

ROBINSON & COLE LLP

HARTFORD • STAMFORD • GREENWICH • NEW YORK • BOSTON

LAW OFFICES

280 Trumbull Street
Hartford, CT 06103-3597
860-275-8200
Fax 860-275-8299

Robert J. Sitkowski
860-275-8355
rsitkowski@rc.com

#2

July 5, 2000

VIA HAND DELIVERY

Nicholas Reynolds, Chairman
Zoning Board of Appeals
Town Hall Annex
424 Main Street
Watertown, CT 06795

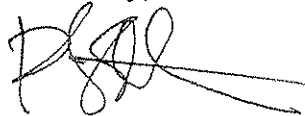
Re: **Konover Development Corporation**
Straits Commercial Associates Limited Partnership
Appeal to Watertown Zoning Board of Appeals

Dear Chairman Reynolds and Members of the Zoning Board of Appeals:

Our clients, Konover Development Corporation and Straits Commercial Associates Limited Partnership, hereby grant the Zoning Board of Appeals an extension of time in which to open the hearings on their appeal of the Zoning Enforcement Officer's denial of a zoning permit to the Board's regularly-scheduled August meeting, which we understand to be August 23, 2000.

The hearings are presently scheduled to open on July 26, 2000.

Sincerely,



Robert J. Sitkowski

Enclosure

cc: Mary G. Barton, Zoning Enforcement Officer
Franklin G. Pilicy, Esq., Town Attorney

MINUTES

**WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
WEDNESDAY, JULY 26, 2000 - 7:30 PM
POLK SCHOOL LIBRARY
APPLICATION #656 - CHASE PARKWAY VOLVO-SUBARU**

PRESENT: Mary Bisson
Roger Mitchell
Nicholas Reynolds, Chairman
Enrico Sarandrea, Vice Chairman

ABSENT: Phil Roger, Secretary

ALTERNATES PRESENT: John Griffith
Joseph Polletta

ALTERNATES ABSENT: None

OTHERS PRESENT: Moosa Rafey, Assistant Zoning Enforcement Officer

1. Call Meeting To Order

Mr. Reynolds, Chairman, called the Public Hearing to order at 7:35 p.m.

Mr. Reynolds, Chairman, asked Ms. Bisson to act as Secretary Pro Tem, in Mr. Roger's absence.

Mr. Reynolds, Chairman, asked Mr. Polletta to sit in for Mr. Roger, in his absence.

2. Roll Call

Ms. Bisson, Secretary Pro Tem, executed the Roll Call.

**WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000
Page 2**

Ms. Bisson, Secretary Pro Tem, read aloud the Legal Notice as follows:

“LEGAL NOTICE

The Watertown Zoning Board of Appeals of the Town of Watertown will hold a Public Hearing at 7:30 p.m. on Wednesday, July 26, 2000 at the Polk School Library, 435 Buckingham Street, Oakville, Connecticut to hear and act upon the following application:

Application #656 of Chase Parkway Volvo-Subaru, 795 Straits Turnpike, Watertown, CT request for a variance of 142.5 sq. ft. signage area to permit construction of four wall signs with a total signage area of 190.5 sq. ft. to replace the existing non-conforming signs with a total signage area of 195 sq. ft. located at Chase Parkway Volvo-Subaru, 795 Straits Turnpike, Watertown, CT in an B-SC Shopping Center Business Zoning District. Section 62.7.6.c3 of the Zoning Regulations of the Town of Watertown permits maximum 48 sq. ft. wall sign in a B-SC Shopping Center Zoning District.

At this Hearing interested persons and written communications will be received and heard. A copy of the application is on file in the Planning and Zoning Office, Town Hall Annex, 424 Main Street, Watertown, Connecticut.

Dated in Watertown, CT this 13th day of July, 2000.
Dated in Watertown, CT this 20th day of July, 2000.

Phil Roger, Secretary
Zoning Board of Appeals”

Mr. Polletta read aloud the Ground Rules as follows:

“Rules For Conduct of Public Hearing

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. 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 for clear, legal transcription.

**WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000**

Page 3

All persons addressing the Board shall begin by first clearly stating their name and address for the record. If necessary, the person may be asked to spell his name for the record. Following the presentation of the application the Zoning Board of Appeals will ask specific questions of the applicant. After the Board has asked its questions of the applicant, the Chairman shall then allow any members of the public who wish to speak either for or against this application, to address the Board. The Chairman shall then allow the applicant to respond to the comments of the members of the general public. The Chairman shall then allow members of the general public who wish to discuss any additional information or clarifying discussions, to do so. The Chairman shall then provide an opportunity for the applicant to respond to these additional remarks if he or his representative(s) so wish.

