

Town of Watertown  
Planning and Zoning Commission  
Regular Meeting

Time: 8:45PM  
Date: August 5, 2009  
Place: Swift Middle School  
Media Library Room  
250 Colonial Street  
Oakville, CT

1. Call meeting to order

Mr. Minnich called the meeting to order at 8:45PM.

2. Roll Call

The secretary executed the roll call.

**Present:** Chairman, Mr. David Minnich  
Vice Chairman, Mr. Gary Martin  
Secretary, Mr. Michael Masayda  
Mr. Ronald Russ  
Mr. Carl Mancini  
Mr. Jim Blais  
Alternate, Mr. Duane George

**Absent:** Mr. Glen Dupliesse  
Alternate, Mr. Ray Rondeau  
Alternate, Mr. Ken Demirs

**Also Present:** Land Use Administrator, Ms. Ruth Mulcahy  
Town Engineer, Mr. Chuck Berger  
Land Use Secretary, Ms. Carol Allen

D. George sat in for G. Dupliesse

3. **Public Participation - none**

#### 4. Communications and Bills

- a. The Habitat Spring, 2009
- b. Letter dated June 29, 2009 from Sal DeLuca regarding planting of trees required by the subdivision street beautification policy of the Planning and Zoning Commission
- c. Letter dated July 16, 2009 from Steve Barberino Re: Mount Fair Village Informational Meetings
- d. State of CT DEP Re: Significant Environmental Hazard Report for Ten Acre Mall located at 595 Straits Turnpike, Watertown, CT
- e. State of CT DOT Re: Taft School Traffic Investigation Report
- f. Land Use Academy, Fall 2009 Schedule, Training for Land Use Commissioners, September 26, 2009 and November 14, 2009
- g. Court Case Robert Santa Maria Vs. Zoning Board of Appeals of the Town of Watertown and Richard Sarandrea, Chairman
- h. Memorandum of Decision from the Waterbury Superior Court re: Route 262-PCD zoning regulations
- i. Attorney Paul Jessell's July 28, 2009 letter to Attorney William C. Franklin of Cramer & Anderson, LLP

Mr. Masayda had concerns with 4i. He asked about the letter from Attorney Jessell to Attorney Franklin regarding Mark Tedesco. He also questioned the statements that were made in the Town Times.

Mr. Minnich replied the letter that was written by Attorney Franklin as well as what was reported in the Town Times addressed Mr. George.

Mr. Minnich said the first part of Mr. Jessell's letter was in direct comment to what Mr. George had as a complaint. The last paragraph is what I had asked him to write to Mr. Mark Tedesco's Attorney suggesting to him that the proper place to deal with the complaint to which you currently have is in the courts not in the newspaper.

Mr. Minnich cited the by-law giving him the authority that can direct the Town Attorney to conduct Commission business. Mr. Minnich cited Article 9 Section 4.

Mr. Minnich read the letter dated July 28, 2009 from Attorney Paul Jessell to William C. Franklin Esquire, Kramer & Anderson, Litchfield.

Dear Attorney Franklin,

Our clients, the Town of Watertown Planning & Zoning Commission and Commissioner Duane George, have asked us to respond to the accusations raised against Mr. George both in your law firms dated July 7, 2009 and as published in Watertown Town Times on July 16, 2009.

I note first that your client, Mark Tedesco was not present at the time the challenged statements were allegedly made. You and I both know how second hand-reports of a conversation can contain inaccuracies and misrepresentations.

More, contrary to the assertions made in your letter neither Mr. George nor any other member of the Commission made any statement that your client has “attempted to inappropriately influence... member(s) of the Planning and Zoning Commission nor any other agency in town.” Nor were any statements made that would imply that “Mr. Tedesco had attempted to utilize these business dealings to obtain favorable influence...,” or that Mr. George “attempted to discredit... the reputation of Mr. Tedesco.”

We would request that you strongly advise your client that any statements made to the press regarding the Commission or its members will not be taken lightly and serve only to exasperate an already inflammatory situation.

