

Town of Watertown
Planning and Zoning Commission
Public Hearing
Velardo/Re-subdivision
October 1, 2008

Time: 7:10PM
Date: October 1, 2008
Place: **Watertown High School Technology Center**
324 French Street
Watertown, CT

Members Present: D. Minnich, R. Russ, M. Masayda, G. Martin, C. Mancini,
G. Dupliese, J. Blais, K. Demirs, R. Rondeau, D. George

Others Present: Ruth Mulcahy, Administrator of Land Use

Minnich: Next item on the agenda is an application for Robert M. Velardo for a re-subdivision for 5 lots located on Bassett Road. Mike would you please read the notice.

Masayda: The Planning and Zoning Commission of the Town of Watertown, Ct. will hold a public October 1, 2008 at 7 pm at the Watertown High School, Technology Center, 324 French Street, Watertown, Ct. on the following application an application of Robert M. Velardo for a re-subdivision of 5 lots located on Bassett Road, Watertown, Ct. in R-90 residential zone district.

Minnich: Thank you.

Dennis McMorrow – Berkshire Engineering – Surveying Representative

First thing I will hand in the green cards and the copies of the receipts also a copy of the letter we sent. Before this evening is a subdivision of 5 lots on 44.2 acres it is in the R-90 zone. It is southerly of the portion of Bassett Road that runs east and west and when Bassett turns by Gilbert Road it runs north, south and we are westerly of that portion of Bassett Road. There are no proposed roads in this subdivision each lot has frontage along Bassett Road. Two out of the 5 lots, lots 1, and lot 4 are interior lots because they do not have the 200 foot frontage in that area. There is a 1000 foot separation distance between those two interior lots per your regulations. The pale green line on that resubmission plan over by Chuck Berger is the Wetlands line that was flagged by Mark Barrows and there is a significant band of wetlands that on the property that actually enters the property on southwest corner travels to the north loops back around to the southeast corner of the property. It is rather large and it is very significant wetlands and if have designed a crossing for lots 4 and 5 across the narrowest part of that wetland area.

There is an old head walls and footbridge in that yellow area. We did design a open bottom box culvert which was presented to your wetlands Commission and we received Wetlands approval for this subdivision in November of last year. All the properties were tested in presence of Bob Smith from Torrington Area Health and there are suitable areas there is septic and wells shown each property. There is a letter from Rob Rubbo your current sanitary for Torrington Area health in your file I presented to the Commission last month when we set this public hearing. We have received reviews from the Fire Marshal and also I had a phone conversation with Chuck Berger and Ruth Mulcahy late last week and I went over the comments of both Chuck Berger (inaudible) I was short staffed this week so could not make the changes (inaudible could not hear anything more of side 4 near end conversation got scratchy a lot of static tape had no noise.

Carol: Could you repeat a little of what you said. Can you just go back a couple of minutes and repeat a little bit of what you said? Sorry I don't know what happened.

McMorrow: To backtrack a little bit we had a phone conference with the Chuck Berger and Ruth Mulcahy and they gave me their comments, Chuck gave me a written memorandum, they both gave comments verbally over the phone. I have no problem making the changes for all of their comments. We did receive a e-mail from the Fire Marshal on this project again he is seeking a larger turnaround areas up on the garages for lots 1,4, and 5 those are your longer driveways on the property. Should be able to turn a fire truck around up by the house rather than trying to back all the way down to Bassett Road area. There is some question there is an old memorandum from April 08 Fire Marshal that there is adequate fire hydrants to serve. This round of reviewing from the Fire Marshal so we will have to clarify that comment with your Fire Marshal and decide if I am sure whatever the Fire Marshal requesting would have to comply with whether or not you choose to close the hearing and that is all I have for the revisions made and set of staff.

Minnich: Stop there just for the record. We don't have this e-mail that you are referring to. It is the applicant's responsibility to get whatever documents they want to present on the record you folks 2008 memo from the Fire Marshal which expresses the concern that you express do not have on the record the e-mail that supposing qualifies that. So there is a problem.

McMorrow: In that case let me restate my last comment we will request that we keep the hearing open so I can address the comments with the Fire Marshal and have a clear answer for the next meeting.

Minnich: Very good.

