

TOWN OF WASHINGTON  
Bryan Memorial Town Hall  
Post Office Box 383  
Washington Depot, Connecticut 06794  
Zoning Commission Regular Meeting  
**MINUTES**  
December 16, 2019

7:30 P.M. – Third Level Meeting Room

**MEMBERS PRESENT:** Chairman Solley, Mr. Werkhoven, Mr. Reich, Ms. Hill, Ms. Radosevich

**ALTERNATES PRESENT:** Ms. Smith

**STAFF PRESENT:** Ms. White, Mr. Tsacoyannis, Ms. Rill

**PUBLIC PRESENT:** Ms. Arturi, Mr. Owens, Mr. Bedini, Mr. S. Solley, Mr. Ferrell, Mr. Doherty, Ms. Solomon, Mr. Solomon, Ms. Gorra, Mr. Fisher, Mr. Benyair, Mr. Stafford, Other Members of the Public

Chairman Solley called the Public Hearing to order at 7:30pm and announced that on December 15, 1939, the first ever Zoning Meeting for the Town of Washington had taken place.

**ROMAC, LLC, 65 River Road, for a Special Permit, Section(s): 17.9 – Replacement of a Non-Conforming Structure – to rebuild a house on an existing footprint (1min 00sec.):**

The owners of 65 River Road have withdrawn this application at this time.

**Steep Rock at Macricostas – 116 and 124 Christian Street, Special Permit – Section(s): 4.4.10 – Uses Permitted by Special Permit – to convert Camp House at 124 Christian Street into a Seasonal Structure, and relocate administrative office to 116 Christian Street – with both offering educational program space (1min 24sec.):**

Seated for this Public Hearing will be Mr. Werkhoven, Ms. Hill, Ms. Radosevich and Ms. Smith, with Chairman Solley and Mr. Reich recusing themselves. Ms. Hill was seated as the Moderator for this Public Hearing. She started by reading a letter from Attorney Zizka, dated December 15, 2019, with his comments regarding the application, explaining that the applications proposed uses were not a “church, parish hall, school, library, or State licensed daycare”, as defined in Washington Zoning Regulations, under Section 4.4.10 – Uses Permitted by Special Permit. He suggested that the applicant apply for an amendment to Section 4.4 to allow a special permit to be issued for “buildings for public recreation, assembly hall, or other similar municipal cultural, or religious facilities of a non-commercial nature.”

Mr. Owens, representing Steep Rock, presented the following correspondence for the record, to the Zoning Commission and Land Use Staff;

- Email from Holly Lalime, Connecticut DEEP, dated December 6, 2019, stating approval of the request of the proposed.
- Email to Mr. Fairbairn, from George Macricostas, dated December 10, 2019, expressing his support of Steep Rock's proposed plan.
- Email to Mr. Fairbairn from Constantine Macricostas, dated December 10, 2019, expressing his support of Steep Rock's proposed plan.
- Letter of support from Sean S. Woodward, owner of 68 and 78 Litchfield Turnpike, which directly border the Macricostas Preserve, dated December 12, 2019.
- Letter of support from Rosemary Jones, 98 Christian Street, dated December 12, 2019.
- Email correspondence between Mr. Owens and Ms. Hill, previous Land Use Administrator, dated January 11, 2019, January 22, 2019, January 23, 2019, January 25, 2019, February 18, 2019, February 20, 2019, asking for advice on how to proceed with the application for this matter.
- Correspondence (memo), to Ms. Hill from Mr. Martin, dated November 21, 2002, regarding a meeting with Mr. Byrne, Land Use Attorney at that time, regarding principal/accessory uses and contiguous lots.

Mr. Owens stated that Steep Rock's intention was to preserve Camp House, which was the wish of the original property owners, and make use of the home.

Mr. Owens presented the Commission with a survey titled, "Steep Rock at Macricostas, New Preston, Connecticut, Z001 and Z002", prepared by Reese Owens Architects, LLC, Washington Depot, CT, dated November 11, 2019, a site plan titled, "Steep Rock Association Office, 116 Christian Street, Washington, Connecticut", dated 3-11-19, Revised 11-14-19, by Brian E. Neff, Licensed Engineer, and building plans and elevations, titled, "Steep Rock at Macricostas, New Preston, Connecticut – Camp-Lemmon House – 116 Christian Street, Camp House – 124 Christian Street, Z100", as well as nine colored photos of Camp-Lemmon House and Camp House, titled Z200.

Mr. Owens then read his own letter, dated November 20, 2019 to Chairman Solley, outlining the proposal for 116 and 124 Christian Street.

Ms. White, Land Use Administrator, read aloud her Administrative Review of the application, titled, "ZC Meeting – 12-16-19 – Public Hearing – Administrative Review – 116 & 124 Christian Street".

