



Town of Watertown Connecticut
51 Depot Square Business Center
Suite 502, Watertown Connecticut 06795-2200
Planning and Zoning, Zoning Board of Appeals, Conservation Commission/Inland Wetland
Agency
Telephone: (860) 945-5266 Fax: (860) 945-2704
Website: www.watertownct.org

MINUTES
ZONING BOARD OF APPEALS
WATERTOWN, CONNECTICUT

PUBLIC HEARING
Scott Demers
639 Main Street, Oakville, CT

Time: 7:30 P.M.
Date: Tuesday, April 6, 2010
Place: Watertown High School Lecture Hall
324 French Street
Watertown, Connecticut

1. Call Meeting to Order

Vice Chairman Mr. Roger Mitchell called the meeting to order at 7:31 p.m. Vice Chairman Mr. Roger Mitchell seated Mr. Gary Swingle for Chairman, Mr. Enrico Sarandrea. Vice Chairman Mr. Roger Mitchell seated Mr. Erik Markiewicz for Ms. Joanna Abraham.

2. Roll Call

Secretary, Mr. Phil Roger executed the roll call.

Present: Vice Chairman Mr. Roger Mitchell
Secretary, Mr. Phil Roger
Mr. Chris Dupont
Mr. Erik Markiewicz
Mr. Gary Swingle

Absent: Chairman, Mr. Enrico Sarandrea
Ms. Joanna Abraham
Mr. Jason Alldridge

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

3. Hearing of Cases

Secretary, Mr. Phil Roger 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 wish 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 if 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.
- A. **Continuation of the Public Hearing from March 24, 2010 for Application #928 of Scott Demers for 5 variances of the Zoning Regulations concerning B-G General Business Zoning District to permit the construction of an addition and parking at 639 Main Street, Oakville, CT.**

The Public Hearing must be closed by April 28, 2010 unless applicant grants an extension of time.

MINUTES
 ZONING BOARD OF APPEALS
 PUBLIC HEARING
 Scott Demers - 639 Main Street, Oakville, CT

Mr. Demers Scott Demers of 639 Main Street was present and explained the application to the Commission. He submitted into the record the green cards from the certified notices to his neighbor. Submitted a letter dated 03/30/10 from Sue Akins owner of Bradshaw Properties, LLC which is confirming her permission for us to grade to level the property behind ours.

Mr. Roger Read the letter from Sue Akins owner of Bradshaw Properties, LLC into the record.

BRADSHAW CHRYSLER JEEP
 554 MAIN STREET
 OAKVILLE, CT 06779

Scott Demers
 Tony & Sons Seafood
 639 Main Street
 Oakville, CT 06779

March 30, 2010

Dear Scott,

This letters confirms my permission to grade to level a section of our Railroad Property in order for you to comply with Planning and Zoning requirements.

It is understood that all work will be completed by you in a compliant and orderly manner, that you will properly maintain this piece of property and accept full responsibility for any liability claims brought upon the section you are using, and that I will approve of the area used and the work done.

Sincerely,
 Susan Atkins

Bradshaw Properties LLC
 860-274-8834/ Fax 860-274-2760
 www.bradshawchryslerjeep.net

Mr. Rafey This is a right to grade on someone else's property.

MINUTES
ZONING BOARD OF APPEALS
PUBLIC HEARING
Scott Demers - 639 Main Street, Oakville, CT

