



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

Time: 6:30PM
Date: Wednesday, July 7, 2010
Place: Watertown High School
Lecture Hall
324 French Street
Watertown, CT

- 1. Call the Regular Meeting of the Planning and Zoning Commission to order at 6:30PM and call the Regular Meeting of the Aquifer Protection Meeting to order at 6:30PM**

- 2. Roll Call**

Ms. Allen executed the roll call

Members Present: Chairman, David Minnich
Vice-Chairman, Gary Martin
Secretary, Carl R. Mancini
Ron Russ
Ken DeMirs
Duane George
Marie Genovese
Richard Rossi
Denise Benemerito-Garassino

Members Absent: Vacant Position

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

Denise Benemerito sat in for the vacant position on the Commission

3. Public Participation - none

4. Communications and Bills

- a. Council of Governments Minutes, May 14, 2010

Text of Motion: By unanimous consent place on file

5. Meeting Minutes

- a. Special Meeting May 19, 2010
b. Regular Meeting June 2, 2010
c. Site Walk Minutes June 16, 2010
d. Special Meeting June 16, 2010

Text of Motion: By unanimous consent approve 5-a – 5-c
And 5-d (motion sheet)

6. Staff Report

Ms. Mulcahy stated she was issuing a zoning permit for a 20X20 temporary tent for **Bradshaw Jeep**.

Judson – did get delivery of an as-built, final inspection and compliance will be taking place this week.

254 Kimberly Lane – received compliance request from a bank.

261 Dalton – received bank letter, approved as a first cut.

DOT – received revised site plan showing the requirement of bringing curbing to the property line and no parking on the state of right of way.

120 Falls Avenue – meeting with the property owner & realtor conducting Phase I analysis and contracted environmental firm.

7. Chairman's Report

Chairman Minnich informed the Commission of a meeting to be held on July 14, 2010 with the Council of Governments staff to discuss general matters regarding their referrals. The Chairman of the Regional Planning Agency will also attend. Attendees will be Chairman Minnich, Attorney Warren Hess and Ruth Mulcahy.

Text of Motion: By unanimous consent, move Aquifer Protection Agency agenda items 11m and 11n to be 9-g and 9-h.

Text of Motion: For purposes of record, recess the Aquifer Protection Agency agenda until item 9-g on the agenda.

Motion made by: G. Martin

Second by: C. Mancini

All in Favor

8. Old Business

a. Amendments to Parking Regulations, Commissioner Gary Martin

Mr. Martin said that Warren Hess will have the parking regulations ready for August 4, 2010 regular meeting.

b. P&Z Operations Sub-Committee

Mr. Minnich asked if there is a need to continue this subcommittee.

Text of Motion: Disband the P&Z Operations Sub-Committee

Motion made by: C. Mancini

Second by: R. Russ

All in Favor

c. Patrick Graziano, Highview Estates Subdivision, Loop Road, Watertown – Phase I and Phase II at Kimberly Lane and Lovely Drive, R-30 Zone

Patrick Graziano

Mr. Graziano read letter:

Dear Chairman and Commission members,

There was a meeting set up with Town Engineering and Milone & McBroom regarding the first 15 lots on Loop Road, Highview Estates. I agree with the items on the list that needs attention.

I would like more time to complete the front wall and the side walls being there is one more erosion problem along the roadside.

Vinny Caterino

There is going to be a bond reduction for the sewer line

Board Member Concerns

Mr. Minnich: all the bonds go through Ms. Mulcahy. Mr. Minnich asked the reason you are here is that you want to begin the second phase of this subdivision is that correct.

Mr. Graziano: yes, there is an interest in some upper lots, its financial the banks will not lend any more money and this will give me the funds. Lot 11 I do not own and sold to Joe Mancini and there were some issues about cutting trees and those are his issues and not mine.

Ms. Mulcahy: they were part of the plan that show the limits of disturbance on that property and road and you went into the limits of disturbance and created a padded area in there, which Mr. Mancini was unaware that was to be maintained as part of the limits of disturbance. We have resolved that he is not going to cut anymore. We also worked that out with Milone & McBroom at the meeting and it was settled. The new owner is going to replant trees and approve his plan.

Mr. Minnich: asked why there is activity if is there no approval.

Ms. Mulcahy: at the meeting with Milone & McBroom they have agreed because they are part owners, they will redo the phasing plan and include that lot in the first phase, so this new owner can proceed with the zoning permit application. Ms. Mulcahy asked Mr. Graziano when the new phasing plan will be submitted.

Mr. Graziano: he will speak to Jim tomorrow morning.

Mr. Mancini: Mr. Berger had a lot of concerns have they been taken care of.

Mr. Berger: we met with the engineer on the June 23rd and explained our concerns they are working on addressing those issues that we had with the road as it is currently constructed. They are doing borings and Samples, doing all the things we mutually agreed that needed to be done to address the issues with the road and curb as currently built. Separate from that they want to move forward into Phase II and we identified at that meeting some items we wanted taken care as part of the revised phasing plan so we can look at something. As of today I have not received any information on those two issues and there is still curbing issues.

Chairman Minnich said there are issues regarding the front wall and sidewalk related to the phasing of the project, which needs to be addressed when the phasing requested is more clearly defined.

Text of Motion: Table to next meeting
Motion made by: R. Russ
Second by: C. Mancini
All in favor

9. New Business

- a. Letter dated June 14, 2010 from Phyllis Wynne, Click Bond, Re: ability for placement of a shed on property located at 18 Park Road, Watertown, CT.

Mr. Minnich: you were here before and received approval from us with a condition that you wish us to reconsider.

Phyllis Wynne – Controller for Click Bond, Watertown

The last meeting the subcontractor was here on our behalf. Click bond bought the property at 18 Park Road and the land was previously owned by Ostram Sylvania and while they operated the land it was polluted. As part of the remediation agreement Environmental Protection is paying to put a monitoring well on the property and the equipment that is monitoring the soil gas vapors needs to be housed in a shed on an existing cement pad on the property. The temporary shed needs to remain for five years. Ostram is responsible for all aspects dealing with the shed with their environmental LEP.

Ms. Wynne asked Mr. Minnich if she could ask Ms. Mulcahy some questions.

Mr. Minnich: said most of the decisions on this rest with us.

Ms. Wynne: said this is more of an adversarial process and I am wondering why? I refer to the regulations we were denied saying that an A2 survey needs to be submitted with the application. We did not have an A2 survey of the property and one has never been done. When this was granted it was granted with a stipulation that almost feels like a penalty with a lighting regulation. I find that adversarial when there is no lighting going on the shed why a company or town would put in a stipulation that has nothing to gain not having met all the requirements of the application.

Mr. Minnich: it is not intended to be one and we will review what we made the condition on. You submitted a site plan and you are required to do a number of things and we waived most of those because this is a small project that was needed and did not require under a site plan. The issue you are having is the lighting they do have a number of lights that are on the property on both building and within the parking lot that do not comply with our regulations. I saw from the road said this is a little much, so in fairness to this issue we can reconsider the lighting. You can decide to tonight to eliminate or modify that requirement.

Board Member Concerns

Mr. Martin: the A2 survey keeps coming up, is that no longer a requirement.

Mr. Minnich: we waived it because of the dollar value of this particular project.

Mr. Martin: I would be happy to waive that requirement.

