

Town of Watertown
Planning and Zoning Commission
Special Meeting
Minutes

Time: 7:35PM
Date: January 21, 2009
Place: Watertown High School Technology Center
324 French Street
Watertown, CT

1. Call meeting to order

2. Roll call

Members Present: D. Minnich, C. Mancini, G. Dupliese, D. George

Members Absent: R. Russ, M. Masayda, G. Martin, J. Blais, K. DeMirs,
R. Rondeau

Others Present: Ruth Mulcahy, Administrator of Land Use
Chuck Berger, Town Engineer

D. George sat in for R. Russ

3. Council of Governments – Home Connecticut

Mulcahy: Ms. Mulcahy informed the Commission that the application and the resolution from the town council and the resolution from the Planning and Zoning Commission has been completed and will be mailed out on Friday.

Minnich: The issue that we talked on the phone with Chuck Frigon is all taken care?

Mulcahy: There were two estimates by two leading Land Use Attorneys Mark Rance was \$5,000.00 and we put our application for up to \$14,000.00 and Dwight Meriman he estimated anywhere from \$5,000.00 to \$13,000.00. We will certainly have enough money in the grant applications to pursue it if we choose to.

Minnich: Just for purposes of clarity we left off with if we had sufficient money in the grant to be able to have an attorney that specializes in this area to write a draft for us in our regulations. The purpose of this grant is by the state to provide funding to local governments so they could write the regulations.

Mulcahy: The first part of it is where you want it in your community to identify areas.

4. Communications and Bills

- a. Letter dated January 4, 2009 from Delma Way Re: Main Street/Belden Street, Watertown – traffic concerns

Minnich: My thought on this is the site plan is approved as it is, the jurisdiction should be for the Police Commission and you can give your thoughts on this. I will ask you what should be our position on this.

Dupliese: I think there should be no parking on both sides of Belden Street. My daughter pointed that one day when driving by there was 14 cars on Belden Street. One car parked in front of the hydrant on Belden Street on the right hand side and she got out of her car and walked to Blockbuster. It is an accident waiting to happen on Belden Street.

Mancini: I also go by two or three times a day in the afternoon and the evening and I am surprised that nobody has not gotten hurt yet. I think the recommendation should be for no parking signs up to that private property line.

George: Safety is our issue. That grade on that street does not allow for single or double parking on that street, it is a safety issue. No parking on both sides of the road up to the change of direction of the road.

Minnich: I agree with you. They did not address going up further when we allow no parking in front of someone's house I don't know what implications that has for those particular neighbors.

George: You may be right. It is more for that plaza.

Minnich: Time will tell if they park above that 200 feet.

George: We can address that when it happens.

Text of Motion: Request Ruth Mulcahy to write a letter to the Watertown Police Commission, and if necessary attend the Watertown Police Commission meeting, expressing the Commission's position, that for purposes of public safety, the first 200 feet on Main Street/Belden Street be signed so there is no parking on either side of the street. Ms. Mulcahy was also requested to contact Delma Way to thank her for her letter and inform her the Commission does not have jurisdiction over the parking on Belden Street and that the Commission will refer the letter to the Police Commission and also to have Ms. Way attend the Police Commission meeting if she so wishes.

Motion made by: C. Mancini
Seconded by: G. Dupliese
Aye: 4 Nay: 0

5. Articles on Agenda

- a. **Applicant:** Watertown Planning & Zoning Commission
Re: Amendment to Watertown Zoning Regulations
Section 42 – Restricted Industrial – IR-80 and
IR- 200
Districts – Add Section 42.3.10

Minnich: May I suggest a motion that:

Text of Motion: The Watertown Zoning Regulations be amended to add Section 42.3.10 that reads "In an IR-80 zone, Building or Construction Contractors with no outside storage of unregistered vehicles, equipment, materials or supplies".

Motion made by: G. Dupliese
Seconded by: C. Mancini
Aye: 4 Nay: 0

Text of Motion: The effective date of the amendment be January 30, 2009
Motion made by: D. George
Seconded by: G. Dupliese
Aye: 4 Nay: 0

Minnich: Please make sure the date of the application is on or subsequent to January 30, 2009 that staff has that so recorded as the date not before.

Hill: Does that go in with the calling of the meeting being prepared in sufficient time?

Minnich: The law is it has to be the day after the public hearing, there is 15 days for them to appeal. Our practice has been you can make an application any time after the notice of hearing, but we cannot approve it until that time.

Mulcahy: I think the packet will be going out January 30th is that your question? Your application or packet has to be stamped on or after January 30th we will give you an update.

