

Town of Watertown
Planning and Zoning Commission
Regular Meeting

Time: 10:15PM
Date: October 7, 2009
Place: Watertown High School
Lecture Hall
324 French Street
Watertown, CT

1. **Call meeting to order**

The Chairman called the meeting to order at 10:15.

2. **Roll Call**

The secretary executed the roll call.

Present: Chairman, Mr. David Minnich
Secretary, Mr. Michael Masayda
Mr. Ronald Russ
Mr. Carl Mancini
Mr. Jim Blais
Mr. Glen Duplissie
Alternate, Mr. Ray Rondeau
Alternate, Mr. Ken Demirs

Absent: Vice Chairman, Mr. Gary Martin
Alternate, Mr. Duane George

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

Ray Rondeau sat in for Gary Martin

3. **Public Participation**

4. **Communications and Bills**

- a. State of CT,DEP, Notice of Enforcement Action Braxton Manufacturing Company, Inc.
- b. City of Waterbury dated September 11,2009 Re: Notice of Regulation Amendment Initiated by the City Plan Commission of the City of Waterbury Public Hearing
- c. Council of Governments Minutes May 5, 2009
- d. Council of Governments Minutes August 11, 2009
- e. Memo dated September 15, 2009 Re: Approved Ordinance Creating Membership Terms of Office for the Planning and Zoning Commission
- f. Invoice for services rendered – Slavin Stauffacher & Scott – Paul Jessell in the amount of \$5,280.00
- g. Letter from Attorney Wellington, Carmody & Torrance, dated September 28, 2009 Re: Request for clarification regarding the scope of Commission Special Permit #269 in relation to the requirements of the Connecticut Transfer Act.
- h. Letter dated September 21, 2009 from Town of Middlebury, CT Re: Amendment to Zoning Regulations Add new Section 24-A Central Residential District which would allow for smaller multifamily housing units in the eastern portion of Middlebury near Route 64. The proposed zoning district would not be age restricted.

Mr. Minnich asked about 4g.

Ms. Mulcahy read an e-mail from Robert Ryan summarizing the preconstruction meeting for Echo Lake Brownfield held on October 6, 2009.

TEXT OF MOTION: Mancini moved to place 4-a to 4-h on file

SECOND: Duplissie

All in favor

5. **Minutes**

- a. Continuation of public hearing September 2, 2009 on Site Plan/Special Permit #269 Echo Lake Brownfield, LLC
- b. Public Hearing September 2, 2009 an application for Zoning Text Amendment to Article III Section 34, B-G Add Section 34.3.15 Cleaning Service Businesses provided service is conducted off site with no outside storage and no retail use in a B-G General Business District
- c. Public Hearing September 2, 2009 an application for Site Plan/Special Permit #277 from Serv-pro of Middletown CT for Office/Storage for a

cleaning company to be located at 690 Main Street, Oakville, CT in a B-G General Business District

- d. Public Hearing September 2, 2009 Site Plan/Special Permit #278 from the Water and Sewer Authority of the Town of Watertown, Ct for two (2) steel storage containers in the rear of the building located at 747 French Street, Oakville, CT in an R-12.5 Residence District
- e. Public Hearing September 2, 2009 an application for Site Plan/Special Permit #279 from Youghioghney Communications (Pocket) for a telecommunications tower to be located at the Old Pin Shop, 1886 Watertown, Avenue, Watertown, CT located in a B-C Central Business District.
- f. Regular Meeting September 2, 2009
- g. Special Meeting September 23, 2009 – Lovley Development

Text of Motion: By unanimous consent place 5-a – 5-g on file

6. **Staff Report**

Ms. Mulcahy said the Police Department wants to install two new **full cut off lights on French Street** one by the impound lot and a second very close to the impound lot where you are pulling up.

Ms. Mulcahy said the **Stimulus Project** for Watertown and French Street received \$730,000.00.

