

**Town of Watertown
Planning and Zoning Commission
Special Meeting**

Time: 7:00 PM
Date: Wednesday, February 18, 2009
Place: Watertown High School Technology Center
324 French Street
Watertown, CT

1. Call meeting to order

2. Roll Call

Members Present: D. Minnich, R. Russ, G. Martin, C. Mancini, G. Duplissie, J. Blais,
D. George, R. Rondeau

Absent: M. Masayda, K. Demirs

Other members present: Ruth Mulcahy, Administrator of Land Use

D. George sat in for M. Masayda

3. Articles on agenda

a.	Applicant:	Garsan Corporation
	Agent:	Steven Whittaker
	Re:	Site Plan Application
		Proposed 15,000 Sq. Ft. contractor
		business building
	At:	Mountain View Drive, Watertown
	Zone:	IR-80 district

Text of Motion: Table

Motion made by: C. Mancini

Seconded: R. Russ

Aye: 6 Nay: 0

b. Applicant: Michael Masayda/Jeffrey Scheurich
Re: Lot Line Revision
At: Hard Rock Road
Zone: R-90 District

Mulcahy: The lot that is going to be subtracted is being reduced to 5.586 acres this is an R90 zone and is a little over a two acre zone. It is a pretty straight forward lot line revision.

Duplissie: It does not say how big the existing lot is?

Mulcahy: The existing lot is 4.21. and then 2.57.

Duplissie: This does not make another building lot does it?

Mulcahy: No, because of the frontage. 2.57 is this the new section which is darker that is what is being added on to the 4.2.

Text of Motion: To accept the plan, the map depicting a lot line revision for Michael Masayda & Susan Masayda of Hard Rock Road in a plan dated January 20, 2009.

Motion made by: C. Mancini
Seconded: R. Russ
All in favor and none opposed.

R. Rondeau arrived 7:05
G. Martin arrived 7:11

c. Applicant: City of Waterbury
Re: Bureau of Water
Wigwam Reservoir
Site Plan/Special/Permit #260
Construction of pump house
Zone: R-90 District

Mike Wilson – Consulting Engineers for the Bureau of Water Project

Basically we are converting a downstream gate chamber that is Wigwam Dam and we are converting it into a pump station. This is a result of lengthy legal settlement between the City of Waterbury and several environmental groups. The DEP will be funding this project. There is an existing structure downstream of the dam just adding a small house on top of this to protect the pumps, instrumentation and electrical equipment associated with it. The reason for the pump station is to effectively utilize the waters of Wigwam Reservoir.

Mulcahy: We had discussed when they came in the urgency of their project, getting the newspaper and the public hearing in the Waterbury paper and the Town Times. We could put it in for Saturday for our regular meeting on March 4th.

Text of Motion: To accept their application for review and establish a public hearing for March 4, 2009.

Motion made by: D. George
Seconded: R. Russ

Aye: 7 Nay: 0

d. Applicant: Planning & Zoning Commission
Re: Text Amendment and Zoning Map
Change to lay zoning regulations on
Properties coming into Watertown
From Waterbury
B-C – Central Business district

Minnich: Is there a memo on this?

Mulcahy: We are waiting for the description of meet and bounds of properties that are coming in from the City of Waterbury. Today I spoke to the Town Manager who was going to speak to the Director of Public Works, Roy Cavanaugh and he said if Mr. Sager has time to do it. I did not get a confirmation as to when and if Public Works was going to do it. But the Town Manager has asked the Public Works to complete the description of the meets and bounds to meet our regulations and the state statues to hold a public hearing on a map change to lay the zoning for the properties coming into the Town of Watertown.

Duplissie: The meets and bounds of the total perimeter of the individual's properties that are in this.

Mulcahy: I think Dave had an additional conversation with Attorney Jessell on it.

Minnich: I suggested that it is going to be necessary as some point I don't understand the deadline the legislature in getting this in and there is some deadline that Paul has it meet.. We noted that on the new southeast portion of the new land coming into Watertown there are some issues with the documents with the land records of Waterbury and that complicates the whole process. At minimum what we need is the perimeter of the zone with the meets and bounds.

George: And that is what we have right here.

Minnich: No, we do not have all the meets and bounds and that is the problem. We have the outline but not the legal description. Whatever the arrangement is when we let a zoning boundary map change what is required we get the meets and bounds, the boundaries of the zone that we are going to be laying has to be noticed and put in the legal description and file with the town clerk's office prior to the date of the public hearing notifying everyone of the zone map change.

