

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

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

**Time:** 7:33 P.M.  
**Date:** Wednesday, July 22, 2009  
**Place:** Swift Middle School Media Library Room  
250 Colonial Street  
Oakville, Connecticut

**1. Call Meeting to Order**

The Chairman called to order the meeting at 7:33 P.M.

The Chairman seated Mr. Gary Swingle for absent member Joanna Abraham.

**2. Roll Call**

Mr. Gary Swingle executed the roll call.

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

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

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

The Chairman read the ground rules into the record.

**3. Hearing of Cases**

**A. Continuation of the Public Hearing from June 24, 2009 for 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.**

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

(Done Verbatim)

Chairman Sarandrea: Called to order the Zoning Board of Appeals meeting, Watertown, Connecticut, at 7:32 P.M. Secretary is not hear. Are you a full member?

Mr. Aldridge: No

Chairman Sarandrea: We don't need to seat any alternates we have four members.

Mr. Rafey: No, you need one, yes.

Chairman Sarandrea: seated Gary for Joanna Abraham. I'll have the secretary call the roll.

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

Chairman Sarandrea: Do we need to read the hearing?

Mr. Rafey: No, this is a continuation of the public hearings.

Chairman Sarandrea: Continuation of Public hearing from July 24, 2009, Application 915 from 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.

Mr. Rafey: You should read the ground rules.

Chairman Sarandrea: That what I just asked you I do not have it.

Mr. Bezio: It should be under the gavel. There not under your gavel?

Chairman Sarandrea: No

Mr. Bezio: I sat it right in front with the gavel.

Chairman Sarandrea: No, there is two roll calls.

Mr. Bezio: Oh, sorry.

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Chairman Sarandrea: I did not know if you had to read them again.

Mr. Rafey: You do not need to read the legal notice but you do need to read the ground rules every time you hold a public hearing.

Chairman Sarandrea: read the ground rules into the record.

**ZONING BOARD OF APPEALS GROUND RULES**

1. The applicant or his representative will make his formal presentation to the board stating his specific hardship and precisely why this merits a variance from the Zoning Regulations of the Town of Watertown.
2. All comments, discussions, and observations shall be made through the Chair after proper recognition by the Chairman. This is necessary to ensure that only one person at a time speaks on any issue, thus making it easier for everyone to understand, and for clearer legal transcription.
3. All persons addressing the Commission shall begin by first clearly stating their name and address for the record. If necessary, the person may be asked to spell his or her name for the record.
4. Following the presentation of the application, the Zoning Board of Appeals will ask specific questions of the applicant.
5. After the Board has asked its questions of the applicant, I shall then allow members of the public who wish to speak either in favor of this application or against it, to address the Board.
6. I shall then allow the applicant to respond to the comments of the members of the general public.
7. I shall then allow any members of the general public who wish to present any additional information or clarifying discussion to do so.
8. I shall then provide an opportunity for the applicant to respond to these additional remarks if he or his representative so wishes.
9. The Zoning Board of Appeals has thirty-five (35) days from the date the Public Hearing commences to complete the Public Hearing.

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The Board may ask the applicant for a thirty-five (35) day extension of the Public Hearing period if the Board requires any additional information or wishes to schedule a site walk to observe the situation for themselves.

10. The Zoning Board of Appeals has sixty-five (65) days from the date when the Public Hearing is closed to render its decision. The Board may or may not make its decision tonight at its Regular Meeting following the Public Hearing.
11. You may stay for the Regular Meeting if you wish or you may leave at the end of the Public Hearing and contact the Zoning Office the following morning to determine the status of your application.

Continuation of Public hearing from July 24, 2009, Application 915 from 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. Is someone hear to represent the applicant. State your name ad address for the record.

Mr. Gorman: My name is Daniel Gorman, 988 Bassett Road, Watertown. We are asking for variance to put on a breezeway and a two car garage on our property. As stated at the last meeting because of the location of the well and septic system and the design of the property the location that we have out lined is basically the only reasonable or feasible place to put the addition.

Mr. Franson: Did you look at other options?

Mr. Gorman: Yes.

Mr. Franson: For example.

Mr. Gorman: Putting it behind the existing structure that was there because of the location of the well it goes to close to the requirements for the distance of the well and that will was the only other place available.

Mr. Franson: I was at the site visit. Have you considered moving the garage back and over closer to the house for example?