Ms. Mulcahy received a **letter from COG** seeking information on historic properties and archeological sites near Black Rock and Northfield Roads.

Mr. Blais replied Letterman's Cave.

a. 5 year subdivision approvals

Ms. Mulcahy handed out information with subdivisions dating back 5 years, tracing what type of bonds they have, approval dates, their expiration dates and it is a work in progress.

Mr. Minnich asked about the bond for **Heritage Woods** and why they have to have the expense of carrying a \$400,000.00 letter of credit for work to which they cannot do until they get another zoning permit. Mr. Minnich asked Ms. Mulcahy to find out what work has been done.

Mr. Minnich asked about the **zoning maps** and get the rest of maps that are part of that purchase order.

Mr. Minnich asked Mr. Berger to update them on **Lakeview Estates discussions** they had with the Park and Recreation Commission and yourself regarding the trail.

Mr. Berger replied he attended a Park and Recreation meeting along with Joe Polletta and reviewed the trail as well as the Town desires to continue the sidewalks and create the loop from downtown up around Ice House Road and back down to downtown. We are going to proceed forward with a Wetlands permit application being submitted for next week's agenda that will break the project down in two phases. Phase I will be the portion of the project from the existing pavilion across the dam up the western side of pond and back out to the road. Phase II will be to continue down along the eastern edge of the pond as well as to connect it to the Echo Lake Road . The Ice House Road sidewalk project we will get money for and finalizing some design issues, it will be starting out in front Lakeview Estates and coming down Ice House Road.

Mr. Minnich asked your office is doing all the Inland and Wetland permitting correct. Mr. Berger replied yes.

7. Articles on agenda

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|-----------|-------------------|--------------------------------------|
| a. | Applicant: | Verizon Wireless |
| | Agent: | Theresa Viole |
| | Re: | Site Plan/Special Permit #281 |
| | | Generator and conduit on roof |
| | At: | The Old Pin Shop |
| | | 20 Main Street, Oakville |
| | Zone: | B-C |

Mr. Minnich asked if there were any comments.

WHEREAS, the Town of Watertown Planning and Zoning Commission received Special Permit #281/Site Plan application from Celico Partnership d,b.a. Verizon Wireless for generator on the roof and a conduit to the roof approximately 67 feet high or 8' above the parapet in a B-C Central Business District which includes Partial Roof/Site Plan C-i, West Elevation C-2, Platform Framing Plan S-i through 5-5 Partial Roof/Site Mechanical Plan M-1 through M-4, Partial Roof Plan B-i through E-4 dated 8/17/09 prepared by Natcomm Consulting Engineers Inc., 63-2 N. Branford Road, Branford, CT 06405; and

WHEREAS, the Commission heard the application on October 7, 2009;

IT IS THEREFORE RESOLVED the Watertown Planning and Zoning Commission APPROVES Pocket Communications, Old Pin Shop, 20 Main Street, Oakville, CT, Special Permit #281/Site Plan application for a generator on the roof and a conduit to the roof approximately 67 feet high or 8' above the parapet in a B-C Central Business District subject to the following conditions:

1. All exterior lighting shall be full cut-off fixtures.

2. The sound level shall be a maximum of 45 decibels at the nearest property line.
3. Prior to Town officials signing a final A-2 Survey Mylar site map and two paper copies, the final map with a signature block for the Chairman with the expiration date and the conditions of approval shall be submitted to the Land Use Office for review and approval by the Town Engineer and the Administrator of Land Use and are subject to review and approval by the Commission at the discretion of the Chairman or Commission. The signed Mylar copy shall be filed on the Town of Watertown Land Records before a zoning permit is issued.

In accordance with Section 8-3(i) of the Connecticut General Statutes, all work in connection with this Site Development Plan shall be completed within five years after approval of the plan. Said five year period shall expire on October 22, 2014.

