

October 18, 2007

Present: Bradford Sedito, Polly Roberts, Todd Catlin, Randolph Snook

Alternates: Peter Bowman, Roderick Wyant III

Guests: Robert Fisher, Jr., Esq., Anne & Peter Haddad, Richard Kleinberg, Paul Frank, Timothy Coakley, Mark & Linda Conlon

Bradford Sedito, Chairman called the meeting to order at 7:30pm. It was noted that ZBA-0716, Request of David Connolly, 253 New Milford Turnpike was withdrawn and ZBA-0721, Request of Steven Shapiro, 50 Turner Road, requested to be moved to the November agenda.

There was no one present to represent the first agenda item ZBA-0715 Request of Winifred Walsh, 95 Roxbury Road, so it was decided to start with the second agenda item.

PUBLIC HEARING

Mr. Sedito seated regular members Polly Roberts, Todd Catlin, Randolph Snook, himself and alternate Roderick Wyant III.

ZBA-0719 Request of Peter & Barbara Wodtke, 155 West Shore Road, petition for special exception for expansion of nonconforming dwelling to add dormers to existing house. Robert Fisher, Jr., Esq., Anne and Peter Haddad were present to represent this application. The Haddads began by stating that they are potential buyers of the Wodtke cottage which they say was built in the 1890's, is approximately 850 sq.ft. and 1 1/2 stories. They want to move the two bedrooms to the second floor; they are not enlarging the footprint. Atty. Fisher submitted three letters in favor of the application from Rosemary Oberndorf, Michael & Marcella Schlegel and Mildred M. Pond. Another letter in favor of this application was already on file from Keith Angell. Mr. Haddad went on to state that they are adding a front and back dormer to the attic space, at present the attic space is vacant and has 7'6" headroom. They are proposing a 2'6" increase in vertical height and will maintain the 4" roof pitch. Mr. Snook asked about siding on the addition, Mr. Haddad answered that they will be using clapboard siding in keeping with the flavor of what exists. Seven certified mail notices were sent out to adjoining property owners and all cards were returned. A letter from Ann Quackenbos was submitted and read by Mr. Sedito, the letter was not in favor of the application. After reading the letter Mr. Sedito noted that there was incorrect information in the letter. Richard Kleinberg came forward; he presented a map showing the location of his properties and four smaller properties. Mr. Kleinberg went on to state that three of these smaller residences are nonconforming and within 15' of his property. In addressing the applicants house Mr. Kleinberg stated that it was 10' from the property line, has a stone foundation and is not of historical significance. He went on to say that zoning regulations are in place to protect residents and that from his house he looks down on the shingles of the applicant's house; with the proposed vertical increase he feels the visual impact will be huge. Mr. Sedito commented that the special exception was created as a way to support the continued use of a single family dwelling with reasonable modifications. Ms. Roberts added that this is a small dwellings, it's not how people live today. Mr. Kleinberg felt that perhaps it was not a house for a family; two people have had continued use of the house. He is concerned with the setbacks and feels it is a critical issue for his property. Members questioned his concern the increase is a vertical 2'. Mr. Kleinberg is concerned with the visual impact of the added glazing/windows, if the proposed was just a front dormer he would not see it. Mr. Kleinberg's house is 270+ feet from the applicant's house. Mr. Catlin felt that this is the nature of lake properties, you are going to have neighbors, lights etc. Mr. Kleinberg noted that at the time he bought his properties there was not a special exception, he agrees that

the cluster of houses adds character to the lake community, but he is afraid others will enlarge their homes. Mr. Bowman stated that the applicant's house is small and would not be allowed by today's building standards. Mr. Catlin added that the board makes an effort to balance today with the future. Mr. Snook felt the proposed was reasonable and didn't understand the concerns. Mr. Sedito added that he felt this type of application was why zoning wrote the special exception. Paul Frank of 157 West Shore Road asked about the septic, Mrs. Haddad answered that the property had been re-perced and meets all the health specs. In closing Atty. Fisher stated that this is a moderate expansion that fits within the special exception and he hopes the board will allow it.

Motion: to close ZBA-0719 Request of Peter & Barbara Wodtke, 155 West Shore Road, petition for special exception for expansion of nonconforming dwelling to add dormers to existing house was made by Mr. Catlin seconded by Mr. Wyant by a 5-0 vote.

