

Town of Watertown
Planning and Zoning Commission
Public Hearing
Velardo/Re subdivision

Time: 7:00 PM
Date: October 15, 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

Members Absent: D. George, K. Demirs, R. Rondeau

Others Present: Ruth Mulcahy, Administrator of Land Use
Attorney Warren Hess

Minnich: Next item on the agenda is the continuation of a public hearing for Robert M. Velardo for a re-subdivision for five lots located on Bassett Road, Watertown, Ct in an R-90 Residential Zoning District.

Dennis McMorrow

We presented this 5 lot subdivision to your Commission two weeks ago and we had outstanding issues. The first was the Fire Marshal's memorandum. I did forward a copy of that to your office. A newer memorandum states that he is satisfied with water in the area to provide service to the houses. Where he had issues with the plans were about 1, 4 and 5 (inaudible) and we have revised the plans to show longer driveways, larger turnarounds by each driveway and the grading. The other item we have discussed a little bit of length at the last meeting was the open space if you recall we had proposed in view of open space and because conservation easement entails 44% of the property and the 14% of that is comprised of uplands. I believe the appropriation wanting to know what other options we were willing to offer. We will offer the fee in lieu of based on what we respectfully ask though perhaps we could do half of that 10% and in form of conservation easements and half in actual fee to get some credit for an what is the

very abnormally large conservation easement that replaced property. (inaudible)
So we request that but we do offer a fee in lieu of and those are the two items that
I had remaining. I would be happy to answer any questions or comments this
evening?

Minnich: Do you have in front of you the memorandum from Mr. Berger dated September
26th. I don't know what the status where this is he had several issues one is
sedimentation located downstream. Let me get to the one I had a question on, the
question I had was comment number 4 which were comments of the Fire
Department regarding turnaround areas for driveway should be incorporated on
the plans that has that now been done.

McMorrow: That is what I did per the Fire Marshal's memo and I had a phone conference with
Ruth and with Chuck and on top of his written comments that you have before
were verbal ones and I believe I have addressed all the concerns of his written
memo, verbal and of the Fire Marshal.

Minnich: Is there comments from members of the Commission? Are there any comments or
questions from members of the public? The main issue is that fee in lieu of and
our obviously you have offered it so we can't require it. If I am hearing correctly
it is 5% of fee and the conservation easement will be the offer for the remaining
5%. There needs to be obviously an appraisal done and at this point in
conceptually does the commission want to go in that direction to get an appraisal?

Russ: I would be in favor.

Mancini: I would go along with that.

Martin: Yes

Dupliese: Yes

Masayda: I have a problem with the appraiser, I just feel like we are getting away with the
typical 10% that we usually require. Usually the past fees in lieu of usually goes
10% and not sure why a couple months ago we went 5% and here we are going
back to 5% again. History in the past is we usually go 10%.

Minnich: I think you have a point that the conservation easement is along that traditionally
supportive of what is being recommended by Inland and Wetlands, these building
spaces is in all separate from the conservation easement that we have in the past
on the 10%. When we have done something different than that if I recall in all
those cases there has been some other improvement that has been done in lieu of

it such as a trail or sidewalks or something like that which is not the case here. So I am suggesting then perhaps maybe you need to tell us up front Mike as point to understand this now is that is only offer the 5% because some may end up wanting to hear. I don't want you to go out and spend money on this appraisal and let me be real clear when you get an appraisal it is not automatic that what comes from that appraisal is requirement that your conditioning up front and agree to. Nor is it one that the Commission is agreeing to up front that both of us once we get the appraisal back and have to agree on that appraisal but in the process of getting the appraisal you have some money and for the appraisal and perhaps members of this Commission. I certainly share my view that in this case perhaps that 10% is the number but I don't know that for sure would you be considering 10% and I know what your offer is?

McMorrow: I put it on the record that we will do the fee in lieu of which meant as the 10% however we were respectfully requesting that the board consider because of the excessive size of the conservation easement on this particular piece of property. I think it is a very unique situation it's not just 10% of the land or the wetlands. It's a major wetlands system to the property that were protecting. Not all of it would be entirely excluded from any possible activity if didn't provide that with the Commission you could apply for activity within the 50 foot (inaudible) there is a substantial amount of uplands in that conservation easement. I have done this engineering for 25 years I remember giving all the wetlands to all the towns as open space. We understand that we respectfully requesting that the Commission considers a reduction of the full 10% to 5% because the size of this easement and that is up to you as a Commission to decide.

Minnich: I am only suggesting that perhaps that decision we can wait until we get the appraisal back and everybody has a chance to review it and see where we are and I am putting that decision off. I did not understand that you also offered 10% and I just want to be fair to you and wanting to get an appraisal and some of us are petty dead set on the 10% and that is kind of not in your best interests but.

Martin: The original proposal to us had some open space did it not?

McMorrow: No, Just the conservation.

Martin: Just the conservation, I thought there was open space along with this, but it is a smaller piece of open space.

McMorrow: That was the original parcel A that we were discussing if it was still a legitimate block of record that we absorbed into lot 1.

Minnich: What appraisal do you suggest to see if it is acceptable?

Mulcahy: Bionde & , we have three, I thought that..

Martin: Do we have to agree on one?

Mulcahy: Yes, it is also part of the Commission the applicant picks the appraiser and the Commission agrees.

Martin: I thought we already agreed to three and he could select one of the three?

Minnich: Bionde is what we traditionally use is that acceptable to you for an appraisal?

Velardo: Said yes

McMorrow: Mr. Velardo has indicated that Bionde is fine.

Minnich: We are probably going to need some additional time in fairness to him. We need to make our decision and you need to make your decision before we close the public hearing.

McMorrow: I am sorry Mr. Chairman are you indicating that you are going to close the public hearing?

Minnich: Our process in the past we have done both we close the public hearing and that just an indicated to staff what going to accept. We have done both. What is the pleasure of the Commission for proceeding here?

McMorrow: We have a longer window if we close the hearing because we have 65 days after the closing for rendering a decision plus...

Mulcahy: October 1st so you have 35 days from October 1st having the hearing and close it at the next regular meeting.

Martin: Would it be better leaving open so he can...

McMorrow: What I am getting at is if we don't have the appraisal why come back in the first place.

Minnich: Correct that is what I was thinking too. I just want to make sure we both had enough time here. So we have enough time so we can close the public hearing and still have enough time before we need to make a decision. Correct?

Mulcahy: Yes

Planning and Zoning Commission

Public Hearing/Velardo

Wednesday, October 15, 2008

Page 5

McMorrow: I believe by statues I think I can grant extensions to your board for a decision?

Mulcahy: Yes

McMorrow: With that 65 day period

Minnich: I think we have enough time. I don't see any reason not to close the 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 close the public hearing

Motion made by G. Martin and seconded by C. Mancini

All in favor and none opposed.

Michael Masayda _____
Secretary