Ms. Hill asked if there was any Public Comment, which there were none.

Ms. Hill asked Mr. Owens if Steep Rock Association planned on changing the use of one of the homes. Mr. Owens stated that he assumed both homes would need a "change of use" if the application was approved.

**MOTION: To close the Public Hearing regarding Steep Rock at Macricostas – 116 and 124 Christian Street, Special Permit – Section(s): 4.4.10 – Uses Permitted by Special Permit – to convert Camp House at 124 Christian Street into a Seasonal Structure, and relocate administrative office to 116 Christian Street – with both offering educational program space, by Mr. Werkhoven, seconded by Ms. Hill, passed 4-0 vote.**

**Mayflower Inn 2013, LLC, 116 Woodbury Road, for a Modification of a Special Permit from Section(s): 4.1.1 – Uses Permitted by a Special Permit, and 13.9 – Tourist Home or Inn – For a Seasonal Tent for Outdoor Events (1hr. 01min. 38sec.):**

Chairman Solley recused himself from this Public Hearing. Mr. Reich resumed his seat and will be acting as Chairman. He then seated Mr. Werkhoven, Ms. Smith, Ms. Hill and Ms. Radosevich.

Mr. Owens, also representing Mayflower Inn 2013, LLC, read his letter, dated November 20, 2019 to Chairman Solley and the Zoning Commission, outlining the proposed application. The Mayflower Inn has requested that in order to remain competitive and distinguished in their field, they would like to offer a “tented function” option for their customers. Currently, the Mayflower would rent a pole tent for such events. The Inn would like to install a 48’ by 88’ tent, set on a stone terrace, that will hold approximately 150 people. The “Hospitality Tent” will not be erected for more than 180 days per year, making it a Seasonal “temporary structure” from May until October.

Mr. Owens presented the following to the Zoning Commission;

- A Site Development Plan, prepared for Mayflower Inn and Spa, by Arthur H. Howland & Associates, dated 10-31-19, with a revision date of 11-21-19, Sheet SD.1.
- Plan titled, “Site Plan, Mayflower Hospitality Tent”, for Special Permit Modification, dated 11-20-19, prepared by Reese Owens Architects, LLC, Sheet TZ002
- Plan titled, “Elevations, Mayflower Hospitality Tent”, for Special Permit Modification, dated 11-20-19, prepared by Reese Owens Architects, LLC, Sheet TZ201
- Survey titled, “ALTA/ACSM Land Title Survey – Property/Boundary Survey”, prepared for Mayflower Inn 2013, LLC, dated 6-2013, prepared by T. Michael Alex, L.S., with a revision date of 10/12/19.

Ms. Rill presented a letter from S. Low, Associate Head of School for The Gunnery, dated December 11, 2019, in support of The Mayflower Inn’s proposed plan.

Ms. White read her Administrative Review, dated 12-16-19, outlining the application.

The Commission asked Mr. Owens about parking and emergency vehicle access, and he explained that historically, the Mayflower has accommodated parking for previous tented events by providing a combination of existing spaces and valet parking, where cars can be “stacked” until retrieval.

Mr. Reich asked the Public if they had any questions or comments, which they did not.

**MOTION: To close the Public Hearing in the matter of Mayflower Inn 2013, LLC, 116 Woodbury Road, for a Modification of a Special Permit from Section(s): 4.1.1 – Uses Permitted by a Special Permit, and 13.9 – Tourist Home or Inn – For a Seasonal Tent for Outdoor Events, by Mr. Werkhoven, seconded by Mr. Reich, passed 5-0 vote.**

**Regular Meeting (1hr. 47min. 10sec.):**

Chairman Solley, once again seated, called the Regular Meeting to order at 9:18pm. He then seated himself, Mr. Reich, Mr. Werkhoven, Ms. Hill, and Ms. Radosevich.

**Consideration of the Minutes (1hr. 47min 30sec.):**

**MOTION: To accept the November 25, 2019 meeting minutes as submitted, by Mr. Reich, seconded by Mr. Werkhoven, passed 5-0 vote.**

**Pending Applications (1hr. 47 min. 46min.):**

Seated for the Pending Application for Steep Rock Association, 116 and 124 Christian Street are Ms. Hill, Mr. Werkhoven, Ms. Radosevich and Ms. Smith.

Ms. Hill stated that she believed there should be some conditions for approval, such as both lots should have the same ownership with co-mingled uses, and was wondering if there should be an amplified noise condition for 10pm.

