

Minutes
ZONING BOARD OF APPEALS
WATERTOWN, CONNECTICUT

PUBLIC HEARING
Francis and Stacey LaVoie
635 Northfield Road

Time: 7:30 P.M.

Date: Wednesday, March 25, 2009

Place: **Watertown High School Technology Center**
324 French Street
Watertown, Connecticut

1. Call Meeting to Order

The Chairman opened the public hearing at 7:34 pm. The Chairman seated Alternate, Mr. Gary Swingle for absent member Secretary, Ms. Joanna Abraham.

2. Roll Call

Mr. Gary Swingle executed the roll call.

Present: Chairman, Mr. Phillipe Roger
Vice Chairman, Mr. Enrico Sarandrea
Mr. Roger Mitchell
Alternate, Mr. Gary Swingle

Absent: Secretary, Ms. Joanna Abraham
Dr. John Griffith
Alternate, Mr. Jason Alldridge
Alternate, Mr. Jeffery Franson

Also Present: Wetlands Enforcement Officer, Mr. Moosa Rafey
Land Use Secretary, Mr. Chuck Bezio

3. Hearing of Cases

- A. Application #909 of Francis and Stacey LaVoie for a variance of 28 feet to front yard property line setback to permit an existing gazebo to remain on site at 635 Northfield Road, Watertown, CT.**

The Public Hearing must be closed by April 29, 2009 unless applicant grants an extension of time.

Mr. Swingle read the legal notice into the record.

TOWN OF WATERTOWN
Legal Notice

The Zoning Board of Appeals of the Town of Watertown will hold a public hearing at 7:30PM on Wednesday, March 25, 2009 at the Watertown High School Technology Center 324 French Street, Watertown, CT to hear and act upon the following applications:

Application #909 of Francis and Stacey LaVoie of 635 Northfield Road, Watertown for a variance of 28 feet to front yard property line setback to permit an existing 30' X 19' gazebo located 22 feet from front property line at 635 Northfield Road, Watertown, CT in an R-70 Residential Zoning District. Section 22.5.4.a of the Watertown Zoning Regulations requires 50 feet front property line setback for accessory structures in an R70 Residential Zoning District.

At this hearing interested persons and written communications will be heard. A copy of the application is on file in the Planning and Zoning Office, 51 Depot Street, Suite 502, Watertown, CT.

Dated in Watertown, CT this 12th day of March 2009

Dated in Watertown, CT this 19th day of March 2009

JoAnna Abraham, Secretary
Zoning Board of Appeals

Mr. Swingle read the ground rules into the record.

“ZONING BOARD OF APPEALS GROUND RULES”

1. The applicant or his representative will make his formal presentation to the board stating his specific hardship and precisely why this merits a variance from the Zoning Regulations of the Town of Watertown.
2. All comments, discussions, and observations shall be made through the Chair after proper recognition by the Chairman. This is necessary to ensure that only one person at a time speaks on any issue, thus making it easier for everyone to understand, and for clearer legal transcription.
3. All persons addressing the Commission shall begin by first clearly stating their name and address for the record. If necessary, the person may be asked to spell his or her name for the record.

4. Following the presentation of the application, the Zoning Board of Appeals will ask specific questions of the applicant.
5. After the Board has asked its questions of the applicant, I shall then allow members of the public who wishes to speak either in favor of this application or against it to address the Board.
6. I shall then allow the applicant to respond to the comments of the members of the general public.
7. I shall then allow any members of the general public who wish to present any additional information or clarifying discussion to do so.
8. I shall then provide an opportunity for the applicant to respond to these additional remarks is he or his representative so wishes.
9. The Zoning Board of Appeals has thirty-five (35) days from the date the Public Hearing commences to complete the Public Hearing. The Board may ask the applicant for a thirty-five (35) day extension of the Public Hearing period if the Board requires any additional information or wishes to schedule a site walk to observe the situation for themselves.
10. The Zoning Board of Appeals has sixty-five (65) days from the date when the Public Hearing is closed to render its decision. The Board may or may not make its decision tonight at its Regular Meeting following the Public Hearing.
11. You may stay for the Regular Meeting if you wish or you may leave at the end of the Public Hearing and contact the Zoning Office the following morning to determine the status of your application.

