



Town of Watertown Connecticut

51 Depot Square Business Center

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Planning and Zoning, Zoning Board of Appeals, Conservation Commission/Inland Wetland Agency

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MINUTES ZONING BOARD OF APPEALS WATERTOWN, CONNECTICUT

PUBLIC HEARING

Eric Fogg

33 Highland Avenue, Watertown, CT

Time: 7:30 P.M. (7:54 P.M.)
Date: Wednesday, June 22, 2011
Place: Watertown High School Lecture Hall
324 French Street
Watertown, Connecticut

1. Call Meeting to Order

Chairman, Mr. Enrico Sarandrea called the public hearing at 7:54 P.M.

2. Roll Call

Chairman, Mr. Enrico Sarandrea executed the roll call.

Present: Chairman, Mr. Enrico Sarandrea
Mr. Roger Mitchell
Mr. Jason Alldredge
Mr. Gary Swingle
Secretary, Mr. Phil Roger (7:55 P.M.)

Absent: Ms. Joanna Abraham
Vice Chairman Mr. Chris Dupont
Mr. Ned Dalton

Also Present: Land Use Secretary, Mr. Chuck Bezio

3. Hearing of Cases

B. Application #942 of Eric Fogg for two variances of side and rear property lines setback for an existing detached garage and shed at 33 Highland Avenue, Watertown, CT.

The Public Hearing must be closed by July 27, 2011 unless applicant grants an extension of time.

Chairman, Mr. Enrico Sarandrea 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, June 22, 2011 at the Watertown High School Lecture Hall 324 French Street, Watertown, CT to hear and act upon the following applications:

Application #942 of Eric Fogg for a variance of 3 feet to rear yard property line setback and a variance of 3 feet to a side yard property line setback to permit an existing shed and a garage deck located 2 feet from rear line and 2 feet from side line to remain on site at 33 Highland Avenue, Watertown, CT in an R-10F Residential Zoning District

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

Dated in Watertown, CT this 9th day of June 2011
Dated in Watertown, CT this 16th day of June 2011
Phillipe Roger, Secretary
Zoning Board of Appeals

Secretary, Mr. Phil Roger arrived at 7:55 P.M.

Chairman, Mr. Enrico Sarandrea unseated Mr. Jason Alldredge for Secretary, Mr. Phil Roger.

Chairman, Mr. Enrico Sarandrea seated Mr. Gary Swingle for Ms. Joanna Abraham.

Mr. Fogg

Eric Fogg was present and submitted into the record the domestic return receipt and the notarized affidavit for the posting of the public hearing notice sign. He explained the application to the Board. He explained that this is an existing garage and why the stairs needs to be installed. He revived the photos of the stairs with the Board.

Mr. Sarandrea Did you get approvals for the permit and garage?

Mr. Fogg No. I did not get approvals. I did not realize I needed a permit to build the shed.

Mr. Sarandrea What is the size of the shed?

Mr. Fogg 14'x10'.

Mr. Roger Why did you add the stairs to the back of the garage? You made this structure non-conforming by doing this.

Mr. Swingle What is the second floor used for?

Mr. Fogg It is just storage area or a shop.

Mr. Roger Is there any way the stairs can be on the front of the garage?

Mr. Fogg No we drive right up to the garage. With the car parking there is no room for the stairs in the front. There is no other location for the stairs.

Mr. Aldridge Why would the side of the garage not work either?

Mr. Fogg No. the right hand side is the property line. The left hand side two cars already park there and it is very tight against the garage.

Mr. Roger he should have come to the Board before the stairs and landing were built.

Mr. Bezio When was this garage built? When were the stairs built?

Mr. Fogg The garage was built in 2005. The stairs were built around the same time.

Mr. Bezio Was the stairs planned this way?

Mr. Fogg We have a permit for the garage.

Mr. Mitchell How far does the roof overhang?

Mr. Fogg It is about 2 1/2 feet, maybe.

Mr. Sarandrea Is there anyone else on the Board have any questions for the applicant? Is there anyone from the public who wishes to speak

for or against this application? Is there anyone from the public who wishes to speak for or against this application?
Is there anyone from the public who wishes to speak for or against this application?

Chairman, Mr. Enrico Sarandrea read a memo dated June 16, 2011 from Moosa Rafey, Wetlands Enforcement Officer into the record.

