

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

**MINUTES**

February 26, 2024

7:30 P.M. – Hybrid Meeting

**MEMBERS PRESENT:** Chair Hill, B. Farrell, D. Werkhoven, J. Averill

**MEMBERS ABSENT:** V. Andersen

**ALTERNATES PRESENT:** S. Smith

**ALTERNATES ABSENT:** S. Mongar, L. Adams

**STAFF PRESENT:** S. White, T. Rill, M. Haverstock

**PUBLIC PRESENT:** T. Tiernan, P. Szymanski, M. Gorra, R. Solomon, D. Arturi, D. Owen, E. Coates, H. Barnet, J. Barnet, R. Keck, P. Talbot, A. Levande, E. White, M. Condon, E. Wiseman, A. Jamieson (Press, Voices), Other Members of the Public

**PUBLIC HEARING(S):**

**Request of Bramson- 270 Nettleton Hollow Rd., for a Special Permit- Section 13.11.3 – Accessory Apartment – Detached:**

Chair Hill called the Public Hearing to order at 7:33pm.

She seated herself, Mr. Werkhoven, Mr. Farrell, Mrs. Averill and Ms. Smith for Mrs. Andersen.

Mr. Szymanski, representing the property owner, stated that the proposed apartment will be located in an existing pool house. There will not be any exterior work. The 1180 square foot apartment will have a kitchen and one full bath and will utilize the same driveway as the main home. There are two parking spaces for the apartment. The property owner will reside in the apartment when it is finished.

With no question or comments from the Commission, a Motion was made to close the Public Hearing.

**MOTION:** To close the Public Hearing for the Request of Bramson- 270 Nettleton Hollow Rd., for a Special Permit- Section 13.11.3 – Accessory Apartment – Detached, by Mr. Farrell, seconded by Mrs. Averill, approved unanimously.

**REGULAR MEETING:**

The Regular meeting was called to order at 7:42pm.

Chair Hill seated herself, Mr. Werkhoven, Mr. Farrell, Mrs. Averill and Ms. Smith for Mrs. Andersen.

**CONSIDERATION OF THE MINUTES:**

**December 18, 2023, Regular Meeting Minutes:**

\*See attached corrections from Mrs. Hill – Attachment A.

MOTION: To approve the December 18, 2023, Meeting Minutes as corrected, by Mr. Werkhoven, seconded by Mrs. Averill, approved unanimously.

**January 22, 2024, Regular Meeting Minutes:**

\*See attached corrections from Mrs. Hill – Attachment A.

MOTION: To approve the January 22, 2024, Regular Meeting Minutes as corrected, by Mr. Farrell, seconded by Mr. Werkhoven, approved unanimously.

**February 5, 2024, Special Meeting Minutes:**

\*See attached corrections from Mrs. Hill – Attachment A.

MOTION: To approve February 5, 2024, Special Meeting Minutes as corrected, by Mr. Farrell, seconded by Mrs. Averill approved unanimously.

**February 20, 2024, Special Meeting Minutes:**

See attached corrections from Mrs. Hill – Attachment A.

MOTION: To approve the February 20, 2024, Special Meeting Minutes as corrected, by Mr. Farrell, seconded by Mrs. Averill, approved unanimously.

**PENDING APPLICATIONS:**

**Request of Bramson- 270 Nettleton Hollow Rd., for a Special Permit- Section 13.11.3 – Accessory Apartment – Detached:**

MOTION: To approve the Request of Bramson- 270 Nettleton Hollow Rd., for a Special Permit- Section 13.11.3 – Accessory Apartment – Detached, as shown in the Application including plans dated March 7, 2023, titled, “Proposed Barn Guest House”, Sheet “Pool.3”, by Arthur H. Howland and Associates, P.C. Motion made by Mr. Werkhoven, seconded by Mr. Farrell, approved unanimously.

**NEW APPLICATIONS:**

**Request of Keck – 43 Winston Dr., for a Special Permit – Section 12.6.1 C General Home Occupation for one-on-one Pilates studio/personal training:**

Mrs. Keck, owner of the property, explained that she is proposing a personal training and Pilates studio in her home. The sessions are one-on-one and will take place on Mondays, Fridays and

Saturday mornings for 2-3 hours. Mrs. Keck added that she has provided the Land Use Office with a letter of explanation for the Special Permit.

