

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

**PUBLIC HEARING
Daniel and Linda Gorman
988 Bassett Road**

Time: 8:30 P.M.

Date: Wednesday, June 24, 2009

Place: John Trumbull School Library
779 Buckingham Street
Oakville, Connecticut

1. Call Meeting to Order

The Vice Chairman, Mr. Enrico Sarandrea called to order the meeting at 8:30 P.M.

2. Roll Call

Secretary, Ms. Joanna Abraham executed the roll call.

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

Absent: Chairman, Mr. Phil Roger
Mr. Jeffery Franson

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

3. Hearing of Cases

B. Application #915 of Daniel and Linda Gorman for a variance of 17 feet to side property line setback to permit the construction of an addition to an existing single-family dwelling at 988 Bassett Road, Watertown, CT.

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

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Secretary, Ms. Joanna Abraham 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 7:30P.M. on Wednesday, June 24, 2009 at the John Trumbull School Library, 779 Buckingham Street, Oakville, CT to hear and act upon the following applications:

Application #915 of Daniel and Linda Gorman for a variance of 17 feet to a side yard property line setback to permit the construction of a breezeway and two-car garage to be located 8 feet from side property line at 988 Bassett Road, Watertown, CT. Section 21.5.3: of the Watertown Zoning Regulations requires minimum of 25 feet side yard setback for a principal building in an R-90 Residential Zoning District.

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 12 day of June 2009

Dated in Watertown, CT this 18th day of June 2009

JoAnna Abraham, Secretary
Zoning Board of Appeals

Daniel Gorman was present and explained the variance request to the Board. He would like to add a breezeway and a two car garage to the existing structure. The variance is required because the location of the dwelling and the design of the parcel, the only feasible place to build is the location as proposed. The only other option would be behind the structure and that would encroach on the existing well and Torrington Area Health would not allow the construction. Based on the proposed plan we can use the existing driveway.

Mr. Sarandrea expressed concerns with the location of the well and septic.

Mr. Gorman advised the Board that the well in the back and the septic in the front. The Torrington Area Health has approved this design.

Mr. Sarandrea asked the applicant if they handed in all the green card.

Mr. Gorman submitted into the record the affidavit for the sign.

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Mr. Sarandrea asked if Mr. Rafey had inspected the site.

Mr. Rafey advised the Board that he has inspected the site. The house is existing, and if the Board grants a 17' variance the garage will be 8' from the property line while the Zoning Regulations require a 25' setback.

Mr. Swingle expressed confusion on the amount of variance required. The site plan indicated that it is 21' from the property line.

Mr. Rafey advised the Board that the site plan is inaccurate. When he inspected the property it was 8' from the property line that is what was published in the legal notice.

Mr. Swingle expressed concerns with the applicant not building in alternate locations on the parcel.

Mr. Gorman explained that there is not enough living space so the existing garage will become an additional living space and a new garage is needed. He could not change the location because the basement exit would be under the new construction. Mr. Gorman indicated that on this side of the house there is the bedroom and there would be no way of getting into that area if the addition was located there.

Mr. Sarandrea expressed concerns with the amount of variance needed. He expressed concerns if the breezeway is necessary?

Mr. Swingle expressed concerns with the amount of a variance request being asked for and the fact that there was not an A-2 survey submitted.

Mr. Gorman reviewed the site plan that was submitted with the application. The neighbor advised them that the property line extends further than they believed and require less of a variance than what was applied for. Based on the neighbor's information the proposed construction would be 15' to 16' away from the property line. We do not plan on encroaching onto the tree line on either side of the property. The buffer will remain as exists.

Mr. Sarandrea expressed concerns with the buffer area. He expressed concerns with the fact that this property has not been surveyed. He recommends the applicants have the side line surveyed. He expressed concerns with granting a larger variance than needed for this proposed construction.

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What happens down the road when a new owner purchases the property they will have a variance that allows them to build up to within 8' of the property line.

Mr. Swingle expressed concerns with safety issues with developing up within 8' from the property line.

Mr. Rafey explained the reason for the discrepancy is because the plans submitted had inaccurate dimensions for the breezeway, the length of the breezeway has been turned around moving the garage close to the property line.

Mr. Swingle wants to see the property and would like to have the property line marked off.

Mr. Mitchell expressed concerns with not being able to know what the actual boundary is and how this was going to be confirmed.

Mr. Sarandrea said that it is not up to the Board to give a legal description of the property or to identify the property line. A variance can not be granted unless the property line is confirmed.

Mr. Swingle advised the applicant that the building department will not issue building permits until all land use approvals are granted.

Mr. Sarandrea and Mr. Swingle both advised the applicant that it is in his best interest to get a survey because of the amount variance requested.

Mr. Rafey advised the Board that his measurements were very conservative. Since he was unable to determine the property line he advertised the more conservative variance in the legal notice.

Linda Gorman advised the Board that her neighbor has the survey of the property line. She asked if the Board would accept her survey as verification of the boundary line.

Mr. Sarandrea advised the applicant that more information is better than none.

Mr. Rafey noted that the neighbor's survey would be helpful for the Board to consider this request.

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Mr. Sarandrea asked the applicant to stake out the boundary line and mark the area where the construction would be.

Public: None

MOTION: Mr. Roger Mitchell moved to have a site walk on 7/22/09.

SECOND: Alternate, Mr. Jason Alldridge.

VOTE

AYES:

Vice Chairman, Mr. Enrico Sarandrea; Secretary, Ms. Joanna Abraham; Mr. Roger Mitchell; Alternate, Mr. Gary Swingle, Mr. Jason Alldridge.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

MOTION: Mr. Roger Mitchell moved to continue the public hearing to the next scheduled meeting.

SECOND: Alternate, Mr. Jason Alldridge.

VOTE

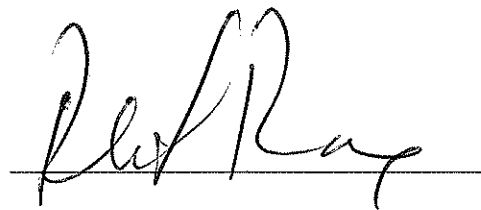
AYES:

Vice Chairman, Mr. Enrico Sarandrea; Secretary, Ms. Joanna Abraham; Mr. Roger Mitchell; Alternate, Mr. Gary Swingle, Mr. Jason Alldridge.

NAYS: None.

MOTION UNANIMOUS PASS T 5-0.

Attest:



Chairman, Phil Roger
Zoning Board of Appeals