TOWN OF WASHINGTON

Bryan Memorial Town Hall

Post Office Box 383

Washington Depot, Connecticut 06794

Zoning Board of Appeals Regular Meeting

**MOTIONS**

November 19, 2020

7:30 PM- Virtual Meeting Via Zoom

Present: Chairman Bowman, Mr. Wildman, Mr. Wyant, Mr. Weber, Mr. Horan

Alternates Present: Ms. Rebillard. Mr. Sarjeant

Alternates Absent: Mr. Gunnip

Staff Present: Ms. Rill, Mr. Tsacoyannis

Public Present: Mr. Aleksandrowicz, Ms. Aleksandrowicz, Ms. Anderson, Mr. Wright, Ms. Lender, Mr. Neff, Mr. Francis, Ms. Trevenen, Other Members of the Public

**CALL TO ORDER (05sec.):**

Chairman Bowman called the meeting to order at 7:34pm.

**PUBLIC HEARING(S):**

**ZBA-1102 – Request of Aleksandrowicz, 263 New Milford Turnpike – for a Variance – 11.6.1 – Minimum Setback and Yard Dimensions – and 12.1.1 – Wetlands and Watercourses Setbacks – for a free-standing shed - Continued (25sec.):**

Seated for this Public Hearing is Chairman Bowman, Mr. Wildman, Mr. Wyant, Mr. Horan and Mr. Weber.

Mr. Aleksandrowicz provided an updated map for the Board to review. He explained that he would be would be building the shed himself, and that it would be 10 feet wide by 11 feet long, perpendicular to the driveway, and would rest on concrete blocks with a gravel floor, and would not have electricity. Chairman Bowman confirmed with Mr. Aleksandrowicz that from the edge of the shed to the property line the closest dimension will be 13 foot 4 inches, and two feet from the property line to the shed on the Route 202 side, and if they had been approved by Wetlands. Mr. Aleksandrowicz confirmed all.

**MOTION: To close the Public Hearing for ZBA-1102 – Request of Aleksandrowicz, 263 New Milford Turnpike – for a Variance – 11.6.1 – Minimum Setback and Yard Dimensions – and 12.1.1 – Wetlands and Watercourses Setbacks – for a free-standing shed. Motion made by Mr. Wyant, seconded by Mr. Weber, passed 5-0 vote.**

Mr. Wildman stated that he had no issue with the proposed. Mr. Wyant stated that this was a tricky spot in general, and did not have an issue with the application. Mr. Horan and Mr. Weber agreed with Mr. Wyant, and Chairman Bowman stated that a shed such as this cleans up the property and he was in agreement with the other Board members.

**MOTION: To approve the Request of Aleksandrowicz, ZBA-1102, 263 New Milford Turnpike – for a Variance – 11.6.1 – Minimum Setback and Yard Dimensions – and 12.1.1 – Wetlands and Watercourses Setbacks – for a free-standing shed, as shown on the Site Plan, dated November 19, 2020. Motion made by Mr. Wyant, seconded by Mr. Wildman, passed 5-0 vote.**

**ZBA-1103 - Request of DLT Properties, 157 Nettleton Hollow Rd., for a Variance – Section 12.1.1 – Wetlands and Watercourse Setbacks – for a single family residence with appurtenances (7m 56sec.):**

Seated for this Public Hearing is Chairman Bowman, Mr. Wildman, Mr. Horan, Mr. Wyant, and Mr. Weber.

Mr. Francis of Arthur H. Howland and Associates, representing the property owner of 157 Nettleton Hollow Road, stated that his client was proposing a three-bedroom house on the property and was requesting a Variance from Section 12.1.1 – Wetlands and Watercourse Setbacks, due to the property being created before Zoning Regulations came into existence.

Mr. Francis stated that the proposed plans had both Health and Wetlands approval.

Chairman Bowman questioned what the time frame was for developing the property. Mr. Francis stated that he was unsure of the timeline, explaining that the property owner was currently focused on obtaining approvals from all Boards before going any further.

Chairman Bowman stated that the site plan provided was detailed and specific, however the plans for the home were not as detailed. Chairman Bowman explained that if the Variance was granted, it would be based on the size of the home presented in the plans, therefore he would feel more comfortable with a more detailed description of the home. Mr. Francis assured Chairman Bowman that the owners did not intend to make the footprint any larger than what is on the plans.

Ms. Anderson of Tompkins Hill Road, neighboring property owner to 157 Nettleton Hollow Road, stated that she is concerned with privacy, as well as an Eversource right-of-way listed on a map of her property. Mr. Francis stated that the survey of the property was completed by Mr. Alex, a local Land Surveyor, and there was no listing of an Eversource right-of-way on that survey.

Chairman Bowman stated that he didn’t feel it was too much to ask the property owners for some privacy plantings as a condition of approval, as well as contact Eversource to check on an easement.

**MOTION: To close the Public Hearing for ZBA-1103 - Request of DLT Properties, 157 Nettleton Hollow Rd., for a Variance – Section 12.1.1 – Wetlands and Watercourse Setbacks – for a single family residence with appurtenances. Motion made by Mr. Wyant, seconded by Mr. Horan, passed 5-0 vote.**

Mr. Wildman stated that as long as there were the conditions of approval stated previously, that he had no problem approving the application. Mr. Wyant, Mr. Horan, Mr. Weber and Chairman Bowman all agreed with Mr. Wildman.

