

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

REGULAR MEETING

Time: 7:57 PM

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 7:57 pm
Chairman Roger seated Mr. Gary Swingle for vacant regular member.
Chairman Roger seated Alternate, Mr. Jeffery Franson for absent regular member
Secretary, Ms. Joanna Abraham. Chairman Roger seated Alternate, Mr. Gary Swingle as
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, Alternate, Mr. Jeffery Franson

Absent: Secretary, Ms. Joanna Abraham

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

3. Election of Officers

MOTION: Vice Chairman, Mr. Enrico Sarandrea moved to table the election of officers
to 5/27/09.

SECOND: Mr. Roger Mitchell.

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.

4. Action on minutes

- A. Public Hearing March 25, 2009 App. #909 Francis and Stacy LaVoie
- B. Public Hearing March 25, 2009 App. #910 Legends Auto Group, LLC
- C. Public Hearing March 25, 2009 App. #911 Eagles Landing, LLC
- D. Regular Meeting March 25, 2009

MOTION: Vice Chairman, Mr. Enrico Sarandrea moved to approve.

SECOND: Mr. Roger Mitchell.

VOTE

AYES:

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

ABSTAIN:

Alternate, Mr. Jeffery Franson because he was absent from last
months meeting.

NAYS: None.

MOTION UNANIMOUS PASS T 4-0.

5. Old Business

A. Review of the Zoning Board of Appeals By-laws

MOTION: Vice Chairman, Mr. Enrico Sarandrea moved to table the By-laws to
5/27/09.

SECOND: Mr. Roger Mitchell.

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.

- B. Application #909 of Francis and Stacy 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.**

If the Public Hearing is closed on April 22, 2009 then a decision is required by June 25, 2009.

MOTION: Alternate, Mr. Gary Swingle moved to approve.

SECOND: Mr. Roger Mitchell.

DISCUSSION:

Jeff Franson noted for the record that there was an existing foundation for an old barn and the applicant used the same footprint of the existing barn. The proposal doesn't encroach onto Smith Pond Road at all.

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.

- C. 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.**

If the Public Hearing is closed on April 22, 2009 then a decision is required by June 25, 2009.

MOTION: Alternate, Mr. Gary Swingle moved to approve.

SECOND: Mr. Roger Mitchell.

DISCUSSION:

Mr. Franson noted for the record that in order for the applicant to conform to the regulations it would significantly encroach onto the property, as well as close up on the space around the property and create a safety hazard for any one accessing this property.

Chairman Rogers agreed that complying with the Regulations does create a safety hazard for this property.

Mr. Mitchell expressed concerns with emergency vehicles and there ability to access the site with the landscape buffer.

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.

6. New Business

- A. Application #912 of Tim Gavallas for two variances of 18 feet to side and rear property lines setback to permit the relocation of an existing shed at 205 Farview Circle, Watertown, CT.**

If the Public Hearing is closed on April 22, 2009 then a decision is required by June 25, 2009.

MOTION: Vice Chairman, Mr. Enrico Sarandrea moved to approve.

SECOND: Mr. Roger Mitchell

DISCUSSION:

Chairman Philip noted that due to the fact that we have a failing septic system and with the fact that we have a letter from the Torrington Area of Heath and we have no objections by the neighbors he thinks it is a good idea to grant this variance.

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.

7. Communications and Bills

A. Memorandum to Planning and Zoning Commission concerning maximum building height in B-L Local Business Zoning District.

Mr. Rafey reviewed with the letter he sent to the Planning and Zoning Commission recommending the height increase as recommended by this Board last month.

MOTION: Alternate, Mr. Gary Swingle moved to accept and file.

SECOND: Mr. Roger Mitchell.

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.

8. Reports from Committees

None

9. Adjournment

MOTION: Vice Chairman, Mr. Enrico Sarandrea moved to 8:15 pm.

SECOND: Mr. Roger Mitchell.

VOTE

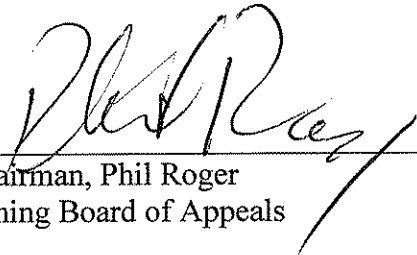
AYES:

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

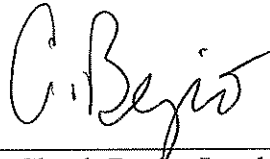
NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

Attest:

A handwritten signature in cursive script, appearing to read "Phil Roger", is written over a horizontal line.

Chairman, Phil Roger
Zoning Board of Appeals

A handwritten signature in cursive script, appearing to read "C. Bezio", is written above a horizontal line.

Approved by: Chuck Bezio, Land Use Secretary