**MOTION:** To schedule a Public Hearing for Request of Keck – 43 Winston Dr., for a Special Permit – Section 12.6.1 C General Home Occupation for a one-on-one Pilates studio/personal training on March 25, 2024, at 7:30pm in the Main Meeting Room of Bryan Memorial Town Hall and Via Zoom Video conference, by Mr. Werkhoven, seconded by Mrs. Averill, approved unanimously.

**PRELIMINARY DISCUSSION:**

**The Washington Club - 8 Golf Course Rd., siting of tennis courts:**

Michael Gorra, President of the Washington Club, explained that currently the club uses and leases the tennis courts at The Frederick Gunn School and will do so until September 2026. The Frederick Gunn School plans on tearing down the courts after this time. The Washington Club owns property across from The Devereux School, adjacent to the golf course and would like to apply for a Special Permit to construct 10 (ten) tennis courts and 4 (four) pickleball courts. The Frederick Gunn School will also be utilizing the courts. There are currently no plans to install lights for night play. There will be a sound study performed. Health and Wetlands approval will be needed.

Ms. White explained that she and Ms. Haverstock had met with Mr. Gorra, Mr. Talbot and an attorney for the Washington Club for pre-application meetings. Mrs. Hill supplied a list of information the application should include (see attached – Attachment B).

**OTHER BUSINESS:**

**Enforcement:**

See attached – Attachment E

**Invoices and Communications:**

Ms. White provided the Commission with an update on legal invoices for the month of February.

**Administrative Business:**

**Revision of Zoning Regulations: Section 13.12 – Multifamily Housing:**

With no response from Attorney Zizka, the discussion will be on hold.

**Compliance with PA 23-142 - Group Day Care Home:**

Mrs. Hill explained that the current regulations are not in sync with State regulations and need to correct the issue. She provided the Commission with two options for the proposed new language as well as language to be deleted from the current regulations (see attached, attachment C pages 1 and 2). The commission decided that option number 2 was the better choice.

Ms. White will send the language to the Council of Governments and the Washington Planning Commission.

Revision of Zoning Regs: Draft revisions to Section 13.16 - Shop and Storage Use:

Mrs. Hill provided the Commission with the proposed new language and deleted language of the current regulations (see attachment D – pages 1,2 and 3). The Commission agreed with the proposed changes.

Privilege of the Floor:

Mr. Tiernan of 109 Blackville Road explained that he owns property adjacent to the Washington Club property and was concerned about traffic and noise and hoped the Commission would take this into consideration during the application process.

Mrs. Hill explained that when an application is submitted, there will be a Public Hearing and at that time, neighbors are welcome and encouraged to attend.

Adjournment:

**MOTION: To adjourn the February 26, 2024, Washington Zoning Commission Regular Meeting at 8:52pm, by Mr. Farrell, seconded by Mrs. Averill, approved unanimously.**

**Meeting Recording can be found here:**

[ZC 2-26-24 pt 1.MP3](#)

[ZC 2-26-24 pt 2.MP3](#)

**Respectfully Submitted,**



**Tammy Rill**

**Land Use Clerk**

[trill@washingtonct.org](mailto:trill@washingtonct.org)

**February 28, 2024**

# MINUTES

Attachment A

2/26/24

1/22 min: P.2 / 3rd full ¶ Add: ZONING " zoning restrictions."

4th full ¶ Add: per 8-30g at end of sentence

2/5 Add a sentence @ the beginning:

"The purpose of this special meeting was to consider input received at the public hearing."

P.2 / end of 1st ¶

✓? Did we actually agree to consider removing MFH in all districts @ later time ??  
(I know I didn't)

¶ #2 Change "Chairman" to "It" was briefly discussed

¶ beginning "soil based zoning and minimum"

Change "soil based zoning" to: "She stated the draft Section 13.12 MFH Regulation allows you to have 3 times the density in the residential districts and six times, . . ."