MOTION: Mancini moved to Approve
SECOND: Russ.
All in Favor

- b. Applicant:** Valenti Motors
Legends Auto Group, LLC
Agent: Lou Hart, Valenti Motors
Re: Site Plan/Special Permit #282 for a parcel of land less than 5 acres And Site Plan/Special Permit #283 for a new auto sales with used auto sales
At: 694 Straits Turnpike, Watertown
Zone: B-SC
(Public Hearing Required)

MOTION: Duplissie moved to table
SECOND: Russ
All in favor

- c. Applicant:** Cercemaggiore Club
Agent: John Vitone
Re: Site Plan/Special Permit 280
30X30 addition to existing pavilion,
16X10 open covered function area for use as a band stand, speakers platform, display area etc and also 2 covered walk across shelters for use during inclement weather
Zone: R-30

(Public Hearing Required)

MOTION: Russ moved to table

SECOND: Duplissie.

All in favor

- d. Applicant:** United Construction
Agent: Tom Cook
Re: Valenti Motors Site Plan/ Special Permit #285
Site Plan Modification for exterior renovations, traffic pattern, parking spaces and new signage
Zone: B-SC
(Public Hearing Required)

Joan Malloy - 150 South Main Street, Wallingford

Ms. Malloy referred to the map showing the VW dealership, the larger portion houses Audi and there are a couple of other brands that were sold Pontiac, Izuzu and Saab. The intent is to transfer this solely to Audi for sales and service. Referring to the map Ms. Malloy said customers dropping their cars off for service will now enter here and come to the enclosed area where they meet with a service person then the person will load the vehicle back into the service area. We are trying to redo the front of the building to go with the Audi preferred colors and exterior materials and adding some landscaping. We are replacing the Pontiac & Izuzu signs with a certified pre owned sign.

MOTION: Duplissie moved to accept application for review and schedule a public hearing for November 4, 2009

SECOND: Mancini

All in favor

- e. Applicant:** Carrier Construction, Inc.
Agent: Ron Wolf
Re: Munson Estates Subdivision
3 lot subdivision
At: Linkfield & Munson Roads, WTN
Zone: R-70&R-90

3. Each one of the properties has a separate section attached are the with assessor's cards from Waterbury as well as aerial photographers.
4. Different advertisements from the various businesses.
5. A map outlining which property it is from the parcel map.
6. A documented summary for the Pin Shop what I observed on the site.

Mr. Minnich asked if they could file that information in a permanent place.

New business

a. Bond Release, Rickevicius Subdivision, Lot 5 Linkfield Road/Tree Planting/Maintenance Bond

Mr. Berger said the memo dated August 26th in last meetings packet recommending the release of \$960.00 for two trees on lot 5.

MOTION: Duplissie moved to release \$960.00 for Rickevicius Subdivision

Second: Rondeau

All in favor

b. Bond Release, Butternut Views, Lot 1 sediment and erosion control storm drainage improvements

Mr. Berger said a memo dated August 26th recommended the release of \$2,469.63 be released for lot one.

MOTION: Mancini moved to release \$2,469.63 for lot one

SECOND: Rondeau

All in favor

c. Bond Release Plenn Estates, Plenn Court

Mr. Berger said the August 26th memo recommending the release of a tree bond for \$3,200.00.

MOTION: Duplissie moved to release \$3,200 for Plenn Estates tree bond reduction

d. Bond Release, Deluca Subdivision Street Trees

MOTION: Duplissie moved to table
SECOND: Rondeau
All in favor

**e. Bond Reduction Fox Crossings/Hidden Oaks, Kimberly Lane and
Lovely Drive, Watertown**

Mr. Berger handed out this evening a memo dated October 6, 2009 which summarizes the significant progress on both subdivisions. Mr. Berger listed the remaining items on both of the subdivisions and recommended we retain a total bond amount of \$279,388.30 for both of them.