Mr. Demers

He explained the 5 variance requests and the hardship to the Board. 1. A variance of 21 feet to rear property line setback for parking spaces 12, 13, and 14 to be located 9 feet from rear yard property line. Section 34.5.3d of the Watertown Zoning Regulations requires minimum 30 feet setback for parking when abutting a residential zone. 2. A variance of 6.1 feet to side yard property line setback for parking spaces 4 – 14 to be located 3.9 feet from side property line. Section 34.5.3.d of the Zoning Regulations requires minimum 10 feet side yard setback for parking. 3. A variance of 10 feet to front property line setback for parking spaces 4 and 5. Section 34.5.3e of the Zoning Regulations requires minimum 10 feet front yard setback for parking and loading areas. 4. A variance of 6 feet for parking spaces 1,2,3, 15, 16, 17, and 18 to be located 0 feet from the building. Section 63.9.5 states "No parking area or portion thereof, including parking spaces, driveways and access aisles, shall be located within six feet of any portion of a building other than for garage entrance or loading area aprons. Such six-foot clear area shall be used for walkways, plantings or other landscaping". 5. A variance of 2 feet to depth of parking spaces 1, 2, and 3 to be 17 feet deep. Section 63.11.1 of the Zoning Regulations requires parking spaces with 60 degree angle to be 19 feet deep. Parking: Presently our overflow parking is Route 73, which is posted "No Parking" on both sides of the road. For the safety of our customers and our employees, we would like to put additional parking on both of our properties. • Public Safety: With our parking at a minimum our customers are parking on a state road, crossing the Main Street, risking both life and property. There are many times when our employees will actually help carry a customer's purchases out to their vehicle, when they have parked along the Main Street, due to our customers being unable to find an open parking space; this is a clear and present public safety issue. This is a public safety issue not only for our customers and our employees, but for other motorists traveling on Main Street as well. On several occasions our customer's cars have been hit while parked on the street. Customers parking on the street then cause another safety issue as the cars and trucks obstruct the view of on-coming traffic. Being able to move our customers off the Main Street will be a tremendous achievement for public safety; which includes our employee safety as well.

MINUTES
 ZONING BOARD OF APPEALS
 PUBLIC HEARING
 Scott Demers - 639 Main Street, Oakville, CT

Storage: Storage of both product goods and dry paper storage items are at the maximum for the amount of business that we are presently doing. We would like to relocate our storage which is presently located in two separate sheds and storage structures. A walk-in cooler and walk-in type freezer would be located in the new addition, along with office space, which we presently do not have. • Size and Shape: The location of our existing non-compliant building is located on property that prevents us from building an addition that would work best for us. We are forced by the zoning regulations to reduce our proposed addition size. Our present design allows for a smaller addition that does fall into the zoning regulation and will allow us to have a more conforming building. Rear Yard: We are asking for a variance in the rear of both properties, which would allow us to offer a driveway that would be a one-way in and one-way out. By doing so this would allow for greater ease and safety of the traffic flow which would help alleviate considerable congestion during our peak seasons.

Mr. Swingle

Are the 18 parking spaces required?

Mr. Demers

We are required to only have 9.

Mr. Rafey

Just for the record there was a site walk and all those who are present for this meeting was there. This is a safety issue. Some of the parking spaces are existing. They are the same distance from the building and property lines. By granting these variance there will not be a big change to what is there. By putting in a circular drive it change the traffic flow. This will improve the safety for the customers and people who use the property.

Mr. Demers

I am hoping this will get the parking off the street.

Mr. Roger

This is a existing non conforming building, the addition will not be any closer to the street than what exists building now. The traffic flow will improve the site and safety with site lines and traffic flow. Most of the variances he is applying for already existing but because of the addition proposed the additional parking variance is needed.

MINUTES
 ZONING BOARD OF APPEALS
 PUBLIC HEARING
 Scott Demers - 639 Main Street, Oakville, CT

- Mr. Swingle I think the improvement for safety is tremendous for the entire property. This will be less non conforming than it is now. This should be an improvement.
- Mr. Roger It will be an improvement for the entire neighborhood.
- Mr. Rafey The number of the curb cuts will be the same after you merger the tow properties.
- Mr. Demers We plan to combine both properties after we receive the variance. We will be met the zoning requirements with the impervious surface .
- Mr. Rafey One of the variances is for the width of the parking space. There are existing spaces and they are shorter than what is being proposing.

MOTION: Mr. Gary Swingle moved to close the public hearing.

SECOND: Secretary, Mr. Phil Roger.

VOTE

AYES:

Secretary, Mr. Phil Roger; Vice Chairman Mr. Roger Mitchell;
 Mr. Chris Dupont; Mr. Erik Markiewicz; Mr. Gary Swingle.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

Attest:

Chairman, Mr. Enrico Sarandrea
 Zoning Board of Appeals