Mr. Gorman: Putting it behind the existing structure that was there but because of the location of the well it goes to close to the requirements for the distance of well and that was the only other location available.

Mr. Franson: I was at the site visit. Have you considered moving the garage back and over closer to the house and have the breezeway go behind the house and then into the garage.

Mr. Gorman: Like I said we can't put the garage behind there.

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Mr. Franson: I'm not saying behind. Do you know where you laid out the garage presently?

Mr. Gorman: Yup.

Mr. Franson: Go straight back into your backyard and move it closer to your house a little bit to meet your side line, your variance on the side yard.

Mr. Gorman: Ya, I a.

Chairman Sarandrea: It will still be to close.

Mr. Franson: What is the distance from the well?

Chairman Sarandrea: What is the distance from the well?

Mr. Gorman: Moosa do you have specifics?

Mr. Rafey: No I did not measure the distance from the well to that location.

Mr. Swingle: I believe it is 22' but we do not have confirmation.

Mr. Franson: I believe it to be 20' to the well.

Mr. Gorman: Ya, if we do what you say there's no, we would still be within that 20' restriction.

Mr. Franson: I'm fine.

Mr. Gorman: Do you want a diagram to make sure that we are all taking the same thing?

Mr. Franson: I'm sorry.

Mr. Gorman: Do you want to make a diagram? I'm not sure.

Mr. Franson: Sure, this is how I view it. See the sidewalk.

Mr. Gorman: Ok

Mr. Franson: This is your wall say over hear. This is your proposed garages is right hear, what I am saying is move it back and move it over and the breezeway can, your garage will not extend beyond the corner of the house that will allow a breezeway from the back of the house to go to the garage. You're not encroaching on the well. I think you're still plenty of you know you're far enough away from the well.

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Mr. Gorman: Ok.

Mr. Franson: So you got a breezeway you're looking for and then you do not need the, you will not need the variance on side. The concerns I have is you're so close to the trees there. I do not think those trees will live. You're going to dig, you're so close to those trees, I have put plenty of replacement trees for construction work. These are all going to go away, these are all going to die.

Mr. Gorman: No, my contractor does not think that there is going to be any problems as far as the trees. What you're suggesting will take off, what do you call when you use land that isn't finished and you cover it over?

Chairman Sarandrea: Impervious

Mr. Gorman: Oh, ya.

Mr. Franson: You not increasing your paving because you are essentially putting your garage at the edge of your pavement that you have now so you so your not going to increase your impervious surface.

Mr. Gorman: And then the new slab is going all the way out where before we were going to only go out.

Mr. Franson: (Inaudible)

Mr. Gorman: Instead of using a few feet of lawn now we are going to go all the way back and you're going to add asphalt plus your going to add, any ways the answers is no. We did not look at that we were told that would not be a problem, you know, again we love those trees if I thought there was going to be damage to the trees we would not be doing that there but I was assured by

Mr. Franson: We are not adding any asphalt, Sir.

Chairman Sarandrea: That is why I asked the this question while I was there your not digging an 8' wall if you're digging 8' wall you really

Mr. Gorman: No, No

Chairman Sarandrea: got to be at least 3' to 4' from that wall, I mean but if it works for the footings and everything.

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Mr. Gorman: Right.

Chairman Sarandrea: That is why I asked you when I was there.

Chairman Sarandrea: The slab is a little different than

Mr. Gorman: Ya.

Mr. Franson: Still going to have to dig a 4' to pour a foundation.

Mr. Gorman: Ya.

Mr. Franson: Still going to put a foundation in.

Chairman Sarandrea: Ya,

Mr. Gorman: Ya.

Chairman Sarandrea: Thank you, sir.

Vice Chairman Roger: Ya, there is um, there's been a change in the variance that you also need, correct?

Mr. Gorman: Yes, there is.

Vice Chairman Roger: I mean you had 17' here but when we were up there you said the property line was not where you thought it was going to be now you only need 6' variance?

Mr. Gorman: Ah, we are going to ask for 7, um again we will bring that up know I thought that was something you guys were going to discuss.

Vice Chairman Roger: The only reason I bring it up is a, why not add a garage without a breezeway wouldn't that put you within the.

