

Town of Watertown
Planning and Zoning Commission
Regular Meeting

Time: 10:50PM
Date: July 1, 2009
Place: Swift Middle School
Media Library Room
250 Colonial Street
Oakville, CT

1. Call meeting to order

The chairman called the meeting to order at 10:50PM

2. Roll Call

The secretary executed the roll call.

Members Present: D. Minnich, R. Russ, C. Mancini, D. George
R. Rondeau

Members Absent: G. Martin, J. Blais, G. Dupliesse, K. Demirs,
M. Masayda

Others Present: R. Mulcahy, Administrator of Land Use
C. Berger, Town Engineer

R. Rondeau sat in for G. Martin

D. George sat in M. Masayda

3. **Public Participation – none**

4. Communications and Bills

- a. Council of Governments Memo 060309 Re: Nominations for Outstanding “Regional” Planning Efforts dated June 3, 2009
- b. Council of Governments Minutes May 8, 2009
- c. State of CT DEP Permit No: SCEL:2008 – Baillie Company

5. Minutes

- a. Zoning Map Subcommittee Meeting June 1, 2009
- b. Public Hearing June 3, 2009 zoning map change to Watertown's B-C, Central Business Zone on properties included in the revised Town line between Waterbury and Watertown, CT located on Main Street, Oakville, CT and Watertown Avenue/Falls Avenue, Waterbury, CT.
- c. Public Hearing June 3, 2009 for Text Amendment to Watertown Zoning Regulations Local Business, Section 32, Section 32.6.2, Maximum height 2 stores, Delete 25 feet, Add 30 feet
- d. Regular Meeting June 3, 2009

Text of Motion: Table 4 & 5
Motion made by: C. Mancini
Second by: R. Russ
Aye: 5 Nay: 0

6. **Staff Report**

Frankie's walkway will be start building July 13, 2009.

Ms. Mulcahy had a pre construction meeting along with Mr. Berger for Polk School and is moving forward.

Ms. Mulcahy did an inspection of the Waterbury properties that are coming in and is putting together a report.

Ms. Mulcahy filled out a flood plain activity in Town for the last 2 years.

Ms. Mulcahy was asked by Mr. Zappone about having pro serve which serves different fire damage and different cleaning that will come into former automobile repair shop and that it did not fit in any particular use category.

101 Cortland Avenue (junk cars) Paul Jessell is moving forward with paperwork that is going to court because nothing is happening with the cease and desist order.

7. **Articles on agenda**

- a. **Applicant:** Edward Yoniak, Jr.
Agent: Atty Marialta Sparanga
Re: First cut of property
At: 546 Buckingham Street, Oakville
Zone: R-12.5

Board Member Concerns

Mr. Minnich asked are you going to remove the shed.
Ms. Spranga replied the shed will be removed

Mr. Minnich asked are you defining as the old parcel on the right.
Ms. Spranga replied yes.

Mr. Minnich asked what the street access is.
Ms. Spranga replied Buckingham Street.

Text of Motion: Approve first cut
Motion made by: R. Rondeau
Second by: C. Mancini
Aye: 5 Nay: 0

b.	Applicant:	John Daddona
	Re:	Site Plan/Special Permit #267 909 Sq. Ft. addition to existing building for restaurant use 720 Thomaston Road, Watertown B-L & R-30
	At:	
	Zone:	

Board Member Concerns

Mr. Minnich asked about line #4.

Mr. Berger replied I just recently received the plans and I did a quick look at them and they look acceptable.

Mr. Minnich asked about the drainage in the plans.

Mr. Berger replied the drainage and the parking are in the plans.

Ms. Mulcahy said they did submit the planting plan tonight I do not know if you need that in there everybody was happy with that and I recommend taking 2 off and simplify #3 and end it after the first sentence.

WHEREAS, the Town of Watertown Planning and Zoning Commission received a Site Plan/Special Permit #267 application from John Daddona located at 720 Thomaston Road, Watertown, CT on 13.87 acres for a 909 sq. ft. addition for an 835 square foot restaurant with additional signage in a B-L Local Business District and R-30 Residence District which includes Existing Conditions and Removals Assessors Lot 9 prepared for John Daddona, Thomaston Road, Watertown, CT, Improvement Location Survey-Proposed Layout for Assessors Lot 9 owned by John M. Daddona, Improvement Location Survey-Proposed Grading and Utilities Plan For Assessors Lot 9 owned by John M. Daddona,

Miscellaneous Notes and Details for Assessors Lot 9 owned by John M. Daddona, dated April 9, 2009 with a final revision date of 6/25/09 prepared by Robert C. Green Associates L.L.C., 6 Old Waterbury Road, Terryville, Conn. 06786 and Mark's Garden & Gifts Planting Plan dated 7/1/09.