The Zoning Board of Appeals has 35 days from the date the Public Hearing commences to complete the Public Hearing. The Board may ask the applicant for a 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. The Zoning Board of Appeals has 65 days from the date 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. 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 Officer the following morning to determine the status of your application.”

3. Hearing of Cases

- A. App. #656 of Chase Parkway Volvo-Subaru, 795 Straits Turnpike, Watertown, CT request for a variance of 142.5 sq. ft. signage area to permit construction of four new wall signs to replace the existing signs at 795 Straits Turnpike, Watertown, CT in a B-SC Shopping Center Business Zoning District.

Kevin Fitzmaurice, 1 Woodcrest Drive, Waterbury, CT

Mr. Fitzmaurice showed an aerial photograph of the structure before they began construction that showed the signs that they had in place. They had lettering across the top and they were 4 x 6 foot individual letters. There was another sign that was removed. The second picture was an artist's rendition of what they were proposing to do. They are using much smaller lettering. These are 3 feet high. They've also added frontage because they put on an addition for the second floor.

**WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000
Page 4**

Mr. Rafey stated the existing sign is 144 sq. ft. and they have another sign that says Volvo-UC that is 19.5 sq. ft. Another sign is Chase Parkway and that is 31.5 sq. ft. The total for the three existing signs is 195 sq. ft. They are proposing 4 signs: 1 is Subaru - 77.25, Volvo - 69, they also have a (inaudible) logo. That's 17.25 and the Chase Parkway is 27 sq. ft. for a total of 190 sq. ft. of signage.

Mr. Fitzmaurice reported that's one less with more frontage area. This sign dated back to 1971 and it suffered damage a couple of times from wind, etc. It's not exactly the most attractive looking image they've ever had whereas they're going to have to purchase all new signage.

Mr. Reynolds asked where the Chase Parkway Garage, Inc. sign was?

Mr. Fitzmaurice replied that would have been approximately here (shown).

Mr. Reynolds asked where is it there?

Mr. Fitzmaurice replied right here (shown).

Mr. Reynolds asked if the addition was in process?

Mr. Fitzmaurice replied yes.

Mr. Reynolds stated the application asked if they had applied for a variance before, and Mr. Fitzmaurice replied no.

Mr. Fitzmaurice replied they did, they had a variance in 1994 and they never fulfilled that; they never put any of those signs up.

Mr. Reynolds replied no they were applying for a . . .

Mr. Rafey replied an addition to the building.

Mr. Reynolds stated that was correct. Where it said has a previous appeal been filed, Mr. Fitzmaurice said no. Mr. Reynolds remembers touring the building when they applied for that variance.

Mary Ellen Herdelnor, Applicant

Ms. Herdelnor apologized for that.

**WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000
Page 5**

Mr. Reynolds stated they just wanted things to be correct. He asked if any of the current signage is lit?

Mr. Fitzmaurice replied yes. The square Volvo sign and the Subaru sign are illuminated.

Mr. Reynolds asked what they intended for lighting for the new signage?

Mr. Fitzmaurice replied the Subaru, the Volvo, and the Cluster are lit. He's not positive about the Chase Parkway.

Mr. Reynolds asked what the Town's Rules and Regulations were regarding lit signage as opposed to regular signage?

Mr. Rafey replied 48 sq. ft. is allowed.

Mr. Reynolds asked if there was a difference between regular signage and lit signage?

Mr. Rafey asked if he meant in terms of size or lighting?

Mr. Reynolds asked if there was any differentiation of a sign or a lighted sign?

Mr. Rafey asked (inaudible) outside or inside?

Mr. Reynolds replied yes.

Mr. Fitzmaurice stated the Chase Parkway sign would be lit as well.

Mr. Reynolds wanted to find out if there was a differentiation between lit signage and not lit signage in Watertown. He did have a look through, and it's a little ambiguous as far as lighting is concerned. One of the Town's main concerns is light pollution and they would need to know what type of light would be emitted from those signs which would be helpful to them in making a decision.

Mr. Sarandrea asked if that was channel lettering?

Mr. Fitzmaurice replied he could show them the specifications.

Mr. Sarandrea didn't think it was a box sign; it's channeled.

**WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000
Page 6**

Mr. Fitzmaurice replied it's individual letters.

Mr. Sarandrea replied those don't illuminate as much as a box sign does.

Mr. Fitzmaurice stated the only thing that is a type of box or structure is the Subaru Stars; that's a one piece sign.

Mr. Sarandrea felt the channel sign is more soothing to the eye than a box sign.

