

December 20, 2012

Present: Polly Roberts, Todd Catlin, Kathy Leab, Peter Bowman, Rod Wyant

Alternates: Chip Wildman, Todd Peterson

Absent: Joan Kaplan

Staff: Shelley White, Mike Ajello

Also Present: Mr. Harris, Mr. Studer, Architect, Mr. Szymanski, P.E.

Ms. Roberts, Chair, called the meeting to order at 7:31 pm.

Seated:

Polly Roberts, Todd Catlin, Kathy Leab, Peter Bowman, Rod Wyant

PUBLIC HEARING

ZBA – 0937 – Request of Studer Design Associates (Harris), 193 West Shore Drive, for Variance, Zoning Regulation Section(s) 11.5.1(Increase in Lot Coverage), 11.6.1 (Side & Front Yard Setbacks), 17.4 (Increasing Nonconforming Structure), to demolish and rebuild residence.

Mr. Studer, Architect, and Mr. Harris, property owner were present to present this application. The Commissioners looked at the drawing(s) titled Layout and Grading Plan, project: New Residence, 193 West Shore Road, New Preston, CT, by Studer Design Associates, Inc., revision dated November 14, 2012, sheet LA-1. Mr. Studer stated that they are proposing to tear down the existing house on this property, reconstruct a new home, modify the driveway configuration and construct a new septic system further up the hill. He stated that according to Section 11.4.1 in the Town of Washington Zoning Regulations, this lot is considered an interior lot because it has less than 100 ft. of frontage. This lot is 98 feet wide so the setback requirements are increased to a 75-foot front yard setback from West Shore Road and the side/back yard setbacks are 50 feet from the property lines. Mr. Studer noted that West Shore Road, considered a fifty-foot right of way, bisects the main portion of the Harris property (193 West Shore Road) and the northern portion along the shoreline of Lake Waramaug. He stated that the setback requirements overlap each other and physically prevent a way to build a house on this parcel within the regulations. He noted the setbacks and the fact that there is a steep slope at the rear of the property are land-based hardships. He stated that the proposed septic would be further from the Lake and this proposed plan has received approval from the Inland Wetlands Commission as well as Health Department approval.

The Commission and Mr. Studer looked at the drawing titled Site Coverage Plan, project: New Residence, 193 West Shore Road, New Preston, Ct, by Studer Design Associates, Inc., dated November 9, 2012, sheet LA-3. Mr. Studer explained the existing and the proposed footprint and that they are very similar but the proposed would be slightly shifted to be more in character with the surrounding properties.

The Commission and Mr. Studer discussed proposed lot coverage. Mr. Studer stated that the storm water runoff would be decreased with the drainage system that they are proposing. The existing lot coverage was calculated to be 4,728.5 S.F. total and the proposed lot coverage was calculated to be 4,625 S.F. total (per drawing titled Site Coverage Plan). Mr. Studer stated that he believes the overhangs were included in the lot coverage calculations. Mr. Ajello stated that for

setback the overhang does not need to be included unless they are greater than two feet. There was a brief discussion regarding the overhang measurements and Mr. Studer stated that he would clarify this information.

They looked at an aerial view of the Harris property and surrounding properties with an overlay of the proposed house and how it compares to the surrounding properties.

Mr. Studer stated that there is currently no drainage on the site and they are proposing a system that would improve the water quality that flows through this site. The roof leader drains would be directed to culvert rechargers that would slow the rate of runoff as well as allow some of the water to percolate into the soils. He stated that the proposed septic system would be located further from the Lake at toward the back of the property and there would be a pump located at the front of the property that would pump up to the septic fields.

Mr. Studer stated that they have created a construction sequence and a staging area for soils and materials so that the cars and vehicles would be kept to a minimum on West Shore Road. Mr. Catlin asked how they would be able to clear for the septic. Mr. Studer replies that they have small machinery that would be able to make it up the side of the property.

Ms. White confirmed that all green return receipt cards from the surrounding property owners were received by the Land Use office as well as three letters of support for the proposed project.

The Commission and Mr. Studer looked at the architectural drawings and northwest, northeast, southwest, & southeast views of the proposed house. There was a discussion regarding overhangs. Mr. Studer stated that the proposed house would have a 2-foot overhang so the setback is measured from the overhang. He stated that the existing house does not have a garage and they are proposing a garage with the new house. He stated that they are proposing the garage at the basement elevation and would lower the driveway a couple of feet, making it more level to accommodate this. He stated that the first floor level would remain the same and they are proposing a second floor with a cottage style hip roof and a front porch. Mr. Studer stated that with the grade changes the proposed plan meets the height requirements per the zoning regulations.