WHEREAS, the Commission received the application on June 3, 2009 and heard the application on July 1, 2009; and

IT IS THEREFORE RESOLVED the Watertown Planning and Zoning Commission **APPROVES** Special Permit #267/Site Plan application for a 909 sq. ft. addition for an 835 sq. ft. restaurant with additional signage from John Daddona in a B-L Local Business District and R-30 Residence District subject to the following conditions:

1. All exterior lighting shall be full cut-off fixtures including the light on the pole in front of their property.
2. All signage must comply with Section 62.7.5 of the Town of Watertown Zoning Regulations.
3. Follow the recommendations of the Town Engineer pertaining to drainage.
4. Prior to Town officials signing a final Mylar map and two paper copies, the final map shall be submitted to the Land Use Office for review and approval by the Town Engineer and the Administrator of Land Use and are subject to review and approval by the Commission at the discretion of the Chairman or Commission.
5. The air conditioning condenser shall have maximum noise level at the nearest property line to the condenser of 45 decibels.

In accordance with section 8-3i the Connecticut State General Statues all work in connection with the site development plan shall be completed within five years after approval of the plan. Set five year period shall expire July 23, 2014.

Motion made by: C. Mancini

Second by: R. Russ

Aye: 5 Nay: 0

final revision date of 6/19/09 prepared by Borghesi Building & Engineering Co., Inc., 2155 East Main Street, Torrington, CT 06790; and

WHEREAS, the Commission heard the application on July 1, 2009;

IT IS THEREFORE RESOLVED the Watertown Planning and Zoning Commission **APPROVES** the Site Plan application for an exterior concrete pad of 125 sq. ft. for a generator and 2 condensers with an 8' high chain link fence for a data storage facility located at 200 Commercial Street in an I-R 80 Restricted Industrial District subject to the following conditions:

1. The generator and 2 condensers shall have a maximum noise level at the nearest property line of 45 decibels.
2. All exterior lighting shall be full cut-off fixtures.
3. Prior to Town officials signing a final Mylar map and two paper copies, the final map shall be submitted to the Land Use Office for review and approval by the Town Engineer and the Administrator of Land Use and are subject to review and approval by the Commission at the discretion of the Chairman or Commission.

In accordance with section 8-3i the Connecticut State General Statutes all work in connection with the site development plan shall be completed within five years after approval of the plan. Set five year period shall expire July 23, 2014.

Motion made by: R. Russ
Second by: R. Rondeau
Aye: 5 Nay: 0

e.	Applicant:	Echo Lake Brownsfield
	Agent:	Ted Crawford, Milone & McBroom
	Re:	Site Plan/Special Permit #269
		Application for placement of 212,000 cubic yards
		of fill for site restoration
		for an industrial building
	At:	Echo Lake Road, Watertown
	Zone:	IR-80

Text of Motion: Table to July 15, 2009
Motion made by: C. Mancini
Second by: R. Rondeau
Aye: 5 Nay: 0

- f. **Applicant:** **Youghiogeny Communications**
 Agent: **Theresa Viele**
 Re: **Site Plan/Special Permit #270 Wireless**
 communications facility consisting of equipment
 cabinets and panel antennas

 At: **Siemon Company**
 27 Siemon Company Drive

 Zone: **I-G20F**

Mr. Minnich asked if there were any questions or comments on this.