Dupliese: I do appreciate your comments and the design you came up with for that lot. I think it will be a nice building on that lot.

b. Applicant: Watertown Planning & Zoning Commission
Re: Amendment to the Watertown Subdivision
Regulations – Section 5 – Design Standards
5.2 Building Lots – Change Text: Section 5.2.1
Add Text: Section 5.2.1

Minnich: The motion if I may suggest is to:

Text of Motion: Delete the existing Section 5.2.1 and in its place are these words: Access shall be from the length of the lot along the line of the street or proposed private street connecting with an accepted Town or State road, from which a driveway has been provided or is possible to be provided for the access to the principal use or possible principal structure use.

Motion made by: C. Mancini
Seconded by: G. Dupliese
Aye: 4 Nay: 0

Minnich: Is there a motion then that:

Text of Motion: The Language that has been approved is not significantly different from the language that was published for public hearing and the effective date of the text amendment is January 30, 2009

Motion made by: C. Mancini
Seconded by: G. Dupliese
Aye: 4 Nay: 0

Minnich: **Next it the text amendment under the same items as section 5.2.10 we talked briefly at public hearing about some language which had different works. I want to bring attention to one other item and I am not seeing that it should be part of 5.2.10 should be a new section following the last one which should be 5.2.5.16. Instead of being an addendum to .10 it should be a new section.**

Mulcahy: I think it makes sense because it differentiates between residential and none residential. Does anybody have questions or issues?

The suggested motion is that read as follows:

Text of Motion: Add New Section 5.2.5.16 each residential lot shall have its own driveway. Joint use or shared use of residential driveways with adjacent lots is prohibited. The Commission may waive this section of the regulations by a $\frac{3}{4}$ vote of approval to waive (6 members), provided the Commission determines a driveway is shared with no more than one adjacent building lot, the common driveway is safe, and the common driveway meets all other driveway regulations. A common driveway agreement acceptable to the Commission shall be recorded by the owner on the Watertown Land Records for each building lot having a common driveway. The recording shall be executed no later than the time the Site Plan Mylar's are signed by the Commission

Dupliese: When we say $\frac{3}{4}$ six of the seven numbers if we had somebody in front of us that was asking us for a shared driveway and there were only four members present does that mean we cannot vote on it?

Minnich: No, that is not our rule that is state law.

Motion made by: C. Mancini
Seconded by: G. Dupliese
Aye: 4 Nay: 0

Text of Motion: The Language that has been approved is not significantly different from the language that was published for public hearing and the effective date of the text amendment is January 30, 2009

Motion made by: C. Mancini
Seconded by: D. George
Aye: 4 Nay: 0

Minnich: I want to state our reasons for doing this in this case as well as others. I find this in the public interest to change the language so that the common driveways in this case are more restricted than what they currently are and for the purposes of safety and for environmental concerns are supported by us.

Dupliese: When we accept a subdivision with common driveways, I think what we are doing is we are taking a developers problem and changing it on to the homeowner and the developer gets his way to add more lots on his development at some later date. The unhappy home owner has problems with everyone taking care of the maintenance of the common or share driveways.

George: I was applauded by the many uses off of that one private driveway. What we were allowing to happen is to bypass a cull de sac with all the regulations on the cull de sac. I think this is a great change.

Minnich: Having seen what is possible for someone to come before us, there was never a possibility I even thought possible in regards what the language said.

Mancini: I feel we are projecting the town character with the new amendments we have now.

Minnich: I want to go back to the first issue of the contractors to the IR80 and IR200 which are premier properties. I have no issues in finding in the town's best interest to have this kind of development. Times have changed from when development was done years ago and making them less restrictive. The concerns we have had in this discussion in section 42 it has been clarified in the language approved, we have addressed any concerns we might have up there.

Dupliese: In industrial zone I agree it is premier property but the design the applicant's have brought in front of us tonight and in the past it is a beautiful building and a good addition to the town.