MOTION: Duplissie moved to retain \$279,388.30 and release remainder of money except for above amount for Hidden Oaks Estates and Fox Crossings as detailed in a memo dated October 6, 2009.
SECOND: Rondeau
All in favor

f. Bond Reduction Watertown Crossings, Booth Avenue, Oakville

MOTION: Rondeau moved to release the remaining landscaping bond in the amount of \$4,880.00
SECOND: Russ
All in favor

g. Watertown High School bond reduction for sedimentation and erosion control, storm drainage and storm channel improvements

Ms. Mulcahy said she has a large bond reduction request for \$201,015.25 and the items covered by it are sedimentation and erosion control \$11,600.00, drainage for \$18,850.00, landscaping \$56,000.00 and sidewalks \$58,250.00 which totals less for retainage is \$201,015.25.

Mr. Minnich asked that does include the traffic signal.
Ms. Mulcahy replied no.

MOTION: Russ moved to release \$201,015.25 for the sedimentation and erosion control, storm drainage and storm channel improvements
SECOND: Duplissie
All in favor

h. Judson School bond reduction – sedimentation and erosion control and sidewalks in the amount of \$114,760.00.

MOTION: Duplissie moved to release \$114,760 for the sedimentation and erosion control and sidewalks

SECOND: Russ

All in favor

i. Polk Elementary School bond release for Payment #1 and Payment #2 in the total amount of \$12,470.65

Mr. Minnich asked Ms. Mulcahy for the bond agreement between Chuck Frigon, Bob Porter and himself for Polk School.

MOTION: Rondeau moved to release \$12,470.65 for Payment #1 and Payment #2

SECOND: Russ

All in favor

j. Bond Reduction Lovely Development in the amount of \$200,000.

No action – was a repeat agenda item

k. Letter dated September 24, 2009 –Wolf Hill Subdivision – request to install weathering steel guide rail in lieu of timber guide rail at the box culvert crossing at roadway station 20+10.

Mr. Berger said the condition of approval required the steel back timber guide rail at that location and Mr. Wolf is requesting substituting with the weathered steel guard rail due to availability and economics for the right look.

MOTION: Mancini moved to approved letter dated September 24, 2009 regarding Wolf Hill Subdivision

SECOND: Rondeau

All in favor

l. 8-24 Referral - Property to be donated to the Town by Nancy Clement located at Cherokee Drive, aka Map 118A Block 4 Lot 3

Mr. Rondeau asked if there is garbage or toxins on the site.

MOTION: Rondeau moved to table and have staff review

SECOND: Duplissie

All in favor

m. Bond reduction Highview Estates, Kimberly and Lovley Drive, Watertown,

MOTION: Duplissie moved to table

SECOND: Russ

All in favor

Add to agenda 9-n –

Mr. Berger referred to the two memos October 2nd & August 31st stating the site line has not checked out okay. We need to resolve that site line issue. The stone wall has to be moved back in more. It is suppose to be a steep grass slope and that will be his option to do and it should get him the site line he needs there. There is \$13,000 plus bond we could keep the whole the bond until the site line is resolved.

MOTION: Duplissie moved to add agenda item 9-n Bond reduction for Davis and Colonial Street Lot 4

SECOND: Rondeau

All in favor

MOTION: Duplissie moved to table the bond reduction

SECOND: Russ

All in favor

MOTION: Duplissie moved to add to agenda item 9-0

Request for a 90 day extension to file mylars for James Rizk

SECOND: Rondeau

All in favor

MOTION: Mancini moved to approve the 90 day extension to file mylars for James Rizk

SECOND: Russ
All in favor

10. Chairman's Report

We attended a pellet court hearing on the CCPW lawsuit in Hartford and that decision is pending from the court. There is nothing further that our attorney Warren Hess needs to do on that and they will make their decision as to 50,000 square foot.

11. Adjournment

MOTION: Duplissie moved to adjourn at 11:14PM
SECOND: Rondeau
All in favor

Michael Masayda _____

Secretary