Mr. George: it sounds like what they are trying to do is insignificant to the whole project and we should consider revising it.

Mr. Rossi: is this being mandated by DEP?

Ms. Wynne: it is part of a 2 year remediation agreement in order to keep the licenses going on the property.

Text of Motion: Waive the lighting requirement for the application recently approved by the Commission

Motion made by: R. Russ

Second by: G. Martin

Mr. Martin: This has nothing to do with the structure that they are occupying. This is a structure that has nothing to do with them except for a process that is going on for remediation being mandated. That is where it distinguishes itself from what we have done.

Mr. Mancini: this is the only reason why we are agreeing to it because this shed has nothing to do with their operation.

Mr. Minnich: and it is an environmental requirement that it be done

All in favor

b. Letter dated June 22, 2010 from Roy Cavanaugh to Chairman Minnich Re: grass sidewalk on Echo Lake Road, Watertown

Mr. Cavanaugh: the letter is to inquire of P & Z Commission and the Park & Recreation Commissions, regarding the grass trail near the lake or do you want something else. The Department of Public Works would be happy to respond to whatever direction this Commission decides.

John Wormer

Our long term planning is to have that portion be a cement sidewalk and it is slated on the engineering this fall. In our view this is a temporary situation it has been five years and nothing has been accomplished yet. One of the benefits to the town having it trap rock, it is the foundation to start concrete. If that part is done as proposed it is easier for the town to go ahead and finish cementing it. A temporary walk service does not matter but long term it does matter.

Board Member Concerns

Mr. Minnich: said the bottom line here is coming to some resolution, we have required Mr. Polletta to do this work in that area and should that now be changed. The issue of whether it is a concrete sidewalk or not the land is owned by the town, they can always do a sidewalk and we do not have any jurisdiction over that. Mr. Polletta is in the process of finishing the trail and it was asked of Inlands & Wetlands that it should be grass.

Mr. Mancini: I remember as Town Council member Mr. Polletta asked do you want me to do the trail or the sidewalk. The agreement was for Mr. Polletta to do a trail around the lake and the money for the sidewalk to be taken out of the sidewalk fund. Mr. Polletta had to either put a stone dust trail or a natural grass trail. He was going to put a natural trail in when he got his approval for Highview Estates. I have been by there and he is working on clearing the land. Now we want him to put trap rock down so the town could get out of the obligation that they made to put in a sidewalk.

Mr. Cavanaugh: said the plan did mention the trail could be either trap rock or stone dust, it simply says stone dust path or grass. The approval was referred to Inland & Wetlands they preferred the grass option. It is at the pleasure of the Commission and Park & Recreation if they want to stay with the grass or stone dust outlined in this plan.

Mr. Mancini: had you said something two years ago before he started working on the trail I may have agreed with you and now we are going to change in the middle of the project.

Mr. Wormer: The town is going to do the sidewalks on Echo Lake Road and Mr. Polletta is going to do Ice House Road. The town is not shirking its responsibility at all. Two years ago as you said Mr. Polletta was not doing anything on that he just started weeks ago and it was stone dust at the beginning.

Mr. Polletta: when I gave this land originally to the town there are a lot of trails in Watertown and I think my trail will be nice to walk on. I will do whatever was approved, no less or no more. The reason a lot of the work was not done around the lake I tried to do the right thing and nobody could give me the right answer. As of now we cut all the trees necessary where the trail is suppose to go, we brought all the mulch over and I am working on the cross bridges. Wetlands said the stone dust would go in the water because it was so close and they wanted us to level it off and plant grass.

Summary of Commission position for purposes of unanimous consent: There is to be a grassed surface for the trail along the Ice House Road side of Echo Lake that Mr. Polletta is responsible to install by Commission Subdivision approval of nearly five years ago. Recently the Inland Wetlands Agency decided a grassed surface is acceptable. A trap rock surface near the lake is not acceptable they determined. If there is to be any other trail surface material or type of sidewalk the Town who owns the trail may install it subject to Inlands Wetlands Agency approval and Commission 8-24 approval.

The unanimous consent is so ordered.

c. Bond Release Butternut Views, Linkfield Road, Lot 2

Mr. Berger sent a memo dated July 1st recommending the release of bond for lot 2 drainage for \$10,081.50.

Text of Motion: Release bond in the amount of \$10,081.50.

Motion made by: C. Mancini

9-h (moved up was 11n on agenda)

Applicant: Planning and Zoning Commission
Re: District Boundary Line Amendment to
include Aquifer Protection Level 'A' Area at
Border of Town of Thomaston near
Reynolds Bridge

Mr. Minnich: almost all of this is language from directly from the state. Anything that is in that area you may not do a number of things. It further requires that once that there is activity in that area the owners then register annually what they have done under oath and penalty of law as to what activity has occurred in that area within the last year. All this is to protect the public watersheds of the state. We have made some changes to this which are pretty minor. We have designated in this draft Ms. Mulcahy, the Administrator of Aquifer Protection regulations.

We have made the signage which is put forth in the proposal of the state to be the signage as we currently have our sign for required posting outside the dimensions, The number and the locations we have changed their model regulations to reflect ours.

Text of Motion: Establish public hearing at 6:30Pm on September 1, 2010 at the Watertown High School Lecture Hall for a District Boundary Line Amendment to the Zoning Map to include Aquifer Protection Level 'A' Area at Border of Town of Thomaston near Reynolds Bridge

Motion made by: R. Russ

Second by: C. Mancini

All in Favor

Text of Motion: Adjourn the Aquifer Protection Agency Meeting and reconvene the Planning and Zoning Commission Meeting at 7:51PM

Motion made by: R. Russ

Second by: C. Mancini

All in Favor

Mr. Minnich talked about the state requesting a boundary map. Inland & Wetlands reflects 4 water companies in our town, the City of Waterbury, Watertown Fire District, Water and Sewer Authority and a small area in our town which is the subject today the Connecticut Water Company. That small portion is required to put on our map our zoning regulations to which the P & Z is in the process of doing. To accept the map for public hearing that has been submitted to you and to the Town Clerk for filing and to schedule a public hearing on the adoption of that boundary line.

9-g (now 9-i)

Guernseytown Farms Estates, Request for Two Year Extension of Subdivision Approval

Franklin Pilicy

The lots are along Guernseytown Road an existing public highway, the improvements are essentially drainage and other minor improvements with respect to the public right of way. He passed to the Commission a copy of the statue section 8-26c which allows for a Commission to grant extensions of time period and I would ask the two years begin form tonight's date. Mr. Calabrese has been quire ill and that is the reason work has not been done up to this point.

G. Martin recused himself from this request
D. George sat in for G. Martin

Text of Motion: The Commission extends for two years until the date of July 7, 2012 the subdivision approval for Guernseytown Farms Estates
Motion made by: R. Russ
Second by: R. Rossi
All in Favor

G. Martin returned to the meeting
D. George was no longer seated for G. Martin

10. Public Hearings

- a. **Continuation of Public Hearing, A Zoning Regulation/Text Change (new) for Baldwin School reuse – proposed amendment to Article IX Watertown Fire District, Section 83.22 Residence R-10F located at North Street, Watertown, CT in an R-10F Zoning District Section 83.22.11 for Adaptive Reuse of a Former Public School.**

Mr. Mancini read the by-laws:

The Planning and Zoning Commission has established rules for the conduct of its public hearings, copies of these rules are at the doorway to this room and on the town website. While decisions are pending communications with Commission members on the merits of an 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 there are no speaking time limits. However the Commission may establish time limits for speaking at this hearing. It is usually not helpful to the Commission to hear statements more than once. Opinions polls are also usually not helpful and are 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 a 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 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 this public hearing.

