

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

MINUTES

April 25, 2022

7:30 P.M. – Hybrid Meeting

MEMBERS PRESENT: Chairman Solley, Ms. Hill, Mr. Werkhoven, Ms. Radosevich, Mr. Farrell
(arrived at 7:39pm)

MEMBERS ABSENT: None

ALTERNATES PRESENT: Ms. Smith, Mr. Mongar

ALTERNATES ABSENT: Ms. Andersen

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

PUBLIC PRESENT: S. Ingrassia, E. Bowen, A. Bowen, M. Connor, R. Solomon, M. Solomon, M. Gorra, C. Matteo, K. Feldman, J. Hammer, S. Branson

PUBLIC HEARING(S):

Proposed Revisions to the Washington Zoning Regulations – Section(s): 14.3; 14.7.13, 21.1.65 - Preservation of Trees, Natural Features:

Ms. Hill, Mr. Werkhoven, Ms. Radosevich, Mr. Farrell and Mr. Mongar are seated for this Public Hearing.

Ms. Hill explained that counsel had advised to work on the language of the proposed regulations before approving them and suggested that the Public Hearing close so this can be accomplished.

MOTION: To close the Public Hearing regarding the Proposed Revisions to the Washington Zoning Regulations – Section(s): 14.3; 14.7.13, 21.1.65 - Preservation of Trees, Natural Features, by Ms. Radosevich, seconded by Mr. Werkhoven, passed unanimously.

Request of SMF Universal, LLC – 124 New Milford Turnpike – for a Special Permit – Section(s): 7.4.9 – Housing in Business Districts – and Section 7.6 – Minimum Setback and Yard Dimensions – for retail, office and apartment use and to reconstruct a handicap ramp:

The Applicant has requested a Continuance while they obtain Health Department and Zoning Board of Appeals approval.

MOTION: To continue the Public Hearing for the Request of SMF Universal, LLC – 124 New Milford Turnpike – for a Special Permit – Section(s): 7.4.9 – Housing in Business Districts – and Section 7.6 – Minimum Setback and Yard Dimensions – for retail, office and apartment use and to reconstruct a handicap ramp. Motion made by Ms. Radosevich, seconded by Mr. Werkhoven, approved unanimously.

Request of Ingrassia, 292 Bee Brook Road, for a Special Permit – Section 12.8.5 – Temporary Uses Requiring a Special Permit – for the Spring Hill Arts Gathering Festival:

Chairman Solley, Ms. Hill, Mr. Werkhoven, Ms. Radosevich and Mr. Farrell are seated for this Public Hearing.

Ms. White stated that Ms. Ingrassia had answered all of the questions submitted by the Commission at the March 2022 meeting. Health Department Approval was still needed.

Ms. Ingrassia, owner of the property at 292 Bee Brook Road, stated that the Spring Hill Arts Festival would take place this Summer – June 16th – 19th, 2022. The four-day event will host indoor and outdoor performances that will end at 10pm each night. There is a parking plan, and a State Trooper will also be stationed at the event to ensure safety.

Ms. Hill requested that the applicant be mindful of the noise amplified from the event, as there have been several concerns regarding amplified sound at other event locations in town.

Ms. Ingrassia agreed but made note that there have never been noise complaints at any of their previous events to date.

With no further questions, the Commission chose to close the Public Hearing.

MOTION: To close the Public Hearing for the Request of Ingrassia, 292 Bee Brook Road, for a Special Permit – Section 12.8.5 – Temporary Uses Requiring a Special Permit – for the Spring Hill Arts Gathering Festival, by Ms. Radosevich, seconded by Ms. Hill, approved unanimously.

REGULAR MEETING:

Chairman Solley called the Regular Meeting to order 7:50pm.

CONSIDERATION OF THE MINUTES:

Ms. Radosevich stated that at the bottom of page one as well as the bottom of page four had a few grammatical errors.

MOTION: To approve the March 28, 2022 Washington Zoning Commission Meeting Minutes as amended, by Chair Solley, seconded by Mr. Farrell, passed unanimously.

PENDING APPLICATIONS:

Request of Ingrassia, 292 Bee Brook Road, for a Special Permit – Section 12.8.5 – Temporary Uses Requiring a Special Permit – for the Spring Hill Arts Gathering Festival:

The Commission was satisfied with Ms. Ingrassia's proposal and were pleased that the event was going to be only four days instead of seven.

