

MINUTES

WATERTOWN ZONING BOARD OF APPEALS REGULAR MEETING

WEDNESDAY, MARCH 26, 2008 - 7:30 P.M.
WATERTOWN HIGH SCHOOL TECHNOLOGY CENTER

PRESENT: Mr. Phil Roger, Chairman
Mr. Enrico Sarandrea, Vice Chairman
Dr. John Griffith
Mr. Roger Mitchell

ABSENT: Ms. JoAnna Abraham, Secretary

ALTERNATES PRESENT: Mr. Gary Swingle (In for Joanna Abraham)

ALTERNATES ABSENT: Mr. Jason Aldridge
Mr. Jeff Franson

OTHERS PRESENT: Moosa Rafey, Assistant Zoning Enforcement Officer

1. Call Meeting to Order

Mr. Sarandrea, Chairman, Called the Meeting to Order at 7:45 PM (8:54 PM)

2. Roll Call

Mr. Swingle, Interim Secretary, executed the Roll Call.

3. Action on Minutes

- A. Public Hearing February 13, 2008 App. #877 Board of Ed. Polk School
- B. Public Hearing February 13, 2008 App. #878 Board of Ed. Judson School
- C. Public Hearing February 13, 2008 App. #879 Board of Ed. High School
- D. Special Meeting February 13, 2008
- E. Public Hearing February 27, 2008 App. #880 Michael Perugini
- F. Public Hearing February 27, 2008 App. #881 Nick Perugini
- G. Public Hearing February 27, 2008 App. #882 Taft School
- H. Regular Meeting February 27, 2008

Motion was made by Dr. Griffith to approve 3A and table 3B through 3H and seconded by Mr. Sarandrea.

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

MOTION PASSED UNANIMOUSLY

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4. Old Business

- A. 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.

If the public hearing is closed on March 26, 2008 then a decision is required by May 29, 2008.

Mr. Roger: Can I have a motion and then a second and then we will discuss it.

Motion was made by Mr. Sarandrea to approve and seconded by Mr. Griffith.

Discussion:

Mr. Mitchell: It still seems like an awful big building on a little place regardless of the hardship.

Mr. Sarandrea: I thought the same thing to but I didn't realize he was putting in an elevator so you have to discount a pretty good size square footage for that elevator that you are going to lose in the center of that building.

Mr. Roger: Still he is covering twice the amount that's allowed by the regulations. There are reasons for these regulations also.

Dr. Griffith: Nothing is going to be built on the other half of that lot towards Bunker Hill.

Mr. Sarandrea: That's a dead lot. We discussed that when we were on the site.

Mr. Roger: That lot that's on the corner is that about the same size as what he has.

Mr. Sarandrea: It's smaller.

Mr. Swingle: I'm leaning towards the notion that if these regulations were adopted in steps and the business use was allowed unrestricted in terms of the impervious and the coverage and square footage area, at that point to me the hardship is the fact that it's pre-existing non-conforming.

Mr. Mitchell: I have no problem with the way it's going to look I'm sure it will be beautiful, but I just have a problem with the size of the lot.

Mr. Sarandrea: If you think about it, even if you took 10 feet off of that building, you won't even see it. That elevator is going to take up some room on two stories. To rent you

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need at least 1,200 to 1,500 Sq. Ft. or you're not renting it. The driveway is also being moved so the lot will look bigger.

Mr. Mitchell: The drawing that he had looked like the basement stuck up out of the ground.

Mr. Sarandrea: It's the contour of the property.

Mr. Rafey: I'll make sure that they meet the height requirement. The maximum floor area is 4,000 Sq. Ft. The basement is just a mechanical use so they cannot put another business in the basement.

Mr. Swingle: I think that if we can stipulate that all the drainage is contained on site that could be a condition.

Mr. Rafey: For the drainage the Planning and Zoning Commission will look at it.

Mr. Swingle: I think we are looking at impervious surface regulations and it pertains to us.

Mr. Mitchell: Is there some way to cut down the impervious surface?

Mr. Roger: Yes if he doesn't pave it.

Mr. Sarandrea: But that has nothing to do with us.

Mr. Mitchell: What kind of hassle would it be to have crushed rock over asphalt?

Mr. Swingle: He should deal with the water on site.

Mr. Rafey: You can put that with a condition that there must be 0% increase in run-off.

Mr. Swingle: if we approve it I don't think it's against the zoning regulations. They are trying to make a transition.