Mr. Studer discussed the grade changes and the pitch of the proposed roof. Mr. Catlin stated that he is concerned with the size of the proposed façade and asked for the height of the existing and the proposed to be compared. Mr. Studer discussed the proposed ceiling heights and stated that the proposed roof is a 10-pitch roof, which is roughly the same as the existing roof.

Ms. Leab stated that she is concerned with the increase from 26,000 cu. ft to 54,000 cu. ft. Mr. Studer stated that the increase is from adding a second floor.

There was a lengthy discussion regarding the proposed height and volume increase of the structure.

The Commission stated that they were uncomfortable with the scope of the proposed house and that it is a large increase in nonconformity. Ms. Roberts stated that she felt that the proposed plan is very attractive and appreciates the attention to detail but feels that the volumetric increase is substantial.

Mr. Studer discussed the floor plans and how the space would be used.

Ms. Roberts stated that from the road, she feels, that this would look like a four storey house.

Mr. Bowman stated that he would feel more comfortable with an overall decrease in the proposed height.

Mr. Catlin stated that this proposed plan is very attractive but feels that the lot is too small for such a large structure.

The Commissioners agreed that the proposed plan is attractive, there was an effort made to stay close to the existing footprint as well as improve the drainage but they are uncomfortable with the volumetric increase.

Mr. Catlin recommended that if the owner intends to install a generator that he should include the location during this ZBA process due to the lot coverage issues and the fact that they are proposing to install a septic system that would be pumped uphill.

Mr. Studer stated that they would double-check the lot coverage calculations and requested that the public hearing be continued.

Motion:

to continue the Public Hearing for ZBA – 0937 – Request of Studer Design Associates (Harris), 193 West Shore Drive, for Variance, Zoning Regulation Section(s) 11.5.1(Increase in Lot Coverage), 11.6.1 (Side & Front Yard Setbacks), 17.4 (Increasing Nonconforming Structure), to demolish and rebuild residence, by Mr. Catlin, seconded by Mr. Wyant, passed by 5-0 vote.

Ms. Roberts stated that the ZBA meets at 7:30 on January 17, 2013.

PUBLIC HEARING

ZBA – 0938– Request of Sen, 116 Shearer Road, for Variance, Zoning Regulation Section(s) 11.6 (Yard Setback), to add two 20' x 28' patios.

Mr. Szymanski was present to represent the property owners for this application. He noted the property is currently under major construction. He and the Commissioners looked at an architectural drawing of the property. Mr. Szymanski stated that he would like to continue this public hearing to give him time to stake out the patios, flag and mark with elevations so the Commissioners would have a better understanding of what is being proposed.

The Commissioners and Mr. Szymanski looked at elevation drawings of the property.

There were no further questions or comments.

Motion:

to continue the Public Hearing for ZBA – 0938– Request of Sen, 116 Shearer Road, for Variance, Zoning Regulation Section(s) 11.6 (Yard Setback), to add two 20' x 28' patios, by, seconded by Ms. Leab, seconded by Mr. Wyant, passed by 5-0 vote.

OTHER BUSINESS

Consideration of the Minutes:

The Commission considered the Minutes of the November 15, 2012 regular Meeting of the Zoning Board of Appeals.

Motion:

to approve the Zoning Board of Appeals Regular Meeting Minutes of November 15, 2012 and as submitted,
by Mr. Wyant, seconded by Ms. Roberts, passed by 5-0 vote.

Discussion with ZEO re: possible Zoning Regulation Revisions:

Mr. Ajello, ZEO, submitted a draft of a revision to Section 12.14 of the Zoning Regulations.

The Commissioners and Mr. Ajello discussed the proposed changes and the Commissioners provided feedback. Mr. Ajello stated that he would include their feedback in the discussion with the Zoning Commission and would report back to the ZBA at the next meeting on January 17, 2013.

Other Discussions:

Ms. Roberts informed the Commissioners of the correspondence received from the property owner at 67 West Shore Road. She stated that Mr. Catlin drafted a response that would be sent by the ZBA and she would like their feedback.

Ms. Roberts stated that she would forward the letter that Mr. Talbot and Mr. Picton wrote to the Planning Commission regarding Sustainable Development to the ZBA Commissioners.

Adjournment

Motion:

to adjourn at 9:07 pm,
by Ms. Roberts, seconded by Ms. Leab, passed by 5-0 vote.

Ms. Roberts adjourned the meeting.

Submitted Subject to Approval,
Shelley White, Land Use Clerk