WHEREAS, the Town of Watertown Planning and Zoning Commission received a Special Permit #270/Site Plan application from Youghiogeny Communications-Northeast LLC dba as Pocket Communications, Siemon Realty Princeton Building Smokestack, 76 Westbury Park Road, Watertown on 9.08 acres for 3 smokestack mounted panel antennas 100' feet high and 2 wall mounted equipment cabinets at the base of the smokestack in an I-G20F General Industrial District which includes Title Sheet 01, Site Plan and Notes Sheet 02, Smokestack Elevation, Antenna Plan and Details Sheet 03, Grounding Details Sheet 04, Grounding Plan and Details Sheet 05, Electrical Details Sheet 06 dated 2/16/09 prepared by URS Corporation AES, 500 Enterprise Drive, Rocky Hill, CT; and

WHEREAS, the Commission heard the application on June 3, 2009 and July 1, 2009; and

IT IS THEREFORE RESOLVED the Watertown Planning and Zoning Commission **APPROVES** Pocket Communications, Siemon Realty Princeton Building Smokestack, 76 Westbury Park Road, Watertown, Special Permit #270/Site Plan application for 3 smokestack mounted panel antennas 100' feet high and 2 wall mounted equipment cabinets at the base of the smokestack in an I-G20F General Industrial District subject to the following conditions:

1. The equipment shall be painted to match the exterior of the building or structure.
2. The cabinets shall be mounted to the screened existing cabinets.
3. All exterior lighting shall be full cut-off fixtures.

4. Prior to Town officials signing a final Mylar map and two paper copies, the final map shall be submitted to the Land Use Office for review and approval by the Town Engineer and the Administrator of Land Use and are subject to review and approval by the Commission at the discretion of the Chairman or Commission.

In accordance with section 8-3i the Connecticut State General Statutes all work in connection with the site development plan shall be completed within five years after approval of the plan. Set five year period shall expire July 23, 2014.

Motion made by: R. Russ
Second by: R. Rondeau
Aye: 5 Nay: 0

g. Applicant: Wide, LLC
Agent: Pustola & Associates
Re: Site Plan/Special Permit #271
Proposed automotive dealership with repair facility
At: 162 Commercial Street, Watertown
Zone: B-SC

Mr. Minnich said does anybody have any comments.

Board Member Concerns

Mr. Rondeau asked that all dumpsters be screened and not viewable from the street.

WHEREAS, the Town of Watertown Planning and Zoning Commission received a Site Plan/Special Permit #271 application from James Cummins WIDE LLC, located at 162 Commercial Street, Watertown, CT on 2.65 acres for a 17,238 sq. ft. building for an automobile dealership with a repair facility with a freestanding sign in a B-SC Shopping Center Business District which includes Topographic and Property Survey Map prepared for Pustola & Associates, LLC dated 3/5/09 prepared by Cole, Harry E. Cole & Son Engineering, Surveying, Planning, 28 Working Street, P.O. Box 44, Plantsville, CT 06479, a Site Layout Plan, Automobile Dealership & Repair Facility SP-1 dated 4/9/09 with a final revision date of 6/30/09, Site Grading Plan SP-2 dated 3/26/09 with a final revision date of 6/30/09, Site Utility Plan SP-3 dated 3/26/09 with a final revision date of 6/30/09, Site Erosion & Sedimentation Control Plan SP-4 dated 3/26/09 with a final revision 6/30/09, Landscape Plan SP-5 dated 3/26/09 with a final revision 6/30/09, Site Construction Details SP-DET1 dated 3/26/09 with a final revision date of 6/30/09, Site Construction Details SP-DET2 dated 3/26/09 with a final revision date of 6/30/09, Site Construction Details SP-DET3 dated 3/26/09 with a

final revision date of 5/22/09, Vehicle Circulation Plan SP-6 dated 6/30/09, Preliminary Exterior Elevations A1 dated 3/26/09 with a final revision date of 6/30/09 prepared for James Cummins, 832 Straits Turnpike, Watertown, CT 06795 owned by Wide LLC, 832 Straits Turnpike, Watertown, CT 06795; and

WHEREAS, the Commission received the application on June 3, 2009 and heard the application on July 1, 2009; and

IT IS THEREFORE RESOLVED the Watertown Planning and Zoning Commission **APPROVES** Special Permit #271/Site Plan application for a 17,238 sq. ft. building for an automobile dealership with a repair facility with a freestanding sign in a B-SC Shopping Center Business District subject to the following conditions:

1. All exterior lighting shall be full cut-off fixtures in accordance with Section 61.4 Outdoor Lighting.
2. Follow the recommendations of the Town Engineer as it relates to sight line signage and drainage.
3. Prior to Town officials signing a final Mylar map and two paper copies, the final map shall be submitted to the Land Use Office for review and approval by the Town Engineer and the Administrator of Land Use and are subject to review and approval by the Commission at the discretion of the Chairman or Commission.

