



Town of Watertown Connecticut

51 Depot Square Business Center
Suite 502, Watertown Connecticut 06795-2200
Planning and Zoning, Zoning Board of Appeals, Conservation Commission/Inland
Wetland Agency
Telephone: (860) 945-5266 Fax: (860) 945-2704
Website: www.watertownct.org

Town of Watertown
Planning and Zoning Commission
Regular Meeting
Minutes Sheet

Time: 6:30PM
Date: Wednesday, June 2, 2010
Place: Watertown High School
Lecture Hall
324 French Street
Watertown, CT

1. Call meeting to order

Chairman Minnich called the meeting to order at 6:35 PM.

2. Roll Call

Ms. Allen executed the roll call.

Members Present: Chairman, Mr. David Minnich
Vice Chairman, Mr. Gary Martin
Mr. Ronald Russ
Mr. Carl R. Mancini
Alternate, Mr. Duane George
Ms. Marie Genovese
Mr. Richard Rossi

Absent: Mr. Jim Blais
Alternate, Mr. Ken Demirs

Also Present: Land Use Administrator, Ms. Ruth Mulcahy
Land Use Secretary, Ms. Carol Allen

Duane George was seated for J. Blais

3. Public Participation - none

4. Communications and bills

- a. Council of Governments Minutes April 9, 2010
- b. CT Federation of Planning and Zoning Agencies Quarterly Newsletter Spring, 2010
- c. Attorney Paul Jessell invoices for legal services rendered in the total amount of \$2,310.00
- d. E-Mail dated May 27, 2010 from Robert Rubbo to Chairman David Minnich Re: Information from DEP website regarding biomedical waste (BMW) Frequently Asked Questions

Board Member Concerns

Mr. Minnich said enclosed in the packets are documents from Torrington Health for medical waste.

Mr. Martin commented it was very informative and answered all questions that Mr. Blais and the Commission had.

Text of Motion: Place 4-a -4-d on file

5. Meeting minutes

- a. Regular Meeting May 5, 2010
- b. Motion Sheet Special Meeting May 19, 2010

Text of Motion: By unanimous consent place 5a – 5b on file.

6. Staff report

Bailey – Legal Action – postponed – Should be approved by the end of the summer. Trial date is October 7, 2010.

Chairman Minnich requested Ms. Mulcahy to inquire of her contact at DEP and ask why if they are ready to approve, why are we are losing a season for the company developing the property and ask if DEP could move the process along.

Chairman Minnich also requested Ms. Mulcahy to inquire of the Town Manager the status for the **sidewalks on Ice House Road and Echo Lake Road**. Chairman Minnich also requested Ms. Mulcahy to contact the Town Manager to inquire of the Public Works Subcommittee and the Town Council their plans for using the money for sidewalks and how to move the process along.

Mr. Minnich talked about the court hearing on Friday regarding the **Watertown Business Park** that is most likely going to be postponed due to the witness list needing to be prepared.

Chairman Minnich discussed a letter sent to the Chairman of the Town Council regarding the proposed new **Fees Ordinance**. One section has been changed Section 5.5 if the Commission could review it.

Reduction Center – Drive in site should be approved and should be ready to build for the rail facility.

Incentive Housing – Contract has been signed and sent to Boston.

7. Chairman's Report

Chairman Minnich requested Ms. Mulcahy to inquire of the Public Works Director the status of the 2004 DEP Stormwater Quality Management Report.

8. Old Business - none

9. New Business

a. Eileen Blais, Guernseytown Road, Watertown - Bond Release

Mr. Minnich you received an e-mail in your packet from Mr. Berger for a bond release.

Text of Motion: Release the bond in the amount of \$3,102.00

Motion made by: D. George

Second by: G. Martin

All in favor

b. Ken DeMirs, Davis Street Extension, Oakville – Bond Release

Mr. Minnich said there is a memo from Mr. Berger recommending the bond release for Davis Street West Subdivision and will be retaining \$2,000.00 for the balance of 3 years for tree maintenance.

Text of Motion: Approve a bond reduction in the amount of \$992.00.