McMorrow: The last item I wish to talk about if you look at the map. What I have highlighted on the map is the band of wetlands that I talked about in the beginning of the presentation is creates a U shape through the property and is rather significant wetland area. For the open space of this subdivision what we are proposing is a conservation easement. The lighter green area that is shaded as wetlands there is a darker green band outside of the wetlands it's essentially at least 50 feet up hill in most areas I tried to follow the stone walls and other physical features as I created that easement area for this subdivision because it is a unique property with this wetlands in it. One is the significant wetlands and it is worth while in preserving the easement itself actually incorporates 35% percent of the property and we wish to use that for our open space requirement and I know towns don't like to just receive just wetlands for their open space but if you look at it the actual upland soils is over 6.2 acres in there. So it conserving both upland and wetland soils just the upland soils alone actually would conserve 14% of the property for the open space requirement so that is our proposal because of the unique shape of the wetlands the amount of wetlands on the property that were proposing to you use that for open space requirement for a subdivision, that concludes the presentation. I will be happy to answer any questions that the board might have.

Minnich: Let me take care of an administrative issue. We have on file a letter from the Torrington Area Health District dated October 30, 2007. This is a 5 lot subdivision correct?

McMorrow: Correct.

Minnich: I have read this now 3 times because I did not think I was reading it right. But in this letter that I have now read it only expresses the approval for four of the lots. It says based upon the plans submitted soil testing performed on lots 1 through 5 and parcel A can support on site some surface sewage disposal systems for 4 bedroom homes. During this time to which you are going to be, before we meet again for this, if you could get a qualification or something else from Torrington Health District.

Mulcahy: It said 1 through 5.

Minnich: It says can support on site sub surface for 4 bedroom homes.

Rondeau: Vs. three bedrooms.

McMorrow: In my project report the calculations for each property were based on 4 bedroom homes.

Minnich: I am sorry alright.

McMorrow: Actually the change I have I was actually approved for 6 parcels the five lot subdivision plus parcel A that was in the original submittal we have parcel A for this submittal so that was actually approving septic for six properties. I did not get a new letter from Torrington Area Health only because we just removed one property.

Minnich: I am satisfied with the qualifications that have been made. Is there anybody else who has questions?

Martin: What are the significant differences between what you are proposing now and what was proposed originally? What is the major difference?

McMorrow: Over by the entrance way on lot 1 which is the only property on the top of the page where Bassett Road is running east west there on some of the old maps there was an old existing lot that was called parcel A it was a small lot approximately an acre in size. In that first submittal to your board we were proposing to leave that there questions of whether or not it was a legitimate lot at the time the attorney thought it was and we just adding the land to that to try to bring in more conformance. Delving into as far as the title work there too many gray areas the attorney said you might as well take that out so we did. That is the major change and really the only change from the submittal that we had in April to this submittal not including parcel A that was absorbed into lot 1 and so no it was never approved by your board.

Minnich: I imagine someone is going to talk about open space does anyone want to start that.

Rondeau: I have a couple of things that was one of them, I will start with my first one I can't see the map adequately enough to determine to lot numbers but it appears that you have two lots that are sharing a driveway 4 and 5 are there any other alternatives to that? I can see where it might be beneficial because it reduces the impact of crossing the wetlands but on the hand as a general we try to frown on using dual driveways?

McMorrow: It was done solely for the impact to the wetlands and for the review of the Wetlands Commission obviously by having one driveway vs. two driveways next to each other it minimizes that, we could create two driveways parallel along the common boundary of 4 and 5 and bring those two driveways but it was we had several staff meetings as far as the even if we were to do that should we combine it for the crossing and then separate again vs. just having the one shared driveway until after capacity levels brought in and branch out. That was the one we picked was to do the one shared driveway till we got over the wetlands and then branch out. It was done sole to minimize impacts to the wetlands obviously and that is the goal for your Wetlands Commission is to minimize impact. It is a huge portion of the site if you look at that white area that is underneath the wetlands that is a large portion of the site in there so we are only proposing to large lots in that area.

Rondeau: Only lot 4 is considered interior?

McMorrow: Lot 4 is an interior lot and it has the right of way parallel to the north side of lot 5. Lot 5 has the full 200 feet of frontage on Bassett Road. Lot 1 is also an interior lot but we were just focusing on the shared driveway aspect.

Rondeau: Have you had any other proposals or do you have any other recommendations that you might approach the board as far as open space goes?

McMorrow: That is our proposal because of the significant amount of that the easement will take up with property including both wetlands and outlands that was the proposal for, also it is being it is being a 5 lot subdivision on 44 acres of land it is a large lot subdivision to start with on top of the amount of conservation easements that we have that is what we would like for this subdivision.

Minnich: I propose on this conservation easement to enforce the property owners from, normally it is easiest in terms of open space we understand how to do that but run across issues with regards to conservation easements runs through a number of properties here what is your proposal for the enforcement?