Text of Motion: Table

Motion made by: D. George

Seconded: J. Blais

Aye: 7 Nay: 0

- e. **Applicant:** **New Millennium Development, Inc.**
 Agent: **Atty. Robert Reeve, Scully Nicksa**
 & Reeve, LLP

 Re: **Subdivision Application – One lot**
 Affordable Housing Development to
 Be known as Mount Fair Village
 Corner of Buckingham Street and

 At: **Nova Scotia Hill Road**

 Zone: **PCD Overlay Zone R-30**
 (Public Hearing Recommended)

Robert Reeve

Since we were here two weeks ago we had the opportunity of discussions with many of the neighbors, including representative of the town's associations and the interveners. We listened to what they said; and we would like to try to modify our application to meet some if not all of their concerns. We think the most orderly way to do that is to withdraw all pending applications. This afternoon I faxed a letter to Ms. Mulcahy.

I have a letter it is dated today from me to Commission members.

Since your meeting of February 4th, representatives of New Millennium had discussions with some of the neighbors including the representative of the West View Village Condominiums Association and some of the interveners. New Millennium has listened to the concerns of the neighbors and is willing to modify its application to attempt to address those concerns.

In order to do so in an orderly manner New Millennium wishes to withdraw all of its pending applications provided that the Commission agrees to credit the application fees previously paid against any future land use filing fees incurred by New Millennium.

You may consider this letter a withdrawal of those applications effective upon the Commission voting to accept the withdrawal and credit the application fees previously paid and future land use filing fees incurred by New Millennium.

It says thank you and I have signed it.

Minnich: I certainly want to thank you for taking the time with the residents and hopefully this will work out for you. There are some who think the land should be pristine property and stay that way. I do want to point out as a starting point is what currently zoned and what is in the regulations and a good starting point is to ask Ruth or go on the website and see what is in an R30 and Planned Community Development. The bottom line is they have an of right to develop housing on that property and some have communicated that is not what we want to have happen. That is not the starting point and that is what I want to communicate. I certainly thank you.

Martin: Have we incurred any cost associated with this application to date?

Mulcahy: Obviously this is a large application many days have been spent reviewing the maps and application and much time from engineering as well as in the Land Use Department and in office costs. There have been site inspections with water courses.

Martin: Are they identifiable.

Mulcahy: I had everyone track their hours.

Minnich: The request is a credit, the town has the money. The assumption is that they are going to come back at some point, the time that has been invested by the Town Attorney's office in this matter would be time that we would not have to re address on the new application the legal issues that would be spent on the new application. The time that has been spent on some of the issues, the property line, the drainage and some of the review that Ruth has done will be the same review that you will need to do for the new one. Based on the actual plan and the layout may be different and yes there is indeed some cost of those. In my thinking the lion's share of the time that has been spent on the whole reason for the purpose of the fees plus they are going to be applying again. We not have to be duplicated not that level of time or whatever amount of money it is.

Martin: Those are good points. It is not lost time, it is time spent done now or done later.

Minnich: I will give you my copy and I received today communication from Mr. Berger regarding the traffic impact and he is requesting the timing of the traffic and I will give you a copy. You should also assume in this process we will want to get an independent traffic review which will take some time. Joe do you have any questions?

Joe Seacrest: No, could I get a copy of that traffic impact.

Text of Motion: Accept the withdrawal of the application and to credit the amount of monies paid for this application towards the new application of the similar project.

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

f. Applicant: New Millennium Development, Inc.
Agent: Atty, Robert Reeve, Scully, Nicksa & Reeve, LLP
Re: Zone Change Application from PCD Overlay/R-30 to Affordable Housing Development to be known as Mountain Fair Village
At: Corner of Buckingham Street and Nova Scotia Hill Road
Zone: PCD Overlay Zone/R-30 (Public Hearing required and Regional referral required)

Text of Motion: Accept the withdrawal of the application and to credit the amount of monies paid for this application towards the new application of the similar project..

Motion made by: D. George
Seconded: C. Mancini
Aye: 7 Nay: 0

- g. Applicant:** **New Millennium Development, Inc.**
Agent: **Atty, Robert Reeve, Scully, Nicksa & Reeve, LLP**
Re: **Text Amendment Application – To add Section 31 Affordable Housing District Affordable Housing Development**
Zone: **PCD Overlay Zone/R-30 (Public Hearing Required and Regional Referral Required)**

Text of Motion: Accept the withdrawal of the application and to credit the amount of monies paid for this application towards the new application of the similar project..