**MOTION: to approve the Application of Steep Rock at Macricostas – 116 and 124 Christian Street, Special Permit – Section(s): 4.4.10 – Uses Permitted by Special Permit – to convert Camp House at 124 Christian Street into a Seasonal Structure, and relocate administrative office to 116 Christian Street – with both offering educational program space, with the following conditions: 1.) That the two lots of 116 and 124 Christian Street have the same ownership with co-mingled uses, and 2.) That any amplified noise ends by 10pm, by Mr. Werkhoven, seconded by Ms. Hill, passed 4-0 vote.**

Seated for the second Pending Application of Mayflower Inn 2013, LLC, 116 Woodbury Road will be Mr. Reich, Mr. Werkhoven, Ms. Hill and Ms. Radosevich and Ms. Smith.

Ms. Hill stated that she would like to add the condition that any lighting be consistent with Washington Zoning Regulation- Section 12.15 – Outdoor Lighting in Residential Districts, as well as a possible noise condition.

**MOTION: To approve the Application of Mayflower Inn 2013, LLC, 116 Woodbury Road, for a Modification of a Special Permit from Section(s): 4.1.1 – Uses Permitted by a Special Permit, and 13.9 – Tourist Home or Inn – For a Seasonal Tent for Outdoor Events, with the following condition; 1.) that the lighting conform to Washington Zoning Regulations, Section 12.15 – Outdoor Lighting in Residential Districts, by Mr. Werkhoven, seconded by Mr. Reich, passed 5-0 vote.**

**New Applications (2hr. 02min 05sec.):**

There are no new applications.

**Other Business (2hr. 02min. 26sec.):**

**Continuance of Deliberation for the Public Hearing of Zoning Regulation Section 12.8:**

Chairman Solley rejoined the Commission at this time. The members seated for this portion of the meeting are: Chairman Solley, Mr. Reich, Mr. Werkhoven, Ms. Hill and Ms. Radosevich.

The Commission was presented with Attorney Zizka's suggestions from November's Zoning meeting.

**\*\*Please note: the following are *possible edits* for Zoning Regulation Section 12.8, and are not final decisions.**

"Proposed revisions/additions are shown in BOLD CAPS. Proposed deletions are [underlined and in brackets.]

12.8 Temporary Uses. Temporary permits may be issued [by the Zoning Enforcement Officer for the following uses if in his judgment, the public convenience and welfare can be substantially served and the appropriate use of neighboring property would not be substantially or permanently injured.] FOR CERTAIN STRUCTURES AND USES IN ACCORDANCE WITH THE FOLLOWING PROVISIONS:

[12.8.1 A circus, carnival, or similar type entertainment for a period of not more than seven days.]

[12.8.2 A non-conforming temporary building or use shown to be necessary pending construction of a conforming building or use, for not more than one year, but renewal permits for successive periods of six months each may be granted.]

[12.8.3 One visiting trailer used for living purposes to be parked on the rear half of a single family dwelling lot but not within 25 feet of a lot line and for not more than four weeks in any calendar year.]

12.8.1 TEMPORARY CONSTRUCTION STRUCTURES: WHEN A LOT IS BEING PREPARED FOR THE CONSTRUCTION OF A PERMITTED PERMANENT STRUCTURE OR THE ESTABLISHMENT OF A PERMITTED PERMANENT USE, A PERMIT MAY BE ISSUED FOR ONE OR MORE STRUCTURES TO BE USED SOLELY FOR (a) STORAGE OF EQUIPMENT AND MATERIALS REQUIRED FOR SUCH PREPARATION OR CONSTRUCTION, OR (b) A CONSTRUCTION OFFICE.

THE ZONING ENFORCEMENT OFFICER MAY ISSUE A TEMPORARY PERMIT FOR UP TO TWO SUCH STRUCTURES PROVIDED THE STRUCTURES WOULD MEET ALL SETBACK REQUIREMENTS FOR A PERMANENT STRUCTURE. THE DURATION OF THE FIRST SUCH PERMIT SHALL BE NO GREATER THAN

ONE YEAR, OR TWO WEEKS AFTER THE COMPLETION OF PREPARATION OR CONSTRUCTION OF THE PERMANENT USE OR STRUCTURE, WHICHEVER COMES FIRST. PERMITS MAY BE RENEWED FOR PERIODS OF NO MORE THAN SIX MONTHS.

12.8.2 TEMPORARY TRAILERS FOR LIVING PURPOSES: A PERMIT, NOT TO EXCEED FOUR WEEKS IN ANY CALENDAR YEAR, MAY BE ISSUED BY THE ZONING ENFORCEMENT OFFICER FOR ONE VISTING TRAILER TO BE USED FOR LIVING PURPOSES ON A LOT ZONED FOR RESIDENTIAL USE. ANY SUCH TRAILER MUST BE PARKED ON THE REAR HALF OF THE LOT AND MUST BE LOCATED AT LEAST 25 FEET AWAY FROM EVERY LOT LINE. NO MORE THAN ONE SUCH PERMIT SHALL BE ISSUED IN ANY CALENDAR YEAR.

