated series of applications dealing with a lot of disturbance and development next to the East Aspetuck River as well as a complicated septic system. The commission has dealt with Mr. Harris and his designer but not had any contact with an engineer. Mr. Harris said he would bring his engineer in to talk to the commission. The commissioners decided they want to have an engineer review the plans and represent the commission. Landtech, an engineering firm will review the applicants Engineering plan. They are to sign off on what the applicant is going to do. Mr. Harris is looking to have the hearing in August. Engineering plans need to be reviewed before this date. Mr. Harris is to have completed information to the Land Use Office by August 7, 2015.

Mr. Harris needs to apply for 9.5. for a waiver so he can go by the more lenient regulations of the MarbleDale Business District. There needs to be a public hearing for this.

Mrs. Hill noted that the applicant has to apply for a waiver and there is not a written statement on how the applicant complies with everything listed in section 9.6.

MOTION: To schedule a Public Hearing for August 24, 2015 at 7:30 PM in the Main Level Meeting Room at Bryan Memorial Town Hall to consider the Special Permit application: Section(s) 9.5.2 and 9.5.3 submitted by Mr. Harris, 254 and 258 New Milford Turnpike to waive Section 3.2 To allow both properties to be governed by the MarbleDale Business District regulations and to relax the setback Requirements in Section 11.6.1. By Mr. Solley, seconded by Mr. Sorce, and passed 5 - 0.

MOTION: To schedule a Public Hearing for August 24, 2015 at 7:30 PM in the Main Level Meeting Room at Bryan Memorial Town Hall for Harris/254 New Milford Tpk./Special Permit: Section(s) 13.13/Housing in the Business District. By Mr. Solley, seconded by Mr. Averill, and passed 5 - 0.

MOTION: To schedule a Public Hearing for August 24, 2015 7:30 PM in the Main Level Meeting Room at Bryan Memorial Town Hall for Harris/258 New Milford Tpk./Special Permit:Section(s) 9.4.1.D/Addition to Eating & Drinking

Establishment, New Parking Areas, Etc. By Mr. Werkhoven, seconded by Mr. Solley, and passed 5 - 0.

**Atkins/159 West Shore Road/Special Permit: Section 6.4.9/
Boathouse**

MOTION: To schedule a Public Hearing for September 28, 2015 at 7:30 PM in the Main Level Meeting Room at Bryan Memorial Town Hall for Atkins/159 West Shore Road/Special Permit: Section 6.4.9/Boathouse. By Mr. Solley, seconded by Mr. Sorce, and passed 5 - 0.

Stone Hill Orchard/88 Kielwasser Road/Special Permit: Section 13.11.3/Detached Accessory Apartment

MOTION: To schedule a Public Hearing for September 28, 2015 at 7:30 PM in the Main Level Meeting Room at Bryan Memorial Town Hall for Stone Hill Orchard/88 Kielwasser Road/Special Permit: Section 13.11.3/Detached Accessory Apartment. By Mr. Solley, seconded by Mr. Averill, and Passed 5 - 0.

Other Business:

101 Wykeham Road, LLC./101 Wykeham Road/Request to Revise Court Settlement Agreement - Site Plan (Public Hearing Continued to August 11, 2015)

Mr. Solley said he hoped the commissioners had read or will read the two handouts from Atty. McTaggart. The applicant has some questions from the Commission to answer for the next meeting. Mr. Werkhoven thought no new information should be brought to the hearing. Mr. Solley said you cannot squelch public questions at a public hearing. The commissioners had a discussion as to how to handle the upcoming public hearing.

Enforcement Report:

The report was handed out to the commissioners for them to read.

Communications:

The commission received 6/25/15 letter with attachments from Atty. Slater re: Denial of Montrose Realty Petition to Eliminate Section 11.6.1

Atty. Slater wants to be put on the agenda for the August meeting. It was noted that the Commission's decision had been

appealed and so Mrs. Hill was directed to ask Atty. Olson whether it would be proper for the Commission to meet with Atty. Slater while litigation was pending.

Adjournment:

MOTION: To adjourn the meeting. By Mr. Averill, seconded by Mr. Werkhoven, passed 5 - 0.

Mr. Solley adjourned the meeting at 8:40 p.m.

SUBMITTED SUBJECT TO APPROVAL:

Linda Nelson, Land Use Clerk, 07/29/15

A recording of the meeting is on file at the Land Use Office.