By unanimous consent place 4-a – 4-i on file

## **5. Minutes**

- a. Public Hearing July 1, 2009 Site Plan/Special Permit #267 Restaurant use located at 720 Thomaston Road, Watertown
- b. Public Hearing July 1, 2009 Site Plan/Special Permit #268 Legends Auto group
- c. Public Hearing July 1, 2009 Site Plan/Special Permit #269 Echo Lake Brownfield, LLC
- d. Public Hearing July 1, 2009 Site Plan/Special Permit #270 Pocket Communications wireless communications facility and equipment cabinets located at Siemon Company, 69 Echo Lake Brownfield, LLC
- e. Public Hearing July 1, 2009 Site Plan/Special Permit #271 WIDE
- f. Public Hearing July 1, 2009 Site Plan/Special Permit #272 Getty Service Station
- g. Public Hearing July 1, 2009 Text Amendment to Subdivision Regulations Section 7 Open Space and Recreational Areas
- h. Regular Meeting July 1, 2009
- i. Public Hearing July 15, 2009 Site Plan/Special Permit #273 -T-Mobile 3 antennas and one equipment cabinet located on the water tower located at Georgetown Drive, Watertown, CT
- j. Public Hearing July 15, 2009 Site Plan/Special Permit #274 -T-Mobile 3 antennas and one equipment cabinet located at 1050 Buckingham Street, Watertown, CT
- k. Continuation of Public Hearing July 15, 2009 Site Plan/Special Permit #268 Legends Auto Group
- l. Continuation of Public Hearing July 15, 2009 Site Plan/Special Permit #269 Echo Lake Brownsfield
- m. Continuation of Public Hearing July 15, 2009 Text Amendment to Subdivision Regulations Section 7 Open Space and Recreation Areas
- n. Continued Regular Meeting from July 1, 2009

By unanimous consent approve 5-a – 5-n

**6. Staff Report**

Ms. Mulcahy received the Connecticut Department of Environmental Protection Emergency Response Field Prevention Division on Echo Lake Road. The CRRRA plant had to do with bio medical waste being put there and the waste was labeled from Waterbury Hospital.

Ms. Mulcahy also received a request from Alcohol, Tobacco and Firearms about a request to sell firearms at a residence on Fern Hill Road.

Ms. Mulcahy did receive a complaint from a neighbor on Judson School about the installation of a level spreader and met with the Town Engineer and also called the consultant at Kaestle Boos.

Ms. Mulcahy said that the walkway at Frankie's is 3/4 of the way finished.

Ms. Mulcahy has a request for a zoning compliance for 712 Main Street for the Webster Bank in a BCF zone.

Ms. Mulcahy has a letter from Attorneys asking to provide any written documentation relative to complaints made about the condition of the road known as Lovely Drive for a two year period and we have not received any written complaints from that.

The staff has been working on Attorney Wellington's FOI request and with the use of office equipment and e-mails we have been trying to get all that information together on Echo Lake Brownfield files.

We also had a complaint from a neighbor at the High School the back side of the slope on the Tower Road side was collapsing and an eyesore for the neighborhood. I asked both Joe DiCarlo about it and he confirmed on the plans where all the trees were removed that acted as sort of a buffer for those residents and it was approved on the plans that there would be wild flowers and a few trees installed at the top of the slope. I asked Mr. DiCarlo to see if the slope was collapsing and I looked at the slope and it looked stable.

We have a pre application on a subdivision for Linkfield Road and therefore a subdivision application will be coming in shortly.

**Board Member Concerns**

Mr. Martin asked about the high school is there a requirement to mow that a couple times a year. The minimum we should require cutting 3 or 4 times a year to keep it down.

Ms. Mulcahy said she was looking for some kind of input from the Commission.

Mr. Minnich talked about the issue is that the Commission has been looking at the growth of residential development in town. Mr. Minnich had recently been looking at the advisory subcommittee of the Water and Sewer Authority, which they are planning in 2011 to bring before the town a water supply line in the northern service zone which is on West Road that will connect Fern Hill over to Platt Road and asked Ruth to look in the details of this plan. Perhaps it would be best with the Commission's concurrence having Ruth send a memo to the Water & Sewer Authority through the Town Manager just reaffirming the statement that is made this evening as well as what is in our plan of development that I have referred to is that we not encourage water & sewer in the northern part of our community.

**7. Articles on agenda**

**a. 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 over 600' of piped stream for site restoration for a future industrial building  
**At:** Echo Lake Road, Watertown  
**Zone:** IR-80

MOTION: Russ moved to table

SECOND: Mancini.

