

MINUTES

WATERTOWN ZONING BOARD OF APPEALS PUBLIC HEARING

WEDNESDAY, FEBRUARY 27, 2008 - 7:30 P.M.
WATERTOWN HIGH SCHOOL TECHNOLOGY CENTER

APPLICATION #881 – NICK PERUGINI

PRESENT: Mr. Enrico Sarandrea, Chairman
Mr. John Griffith, Vice Chairman
Mr. Phil Roger, Interim Secretary
Ms. JoAnna Abraham

ABSENT: Mr. Roger Mitchell

ALTERNATES PRESENT: Mr. Jeff Franson
Mr. Gary Swingle (In for Roger Mitchell)

ALTERNATES ABSENT: Mr. Jason Aldridge

OTHERS PRESENT: Moosa Rafey, Assistant Zoning Enforcement Officer

1. Call Meeting to Order

Mr. Sarandrea, Chairman, Called the Public Hearing to Order at about 7:30 PM (7:43 PM)

2. Roll Call

Mr. Roger executed the Roll Call.

Mr. Sarandrea read the ground rules as follows:

“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.

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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 wishes 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 is 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. The Board may ask the applicant for a thirty-five (35) day extension of the Public Hearing period if the Commission 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.

3. Hearing of Cases

- B. Application #881 of Nick Perugini for 2 variances of the Watertown Zoning Regulations concerning R-T Residential Transition Zone to permit the construction of a new commercial building at 505 Straits Turnpike, Watertown, CT.

The public hearing must be closed by April 2, 2008 unless applicant grants an extension of time.

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Mr. Roger read the Legal Notice as follows:

“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, February 27, 2008 at the Watertown High School Technology Center 324 French Street Watertown, CT to hear and act upon the following applications:

Application #881 of Nick Perugini requesting the following two variances of Watertown Zoning Regulations concerning R-T Residential Transition Zone: 1) a variance of 152,694 Sq. Ft lot area 2) a variance of 29% additional impervious surface coverage to permit the construction of a 4,000 Sq. Ft office building and associated parking area on a 21,546 Sq. Ft lot at 505 Straits Turnpike, Watertown, CT in an R-T Residential Transition Zoning District. Proposed office building and associated parking will cover 54% of the lot area by impervious surface.

Section 30.6.1 of the Watertown Zoning Regulations requires minimum 65,340 Sq. Ft lot area for a 2,000 Sq. Ft office building and 174,240 Sq. Ft lot area for a 4,000 Sq. Ft office building. Section 30.6.3.E.2 of the Watertown Zoning Regulations permits maximum 25% impervious surface coverage in an R-T 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 14th day of February 2008

Dated in Watertown, CT this 21st day of February 2008

Rick Sarandrea, Chairman
Zoning Board of Appeals”

Richard Bruno, 220 South Main Street Cheshire, CT

Mr. Bruno: I have the green cards from the notices. As you all know this is an extremely difficult request for variances. The hardship is actually the change in zoning in 1990 where this property became transitional form residential. The whole character of this area has changed tremendously to office park. The house that is there is 104 years old. It’s going to be coming down in the very near future and there is no other use for this property under zoning. You can’t put a house on there at this point. An office park is what would make sense. I brought a picture of the house and the adjacent property and you will see the office that is next to it. This house really doesn’t fit in with the neighborhood. Under those conditions we’d like the substantial variances. It’s a larger office park than normal

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because of the financial difficulty of trying to make it work. Otherwise the property is going to be an empty lot in the very near future.

Mr. Sarandrea: What type of building are you going to put over there?

Mr. Bruno: It will be an office park.

Nick Perugini, 105 Plenn Court Oakville CT

Mr. Perugini: I've owned the house about 15 years and it's beyond repair. It doesn't matter what you do to it is still 104 years old. The proposed is going to be a house except an office inside. Over the years I have tried to buy the corner. It's owned by Stop and Shop and they would not sell it.

Mr. Sarandrea: How many tenants are you planning on putting in there?

Mr. Perugini: Two.

Mr. Sarandrea: How many square feet is that building?

Mr. Perugini: 4,000 on two floors.

Mr. Roger: The other question I have is what type of tenants. I was counting the parking spaces and there are only 19 spaces. If you start putting employees in there you are taking quite a bit of parking away from whatever types of customers are going to be in there. It means a lot to know what's in there.

Mr. Perugini: it's hard for me to tell you what type of tenants but you are right. It will be tenants that don't require a lot of parking like a lawyer's office or a realtor's office.

Mr. Roger: But once we ok this we can't regulate you on what you put in there. You can put anything.

Mr. Sarandrea: He would have to come back anyways for each tenant for a site plan approval to Planning and Zoning.