Mr. George: notes to be made that Mr. Martin is back now.

Franklin Pilicy

Since the last public hearing session I received minutes from the public hearing session and made revisions to the text amendments as proposed and I will highlight some of the major parts of the revised application. Some of which are revisions and some of which have been there from the beginning.

One of the changes is:

- One permanent resident must be 55 years of age or older, there shall not be any resident under 20 years of age.
- No dwelling unit may be constructed within the lot except within the building.
- The property conveyed by the town may not be further divided or subdivided.
- Restrictions concerning the exact active adult residential use will be included in any zoning permit.
- Solar access will be considered at time of site plan application.
- The landscaping plan will be submitted at time of site plan application.
- The accessory buildings will be essentially for parking with a height restriction of 16 feet.
- Parking will only be permitted in the rear of the building.
- The spaces in front of the garages cannot be counted as the parking.

- The Community Association will have deed restrictions which will include as an encumbrance for issuing as recorded on the land record will require compliance with the age restricted portion of the permit and least once annually the association will be required to file a compliance of certification with the Zoning Officer.
- No similar development can be proposed for approval within 1,500 square feet.

Mr. Pilicy: the applicants would like to clarify and respond to some of the concerns that were addressed at the public hearing session by the neighbors and tonight there will be additional speakers.

Mr. Pilicy read the report prepared by Kloss Appraisal Services, LLC:

Chris Hill - Licensed Architect

There are 3 floors, the lowest level which enters at grade in the rear of the building would have five units ranging from 740 square feet and as low as 703 square feet that are single bedroom units. The floor that enters at grade in the front of the building has a wider range with two bedrooms and one bedroom units ranging from 700 and as high as 1,200 with two bedrooms. The floor above grade in front of the building is almost identical. The attic space will be a community function room which is approx. 40 by 80. All units have an open plan to the kitchen and living room. The smaller sized bedrooms are 14 by 15. Concerns were brought up about the size of the units, I have worked on other projects for a developer where they have built in Avon and Farmington they were as low as 680 square feet for a single bedrooms and 850 square feet for two bedrooms so this comparable and sold very quickly.

Jack Sousa - 289 Burhill Road, Middlebury

In today's market in order to sell in real estate you have to target a niche. The school sits in a neighborhood with great charm than any other neighborhood in town. Is within walking distance from the town facilities and for that reason is very attractive to the age group that we have identified. Based on the data that we collected there is a large percentage of available sales in the Litchfield County area and New Haven County area in this age category who winter in Florida and would like to down

size their homes here with less up keep, taxes, and the expenses that go along with owning a home. What added to that equation was that this property was historic and comments were made that it would destroy that, on the record I am here to tell you that would be ludicrous. I am going further on the record to tell you that the interior will remain historic so that it can qualify for the federal programs that will be available to us. The hardwood floors inside the building, sculptured windows and the high ceilings all of those features will be maintained. I am going to say for the record there were some comments made about price points and we never discussed price points through this whole process we tried to be good neighbors and answered the needs and questions that the neighborhood has asked of us and have met with them 4 times at minimum. Our Attorney stated that we first thought creating a little village within the neighborhood would kind of perimeter the property and add to the safety and ambiance that will be created in the building and we were willing to compromise that. In addition to that we made some other compromises, one being we accelerated the architectural drawings of the floor plans for the neighbors to see we felt was important. We accelerated in developing and coming up with a price point echoed by several residents. The smaller units without the upgrades we offer an upgraded appliance package and granite counter tops. In addition to there are other features we offer, architectural packages, bathroom packages and upgraded flooring packages that will accelerate the price. The minimum price of the unit will be \$299,000 and going up to \$399,000 with one of the larger units built out with all of the upgrades. Our price per square foot is above vs. homes sales per square foot in that area. I do not understand how this will devalue anyone's property and I see the opposite happening. Throughout this process we wanted to be a good neighbor, I feel strongly that this project will stand out amongst the Litchfield area.

Paul Buenevich - Professional Engineer

Architectural the building will remain the same that it is. The front driveway circle will remain and be just for emergency vehicles with no parking or access. The parking stalls will be accessed off of Warren Way and have 2 parking spaces per unit. There will be walkways connecting the parking with the building with a small interior grassed area for seating. The walkway would still connect to the Congregational Church and will maintain that access and one acre of landscaped area on site to be

determined. Drainage I discussed with Mr. Berger, we believe there is capacity. We did not fine tune the impervious area and calculations if we need underground storage or detention we can discuss that again at the site plan stage. The existing sanitary sewer and water services will remain through the Fire Districts jurisdiction.

Franklin Pilicy

Additional comments the use of Baldwin School when it was a school compared to what it might be right now and we did get info from the Board of Ed for the last year when Baldwin served as a school it housed 233 students and 13 teachers, 5 buses, and 2 vans on a daily basis. Most students were dropped and picked up by parents and most of the traffic was on Warren Way. The second comment the total square footage of the interior is approximately 6,000 square feet per floor with a total of 18,000 square feet. In conclusion a development of this nature must be financially viable and targeted to a market that is current or it just cannot get done. No lending institution is going to finance something unless it meets the kind of market for this proposal. This is an opportunity to have one less vacant building in town with a special development.

Joe Pawlak – 173 Middlebury Road

As pervious Town Council Chairman during the time when this property was offered for sale there was some discussion relative to numbers of units. I can tell you there were only two conditions which I can recall with respect to the sale of the property and the offering. One was that residents must be 55 and older. Two the property was sold as is with whatever relative zoning regulations governing in place. If they chose to do something other than for whatever use they wanted whether it was residential, multiple family which we would assume be the case, then that was up to them to pursue those reliefs through the appropriate authorities. Those were the only conditions I recall as part of the sale. The actual sale took place after I left office in November or December of 07.

Joe Masi – 33 Pleasantview Street, Oakville

I would like to acquaint the board with an item that came to my attention. Mr. Mancini read the rules and regulations of the P & Z Commission regarding its part in communications. This is a continuing hearing, comments that appeared in the paper this morning were ex partake communications. Comments should have not have been made through the press and simply discussed here at the continued public hearing.

Anthony Fitzgerald – 36 North Street, Watertown

I would like to follow up on Mr. Pawlak's remarks; I did go to the records and have copies. The invitation to bid on the school was very clear that the sale would be set to existing zoning and the deed says that. The appraiser letter said you cannot put a value on the property because it has no zoning and the buyer is taking the risk. What is the key issue here, we are saying that the zoning commission should respect the existing density requirements for the zone of 10,000 square feet per dwelling unit, that is a pretty dense standard. There is no reason why that important requirement should be thrown over to allow this development. They can put in twelve units in the building and that is about the most you can get into this structure without crowding people. Mr. Pilicy reviewed some changes, he referred to no dwelling units outside the main building, I just want to be clear those were not changes from the proposal that was submitted to you and that was the subject of the hearing last time we were here. Those were changes from the formal proposal that the developer had presented to you for discussion. As we acknowledged last time they did make some substantial progress by moving away from their traditional proposal to include those provisions, as far we are concerned those were our steps, steps toward what they had represented was going to be their aim high end luxury residential development. If you depart from that per unit density requirement that applies in this zone you are going away from that represented goal. The original proposal stated that the walkways within the development there shall be no asphalt which is high end and that is gone.

