

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

MINUTES

November 22, 2021

7:30 P.M. – Hybrid Meeting

PRESENT: Chairman Solley, Ms. Hill, Mr. Werkhoven, Ms. Radosevich, Mr. Farrell

ALTERNATES PRESENT: Ms. Smith, Ms. Andersen, Mr. Mongar

STAFF PRESENT: Ms. White, Ms. Haverstock, Ms. Rill

PUBLIC PRESENT: R. Owens, Attorney Grickas, M. Girdhar, M. Purnell, H. Barnet, S. Branson, J. McTigue, R. Solomon, M. Solomon, L. Gendron, D. Tagley, Other Members of the Public

Chairman Solley called the meeting to order at 7:30pm.

PUBLIC HEARING(S):

Request of Kohn, 23 Ferry Bridge Road, for a Special Permit, Section 13.11.3 – Detached Accessory Apartment:

Reese Owens, representing the property owner, presented the Application for a detached accessory apartment which will be attached to the existing detached garage. The proposed apartment will be 1,040 square feet total. There will be a kitchen and full bath included.

The Commission reviewed Ms. White's Completion Report which stated the Application was complete and complies with the Special Permit Standards of Section 13.1.C.

MOTION: To close the Public Hearing for the Request of Kohn, 23 Ferry Bridge Road, for a Special Permit, Section 13.11.3 – Detached Accessory Apartment, by Mr. Werkhoven, seconded by Ms. Hill, passed unanimously.

REGULAR MEETING:

Chairman Solley seated Ms. Hill, Mr. Werkhoven, Ms. Radosevich and Mr. Farrell.

CONSIDERATION OF THE MINUTES:

October 25, 2021 Regular Meeting:

Ms. Hill wished to make the following corrections:

Page 2, regarding 202 Baldwin Hill Road:

“He, (Mr. Gugel), added that in order to address the volume regulations, he will raise the grade around the entire structure to meet the height requirements, making the total volume 25 feet, 7 inches”.

Change to total height, not volume.

Page 5, regarding 57 Flirtation Avenue:

Ms. Radosevich requested that the minutes reflect that the fence and walkway were installed but not permitted.

Page 1, regarding Helipads:

Ms. Radosevich requested the following edit:

The decision to add the definition of Helipads was based on several complaints of helicopters taking off and landing in the areas of Sabbaday Lane as well as Revere Road”.

Change Revere Road to Romford Road.

MOTION: To accept the October 25, 2021 Meeting Minutes as amended, by Chairman Solley, seconded by Ms. Hill, passed 5-0 vote.

MOTION: To accept the November 4, 2021 Special Meeting Minutes as submitted, by Chairman Solley, seconded by Ms. Radosevich, passed 5-0 vote.

PENDING APPLICATIONS:

Request of Kohn, 23 Ferry Bridge Road, for a Special Permit, Section 13.11.3 – Detached Accessory Apartment:

With no questions from the Commission, Chairman Solley motioned the following;

MOTION: To approve the Request of Kohn, 23 Ferry Bridge Road, for a Special Permit, Section 13.11.3 – Detached Accessory Apartment, as submitted in the Application presented by Reese Owens which includes plans titled, “Sumacs Guest House” dated 10/20/2021, by Halper Owens Architects, LLC. Motion made by Chairman Solley, seconded by Mr. Werkhoven, passed 5-0 vote.

NEW APPLICATIONS:

72 Upper Church Hill Rd., for a Special Permit, Section(s): 4.4.8 – Uses Permitted by Special Permit and 13.11.3 – Accessory Apartment – Detached:

In a letter dated October 22, 2021, Attorney Jim Kelly stated that his clients were proposing to convert an existing studio into an Attached Accessory Apartment. The studio, which was originally a barn, was permitted to be converted to a studio in 2008 by a previous owner. That owner had added a full kitchen to the building. The current owners changed the use of the building to an Artist’s Studio, but was unaware that the building was not permitted to have a kitchen, loft area or shower. In order to bring the studio to full compliance with Zoning, they removed the appliances and obtained a building permit for the shower and the loft was approved as storage space. Attorney Kelly questioned if the Commission would be considering the loft area, (320 square feet), and utility/mechanical area, (256 square feet), in the total square footage calculations. The Commission ruled that the loft area would be calculated as square footage, but the mechanical utility area would not be, as it is an unfinished area.

MOTION: To schedule the Public Hearing for 72 Upper Church Hill Rd., for a Special Permit, Section(s): 4.4.8 – Uses Permitted by Special Permit and 13.11.3 – Accessory Apartment – Detached, for December 20, 2021 at 7:30pm, Bryan Memorial Town Hall and via Zoom Video Conference, by Chairman Solley, seconded by Ms. Radosevich, passed 5-0 vote

MFSPA2013, LLC, 116 Woodbury Rd., for a Special Permit – Section(s): 4.1.1 – Inn or Tourist Home, 13.1.C – Standards, and 14 – Applicability – for an event tent for wedding, corporate meetings and similar events:

Attorney Grickis and Mr. Girdhar, representing MFSPA2013, 2013, (also known as The Mayflower), stated that they were requesting approval relating to a Special Permit regarding the noise generating from a Hospitality Tent currently on the property.