Motion made by: D. George
Seconded: C. Mancini
Aye: 7 Nay: 0

- h. Applicant:** **New Millennium Development, Inc.**
Agent: **Atty. Robert Reeve, Scully, Nicksa & Reeve, LLP**
Re: **Site Plan Approval Application for Affordable Housing Development For 89 housing units to Be known as Mount Fair Village Corner of Buckingham Street and Nova Scotia Hill road**
At:
Zone: **PCD/Overlay Zone/R-30 (Public Hearing Recommended)**

Text of Motion: Accept the withdrawal of the application and to credit the amount of monies paid for this application towards the new application of the similar project.

Motion made by: D. George
Seconded: C. Mancini
Aye: 7 Nay: 0

4. New Business

a. Velardo Subdivision request for 90 day extension to record map and documentation.

Text of Motion: To approve
Motion made by: G. Duplissie
Seconded: G. Martin
Aye: 7 Nay: 0

b. Watertown High School Bond Release in the amount of \$17,651.00

Text of Motion: To accept the bond release in the amount of \$17,651.00

Minnich: I thank you for your memo Ruth.

Motion made by: G. Duplissie
Seconded: R. Russ
Aye: 7 Nay: 0

5. Executive Session

a. Personal matter and Litigation – Complaints requesting the Town Council remove Commissioners from office.

No executive session

3. Articles on agenda

a.	Applicant:	Garsan Corporation
	Agent:	Steven Whittaker
	Re:	Site Plan Application
		Proposed 15,000 Sq. Ft. contractor
		business building
	At:	Mountain View Drive, Watertown
	Zone:	IR-80 district

Steven Whittaker: I talked to Attorney Jessell and he did not think you were going to pass our application tonight because of certain questions. I think I have the answers to those questions. It is your desire to wait a couple of weeks?

Minnich: I think you do not want to make a presentation. The conversation that I had with Ruth in looking at an advanced copy of the motion of approval there were several items on there to which our Town Engineer has not had an opportunity to do the drainage, the traffic issues with regards patterns. One of the areas was for us to consider approving this and leave all of this to staff. It has been our practice once we pass a motion and there is drainage in order for us to get it fixed we have to go court. We cannot make that an site plan application conditional on anyone else's actions so, one of the comments I had with Attorney Jessell was to find out if there was some urgency. Do we need to do this tonight or our could we wait 2 weeks from now there is a meeting for March 4th.

Whittaker: March 4th is fine.

Mulcahy: The Town Engineer said he barely has enough time to get it done before March 4th, he is leaving on vacation. He needs everything the turning radius, the site distances by tomorrow morning.

Whittaker: It's is very obvious, everything works. I can have that information by tomorrow.

Mulcahy: I thought you were brining it tonight.

Whittaker: That is the one thing that the Civil Engineer did not get to me was the turning radius and the site lines. And I will give it to you tomorrow morning.

There is one thing about the drainage, there is a matter of drainage calculations when we went before Inlands and Wetlands we had discussions about the current proposal it is less intense than the previously submitted application which was approved. The building has a 2,000 square foot smaller footprint, parking and drive areas are smaller. Everything else is the same Mr. Berger at that time and the Wetlands Commission were satisfied that that was okay and did not ask us for more information. At this point no drainage calculations have been performed by the Civil Engineer and we are questioning whether it is really needed or not.

Duplissie: When that subdivision was approved there were no calculations done, that was 20 years ago from that original site. Subdivisions have calculations and those do not meet today's calculations.

Minnich: If Chuck Berger is happy then we are generally happy. Is it something that Ruth wanted?

Mulcahy: It's in our regulations about drainage and it is part of the zoning regulations and it lists Section 51 of the site plan requirements you have to have your circulation drainage. We routinely ask for all of those calculations on all the applications.

Whittaker: I am not asking for any special favors if that is a requirement then we will do provide it.

Text of motion: Table for next meeting March 4th
All in favor and none opposed.

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- 6. Adjournment: 8:00**
Text of Motion: To adjourn
Motion made by: G. Dupliese
Seconded: D. George
Aye: 7 Nay: 0

Michael Masayda _____
Secretary