Mr. Fitzmaurice stated the Volvo dealer on Route 202 has the sign and the Subaru dealer in Torrington or Wallingford has the Subaru and the Starburst.

Mr. Sarandrea asked if the Starburst would be lit too?

Mr. Fitzmaurice replied yes.

Mr. Reynolds called a short recess to sort out a question for Application #655, who just entered the meeting at about 7:45 p.m. (no time given).

Mr. Reynolds reconvened the meeting (no time given).

Mr. Rafey stated the applicant from Application #655 was stuck in traffic and wouldn't arrive for another hour or hour and half. He did call Mr. Rafey this afternoon and said he didn't have the plans ready for tonight. They could Table this Application to the next meeting.

Mr. Reynolds asked the applicant's representative to inform Mr. Woodruff that they weren't sure how long this meeting would go on for this evening, and since he's not prepared with his plans, they will Table his application to the next meeting.

The applicant's representative thanked the Commission.

A discussion took place regarding whether the building was a non-conforming use.

Mr. Rafey stated if the existing sign is larger than 48 sq. ft. in size they are legal non-conforming. They can have them as long as the business is there. Once they take them down they cannot replace them with the same size. The maximum size allowed for this zone is 48 sq. ft.

**WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000
Page 7**

Mr. Reynolds replied no. What's happening is some of the signage is lit and all of the new signs are going to be lit.

Mr. Rafey replied they could not light a non-conforming sign, but that's an extension of the non-conformity of that sign.

Mr. Reynolds replied that was correct. They were expanding the non-conformity by taking an unlit sign and changing it to a lit sign of different size, shape, and proportion. Even though it may be decreased in size, it's an increase in the non-conformity.

Mr. Polletta stated basically they were extending the lit signs that weren't lit before.

Mr. Reynolds replied that was correct. The unlit signs of which they have 2 lit, and 2 not lit and now they will have lit.

Mr. Rafey replied they were adding to the non-conformity of the signs.

Mr. Fitzmaurice replied no, they were extending.

Mr. Reynolds stated the other question was the application for the variance if that change in the variance of shape, size of signage should the applicant also have a variance application for use of lighting of the signage?

Mr. Rafey replied that's another variance they should have.

Mr. Reynolds replied so that would not be something they could grant because they haven't officially asked for it.

Mr. Rafey replied that was correct. The only variance in this application is changing the existing signs to new signs. It says nothing about lighting.

Mr. Reynolds replied then none of these signs could be lit under the application they have at the moment.

Mr. Fitzmaurice asked if they had to file two applications?

Mr. Rafey stated they could have asked for two variances on the same application.

**WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000
Page 8**

Mr. Reynolds replied but they couldn't do that tonight.

Mr. Rafey agreed, because it wasn't advertised.

Mr. Reynolds stated they didn't want to Grant or Deny an application when the whole application isn't in front of them. That's not to the applicant's benefit. He felt in all fairness, he didn't know whether they could Table this and have the applicant reapply. He thought they had to Deny this application in order for the applicant to reapply.

Mr. Rafey replied the applicant could withdraw the application and submit another application adding that variance to the application, or they could go through this application and then submit another application for the lighting variance.

Mr. Fitzmaurice thought the easiest way would be to withdraw now and redo the paperwork.

Mr. Reynolds replied that's the applicant's choice.

Mr. Polletta stated otherwise they would have to have another Public Hearing.

Mr. Rafey stated they could Table this application to the next meeting and the applicant could submit another application for the lighting and he would put that legal notice in the newspaper for the next month and have a Public Hearing for this application.

Mr. Reynolds replied he didn't think they could do that.

Mr. Rafey stated this is just for the size of the sign. They can submit another application for the lighting variance for a non-conforming sign.

Mr. Reynolds stated the only way he came across that was the electrical installation device. It's not to the applicant's benefit to go halfway with this.

Mr. Fitzmaurice replied he understood.

Mr. Rafey asked how they felt about this application?

WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000
Page 9

Mr. Reynolds replied he'd rather not give any feedback. They haven't been fully informed as to all of the information. They also need to include with the amendment is the type of lighting that is going in all four of the signs. At the moment they only have one.

Mr. Fitzmaurice replied that should cover two actually. That should cover the Chase Parkway and the Volvo.

Mr. Reynolds stated they have the Volvo and the Subaru, but they also need the type of lighting to be used in the Starburst and . . .

Mr. Fitzmaurice replied that should also be on the Subaru.

Mr. Reynolds stated all four signs are 18 inches (inaudible).

Mr. Polletta asked if they were all neon or were some fluorescent lighting?