Motion made by: C. Mancini

Second by: R. Russ

All in favor

c. Town of Watertown CGS 8-24 referral Town of Watertown The Green

Mr. Minnich said there has been a long standing issue as to Watertown owning the road. Mr. Jessell recommended quick claim deed.

Text of Motion: Approve 8-24 approval for clarifying ownership of the road called The Green with two deeds, and that it is in conformance with the Plan of Conservation and Development.

Motion made by: D. George

Second by: R. Russ

All in favor

d. Watertown High School bond reduction - none

e. Polk Elementary School bond reduction - none

f. Judson School bond reduction - none

10. Public Hearings

**a. Planning and Zoning Commission District Boundary Line
Amendment Lift R-T Residential Transition Overlay Zone to revert
back to R-30 Residence District Buckingham Street, Portland Street,
Echo Lake Road to the back properties of Mount Fair Drive,
Watertown, CT**

Mr. Mancini read the **public hearing notice:**

The Planning and Zoning Commission has established rules for the conduct of public hearings, copies of these rules at the doorway to this room and on the town website. While decisions are pending communication with Commission members on the merits of application should only be at this public hearing. Speak with Commission staff at other times. The Chairman has the authority to limit presentations when comments and questions are derogatory, repetitive, not on the subject matter of the public hearing or are not helpful to the Commission understanding the application. As of now there are no speaking time limits. However the Commission may establish time limits for speaking at this hearing, it is usually not to the Commission to hear statements more than once. Opinions polls are also usually not helpful and not accurate. Land use decisions run with the land and effects current owners and future

owners, it is not possible to identify and invite future land owners to participate in the opinion poll. These hearings are not a debate between the parties of interest they are forum to advise and assist the Commission with its decisions. When recognized by the Chairman come to the podium at the front of the room and speak directly into the microphone so that everyone at this meeting and the laptop computer recording at the meeting can hear you. Begin by stating your name and address, direct your comments and questions through the Chairman and not to any other person. Thank you for attending these public hearings.

Legal Notice Public Hearing:

The Planning and Zoning Commission for the Town of Watertown, Ct. will hold a public hearing on Wednesday, June 2, 2010 at 6:30 pm at the Watertown High School. Lecture Room, 324 French Street, Watertown, Ct. on the following:

**Planning and Zoning Commission District Boundary Line
Amendment Lift R-T Residential Transition Overlay Zone to revert
back to R-30 Residence District Buckingham Street, Portland Street,
Echo Lake Road to the back properties of Mount Fair Drive,
Watertown, CT**

At this hearing interested persons will be heard and written communications will be received. A copy of the map amendment is available for review in the Planning and Zoning Office, 51 Depot Street, Suite 502, Watertown, CT. between the hours of 8am and 5 pm or by calling the office at 860-945-5266 to schedule an appointment. A copy of the map amendment is also available for review in the office of the Town Clerk, 37 DeForest Street, Watertown, CT. between the hours of 9 am to 5 pm dated Watertown, Ct. this 20th and 27th day of May 2010. Carl R. Mancini, Secretary, Planning and Zoning Commission.

Mr. Minnich said our thought in doing this was that it was best to have that transition zone in place when we knew when application was coming and we would then apply it. Mr. Minnich had some issues with supporting this, in that there is an application from Mr. Norman for a 60 unit condo development on Echo Lake Road which is interior to this property boundary line of the RT zone and by lifting it he would not be able to do his development. Mr. Norman had come preliminary before the Commission and has gotten all the approvals needed from Inland and Wetland commission. He has placed his application before us now and it was not my intent and members of the Commissions to not have that project done and therefore if there is a possible way of reducing the size of this transition zone, it would require another public hearing and another

notice and so forth. Mr. Minnich asked if the members of the Commission wish to comment on this particular amendment.

Board Member Concerns

Mr. Mancini said Mr. Norman did go through the process of going through Inlands and Wetlands and to limit him now is just not right.

Mr. Martin asked when this was changed to an RT zone.

Mr. Mulcahy replied it was 1993 when they did all the revisions and that was when the map was dated.

Mr. Martin is in agreement with Mr. Mancini.

Mr. Russ said he is in agreement with what is being said.