Greg Chere – 87 North Street, Watertown

What I wanted to do is with the allowed regulations that were put together by the neighborhood and the regulations with the 10,000 square foot in the R10F zone developed these units that would fit well with the building. I have redeveloped the drawings shown to us and compared to what we have in front of us now these units here though not greatly larger, they are larger than the units proposed by the owners, showing amenities having an entry way instead of a direct walk into a kitchen, coat closets located near front doors and larger walk in closets that is something we would like to see in this development. The other item was today's market and targeting a niche. Those are all fine items as a developer yes that is what they are going to look to do but zoning regulations is not something that should be centered around today's market, it is something that is put into the books and to remain in the books unless there are major changes in the entire town over a period of time which is controlled by the Plan of Development.

Dennis O’Sullivan – 238 North Street, Watertown

I am a Professional Engineer and Mr. Chere is a licensed architect. I received a copy of these revised regulations and looked at them and wanted to bring to your attention some of the items. In reference to minimum floor area for dwelling units, 700 square for one bedroom, 800 square feet for two bedroom, and two items are added on they were not in the previous regulations and it says **no unit shall have more than 2 bedrooms**. What I perceive, if somebody goes in there and want a larger space and bought two of these, why would we have that restriction? **Solar access** shall be considered in any site plan application submitted pursuant to this section. What does that mean? **Walkways** were said to be asphalt previously were not allowed, but here we have adequate surface. A new paragraph which says similar developments restricted, **no similar development shall be allowed within 1,500 feet of any previously approved development** under this section. Why would an agency of the town like yourselves preclude perhaps some other public school that might be developed as residential and prevent the town from all of its options. I believe the Heminway Park property is within the 1,500 linear feet. The association shall annually by January 31st fill **a compliance report as to the age restriction** with the Zoning Enforcement Officer. Why would the town want to get involved in this?

Patrick Sharp – 82 North Street, Watertown

Mr. Sharp read an article from Forbes Investdapia about home values with changing restriction zones. Mr. Sharp also talked about traffic flow with school buses when it was a school not traveling after 3 or before 8 or on weekends and it is not 24 hours 7 days a week with 38 cars possible coming out of Warren Way. Mr. Sharp gave that article to the Commission.

Jonathan Sharp – 330 Main Street

I have done bidding for several years across the country and I am the Vice President of Contract North America and I have never seen the lowest bid ever win, looking at this for tax purposes for \$50,000 more if they go with the first bid that would have covered nine years of taxes. There are no luxury apartments in Litchfield County, the only luxury apartments I did find in Connecticut which were stated as luxury were in Fairfield County and not one of those apartments had less than two bathrooms. It was mentioned that a 1,200 square foot house people are down sizing, people

are not going to down size that far they are generally moving from a larger space and with two bathrooms. There is no way they are going to sell these apartments for \$299,000. You can buy a condo in Greenwich, Ct overlooking the water for \$300,000. To get \$299,000 for a basement apartment that only has windows on one side; with a shared entrance into the facility with your neighbor is really being farfetched. It is not your job to turn around and protect a bad investment; your job is to protect the people in that neighborhood.

Deborah Weinberger – 130 North Street

They do not have a track record in keeping their word. They would like to change the age requirement, only one person has to be over 55 and the other person can be younger. I am still looking for this group to protect the homeowners in the area.

Franklin Pilicy

The additions that were made to the text change essentially were comments by the Commission at the last public hearing session regarding the restriction of 1500 square feet, age restricted compliance, and solar access. The walkway issue would be addressed at the time of site plan. The text change conforms to all the Commissions comments and conforms to all the comments from the neighbors to the extent that we are prepared to accommodate those concerns. We disagree with the number of units and it should be up to the developer. We can have quality development and we believe there is a market for this and zoning ought to be here for the economy's markets and that is why we have too many vacant buildings.

Board Member Concerns

Mr. Mancini: Mr. Masi was correct in reminding me what I could say or what I cannot say as a Commission member during public hearings or before public hearings and talked about his discussions with Mr. Cooper from the newspaper. As a former Town Council member I remember it was up to 19, but we also did say it would have coincide with existing zoning regulations and it was up to the developer to do that.

Mr. Minnich: It was our intent to encourage through discussions with the neighbors that live there and those that have invested in this building to arrive at some agreement. Mr. Minnich asked Commission members if there were any comments.

Mr. Demirs: where did the number 19 come from, why was it not 15 or 25, who came up with that number?

Richard Palomba – 103 Hollow Road, Watertown

That was a preliminary estimate when we surveyed the building before it was purchased.

Mr. Mancini: Mr. Palomba is right, the number 19 was mentioned but it was up to 19. Going back to the low bids, there were other numbers proposed by other developers, we did not want to influence our school structure that is why we wanted 55 and older. Some people were bidding more money that did not want to coincide with the 55 and older and that automatically threw them out. We went with the bidders that agreed with the 55 and older proposal. There were two bidders that agreed to the 55 and older and one of them was Taft School.

Mr. Minnich: I believe the core issue remaining unresolved is the number of units. I think there is more conversation that needs to go on as to the methodology the numbers that both sides have. The neighbors are talking about 10,000 square feet which is their lots size in that district and the developer is talking about 5,000 square feet. I submit to you that this is an existing building, and the size is already there, so the purpose of having lot size is not isolated to just lot size. Lot size is one component; we also have in that district up to two dwellings within a structure on that property. We know that this is not a structure that is going to have two dwellings inside it. It is a multi family housing unit that we are talking about. So you can't then take one part of what you wish to have for square footage of a lot and then use that as a means of determining how many units you can have inside. I make the statement that the size of the lot and the restriction that is placed on that current zone for 10,000 square feet has no relationship in making the determination as to how many units should be inside the building. Therefore my own conclusion that the math of what is the best to best be appropriately inside comes to first determine what is the appropriate size of the largest unit in terms of bedrooms that would be proposed for this development which is two bedrooms. What should be the appropriate minimum size for two bedroom place in a multi family home in this environment? We do not have that existing in that neighborhood, so there is no comparable facility on North Street or anywhere in that neighborhood. We have to look outside of that neighborhood and some of the other multifamily establishments we have in this town which are Artillery Hill, Old Farms, Watertown Crossings, and Westview Village as four of those. This is not talking value now this is only talking size. I asked Mr. Demirs to take a look from data on those developments areas in town. It is a methodology that I am thinking through and if you could help us with your data as to what you found to be the size of two bedrooms in those areas.

Mr. Demirs: For two bedroom units, I will start with Westview Village, the range is 1384 to 1632 so it averages 1508. Artillery Hill, the range is

1130 to 1394 for an average of 1262. Old Farms, the range is 1192 to 1510 with an average of 1351. So your average on those units is somewhere around 1350 if you took those three complexes. The lowest of course being 1130 and the highest being 1632.