Francis and Stacey LaVoie were present and explained the application to the Board. Mr. LaVoie advised the Board that he had restored the gazebo and did not realize that he needed a permit. Ms. LaVoie explained that the structure existed and they only installed a roof for shade. Ms. LaVoie explained that they are first time homeowners and were only trying to renovate the property.

Mr. Sarandrea asked was there a gazebo there before?

Ms. LaVoie replied no.

Mr. Sarandrea then asked if this is a new gazebo?

Ms. LaVoie replied yes. The gazebo was built on an existing slab.

Mr. Rafey advised the Board that the file contains a plot plan that shows the location of the pool and the stone patio.

The Board reviewed the plot plan submitted.

Mr. Sarandrea asked the applicant if the design of the building was approved by the building department?

Ms. LaVoie replied no.

Mr. Roger asked if the sides are open?

Ms. LaVoie replied yes. Ms. LaVoie advised the Board that the gazebo is the same size as the existing stone patio.

Mr. Swingle asked what was there and what is there now, please clarify?

Ms. LaVoie replied there was a 20' x 30' stone patio with a foundation of a old barn. Ms. LaVoie replied there is a 19' x 30' gazebo now.

Mr. Swingle asked if this gazebo could have been built anywhere else on the property?

Mr. Rafey advised the Board that the foundation and stone patio existed prior to adding a roof. Mr. Rafey also advised the Board that the property has two frontages and requires two front yard setbacks.

Mr. Rafey noted that it would not be seen from Smith Pond Road during the summer months.

Public:

Judy Wick from Northfield Road was present and did not speak for or against this application. Ms. Wick advised the Board that the gazebo would be seen from Smith Pond Road for a majority of the year. Ms. Wick noted that this is an old house and had an old barn on the parcel. Ms. Wick believes that the foundation and stone patio must be the old barn. Ms. Wick noted that the hardship for this application is the parcel has two frontages.

Mike Magas from 46 Mount Fair Drive was present and spoke on behalf of the applicant. Mr. Magas noted that he was the realtor that sold the property to the LaVoie's. Mr. Magas noted that this was a major improvement to the property.

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Mr. Magas advised the Board that the stone patio existed. Mr. Magas noted that there was a structure with a collapsing roof when he sold the property.

MOTION: Mr. Roger Mitchell moved to have a site walk on 4/22/09 at 6:45 pm and continued the public hearing on 4/22/09.

SECOND: Vice Chairman, Mr. Enrico Sarandrea.

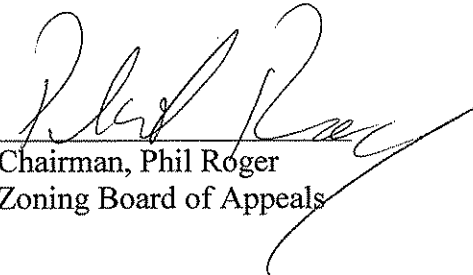
VOTE

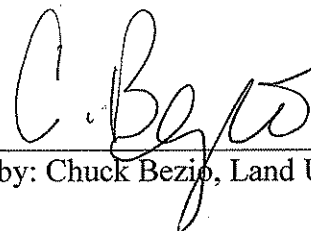
AYES: Chairman, Mr. Phillipe Roger; Vice Chairman, Mr. Enrico Sarandrea; Mr. Roger Mitchell; Alternate, Mr. Gary Swingle.

NAYS: None.

MOTION UNANIMOUS PASS T 4-0.

Attest:


Chairman, Phil Roger
Zoning Board of Appeals


Approved by: Chuck Bezio, Land Use Secretary