- c. **Applicant:** **Watertown Planning & Zoning Commission**
 Re: **Amendment to the Watertown Subdivision**
 Regulations – Section 5 Design Standards
 Add Text Section 5.18.3

Minnich: Based on our discussions this evening I will suggest a motion that:

Text of Motion: Section 5.18.3 entitled Shade Tress Planted by Applicant be deleted and in its place these words: As a requirement of Subdivision approval, the applicant shall plant shade trees on the property of the proposed subdivision, except where, in the opinion of the Commission, existing trees are to be retained by the applicant in sufficient number and location to meet the intent of this section. Such trees are to be planted on both sides of the street and shall be located at least 3 feet from the right of way and no more than 20 feet from the right of way on streets within and abutting the subdivision. Where required, one tree shall be planted every 50 feet of frontage along each street. Determination of precise locations for trees shall consider future possible locations of driveways and utility connections. New trees to be planted pursuant to these Regulations shall be approved by the Commission's agent, shall be nursery grown, of specimen quality, balled and burlapped, straight-stemmed, and free from disease. Such trees shall have a minimum trunk diameter (measured 12 inches above ground level), of not less than 2 ½ inches in caliper, and shall be guaranteed by the applicant for growth with a three year cash bond from the time of planting or replanting. Only long-lived shade trees such as Sugar Maple, Pin Oak, Red Oak, London Plane, or other species acceptable to the Commission shall be planted.

Motion made by: C. Mancini

Seconded by: D. George

Aye: 4 Nay: 0

Text of Motion: The Language that has been approved is not significantly different from the language that was published for public hearing and the effective date of the text amendment is January 30, 2009

Motion made by: C. Mancini

Seconded by: D. George

Aye: 4 Nay: 0

Minnich: For purposes of the record we will indicated why this was done.

Mancini: I will bring up that trees have died in the 3 year period and I did not think it was right. I feel that the developer should be responsible for the tree planting.

Minnich: I agree with everything said and agree with the process of 3 feet and no more than 20 feet for the right of way thank you Chuck.

6. Old Business

a. Text amendments initiated by Commission members:

1. G. Martin: Parking regulations

Mulcahy: There is quite a significant difference in the requirement of the parking spaces for retail and restaurants from Woodbury; they have a much higher requirement. The requirements for Watertown are somewhat adequate if followed and variances are a problem to.

Minnich: We need to review this higher use that requires more parking, and look into the flow of parking.

Mulcahy: If you look at Woodbury it is 1 space for 150 square feet. It is 1 per 250 square feet that is significant difference.

Ms. Mulcahy said she has sent the parking regulations from the different towns and from COG to Attorney Hess and also to the members of the parking regulations sub-committee.

Minnich: **Next is Common Driveways.**

Mulcahy: 99.99 % of the subdivisions are residential this will cover what you are looking for in the subdivision regulations. Dave suggested putting in residential driveway. I also called the Fire Marshal and discussed the different requirements they had for hammerheads and pull offs.

Minnich: Half way down it says common driveways shall be minimum travel with the 12 foot wide and 2 feet wide shoulders, my question is regarding the maximum do we need to put in: the Commission will determine the maximum travel surface width. It should say that the Commission shall determine the travel surface width. Is that okay Chuck?

Berger: Yes

2. R. Mulcahy: Common Driveways

Ms. Mulcahy discussed the changes made. A sentence will be added: The Commission will determine the travel surface width. A referral will be sent to the Council of Governments and a public hearing will be scheduled for March 4, 2009

Motion made by: C. Mancini
Seconded by: D. George
Aye: 4 Nay: 0

3. G. Dupliese: Lot sizes – Mr. Dupliese is still working on this text Amendments.

4. R. Rondeau: Open spaces – Mr. Rondeau was not present

5. Other text amendments - None

7. New business

a. Request for 8-24 Approval, Public Works Department 5 Year Capital Improvement Program (CIP) Plan

Berger: This is at the beginning of the process and it is before you for 8-24 approval for your determination that the project that is on our list of things to do.

On the 2 summary pages (FY09-10CIP) it divides our capital improvement program onto our major program which includes new road construction, sidewalks, road improvements, flood control, bridges, building construction, the greenway and dam safety work. On the right hand side it talks about where the money is coming from the projects we are proposing.

This year with the budget concerns and economic situation it is significantly reduced number of projects proposed for this current year. On the following pages are the detailed summaries for each of the projects.

Minnich: From the presentation made by the public works before regarding the Veterans Park Facility Improvements is their money in here to supplement that which had a grant from the state participating with the comments we made last time for lighting and some other things? Is there funding here or are you considering that additional capitol?

Berger: There are no funds in this for the metal building project.

Minnich: The engineering for these road projects particularly they are going to be done in (inaudible) years, is the time and money that is spent by the public works department within their own operating budget, is that sufficient to do the engineering? Or when the numbers come to us, or shown here is here any narrative included in the estimates? How is the engineering portion improvements done?

Berger: I believe it is done on a project specific basis, some of the engineering done utilizing town staff as in kind services and those costs are not reflected in this summary. There are some projects that are beyond our capabilities and or can be done more efficiently by an outside consultant. I believe some of those are identified in here, we are looking for engineering money to bring a project forward. We try to do many things in house that we can do.