Mr. Martin said he would like to move forward as a Commission in changing that boundary line to reflect the R30 increase from Echo Lake Road through the southerly portion of this RT zone. We would bring that up as an issue and then let the public comment.

Mr. Minnich replied our process this evening is to deny this application and bring another one to not include Mr. Norman's property.

Ms. Genovese said if we are going to lift it, we lift all, or if we are going to leave, then we leave all.

Franklin Pilicy – 365 Main Street, Watertown

I represent 741 Echo Lake Road LLC the owner of the property that has been referred to as the George Norman's property. On behalf of the owners I speak in opposition to lifting the RT zone at least to the property at 741 Echo Lake Road LLC. The present owners have owned the property for a number of years and have obtained all wetlands permits and have been in front of this commission a number of times.

Judy Wick – Northfield Road

I was on the Commission when the RT zone was put in place the reasoning behind it was that the places where it was established as an overlay was in areas where we did not think there would be single family home development. The ideal was to allow professional offices in that zone and I would hope that the Commission would not take that away. The other question I have to my recollection the RT zone has minimum of 1.5 acres, I think it creates a problem for the Commission you are opening yourselves up to a legal challenge. The idea of zoning is that someone has a right to know what he can and cannot do with this property.

Cynthia Timm 18 Portland Street

Ms. Tim said we were supposed to have 1.5 acres per property size for new homes to limit the amount of people that we were going to get into our community. Ms. Tim asked if it hinders where she lives as a home owner.

Mr. Martin went over the map with her.

Walt Ztrasky – 117 Buckingham Street

Mr. Ztrasky stated the letter that he received states the redistricting is going to be Buckingham Street, Echo Lake Road and the back properties of Mt Fair Farms. Along with it they sent a map and he was confused if his property was going to be involved or not.

The reply it was not.

Ms. Mulcahy said you have to notice everyone within 500 feet when you do a zone change of the boundary. It was a general listing so that everyone would look at the map.

Marlene Warren - 454 Mount Fair Drive

Ms. Warren asked a question we are on Mount Fair where this boundary line would end, my understanding there is a right of way that runs between our house and our neighbors that is wetlands is that something that would remain a road and how would that wetlands issue have to be addressed if this was approved.

Mr. Minnich replied this in itself would not affect that issue that you were presenting and that would be done at the time they present a site plan.

Dewayne Stevens - 380 Mount Fair Drive

Mr. Jessell is my partner and I am speaking as a private citizen. If I understand correctly what you are suggesting as a commission tonight is essentially that rather than lift the RT in its entirety ultimately the idea would be effectively carve out his parcel and then lift the RT after that.

Mr. Minnich replied that is correct at a later date.

Mr. Stevens said if someone could define within that pink area on the map that applies specifically to the land that is currently owned by Mr. Norman and is the subject of his anticipated application. I think that might answer some questions and may resolve some concerns. I do not know if you are able to do that, or through you Mr. Chairman I can ask Attorney Pilicy or Mr. Norman to do that.

Mr. Minnich replied that would be easier for me because I do not know the boundaries of their property.

Ms. Mulcahy replied there are parcel lines shown on the maps that we sent out.

Brian Baker – Civil One

Mr. Baker said he was the engineer that prepared the site plans for Mr. Norman. On the highlighted map that shows the entire RT zone on the north side of Echo Lake Road there is a 17 acre piece that is basically a little more than half of the entire RT parcels that is north of Echo Lake Road that would be the subject parcel here.

Mr. Stevens asked Mr. Baker what you are saying is that the parcel fronts on Echo Lake Road and fronts partially on Buckingham Street.

Mr. Baker replied correct

Mr. Stevens asked after Mr. Norman finishes the road he is subject to site plan approval.

Mr. Minnich replied that is correct.

Irmgard Bumfchott

Ms. Bumfchott's biggest concern for the area that is going to be developed she would hope that it is not going to be connected to Mount Fair Drive with more traffic going through our neighborhood, there are single houses with lots children, people speeding all the time and is a major concerns as far as safety.

Marlene Stawski 717 Buckingham Street

Ms. Stawski asked if you explain briefly the RT zone and what type of development would be in it.

Mr. Minnich explained the zone paraphrasing from the regulations.

