

TOWN OF WASHINGTON  
Bryan Memorial Town Hall  
Post Office Box 383  
Washington Depot, Connecticut 06794  
Zoning Commission Regular Meeting  
**MINUTES**  
April 22, 2024  
7:30 P.M. – Hybrid Meeting

**MEMBERS PRESENT:** Chair Hill, D. Werkhoven, V. Andersen, J. Averill

**MEMBERS ABSENT:** W. Farrell

**ALTERNATES PRESENT:** L. Adams, S. Smith

**ALTERNATES ABSENT:** S. Mongar

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

**PUBLIC PRESENT:** R. Owens, B. Hagenbuch, Attorney Williams, I. Craig, R. Reich, N. Dyer, M. Purnell, D. Arturi, R. Segalla, W. Aston, E. Hamilton, P. Hamilton P. Manno, Other Members of the Public

**PUBLIC HEARING(S):**

The Public Hearing was called to order at 7:30pm.

Chair Hill, Mr. Werkhoven, Mrs. Averill, Mrs. Andersen, and Ms. Adams for an absent Mr. Farrell, were seated.

To consider proposed amendments to the Washington Zoning Regulations as needed to comply with Public Act 23-142 by allowing State licensed family and group childcare homes in single family dwellings by right in all zones:

Chair Hill, Mr. Werkhoven, Mrs. Averill, Mrs. Andersen, and Ms. Adams for an absent Mr. Farrell, were seated.

Mrs. Rill read the Legal Notice.

The Commission discussed the proposed language and suggested edits recommended by Attorney Zizka, which included omitting the terms “family day care” or “group day care home” and replacing these with “childcare home”. By doing so, the Washington Zoning Regulations will now match the State of Connecticut Regulations. With no questions or concerns, the Commission voted to close the Public Hearing.

**MOTION:** To close the Public Hearing To consider proposed amendments to the Washington Zoning Regulations as needed to comply with Public Act 23-142 by allowing State licensed family and group childcare homes in single family dwelling by right in all zones, by Mr. Werkhoven, seconded by Mrs. Averill, approved unanimously.

To consider proposed revisions/additions to Washington Zoning Regulations - Section 13.16 Shop and Storage Use by Contractors and Building Tradesmen: Sections 13.16, 13.16.1, 13.16.4, 13.16.5 A-C, 13.16.6, 13.16.6 B, 13.16.7, 13.16.9 A-B, Definition: 21.1.15:

Chair Hill, Mr. Werkhoven, Mrs. Averill, Mrs. Andersen, and Ms. Adams for an absent Mr. Farrell, were seated.

Mrs. Rill read the Legal Notice.

The Commission received comments from the Northwest Hills Council of Governments stating concern over the language of 13.16.9.B:

**"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."**

The NWCOG expressed concern that this could infringe on a property owner's fourth amendment right.

The Commission agreed to revise this by editing this to say, "any violation that has not been corrected to the satisfaction of the Commission...."

With no questions or comments from the public, the Commission voted to close the Public Hearing.

**MOTION: To close the Public Hearing To consider proposed revisions/additions to Washington Zoning Regulations - Section 13.16 Shop and Storage Use by Contractors and Building Tradesmen: Sections 13.16, 13.16.1, 13.16.4, 13.16.5 A-C, 13.16.6, 13.16.6 B, 13.16.7, 13.16.9 A-B, Definition: 21.1.15, by Mr. Werkhoven, seconded by Mrs. Averill, approved unanimously.**

Application of Steep Rock Assoc., 116/124 Christian St., for the Modification of a Special Permit Granted in 2019 – Section 4.4.10 - Uses permitted by Special Permit - to construct an outdoor Pavilion for community use, construct two Farm Barns for agricultural use, and accomplish minor improvements:

Chair Hill, Mr. Werkhoven, Mrs. Averill, Mrs. Andersen, and Ms. Adams for an absent Mr. Farrell, were seated.

Mrs. Rill read the Legal Notice.

Reese Owens and Brian Hagenbuch were present to represent Steep Rock Association.

Mr. Owens explained that the proposed modification to the original Special Permit includes an open pavilion for the use of the staff and various school and community programs, a new, relocated parking area and two barns. A new septic will be installed as well.

Steep Rock association received a Variance from the Zoning Board of Appeals and Health Department approval for the project.

Questions regarding events that will take place in the pavilion arose. Mr. Owens and Mr. Hagenbuch clarified that the pavilion usage must be “a mission-centric use”, meaning it must comply with Steep Rock’s overall mission and it will not be rented out for any reason. Shelter for staff, schools and other community programs will be the intended use.

