

February 20, 2013

Special Meeting

9:30 a.m., Upper Level Meeting Room

MEMBERS PRESENT: Mr. Reich, Mr. Solley

ALTERNATE PRESENT: Dr. Craparo

STAFF PRESENT: Mr. Ajello, Mrs. Hill

Mr. Solley called the meeting to order at 9:40 a.m. It was noted its purpose was for the revision of the Regulations subcommittee to discuss and decide upon language for minor revisions to the Zoning Regulations. Using Mrs. Hill's comprehensive list of issues revised to 2/14/13, discussion continued from the point reached at the 2/13/13 Special Meeting.

Sections of the Regulations, which were discussed, but for which it was determined that

a) further consideration was warranted,

b) legal advice was needed, or c) the section should remain as is were:

2.2.1: No change was needed.

2.3.7: The committee will ask for legal advice regarding the expiration of Special Permits.

2.3.8: No change was needed.

2.4: Counsel will be consulted regarding the legality of refusing to accept documents before a public hearing is closed.

3.2: The most appropriate way to deal with lots currently divided by zoning district boundaries will be considered in the future.

4.3.2 and 21.1.27: No changes were proposed at this time, but in the future the committee will review the state definition of agriculture, consider the possibility of permitting the manufacture and sale of farm products by Special Permit, and will look into issues and problems associated with breweries and vineyards. Also nurseries, garden centers, etc. will be considered separately.

11.5: Mrs. Hill will check NEMO documentation to compare its basis for lot coverage to what Washington uses in its current Regulations.

A list of revisions agreed upon and their proposed language is attached.

The next subcommittee meeting was scheduled for Wednesday, March 6th at 9:30 a.m. The meeting was adjourned at 11:50 a.m.

FILED SUBJECT TO APPROVAL

Respectfully submitted, Janet M. Hill, Land Use Administrator

Proposed Revisions to the Washington Zoning

Regulations

2/20/13 Draft

To be deleted: [underlined and in brackets]

To be added: **BOLD CAPS**

2.3 ...issued in conformance with the provisions of these Regulations. **ALL APPLICATIONS SHALL BE APPROVED BY THE TOWN HEALTH DEPARTMENT.**

2.3.6 ...unless the proposed or modified system has been reviewed and approved by the Town Health [Officer]**DEPARTMENT** or the [Officer's] **DEPARTMENT'S** authorized agent, or, if the system can not legally be approved by the Town Health [Officer] **DEPARTMENT**, by any state agency or official that may have jurisdiction....

4.3.10, 5.3.8, 7.3.14, 8.3.14, 9.3.1, 10.3.7 Accessory buildings or structures not used for residential purposes provided that the Town Health [Officer] **DEPARTMENT** approves any well or septic connection.

6.3.8 Accessory buildings or structures not used as dwelling units provided that the Town Health [Officer] **DEPARTMENT** any well or septic connection.

11.3.1 (Regarding minimum lot size)

Any lot, prior to approval for development for any use, shall require a certification by the Town Health [Officer]**DEPARTMENT** that a functioning septic system can be provided in accordance with the requirements of the State Health Code, as amended and Section [2.3.5] **2.3.6** of these Regulations..

12.6.3 (Regarding home occupations)

....Conditions may include a limitation on the hours of operation, noise, number and types of vehicles, parking matters, approval by the Washington Health [Official] **DEPARTMENT** and/or the Washington Fire Marshal, etc.

13.5.3 (Regarding convalescent homes, nursing homes, and rest homes)

It shall be certified by the Town Health [Officer] **DEPARTMENT** that adequate water is available.

13.10.6 (Regarding the residential conversion of an older home)

In accordance with Section [2.3.5] **2.3.6**, the Health [Officer]**DEPARTMENT** or [his] **ITS** agent shall certify that the existing or proposed modified subsurface sewage disposal system is adequate to serve the proposed use.

13.11.2.d (Regarding attached accessory apartments)

The Town Health [Officer] **DEPARTMENT** shall approve the water supply for the principal dwelling and the accessory apartment.

