

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

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

Time: 7:30 P.M.
Date: Wednesday, September 23, 2009
Place: Swift Middle School Media Library Room
250 Colonial Street
Oakville, Connecticut

1. Call Meeting to Order

Chairman, Mr. Enrico Sarandrea called the public hearing to order at

Chairman, Mr. Enrico Sarandrea seated Alternate, Mr. Gary Swingle for absent member Secretary, Ms. Joanna Abraham.

2. Roll Call

Present: Chairman, Mr. Enrico Sarandrea
Mr. Roger Mitchell
Mr. Jeffery Franson
Alternate, Mr. Gary Swingle

Absent: Vice Chairman, Mr. Phil Roger
Secretary, Ms. Joanna Abraham
Alternate, Mr. Jason Alldridge

Also Present: Assistant Zoning Enforcement Officer Mr. Moosa Rafey
Carol Allen, Planning and Zoning Secretary

3. Hearing of Cases

B. Application #921 of Daniel and Linda Gorman for a variance of 4 feet to side property line setback to permit the construction of a breezeway and attached garage at 988 Bassett Road, Watertown, CT.

Mr. Gary Swingle read the legal notice into the record.

TOWN OF WATERTOWN
Legal Notice

Minutes
 ZONING BOARD OF APPEALS
PUBLIC HEARING
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 988 Bassett Road

The Zoning Board of Appeals of the Town of Watertown will hold a public hearing at 7:30PM on Wednesday, September 23, 2009 at the Swift Middle School Media Library Room 250 Colonial Street, Oakville, CT to hear and act upon the following applications:

Application #921 of Daniel and Linda Gorman for a variance of 4 feet to a side yard property line setback to permit the construction of a breezeway and two-car garage to be located 21 feet from side property line at 988 Bassett Road, Watertown, CT. Section 21.5.3 .c of the Watertown Zoning Regulations requires minimum 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 12th day of September 2009

Dated in Watertown, CT this 17th day of September 2009

JoAnna Abraham, Secretary
 Zoning Board of Appeals

Mr. Gorman Daniel Gorman of 988 Bassett Road was present and explained the variance to the Board. Upon review of what he would like to do that is a 2-car garage and breezeway and consideration of concerns that were raised during the first application we have revised our variance request. The variance is needed because of the nature of the lot. The well is on the backside that will not allow them to bring the garage around to the back of the house. The front side has the septic system. He addressed the concerns that were brought up during that last application process. The ability to get vehicle to the back side of the property with the location of trees is very difficult. There is plenty of accessway on the east side of the house for a vehicle to get to the back of the property. We hired the services of Jay's Nursery, I'm submitting into the record a letter dated 09/22/09.

Mr. Gorman read the letter into the record.

September 22, 2009

To Whom It May Concern:

Daniel Gorman of 988 Bassett Road, Waretown, CT has retained my services to determine if a construction project which is currently underway at the location listed

above would have any impact on existing trees located on his property directly adjacent to the proposed construction.

The first tree of concern is an Eastern White Pine (*Pinus strobus*) which is about twenty years of age and is located as a border planting between the paved driveway and a neighbor's house. This tree presently is healthy, displays vigorous growth and is foliated down almost to the ground. Any construction excavation up to within a foot of the edge of the existing asphalt will have no bearing on the vigor or survivability of this tree. There is virtually no availability of water beyond one foot from the edge of the existing asphalt and, therefore, no live roots that benefit this tree could exist under the asphalt given the age of the tree and the time that the water impervious asphalt has been in place. For the reason stated above, no disruption within a foot of the edge of the driveway would have any bearing on the vigor or survivability of this tree. The owner has described his intention to build a foundation within about six feet of the edge of the asphalt and then to remove the remaining asphalt strip and underlayment in that area if the project proceeds. Removal of the asphalt would further benefit the long term vigor of the tree by providing more moisture and increasing the prospective area of root ball in the direction of the driveway. This condition would aid in retaining lower limbs on the tree and help to preserve its function as a sight barrier.

The second tree of concern is a Trembling Aspen (*Populus tremuloides*) which is about twenty five years old and is under some minor water stress probably caused in some part by the walkway that goes over the root area along the house to the driveway. As explained by the home owner further encroachment by asphalt on the driveway side to within six feet of the base of the tree would have a debilitating impact on a tree that already seems to be impacted over the root zone on the house side, If the asphalt would only come to within ten to twelve feet on the driveway side of the base of this tree then little to no further impact on the vigor would occur.

Gilbert W. Angle, Jr.
Agricultural Research Scientist
Propagator & Owner/Operator
Jay's Nursery

Mr. Franson Was, there a plot plan submitted with the application.

Mr. Rafey Only, a sketch was submitted with the application. I spoke with Torrington Area Health District to see if they have a plot plan on file. They also only have a sketch that shows the septic is 20' from the house and well is in the back only 4' from corner of the house. .

Mr. Swingle Is, the building smaller than what was originally proposed?