Mr. Gorman: If we tried to add the garage without the breezeway, um because of the way um the driveway comes up we would have to move the driveway over and if we did that we then would encroach on the front lawn that comes along are, are leach fields are in the front going all the way over to 6' within the driveway. Putting the driveway in by moving everything over I would actually wind up having to put in a driveway over my leach fields and again I was told that it was not allowed. You can not pave over your leach field. We would also have to take the large tree out. This gentleman said the last thing I want to do is to lose any more trees. That tree right on the front lawn by the walkway that you looked at that large tree would have to then come out as well.

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Chairman Sarandrea: Any body else have any questions?

Vice Chairman Roger: This is all beginning to, comes down to a self imposed hardship. I mean it's a hardship, anything can be corrected to replace this garage without having this variance. I mean it is not something that.

Mr. Franson: Ya, do you want to discuss this during the meeting.

Mr. Gorman: I would like to discuss this now. I would like to discuss it now, I would like to know the feelings on that. Um, again we want to make sure we got every thing covered hear but um you know I understand the reason for a variance is a hardship. I was told that we can't put it behind building because it encroaches on the well. In the front yard it encroaches on the septic system. We designed something that would balance with the house and the property, um as you are correct that reducing the variance hopefully you all know will state right hear I thought that variance meant how far you had to the property line apparently how ever it works out we do not need 17' we need 7'. We have a 25' requirement we are going to building within 19' of the line. So that 6' we figure add 1 more foot just in case the builder is off a few increase either way. We need a 7' variance to put this build where it should go it balance the house it will keep a nice look to the neighbor hood. All of the neighbors are good with this. That is what I want to be stated hear.

Mr. Rafey: Mr. Chairman the reason I put the 17' variance it in the legal notice, because I was not sure of where the property line was. After I looked at the map for the next door neighbor's property then I figured out how far the property line is from the building on the next lot. Then I realized that the tree line is not the property line actually they own more land on the other side of the trees. That is why variance has been reduced to 7'.

Chairman Sarandrea: The neighbor is in agreement with that.

Mr. Gorman: Oh, yes, Ray and Anna they are very good. They are the one who supplied the plan to show us the property line.

Mr. Rafey: They supplied the A-2 survey of there property to show how far their building is from property line.

Mr. Gorman: I have that with me if anyone would like to see it.

Chairman Sarandrea: We should get a copy of it.

Mr. Gorman: We have a copy. For the record we made a copy of the portion that shows the property line.

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For privacy reasons we do not want to give someone's personal information but that shows the house, porch and the distance of the 42' from porch line to the property which is what we used to measure and then measured from there to where the garage is and there is a difference 19' so we need a, technically we need a 6' variance, um Moosa and I said we should ask for 7' to have that 1' barrier just in case.

Mr. Rafey: That is 42.8'

Mr. Gorman: Bit I measured 42' I did that yes.

(Inaudible)

Chairman Sarandrea: Ya, I know I just though we needed something, so I mean its

Mr. Rafey: It could be used as a reference point.

(Inaudible)

Mr. Gorman: I have the original that you can see but we don't want to, we can't leave and we don't want to give a full copy, again it is there paper work. So you can.

Chairman Sarandrea: Do you letters from your neighbors or anything since everybody.

Mr. Gorman: Now we did what you said, we originally got letters and they said no we just want receipts so we.

Chairman Sarandrea: Ok, that all set?

Mr. Gorman: That was all done the last meeting.

Mr. Rafey noted that the sign was in front of the property it was posted there.

Mr. Gorman: The sign has been put up since we first put the application we were advised and told by the zoning department.

Mr. Bezio: Moosa did you say that a copy of that is in the file. Because I asked them to make a copy of that.

Mr. Gorman: Ya, you can have that one.

Mr. Franson: I think you need to reference the fact that this is your neighbor's property.

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(Inaudible) Multiple people speaking

Mr. Rafey: What is there address?

(Inaudible) Multiple people speaking

Mr. Bezio: Your address.

Mr. Gorman: Their's is, it should be on that.

Mr. Rafey: Do you have a lot number?

Ms. Franson: 970

Mr. Rafey: 970, ok.

Mr. Aldridge: It is interesting what Jeff was saying about redoing it. I did not quit follow it you guys were quite.

Mr. Franson: What I am saying is that, you were there you saw where the house ended.

Mr. Aldridge: Ya

Mr. Franson: Ok, you say the way the house was laid out. All I was saying was take the garage and say just push it back so that the garage doors are at the edge of the asphalt that is there now.

Mr. Aldridge: Right.