To: Zoning Board of Appeals
From: Moosa Rafey, Wetlands Enforcement Officer
Date: June 17, 2011
Subject: App. #942 of Eric Fogg of 33-35 Highland Avenue, Watertown, CT.

The above referenced application has been submitted for two variances of Watertown Zoning Regulations concerning side and rear yard property lines setback for accessory structures in an R-1 of Residential Zoning District. Applicant is requesting for a variance of 3 feet to rear property line setback for an existing shed and a deck attached to an existing detached garage and a variance of 3 feet to side yard property line setback for an existing shed. The deck is located 2 feet from rear property line and the shed is located only 2 feet from side and the rear property lines. Sections 83.22.6.5.b and 83.22.6.5.c of the Watertown Zoning Regulations require minimum 5 feet setback from rear and side property lines for accessory structures in an R-10F Residential Zoning District. A 24'X24' detached garage has been constructed at the above referenced property in 2006. Watertown Fire District Zoning Authority has approved the detached garage on October 6, 2005. A building permit for the garage was issued on March 1, 2006. Applicant has added a deck to the rear of the detached garage to access the second floor of the garage without obtaining zoning and building permits. The deck is located 2 feet from rear property line. The home owner has also constructed a 14'X10' shed without permits. The shed is located 2 feet from rear property line and 2 feet from a side property line.

It's suggested that the Board should table action on the application to schedule a site walk for the board members to see the situation before decide on this application. Section 71.7 of the Zoning Regulations of the Town of Watertown states that no variance shall be granted by the Zoning Board of Appeals unless it finds that the application for the proposed variance conforms to Section 71.7.1 - 71.7.4. Section 71.7.1 - 71.7.4 of the Zoning Regulations is attached for your review and consideration. The Board has until July 27, 2011 to close the public hearing.

Chairman, Mr. Enrico Sarandrea read a letters from 4 neighbors into the record.

Mr. Pierzo Joseph Pierzo of 30 Highland Avenue advised the Board that the names on the letter are from Todd Michaelis, Joseph Pierzo of 30 Highland Avenue, Frank and Ann Martellie, Mr. & Mrs. Tom Wrogg of 41 Highland Avenue.

Moosa Rafey
Town of Watertown Connecticut
Zoning Board of Appeals
51 Depot Square Business Center
Suite 502
Watertown, CT 06795

RE: Eric Fogg, 33 Highland Avenue Watertown, CT 06795

May 31, 2011

Dear Moosa Rafey,

After speaking with my neighbor, Eric Fogg, I learned that he has an appeal pending due to the shed and garage stairs/deck that he recently built. Eric informed me that it is within five feet of the property line. We do not have any issues with the shed and garage stairs/deck that Eric built within the five foot property setbacks.

Thank you.
Sincerely,

Chairman, Mr. Enrico Sarandrea read a letters from 4 neighbors into the record.

Moosa Rafey
Town of Watertown Connecticut
Zoning Board of Appeals
51 Depot Square Business Center
Suite 502
Watertown, CT 06795

RE: Eric Fogg, 33 Highland Avenue Watertown, CT 06795

April 17, 2011

Dear Moosa Rafey,

After speaking with my neighbor, Eric Fogg, I learned that he has an appeal pending due to the shed that he recently built. Eric informed me that it is within five feet of the property line. I'd like to inform you that since Eric purchased the property, he has made many improvements to the aesthetics of the property. I do not have any problems with the work that he has done. Thank you for your time.

Sincerely yours,
Matthew Renda

MOTION: Mr. Roger Mitchell moved to table application #942 to the next regularly scheduled meeting on Wednesday July 27, 2011.

SECOND: Mr. Gary Swingle.

VOTE

AYES: Chairman, Mr. Enrico Sarandrea; Secretary, Mr. Phil Roger; Mr. Roger Mitchell; Mr. Jason Alldredge; Mr. Gary Swingle.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

MOTION: Mr. Roger Mitchell moved to schedule a site walk on July 27, 2011 at 7:00 P.M.

SECOND: Mr. Gary Swingle.

VOTE

AYES: Chairman, Mr. Enrico Sarandrea; Secretary, Mr. Phil Roger; Mr. Roger Mitchell; Mr. Jason Alldredge; Mr. Gary Swingle.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

Attest:

Chairman, Mr. Enrico Sarandrea
Zoning Board of Appeals