

**MINUTES  
ZONING BOARD OF APPEALS  
WATERTOWN, CONNECTICUT**

**PUBLIC HEARING**

Legends Auto Group  
Straits Turnpike and State Street at 694 Straits Turnpike

**Time:** 7:38 P.M.  
**Date:** Wednesday, April 22, 2009  
**Place:** Watertown High School Technology Center  
324 French Street  
Watertown, Connecticut

**1. Call Meeting to Order**

Chairman Roger called the meeting to order at 7:38 pm  
Chairman Roger seated Mr. Gary Swingle for vacant regular member.  
Chairman Roger seated Mr. Jeffery Franson for absent regular member Secretary, Ms. Joanna Abraham. Chairman Roger seated Alternate, Mr. Gary Swingle as the secretary.

**2. Roll Call**

Secretary Mr. Gary Swingle executed the roll call.

**Present:** Chairman, Mr. Phil Roger  
Vice Chairman, Mr. Enrico Sarandrea  
Mr. Roger Mitchell  
Alternate, Mr. Gary Swingle  
Alternate, Mr. Jason Alldridge  
Alternate, Mr. Jeffery Franson

**Absent:** Secretary, Ms. Joanna Abraham

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

**3. Hearing of Cases**

**B. Continuation of the Public Hearing from March 25, 2009 for application #910 of Legends Auto Group, LLC for a variance of 15 foot from a 20 foot landscaped island buffer along Straits Turnpike and State Street at 694 Straits Turnpike, Watertown, Ct.**

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

Fred Valenti and Lou Hart were present explained the variance requested to the Board. Mr. Valenti noted that they wish to convert the old medical building to a new auto dealership. Mr. Valenti advised the Board that they would lose the parking area on two sides of the building and this would not be consistent with the neighborhood or the façade of an auto dealership.

Chairman Roger noted for the record that he had inspected the site earlier in the week. Chairman Roger advised the Board that he is very familiar with the site. Chairman Roger stated that in his opinion the buffer that exists is consistent with other properties on Straits Turnpike Lane.

Vice Chairman Sarandrea noted for the record that he attended the site walk and the only thing he could see there was if the applicant were to follow the current Zoning Regulations this would create a safety hazard. The cars passing through there would not have enough room to move in and out of there. You need 35' to back a car up.

Chairman Roger expressed safety concerns also. Chairman Roger noted that cars would be backing into the building.

Mr. Mitchell expresses concerns with emergency vehicles and fire trucks having proper access to the road. Mr. Mitchell noted that he also has safety concerns with the applicant following the current Zoning Regulations.

Mr. Swingle expressed concerns with this building being pre-existing non-conforming and exempt from the current Zoning Regulations.

Mr. Rafey advised the Board the current Zoning Regulations makes all the existing Auto Dealers conforming. The site was not prior Auto Dealer.

Mr. Swingle discussed the differences between 52.4B and 52C of current Zoning Regulations.

Mr. Rafey explained the differences between 52.4B and 52C of current Zoning Regulations. Mr. Rafey noted the difference between the two sections are 52.4B is for the existing auto dealerships and 52.4C is for all new auto dealership.

The Board reviewed the sections 52.4B & 52.4C of the Zoning Regulations.

Mr. Rafey advised the Board that they are only changing the use of the building only.

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Mr. Swingle expressed concerns with the two different regulations within the same zone. These two regulations do not make sense to him.

Mr. Rafey advised the Board that the Planning and Zoning Commission did their best to make the existing auto dealership conforming to the Zoning Regulations as much as possible. New auto dealership, need to conform to the new regulations. In this case this is an existing building and the use is changing.

Vice Chairman Sarandrea noted that the building as it is now is safe but if they add this landscape buffer in than it is not safe.

Mr. Franson asked if they are changing any entrance and wanted confirmation that everything else will remain the same.

Mr. Rafey advised the Board that the access way is from State Street and remain the same.

**Public :** None

**MOTION:** Vice Chairman, Mr. Enrico Sarandrea moved to close the public hearing.

**SECOND:** Alternate, Mr. Gary Swingle.

**VOTE**

**AYES:**

Chairman, Mr. Phil Roger; Vice Chairman, Mr. Enrico Sarandrea;  
Mr. Roger Mitchell; Alternate, Mr. Gary Swingle, Alternate, Mr.  
Jeffery Franson.

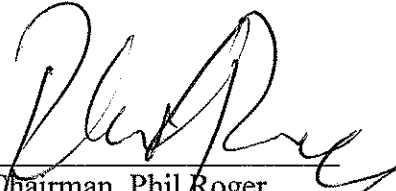
**NAYS:** None.

MOTION UNANIMOUS PASS T 5-0.

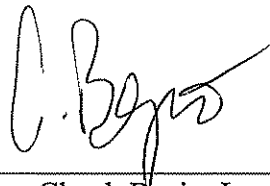
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Attest:



Chairman, Phil Roger  
Zoning Board of Appeals



Approved by: Chuck Bezio, Land Use Secretary