

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

**ZONING COMMISSION**

**MEETING MINUTES**

**May 19, 2014**

**Present:** Mr. Solley, Mr. Werkhoven, Mr. Averill, Mr. Reich, Mr. Fitzherbert

**Alternates Present:** Mr. Sivick, Alt., Mr. Sorce, Alt.

**Absent:** Mr. Wyant, Alt.

**Staff Present:** Ms. White, Ms. Hill

**Others Present:** Mr. & Mrs. Schiesel, First Selectman Lyon

Mr. Solley called the meeting to order at 7:30p.m.

**Seated:** Solley, Reich, Averill, Werkhoven, Sivick, Alt.

**REGULAR MEETING**

**Consideration of the Minutes**

The Commission considered the Regular Meeting Minutes of April 28, 2014 and the Special Meeting Minutes of April 24 and May 8, 2014 for Town of Washington Zoning Commission.

**Motion:** to accept the Zoning Meeting Minutes of April 28, 2014, and Special Meeting Minutes of April 24 and May 8, 2014 as submitted, by Mr. Reich, seconded by Mr. Averill, passed by 5-0 vote.

**New Applications**

Town of Washington/10 Blackville Road/Special Permit: Section 4.4.9/Buildings, Uses, and Facilities of the Town of Washington/Highway Department Material Storage Area:

Mr. Solley stated that he has worked on this project with the Building and Property Commission and would recuse himself at the public hearing if the other commissioners feel it is necessary.

It was the consensus of the other commissioners that Mr. Solley would not need to recuse himself at the public hearing.

Mr. Solley and First Selectman Lyon stated that this is an increase of use of the property. Mr. Solley noted that the new Town Garage is being built at the previously approved location for material storage, which leaves the Town without an area to store highway maintenance materials. This proposed area

would be about an acre at a higher elevation of the 17+ acres Town Garage property. There would be more space for the Highway Department's material storage, which would relieve the Old Town Garage site on Titus Road of the materials that are presently stored at that location.

The Zoning Commission scheduled a Special Meeting to consider the application for the Town of Washington at 10 Blackville Road for a Special Permit: Section 4.4.9/Buildings, Uses, and Facilities of the Town of Washington/Highway Department Material Storage Area on June 9, 2014 at 7:30pm in the Upper Level Meeting Room, Bryan Memorial Town Hall.

### **Other Business**

#### Discussion re: Tree House/Schiesel/6 Wheaton Road:

Mr. and Mrs. Schiesel were present to discuss the tree house on their property. Mr. Schiesel stated that they did not realize that a tree house was considered a structure when it was built last fall (2013).

The commissioners and Mr. and Mrs. Schiesel looked at a survey map of the property. It was noted that the property is 2/3 in the R1 Zone and 1/3 in the B3 Zone and the tree Mr. Solley stated that according to the current Zoning Regulations the more restrictive regulations of the two zones are enforced for this property. The map indicates that the tree house is 20 feet from the property line, which is 5 feet inside of the side yard setback allowed by the R1 Zone regulations.

The commissioners looked at photos of the structure.

There was a brief discussion regarding Sections 3.2 (Zoning District Boundaries) and 9.5.2 (Development Options Permitted by Special Permit).

Mr. Solley stated that the Zoning Commission is in the midst of Zoning Regulations Revisions and that they would be addressing the issue of defining structures and properties that are within two zones. He suggested that enforcement action be tabled until the revisions to the regulations are finished and that the Town attach a note to the deed that the tree house is non-conforming.

Ms. Scheisel requested if it was possible to just add a note in the Zoning records.

Mr. Solley stated that they would have to discuss whether a note should be attached to the deed or if the non-conformity could be part of the record in the Zoning files.

The commissioners discussed tree houses, playscapes, chicken coops and other accessory structures.

#### 5/8/14 Letter from Atty. Kelly re: Statues at 132 Lower Church Hill Road:

Mr. Solley read a letter from Atty. Kelly dated 5/8/14 (on file in the Land Use Office) regarding whether or not it was necessary for the property owners of 132 Lower Church Hill Road to apply for a Zoning Permit to install four sculptures on their property.

The commissioners looked at the drawing titled "Sculpture Location Plan" prepared for 132 Lower Church Hill Road by Louise Lewis, LLC, drawing number SK02, dated 4-15-14.

Mr. Solley noted that sculptures on private property and in Town have been around for years and asked the commissioners if they thought that sculptures on private property for private use should be regulated.

The commissioners discussed regulating sculptures/artwork on private property.

It was the consensus of all members and alternates present that the Zoning Commission does not feel strongly that this particular property owner needs to apply for a zoning permit to install these sculptures on their property.

Draft Plan of Conservation and Development:

Mr. Solley suggested that he and Ms. Hill sit down to write a letter to the Planning Commission from the Zoning Commission to inform them of their progress with the zoning regulation revisions and how they correlate with the ideas expressed in the draft POCD.

Revision of the Zoning Regulations/Section 13-21:

Mr. Solley stated that the Zoning Regulations Revisions Committee has almost completed minor revisions for Section 13 and should be fully completed with another two meetings. He suggested that the next meeting for the committee be scheduled.

A special meeting was scheduled for the Zoning Regulations Revisions Committee for Thursday, May 29, 2014 at 3:30 pm in the Lower Level Meeting Room at Bryan Memorial Town Hall.

**Enforcement**

Enforcement Report:

The Zoning commissioners considered and briefly discussed the Zoning Enforcement Report dated May 19, 2014 (on file in Land Use Office).

**Privilege of the Floor**

There was no one present from the public at this time.

**Adjournment**

**Motion:** to adjourn at 8:25 pm. by Mr. Averill, seconded by Mr. Werkhoven.

Mr. Solley adjourned the meeting.

**SUBMITTED SUBJECT TO APPROVAL:**

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Shelley White, Land Use Clerk, 5-22-14