Aye: 7 Nay: 0

**b. Applicant:** Legends Auto Group, LLC  
(Valenti Motors)  
**Re:** Site Plan/Special Permit #268  
For new and used vehicle sales  
**At:** 694 Straits Turnpike, Watertown  
**Zone:** B-SC

**Board Member Concerns**

Mr. Minnich has some concerns about the lots size being .6875 acres of land. The parcel in terms of development is for office buildings; clearly changing it to a use of an auto dealership is a change of use which changes that use of that property. The 6 ten foot maples trees on the west perimeter of the property and 2 eight foot maples on the southwest perimeter of the property are suggested to be removed, these trees are in good condition and do provide a landscape buffer. Further west is a stone retaining wall which is needed for the grade change. The traffic circulation pattern at the South end of the property is very narrow and there is concern for the protection of the natural gas lines. The traffic pattern on the drawings showing how the cars enter on the east, north and south portion collide with each other. The two cut curbs this kind of circulation pattern is a traffic issue. There must be a safe and convenient access to structures into

the uses of parking and loading. There are sidewalks only on the east and the west side of the building and nowhere else on the property. This building is not what would one typically see as a building to which you would have a new car dealership in that there are not going to be any cars inside the building, and stressed pedestrian safety viewing cars only outside. Any new car dealership that I have ever seen they have preparation work that has to be done on new cars where are they going to put those materials that they are discarding there is no dumpster on site and no plans to put them in.

Mr. Minnich asked Mr. Berger about the Storm Water Drainage and Management Control Plan that was required if they had discussions on that.

Mr. Berger replied his thoughts were given that it is an existing development site and they are actually now slightly decreasing the impervious area of the drainage analysis and it was not required.

Mr. Minnich said those were my reasons to deny this application.

Mr. Minnich asked if there were any comments from members of the Commission. He then passed out a draft motion of denial.

**WHEREAS**, the Town of Watertown Planning and Zoning Commission received Special Permit #268/Site Plan application for a new and used motor vehicle sales dealership to be located at 694 Straits Turnpike, Watertown, CT from Legends Auto Group, LLC owned by Auto Corner LLC, 600 Straits Turnpike, Watertown, CT in a B-SC Shopping Center Business District which includes a Cover Sheet, Location Map CS-1 titled Valenti Motors, Inc. dated 6/29/09 with a final revision date of 7/10/09, an Existing Conditions Plan EX-1 titled Valenti Motors, Inc. dated 6/29/09, a Site Plan-Parking SP-1 titled Valenti Motors, Inc. dated 6/29/09 with a final revision date 7/10/09, a Site Plan-Signage SP-2 titled Valenti Motors, Inc. dated 6/29/09 with a final revision date of 7/10/09, a Site Plan-Lighting SP-3 titled Valenti Motors, Inc. dated 6/29/09 with a final revision 7/10/09, a Site Plan-Landscaping titled Valenti Motors, Inc. dated 6/29/09 with a final revision date of 7/10/09 prepared by Smith & Company Surveyors Engineers, Inc., 247 Main Street South, Woodbury, CT; and

**WHEREAS**, the Commission heard the application on July 1, 2009 and July 15, 2009;

**IT IS THEREFORE RESOLVED** the Watertown Planning and Zoning Commission **DENIES** with prejudice the Site Plan/Special Permit #268 application from Legends Auto Group, LLC, 694 Straits Turnpike, Watertown, CT, for a new and used automobile sales dealership from Lou Hart of Valenti Motors, Inc. in a B-SC Shopping Center Business District for the following reasons following reasons:

1. The lot size is .6875 acres. Section 33.5.1 requires a minimum parcel size of five acres

2. 6 ten foot maple trees on west perimeter of property and 2 eight foot maple trees on southwest perimeter of property are proposed to be removed. Removal of the trees is not in conformance with Section 51.12 Environmental and Historic Features which in part states “the development shall conserve as much of the natural terrain and existing vegetation as possible...”
3. The traffic circulation pattern is dead-ended on the south side of the property. The paved area there narrowly passes an above ground outdoor natural gas line. The traffic flow as shown on the site plan crosses near the northern entrance and is narrow throughout the site. The site plan does not conform to Section 51.10.3 by providing safe and convenient access to structures, uses, parking spaces and loading spaces. There is no loading spaces shown on the plan.
4. The site plan does not conform to section 51.10.4 by providing safe pedestrian, movement within and adjacent to the site. Almost all pedestrian movement is within the parking lot.
5. Section 51.10.8 states there should be the proper size, location of outdoor facilities, including dumpsters. There is no dumpster on the site plan.