Mr. Minnich: That data I will use as a starting point, that the average is 1,300 square feet for those facilities and which is not the end result. If you take 1300 square feet as would be the minimum required size for a two bedroom. The question then becomes how many units you can fit inside that facility. There are three floors with a total gross floor area of 24,633 feet. The math of determining this you take the gross floor area minus the common areas and that sum you would divide by 1300 square feet as giving you a starting point of discussion as to what is an appropriate number of units.

Mr. Palomba: one of my questions would be how many units were 15, how many were 11 in order to come out to 13.

Mr. Demirs: That is the number that we don't have, that would require several phone calls. I can certainly get that for you. I think the number will come down.

Mr. Palomba: average square footage will come down.

Mr. Demirs: correct

Mr. Minnich: the dilemma, debate and the contention is the number of units. If one can put aside all issues and to determine what is a fair and appropriate methodology to come up with the number of units, I do not think the square footage of a lot is any appropriate means to do that.

Anthony Fitzgerald: I would call the Commissions attention to the proposal that the neighbors submitted for informal discussion and the methodology there. I agree with you and your point about the size of the lot to determine how many. When we compared our proposal we were actually scrupulous about trying to find a proposal with an amendment that would apply throughout the zone and was not aimed for a particular development and did not have a number of units specified.

Franklin Pilicy

The approach discussed by the Chairman does make some sense, it do not sufficiently take into account this is an existing building. We in turn

created many concessions here not anticipating that there was going to be a debate over how many units could be put inside a building. We feel that the developer ought to have some discretion as to what he believes can be financed and can be marketed. But all the major concerns were ultimately considered that nothing would be outside the building, the property would not be further developed. We did not anticipate getting into a debate of how many units could be put inside the building. The units could be quite nice and they do not have to be large. We do not think it is going to change adversely the character of this neighborhood. Whether there are 14 units or 12 units or 19 units.

Mr. Minnich: asked the Commission if they had comments.

Mr. Martin: my preference would be to see the two sides come up with a number that work for both of them.

Mr. Minnich: I do think that particular structure is a very great asset to that neighborhood in terms of what that building was before in terms of a school and what it can potentially be. The questions about the age restriction, are all beyond us and done at another level. We all have to come to some understanding we need to think through how we want to arrive at a number which is a key point that we are struggling with. There is an option to have another meeting on this.

Ann Fitzgerald – 36 North Street

By adding 40 extra cars on a permanent basis parking and driving in an out of Warren Way and what it will do to the neighborhood and to children's safety. The density of the neighborhood has a lot to do with the quality of life and fewer apartments would add something more in line with the housing.

Mr. Minnich: With cars you are presenting really the difference between what you have accepted in this proposal and what they have I do not see that number as being significant and the traffic report that we have does not support that either.

Ms. Fitzgerald: The more people that are added, the more density there is and it was originally zoned to control that.

Judy Wick – 1051 Northfield Road, Watertown

I actually wanted to speak expanding on what Mr. Fitzgerald had said that what you are looking to do is a zone change. Zone changes should not talk about the number of apartments. I think what the Town Council put in the

deed they have the right to do that, the people who bought it, accepted that deed restriction. If you were to look at this and consider this type of development as a special permit, then you can look at each one of these as they come and look at them as to how each one fits in the neighborhood rather than as a straight site plan. It seems to me there is a way that you can make a general zone change and make it subject to all the restrictions that a special permit would allow.

Mr. Minnich: I too and others have thought through that, once this is done it provides an off right, as long as they provide the number of units they have an off right to do, we are going to have to provide that.

Ms. Wick: if it is a special permit, the off right is restricted. If you look at it from the special permit basis, you have more latitude and then it is up to the applicant for those people who maybe opposing it to say this is going adversely affect the neighborhood or it is not going to affect the neighborhood.

Franklin Policy

I would like to point out that I do think there is some unfairness in trying to compare square footage wise to existing developments. This inherently is far different because again the building is there we are confined to just what is inside the building regardless of the size of the lot. Comparisons with other developments that you mentioned you could not build those other developments today, there is no market for them, there is no financing for them and so forth. I do think that zoning ought to take into account what can be done. It makes no sense to issue a permit that cannot be used. I would ask the Commission to approve this as presented.

Mr. Minnich: asked how you wish to proceed do you want to think about this and meet again later in the month before the 23rd or how do you want to proceed here tonight.

Mr. Martin: I think we have heard all pros and cons to what is before us tonight. I think we need some time to give it some thought and close the public hearing. I do not think anybody is coming before us and saying this is a horrible idea. The idea is great, and we do not want another Griffin School. The question is to what density, that is the decision that we are going to have to make one way or another.

Mr. Minnich: there is an opportunity for those that are here to comment on where we are coming from and I do not want to take the comments I made with regards how I came up with this as being anyone else's in fairness to this Commission other than myself of where we are in a consensus we can understand from others what needs to be done.

Obviously it is going to result in a compromise and we need to understand the impact.

Lorraine Chapin – Anne Avenue

I wanted to comment on what Mr. Pilicy said about the financing aspect of the project. As I stated previously in meetings you should not be taking into account whether one particular person can get financing and basing your decision on how they get money is there problem and you should not change a zoning regulation.

Mr. Minnich: I understand your position, essentially the values of the property and how that affects existing values to property is very essential to what one of the purposes is here. Understanding what it is they as a developer say they can or cannot do in terms of building, does have an effect on the value of the properties. I would agree with Mr. Kloss and his statements that were read to us, that having vacant building for a long time does not improve the value of the neighborhood. So therefore, values do have an important part. But I do think your statement that you asked us to consider is just not fundamentally correct.

Mr. Mancini: if we vote tonight, we would be voting on 12 or 19 those are the numbers right now right. Can I ask if there is room for compromise on both sides, can we ask that question? Taft LLC, is there room for a compromise on your side?

Jonathan Sharp

I like what you said it made a lot of sense. If you can give us the time to go look at those apartment buildings around town and see their surrounding houses. We might be able to have a percentage of comparison looking outside the box as you said. What is the average square footage of the houses around it? What is the average value? Then maybe we can take another look at it.

Mr. Minnich: in terms of how we proceed tonight, we could have a meeting before July 23rd on this.

Mr. Mancini: can we get an extension on this?

Mr. Martin: we already know the developments that we are talking about are completely different than what we are looking at right now. These are large developments, a lot of condominium developments. To go through that I think it is an admirable thought you are not going to get any type of comparison.

Mr. Martin: can we take a five minute break.

The Commission took a 10 minute recess at 9:46PM

The Commission returned from recess at 9:58PM

Mr. Minnich: The questions before that Mr. Mancini had posed are there any responses?

Jack Sousa

We did discuss it with our partners; I want to say that originally we had proposed developing the interior of the school and then further develop 5 duplex units on the exterior. Through our discussions with the neighborhood and the multiple meetings, we did in an effort to come before the board with a plan that was favorable to both sides. We decided to compromise on all of the exterior units and to redesign the interior, again with the density in mind. To that end we would like to propose reducing the units on the interior of the building to 14 and to pose that there be 5 single units on the exterior that would be comparable in design to the neighborhood which we had shown the neighborhood. We had architectural drawings, color prints drawn, we can bring them before this Commission and actually compromised everything including allowing the neighborhood to have input details as to the color of the exterior. This design that we are proposing is award winning. Those units would be comparable to the developments that Commissioner Demirs had used as examples. I think what it does, it fits the exactly to your proposal in terms of not square footage but the useful use of the space on the interior and exterior without destroying any type of density.