Attorney Grickis noted that there would not be any generators included in this Application. The Mayflower has hired several consultants to maintain and control the sound illuminating from the tent and they would be present at the Public Hearing. He welcomed the Commission as well as concerned neighboring properties to schedule a visit to The Mayflower to view/hear about the proposed plan.

The Commission questioned if The Mayflower would be able to set up a way to test the sound system so that they could be sure the sound would not disturb the public. Mr. Girdhar explained that due to cost, they would not be able to do a test run. Mr. Owens stated that the Sound Engineer that The Mayflower has hired has an excellent reputation and would explain in detail how the sound will be regulated.

MOTION: To schedule a Public Hearing for the Request of MFSPA2013, LLC, 116 Woodbury Rd., for a Special Permit – Section(s): 4.1.1 – Inn or Tourist Home, 13.1.C – Standards, and 14 – Applicability – for an event tent for wedding, corporate meetings and similar events, for December 20, 2021 at 7:30pm, Bryan Memorial Town Hall and via Zoom Video Conference, by Chairman Solley, seconded by Ms. Hill, passed 5-0 vote.

The Premier Trust, 157 Calhoun St., Section(s): 13.11.3 – Accessory Apartment – Detached – for a guest house:

Ms. White stated that she has asked Mr. Szymanski, who will be representing the property, for a Health Approval date as well as a description of the project.

Mr. Werkhoven pointed out that the December meeting agenda was going to be rather full and questioned if the Commission could schedule this Public Hearing for the January meeting. Mr. McTigue stated this would be fine.

MOTION: To schedule the Public Hearing for the Request of The Premier Trust, 157 Calhoun St., Section(s): 13.11.3 – Accessory Apartment – Detached – for a guest house, for January 24, 2021, at 7:30pm Bryan Memorial Town Hall and via Zoom Video Conference, by Chairman Solley, seconded by Ms. Radosevich, passed 5-0 vote.

Discussion Regarding the Request of the Washington Conservation and Inland Wetlands Commissions – proposed Tree Clear Cutting Regulations:

The Conservation Commission has requested that the Zoning Commission review language of a proposed tree clear cutting regulation.

Ms. Hill has inserted language that a been previously submitted in December of 2019 to the current proposed language for the Commission's review. Ms. White confirmed that she will send Ms. Hill's current proposed language to the Commission.

The Commission discussed how the proposed regulations could be enforced and agreed to review again at the January 24, 2021 meeting.

134 Roxbury Road – Chairman Solley requested that the Commission drive by this property to view the work that has been done. The Commission discussed this area that was once used for farming and were informed the current owners were interested in creating pollinating fields.

ENFORCEMENT:

Ms. Haverstock informed the Commission that there have been permits granted for generators, propane tanks, tennis courts, and new homes.

Properties of Interest:

16 Sunset Lane – there have been several complaints of a mobile home that is being used as a residence.

41 East Street – an anonymous complaint was made regarding a driveway. After reviewing the file for the property, Ms. Haverstock found that the owners were in compliance and the driveway in question was legal.

32 Findlay Road – there were questions regarding work happening on this property. Ms. Haverstock found that the property owner was in the process of obtaining approval for a septic system from the Health Department.

254 New Milford Turnpike – The Land Use Office will be reviewing this property file to ensure that the work that is currently taking place is what was permitted.

207 Bee Brook Road – there had been a complaint regarding a fence on this property. Ms. Haverstock reached out to the property owners and discovered that there had been a fence in the area that had been severely damaged and was replaced.

253 Old Litchfield Road – the Land Use Office has met with the property owners regarding the storage containers on the property and are currently working on a solution to fix the problem. The Land Use Office have requested a time line from the property owners.

57 Flirtation Avenue – The property owner has received a Certificate of Zoning Compliance for the home only. A permit was issued for a pool and spa.

COMMUNICATIONS:

The Historic District Commission has submitted a Delay of Demolition Ordinance proposal to the Board of Selectmen for their review and has informed the Commission of this.

PRIVILEGE OF THE FLOOR:

No comments from the public.

ADMINISTRATIVE BUSINESS:

Chairman Solley acknowledged former Commission member, Ray Reich, whom had served on the Zoning Commission since November 2009. Chairman Solley wished to thank Mr. Reich for his dedication and service to the Town of Washington and Zoning Commission.

ADJOURNMENT:

MOTION: To adjourn the November 22, 2021 Washington Zoning Commission meeting at 8:56pm, by Mr. Farrell, seconded by Ms. Radosevich, passed 5-0 vote.

To listen to the recording of this evenings meeting, click here:

https://townofwashingtongcc-my.sharepoint.com/:u:/g/personal/trill_washingtonct_org/EVPLoDs7bltLr7nRu8pj5S0B2sH0Cu5PgZ5pQMGABWUvyQ?e=9mh8tR

Respectfully Submitted,

Tammy Rill

Land Use Clerk

November 30, 2021

*Minutes are subject to approval