Steve Ezzo – 687 Buckingham Street

Mr. Ezzo asked board do what is right for the town not what is right for Mr. Norman. Buckingham has enough traffic already a single family is what you should build there.

Melvin Walker – 82 Boram Street, Oakville

I would be in favor of you lifting this RT zone and back to the R30.

Text of Motion: Close public hearing

Motion made by: R. Russ

Second by: C. Mancini

All in favor

**b. Planning and Zoning Commission District Boundary Line
Amendment Lift R-T Residential Transition Overlay Zone to revert
back to R-12.5 Residence District Straits Turnpike, Bunker Hill Road
and Davis Street Extension, Watertown, CT**

Mr. Mancini read the notice of public hearing:

The Planning and Zoning Commission for the Town of Watertown, Ct. will hold a public hearing on Wednesday, June 2, 2010 at 6:30 pm at the Watertown High School. Lecture Room, 324 French Street, Watertown, Ct. on the following:

**Planning and Zoning Commission District Boundary Line
Amendment Lift R-T Residential Transition Overlay Zone to revert
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The issue we have addressed is one remaining property on the corner of Bunker Hill and Straits Turnpike to which the legal firm owns and which they have been before us informally to develop that property and we specifically did not include that in the lifting of the zone. The purpose for lifting this zone is that when we as a Commission receive an application we would consider laying a zone for an application to develop the

property. Until such time that would be an of right if it was lifted an R12.5 zoning district.

Fred Church 558 Davis Street

Mr. Church said the way it is now it is R12 you are going to reduce it to only single family housing.

Mr. Minnich they can still and will always be able to do an R12.5 residential housing but anything else they would have come to the Commission in order to do multifamily housing and professional offices and so forth so that would be legislative act and the Commission can say no we do not want the change the zone and they would only be able to do R12.5

Nick Perugini – 505 Straits Turnpike

Mr. Perugini asked if it is going to affect my reapproved office building.

Mr. Minnich replied no.

Richard Bartush – 41 Callender Drive

Mr. Barush said he would like to see this RT lifted and did not want to see a strip mall in this area and would like this designated strictly for residential housing.

Text of Motion: Close public hearing
Motion made by: R. Russ
Second by: G. Martin
All in favor

Mr. Minnich asked Ms. Mulcahy if you have advertised in the newspaper and published in the town clerk's office prior to the first public hearing notice in the paper, notified every land owner with 500 feet of these properties and put signs on the borders of the properties in accordance with the regulations is that correct.

Ms. Mulcahy said that is correct.

11. Articles on agenda

Text of Motion: Move 11-e and 11-f to this point in agenda before 11-a
Motion made by: G. Martin
Second by: C. Mancini
All in favor

11-e Applicant: Planning and Zoning Commission
Re: District Boundary Line Amendment
Lift R-T Residential Transition Overlay
Zone to revert back to R-30 Residence
District
At: Buckingham Street, Portland Street, Echo
Lake Road to the back properties of
Mount Fair Drive, Watertown

Text of Motion: Deny the application
Motion made by: D. George
Second by: C. Mancini

On a vote of 7 in favor and 0 opposed, the motion is approved, the application is denied.

Chairman Minnich stated that one of his reasons for denial is that one of the property owners has been before the Commission informally and has received Inland Wetland/Conservation Commission approvals and it was not stated in informal hearings that the Commission was opposed to what the prior Commission had approved.

Board Member Concerns

Mr. Martin said I think a site visit to understand where these lines are would be warranted in looking at that, so we can understand the boundary lines that are changing from RT back to an R30.

Mr. Minnich replied my suggestion is that discussion would occur by adding an item to the agenda. The issue before us is whether or not we will approve these boundaries as presented.

Text of Motion: Add to the agenda a request for staff to provide boundary lines for the zone that was just denied to lift the RT zone in the other portion of the property. The information is to be provided at the June 16, 2010 special meeting.

Motion made by: C. Mancini
Second by: G. Martin
All in favor

Text of Motion: By unanimous consent to request staff to provide a new boundary line adjustment map for the RT zone but not including the property owned by George Norman.