A small shed that is currently on the 116 Christian Street property will be taken down. Two new barns will be built – the North Barn will be 1,800 square feet; the South Barn will also be 1,800 square feet with a 24’ x 24’ work room for the Judea Garden and 13.6’ x 20.6’ green house. The parking area will be extended and screened with a buffer and made of gravel with the same number of total parking spaces.

Mr. Reich and Mrs. Dyer were present and voiced support for the proposed project. Mrs. Hamilton of 124 Christian Street requested clarification regarding the use of the pavilion and parking area.

With no further questions or concerns from the Commission or the public, the Commission voted to close the Public Hearing.

MOTION: TO close the Public Hearing for the Application of Steep Rock Assoc., 116/124 Christian St., for the Modification of a Special Permit Granted in 2019 – Section 4.4.10 - Uses permitted by Special Permit - to construct an outdoor Pavilion for community use, construct two Farm Barns for agricultural use, and accomplish minor improvements, by Mr. Werkhoven, seconded by Mrs. Averill, approved 5-0 vote.

Application of Shipman and Goodwin for Rumsey Hall School, 200/201 Romford Road, for a Special Permit – Section 4.4.10 – Uses Permitted by Special Permit – School – to construct a new dorm and academic building:

Chair Hill, Mr. Werkhoven, Mrs. Averill, Mrs. Andersen, and Ms. Adams for an absent Mr. Farrell, were seated.

Mrs. Rill read the Legal Notice.

Attorney Williams, Mr. Craig, Mr. Aston and Mr. Segalla were present to represent Rumsey Hall School.

The proposed project is an application for a new dorm and a new academic building on the lower campus. The academic building will host fourteen new classrooms and the dorm will house 10-15 students with a girl’s locker room included. The project does not have DEEP approval for the new proposed septic, but an application has been submitted. A small parking lot will be added. The current lot coverage is 7.26% and the proposed lot coverage is 8.05%.

The Commission requested that a stockpile area be marked on the Site Plan. Mr. Aston of Buck and Buck marked and signed the Site Plans, dated 4/22/2024, showing the stockpile area on the Upper Campus area. Mr. Aston confirmed that there would be no land disturbance within the wetlands or regulated area and sediment and erosion control measures were not needed.

With no further comments or questions from the Commission or the public, the Commission voted to close the Public Hearing.

**MOTION:** To close the Public Hearing for the Application of Shipman and Goodwin for Rumsey Hall School, 200/201 Romford Road, for a Special Permit – Section 4.4.10 – Uses Permitted by Special Permit – School – to construct a new dorm and academic building, by Mr. Werkhoven, seconded by Mrs. Andersen, approved 5-0 vote.

#### **REGULAR MEETING:**

The Regular meeting was called to order at 8:36pm.

Ms. Adams left the meeting.

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

#### **CONSIDERATION OF THE MINUTES:**

##### **March 25, 2024, Regular Meeting Minutes:**

Please see Attachment A for corrections by Chair Hill.

**MOTION:** To approve the March 25, 2024, Washington Zoning Commission Meeting Minutes as amended, by Mrs. Andersen, seconded by Mr. Werkhoven, approved 5-0 vote.

##### **April 8, 2024, Special Meeting Minutes:**

Please see Attachment A for corrections by Chair Hill.

**MOTION:** To approve the April 8, 2024, Special Meeting Minutes as amended, by Mrs. Averill, seconded by Mrs Andersen, approved 5-0 vote.

**MOTION:** To change the order of the Agenda so that deliberations for Steep Rock Association and Rumsey Hall School take place prior to the deliberations for the proposed amendments to the Washington Zoning Regulations, by Chair Hill, seconded by Mrs. Andersen, approved 5-0 vote.

#### **PENDING APPLICATIONS:**

Application of Steep Rock Assoc., 116/124 Christian St., for the Modification of a Special Permit Granted in 2019 – Section 4.4.10 - Uses permitted by Special Permit - to construct an outdoor Pavilion for community use, construct two Farm Barns for agricultural use, and accomplish minor improvements:

**MOTION:** To approve the Application of Steep Rock Assoc., 116/124 Christian St., for the Modification of a Special Permit Granted in 2019 – Section 4.4.10 - Uses permitted by Special Permit - to construct an outdoor Pavilion for community use, construct two Farm Barns for agricultural use, and accomplish minor improvements per the application and Site Plans submitted, including: 2023-3-15 Sheet Z001 by R. Owens – 1986 Washington Glen, 124 Christian Street Survey and 1986 William H. Thompson, 116 Christian Street Survey, the 2024-3-18 Site Plan Sheet Z100 by R. Owens, the 2024-3-18 116 Christian Street, Pavilion Plan Elevation and Sections, sheet Z102 by R. Owens and the 2024-3-18 124 Christian Street, Farm Barns Plans and Elevations, sheet Z101 by R. Owens. Motion made by Mrs. Andersen, seconded by Mrs. Averill, approved 5-0 vote.