Motion: Martin moved to deny  
Second: Mancini

Aye: 6 Nay: 0  
Abstain: Masayda

<b>c. Applicant:</b>	<b>ServPro of Middletown Gary Edwards, Owner</b>
<b>Agent:</b>	<b>Re: Zoning Text Amendment to Article III Section 34, B-G District, to Add Section 34.3.15 Cleaning Service Businesses provided service is conducted off site with no outside storage and no retail use</b>
<b>Zone:</b>	<b>B-G (Public Hearing Required)</b>

**Gary Edwards**

My territory is in the towns of Torrington and Southbury and we are looking to put an office here. We are now operating out of our main office in Middletown, it is just too far away it is not working out and we are looking to rent the spot on 690 Main Street in Oakville. We are here to ask for a special permit use, because we fit the purpose of the district perfectly but we can't seem to find a little slot for us in the list of things allowed.

**Board Member Concerns**

Mr. Minnich asked your amendment is to add to section 34.3.15 a cleaning service business provided services conducted off site but no outside storage and no retail use. Is that your proposal?

Mr. Edwards replied yes.

Mr. Minnich asked I understand you wish to proceed with your application?

Ms. Mulcahy replied he has submitted a special permit site plan application and two maps were sent out just to let the Commission know is in a memo with the original packet not this subsequent packet that explains why I sent both maps so you can see the entire parcel because they may be expanding their map to include more parking, is that Mr. Edwards?

Mr. Edwards replied I believe so, not 100%.

Ms. Mulcahy said they have a site plan and special permit application for this on use on the agenda as well and both require a public hearing.

**MOTION:** Martin moved to accept application for review and schedule a public hearing for September 2, 2009

**SECOND:** Russ.

Aye: 7 Nay:0

<b>d.</b>	<b>Applicant:</b>	<b>ServPro of Middletown</b>
	<b>Agent:</b>	<b>Gary Edwards</b>
	<b>Re:</b>	<b>Al Conway</b>
		<b>Site Plan/Special Permit #277 Office/Storage for</b>
		<b>cleaning company</b>
	<b>At:</b>	<b>690 Main Street, Oakville</b>
	<b>Zone:</b>	<b>B-G</b>
		<b>(Public Hearing Required)</b>

**MOTION:** Russ moved to schedule a public hearing for September 2, 2009. The application is not accepted for review until the text amendment is approved.

**SECOND:** Mancini.

Aye: 7 Nay: 0

e.     **Applicant:**                    **Town of Watertown Water and Sewer  
Department**  
          **Agent:**                        **Vinnie Caterino**  
          **Re:**                            **Site Plan/Special Permit #278**  
  **Two (2) steel storage containers in rear of  
building**  
          **At:**                             **747 French Street, Oakville**  
          **Zone:**                         **R-12.5**  
  **(Public Hearing Required)**

**Vinnie Caterino – Engineer & Land Surveyor**

We are here to request to install two storage containers in the rear of our building at 747 French Street. These containers are going to be 8’ by 20’ long and 8’ high and they both will be painted green. What we propose is putting them in the rear of the building they are not going to be visible from French Street which is to the South and Clyde Street to the east. The rear properties to the north and to the west they will be slightly visible, so we are proposing to install an arborvitae trees to form a border. The materials presently stored in our rear yard we will be able to put inside the containers and clean up the yard and make it look better. It will be 100% improvement for us and it will help our department quite a bit.

**Board Member Concerns**

Mr. Masayda questioned the memo if they are temporary structures for a short time until the addition of the building why do the plantings?

Mr. Caterino replied I do not foresee it being a short duration. It could be a year, it could be longer and I do not know what is going to happen. Right now all our equipment is outside and it will be an improvement.

Mr. Blais asked how about the water runoff there was a swamp and a pipe that goes from the front of your place underneath Polk School property that was very wet.

Mr. Caterino replied around the building is not wet. That stream that you are talking about there is a catch basin it goes underneath our building to French Street and through Polk School. The pipe is buried already and it is not going to have any interference with that at all and the area around the building is all stone.

Mr. Blais asked how much land you have with the building.