2/20 min: P.1 / 4th sentence: Add to end of sentence: "... to resolve the potential inconsistency between Sections 4.4.12 and 3.12.3.B.2."

Sentence re: 13.12.6.D Add to end "was agreed to."

P.2 / last ¶: Delete "councils of government" I may have said Inland West of Housing Commission ??

P.2 Re: Residential Uses in a flood plain: 2nd line: Change to:

"... Public Act 8-30g allows for the by-pass of local zoning regulations so housing could possibly be permitted in the flood plain."

Re: Court Facility Proposal

Information the application should include:

Under what section of the Regulations will you apply and why?

Why was this location chosen? Were there other locations on the property that would be less visible from the road ?

Do you anticipate any potential impacts to the neighborhood? Ex: Noise? Traffic? Other? If so, how will these be addressed?

Will there be any lighting? If so, submit the lighting plan in compliance with Section 12.15 for review.

Will there be a schedule for use of the facility? Every day of the week? Hours of operation? Open and closing times? Time of the year – Ex: Will access to the courts end on a certain date in the fall or continue throughout the year as weather permits? Etc.

Why is there a significant increase in size when compared to the facilities now in use?

Will the facility be available for use by anyone other than FGS students and club members?

Is there proposed landscaping? If so, submit the plan for review.

Why does or why doesn't the installation of the proposed courts increase the non-conformity of the existing non-conforming use of the property?

JMH

2/24/24

**OPTION #1:** To permit by right all group day care, whether in a single family dwelling or in another facility

Key:

**PROPOSED NEW LANGUAGE**

Language proposed to be deleted

- 4.3.4 State licensed family day care homes, **STATE LICENSED GROUP DAY CARE HOME**
- 5.3.2 State licensed family day care home, **STATE LICENSED GROUP DAY CARE HOME**
- 5.4.6 State licensed group day care home.  
(renumber following sections)
- 6.3.4 State licensed family day care home, **STATE LICENSED GROUP DAY CARE HOME**
- 6.4.5 State licensed group day care home  
(renumber following sections)
- 7.3.5 State licensed family day care home, **STATE LICENSED GROUP DAY CARE HOME**
- 7.4.7 State licensed group day care home, registered **STATE LICENSED**  
child day care center
- 8.3.5 State licensed family day care home, **STATE LICENSED GROUP DAY CARE HOME**
- 8.4.7 State licensed group day care home, registered **STATE LICENSED**  
child day care center
- 9.3.3 State licensed family day care homes, **STATE LICENSED GROUP DAY CARE HOME**
- 9.4.9 State licensed group day care home, State licensed child day  
care center
- 10.3.2 State licensed family day care home, **STATE LICENSED GROUP DAY CARE HOME**
- 10.4.9 State licensed group day care home and registered **STATE**  
**LICENSED** child day care center

**OPTION #2** To permit group day care located within a single family dwelling by right but located in any other facility by special permit

- 4.3.4 State licensed family day care homes, **STATE LICENSED GROUP DAY CARE HOME IN A SINGLE FAMILY DWELLING**
- 4.4.21 **STATE LICENSED GROUP DAY CARE LOCATED IN A FACILITY OTHER THAN A SINGLE FAMILY DWELLING**
- 5.3.2 State licensed family day care home, **STATE LICENSED GROUP DAY CARE HOME IN A SINGLE FAMILY DWELLING**
- 5.4.6 State licensed group day care home **LOCATED IN A FACILITY OTHER THAN A SINGLE FAMILY DWELLING**
- 6.3.4 State licensed family day care home, **STATE LICENSED GROUP DAY CARE HOME LOCATED IN A SINGLE FAMILY DWELLING**
- 6.4.5 State licensed group day care home **LOCATED IN A FACILITY OTHER THAN A SINGLE FAMILY DWELLING**
- 7.3.5 State licensed family day care home, **STATE LICENSED GROUP DAY CARE HOME IN A SINGLE FAMILY DWELLING**
- 7.4.7 State licensed group day care home **LOCATED IN A FACILITY OTHER THAN A SINGLE FAMILY DWELLING, registered STATE LICENSED** child day care center
- 8.3.5 State licensed family day care home, **STATE LICENSED GROUP DAY CARE HOME LOCATED IN A SINGLE FAMILY DWELLING**
- 8.4.7 State licensed group day care home **LOCATED IN A FACILITY OTHER THAN A SINGLE FAMILY DWELLING, registered STATE LICENSED** child day care center
- 9.3.3 State licensed family day care home, **STATE LICENSED GROUP DAY CARE HOME IN A SINGLE FAMILY DWELLING**
- 9.4.9 State licensed group day care home **LOCATED IN A FACILITY OTHER THAN A SINGLE FAMILY DWELLING, state licensed** child day care center
- 10.3.2 State licensed family day care home, **STATE LICENSED GROUP DAY CARE HOME IN A SINGLE FAMILY DWELLING**
- 10.4.9 State licensed group day care home **LOCATED IN A FACILITY OTHER THAN A SINGLE FAMILY DWELLING, and registered STATE LICENSED** child day care center