Mr. Fitzmaurice stated they had some fluorescent in the Subaru Star.

Mr. Polletta asked if the rest were neon?

Mr. Fitzmaurice replied these two would be neon, and he wasn't sure about this one (shown).

Mr. Polletta asked if the color of the lighting was the same for the neon and the fluorescent?

Mr. Fitzmaurice replied they are different shades of blue.

Mr. Rafey replied two will be blue and two white.

Mr. Fitzmaurice showed which ones would be blue and which ones would be white.

Mr. Griffith asked where else this signage was used?

Mr. Fitzmaurice replied this signage was used in Litchfield on Route 202, actually it's Torrington technically, also in Torrington off of Exit 45, and in Wallingford on Route 5.

**WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000
Page 10**

Mr. Rafey asked if they had pictures of the signs?

Mr. Fitzmaurice replied they had pictures of the one in Wallingford, and pictures of some different Volvo dealers not necessarily the one in Litchfield.

Mr. Reynolds asked which towns had the neon signs?

Mr. Fitzmaurice replied the one in Wallingford.

Mr. Reynolds asked Mr. Sarandrea to explain what channel lighting was?

Mr. Sarandrea explained that means every letter is individually lit, and it wasn't a box sign. It was a more soothing light and they can read the letters. Channel letters are more expensive and more attractive.

Mr. Fitzmaurice replied the picture on the back of that brochure was the dealership in Wallingford; they were the first ones in the country to put the Subaru sign up.

Mr. Reynolds asked what the Town's stand was on neon?

Mr. Rafey replied the maximum lighting allowed is 3 to 6 foot conduit. He wasn't sure about the neon.

Mr. Reynolds stated the physical aspects of having neon is not disputed?

Mr. Rafey replied the Planning and Zoning Commission is usually not in favor of neon.

Mr. Reynolds replied that's why he asked.

Mr. Sarandrea replied neon in windows, but these aren't; actually neon. This is channel lettering. Neon is a light that (inaudible). That's not what this is.

Mr. Fitzmaurice stated neon is what the neighbor across the street from him has.

Mr. Sarandrea stated on these signs the letter lights up. Neon is a tube of light.

Mr. Polletta asked what type of bulb was behind that?

Mr. Sarandrea replied a regular light bulb. It's like a fluorescent bulb.

**WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000
Page 11**

Mr. Polletta replied no. There's a transformer and then there's a (inaudible).

Mr. Reynolds replied like a ballast box.

Mr. Polletta replied this is a neon tube and this is the transformer which is on the inside of the building, so in reality it is a neon sign (shown).

Mr. Sarandrea stated it's not a neon sign.

Mr. Rafey stated they could ask the applicant to provide that information to make it clear. He asked the applicant to get that information?

Mr. Fitzmaurice replied he could try.

Mr. Polletta stated the main thing was whether it was a fluorescent light or a neon sign behind the letter.

Mr. Reynolds stated the exit sign has just a regular bulb, and the reason they see it is because the letter has been cut out. They also make a fluorescent bulb that is twisted, some are pretzel shaped. Then they have the neon signs that are the shape of the letter itself and that is the type of lighting they are trying to discourage in Town.

Mr. Sarandrea replied they probably have a neon light in back of the sign, but it's not a neon sign. That is referred to as channel lettering sign.

Mr. Fitzmaurice stated there is a neon bulb in it, but the bulb is not what is seen.

Mr. Griffith stated the bulb is like the new energy saving bulbs that are screwed in to replace the incandescent light bulbs in homes.

Mr. Reynolds stated these wouldn't be screwed in.

Mr. Polletta replied he wired with these. There is a transformer, and then there is neon tube. It's a tube, and inside there is gas. If they got the letter on top, they won't see it. This one is neon and it's behind the letter.

Mr. Reynolds stated neon comes in all colors because they colored glass. The gas is the same, and as they scrape off the coloring off the glass then it's white. He asked if they were white neon shaped bulbs that were in the signage?

**WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000
Page 12**

Mr. Sarandrea replied he didn't know.

Mr. Rafey replied it doesn't make any difference because it's not visible from the road. A good example of neon sign is the open signs.

Mr. Reynolds replied they are very familiar with those.

Mr. Fitzmaurice showed a picture of the Toyota Dealership on Straits Turnpike, and he thought they used a similar type of lighting.

Mr. Rafey stated they should ensure exactly what they were going to build there. The Commission will want to know exactly how it will look.

Mr. Reynolds stated if the applicant told them one thing and then did something else, then they will be in trouble.