Anthony Fitzgerald

I have no authority to speak for anybody but myself. Getting 100 people more or less to this point was something of an exercise. I am already having people tell me tonight I am not compromising you are not speaking for me. Development of the group position requires the same kind of process would require a meeting.

Mr. Minnich: I know we have a lot on the agenda I think we need to meet again later in the month. I do not sense there is a consensus amongst the Commission yet and I think you all need to think about it and come up with your conclusion. Do you want table this until a time later in the middle of the month.

Mr. Mancini: why should we table to the middle of the month, why not the next meeting.

Mr. Minnich: we can request the applicant to give us some more time. Let's ask the applicant in a formal way if they would be willing to extend their statutory time of review for an additional two weeks.

Mr. Sousa: in the spirit of compromise....

KLOSS APPRAISAL SERVICES, LLC

WALTER J. KLOSS
JONATHAN P. KLOSS
185 SANDY HILL ROAD
P.O. BOX 931
MIDDLEBURY, CT 06762-0931
PH 203-598-7211
FAX 203-598-0203
July 1, 2010

Franklin Pilicy, Esq.
P.O. Box 760
Watertown, CT 06795

Re: Baldwin School Renovation / Conversion
North Street
Watertown, CT

Dear Attorney Pilicy:

In response to your recent request I have reviewed the proposed plans calling for the total renovation and conversion of the vacant Baldwin School into residential condominiums. The purpose of this review was to determine if such a conversion would negatively impact on the character and values of the North Street neighborhood. It has become this appraiser's opinion that such a conversion is the only viable re-use of this building and would not negatively impact on the neighborhood and could enhance and stabilize the neighborhood given the other options of leaving the building vacant or converting it to a less homogeneous use.

The North Street neighborhood is predominantly characterized as being in the Taft School area. This is a very positive factor given the reputation of the Taft School. The fact that this area is within walking distance to the downtown area, local churches and shopping further add to its desirability. North Street is dominated with single family residences of varying age, style and size, the only exceptions being a private tennis club and a local cemetery. The Baldwin School predates much of the residential construction and has been a fixture in the area since around 1907.

In considering the reuse of any property it is important to review the local zoning to ascertain potential and probable uses. The subject's Residence R-10F zone allows, as a right one and two family residences, home occupations and municipal uses. This structure is much too large for a one or two family residence. However it could be utilized by the town of Watertown for office or community uses. Special Uses include child day care, non-profit uses such as churches, parish halls, education uses, philanthropic and charitable institutions, membership clubs, for profit golf, tennis, swimming or similar clubs, public utility substations, buildings and uses of the State of CT or Federal Government. Several of these uses might be viable but they would have to be on a large scale and could cause periods of high traffic and bring undue attention to this neighborhood.

*Rec'd PH
7/7/2010*

*submitted
by Pilicy
Baldwin School*

Text of Motion: The Commission requested from the applicant and was granted an extension of time on the application for two weeks from July 21, 2010 and recessed the public hearing to August 4, 2010 at the Swift Middle School in the library.

Motion made by: G. Martin

Second by: C. Mancini

All in Favor

b. A Subdivision Application of James L. Greenwood for a four lot residential subdivision to be located at 391 Echo Lake Road, Watertown, CT in an R-30 Residence District.

The Planning and Zoning Commission for the Town of Watertown, Ct. will hold a public hearing on Wednesday, July 7, 2010 at 6:30 pm at the Watertown High School. Lecture Room, 324 French Street, Watertown, Ct. on the following:

A Subdivision Application of James L. Greenwood for a four lot residential subdivision to be located at 391 Echo Lake Road, Watertown, CT in an R-30 Residence District.

At these hearing interested persons will be heard and written communications will be received. A copy of the text amendments 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 the office at 860-945-5266 to schedule an appointment. A copy of the text amendments 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 24th day of June and the first day of July 2010. Carl R. Mancini, Secretary, Planning and Zoning Commission.

Curt Smith – President of Smith & Co. – Surveyors & Engineering Inc.

Mr. Smith submitted certified mail receipts and the avadavat for the sign notarized to Ms. Mulcahy. We have prepared an A2 survey of the property and wetlands has been delineated by certified soil scientist at two foot contours of the entire site. Mr. Smith reviewed the area of the site from the map. The property is serviced by sanitary sewer lines and water lines with the Fire District on the west and town water on the east. It is situated in an R30 residential zone. The 4 lots proposed we are arranging in size from 1.088 acres up to 4.0 acres. Lots 3 & 4 on the east side are proposed to be serviced by a common driveway 12 feet wide, providing a pull off area for emergency vehicles. There are adequate provisions to accommodate 284 foot site line. The western driveway servicing lot 2 will provide a 425 site line. Open space is proposed a total 2.24 acres which is approx. 20% of the total. 1.28 acres of that is dry. Three conservation areas recommended by Inland & Wetlands

totals an additional 1.5 acres, 2 areas on east side on lots 3 & 4 which surround the wetland area, the 3rd area is on lot 2. We obtained Wetlands approval May 13th, Fire District approval May 24, Fire Department approval Sept 15th, Sewer and Water approval from Vinny Caterino within the last week. Met with Ms. Mulcahy and Mr. Berger and discussed the engineering relating to the subdivision and have a letter dated today from Mr. Berger and have no problem adhering to the problems listed in this letter. I furnished a formal request from Mr. Greenwood asking for a waiver of Section 52516 which will allow this common driveway.

Board Member Concerns

Mr. Berger: I agree with what Mr. Smith said we met today and had a productive meeting and went over my comments that I discussed on the phone with him yesterday and I have no doubt they will be able to comply with all of them.

Ms. Mulcahy: we met today and went over any comments.

Mr. Minnich: have we seen the water and sewer authority letter.

Ms. Mulcahy: handed out an email from Vinny Caterino, he wanted bonding and to make sure it was in the developer's agreement.

Mr. Minnich: your proposal was well done in terms of what you wanted to do, the issues principally on this property are Inland & Wetlands which you resolved.

Mr. George: he has made our job very easy for tonight.

Public Concerns

David Bruce – 58 Longview Avenue

On the Bruce property and the Edmond property there is an intermittent brook that has to empty into lot 2, I believe you said that is going eastern side which you called wetlands.

Mr. Smith: replied there are wetlands on lot 2 yes.

Mr. Bruce: you are putting it aside that is not going to be built on.

Mr. Smith: correct.

Heidi Doolan – 410 Echo Lake Road

I am speaking for Peter Kiera he lives in the vicinity of the subdivision. He had to leave and wanted me to read this:

For the record please explain the 10 and 40 cliffs explain the details of the storm drainage effect on his septic. He said he tested the quality and flow, would any construction effect him and will be liable in the approval process. It sounds like he does not want to hook up to the septic and sewer.

Mr. Berger: on the drainage report the engineer analyzed a variety of storm events and some minor adjustments it showed no increase due to the development in runoff from the site. They are proposing to collect the runoff from the rooftops and discharge them to underground infiltration systems which offset the increase impervious area due to the development. Because there will be no increase I do not foresee impacts on his well or septic, there should be no change as a result of the development from a surface water perspective.