In accordance with section 8-3i the Connecticut State General Statutes all work in connection with the site development plan shall be completed within five years after approval of the plan. Set five year period shall expire July 23, 2014.

Motion made by: R. Russ
Second: C. Mancini
Aye: 5 Nay: 0

h.	Applicant:	Nazeer Mahmood Getty Service Station
	Agent:	Dennis O'Sullivan
	Re:	Site Plan/Special Permit #272 Change from Gasoline Dispenser /Auto repairer to Gasoline dispenser /Food Convenience Store
	At:	749 Main Street, Watertown
	Zone:	BC-F

Board Member Concerns

Mr. Minnich asked if there are any changes. Mr. Minnich mentioned the fence will not be black anodized aluminum.

Mr. Mancini said it will be chain link fence with the aluminum slats.

Mr. Minnich we talked to them about putting in concrete tire stops.

Text of Motion: Table until the Town Engineer can look at the wall that is in question

Motion made by: R. Rondeau

There was no second – Motion fails

WHEREAS, the Town of Watertown Planning and Zoning Commission received a Special Permit #272/Site Plan application from Nazeer Mahmood, Getty Service Station, 749 Main Street, Watertown, CT, on 91,188 square feet for an expansion of the retail area into the existing automobile repair area of approximately 624 sq. ft. at an existing gasoline station in a B-CF General Business District Fire District which includes a Site Plan titled Nazeer Watertown Station, 749 Main Street, Watertown, CT dated 5/19/09 with a final revision date of 6/25/09 prepared by Denis O’Sullivan PE, LLC, 238 North Street, Watertown, CT 06795; and

WHEREAS, the Commission heard the application on June 3, 2009 and July 1, 2009; and

IT IS THEREFORE RESOLVED the Watertown Planning and Zoning Commission **APPROVES** Special Permit #272/Site Plan application from Nazeer Mahmood, Getty Service Station, 749 Main Street, Watertown, CT, on 91,188 square feet for an expansion of the retail area into the existing automobile repair area of approximately 624 sq. ft. at an existing gasoline station in a B-CF General Business District Fire District subject to the following conditions:

- a. The fence adjacent to the residential property shall be chain link with aluminum slats.
- b. The interior window signs shall not exceed one square foot of sign for each linear foot of building frontage and such signs shall not be illuminated.
- c. The air conditioning and refrigerator condensers at the rear of the building shall have a maximum noise level at the nearest property line of 45 decibels.

- d. All exterior lighting shall be full cut-off fixtures. The exterior light poles on the front of the building and the one light pole in the rear of the property shall be removed.
- e. A planting plan shall be submitted for the areas labeled planted to be reviewed and approved by the Land Use Administrator and Town Engineer.
- f. Prior to Town officials signing a final Mylar map and two paper copies, the final map shall be submitted to the Land Use Office for review and approval by the Town Engineer and the Administrator of Land Use and are subject to review and approval by the Commission at the discretion of the Chairman or Commission.
- g. There shall be parking protection along the north side of the property with concrete tire stops.

In accordance with section 8-3i the Connecticut State General Statutes all work in connection with the site development plan shall be completed within five years after approval of the plan. Set five year period shall expire July 23, 2014.

Motion made by: C. Mancini

Second by: R. Russ

Aye: 4 – D. Minnich, R. Russ, C. Mancini, D. George

Nay: 1 – R. Rondeau

On a vote of 4 in favor and 1 against, the application is approved

Text of Motion: Start the next meeting starting with the remainder of the agenda for the people who have not been heard do not have to wait to be heard.