Mr. Fitzmaurice replied he's not positive of the exact positioning of the signs.

Mr. Reynolds replied he didn't think the position of it makes . . .

Mr. Fitzmaurice replied because that is what they are proposing to do. They aren't sure if they were going to put this here or there (shown).

Mr. Reynolds replied he didn't think that had any bearing on this Board. They wouldn't even consider that; that has nothing to do with this Board.

Mr. Rafey stated they could have the signs on only one side of the building.

Mr. Reynolds recommended the Board Table this application and allow the applicant to modify the application and come back with further information on the type of lighting that will be put into the signs.

Mr. Rafey stated they have to submit another application for the lighting because they have to put another legal notice in the newspaper. They can continue with this application the way it is, and add another application.

Mr. Reynolds replied no, because if they vote on it, it sort of makes the next application moot. He felt it was better to Table it.

WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000
Page 13

Ms. Bisson suggested they withdraw and submit the entire thing all over again.

Mr. Polletta agreed.

Mr. Reynolds agreed to make it less confusing.

Mr. Fitzmaurice replied they should probably withdraw and reapply to make it easier for everyone.

Mr. Reynolds asked if they were going to withdraw and reapply?

Mr. Fitzmaurice replied that was correct.

Mr. Reynolds stated then there was no action to be taken.

Mr. Rafey asked how the Board felt about this application?

Mr. Polletta replied they can't answer that; they don't know yet.

Mr. Rafey replied this is a non-conforming sign and they are asking for 100 for the 2 (inaudible) additional signage.

Mr. Polletta replied they weren't going to vote on that.

Mr. Reynolds agreed and stated they shouldn't render any decision whatsoever at all.

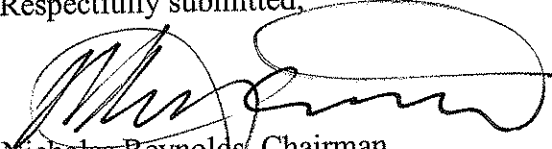
Mr. Rafey replied the applicant should write a letter to the Board stating they wanted to withdraw their application and resubmit it at a later time.

Mr. Reynolds stated if they could get it in within the next few days, then they can put it back on the Agenda for next month, for the meeting on August 23, 2000. They need to know the type of lighting that's going to go into the signs and the (inaudible). App. #656 has been withdrawn and no action will be taken on this application.

**WATERTOWN ZONING BOARD OF APPEALS
PUBLIC HEARING
APPLICATION #656, CHASE PARKWAY VOLVO-SUBARU
JULY 26, 2000
Page 14**

Public Hearing Recessed at about 8:15 p.m. (no time given).

Respectfully submitted,



Nicholas Reynolds, Chairman
Zoning Board of Appeals

Lynn LaForme, Minutes Secretary



TOWN OF WATERTOWN CONNECTICUT

Town Hall Annex, 424 Main Street
Watertown, Connecticut 06795-2200

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

Telephone : (860) 945-5266

Fax : (860) 945-0393

ZONING BOARD OF APPEALS WATERTOWN, CONNECTICUT

SPECIAL PUBLIC HEARING

Time: 7:30PM

Date: Wednesday, July 12, 2000

Place: Polk School Library
435 Buckingham Street
Oakville, Connecticut

1. Call meeting to order
2. Roll call
3. Hearing of Cases
 - a. Continuation of public hearing from June 28, 2000 – App. #652 of Marla Polites of 78 Evelyn Street, Oakville, CT request for a variance of 18Ft to a rear yard property line setback to permit construction of an aboveground pool and deck at 78 Evelyn Street, Oakville, CT in an R-12.5 Residential Zoning District.

Recess or adjourn, public hearing must be closed by August 1, 2000 unless applicant grants an extension.

- b. Continuation of public hearing from June 28, 2000 – App. #653 of Russell Brown of 50 Skipper Avenue, Oakville, CT request for a variance of Section 66 of the Watertown Zoning Regulations to permit construction of an aboveground pool and deck located in an "A" Flood Zone at 50 Skipper Avenue, Oakville, CT in an R-12.5 Residential Zoning District.

Recess or adjourn public hearing must be closed by August 1, 2000 unless applicant grants an extension.

ZBA Special Public Hearing Agenda
July 12, 2000
Page 2

- c. Continuation of public hearing from June 28, 2000 – App. #654 of Randall and Kim Caron of 163 Shaw Farm Road, Oakville, CT request for a variance of 2Ft to a rear yard property line setback to permit construction of a deck attached to an existing single family dwelling at 163 Shaw Farm Road, Oakville, CT in an R-30 Residential zoning District.