Mr. Franson: Shift it over closer to the house, ok you could then put a breezeway from the back out of the back of the house into the garage. So they still get there breezeway and the you would not get any closer of the well you would not break the plain of the corner of the house so you would not be any closer to the well than the existing house is the get there breezeway they would be able to get a garage and the worse case scenario they might have to got a little flower garden there is a radius where the old driveway they may have cut that a little bit in order to get an angle into the garage door but you could do it without a variance you could get all the breezeway that you needed you wouldn't increase the impervious area. You know.

Mr. Gorman: We are increasing by doing what you say we will increase the impervious. Were building!

(Inaudible – multiple people speaking)

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Mr. Franson: There is no more paying that.

Mr. Rafey: There will be more roof.

Mr. Franson: Ok, sorry. You would increase slightly the impervious surface.

Mr. Gorman: We are going to increase it by

(Inaudible – multiple people speaking)

Mr. Gorman: 22 x 24, we have approximate 8' now by doing what you said we are going to add another 16'. Basically you're moving the entire building to the end of the driveway and over.

Mr. Aldridge: You're saying use the existing part of the house now and make the breezeway.

Mr. Franson: Part of the breezeway.

Mr. Franson: I'm of the opinion that they have not explored all the avenues that I think are available. I am also very, very concerned that the neighbors are saying that there not in objections to the, they are also looking at the tree, the mature trees that are there and all that. The are digging very close to that tree you know a, I'm of the feeling that, that tree will not last long when you dig 4' down because you have to dig 42" per footing you have two 42" for a foundation wall you are going to disturb all the roots and everything for this tree. That is just my opinion.

Mr. Gorman: Again just to clarify I do not believe that is going to happen but the other part is that tree is our on our property I do not want to loose it but it is ours. I mean if I had to take down to build something I have every right to do that.

Mr. Franson: I disagree with you, sir.

Mr. Gorman: Ok, I just want to make clear. Like I said unlike you that's why on the otherside I also did not want to have to take the big tree on front when they said why not move it over. Then I am encroaching on the septic system and I loose a full grown tree.

Mr. Franson: Again, I am not debating.

Mr. Gorman: Ok.

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Mr. Franson: This is not a debate. But I do not think you need to move the full driveway over unless you decide that you want to have a straight shoot into the garage you could leave the existing driveway where it is and then and then you know make a short radius into the garage after you get past your septic system. I'm not hear to redesign your.

Mr. Gorman: Right.

Mr. Franson: I'm hear to decide.

Mr. Gorman: Right.

Mr. Franson: On an application.

Mr. Rafey: I think board members are discussing all other possibilities.

Mr. Franson: Right.

Mr. Rafey: Other feasible and prudent alternatives. Is this possible to move this building some how that we eliminate the variance. That is what they do normally.

Mr. Roger: We are hear to prevent non conforming.

Mr. Rafey: They are just discussing all the possibilities.

Mr. Gorman: And that is ok, and again, but as I said I know this is based on hardship but at the same time we are also looking at ecstastic value not only for our property but for the neighborhood. Um, we don't want, we don't want this additional, the addition to look like, you know and out building that was an after thought stuck in a spot because know it doesn't, it is not ecstastic to the property and again that is not there problem but we mine as well be honest about it we want everything to look proper. I did not move up there to turn it into something that the neighbors are going to say oh my God, why did they do that? So, we got good neighbors.

Mr. Franson: And to be honest if you have a 17', if your looking for a 17' variance it takes a lot options away because a 17' your talking

Mr. Gorman: That is my mistake.

Mr. Franson: Your talking a 6' or 7' variance we now have other options we need to consider as a Board.

Mr. Gorman: Ok.

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Chairman Sarandrea: Anyone else from the Board have any a questions for the applicant. Questions for the applicant. Ok, Is there anyone from the public who wishes to speak for or against this application. Anyone from the public who wishes to speak for or against this application. Are you guys all set. Can I have a motion to close.

**MOTION:** Mr. Roger Mitchell moved to close the public hearing.

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

**VOTE**

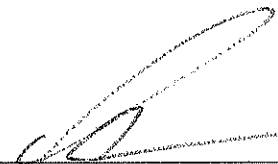
**AYES:**

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

**NAYS:** None.

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

Attest:

  
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Chairman, Mr. Enrico Sarandrea  
Zoning Board of Appeals