11-f Applicant: Planning and Zoning Commission
Re: District Boundary Line Amendment
Lift R-T Residential Transition Overlay
Zone to revert back to R-12.5 Residence
District
At: Straits Turnpike, Bunker Hill Road and
Davis Street Extension, Watertown

There is no map or any description of this transition zone being laid in this area of the town that anyone could find and no documentation in any of the minutes of the meetings. There was discussion on the plan of development that is a plan, it does not make it happen until it is done by zoning action. Mr. Jessell advised us that because this RT zone had been on the map for a number of years it should be reasonable fair and assumed the applicant could rely upon that map. The purpose is when an application comes for what they could do under the RT zones we we could say yes or no to it and there would be no of right and right now there is an off right.

Board Member Concerns

Mr. Martin asked are you saying the Planning & Zoning back 1993 was not clear in how in they developed an RT zone in this area.

Mr. Minnich replied I do not think it was ever laid and because it has been on a map and labeled such for many years the people who were there and own those properties should be able to rely upon the map and do not have to do the research why it was not laid properly.

Mr. Russ asked if this has any effect on the rest home in that area.

Mr. Minnich replied no.

Motion made by: G. Martin
Second by: C. Mancini
All in favor

On a vote of 7 in favor, none opposed, the motion is approved, the RT zone is lifted.

Text of Motion: The effective date for this zoning boundary change will be effective June 11, 2010.

Motion made by: G. Martin

Second by: R. Russ

All in favor

- a. Applicant:** James L. Greenwood
Agent: Curt Smith, Smith & Company
Re: 4 lot residential subdivision
At: 391 Echo Lake Road, Watertown
Zone: R-30
Action: Schedule a public hearing by August 6, 2010

**Curt Smith – Smith & Company, Surveyors and Engineers,
Woodbury**

The proposal is to divide into 4 buildings lots. There is an existing house on the Westside that would remain, with sewer & water. We are proposing open space a total of 2.24 acres shown in the green on the plan. Ten percent of the subdivision is 1.1 acres of dry land. The right side of the map on lot 4 we are showing conservation restrictions, they were requested by the Wetlands Commission during their approval process. We are showing a common driveway for lots 3 and 4. The area on lots 3 and 4 are wooded and feel there would be a preservation of natural features by going with this common driveway. The other reason is the site lines coming out onto Echo Lake Road and looking to the east the site lines would have to be improved, for those reasons to allow a waiver of section 52.5.16 to allow the shared driveway. I will submit a written request from Mr. Greenwood for the shared driveway.

Board Member Concerns

Mr. Minnich asked if we have a copy of the report from Inland and Wetlands.

Mr. Minnich said we do not have a report of the connections to the water and sewer and asked if they had approvals.

Mr. Smith replied we have submitted to them and received a report back which asked us to address a few things and we are in the process of doing that. The western portion goes to the Fire District sewer line and they have approved it.

Mr. Mulcahy said she does have a letter from the Fire District.

Mr. Smith said the eastern portion is a separate entity and it is approved in concept.

Mr. Minnich said we do not have a report from the Town Engineer on these issues of the site line and we have nothing but what they submitted.

Ms. Mulcahy we will be sending information with the next packet.

Mr. Minnich asked about the trail on lot 4 what the intention is for public hearing.

Mr. Minnich noted that within the open spaces are there are some facilities we have a concern with, generally the open space is clean.

Mr. Green we do have a plan for that.

Mr. Minnich asked for site lines from Mr. Berger to prepare a memo for them.

Mr. Russ asked how long the driveway is for lots 3 and 4.

Mr. Green replied 400 feet to this point here.

Mr. Martin asked about a hammerhead turn around for fire trucks.

Mr. Green replied we are providing a template showing how the trucks can turn around and was shown to Mr. Black.

Mr. Minnich suggested scheduling a site visit.

Mr. Minnich said he saw one issue of the size of what is being talked about for that turnaround.

Text of Motion: Accept application for review and schedule a public hearing for July 7, 2010 and also schedule a site visit for 5:30PM on July 7, 2010.