Recess or adjourn public hearing must be closed by August 1, 2000 unless applicant grants an extension.



TOWN OF WATERTOWN CONNECTICUT

Town Hall Annex, 424 Main Street
Watertown, Connecticut 06795-2200

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

Telephone : (860) 945-5266

Fax : (860) 945-0393

ZONING BOARD OF APPEALS WATERTOWN, CONNECTICUT

SPECIAL MEETING

Time: 7:45PM

Date: July 12, 2000

Place: Polk School Library
435 Buckingham Street
Oakville, Connecticut

1. Call meeting to order
2. Roll call
3. Action on minutes
 - a. Public Hearing April 26, 2000 App. #648 Joseph Taddia
 - b. Public Hearing April 26, 2000 App. #649 Roseanne Micci
 - c. Regular Meeting April 26, 2000
 - d. Public Hearing May 24, 2000 App. #650 Gregg Rahuba
 - e. Regular Meeting May 24, 2000
 - f. Public Hearing June 28, 2000 App. #652 Marla Polites
 - g. Public Hearing June 28, 2000 App. #563 Russell Brown
 - h. Public Hearing June 28, 2000 App. #564 Randall and Kim Caron
 - i. Regular Meeting June 28, 2000
4. Old Business
 - a. Review of Town of Watertown Ordinance No. 09-20-93-184 An Ordinance Establishing Fees for Land Use Commissions.
 - b. Discussion on the use of Town Attorney by Zoning Board of Appeals

- b. App. #651 of Konover Development Corporation and Straits Commercial Associates Limited Partnership for an appeal to overturn the Zoning Enforcement Officer's decision in regard to denial of a zoning permit for construction of an approximately 118,000 Sq. Ft retail shopping center located at 765 Straits Turnpike, Watertown, CT. The Board has until July 27, 2000 to hold a public hearing on this application.

5. New Business

- a. App. #652 of Marla Polites of 78 Evelyn Street, Oakville, CT request for a variance of 18Ft to a rear yard property line setback to permit construction of an aboveground pool and attached deck at, 78 Evelyn Street, Oakville, CT in an R-12.5 Residential Zoning District.

If public hearing is closed on July 12, 2000 then a decision is required by September 14, 2000.

- b. App. #653 of Russell Brown of 50 Skipper Avenue, Oakville, CT request for a variance of Section 66 of the Watertown Zoning Regulations to permit construction of an aboveground pool and deck located in an "A" Flood Zone at 50 Skipper Avenue, Oakville, CT in an R-12.5 Residential Zoning District.

If public hearing is closed on July 12, 2000 then a decision is required by September 14, 2000.

- c. App. #654 of Randall and Kim Caron of 163 Shaw Farm Road, Oakville, CT request for a variance of 2Ft to a rear yard property line setback to permit construction of a deck attached to an existing single family dwelling at 163 Shaw Farm Road, Oakville, CT in an R-30 Residential Zoning District.

If public hearing is closed on July 12, 2000 then a decision is required by September 14, 2000.

6. Communications and Bills

None

7. Reports from Committees

None

8. Adjournment



TOWN OF WATERTOWN CONNECTICUT

Town Hall Annex, 424 Main Street
Watertown, Connecticut 06795-2200

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

Telephone : (860) 945-5266

Fax : (860) 945-0393

To: Dolores LaRosa, Town Clerk

From: Moosa Rafey, Assistant Zoning Enforcement Officer *M.M. Rafey*

Date: June 30, 2000

Re: ZBA Special Meeting

Due to lack of a quorum at the ZBA regular meeting of June 28, 2000 the Zoning Board of Appeals will hold a Special Public Hearing and a Special Meeting as follows:

Special Public Hearing:

Time: 7:30PM
Date: July 12, 2000
Place: Polk School Library
435 Buckingham Street
Oakville, Connecticut

Special Meeting:

Time: 7:45PM
Date: July 12, 2000
Place: Polk School Library
435 Buckingham Street
Oakville, Connecticut

Dolores La Rosa
TOWN CLERK

00 JUN 30 PM 3:38

WATERTOWN, CT
TOWN CLERK'S OFFICE
RECEIVED FOR RECORD

Meeting of: Town Council Police Comm Plan & Zon Comm
 Zoning Bd of App Water & Sewer Au Bd Tax Review
 Park & Rec Comm Public Bldgs Com Conserv. Comm
 Redevelopment Ag Econom Devel Comm on Aging

Date: 6.28.2000 Time: 7:30 PM Place: Polk School Library
435 Buckingham St. Oakville