13.11.3.d (Regarding detached accessory apartments)

The Town Health [Officer] **DEPARTMENT** shall approve the water supply for the principal dwelling

and the accessory apartment.

13.13.5 (Regarding Housing in the Business Districts)

The apartment may utilize the existing sanitary system on the lot if approved by the **TOWN** Health [Officer] **DEPARTMENT**, but a complete new sanitary system may be required if it is found by the Health [Officer] **DEPARTMENT** or [his] **ITS** agent to be inadequate for the proposed use....

13.18.3 (Regarding commercial kennels)

The Washington Health [Officer] **DEPARTMENT** shall certify that the proposed kennel meets the standards of the State of Connecticut Health Code.

14.7.9 (Regarding site plan approval)

Water and Sewer. Proper provision shall be made for the water supply and sewage disposal requirements for the proposed development and use....The design and construction shall be approved by the Town Health [Officer] **DEPARTMENT** or [his]**ITS** agent....

2.3.7 No zoning permit [or Special Permit] shall be valid after one year from the date of [the decision of the Commission granting such approval] **APPROVAL** unless construction, as defined in Section 2.3.8 below, shall have been started within such year and is diligently prosecuted to completion....

2.3.9.a, 14.7.2.b A residential driveway shall not exceed 15 percent in grade **NOR 20 FEET IN WIDTH**. At no point along its length shall a driveway exceed the maximum slope permitted.

2.3.9.b, 14.7.2.c A [commercial] **NON RESIDENTIAL** driveway shall not exceed 30 feet in width or 10 percent in grade. At no point along its length shall a driveway exceed the maximum slope permitted.

2.3.9.d., 14.7.2.d APPROVAL BY THE SELECTMEN'S OFFICE OR THE STATE DOT SHALL BE REQUIRED FOR ANY DRIVEWAY CONSTRUCTION OR RECONSTRUCTION.

14.7.2 No driveway shall be constructed with a grade greater than 10 percent, either ascending or descending, within [20] **50**feet of the intersection of the driveway with the street or highway.

4.3.3 Farm stand for the sale of farm products. [the major portion of which is derived from the same premises.] **SEE SECTION 12.13.**

21.1.28 Farm Stand. [An] **A GENERALLY SEASONAL** open air structure or table [situated at the side of a street] in which agricultural products specifically grown on the premises or food items produced from raw materials by said home occupation are publicly displayed and offered for sale. **IN ALL CASES, MORE THAN 75 PERCENT OF ALL FOOD AND FOOD ITEMS OFFERED FOR SALE SHALL BE GROWN OR PRODUCED ON THE PREMISES.** [Its use is generally seasonal.]

4.3.4 Swimming pools, [ponds.] fences, **PATIOS**

[4.3.7 Patios.]

[4.3.5 Public dump, sanitary landfill, and other facilities for the disposal of sewage, garbage, and

waste materials only if operated or controlled by the Town of Washington.]

4.4.19 SOLID WASTE TRANSFER STATION, SANITARY LANDFILL, AND OTHER FACILITIES FOR THE DISPOSAL OF SEWAGE, GARBAGE, AND WASTE MATERIALS ONLY IF OPERATED OR CONTROLLED BY THE TOWN OF WASHINGTON. (add to the list of uses permitted by Special Permit in the R-1 District)

4.3.10 TRADITIONAL HOME ENTERPRISE (add to the list of permitted uses in the R-1 District – will be 4.3.10 due to renumbering)

12.6.1.b Traditional Home Enterprise. This use includes the production of homemade goods and merchandise....This use is permitted and shall [not] require a zoning permit, provided that all the following conditions are met....

18.1.1 (Regarding the purpose of the Zoning Board of Appeals)

To hear and decide appeals where it is alleged that there is an error in any order or decision made by the Zoning Enforcement Officer or in his absence by the [Commission Chairman]**DEPUTY ZONING ENFORCEMENT OFFICER** [or in the Chairman's absence, by the Commission's Secretary] in their grant or denial of a zoning permit....