Application of Shipman and Goodwin for Rumsey Hall School, 200/201 Romford Road, for a Special Permit – Section 4.4.10 – Uses Permitted by Special Permit – School – to construct a new dorm and academic building:

**MOTION:** To approve the Application of Shipman and Goodwin for Rumsey Hall School, 200/201 Romford Road, for a Special Permit – Section 4.4.10 – Uses Permitted by Special Permit – School – to construct a new dorm and academic building per the application and Site Plans submitted including the 2024-3-20 Copy of Special Permit Application the 2024-3-20 Submitted Statement of Proposed Use, undated, unsigned, the 2024-3-19 Drawing titled, “Campus Improvements,” prepared for Rumsey Hall School by Buck & Buck LLC, cover sheet 1, 2023-2-22 Survey titled, “Topographic Survey Proposed Dormitory,” prepared for Rumsey Hall School by Smith & Company, Sheet 1 of 1, 2023-4-10 Survey titled, “Topographic Survey Proposed Dormitory,” prepared for Rumsey Hall School by Smith & Company, Sheet 1 of 1, 2024-3-19 Plan titled “Layout Plan – Center Dorm,” prepared for Rumsey Hall School by Buck & Buck Engineers, sheet CD1, 2024-3-19 Plan titled “Site Plan – Center Dorm,” prepared for Rumsey Hall School by Buck & Buck Engineers, sheet CD2, 2024-3-19 Plan titled “Septic System Plan – Center Dorm,” prepared for Rumsey Hall School by Buck & Buck Engineers, sheet CD3, 2024-3-19 Plan titled “Wall Elevations – Center Dorm,” prepared for Rumsey Hall School by Buck & Buck Engineers, sheet CD4, 2024-3-19 Plan titled “Wall Elevations – Center Dorm,” prepared for Rumsey Hall School by Buck & Buck Engineers, sheet CD5, 2023-10-19 Survey titled, “Topographic Survey Fitch House,” prepared for Rumsey Hall School by Smith & Company, Sheet 1 of 1, 2024-1-26 Plan titled “Layout Plan – Fitch House,” prepared for Rumsey Hall School by Buck & Buck Engineers, sheet FH1, 2024-1-26 Plan titled “Site Plan – Fitch House,” prepared for Rumsey Hall School by Buck & Buck Engineers, sheet FH2, 2024-3-19 Plan titled, “Site Plan – Center Dorm,” prepared for Rumsey Hall School by Buck & Buck Engineers, sheet SE, March 2024 document titled “Drainage Narrative Proposed Improvements Rumsey Hall School, Washington Connecticut,” by Buck & Buck, stamped, 1 pg, cover pg., 2023-7-28 plan titled “Dormitory/Residence Elevations,” prepared for Rumsey Hall School, by Westchester Modular Homes, sheet 1, 2023-9-7 plan titled “Exterior Elevations,” prepared for Rumsey Hall School, by KG + D Architects, sheet A301, 2023-7-28 plans titled “Dormitory/Residence Foundation Plan,” “First Floor Plan,” and “Second Floor Plan” prepared for Rumsey Hall School, by Westchester Modular Homes, sheet 2, 3AL, 3AR, 3BL, 3BR (5pgs), 2023-9-7 plan titled “First and Second Floor Plans,” prepared for Rumsey Hall School, by KG + D Architects, sheet A201, and the 2024-4-22 amended Site Plans signed and dated by W. Aston of Buck and Buck, LLC with the stockpile area marked on plans. The Special Permit is subject to the following condition: the Special Permit shall not become effective, and no building or construction may begin, until the septic system has received CT DEEP approval, and a copy of that approval is provided and filed with the Land Use Office, per Section 2.3.6 of the Washington Zoning Regulations. Motion made by Mr. Werkhoven, seconded by Mrs. Andersen, approve 5-0 vote.