McMorrow: For enforcement we have a draft conservation easement in the file that was written by Attorney Bruno I will have to check on what he has on enforcement on that typically what we see in other towns when there is a conservation easement is enforced through policing each neighbor on themselves that will normally see any of their neighbors working or doing something in there and report it to the town staff. That is how I see most of the enforcement actions take place in towns because of that but we can ask Attorney Bruno if he doesn't have anything to draft documents which talks about the enforcement of that further Wetlands approval that boundary the perimeter of that easement is marked with your conservation tags for their approval of the subdivisions. It is well known to each property owner that the area is protected and if we have to post tags every 50 to 75 feet per Wetlands Commission approval for this project.

Minnich: I understand purpose of the conservation easement and I understand the position of Inland and Wetlands that it is indeed what should be there is the conservation easements I am just having questions in my mind as how to relate that to open space which is a different topic and clearly I don't see the benefit that you are proposing as open space. I guess I need to think about it some more in fairness I have not thought much about it but I do need to think about it more. I am not seeing that that conservation easement because of this being such a narrow width for a pretty much all of the property I don't see that as in mind is complying with open space. And so I leave that with you to perhaps help me think through that and the Commission to think through that a little better I am obviously voicing my own opinion and others may find this here acceptable perhaps we can have a discussion about it. There may be a fee in lieu of maybe something to think about. I would like to know how this open space is going to be connecting and you could

other open space and perhaps you could help to indicate where all that is going to occur here.

McMorrow: Are you talking about any connection to open space in other subdivisions?

Minnich: Yes. Does anyone else have any comments or questions before we open it to the public?

Martin: I would just like to see at the next meeting if it will be held open a map nice to have that there but you can't even tell where the lines are for.

McMorrow: You have full copies in your file. A number of sets were brought down already.

Mulcahy: You should have it in your packet. We sent it out the last time before hand so you had it.

Minnich: But you are going to get another one because he added some more changes.

McMorrow: I didn't want you to think that I did not supply you in the first time. But yes there will be revisions coming.

Minnich: Mr. Berger do you have any comments?

Berger: I believe in your packet you had a memo dated September 26th as Dennis characterized then there then was mostly minor technical comments that he has agreed to and incorporate in a revised set of plans. I don't have anything other unless you have questions on that memo?

Minnich: No I do not I do have one question not related to the memo though just as a point of my fully understanding. There is a tremendous amount of wetlands here and this has gone through the Inland and Wetland process and they have granted approval for this project?

Berger: Yes they have and also I believe there is a third party review done by Landtek as part of that.

Minnich: You have been through a few meetings then?

McMorrow: Yes

Minnich: Is there anyone on the Commission who has...

Rondeau: I would just like to echo the comments of the Chairman as far as this application as far as open space although it appears that there is quite an area of open space the open space and that is not to say that Wetlands are not important but it appears that at least in my viewing this pretty much all the space that is given is space that wouldn't have been able to develop on anyway and I would echo what the chairman said I like for you to convince me that this would be beneficial for the town to take. Thank you.

Minnich: I guess we are going to turn it over to the public? Let me read two letters and anyone has comments here this evening as welcome. First letter is to the town of Watertown I Mary Allen MacMillian of 40 Gilbert Road, am opposed to the subdivision on Bassett Road for the following reasons:

1. More traffic
2. High flood zone
3. Very wet land – poorly drained
4. Narrow road into property not good for fire truck access

Thank you Sincerely Mary Ellen MacMillan

P.S. I have lived my entire life in this area. My father was 84 when he past and my grandparents before him. (Veilette)

Next letter dated October 1 to Planning and Zoning Commission regarding Velardo Subdivision, Re-Subdivision Bassett Road.

I wish to voice my opposition to this plan of the subdivision (I have viewed the maps) my reasons are mainly:

- The area is very poorly drained and very wet to the extent that people in the area used the “pond” in the wintertime to ice-skate on located on the lower part of the property.
- Soil tests show many parts “poorly drained soil”.
- The road access on proposed maps seems very narrow for emergency fire access., esp in the winter when there is a lot of icing – up on local properties – (the hilly part)
- Is there an adequate area for large amounts of water to be pumped in case of a big fire?

- What kind of bonds are required to do this kind of work?
- Is this just lots for sale or start to finish housing plans?

Sincerely,

Patricia M. Weber

226 Bassett Road

Watertown, Ct. 06795

Thank you for your consideration.

P.S. In poor economic times as we have now, is it prudent to start a project like this???

Only to run into more costly situations unless there is unlimited financial backing for it?

Minnich: Those are the two letters we received. Are there any comments from members of the public on this project? Hearing is there any comments from the Commission? With discussions before we will continue this public hearing and the response that we have asked for. Is there a motion to continue this public hearing? Is there a second? Is there any further discussion? All those in favor please say I, all those opposed no motion carries.

Text of Motion to Table public hearing.
Motion made by G. Martin and seconded by G. Dupliese.
All in favor and none opposed.

Michael Masayda _____
Secretary