12.8.3 TEMPORARY USES REQUIRING NO PERMIT:

A. TEMPORARY USES THAT ARE INCIDENTAL AND CUSTOMARY TO THE PERMITTED PRINCIPAL USE OF A PARCEL

B. ANNUAL EVENTS THAT HAVE BEEN HELD AT THE SAME LOCATION FOR A PERIOD OF FIVE YEARS OR MORE BEFORE [INSERT DATE OF AMENDMENT]

C. TEMPORARY EVENTS ON PROPERTY OWNED BY THE TOWN OF WASHINGTON, RELIGIOUS INSTITUTIONS OR SCHOOLS

D. TEMPORARY EVENTS WITHIN THE B1, B2, B3, AND B4 DISTRICTS

E. SINGLE-DAY EVENTS NOT LISTED ABOVE, PROVIDED NO MORE THAN 25 OR MORE MOTOR VEHICLES MAY REASONABLY BE EXPECTED TO ARRIVE AT SUCH EVENT. NO MORE THAN THREE SUCH EVENTS MAY BE HELD ON ANY LOT IN ANY ONE CALENDAR YEAR

*\*\*Ms. Hill requested that it be noted in these minutes that, while weddings are permitted on a property for your family, a commercial wedding venue with numerous events throughout the year, was *not permitted*.*

12.8.4 TEMPORARY USES REQUIRING A ZONING PERMIT:

THE ZONING ENFORCEMENT OFFICER MAY ISSUE A ZONING PERMIT FOR A SINGLE-DAY EVENT NOT LISTED IN SUBSECTION A, ABOVE, PROVIDED THE APPLICANT DEMONSTRATES THAT ADEQUATE

PARKING CAN BE PROVIDED. NO MORE THAN TWO (2) SUCH PERMITS SHALL BE ISSUED IN ANY ONE CALENDAR YEAR ON THE SAME SITE.

#### 12.8.5 TEMPORARY USE REQUIRING A SPECIAL PERMIT:

A SPECIAL PERMIT SHALL BE REQUIRED FOR ANY TEMPORARY USE NOT DESCRIBED IN SECTIONS 12.8.3 AND 12.8.4. SUCH USE SHALL BE SUBJECT TO THE STANDARDS OF SECTION 13.1.C OF THESE REGULATIONS AND SHALL BE LIMITED TO CIRCUSES, CARNIVALS, FESTIVALS, CONCERTS, ARTISTIC PERFORMANCES, AND GALAS AND SIMILAR TYPE ENTERTAINMENT.

NO MORE THAN ONE (1) SPECIAL PERMIT MAY BE ISSUED IN ANY ONE CALENDAR YEAR FOR A TEMPORARY USE ON ANY LOT OR PARCEL. NO SUCH TEMPORARY USE SHALL BE PERMITTED FOR MORE THAN SEVEN CONSECUTIVE DAYS.”

The Commission discussed and agreed to extend the deliberations for Regulation Section 12.8 – Temporary Uses, and will discuss further at its January 27, 2020 Meeting.

#### **Enforcement (2hr. 39min. 24sec.):**

Mr. Tsacoyannis, Zoning Enforcement Officer, reported that there is no longer any garbage being hauled to 237 Roxbury Road.

He also reported that there has been a demolition plan submitted to Inland Wetlands for 101 Wykeham Road.

#### **Communications (2hr. 40min. 44sec.):**

There were no communications this evening.

#### **Privilege of the Floor (2hr. 40min. 48sec.):**

There were no comments from the Public this evening.

#### **Administrative Business (2hr. 40min. 58sec.):**

##### **Election of Officers for 2020 –**

Ms. Hill nominated Mr. Solley as Chairman, seconded by Mr. Reich.

Chairman Solley nominated Ms. Hill as Vice Chairwoman, seconded by Mr. Reich.

Chairman Solley nominated Mr. Reich as Secretary, seconded by Ms. Hill.

**MOTION: To close the Zoning Nominations, by Chairman Solley, seconded by Mr. Werkhoven, passed 5-0 vote.**

**MOTION: To approve the Election Slate as presented, by Chairman Solley, seconded by Mr. Reich, passed 5-0 vote.**

**MOTION: To adjourn the December 16, 2019 Washington Zoning Commission Meeting at 10:12pm, by Ms. Radosevich, seconded by Mr. Reich, passed 5-0 vote.**

Respectfully Submitted,

Tammy Rill

Land Use Clerk

December 18, 2019

**\*All documents on file in the Land Use Office**

**\*\*Minutes subject to approval**

**\*\*\*A recording of this meeting is available upon request**