To consider proposed amendments to the Washington Zoning Regulations as needed to comply with Public Act 23-142 by allowing State licensed family and group childcare homes in single family dwelling by right in all zones:

**MOTION:** To approve the proposed amendments to the Washington Zoning Regulations as needed to comply with Public Act 23-142 by allowing State licensed family and group childcare homes in single family dwelling by right in all zones, revised 4-19-2024, per Attorney Zizka’s comments, with an effective date of May 7, 2024. Motion made by Mrs. Andersen, seconded by Mrs. Averill, approved 5-0 vote.

To consider proposed revisions/additions to Washington Zoning Regulations - Section 13.16 Shop and Storage Use by Contractors and Building Tradesmen: Sections 13.16, 13.16.1, 13.16.4, 13.16.5 A-C, 13.16.6, 13.16.6 B, 13.16.7, 13.16.9 A-B, Definition: 21.1.15:

The Commission decided to edit the following (in red):

13.16.9 ANY PERMIT FOR SHOP AND STORAGE USE SHALL BE SUBJECT TO REVOCATION BY THE COMMISSION AFTER A HEARING for any violation that has not been corrected to the satisfaction of the Commission.

**MOTION:** To approve the proposed revisions/additions to Washington Zoning Regulations - Section 13.16 Shop and Storage Use by Contractors and Building Tradesmen: Sections 13.16, 13.16.1, 13.16.4, 13.16.5 A-C, 13.16.6, 13.16.6 B, 13.16.7, 13.16.9 A-B, Definition: 21.1.15 with the edit of Section 13.16.9.B, dated 4-22-2024, with an effective date of May 7, 2024, by Mrs. Andersen, seconded by Mrs. Averill, approved 5-0 vote.

**NEW APPLICATIONS:**

None.

**OTHER BUSINESS:**

**Enforcement:**

Ms. Haverstock was not present for this evening's meeting.

**Invoices and Communications:**

**Administrative Business:**

Chair Hill reminded the Commission that the Public Hearing regarding Multifamily Housing will take place at the next Washington Zoning Commission meeting on Tuesday, May 28, 2024. The following edit was proposed by Chair Hill:

Page 3 – Definition of Affordable Housing – “Purpose” - Section 13.12.5.d: edit to state “subject to long-term binding to recorded deeds....”

Page 10: 21.1.9: edit to match the language of Section 13.12.5.d, “subject to long-term binding to recorded deeds....”

**Privilege of the Floor:**

None

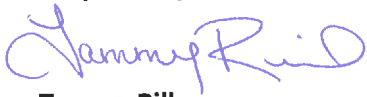
**Adjournment:**

**MOTION:** To adjourn the April 22, 2024, Washington Zoning Commission Regular Meeting at 9:02pm, by Chair Hill, seconded by Mrs. Averill approved unanimously.

**Meeting Recording can be found here:**

ZC 4-22-24.MP3

**Respectfully Submitted,**



**Tammy Rill**

**Land Use Clerk**

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

**April 24, 2024**

**\*Minutes filed, subject to approval**

3/25/24 Minutes

p. 2 Next to last sentence under Rumsey

delete sentence beginning "Chair Hill . . . ."  
substitute following sentence:

When Mrs. Hill mistakenly thought the location of the proposed academic building did not meet the required setback from the river, she suggested the applicant submit two separate applications so that any problems with this building would not delay work on the dormitory.

4/8 Minutes p. 1 Insert sentence after  
"..Draft 13."

Changes to this draft made since the close of the public hearing were reviewed and agreed upon.

4/10/24

13.12 **Multifamily Housing.**

13.12.1 Purpose. The purpose of this Section 13.12 is to provide an additional opportunity for Multifamily Housing in all zoning districts without changing the essential rural, historic, and low-density residential composition of the Town of Washington. There are two types of Multifamily Housing: new construction and conversion of existing housing or buildings, that are addressed and promoted in this section.

13.12.2 Background. The Commission finds that the Town of Washington has historically been developed primarily as a low-density residential community, that the Town has been shaped by that low-density development, and that it is essential to preserve and maintain that development for the benefit of existing and future residents. Nevertheless, the Commission finds that there is a need for Multifamily Housing within the Town. The current zoning regulations provide opportunities for some housing diversity, but the Commission finds that additional opportunities can be provided in all zoning districts without sacrificing the essential qualities that define Washington. Such additional opportunities may be made available by providing for Multifamily Housing, both owned and rental units, throughout the Town. However, the Commission also finds that, to properly protect the Town from unusually rapid or overly dense development of Multifamily Housing in any area, it is necessary to limit the density of any single Multifamily Housing development in accordance with lot boundaries existing as of January 1, 2024. Regulations providing for such additional housing opportunities are supported by recommendations in the Town of Washington's "Housing Plan - 2022-2027," the 2014 Washington Plan of Conservation and Development, and the requirements of Connecticut Public Act 21-29.