Mr. Roger: The footprint of the building is not going to be smaller if we even cut it in half. If we cut the square footage in half it will still be the same.

Mr. Rafey: Just for your information the building does meet the footprint requirement. You won't need the variance. The only thing it doesn't meet is the impervious surface coverage and the square footage.

Mr. Mitchell: Would crushed rock work on that without screwing it up?

Mr. Sarandrea: Like Gary said we will just put a contingency on that he has to contain it on site. Then Zoning will take it from there.

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Mr. Swingle: Then he can work with it from there without us getting involved whether they want it paved or not.

Mr. Rafey: Do you want to amend your motion?

Mr. Sarandrea: I'm going to amend the motion to state that all drainage is to be contained on site and there be 0% run-off to the neighbor in the back of the property. I'm making the motion that we approve application #881 with the conditions that drainage remains on site and there be 0% run-off and that the basement is solely used for mechanicals, storage, and the elevator.

Dr. Griffith: Second.

Everyone: AYE.

Motion was made by Mr. Sarandrea to amend the motion to approve to state that 1) all drainage be contained on site and there be 0% run-off to neighboring properties and 2) the basement shall be used for mechanical supplies, the elevator, and storage only approved and seconded by Mr. Griffith.

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

MOTION PASSED UNANIMOUSLY

5. New Business

A. Application #883 of Wishbone Realty, LLC for 2 variances of the Watertown Zoning Regulations concerning real estate signs to permit a 72 Sq. Ft temporary freestanding sign at 1128 Main Street, Watertown, CT in a B-G General Business Zoning District.

If the public Hearing is closed on March 26, 2008 then a decision is required by May 29, 2008.

Vice Chairman, Mr. Sarandrea, excused himself at 9:04 PM.

Motion was made by Mr. Swingle to approve App. #883 subject to the following conditions 1) the sign shall be removed as soon as the applicant finds a tenant and starts the construction for application #883 of Wishbone Realty, LLC for 2 variances of the Watertown Zoning Regulations concerning real estate signs to permit a 72 Sq. Ft temporary freestanding sign at 1128 Main Street, Watertown, CT in a B-G General Business Zoning District and seconded by Dr. Griffith.

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

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- B. Application #884 of Candee Hill Junction, LLC for 2 variances of Watertown Zoning Regulations concerning freestanding signs to permit the installation of a 48 Sq. ft sign at 1400 Main Street, Watertown, CT in a B-G General business Zoning District.

If the public Hearing is closed on March 26, 2008 then a decision is required by May 29, 2008.

Mr. Sarandrea returned to the board at 9:05 PM.

Motion was made by Mr. Sarandrea to approve App. #884 subject to the following condition 1) that one sign remains for both properties until lots are sold and if sold to separate owners sign must change to two conforming smaller signs for application #884 of Candee Hill Junction, LLC for 2 variances of Watertown Zoning Regulations concerning freestanding signs, to permit the installation of a 48 Sq. Ft sign at 1400 Main Street, Watertown, CT in a B-G General Business Zoning District and seconded by Dr. Griffith.

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

MOTION PASSED UNANIMOUSLY

- C. Application #885 of Lynnfield Acres, LLC for a variance of 50 foot to front property line setback to permit the construction of a new single-family dwelling on Lot 6 Bellemeadow Drive, Watertown CT.

If the public Hearing is closed on March 26, 2008 then a decision is required by May 29, 2008.

Motion was made by Mr. Sarandrea to table App. #885 of Lynnfield Acres, LLC and seconded by Mr. Mitchell.

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

MOTION PASSED UNANIMOUSLY

6. Communications and Bills

- A. Town of Watertown Elected and Appointed Officials Code of Ethics
- B. Conflict of Interest and Predisposition in Connecticut Zoning Law
- C. Russell Erickson Letter dated March 20, 2008

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Motion was made by Mr. Sarandrea to accept for filing items 6A through 6C and seconded by Dr. Griffith.

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

MOTION PASSED UNANIMOUSLY

7. Communications and Bills

None

8. Adjournment

Motion was made by Mr. Sarandrea to close the regular meeting at 9:25 PM and seconded by Dr. Griffith.

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

MOTION PASSED UNANIMOUSLY

Attest:

Phil Roger, Chairman
Zoning Board of Appeals

Jennifer Guerrero, Minutes Secretary