Mr. Caterino replied the size of our lot 35,000 square feet.

Mr. Martin was concerned about the amount of time that they can place these and have to come back if they want to continue the use of them in that area. We basically don't allow these normally on location, this could end up being 20 years and they are meant to be storage sheds for years upon years they grade and they rot.

Mr. Minnich replied I would have to review that.

Mr. Mancini asked about the arborvitaes you are putting them in to obstruct the view, you are proposing an arborvitaes six feet tall and ten feet apart. It is going to take 10 years before those grow and ten feet is way too wide.

Mr. Minnich said when you are coming back if you could help us to understand what material is going to be placed in them and vehicular access. Also addressing Mr. Martin's issue if these are considered temporary, what are you defining as temporary? The issue that is most important for the adjoining neighbors they would want to know when they are going to be removed and how they are going to be maintained and it would be helpful in making your presentation.

**MOTION:** Masayda moved to accept application for review and schedule a public  
For September 2, 2009

**SECOND:** Mancini.

Aye: 7 Nay: 0

<b>f.</b>	<b>Applicant:</b>	<b>DG&amp;P Realty</b>
	<b>Agent:</b>	<b>Steve Whittaker</b>
	<b>Re:</b>	<b>Preliminary Discussion</b>
		<b>Proposed professional office building</b>
	<b>At:</b>	<b>Corner of Straits Turnpike and</b>
		<b>Bunker Hill Road, Watertown</b>
	<b>Zone:</b>	<b>R-T</b>

Preliminary discussion – no motion needed

**Steve Whittaker**

Before we can come officially before this Commission we want to develop the one remaining lot on the corner of Straits Turnpike and Bunker Hill Road for use as an office building. We have to go to the Zoning Board of Appeals because the site is less than 1.5 acres our purpose here tonight is to inform you of that decision and to give you an initial look at what we are thinking about doing on the site. Our primary purpose in doing this development is to try to create cohesive whole for all three of these lots. The purpose of this zone is to make a real transition between the businesses to the south and the residences to the north and we are looking to do that with this development. To come into this lot off of Bunker Hill Road what we want to do is to connect all three of these lots with an entrance from this lot on Bunker Hill Road and have an exit out of the lots here on Straits Turnpike and eliminate this driveway here which would allow for much better traffic flow. The site will allow for 22 parking spaces that would allow us to have a

maximum building of 6,000 square foot building. Other than the small lot size it meets all of the other requirements as lot and building coverage.

**Board Member Concerns**

Mr. Masayda said you indicated the egress would be from Bunker Hill and the out would be on Straits Turnpike.

Mr. Whittaker replied traffic would go both ways we would have a right turn only and exit on to Bunker Hill.

Mr. Masayda replied it is a great idea except the entrance on Bunker Hill, coming from the intersection where the traffic signal is if someone wanted to get into the development then they would stop on that Bunker Hill one side lane going east the cueing would potentially back up into the intersection. This it is a low volume development because it is office space my first preference would be to eliminate the Bunker Hill entrance and just have everything coming out of Straits Turnpike entrance. The second preference would be just having a right turn only and my third preference if the Commission does decide to allow an entrance on the Bunker Hill side that a very large island be put in the middle so that the angles of vehicles leaving it and the vehicle entering it there is no question that you cannot enter going east on Bunker Hill into that site.

Mr. Martin commented on exit west because your exit is also going to be a problem trying to go across traffic it should be one right turn going out and right turn coming in and nobody coming across.

Mr. Masayda responded that would be difficult to do because you skew that driveway to point in the easterly direction someone still has enough space to make that maneuver stopping onto to Bunker Hill easterly direction and making that turn.

Mr. Minnich said with the property behind you and the thought was to work with them and combine a common access that they have two entrances,

Mr. Damico replied the concern with that is a very serious unrelated litigation surrounding that facility and I know there will be zero reception for us approaching them. In order not to have an entrance or exit on Bunker Hill it would require us to go through Mr. Perugini's property which we have no right to do this without his consent and agreement. The question at the last meeting was how could we balance everybody's concerns and arrive with a traffic flow pattern that would make the most sense. We would like to have the ability to have cars enter from Bunker Hill and exit but only going in one direction. We are talking about a small amount of cars; with an appropriate designed island I think we can discourage people from attempting to turn left.