13.12.3 Applicability. Multifamily Housing as defined in Section 21.1.21 of these Regulations may be located in all zoning districts: R-1, R-2, R-3, B-1, B-2, B-3, and B-4. In order to protect all areas of Town from sudden, disproportionate increases in housing density, the number of Multifamily Housing units allowed for any application shall be limited in accordance with lot boundaries existing as of January 1, 2024. Such lots shall be referred to in these regulations as "MFH-**POTENTIAL** Lots."

13.12.4 Type of Permit Required.

A. Special Permit. A special permit shall be required for all Multifamily Housing dwelling units applied for pursuant to this Section 13.12, and all procedures and standards set forth in Sections 13.1 through 13.4 inclusive shall be applicable, except as may be specifically modified in this Section 13.12 as follows:

B. Site Plan Review by the Commission.

1. A site plan review by the Commission, but not a special permit, shall be required for the review and approval of Multifamily Housing applications consisting of six or fewer units within a single building in the B-1, B-2, B-3, and B-4 Districts.
2. A site plan review by the Commission, but not a special permit, shall be required for the review and approval of Multifamily Housing applications consisting of four or fewer units within a single building in the R-1, R-2, and R-3 Districts, provided all units are set back a minimum of 50 feet from the front property line.
3. A site plan review by the Commission, but not a special permit, shall be required for the review and approval of Multifamily Housing applications consisting of a total of four or fewer units in the R-1, R-2, and R-3 Districts, provided all such units are contained within a building that has been occupied as a single family dwelling for no less than five years and/or an accessory building to such dwelling.

C. For all Multifamily Housing applications when site plan review by the Commission is required, the Commission shall receive public comment.

13.12.5 Additional Standards and Procedures for All Multifamily Housing Applications.

- A. Preliminary Discussion. Applicants shall meet with the Zoning Commission for a preliminary discussion and review of the preliminary site development and architectural plans prior to the drafting of final plans and the submission of the completed application. Comments made by both parties at this preliminary discussion shall be non-binding.
- B. Survey. All applications for Multifamily Housing shall be accompanied by an A-2 boundary survey of the subject parcel and a site plan per Section 14.
- C. Approvals from other state and/or Town departments and agencies may be required. These include written

confirmation of septic system approval from the state DEEP or local Health Department per Section 2.3.6, state or Town well or water supply approval, driveway approval from the Board of Selectmen or State DOT per Sections 2.3.9 and 14.7.2, and/or other approvals as may be appropriate from departments such as the Fire Marshal, Inland Wetlands Commission, Historic District Commission, etc. Multifamily Housing applicants should consult with these other departments for additional permit requirements. No work may be commenced under any zoning permit until all other required permits have been issued.

D. Affordability Requirement.

1. Purpose. The Commission recognizes: (a) that the State legislature, in enacting CGS Section 8-30g and related statutes, has focused on housing units meeting certain criteria for affordability; (b) that municipalities having ten percent or less of such units may be subject to special appeal provisions if a proposal for development is submitted in which at least 30 percent of the proposed housing units would meet the State's affordability criteria; (c) that when such appeals provisions are applied, the Commission's zoning regulations are no longer legally binding; and (d) that CGS Section 8-2i and similar statutes authorize the Commission to require the setting aside of a reasonable number of housing units for long-term retention as affordable housing through deed restrictions or other means. The Commission finds it is preferable to provide for the establishment of additional affordable housing in a manner that is not subject to override of the applicable zoning regulations under the appeals provisions of CGS Section 8-30g. Therefore, the following standards create a requirement for the provision of affordable housing in certain situations in a percentage that does not meet the appeal thresholds of C.G.S. Section 8-30g.