Minnich: Regarding GIS, I understand there is a change that is occurring from day one with GIS in regards to who is doing it and how it is being done? What implications does this have with regards with the program here? Is there funds here to change the GIS in town?

Berger: There is a couple parts to the GIS program from the Public Works perspective. In our general fund budget there is line item for GIS which has been utilized to continue to bring the GIS program forward. We are in the midst of scanning the engineering plans. It will eventually lead to a GIS layer that we can all utilize the map which will have engineering drawings. Whatever we were granted in the budget process last year we are asking again this year.

The capitol improvement program I believe you will find in the flood control section. There is a mater storm drainage plan proposed this year at a cost of \$5,000.00 in coordination with the GIS proposal. It is to take the storm water system that we have in place those plans that are in the drawers that are going to be the GIS layers and begin to develop hydraulic models of the storm sewer systems here in town. At some point in the future consultant will utilize these models consistently as we evaluate future development proposals in town so we make the correct drainage

systems.

Text of Motion: Approve the request for 8-24 approval of the Public Works Department 5 Year Capital Improvement Program (CIP) Plan.

Motion made by: D. George

Seconded by: G. Dupliese

Aye: 4 Nay: 0

b. Wolf Hill Subdivision, Woodbury Road, Bond Release \$82,541.25

Berger: I handed out a memo from myself dated yesterday we have modified his request and we are recommending a bond reduction of 130,430.00. He had requested more than that. That 82,000.00 that appears on the agenda is his remaining bond we are actually going to be holding 189,115.00.

Minnich: Is that addressed satisfactorily to you? Part of the slowness of coming to this for bonding was the problem they had some drainage issues on the road, is that true?

Berger: There is some slope stabilization at the entrance as well up to the cull de sac.

Mulcahy: That slope collapsed and the storm water basins were up higher than they were supposed to be.

George: The stone back maybe something that would work better than stabilization that they have been trying to do?

Berger: It is possible we are going to revisit that later this spring as things start to dry out we can get a better look.

Mulcahy: We recommended to him a retaining wall there. He was adverse to that suggestion because of the expense.

Dupliese: So he is going to have a reminder of \$189,000.00 now?

Minnich: Is that enough for a retaining wall?

Mancini: In addition to everything else now is it going to be enough?

Berger: Probably not, there needs to be a top course of pavement and the other items the fire tank.

Minnich: We are meeting in 2 weeks and go over it again.

Dupliese: If there is a lesser number we can release and cover some of the concerns we have.

Mulcahy: We received this request on January 9th.

Minnich: I agree we should release something but what we release is the right amount.

Berger: If we rounded to \$100,000.00 dollars it would leave an additional \$30,000.00 for any slope stabilization or a retaining wall if needed.

Text of Motion: Approve a bond release in the amount of \$100,000

Motion made by: C. Mancini

Seconded by: D. George

Aye: 4 Nay: 0

c. Street Acceptance – Artillery Road, Killorin Road, Cornwall Drive and Whispering Hill Road.

Minnich: I read your memo and I thank the Public Works Department in getting involved.

Text of Motion: Accept the recommendation of the Public Works Department and recommend to the Town Council that Artillery Road, Killorin Road, Cornwall Drive and Whispering Hill Road be accepted as Town roads and the descriptions of the roads as presented in a memo to Ruth Mulcahy from Roy Cavanaugh on December 9, 2008.

Motion made by: G. Dupliese

Seconded by: D. George

Aye: 4 Nay: 0

Mancini: On Cornwall Drive, I know that Roy Cavanaugh has been going through the whole town eliminating street lights and adding lights to areas that do not have them and that are needed. Cornwall Drive there is an intersection Old Colony Road that does not have a street light there, so I would like to see a street light put in there. I did mention it to Roy Cavanaugh.

Minnich: I would like to amend this until such time a street light is resolved.

Berger: I will check on that and look at the spreadsheet.

Text of Motion: Amend the motion to not include Cornwall Drive for acceptance and recommendation to the Town Council of Cornwall Drive. The expectation will be that the recommendation of Cornwall Drive for acceptance will be returned to the Commission at such time there is a street light installed at Cornwall Drive and Old Colony Road.

Motion is made by: D. George
Seconded by: G. Dupliese
Aye: 4 Nay: 0

d. Watertown High School Bond Release - None

c. Judson Elementary School Bond Release - None

8. Adjournment

Text of Motion: Adjourn at 8:45PM
Motion made by: C. Mancini
Seconded by: D. George
Aye: 4 Nay: 0

Michael Masayda _____
Secretary