Moosa Rafey Nick Reynolds
 (Staff Liaison) (Board/Commission Chairman)

Members Comprising Quorum: N. Reynolds, Chairman, M. Bisson (R)
P. Roger Secretary

Members Absent: J. Griffith (A), R. Mitchel (R) R. Sarandrea (R)
J. Polletta (A) (NO Quorum Present)

Others Present:

Moosa Rafey

Agenda Item No. 3a Public Hearing Subject: App. #652 Marla Polites
 Motion Presented By: Mary Bisson 78 Evelyn St. Oakville
 Seconded by: Phil Roger 10ft variance to rear yard property line
 Text of Motion:

Table to a special meeting on July 12, 2000

Vote: Aye: 3
 Nay: 0

Agenda Item No. 3b Subject: App. #653 Russell Brown
 Motion Presented By: P. Roger 50 Skipper Ave. Oakville
 Seconded by: M. Bisson Variance of Section 66 of Zoning Regs
 Text of Motion:

Table to a special meeting on July 12, 2000

Vote: Aye: 3
 Nay: 0

Agenda Item No. 3c Subject: App. #654 Randall Caron
 Motion Presented By: M. Bisson 163 Shaw Farm Rd.
 Seconded by: P. Roger 2ft variance to a rear yard property line
 Text of Motion:

Table to a special meeting on July 12, 2000

Vote: Aye: 3
 Nay: 0

Regular Meeting

Agenda Item No. _____

Subject: Regular Meeting Agenda

Motion Presented By: P. Roger

Seconded by: M. Bisson

Text of Motion: Due to lack of a quorum

Table all items of the regular meeting to a special meeting on July 12, 2000.

Vote: Aye: 3

 Nay: 0

Agenda Item No. _____

Subject: _____

Motion Presented By: _____

Seconded by: _____

Text of Motion: _____

Vote: _____

Agenda Item No. _____

Subject: _____

Motion Presented By: _____

Seconded by: _____

Text of Motion: _____

Vote: _____

Agenda Item No. _____

Subject: _____

Motion Presented By: _____

Seconded by: _____

Text of Motion: _____

Vote: _____

B/C



TOWN OF WATERTOWN CONNECTICUT

Town Hall Annex, 424 Main Street
Watertown, Connecticut 06795-2200

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

Telephone : (860) 945-5266

Fax : (860) 945-0393

ZONING BOARD OF APPEALS WATERTOWN, CONNECTICUT

PUBLIC HEARING

Time: 7:30PM

Date: Wednesday, June 28, 2000

Place: Polk School Library
435 Buckingham Street
Oakville, Connecticut

1. Call meeting to order
2. Roll call
3. Hearing of Cases
 - a. App. #652 of Marla Polites of 78 Evelyn Street, Oakville, CT request for a variance of 18Ft to a rear yard property line setback to permit construction of an aboveground pool and deck at 78 Evelyn Street, Oakville, CT in an R-12.5 Residential Zoning District.

Recess or adjourn, public hearing must be closed by August 1, 2000 unless applicant grants an extension.

- b. App. #653 of Russell Brown of 50 Skipper Avenue, Oakville, CT request for a variance of Section 66 of the Watertown Zoning Regulations to permit construction of an aboveground pool and deck located in an "A" Flood Zone at 50 Skipper Avenue, Oakville, CT in an R-12.5 Residential Zoning District.

Recess or adjourn public hearing must be closed by August 1, 2000 unless applicant grants an extension.

- c. App. #654 of Randall and Kim Caron of 163 Shaw Farm Road, Oakville, CT request for a variance of 2Ft to a rear yard property line setback to permit construction of a deck attached to an existing single family dwelling at 163 Shaw Farm Road, Oakville, CT in an R-30 Residential zoning District.

Recess or adjourn public hearing must be closed by August 1, 2000 unless applicant grants an extension.



TOWN OF WATERTOWN CONNECTICUT

Town Hall Annex, 424 Main Street
Watertown, Connecticut 06795-2200

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

Telephone : (860) 945-5266

Fax : (860) 945-0393

Legal Notice

The Zoning Board of Appeals of the Town of Watertown will hold a public hearing at 7:30PM on Wednesday, June 28, 2000 at the Polk School Library, 435 Buckingham Street, Oakville, CT to hear and act upon the following application:

Application # 652 of Marla Polites of 78 Evelyn Street, Oakville, CT request for a variance of 18 Ft to a rear yard property line setback to permit construction of an 18Ft diameter aboveground pool and attached deck located 12Ft from a rear property line at 78 Evelyn Street, Oakville, CT in an R-12.5 Residential Zoning District. Section 24.5.3b of Watertown Zoning Regulations requires 30Ft rear yard property line setback.

