

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

**PUBLIC HEARING**  
**American Bank of Connecticut**  
**1247 Main Street**

**Time:** 7:36 P.M.  
**Date:** Wednesday, May 27, 2009  
**Place:** Swift Middle School Media Library Room  
250 Colonial Street  
Oakville, Connecticut

**1. Call Meeting to Order**

Chairman Roger called the Meeting to Order at 7:36 P.M.

**2. Roll Call**

**Present:** Chairman, Mr. Phil Roger  
Vice Chairman, Mr. Enrico Sarandrea  
Secretary, Ms. Joanna Abraham  
Alternate, Mr. Jason Alldridge  
Alternate, Mr. Gary Swingle

**Absent:** Mr. Roger Mitchell  
Alternate, Mr. Jeffery Franson

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

Chairman Roger seated, Mr. Jason Alldridge for absent member Mr. Roger Mitchell.

Chairman Roger seated Mr. Gary Swingle for absent regular member Mr. Jeffery Franson.

**3. Hearing of Cases**

- B. Application #914 of American Bank of Connecticut for a variance of 7.3 feet to front property line setback to permit a freestanding sign to be located 2.7 feet from front property line at 1247 Main Street, Watertown, CT.**

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**The Public Hearing must be closed by July 2, 2009 unless applicant grants an extension of time.**

Secretary, Ms. Joanna Abraham read the legal notice into the record.

**TOWN OF WATERTOWN**

**Leal Notice**

The Zoning Board of Appeals of the Town of Watertown will hold a public hearing at 7:30PM on Wednesday, May 27, 2009 at the Swift Middle School Media Library Room 250 Colonial Street, Oakville, CT to hear and act upon the following applications

Application #914 of American Bank of Connecticut c/o Buhler Engineering for a variance of 7 feet to front property line setback to permit the installation of a freestanding sign to be located 2.7 feet from front property line to replace an existing freestanding sign located 2.2 feet from front property line at TD Banknorth 1247 Main Street, Watertown, CT in a B-G General Business Zoning District. Section 62.4.3.c of the Watertown Zoning Regulations states "No part of any freestanding sign shall be located within 10 feet of any property line".

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 14th day of May 2009

Dated in Watertown, CT this 21 day of May 2009

JoAnna Abraham, Secretary  
Zoning Board of Appeals

Scott Franky from Bohler Engineering was present on behalf of the applicant and explained the application to the Commission. He reported that the proposal is for a freestanding identification sign modifications located at the above referenced property. TD Bank is currently pursuing sign permits at all of their site locations to rebrand from the name "TD Banknorth" to the name "TD Bank". The proposal for the existing freestanding identification sign is to modify the existing sign, which is currently set back approximately 2.2 ft. from the right-of-way, with the intent of maintaining and re-using the existing sign foundation and support post.

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The new sign cabinet is slightly narrower in width, with a dimension of 5'-9 5/8" wide x 4'-1 3/4" high (24 sq. ft. total area) with a total sign height of 14'-11 3/4". Due to the narrower cabinet, the sign is set back slightly further from the right-of-way by a total of 2.7 ft. The exceptional difficulty or unusual hardship claimed in the fact that the current sign location is set back approximately 2.2 ft. from the front property line, with an existing total sign width of approximately 6'-2 1/4". With the TD Bank rebranding program and image, a sign with a narrower width is required due to the net reduction in letters/characters based on the name change from "TD Banknorth" (proposed width approx. 5'-9 5/8"). The proposal includes the re-use of the existing sign foundation and pole support, which will yield a new sign setback of 2.7 ft; reducing the existing non-conformity. The existing sign height is approximately 15'-2 1/2" and in an effort to bring the sign into compliance, the net sign height has been reduced below the minimum required 15 ft., to a proposed height of 14'-11 3/4". The unusual hardship is the applicants wish to reuse the existing infrastructure, without having to remove and re-install a new foundation and support and it is not possible to make the sign comply, as the current foundation and support post is located within the required setback. The conditions especially affecting the premises that are not typical of this district include the fact that the existing sign location does not comply with the current zoning regulations. An existing sign permit or sign variance for the current sign is not available at this time and it cannot be proven as to when the sign was erected and what the required zoning regulations were at that time. A typical sign setback in this district would be 10 feet and if said sign was setback as required during the original construction, this sign modification would not require relief. The relief sought is only that which is necessary to relieve any exceptional difficulty or hardship as described prior. It should be further noted that the existing sign height non-conformity has been alleviated by proposing a sign panel which maintains a sign height less than 15 foot maximum allowed under current zoning regulations. The granting of the appeal will be in harmony with the purpose and intent of the Zoning Regulations due to the fact that the proposed sign has been designed to promote adequate business identification and visual communication through the use of an attractive, well designed sign which will help promote public safety, protect property values, and minimize visual clutter. The granting of the appeal will not impair the public health, safety, convenience, welfare and property values, as the signs purpose and intent is to clearly identify the bank location and use from a safe distance from the property at a size and location which is recognizable while driving on Main Street. The sign does not create any unsafe conditions and is more convenient for potential banking customers, as the sign will be more legible from a further distance from the site, allowing motorists to respond and react prior to approaching the site driveway.

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Property values are not impacted by this proposal, as it is a minor modification to what exists today and is consistent with the current sign in height, size, color, graphics and aesthetics. He reviewed the photo submitted into the record with the Board. He noted that the applicant is seeking to use the existing footprint.

Mr. Sarandrea asked if they are using the same pole because it looks wider than what exists.

Mr. Franky advised the Board that the base will be wider.

Chairman Roger asked if the square foot of the sign is becoming smaller.

Mr. Rafey stated that it was his impression that you were removing the existing sign and replacing it with a new sign.

Mr. Franky noted that the sign footprint is getting smaller. He noted that they are using new material for the pole and foundation the width of the pole and foundation is wider.

Chairman Roger noted that it will have a smaller sign with a wider pole and foundation.

Mr. Rafey advised the Commission the reason they need a variance even though the sign will have less on an encroachment into the setback is because it does not conform to the current regulations and anytime there is a change to non-conforming structure it must comply with the current regulations. This will also be a reduction of the non-conformity because of the height.

**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; Secretary, Ms. Joanna Abraham; Alternate, Mr. Gary Swingle, Mr. Jason Alldridge.

**NAYS:** None.

**MOTION UNANIMOUS PASS T 5-0.**

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Attest:



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Chairman, Mr. Enrico Sarandrea  
Zoning Board of Appeals