Motion made by: G. Martin
Second by: C. Mancini
All in favor

b. Applicant: Click Bond, Inc.
Agent: AES Remedial Contracting
Re: 7X10 addition over existing covered pad
for remediation
At: 18 Park Road, Watertown
Zone: IR-80

Melanie Christopher

We are requesting a building permit to construct a small 7 by 10 shed immediately adjacent to the existing structure. This shed is going to be build on an existing concrete pad to house predominately electrical equipment and it will not change the footprint.

WHEREAS, the Town of Watertown Planning and Zoning Commission received a Site Plan application from Remedial Contracting, 132 Town Line Road, Southington, CT 06887 for a building addition of 7' x 10' over an existing concrete pad to house monitoring equipment at Click Bond Inc., 18 Park Road, Watertown, CT in an IR-80 Restricted Industrial District which includes a Town of Watertown Interactive Map from the Tighebond Website; and

WHEREAS, the Commission heard the application on June 2, 2010;

IT IS THEREFORE RESOLVED the Watertown Planning and Zoning Commission **APPROVES** the Site Plan application with a waiver of the site plan map requirements in accordance with Article V Section 51.4.2 for a building addition of 7' x 10' over an existing concrete pad to house monitoring equipment for Click Bond Inc at 18 Park Road, Watertown, CT in an IR-80 Restricted Industrial District subject to the following condition:

1. All exterior lighting shall be full cut-off fixtures in accordance with Article VI Section 61.4 of the Town of Watertown Zoning Regulations.

In accordance with Section 8-3(i) of the Connecticut General Statues, all work in connection with this Site Development Plan shall be completed within five years after approval of the plan. Said five year period shall expire on June 24, 2015.

Board Member Concerns

Mr. Mancini commented that #1 applies to all of the exterior lights not just the ones on the shed.

Mr. Rossi asked about noise.

Ken Sweetman said the building will be sound proofed and on the exterior of the building there will be two masonry walls fully insulated as well as the interior insulated.

Motion made by: R. Russ
Second by: C. Mancini
All in favor

- c. Applicant:** 741 Echo Lake, LLC
Agent: Curt Jones, Civil One
Re: Site Plan/Special Permit #296
60 unit Multi-family condominiums
At: 741 Echo Lake Road, Watertown
Zone: R-T
Action: Schedule a public hearing by August 6, 2010

Franklin Pilicy

Mr. Pilicy said the applicant would like to withdraw the application tonight and resubmit at a later date and request the fees paid in connection with this application be returned.

Text of Motion: The Commission accepts the withdrawal of the application and approves the return of all application fees paid without condition.

Motion made by: C. Mancini
Second by: R. Russ

All in favor

- d. Applicant:** Honda of Watertown
Agent: Attorney Franklin Pilicy
Re: Site Plan/Special Permit #297
Sales of used cars
At: 774 Straits Turnpike Watertown
Zone: B-SC
Action: Schedule a public hearing by August 6, 2010

Franklin Pilicy

This application came before you for some preliminary discussion and now is returning as a formal application. There is couple of clarifications we would like to make tonight to take this parcel and use it in connection with the existing Honda dealership. This portion when combined for the accessory business will be used cars by the same dealer selling new cars. We will use the building as it is exists with modifications to merge this into and become part of the existing building.

Board Member Concerns

Mr. Minnich asked this combining of the lots when it would occur.

Mr. Pilicy my understanding the applicant has a contract to purchase it and when he takes a title it will be in common ownership with the existing site.

Mr. Minnich said if you do not combine them then one question is how does used cars become an accessory if it is separate.

Mr. Hart

Mr. Hart it has 59 parking spaces under existing conditions and we will keep that as proposed conditions with some slight alterations, enlarging the entrance drive and getting rid of the exit drive. Open up a pass through so that two properties are combined. No increase in the size of the building, pavement, no change in runoff, the existing drainage is adequate. We are installing a black vinyl fence along the northerly property line and the westerly property line for security purposes. Most of the pavement markings will remain shifting a couple of the parking space on the side for the driveway. We will be asking for signage for the used car dealership shown on plan. Mr. Hart explained the same lights installed on the main dealership two years ago will be used. Removing wall packs with new lights shielded. We are keeping the site similar not making a lot of changes.

Board Member Concerns

Mr. Mancini asked about the fencing if it could consistent with other properties, the aluminum anodized fencing like BMW.