Mr. Whittaker said this is a just a cartoon kind of what we want to do and we realize that we are going to have to have a traffic study and we will work with the civil engineer to try to work and address some of these issues and I think those are legitimate things for us to discuss at some point as we go through that process.

Mr. Minnich responded when that development for Aged Restricted Housing that intersection is going to be considerable more busy than what it is now. It is important to understand how all of this is going to affect the traffic. Adequate parking is essential to that business that is going to be there and if there is not adequate parking for it, the business is not going to be as successful as it would if it was.

Mr. Martin asked have you discussed with Mr. Perugini the use of his driveway as the entering and exit here to that piece.

Mr. Whittaker replied he has no reason to let us do that and he gains nothing from that.

Mr. Damico said this is a less safe position for a driveway, only because the traffic flow on Rt. 63 is more like a highway than a side street. The concern with having driveway that dumps here onto to Straits Turnpike, it would seem to be a safer alternative to get rid of this so that we do not have that issue on Straits Turnpike which seems to be more of a thoroughfare.

Mr. Russ asked if there is room on Bunker Hill to have a further left hand turn lane on if you were going east.

Mr. Damico replied the road is pretty wide, as it stands right now to get into the convalescent facility they turn left there it is just beyond this area if you concerned about backup people turning left in here.

Mr. Masayda commented the biggest concern is people turning left through 3 lanes.

**f-1**

**Applicant:**

**Re:**

**At:**

**Zone:**

**Dominic DiNunzio**

**First Cut**

**109 Buckingham Street**

**Watertown, CT**

**B-G**

**Jason Green – Robert Green Associates**

We are requesting is cut from this parcel from 109 Buckingham Street we are requesting two lots one has an existing home on it and a new home. On the parcel it is an existing barn, the barn will come down and the home will stay. There is an existing driveway that services the home now be relocated. The lots all meet the zoning requirements. There is a conservation easement to protect a majority of the wetlands that is in back.

**Board Member Concerns**

Mr. Minnich asked if the driveways are all off of Buckingham Street.

Mr. Green replied correct.

Mr. Russ asked how close the second driveway to Hillside is.

Mr. Green replied at least 2 homes before Hillside.

Mr. Minnich asked if the lots are going to be divided will they both be building lots.

Ms. Mulcahy replied yes.

MOTION: George moved to accept the first cut

SECOND: Mancini.

Aye: 7 Nay: 0

**f-2**

**Applicant:**

**Youghiogheny Communications  
(Pocket)**

**Re:**

**Teresa Vele  
Site Plan/Special Permit #279  
Telecommunications Tower**

**At:**

**Old Pin Shop  
1891 Watertown, Wtn**

**Zone:**

**B-C**

Ms. Mulcahy said the antennas will be on the Pin Shop on top of the pent house. This antenna is 10 feet above the roof. They are going to have a transparent chimney around the 3 antennas. It looks as though it is going to meet the regulations and it is straight forward.

MOTION: Martin moved to accept application for review and schedule a public hearing

SECOND: Mancini.

Aye: 7 Nay: 0

**h. Applicant:**

**Planning and Zoning Commission**

**Re:**

**Text Amendment to Zoning Regulations  
Section 51 Site Plans and Section 52 Special  
Permits**

Public Hearing Section 51 – Site Plans

Section 51.9 Procedure: The Commission may hold a public information meeting on an application for Site Plan Approval in which event Commission public hearing regulations shall be followed including the requirements of Section 51.21 “Posting Public Hearings Notices on Subject Property”.

Add: The applicant shall at their expense and by their action send a copy of the public hearing notice prepared by the Commission for publication in a local newspaper, to the record owners of property, as shown on the Assessor’s record which is within 150’ in all directions from the nearest subject property perimeter boundary, including property located across the street.

The notice shall be sent by certified return receipt mail no later than ten (10) days prior to the hearing (Note: the date of the hearing may be included in calculating the 10 day prior notice requirement); Not later than the commencement of the public hearing, the applicant shall present the return receipts to the Commission as evidence of compliance.

Section 52 – Special Permits

Section 52.8 Procedure: The Commission shall hold a public hearing on an application for a Special Permit in accordance with the General Statutes. Applicants for Special Permit that have a public hearing scheduled by the Commission shall conform to the requirements of Section 51.21 “Posting Public Hearings Notices on Subject Property: (Last sentence Effective Date October 10, 2008).

