

February 25, 2013

Present: Mr. Reich, Mr. Solley, Mr. Werkhoven, Mr. Abella

Alternates Present: Mr. Dutton, Dr. Craparo

Absent: Mr. Fitzherbert, Mr. Wyant, Alt.,

Staff Present: Shelley White, Janet Hill, Mike Ajello

Others Present: Atty. Kelly, Mr. Neff, P.E.

Mr. Reich, Vice Chairman, called the meeting to order at 7:30 p.m.

PUBLIC HEARINGS

Seated: Mr. Reich, Mr. Werkhoven, Mr. Abella, Mr. Solley, Dr. Craparo, Alt. (for Fitzherbert)

Lancaster/244 West Shore Road/Request to Revise Special Permit: Section: 6.5: Modifications to Approved Site Plan:

Ms. Hill read the legal notice published in Voices on February 13 & 21, 2013 and the list of documents in the file for this application.

The Commission looked at the map titled "Proposed Site Plan, The Lancaster Residence Addition," prepared for the Lancasters by Brian Neff, P.E. dated 7-31-12 with a revision date of 1-17-13.

Mr. Neff stated that he highlighted the changes on the Site Plan and incorporated the conditions from the motion of approval made at the December 2012 regular meeting of the Zoning Commission.

Atty. Kelly noted that at the December meeting there was a discussion regarding the lot coverage on the Lancaster property as it pertains to the approach to garage/storage entrance which resulted in a condition of approval that the "new addition formerly the garage cannot have a door wider than five feet." Mr. Neff and the architect revised the Site Plan, which addresses the outlet of the drain in the backyard, the screens on the gutters and meeting lot coverage with an approach to the garage.

The Commissioners looked at the revised Site Plan.

Mr. Neff stated that the walkway would remain as random stones and grass up to the front door and the approach to the garage would remain a grassed over area.

There was a brief discussion regarding traveled surfaces as part of the lot coverage calculation.

Atty. Kelly stated that with the revised Site Plan indicates the decreases in the other structures and the lot coverage of 14.9% includes the traveled surface to the garage. He submitted a suggested draft for a motion of approval.

There was a brief discussion regarding the interpretation of Section 11.5 – Maximum Lot Coverage of the Zoning Regulations.

There was a discussion regarding the use of the addition.

The Commission discussed the proposed motion of approval and filing of the revised Site Plan.

There were no further questions or comments.

Motion:

to close the Public Hearing for Lancaster, 244 West Shore Road for Request to Revise Special Permit: Section: 6.5: Modifications to Approved Site Plan,
by Mr. Werkhoven, seconded by Mr. Solley, passed by 5-0 vote.

8:05 pm

REGULAR MEETING

Seated: Mr. Reich, Mr. Werkhoven, Mr. Abella, Mr. Solley, Dr. Craparo, Alt. (for Fitzherbert)

Consideration of the Minutes

The Commission considered the February 11, 2013 regular Meeting Minutes of the Town of Washington Zoning Commission.

Motion:

to accept the Zoning Meeting Minutes of February 11, 2013 as submitted,
by Dr. Craparo, seconded by Mr. Abella, passed by 5-0 vote.

The Commission considered the February 13, 2013 Minutes of the Special Meeting of the Town of Washington Zoning Commission.

Motion:

to accept the Zoning Special Meeting Minutes of February 13, 2013 as submitted,
by Mr. Reich, seconded by Mr. Solley, unanimously approved.

Pending Application(s)

Lancaster/244 West Shore Road/Request to Revise Special Permit: Section: 6.5: Modifications to Approved Site Plan:

The Commissioners considered the application for Lancaster. Mr. Werkhoven stated that he feels that this is an efficient way to handle the issue of the access way to garage/storage structure and meet lot coverage requirements.

Motion:

to approve this Special Permit Application and modify the Special Permit originally approved on December 17, 2012 and recorded at Vol. 224, Page 947 as follows:

That the "Proposed Site Plan, The Lancaster Residence Addition," dated 7-31-12 Revision 3 dated 1-17-13 and "Site Supplementary Plan", dated 10-31-12 Revision 1 dated 1-17-13 by Brian Neff is hereby approved and substituted for the prior plans of the same name, but revision date 9-12-12

And further, in light of the applicant having met the lot coverage requirements of Section 11.5 in

other ways as set forth in these most recent revised plans, the earlier consideration of approval requiring “the new addition formerly the garage cannot have a door wider than 5 feet” is hereby waived,
by Mr. Reich, seconded by Dr. Craparo, passed by 5-0 vote.

Laverge/226 Bee Brook Road/Revision of Special Permit: Section 13.14/Expand Existing Bed & Breakfast Establishment to Three Rooms:

A Public Hearing has been scheduled for the regular Zoning Meeting on March 25, 2013, 7:30 pm, at Bryan Memorial Town Hall in the Upper Level Meeting Room.

Ms. Hill stated that she would be looking into sizes of other Bed & Breakfast establishments in the area.

The Town of Washington Zoning Commission rescheduled a site visit for Wednesday, March 13, 2013 at 4:30 pm at 226 Bee Brook Road.

Other Business

Review of Letter to EIS Realty, LLC Re: Driveway on State Right of Way:

The Commissioners reviewed a draft letter by Mr. Solley to EIS Realty. The Zoning Commission unanimously approved the letter.

Revisions to Zoning Regulations:

Mr. Solley stated that the subcommittee is making progress on the minor adjustments that they would be presenting to the Zoning Commission.

The next meeting of the Zoning Regulations Revisions Subcommittee is scheduled for March 6, 2013 at Bryan Memorial Town Hall in the Upper Level Meeting Room.

Zoning Enforcement

Smith/35 East Shore Road:

Ms Hill stated that she receive a response from Town Counsel (dated February 21, 2013 – on file in the Land Use Office) responding to the concerns of an abutter to 35 East Shore Road regarding possible loopholes with the notice that was put on the Land Records for this property.

The Commission discussed cost to the Town if it were to seek an injunction and the purview of the Zoning Commission.

Enforcement Report:

Mr. Ajello, ZEO distributed the Zoning Enforcement Report dated February 25, 2013 (on file in the Land Use Office). There was a brief discussion regarding the town ordinance that allows for the Citation Officer, Mr. Ajello, to issue fines for zoning violations.

Adjournment

Motion:

to adjourn at 9:05 pm.

by Mr. Reich, seconded by Dr. Craparo, passed by 5-0 vote.

Mr. Reich adjourned the meeting.

SUBMITTED SUBJECT TO APPROVAL:

Shelley White, Land Use Clerk