Mr. Hart will look at BMW.

Mr. Martin asked if the existing asphalt on that site in good condition.

Mr. Hart it is in fair condition they will fill and seal any cracks.

Mr. Minnich asked you are planning on leaving the grass strip as is.

Mr. Hart replied yes.

Mr. Minnich asked about light trespass on Straits Turnpike.

Mr. Hart will check on it.

Mr. Minnich asked in their presentation if it could be shown what the traffic flow pattern would be.

Mr. Martin asked the 24 foot entry is it both an entry and exit.

Mr. Hart said yes.

Text of Motion: Accept the application for review and schedule a public hearing for July 7, 2010

Motion made by: C. Mancini

Second by: G. Martin

All in favor

- e. Applicant:** Planning and Zoning Commission
Re: District Boundary Line Amendment
Lift R-T Residential Transition Overlay
Zone to revert back to R-30 Residence
District
At: Buckingham Street, Portland Street, Echo
Lake Road to the back properties of
Mount Fair Drive, Watertown

Action taken on this application at the beginning of Articles on Agenda.

- f. Applicant:** Planning and Zoning Commission
Re: District Boundary Line Amendment
Lift R-T Residential Transition Overlay
Zone to revert back to R-12.5 Residence
District
At: Straits Turnpike, Bunker Hill Road and
Davis Street Extension, Watertown

Action taken on this application at the beginning of Articles on Agenda.

g. Applicant: **Planning and Zoning Commission**
Re: **Text Amendment to Zoning Regulations**
New Appendices: "Site Plan Development Agreement"
Action: **Schedule a public hearing**

Mr. Minnich said once I go over one of these, the other is exactly the same. The intent is to standardized and fill in the blanks as to what is done for that particular area. The intent has been that the applicant prepare this agreement as a first draft and to now make this a function of our staff to fill the blanks resulting in less time for us to review and have included all of the items that needs to be included.

There is also a change in the process before the Chairman or the secretary signing the Mylar's, there are certain required documents, all the legal agreements, deeds, transfers of title be done prior to that time. We have also required that developing a road in some of these cases the title is now going to be the towns we need it is required for them to provide a certificate of liability insurance. The change we now requesting these documents at the time the they are ready to begin the project. Ms. Mulcahy went a step further even after our approvals they cannot begin until they get a zoning permit. Ms. Mulcahy will not issue a zoning permit until certain things happen, they are required to deposit 3% of the cost of the improvements for inspection and other costs on going and would refund the money at the end. A performance bond is required at the time of the zoning permit.

We are also requiring Ms. Mulcahy when issuing a zoning permit that they meet with the required people that are needed.

Rear and side lots pins have been place before issuing a zoning permit and all boundary lines, wetlands and properties lines are clear and marked.

Fees that are due the town by the code of ordinances are all paid by the time the zoning permit is issued.

Formalize the different agencies that go with the application.

Construction monitoring and what is required of our staff.

Taxes and leans are clear and free from the properties we are going to be taking.

Damages on the property to which we are now owning and they are going to be doing their improvements on, what this says at the time of property transfer they can take a video if it shows damage.

Field changes on page 11. There is a requirement for staff to provide to this commission on a periodic basis of their monitoring of these projects and to be done in writing a report.

There is rush to revolve things by going to court and this process that is here, you first have to go through a couple of processes. Mandatory negotiations one of which is with the Commissions. Next is mandatory mediation through Waterbury Court or other means of arbitration there is that both agree at the hearing the cost is split, the town and the applicant following that if they do not agree you are then entitled to go to court. New to the process is that at the court hearing that the town and the developer has the right to request through a motion in the court and the judge will decide to recover legal fees from the other side.

Amendments get filed on the land records.

h. Applicant	Planning and Zoning Commission
Re:	Text Amendment to Subdivision Regulations - New Appendices: "Subdivision Development Agreement"
Action:	Schedule a public hearing

Mr. Minnich said the subdivision is exactly the same we were just talking about. That is only changed for the references in the state law and in our regulations.

Text of Motion: Schedule a public hearing for 11 g & 11 h for July 7, 2010.

Motion made by: G. Martin

Seconded by: R. Russ

All in favor