Add: The applicant shall at their expense and by their action send a copy of the public hearing notice prepared by the Commission for publication in a local newspaper, to the record owners of property, as shown on the Assessor’s record which is within 150’ in all directions from the nearest subject property perimeter boundary, including property located across the street.

The notice shall be sent by certified return receipt mail no later than ten (10) days prior to the hearing (Note: the date of the hearing may be included in calculating the 10 day prior notice requirement); Not later than the commencement of the public hearing, the applicant shall present the return receipts to the Commission as evidence of compliance.

MOTION: Blais moved to approve the text amendment

SECOND: Mancini.

Aye: 7 Nay: 0

Motion: Martin moved that the changes that have just been approved, the Commission determines is not substantially different from that which was published in the newspaper for public hearing.  
Second: Mancini

Aye: 7 Nay: 0

Motion: Mancini moved that the effective date of the text amendment is Friday August 14, 2009  
Second: Russ

Aye: 7 Nay: 0

<b>i.</b>	<b>Applicant:</b>	<b>Planning and Zoning Commission</b>
	<b>Re:</b>	<b>Adoption of Updated Zoning Map</b>
	<b>Zone:</b>	<b>All</b>

**Whereas** the Town of Watertown Planning and Zoning Commission submitted an application on July 15, 2009 for Zoning Map Amendment for all zoning districts within the corporate boundaries of the Town of Watertown as shown on the map titled “Zoning Map of the Town of Watertown Connecticut” prepared by Tighe & Bond, 446 Main Street, Worcester, MA 01608, dated June 2009; and

**Whereas**, the Commission’s sole purpose for this application is to update the last Commission approved Zoning Map titled “Zoning Map of the Town of Watertown Connecticut” prepared by HMA, Harrall-Micholowski Associated, Inc., Hamden Connecticut approved by the Commission on December 15, 1993; and

**Whereas**, the June 2009 Zoning Map is assumed to reflect zoning map amendments approved by the Commission after December 15, 1993 to and including August 5, 2009 and recorded in the office of the Watertown Town Clerk and in the office of the Commission. Commission approvals at the time of previous Zoning Map Amendments shall prevail in the event there is any discrepancy with this Zoning Map Amendment ; and

**Whereas**, the Commission held a public hearing and a meeting on said Zoning Map Amendment application on August 5, 2009

**NOW THEREFOR BE IT RESOLVED** by the Watertown Planning and Zoning Commission that the Commission **APPROVES** the application for Zoning Map Amendment and Zoning Map titled “Zoning Map of the Town of Watertown Connecticut” prepared by Tighe & Bond, 446 Main Street, Worcester, MA 01608 dated June 2009; for the sole purpose to update the December 15, 1993 “Zoning Map of the Town of Watertown Connecticut” to reflect previous

Commission approved zoning map amendments; with the following modifications and conditions:

1. All "Aquifer District" labels on the zoning map of shall be changed to "Aquifer District (APZ)
2. The "B-L" zoning district near Buckingham Street and Sunnyside Avenue shall be clearly labeled with an arrow
3. The "B-L" zoning district near Falls Avenue and Sunnyside Avenue shall be clearly labeled with an arrow
4. The "(R.T./P.O.)" zoning district labeled on Straits Turnpike near Bunker Hill shall be clearly labeled "(R.T.)"
5. Inset A shall be labeled "R-70" for the area to the west of the R-30 district shown on Inset A
6. The label "Date" in the "Adopted By" legend shall be labeled "Original Date"
7. The label "Effective" in the "Adopted By" legend shall be labeled "Last Commission Revision"
8. The note at the bottom of the "Zoning District Boundary Lines" legend shall be changed to read: "Note: Zoning boundary lines and zoning designations are as approved by the Watertown Planning and Zoning Commission and recorded in the office of the Watertown Town Clerk and in the office of the Commission. Commission approval at the time of Zoning Map amendment shall prevail in the event there is a discrepancy with this Zoning Map."
9. Several zoning district descriptors on the August 5, 2009 zoning map have been modified as shown on the December 15, 2009 zoning map. For example, "IR-200" was "I-R'200". These modifications change the placement of the hyphen and spacing within the descriptor. All zoning district descriptors in the Zoning Regulations and the Subdivision Regulations are hereby APPROVED to be the August 5, 2009 Zoning Map descriptors. Such amendments to the foresaid regulations are deemed by the Commission to be clerical changes, which when modified provides continuity with the Zoning Map and the regulations.
10. Two (2) mylar copies of the Zoning Map approved this date on August 5, 2009 shall be signed by the Chairman of the Commission. One (1) copy shall be filed in the office of the Watertown Town Clerk. One (1) copy shall be filed in the office of the Commission.