2. Standards. **WHENEVER ANY APPLICATION WOULD RESULT IN SIX OR MORE MULTIFAMILY HOUSING UNITS (INCLUDING EXISTING UNITS) ON ANY LOT, NO FEWER THAN TEN PER CENT (10%) OF THE TOTAL NUMBER OF RESULTING UNITS SHALL BE SUBJECT TO** binding recorded deeds containing covenants or restrictions that require that such dwelling units be sold or rented at, or below, prices which will preserve the units as housing for which persons and families pay thirty per cent or less of income, where

such income is less than or equal to eighty per cent of the median income as defined in CGS Section 8-30g(a). The number of affordable units required shall be rounded up to the next whole number. Multifamily Housing proposed within an existing single family dwelling and/or its existing accessory buildings, **BUT NOT INCLUDING ANY PROPOSAL THAT WOULD INCREASE THE VOLUME OR FLOOR AREA OF SUCH BUILDINGS**, IS exempt from the 10% Affordability requirement.

E. Utilities. All utilities shall be located underground. The Commission may waive this requirement when appropriate for Multifamily Housing proposed within existing dwellings and/or their existing accessory buildings and for new construction Multifamily Housing projects consisting of **FIVE** units or less.

F. Parking. Parking facilities shall be in accordance with Section 15 of these Regulations, shall be provided with convenient access to the building(s), and shall be located behind the building(s) and/or screened from from public roads wherever possible.

G. Traffic Study. A traffic study may be required if deemed appropriate by the Commission.

H. Maximum Number of Units per Development. The maximum number of Multifamily Housing units per MFH-**POTENTIAL** Lot shall be 20 for the total development accessed from a town road and 30 for the total development accessed from a state highway. On unpaved roads the only type of Multifamily Housing that shall be permitted is the conversion of existing single family dwellings and/or their accessory buildings. If any MFH-**POTENTIAL** Lot has been divided into smaller lots after January 1, 2024, the maximum number of Multifamily Housing units allowed by this section shall be cumulative for all such lots.

I. Maximum Size of Multifamily Housing Units. The maximum size of a Multifamily Housing unit shall be 2600 square feet, which includes any attached garage.

J. Uses Prohibited in Multifamily Housing Developments. The following uses are specifically prohibited in Multifamily Housing developments:

1. Shop and Storage Use by Contractors and Building

- Tradesmen per Section 13.16.
- 2. Outdoor Wood Burning Furnaces per Section 13.20
- 3. Visiting and/or temporary trailers for living purposes per Sections 12.8.2.
- 4. Raising or keeping of agricultural animals including, but not limited to, pigs, poultry, horses, goats, sheep, rabbits, etc.
- 5. Kennels per Section 13.18.

13.12.6 Design Standards for All Multifamily Housing Applications. It is the intention of the Zoning Commission to encourage small scale development that is both appropriate for Washington and consistent with the historical development of the zoning district. In considering applications for Multifamily Housing under this Section 13.12, the Commission shall require the applicant to demonstrate the following, unless the Commission determines the provision is not relevant or applicable:

- A. The preservation of historically significant structures;
- B. Building Locations. All new buildings, porches, decks, and other additions and structures shall be:
  - 1) Separated from every other building on the lot by a minimum of 50 feet.
  - 2) Separated by a minimum of 25 feet from the edge of the pavement or surface of any of the following located within the development: main driveway or accessway, cul-de-sac, or parking area.
  - 3) Oriented so that no garage shall be accessed directly from a town road or state highway, but instead, shall be accessed from a shared interior private drive or accessway extending from a town road or state highway.
  - 4) Oriented to take advantage of solar energy wherever possible. If no plan to take advantage of solar energy is submitted, the applicant shall discuss with the Commission solar orientation and the reason(s) why it was not possible to utilize solar energy.
- C. The use of residential style architecture that is harmonious in appearance with the existing style, proportion, and scale so as to be compatible with architectural styles in the existing neighborhood and surrounding community.

- D. The use of building materials that are harmonious in appearance with those typical elsewhere in the zoning district and neighborhood. The use of energy efficient building materials and technology that is not harmonious in appearance with the building materials typical elsewhere in the neighborhood and zoning district may be approved if the applicant can demonstrate to the Commission's satisfaction that 1) a materially similar level of energy efficiency cannot be achieved with building materials typical elsewhere in the neighborhood; and 2) the landscape design, through the use of greater setbacks, additional screening and landscaping, positioning amid natural features, or other design elements, will materially lessen the visual impact of the non-harmonious building features.
- E. Appropriate consideration of building size and residential building design including submission of architectural elevations, renderings, and/or photographs to clarify issues regarding visual impact and building relationships.
- F. No building may extend in a continuous plane for more than 50 feet without a horizontal offset from grade to eaves of a minimum of 2 feet.
- G. A maximum of 6 units per building in the R-1: Farming and Residential District, R-2: Washington Green District, and R-3: Lake Waramaug Residential District and 8 units per building in the B-1: New Preston, B-2: Washington Depot, B-3: Marbledale, and B-4: Woodville Business Districts.
- H. Buildings are designed and located on site to use the existing topography, natural features, and vegetation of the lot.
- I. Buildings are clustered on the parcel in order to preserve land in its natural state for the purpose of providing for additional screening from adjoining properties, conserving natural resources, continued farming of pastures and agricultural fields, preservation of woodland and/or wildlife corridors, opportunities for passive recreation, etc.
- J. Adaptive conversion of existing buildings such as farm houses, accessory buildings, and agricultural buildings is encouraged.