Judy Wick – Northfield Road

I thought I heard the engineer say that the site lines for the combined driveway met the requirements for 25 mph speed limit. We know no one goes 25 mph on Echo Lake Road, is there an average accepted speed that count when looking at this and could this be a problem.

Mr. Berger: if this was a town road being proposed in this location we would probably have them do a traffic analysis and look at the 85th percentiles to see what traffic is traveling on Echo Lake road. Being that it is a driveway the subdivision standards say have adequate site line there are no specific standards for driveways. I default to the DOT design manual which they are in compliance with.

Mr. Martin: that was my biggest concern is the easterly line site coming out of that driveway made me nervous. I know they are saying they are going to blast out some of that rock and it is a curb and a rock in the same location. It is a tight corner and could be a potential problem.

Mr. George: said I do not see it as a real problem and it does meet the standards.

Text of Motion: Close public hearing

Motion made by: R. Russ

Second by: M. Genovese

All in favor

- c. **A application for Site Plan/Special Permit #297 of Honda of Watertown for sales of used cars located at 774 Straits Turnpike, Watertown, CT. in a B-SC, Business Shopping Center District.**

The Planning and Zoning Commission for the Town of Watertown, Ct. will hold a public hearing on Wednesday, July 7, 2010 at 6:30 pm at the Watertown High School. Lecture Room, 324 French Street, Watertown, Ct. on the following:

A application for Site Plan/Special Permit #297 of Honda of Watertown for sales of used cars located at 774 Straits Turnpike, Watertown, CT. in a B-SC, Business Shopping Center District.

At these hearing interested persons will be heard and written communications will be received. A copy of the text amendments 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 the office at 860-945-5266 to schedule an appointment. A copy of the text amendments 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 24th day of June and the first day of July 2010. Carl R. Mancini, Secretary, Planning and Zoning Commission.

Ted Hart – Professional Engineer – Vice Milone & McBroom

Proposed project is a conversion of an existing building. The site is 0.8 acres were not proposing to make any significant changes other than closing off one of the entrances and put a five foot grass strip on the north boundary and a wood guiderail in that location with a fence along the back of the property line. We are not proposing increasing the size of the building. Our plans show a new stop sign and stop bar on the exit lane and to continue the new curbing along the frontage of the property. Handed out an aerial photo of the site the existing building which is a total of 3, 696 feet and requires 12.2 spaces and there are 24 spaces currently not counting the spaces in the back of the building. The plans show the site lines from our new driveway there is 700 feet looking to the left and over 1,000 feet looking to the right. Mr. Berger had comments when we met regarding the layout of our parking lot we basically restriped and pushed the middle parking bay back. We have a one way aisle in front of the building, two ways out in front and then one way circulation around the back of the building. We will put a do not enter sign in the back so people will not go the opposite way around. We provided an access through the existing dealership down in the southeast corner of the property. At a previous meeting we talked about signage we planned on a pylon sign which is 11foot 8 inches tall and where the existing sign is we are replacing it with a 29.33 square feet sign. The building sign is 2 ft by 23 ft for a total of 46 square foot sign. We provided a lighting plan with 20 foot poles in front.

Franklin Pilicy

The signage issue permission is to approve the signage as proposed on the grounds that actual signage proposed is smaller than the sign that is there now.

We are making it more conforming under Section 6 of the non conforming regulations.

Mr. Hart passed out pictures of the existing sign..

Board Member Concerns

Mr. Mancini: asked about the drive around in the back going to the north down to the south. What do have on the southern side to prevent the cars coming in to turn right to go north around the back.

Mr. Hart: we put a do not enter sign there and I do not believe there will be a lot of traffic there.

Mr. Martin: you are not combining the properties this is a separate and distinct property and stands alone.

Mr. Pilicy: we were informed that would it be the Commission's perspective to combine the properties. This use is going to be an accessory use devoted to used car sales.

Mr. Martin: so when this entire project is done you will have one lot.

Mr. Pilicy: that is the intent, the applicant has not purchased the property yet, subject to obtaining the appropriate permits and then he will begin incorporating the site. The building is strictly for the sales of used cars, the first floor will be for the showroom and sales, the second floor will be for offices for accounting and training.

Mr. Minnich: the dumpsters are they going to be on this site or are you going to use the ones you have.

Mr. Hart: we are going to be using the existing ones located behind building.

Mr. Minnich: this has been reviewed by the Water and Sewer have they made comments.

Mr. Hart: I do not believe they have.

Mr. Minnich: we do not anticipate any issues with that.

Ms. Mulcahy: I do not believe so.

Mr. Hart: they will have 5 or 6 employees in this new building.

Mr. Minnich: the traffic pattern one issue is that resolved in the newest version that you reviewed.

Ms. Mulcahy: said yes

Mr. Hart: I do have a new set of plans that show revisions with the arrows and do not enter sign on it.

Mr. Minnich: has the Fire Marshall reviewed this

Ms. Mulcahy: I have not received anything from the Fire Marshal.

Mr. Minnich: the lighting on the frontage of the property is there shielding.

Mr. Hart: we have the house side shields to get that cut off as much as possible and pulling the lights in further would create a problem with traffic flow.

Mr. Mancini: what type of fence in the back.

Mr. Hart: basically a short guide rail to block cars from coming through and passed out pictures of what it will look like.

Joe Masi – 33 Pleasantview Street, Oakville

This was presented as a separate site plan, separate drawing then we hear it is going to be co-joining with the permanent site. It should be drawn as part of the whole site. With co-joining how do you get a second pylon sign, you are allowed one pylon sign. Once you take the sign down it is gone and you start from scratch.

Mr. Pilicy: I disagree for any variance with respect for the sign. In your regulations there are grounds to approve as presented. I see no need to have a combined site plan when there is an existing site plan already approved and we are taking an existing building and just adding it to what is already approved recently next door. All non conforming uses are protected under your regulations. You have the right to approve something that is a lesser use.

Ms. Mulcahy: in our regulations you are only allowed one pylon sign and this is a special permit application, this is not an application for a non conforming use, accessory use car dealership to another dealership so the sign regulations would apply to this property.

Mr. Martin: we are the ones that guided them to combine the sites. It was the better approach to this which everybody supported. It makes sense he would

want a second sign to his property to have a used car dealership with the new one.

Ms. Mulcahy: it is an accessory to the main car dealership; this use is not allowed in the zone as a used car dealership.

Mr. Minnich: needing to combine this we did not want to have a used dealership separate up on that zone you had to have it as an accessory. Therefore combining lots became the easy way to do this, but it complicated the issue of the sign. I think it benefits all three properties by combining it into a single property. I like the circulation pattern, sharing lots and access ways, it presented a lot of good things by combining it

Mr. Pilicy

Non conforming rights are very important rights and they are lessening that. I disagree that they can only have one sign under your regulations. If there is 2 or more sign there today then they can have what is their today or something lesser and we are proposing something lesser.

Text of Motion: Close Public Hearing

Motion made by: R. Russ

Second by: M. Genovese

All in Favor

d. An application by the Planning and Zoning Commission for a proposed zoning text amendment to the Town of Watertown's Planning and Zoning Commission Amendment to the Subdivision Regulations New Appendices: "Subdivision Development Agreement".