12/8/23

Revised 12/14/23 and 12/18/23

Suggested Revision of Section 13.16: Shop and Storage Use for Contractors and Building Tradesmen

Goal: To permit by special permit larger buildings in which to conduct Shop and Storage Use by Contractors and Building Tradesmen in the R-1, Farming-Residential District

Key: Underlined: Language to be deleted

**BOLD CAPS**: Language to be added

13.16 Shop and Storage Use by Contractors and Building Tradesmen. Shop and storage Use by contractors and building tradesmen such as plumbers, electricians, contractors, painters, landscapers, and similar occupations may be permitted by Special Permit. For the purpose of this section, "Shop" is defined as a building or room in which workmen carry on their trades or occupation, as a carpenter shop. **ONLY ONE SUCH SHOP AND STORAGE USE BUSINESS MAY BE PERMITTED PER PROPERTY.** In addition to the requirements of Sections 13, 14, and 15 of these Regulations, the following conditions must be met:

13.16.1 In the R-1, Farming-Residential District, any such use shall be conducted by the resident owner of the premises, shall be **A SMALL SCALE USE APPROPRIATELY SIZED FOR THE NEIGHBORHOOD IN WHICH IT WILL BE LOCATED AND** subordinate to the main use of the premises for residential purposes, and shall be a use customarily incidental to the work of such resident owner tradesman performed off the premises.

13.16.4 An outside storage area, not to exceed 5000 **3000** square feet may be permitted where it can be properly provided for on the lot....

13.16.5 **MAXIMUM TOTAL FLOOR AREA.** In the R-1, Farming-Residential District shall occupy a total floor area in a residence greater than 33% pf the total square footage of an accessory structure. The shop and storage use may occupy an accessory building **THE MAXIMUM TOTAL FLOOR AREA ALLOWED FOR SUCH SHOP AND STORAGE USE SHALL BE AS FOLLOWS:**

- A. 33% OF THE TOTAL FLOOR AREA OF THE RESIDENCE OR
- B. 100% OF THE TOTAL FLOOR AREA OF AN ACCESSORY BUILDING if the location and appearance of the accessory building are consistent with the residential character **DEVELOPMENT** of the lot and the neighborhood and it can be demonstrated that the type and intensity of the proposed use in the accessory building will not alter the primary residential character **USE AND APPEARANCE** of the lot OR
- C. 100% OF THE TOTAL FLOOR AREA OF THE SHOP BUILDING CONSTRUCTED SOLELY FOR THE PURPOSE OF SHOP AND STORAGE USE IF THE LOCATION AND APPEARANCE OF THE SHOP BUILDING ARE CONSISTENT WITH THE RESIDENTIAL DEVELOPMENT OF THE LOT AND THE NEIGHBORHOOD AND IT CAN BE DEMONSTRATED THAT THE TYPE AND INTENSITY OF THE PROPOSED USE IN THE SHOP BUILDING WILL NOT ALTER THE PRIMARY RESIDENTIAL USE AND APPEARANCE OF THE LOT. IF DETERMINED APPROPRIATE UPON REVIEW OF FACTORS INCLUDING SIZE OF THE LOT, TYPE AND INTENSITY OF THE PROPOSED USE, SETBACKS, ARCHITECTURE AND PROPOSED BUILDING MATERIALS, TOPOGRAPHY, SCREENING, OUTDOOR LIGHTING, AND OTHER FACTORS LISTED IN SECTIONS 13.16.6 AND 13.1.C, THE SIZE OF SUCH A SHOP BUILDING MAY EXCEED THE TOTAL FLOOR AREA OF THE RESIDENCE ON THE SAME LOT, BUT IN NO CASE SHALL IT EXCEED A TOTAL OF 2000 SQUARE FEET IN AREA.