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, Town Hall Annex, 424 Main Street, Watertown, CT.

Dated in Watertown, CT this 17th day of June 2000
Dated in Watertown, CT this 22nd day of June 2000

Phil Roger, Secretary
Zoning Board of Appeals



TOWN OF WATERTOWN CONNECTICUT

Town Hall Annex, 424 Main Street
Watertown, Connecticut 06795-2200

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

Telephone : (860) 945-5266

Fax : (860) 945-0393

Legal Notice

The Zoning Board of Appeals of the Town of Watertown will hold a public hearing at 7:30PM on Wednesday, June 28, 2000 at the Polk School Library, 435 Buckingham Street, Oakville, CT to hear and act upon the following applications:

Application # 653 of Russell Brown of 50 Skipper Avenue, Oakville, CT request for a variance of Section 66 of The Zoning Regulations of the Town of Watertown regarding Development in Flood Prone Area to permit construction of a 21Ft diameter aboveground pool, an approximately 420 Sq. Ft deck, and approximately 22 linear foot privacy fence 6Ft high located in "A" Flood Zone at 50 Skipper Avenue, Oakville, CT in an R-12.5 Residential Zoning District.

Application #654 of Randall and Kim Caron of 163 Shaw Farm Road, Oakville, CT request for a variance of 2Ft to a rear yard property line setback to permit construction of an approximately 96 Sq. Ft deck attached to an existing deck located 48Ft from a rear yard property line at 163 Shaw Farm Road, Oakville, CT in an R-30 Residential Zoning District. Section 23.5.3b of the Watertown Zoning Regulations requires 50Ft rear yard property line setback.

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, Town Hall Annex, 424 Main Street, Watertown, CT.

Dated in Watertown, CT this 15th day of June 2000
Dated in Watertown, CT this 22nd day of June 2000.

Phil Roger, Secretary
Zoning Board of Appeals

B/C



TOWN OF WATERTOWN CONNECTICUT

Town Hall Annex, 424 Main Street
Watertown, Connecticut 06795-2200

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

Telephone : (860) 945-5266

Fax : (860) 945-0393

ZONING BOARD OF APPEALS WATERTOWN, CONNECTICUT

REGULAR MEETING

Time: 7:45PM

Date: June 28, 2000

Place: Polk School Library
435 Buckingham Street
Oakville, Connecticut

1. Call meeting to order
2. Roll call
3. Action on minutes
 - a. Public Hearing April 26, 2000 App. #648 Joseph Taddia
 - b. Public Hearing April 26, 2000 App. #649 Roseanne Micci
 - c. Regular Meeting April 26, 2000
 - d. Public Hearing May 24, 2000 App. #650 Gregg Rahuba
 - e. Regular Meeting May 24, 2000
4. Old Business
 - a. Review of Town of Watertown Ordinance No. 09-20-93-184 An Ordinance Establishing Fees for Land Use Commissions.
 - b. App. #651 of Konover Development Corporation and Straits Commercial Associates Limited Partnership for an appeal to overturn the Zoning Enforcement Officer's decision in regard to denial of a zoning permit for construction of an approximately 118,000 Sq. Ft retail shopping center located at 765 Straits Turnpike, Watertown, CT. The Board has until July 27, 2000 to hold a public hearing on this application.

5. New Business

- a. App. #652 of Marla Polites of 78 Evelyn Street, Oakville, CT request for a variance of 18Ft to a rear yard property line setback to permit construction of an aboveground pool and attached deck at, 78 Evelyn Street, Oakville, CT in an R-12.5 Residential Zoning District.

If public hearing is closed on June 28, 2000 then a decision is required by August 31, 2000.

- b. App. #653 of Russell Brown of 50 Skipper Avenue, Oakville, CT request for a variance of Section 66 of the Watertown Zoning Regulations to permit construction of an aboveground pool and deck located in an "A" Flood Zone at 50 Skipper Avenue, Oakville, CT in an R-12.5 Residential Zoning District.

If public hearing is closed on June 28, 2000 then a decision is required by August 31, 2000.

- c. App. #654 of Randall and Kim Caron of 163 Shaw Farm Road, Oakville, CT request for a variance of 2Ft to a rear yard property line setback to permit construction of a deck attached to an existing single family dwelling at 163 Shaw Farm Road, Oakville, CT in an R-30 Residential Zoning District.

If public hearing is closed on June 28, 2000 then a decision is required by August 31, 2000.

6. Communications and Bills

None

7. Reports from Committees

None

8. Adjournment