Motion made by: C. Mancini

Second: R. Russ

Aye: 5 Nay: 0

Remainder of agenda to be continued to July 15, 2009

- i. Applicant: Al Bernardi
Agent: Dave Rhode
Re: Site Plan – Use of 1,500 Sq. Ft.
Of the existing 6,900 Sq. Ft.
Building for a skateboard and snowboard shop) and
7 additional parking spaces
At: 755 Thomaston Road, Watertown
Zone: B-L

- j. Applicant: T.D. Bank North
 Agent: Lucien DiStefano
 Bohler Engineering
 Re: Site Plan/Special Permit #275
 Signage change name of bank
 From "TD Banknorth" to "TD Bank"
 At: 1247 Main Street, Watertown
 Zone: B-G
- k. Applicant: New Millennium Development
 Agent: Attorney Robert Reeve
 Re: Preliminary Discussion
 Proposed Mount Fair Village
 62 single family detached units
 At: Corner of Buckingham Street
 And Nova Scotia Hill Road
 Zone: R-30
- l. Applicant: Sal Rocha
 Agent: Attorney Richard Bruno
 Re: Preliminary Discussion to
 Review alternatives for the use of two rear empty
 storefronts
 At: 170 Main Street, Oakville
 Zone: B-C
- m. Applicant: Denise Benemerito
 Agent: Dennis Strozzi
 Re: Preliminary Discussion
 Dog Inn and Spa
 AT: 586 Litchfield Road, Watertown
 (Former Scoville B&B)
 Zone: R-70
- n. Applicant: T-Mobile
 Agent: Robert Stanford
 Re: Site Plan/Special Permit #273
 3 antennas and one equipment cabinet
 to the existing leased area
 At: Water Tower, Georgetown Drive
 Street, Watertown, CT
 Zone: R-30

- o. Applicant: T-Mobile
Agent: Robert Stanford
Re: Site Plan/Special Permit #274
3 antennas and one equipment cabinet
to the existing leased area (Water Tower)
At: 1050 Buckingham
Street, Watertown, CT
Zone: IR-200
- p. Applicant: Planning and Zoning Commission
Re: Text Amendment to the Watertown Subdivision
Regulations to
Section 7 Open Space and Recreational Areas

Section 7.2 Size

Delete: “Required open space and or recreation areas may be up to ten percent of the property under consideration.”

Add: Required open space shall be 15% of property under consideration, unless the Commission determines with a $\frac{3}{4}$ vote (6 members) of approval to waive this provision that a lesser area is sufficient to satisfy the need determined by the Commission or that such a reservation is not necessary or otherwise not feasible.

Section 7.5 Conditions of Open Space and/Or Recreation Land

Section 7.5.4

Delete: The Commission requires that at least **50%** of the land designed as open space shall be land classified as Upland Soil by the **Litchfield County Soil Survey, Litchfield Connecticut.**

Add: The Commission requires that at least **{75%}** of the land designed as open space shall be land classified as upland soil by the **Soil Survey of Litchfield County, Connecticut Soil as amended. The land area reserved for open space may contain areas of wetlands (as determined by a**

certified soil scientist) and steep slopes (in excess of 12%) provided that the percentage of land in these categories does not exceed the percentage of land in these categories for the entire tract.

Add: The Commission may waive this requirement **(Add) with a ¾ vote (6 members) of approval**, if the applicant demonstrates that the designation of additional upland areas as open space will result in the preservation of site features as aforementioned, that would not be protected otherwise or the Commission determines that the non-upland areas have special habitat or are more environmentally significant.

8. Old Business

- a. Zoning Map Update
- b. Text amendments initiated by Commission members:
 - 1. Parking Regulations: G. Martin
 - a. Lot Sizes: G. Dupliesse
 - b. Site Plan and Special Permit Filing Requirements:
Ruth Mulcahy

9. New business

- a. Discuss schedule for calling of bond for Mark Lovely, Lovely Development Re: Hidden Oaks and Fox Crossing Subdivision, Watertown, CT

b. Watertown High School bond reduction for drainage and landscaping - \$49,780

Text of Motion: Approve bond reduction
Motion made by: D. George
Second: R. Rondeau
Aye: 5 Nay: 0

c. Judson School bond reduction – sedimentation and erosion control \$39,125.00

Text of Motion: Approve bond reduction
Motion made by: R. Rondeau
Second: R. Russ
Aye: 5 Nay:0

All items not covered on the agenda are tabled
Motion made by: R. Rondeau
Second by: D. George
Aye: 5 Nay: 0

- d. Bond Release – Lakeview Estates, Echo Lake Road, Watertown
Joe Polletta

10. Chairman's Report

11. Adjournment

Text of Motion: Adjourn at 11:28PM
Motion made by: D. George
Second by: R. Russ
Aye: 5 Nay:0

Michael Masayda _____
Secretary