13.16.6 **MINIMUM SETBACKS FOR SHOP BUILDINGS.**

- A. **FRONT YARD SETBACK:** THE SHOP BUILDING SHALL BE LOCATED A DISTANCE EQUAL TO OR GREATER THAN THE BACK LINE OF THE PRIMARY DWELLING ON THE SAME LOT.
- B. **SIDE AND REAR SETBACKS** SHALL COMPLY WITH THE MINIMUM SETBACKS FOR ACCESSORY BUILDINGS PER SECTIONS 11.6.B AND C

(renumber following sections)

**13.16.7** The application shall include, in addition to the general requirements for Special Permits:

A. Building layout plans drawn to scale which show the floor area and the layout of the residence, **SHOP BUILDING, and/** or accessory building and the floor area (in square feet) devoted to the shop and storage use **WITH LABELED AREAS FOR ACTIVITIES SUCH AS WORK AREA, VEHICLE PARKING, STORAGE, AND OFFICE SPACE.**

**13.16.9 ANY PERMIT FOR SHOP AND STORAGE USE SHALL BE SUBJECT TO REVOCATION BY THE COMMISSION AFTER A HEARING:**

A. IF AT ANY TIME UPON INSPECTION BY THE ZONING ENFORCEMENT OFFICER IT IS FOUND THAT THE SHOP BUILDING AND/OR COMMERCIAL OPERATION DOES NOT COMPLY WITH ALL OF THE REQUIREMENTS OF SECTION 13.16.

B. IF AFTER OCCUPANCY, THE OWNER DENIES THE COMMISSION OR ZONING ENFORCEMENT OFFICER PERMISSION TO CONDUCT ANY INSPECTION DEEMED NECESSARY BY THE COMMISSION.

**21.1.15 BUILDING, SHOP. A BUILDING CONSTRUCTED ON THE SAME LOT AS A PRIMARY RESIDENCE IN THE R-1, FARMING-RESIDENTIAL DISTRICT FOR THE SOLE USE OF SHOP AND STORAGE USE BY CONTRACTORS AND BUILDING TRADESMEN PER SECTION 13.16.**

(Renumber following sections)

| Permit Date                           | Permit #   | Address                    | Note                        |
|---------------------------------------|------------|----------------------------|-----------------------------|
| Friday January 26, 2024               | ZP-23-4466 | 72 Old North Road          | Patio                       |
| Friday January 26, 2024               | ZP-24-1    | 201 Romford Road           | Generator and propane tanks |
| Wednesday January 31, 2024            | ZP-23-4455 | 89 Old Litchfield Road     | Pool and equipment          |
| Monday February 5, 2024               | ZP-23-4470 | 153 Lower Church Hill Road | Addition                    |
| Wednesday February 7, 2024            | ZP-23-4468 | 14 Tinker Hill             | Fence                       |
| Wednesday February 7, 2024            | ZP-23-4463 | 153 Lower Church Hill Road | Generators                  |
| Wednesday February 7, 2024            | ZP-24-3    | 49 Kinney Hill             | Addition                    |
| Friday February 23, 2024              | ZP-24-6    | 218 Nettleton Hollow       | Stairs                      |
| Friday February 23, 2024              | ZP-24-5    | 44 Bee Brook Road          | Condensor unit              |
|                                       |            |                            |                             |
| CERTIFICATE OF ZONING COMPLIANCE Date | Permit #   | Address                    | Note                        |
| Friday February 23, 2024              | ZP-4273-22 | 48 Winston Drive           | Patio and deck              |