13.12.7 Site Design and Landscaping for all Multifamily Housing Applications. A detailed landscaping plan

including plant material, number, size, areas to be planted, and method of maintenance shall be submitted. The Commission shall consider the extent to which the architectural designs and spatial arrangements of the proposed buildings and other structures may be in harmony or contrast with the physical design and arrangement of structures and natural features in the surrounding area and may require additions or modifications to the proposed plan. In making this consideration, the Commission shall consider the following:

- A. The use of existing topography and contours, natural features, and vegetation, especially existing trees, to screen the development from adjoining properties and from public view.
- B. Screening of unsightly elements such as parking lots, refuse containers, utilities, and accessory structures from public view.
- C. The physical and visual integration of the development into the neighborhood and zoning district.
- D. The retention of existing mature vegetation on site in areas not disturbed by construction and replanting of trees where possible in those areas disturbed by construction.
- E. The establishment and maintenance of landscape buffers satisfactory to the Commission in order to minimize any adverse visual and noise impacts. Evergreens shall be included in such buffers. The Commission may require that trees planted for buffers be a minimum 6 feet tall.
- F. Parking areas set back a minimum of **25** feet from the front property line and a minimum of **25** feet from any side or rear property lines.
- G. Lighting. All outdoor lighting shall be "Dark Sky Friendly" and comply with the standards of Section 12.15 of these Regulations in both business and residential zoning districts throughout Town. A lighting plan shall be submitted with the application for the Commission's review and approval. Installation of outdoor lighting on timers and/or motion sensors shall be required.

13.12.8 Maintenance. The applicant shall submit sufficient information to the Commission to demonstrate that adequate provisions have been made for the sustained maintenance of the common areas of the development, including roads. When a homeowners' association is

proposed, the association's rules and guidelines shall be submitted to the Commission for review.

13.12.9 Financial Security. Before a special permit or site plan approval is issued, a bond or other security in a form and amount satisfactory to the Commission shall be posted by the applicant for A) the timely and adequate completion of any site improvements that will be conveyed to or controlled by the municipality and B) the implementation of any erosion and sediment control measures required during construction activities.

13.12.10 Additional Standards for Multifamily Housing in Business Districts.

A. Setbacks. Minimum setbacks shall be front yard: 30 feet, side yard: 15 feet, and rear yard: 25 feet. Multifamily Housing proposed within an existing single family dwelling and/or its existing accessory buildings shall be exempt from these setback requirements.

B. Lot Coverage. Lot coverage shall conform to the maximum limits specified in Section 11.5.2.

C. Density. Notwithstanding the provisions of Section 11.2, the maximum density of a lot used for Multifamily Housing may be up to six times the densities listed in Section 11.2.2, provided the Commission finds that the proposed development will satisfy all other applicable standards of these Regulations.

13.12.11 Additional Standards for Multifamily Housing in the Residential Districts.

A. Setbacks. The minimum setback shall be 50 feet from all lot lines. Multifamily Housing proposed within an existing single family dwelling and/or its existing accessory buildings shall be exempt from these setback requirements.

B. Lot Coverage. Maximum lot coverage permitted shall comply with the provisions of Section 11.5.1.

C. Density. Notwithstanding the provisions of Section 11.2, the maximum density of a lot used for Multifamily Housing may be up to three times the densities listed in Section 11.2.2, provided the Commission finds that the proposed development will satisfy all other applicable standards of these Regulations.

Additional Revisions and/or New Sections:

4.3.10 MULTIFAMILY HOUSING consisting of 4 units or less within a single building and all units are set back a minimum of 50 feet from the front lot line (existing buildings are exempt from the setback requirement per Section 13.12.10 and 13.12.11.A) Site plan review and approval by the Commission required. See Section 13.12.