The Planning and Zoning Commission for the Town of Watertown, Ct. will hold a public hearing on Wednesday, July 7, 2010 at 6:30 pm at the Watertown High School. Lecture Room, 324 French Street, Watertown, Ct. on the following:

A proposed zoning text amendment to the Town of Watertown's Planning and Zoning Commission Amendment to the Subdivision Regulations New Appendices: "Subdivision Development Agreement".

At these hearing interested persons will be heard and written communications will be received. A copy of the text amendments 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 the office at 860-945-5266 to schedule an appointment. A copy of the text amendments 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 24th day of June and the first day of July 2010. Carl R. Mancini, Secretary, Planning and Zoning Commission.

Mr. Minnich: this text amendment adds to the subdivision regulations as an appendix is a development agreement we had for a number of years, which provides a means to take all of the various aspects of the application and put them into an agreement by which has already been through the approval process. It provides a means to recognize that not necessarily after our approval does the subdivision development agreement actually take place but it provides a check list which is helpful to both the town and to the developer. Upon the various processes to which it is approved which requires a couple of things which is in here and in our subdivision regulations this then becomes a document to which is executed and put on the land records.

Joe Masi

I suggest they be considered under one public hearing it is all going to be redundant in terms of comments etc. and second of all it is 11:00. It would be foolish to start the public hearing at this point in time.

Mr. Martin: at this hour I am inclined to say we carry this on to another day.

Text of Motion: Continue public hearings for 10-d to August 4, 2010 at Swift Middle School in the Library
Motion made by: G. Martin
Second by: C. Mancini
All in Favor

Mr. Minnich: it is my intention is to hold another meeting later in the month.

- e. An application by the Planning and Zoning Commission for a proposed zoning text amendment to the Zoning Regulations New Appendices: "Site Plan Development Agreement".

The Planning and Zoning Commission for the Town of Watertown, Ct. will hold a public hearing on Wednesday, July 7, 2010 at 6:30 pm at the Watertown High School. Lecture Room, 324 French Street, Watertown, Ct. on the following:

A proposed zoning text amendment to the Zoning Regulations New Appendices: “Site Plan Development Agreement”.

At these hearing interested persons will be heard and written communications will be received. A copy of the text amendments 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 the office at 860-945-5266 to schedule an appointment. A copy of the text amendments 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 24th day of June and the first day of July 2010. Carl R. Mancini, Secretary, Planning and Zoning Commission.

Text of Motion: Continue public hearings for 10-e to August 4, 2010 at Swift Middle School Library
Motion made by: G. Martin
Second by: C. Mancini
All in Favor

REMAINDER OF AGENDA TABLED TO JULY 21, 2010 in the Swift Middle School Library.

Text of Motion: Table remainder of agenda and adjourn this meeting at 11:04PM
Motion made by: G. Martin
Second by: M. Genovese
All in Favor

11. Articles on Agenda

- a. Applicant: Taft School
Agent: Carmody & Torrance LLP
Re: Site Plan/Special Permit #294
For Non-profit School Use

- At: 25, 37 & 51 The Green (Formerly Christ Church Parish)
Zone: R-10F
Action: Decision by August 20, 2010
Map was provided in May 5, 2010 packet.
- b. Applicant: Taft School
Agent: Carmody & Torrance LLP
Re: Site Plan/Special Permit #295
Modification of Standards (Shared Parking)
At: 25, 37 & 51 The Green (Formerly Christ Church Parish)
Zone: R-10F
Action: Decision by August 20, 2010
Map was provided in May 5, 2010 packet.
- c. Applicant: Taft North, LLC/Baldwin School
Agent: Attorney Franklin Pilicy
Re: Zoning Regulation/Text Change
(new) for Baldwin School reuse
Proposed Amendment to Article DC –
Watertown Fire District, Section 83.22
Residence R-10F
At: North Street, Watertown
Zone: R-10F
Action: If the Public Hearing is Closed, Decision by
September 10, 2010.
- d. Applicant: James Greenwood
Agent: Curt Jones, Smith & Company
Re: 4 lot residential subdivision
At: 391 Echo Lake Road, Watertown
Zone: R-30
Action: If the Public Hearing is closed, Decision
By September 10, 2010.
- e. Applicant: Honda of Watertown
Agent: Attorney Franklin Pilicy
Re: Site Plan/Special Permit #297
Sales of used cars
At: 7774 Straits Turnpike, Watertown
Zone: B-SC
Action: If the Public Hearing is closed, Decision
By September 10, 2010.

- f. Applicant: Patrick Graziano
Agent: Attorney Franklin Pilicy
Re: Text Amendment to Zoning Regulations
Section 34 Add New Section 34.2.15
Residential Use on Upper Floors Above
Street Level
At: 9 Knight Street, Watertown
Zone: B-G
Action: Schedule a public hearing by September 10,
2010.
- g. Applicant: ARS Associates, LLC(18 Falls Ave)
TGB Properties, LLC (25 Falls Ave)
Agent: Attorney Franklin Pilicy
Re: Zone Change Application RG back to IG-80
At: 18 Falls Avenue, Oakville
25 Falls Avenue, Oakville
Zone: RG
Action: Schedule a public hearing by September 10,
2010.
- h. Applicant: Clearwire, LLC
Agent: Thomas Flynn, Maxton Technology Inc.
Re: Site Plan/Special Permit #298 Application
for antenna on Town Water Tank
At: 192 Georgetown Drive, Watertown
Zone: B-SC
Action: Schedule a Public Hearing by September 10,
2010.
- i. Applicant: Planning and Zoning Commission
Re: Text Amendment to Zoning
Regulations New Appendices: "Site Plan
Development Agreement"
Action: If the public hearing is closed, timing of
decision is at Commission discretion
- j. Applicant: Planning and Zoning Commission
Re: Text Amendment to Subdivision
Regulations New Appendices: "Subdivision
Development Agreement"
Action: If the public hearing is closed, timing of
decision is at Commission discretion.
- k. Applicant: Planning and Zoning Commission

- Re: Text Amendment to Commission By-Laws
New Item 13 in Article X, Section 3, ZEO
Duties and (2) Amendment to Section 6 in
Article IX, Public Hearings
- Action: Decision at the Discretion of the
Commission.
- l. 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, except for the 17.29
acre parcel identified as Map 102 Block 42A
Lot 84 located at 741 Echo Lake Road,
Watertown
- Action: Schedule a Public Hearing
- m. Applicant: Planning and Zoning Commission acting as
Aquifer Protection Agency
Re: Town of Watertown Regulations
Aquifer Protection Areas
- Action: Schedule a Public Hearing
- n. Applicant: Planning and Zoning Commission
Re: District Boundary Line Amendment to
include Aquifer Protection Level 'A' Area at
Border of Town of Thomaston near
Reynolds Bridge
- Action: Schedule a Public Hearing
- o. Applicant: Planning and Zoning Commission
Re: Amendment to text of Zoning Regulations:
(1) Section 3.1 "Establishment of Districts"
add "Aquifer Protection Level 'A'
Area" and "Map Code 'APA'"; and
(2) Section 51.2 "Site Plan - Authority"
- Action: Schedule a Public Hearing
- p. Applicant: Watertown Farm Limited Partnership for
Davidson Farm Subdivision
Agent: Attorney Robert Fisher, Cramer & Anderson

Re: Amend subdivision approval
Action: Revoke subdivision approval of December
6, 2006

12. Adjournment

Carl R. Mancini _____
Secretary