MEETING

Mr. Snook is in favor of this application, there is no increase in footprint, the proposed is modest and he sees no injury to adjacent land owners. Mr. Wyant agrees he supports the proposed as a well thought out plan. Mr. Catlin agrees the proposed is modest, these small homes need updating. Ms. Roberts is sorry Mr. Kleinberg feels this proposal is detrimental to his property. She went on to say that the special exception is a way to allow owners to make improvements that is fair to all. Mr. Sedito is in favor of this application, it supports the continued use of a single family home, 850 sq. ft. is small. He went on to say that the proposal is reasonable in scope, location, appearance and extent; this is only a 2' vertical addition to a house.

Motion: to approve ZBA-0719 Request of Peter & Barbara Wodtke, 155 West Shore Road, petition for special exception for expansion of nonconforming dwelling to add dormers to existing house as per application and sketches on file by a vote of 5-0.

CONTINUED PUBLIC HEARING

Mr. Sedito seated regular members Polly Roberts, Randolph Snook, herself and alternates Peter Bowman and Roderick Wyant III.

ZBA-0715 Request of Winifred Walsh, 95 Roxbury Road, petition for special exception, a request for generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2, and 12.14.3 of the Zoning Regulations. There was no one to represent this application. Ms. Roberts did a site visit to 95 Roxbury Road; she couldn't locate the proposed location for the garage. The file is incomplete; information is missing on the specific location for the proposed garage as well as generator noise information.

Motion: to close ZBA-0715 Request of Winifred Walsh, 95 Roxbury Road, petition for special exception, a request for generator to be situated farther from the structure principally served than is specified under Sections 12.14.1, 12.14.2, and 12.14.3 of the Zoning Regulations was made by Ms. Roberts seconded by Mr. Snook, by a 5-0 vote.

MEETING

All members were in agreement that there were unanswered questions, more information was needed and no one appeared to offer this information.

Motion: to deny ZBA-0715 Request of Winifred Walsh, 95 Roxbury Road, petition for special exception, a request for generator to be situated farther from the structure principally served than

is specified under Sections 12.14.1, 12.14.2, and 12.14.3 of the Zoning Regulations by a vote of 5-0.

PUBLIC HEARING

Mr. Sedito seated regular members Polly Roberts, Todd Catlin, Randolph Snook, himself and alternate Peter Bowman.

ZBA-0720 Request of Timothy M. Coakley, 2 Valley Road, application for variance to Zoning Regulations 11.6.1c (front setback), 17.4 (increasing nonconformity (and 12.1.2 (Shepaug River setback) to add a dormer and deck to existing house. Timothy Coakley was present to represent his application. He began by stating that the house is 936 sq. ft. and is proposing a dormer off the back side to accommodate two bedrooms and a bath on the upper level. The front of the house will be unchanged and he doesn't expect to increase the roof line. The proposed deck will be 10' off the back of the house. The lot is 1.3 acres with existing coverage at 2.5% and proposed being 3.1%. This application could not fall under a special exception because of the setback to the river which is 195'. Mr. Coakley stated that the existing peak is 7' the dormer will run the length of the roof line. Members asked for sketches of the proposed dormer and were concerned with not having enough headroom. Mark and Linda Conlon adjacent property owners were present; they had no objections but would like to see some drawings of the proposed. Mr. Sedito asked the applicant to submit a second floor plan with elevations and roof slope.

Motion: to continue ZBA-0720 Request of Timothy M. Coakley, 2 Valley Road, application for variance to Zoning Regulations 11.6.1c (front setback), 17.4 (increasing nonconformity (and 12.1.2 (Shepaug River setback) to add a dormer and deck to existing house was made by Mr. Snook seconded by Ms. Roberts by a 5-0 vote.

Motion: to accept the minutes of the September 20, 2007 meeting of the Washington Zoning Board of Appeals as submitted was made by Mr. Catlin, seconded by Mr. Snook by a 5-0 vote.

Motion: to adjourn at 8:40pm was made by Ms. Roberts seconded by Mr. Snook by a 5-0 vote.

Submitted subject to approval,

Pamela L. Osborne, Secretary