**MOTION: To approve the Request of DLT Properties ZBA-1103, 157 Nettleton Hollow Rd., for a Variance – Section 12.1.1 – Wetlands and Watercourse Setbacks – for a single family residence with appurtenances, as noted on the Site Plan dated May 12, 2020, and labeled S.D. 1, with the following conditions: 1.) Privacy plantings – at least eight feet tall and 30 feet long, shall be placed behind the house; 2.) that the owner check with Eversource Electric regarding a possible easement placed on the property, and 3.) the dimensions of the proposed home shall not exceed what is proposed in the application, and that the proposed home is within the setbacks. Motion made by Mr. Wyant, seconded by Mr. Wildman, passed 5-0 vote.**

**ZBA-1105: Request of Trevenen, 69 Wykeham Rd., for a Variance – Section 12.1.1 – Wetlands and Watercourse Setbacks – for a two-car garage (29min 08sec.):**

Seated for this Public Hearing is Chairman Bowman, Mr. Wyant, Mr. Wildman, Mr. Horan and Mr. Weber.

Mr. Neff, representing the property owners of 69 Wykeham Road, explained to the Board that the proposed two car garage has already received both Health and Wetlands approvals, and that the proposed location was the best location for it. It would be located on the Southeast side of the existing home. It would be located twenty feet away from the wetlands. Architectural plans for the proposed garage were prepared by Reece Owens, along with a Class A-2 Survey and Site Plan submitted with the Application.

**MOTION: To close the Public Hearing for the Request of Trevenen, ZBA-1105, 69 Wykeham Rd., for a Variance – Section 12.1.1 – Wetlands and Watercourse Setbacks – for a two-car garage. Motion made by Mr. Wyant, seconded by Mr. Horan, passed 5-0 vote.**

Mr. Wildman stated that the proposed garage was going to be a good benefit for the home owners.

Mr. Wyant stated that the application was in great order, and had no issue with the proposed.

Mr. Horan stated that the property was a tough one with the Wetlands location, and felt that the proposed was well designed.

Mr. Weber stated that he had no issue with the proposed.

Chairman Bowman stated that there really wasn’t any better location, and with New England weather, a garage was not an unreasonable request.

**MOTION: To approve the Request of Trevenen, ZBA-1105, 69 Wykeham Rd., for a Variance – Section 12.1.1 – Wetlands and Watercourse Setbacks – for a two-car garage. Motion made by Mr. Wyant, seconded by Mr. Wildman, passed 5-0 vote.**

**ZBA-1106: Request of Lender, 193 West Shore Rd., for a Variance- Section 11.5.1.A – Maximum Lot Coverage, and Section: 11.6 – Minimum Setback and Yard Dimensions, for a generator (37min 31sec.):**

Ms. Lender, property owner of 193 West Shore Road, explained she that was proposing to add a Kohler generator to the property. The generator is manufactured with an enclosing. The proposed location was five feet away from all windows and was located out of the setbacks. The propane tank for the generator was already existing and located underground.

Chairman Bowman suggested that the Applicant consider asking for a Variance from Section 11.6 – Minimum Setback and Yard Dimensions, so that at a later date, this would not be an issue for the property owner at a later date. Ms. Lender agreed.

**MOTION: To close the Public Hearing for the Request of Lender, ZBA-1106, 193 West Shore Rd., for a Variance- Section 11.5.1.A – Maximum Lot Coverage, and Section: 11.6 – Minimum Setback and Yard Dimensions, for a generator. Motion made by Mr. Wyant, seconded by Mr. Weber, passed 5-0 vote.**

The Board agreed that the proposed was the best location for the generator and had no objections.

**MOTION: To approve the Request of Lender, ZBA-1106, 193 West Shore Rd., for a Variance- Section 11.5.1.A – Maximum Lot Coverage, and Section: 11.6 – Minimum Setback and Yard Dimensions, as shown on the site plan dated March 3, 2015 with a revision date of November 19, 2020, with the following conditions; 1.) that the generator is no closer than 22 feet to the property line. Motion made by Mr. Wyant, seconded by Mr. Horan, passed 5-0 vote.**

**CONSIDERATOIN OF THE MINUTES (53min. 57sec.):**

**MOTION: To approve the October 2020 Meeting Minutes. Motion made by Mr. Wyant, seconded by Mr. Weber, passed 5-0 vote.**

**OTHER BUSINESS/DISCRETION OF THE CHAIR (54min. 00sec.):**

Chairman Bowman asked Mr. Tsacoyannis if he had any updates on a property located on Wykeham Road that had been asked to provide screening for their approved generator some time ago. Mr. Tsacoyannis stated that he would check in with the property owners, but had spoken to them some time ago, and they had hired someone prior to COVID-19 that had backed out of the project. Chairman Bowman stated that he would like to see the property owners finish this, as it had been some time since their approval from ZBA. Mr. Tsacoyannis assured Chairman Bowman that he would reach out.

**ADJOURNMENT (59min.):**

**MOTION: To adjourn the November 19, 2020 Washington Zoning Board of Appeals Meeting at 8:38pm. Motion made by Mr. Horan, seconded by Mr. Wyant, passed 5-0 vote.**

Respectfully Submitted,

Tammy Rill

Land Use Clerk

November 20, 2020