4.4.12 Town of Washington or non-profit sponsored affordable housing IN ACCORDANCE WITH EITHER SECTION 13.12 OR 13.15.

4.4.21 Multifamily Housing per Section 13.12

5.3.7 MULTIFAMILY HOUSING consisting of 4 units or less within a single building and all units are set back a minimum of 50 feet from the front lot line (existing buildings are exempt from the setback requirement per Section 13.12.10 and 13.12.11.A.) Site plan review and approval by the Commission required. See Section 13.12.

5.4.11 MULTIFAMILY HOUSING per Section 13.12.

6.3.10 MULTIFAMILY HOUSING consisting of 4 units or less within a single building and all units are set back a minimum of 50 feet from the front lot line (existing buildings are exempt from the setback requirement per Section 13.12.10 and 13.12.11.A.) See Section 13.12.

6.4.14 MULTIFAMILY HOUSING per Section 13.12.

7.3.21 MULTIFAMILY HOUSING consisting of 6 units or less within a single building. Site plan review and approval by the Commission required. See Section 13.12.

7.4.20 MULTIFAMILY HOUSING per Section 13.12.

8.3.21 MULTIFAMILY HOUSING consisting of 6 units or less within a single building. Site plan review and approval by the Commission required. See Section 13.12.

8.4.22 MULTIFAMILY HOUSING per Section 13.12

9.2.5 MULTIFAMILY HOUSING consisting of 6 units or less within a single building. Site plan review and approval by the Commission required. See Section 13.12

9.4.14 MULTIFAMILY HOUSING per Section 13.12.

**10.2.4 MULTIFAMILY HOUSING** consisting of 6 units or less within a single building. Site plan review and approval by the Commission required. See Section 13.12

**10.4.14 MULTIFAMILY HOUSING per Section 13.12**

11.6.1 See Section 21 for the definition of Setback. Unless otherwise specified in the particular zone for a commercial lot **OR IN SECTION 13.12 FOR MULTIFAMILY HOUSING**, the minimum yard setback requirements shall be as follows...

12.5.2 Accessory buildings shall be clearly subordinate to and smaller in ground floor area and volume than the principal structure on the property except in connection with an agricultural use **OR FOR MULTIFAMILY HOUSING PER SECTION 13.12.**

**Delete the entire Section 13.10; Residential Conversion of Older Home. Retain Section Number:**  
**13.10 [Deleted]**

13.11.1 ...The requirements governing accessory apartments are more stringent for detached apartments than for attached apartments because the Zoning Commission believes that a property owner is more likely to maintain close supervision of an apartment that directly adjoins the property owner's own dwelling. **A TOTAL OF TWO ACCESSORY APARTMENTS PER PROPERTY ARE PERMITTED; EITHER ONE ATTACHED AND ONE DETACHED OR TWO ATTACHED; PER SECTIONS 13.11.2 AND 13.11.3 BELOW.**

13.11.2.I. At least two additional off street parking spaces shall be provided for the use of the attached accessory apartment. **IN ADDITION, WHEN TWO ATTACHED ACCESSORY APARTMENTS ARE PROPOSED, THE COMMISSION MAY REQUIRE THE PARKING SPACES TO BE SCREENED BY LANDSCAPING OR FENCING OR LOCATED SO THEY ARE NOT VISIBLE FROM PUBLIC VIEW.**

12.15 Outdoor Lighting in (Residential) **ALL** Districts.

15.2 Number of Parking Spaces.

(in the chart, under "uses") Change "Multi-family Residence" to **MULTIFAMILY HOUSING**

**21.1.9 AFFORDABLE HOUSING. AFFORDABLE HOUSING IS HOUSING UNITS SUBJECT TO LONG TERM BINDING RECORDED DEEDS CONTAINING COVENANTS OR RESTRICTIONS THAT REQUIRE THAT SUCH DWELLING UNITS BE SOLD OR RENTED**

AT, OR BELOW, PRICES WHICH WILL PRESERVE THE UNITS AS HOUSING FOR WHICH PERSONS AND FAMILIES PAY THIRTY PER CENT OR LESS OF INCOME, WHERE SUCH INCOME IS LESS THAN OR EQUAL TO EIGHTY PER CENT OF SUCH MEDIAN INCOME AS DEFINED IN CGS SECTION 8-30g(a) .

(renumber following sections)

21.1.51 MFH-POTENTIAL LOT. A LOT EXISTING AS A SEPARATELY DESCRIBED LOT OR PARCEL ON THE LAND RECORDS OF THE TOWN OF WASHINGTON ON JANUARY 1, 2024.

(Renumber following sections)