MOTION: To approve the Request of Ingrassia, 292 Bee Brook Road, for a Special Permit – Section 12.8.5 – Temporary Uses Requiring a Special Permit – for the Spring Hill Arts Gathering Festival, subject to Health Department approval, by Chair Solley, seconded by Ms. Radosevich, approved 5-0 vote.

NEW APPLICATIONS:

Request of Ryder, 57 Flirtation Avenue, for a Special Permit, Section(s): 13.11.3: Accessory Apartments, detached:

The Commission questioned if there is currently a detached accessory apartment on the property. Ms. White clarified that there is a detached accessory on the neighboring property that the Ryder's also own. Ms. White added that the existing and proposed lot coverage were included in the plans submitted by Mr. Ryder.

MOTION: To schedule a Public Hearing for the Request of Ryder, 57 Flirtation Avenue, for a Special Permit, Section(s): 13.11.3: Accessory Apartments, detached – for the May 23, 2022 Washington Zoning Commission Meeting, 7:30pm in the Main Meeting Room of Bryan Memorial Town Hall as well as Zoom Video Conference, by Chair Solley, seconded by Ms. Hill, passed 5-0 vote.

OTHER BUSINESS:

Schedule a workshop regarding the Compliance of 101 Wykeham Road, LLC:

MOTION: To schedule a workshop regarding the Compliance of 101 Wykeham Road, LLC for either Tuesday, May 17, 2022 or Tuesday, May 24, 2022 at 5:30pm – based on councils' availability by Chair Solley, seconded by Ms. Hill, passed unanimously.

Discussion Regarding J. Hill's review of P.A. 21-29:

Ms. Hill stated that she had nothing to add to her review, however she was awaiting Attorney Zizka's response to the questions she had submitted. The Commissioners received a hard copy of the review at this evenings meeting and were asked by Chairman Solley to read it prior to the May meeting.

The Commission returned to discussing 101 Wykeham Road and whether or not there were plans to start cleaning up the property. There was a brief discussion regarding the recent Supreme Court ruling.

Short Term Rentals:

The Commission discussed the updated VRBO listing changes submitted by Mr. and Mrs. Bowen – owners of the property at 121 West Shore Road. Attorney Zizka had supplied a case of a similar nature in Branford, Connecticut for the Commission to review.

Ms. Feldman stated that the current VRBO/Expedia ad listed the property as a 5-bedroom house, even though the Bowen's stated that they had changed the listing to a three-bedroom home. Mr. Bowen stated that he and his wife had updated the VRBO listing – had limited the amount of parking on the site, decreased the number of people that could sleep on the premises from twelve to ten. They've also revised their lease to include stricter rules for renters that include noise regulations and staying on their property.

The Bowen's agreed to email the Land Use Office the number of guests that have booked their property and whether they are related to the Bowen's or not. The Bowen's asked for clarification about whether the "seven related" people meant related to each other or related to the Bowen family. Chair Solley agreed to ask Attorney Zizka for clarification.

ENFORCEMENT:

Ms. Haverstock began by thanking the Commission, the residents, as well as contractors for making appointments with the Land Use Office for pre-application meetings, stating that the permitting process has been running more smoothly due to this step.

Ms. Haverstock added that 253 Old Litchfield – Everything Botanical, has received a permit for a storage structure and that the temporary containers on the property will be removed within the next week.

The Commission discussed a property on Route 202 - across the street from Garland Road, that appears to be a mechanics shop with several cars parked in the yard. Ms. Haverstock stated that she had reached out to this property owner and has had no response to date.

COMMUNICATIONS:

None for this evening.

PRIVILEGE OF THE FLOOR:

Ms. Matteo discussed the Plan of Conservation and Development in regards to Lake Waramaug and her concerns regarding water quality, the amount of homes that have been built along the lake, and how short-term rentals effect the lake quality.

She called for a noise ordinance to limit construction and landscape sounds, a moratorium of six months to a year for building on the lake as well as enforcement of the night-sky friendly lighting regulation on the lake.

ADMINISTRATIVE BUSINESS:

None for this evening.

ADJOURNMENT:

MOTION: To adjourn the April 25, 2022 Washington Zoning Commission Meeting at 8:50pm, by Ms. Radosevich, seconded by Chair Solley, passed unanimously.

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

https://townofwashingtoncc-my.sharepoint.com/:u:/g/personal/trill_washingtonct_org/EYFVYhuSoKNNqYbhuRLTNdMBvHJUMrVYwqLiMWfQ4csfqQ?e=xIBH91

Respectfully Submitted,

Tammy Rill

Land Use Clerk

April 27, 2022

*Minutes are subject to approval