Motion made by: G. Martin  
Second: C. Mancini  
Aye: 7 Nay: 0

Text of Motion: The effective date of the Updated Zoning Map will be August 14, 2009  
Motion made by: Mancini  
Second: Martin  
Aye: 7 Nay: 0

## 8. Old Business

### a. Text amendments initiated by Commission members:

#### 1. Parking Regulations: G. Martin

Mr. Martin said he has been in contact with Attorney Hess to discuss the parking regulations further.

2. Lot Sizes: G. Dupliesse - was not at the meeting to discuss

### b. Zoning Enforcement Officer's report of exiting business and uses on land incorporated into the Town of Watertown from the City of Waterbury.

Ms. Mulcahy will have a report for the September 2, 2009 meeting

## 9. New business

- a. Watertown High School bond reduction for sedimentation and erosion control, storm drainage and storm channel improvements for a total bond release of \$51,015.00

Motion: Release \$51,015.00 bond reduction and a bond reduction for \$231,705

Motion made by: R. Russ

Second: C. Mancini

Aye: 7 Nay: 0

- b. Judson School bond reduction – sedimentation and erosion control and sidewalks for a total bond release of \$110,841.25

### Board Member Concerns

Mr. Martin asked is someone checking and verifying this.

Ms. Mulcahy replied yes.

Motion: Release \$110,841.25

Motion made by: D. George

Second: G. Martin

Aye: 7 Nay: 0

**c. Domenic DiNunzio - 90 day extension request for filing of Mylar for 177 Riverside Street, Watertown**

MOTION: Martin moved to approve 90 day extension

SECOND: Masayda.

Aye: 7 Nay:0

**d. Street Acceptance, Lakeview Drive, Watertown, Joseph Polletta**

Mr. Berger there are two things in the memo one is an acceptance description should you decide to move forward this evening, underneath page one is a separate memo dated today which outlines the remaining issues that are to be addressed at the subdivision. Mr. Berger briefly discussed each of the 12 issues and future bond amounts totaling \$99,543.67 with the Commission. We will not have a completely clean punch list at the time of acceptance regardless of what we do here unless we really hold it off which I do not think is fair to Mr. Polletta. I do believe we have adequate bond funds remaining to address the items that were outlined and has no objection to moving forward.

MOTION: Russ moved to approve the street acceptance for Lakeview Drive, as presented in the Town Engineer's memo dated August 5, 2009 Watertown, CT

SECOND: Mancini.

Aye: 7 Nay:0

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

Mr. Berger said Mr. Lovely provided an updated letter this afternoon dated August 5, 2009 with a quick analysis the paving schedule has slipped an additional week, he is now talking paving during the week of August 24<sup>th</sup> the previous commitment was to do it the third week in August. He has also provided quotes from three contractors and it appears he serious on moving forward with this. I indicated to him verbally this morning to have it done that week or we have to take steps to pull the bond.

No action taken – item to be placed on the September 2, 2009 agenda

**f. Pelegano Estates Three Lot Residential Subdivision – 90 day extension to file subdivision map and documents**

Motion: Approve 90 day extension

Motion made by: Martin

Second: Russ  
Aye: 7 Nay: 0

**10. Chairman's Report**

In our regulations for the Fire District we have an R30F designation on the map we do not have any text regulation and Ruth is going to prepare one for the next meeting

We have a purchase order from the Attorney who is going to be doing that work for us on Alternatives for Affordable Housing regulations and to get that process started with him.

Mr. Jessell called last week the court hearing for the Bailey Company was scheduled for later this week, Mr. Jessell thought it best that we not proceed with that at this time, it is still in court but we relinquish the court date and it will be rescheduled in the fall and anyone who would like to attend to give Mr. Minnich a call.

**11. Adjournment**

MOTION: Mancini moved to adjourn at 10:37PM

SECOND: Martin.

Aye: 7 Nay: 0

Michael Masayda \_\_\_\_\_  
Secretary