Mr. Roger: Well we have a building in town that went before Planning and Zoning and they don't have enough parking now. That's why I am bringing it up.

Mr. Bruno: That's a very good point and a very big concern for everyone involved. You don't want to build a building that you cannot get people into.

Mr. Swingle: Is there any reason you couldn't build with less square footage?

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Mr. Perugini: No you can't build with less square footage it's not worth the effort. I went through zoning about a month ago and they liked the idea but they want parking in the back. That creates another problem where people will have to park behind the building, walk around the building and to the front. So I'm forced to put an elevator in there if this gets approved.

Mr. Sarandrea: What size are these suites going to be?

Mr. Perugini: There will be two floors and elevator in the middle to about 1,500 to 1,600 square feet each office.

Mr. Sarandrea: Anyone else have any questions? Moosa did you go and take a look at this?

Mr. Rafey: Yes I did and my question from Mr. Perugini in the office was that why you can't put a 2,000 square foot building since this is such a small lot. In order to have a 4,000 square foot building you need a minimum of 4 acres of land according to the zoning regulations which is 174,240 square feet. Mr. Perugini has less than half an acre. I don't know what the answer is.

Mr. Bruno: When the zoning was changed to transitional, it put in the larger lot sizes. He's sitting there with a piece of property that he had no choice at this point.

Mr. Rafey: What about a smaller building?

Mr. Bruno: A smaller building economically doesn't work.

Mr. Rafey: But financial hardship is not one for this court.

Mr. Bruno: I'm not claiming that it is a hardship. I'm just saying that it doesn't work as a smaller building.

Mr. Swingle: How about parking spaces? Would he be conforming to zoning with the number of parking spaces he is proposing?

Mr. Rafey: Yes but we don't know what kind of use will be there. The use for the building has to be clear when going for a site plan to planning and zoning. I think you should go and look at this

Dr. Griffith: There are curb cuts onto Straits turnpike correct?

Mr. Bruno: Yes it does have access at this point.

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Mr. Rafey: Mr. Bruno did you go to section 71.7 of the zoning regulations because that is required that before this commission grants any variances for any application the applicant has to prove that this variance meets those regulations. Did you go through that? Can you explain?

Mr. Bruno: Well I haven't looked at 71.7 of the regulations.

Mr. Rafey: That is something for the record that you have to explain on how your application meets those regulations. Based on the zoning regulations they can not issue any variances unless you prove that you meet those regulations.

Mr. Sarandrea: Anyone from the public wish to speak for or against this application?

Rory Hoffman, 282 Watertown Road, Morris, CT

Mr. Hoffman: I am here representing my father Raymond Hoffman who lives across the street at 486 Straits Turnpike. I know that house quite well because it used to be part of the farm at one time. You can't do an awful lot with it. That's why my cousin sold it to Mr. Perugini to begin with. What he has planned there I think would be an asset to the community at this time. I only wish it went all the way to the end because what you have there is basically derelict land. They don't even maintain their sidewalks. I for one don't have any problem with it and my father certainly doesn't. That's about all I have to say at this point.

Mr. Sarandrea: Also we have a letter from a neighbor. Will you read that into the record?

Mr. Roger: This was hand delivered to Rick Sarandrea:

**“To: Rick Sarandrea, Chairman of the Zoning Board of Appeals
Planning and Zoning Office, 51 Depot Street, Suite 502, Watertown CT**

Re: To Zoning Board of Appeals concerning Application #881

Dear Chairman,

We have received notice of the proposed Zoning Board application #881 involving Nick Perugini's request for a variance. We do not oppose this request provided that the proposed building is consistent in appearance and in character with our building or similar type of building.

**Very Truly Yours,
Michael Damico”**

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Mr. Sarandrea: Anyone else from the public wish to speak for or against this application? Do I have a motion?

Mr. Rafey: Do you want to set a date for the site walk? The next meeting is on March 26, 2008. Do you want to see it before the meeting?

Mr. Sarandrea: We will do it the night of the meeting. Is 6 o'clock ok?

Mr. Bruno: Should the applicant stake out the foot print of the building?

Mr. Sarandrea: Yes.

Mr. Bruno: I'm going to be away on March 26, 2008.

Mr. Sarandrea: Do I have a motion to table and have a site walk at 6:00 PM on March 26, 2008?

Motion was made by Dr. Griffith to continue the public hearing and schedule a site walk for March 26, 2008 at 6:00 PM and seconded by Mr. Swingle.

Discussion: None Vote: 5 in favor Abstained: 0 Opposed: 0

MOTION PASSED UNANIMOUSLY

Attest:

Enrico Sarandrea, Chairman
Zoning Board of Appeals

Jennifer Guerrero, Minutes Secretary