

# Watertown Planning and Zoning Commission

## CONTINUATION OF

### Public Hearing

October 17, 2007

Watertown High School Technology Center  
324 French Street, Watertown, CT 06795

7:00 P.M.

**1. Call Meeting To Order**

Meeting called to order at 7:05 p.m.

**2. Roll Call**

Mr. Minnich asks Mrs. Allen to read the roll

**Present:** D. Minnich, M. Masayda, J. Franson, R. Russ, C. Mancini,

**Absent:** J. Wick, R. Rondeau, G. Martin, D. George

D. George sits in for J. Wick  
D. George arrives at 7:25 p.m.  
G. Martin arrives at 7:10

For the record, Mr. Lukasavage is no longer part of the commission

**3. Hearing of Applications**

- a. Continuation of a public hearing proposed affordable housing development with 29 condominium units to be known as "Town View" proposed for the north side of Echo Lake Road opposite Hart Street, Watertown, CT in an R-10F Residence District**

Applicant James P. Rizk  
243 Echo Lake Road  
Watertown, CT 06795

Agent: Joseph Taddia  
PO Box 532  
Watertown, CT 06795

### **Attorney Robert Ghent for the Applicant**

Attorney Ghent states that since the last meeting, there have been some revisions to the plans that have addressed the commission concerns regarding the placement and location of sidewalks, tree plantings and there was a site visit by the applicant's professionals to evaluate the conditions and the relationship of the intersection of between the proposed driveway and the intersection with Echo Lake Road in particular it is in respect to site line and site distances.

At the last meeting a discussion took place regarding a retaining wall in the town's right of way off the paved surface. It is still to be determined if the existing grading conditions can be sloped and graded in such a fashion that the site line distances can be achieved without the necessity of a retaining wall. There is a 12 foot grade change between the paved surface of Echo Lake Road and the land that is adjacent to it. It is approximately a 1:1 slope extending from the paved surface upgrade and at the top is flora and vegetation and some trees. It appears that the physical condition of one of the trees has left a bump in the slope of the bank and in the evaluation today, it is found that this "bump" that protrudes out 6-8" and runs the length of the slope is what is occluding the siteline based upon the analysis. IF it were removed, the sitelines that need to be achieved would be there and can be maintained without the necessity of a wall. He asks Paul Bunevich to review the changes to the site plan.

### **Paul Bunevich, PE, Land Data Engineers**

The main change to the site plan was the relocation of the walkway servicing the interior of the site from the right side of the driveway coming into the left side. This makes the installation easier. There will be no need to cross driveways or put in ramps or pavement markings to delineate the sidewalks that were talked about at the last meeting. A pedestrian ramp would be installed on the other side of Echo Lake Road where the existing sidewalk is with a crosswalk painted to access the site and bring it up around the radius of the left side of the entrance drive across the lower parking area and up the left side of the driveway to the upper units. There were other drainage issues that were brought up. The catch basin would be moved because of the radius return on the driveway wouldn't match the new alignment and that change was made and it is noted that there will be legal easements to be filed about the drainage due to the fact that our drainage goes back into the town and back on site before it is treated by the gross particle separator proposed for water treatment on site. Legally this needs to be put on record.

Some landscaping on the lower parking area was added per request of commission members who were concerned about screening from parking headlights for the residents across the street. Some soil stockpile areas were added that were required by Mr. Berger, with silt fence around them and two other minor changes. Wording about geotechnical engineering required for any rock removal on site and a few other notes.

Mr. Minnich asks for any questions.

Mr. Masayda asks about the public sidewalks. Are they 4 or 5 feet wide usually? He sees a 4 foot sidewalk is proposed.

**George Frigo, Land Surveyor, Land Data Engineers**

Mr. Frigo states The plans show a 4 foot bituminous sidewalk with concrete pedestrian ramps. It can be increased to 5 foot if needed.

Mr. Masayda asks about the retaining wall off Echo Lake would eliminate the maintenance of the town to maintain the embankment for site line would be the better option to consider.

Mr. Minnich asks how far back from the edge of the road will the retaining wall be.

Mr. Frigo states it is roughly 6-7 feet and Mr. Minnich asks if that is from the edge of the pavement as it is now and the answer is yes. Mr. Frigo adds that there is one more option with regards to the site line. They spoke with Bruce Hillson, traffic consultant. He states the parameters of the sight line come from the highway department and it is the requirement of the town of Watertown. From personal experience dealing with the highway department, Bruce states that on numerous occasions, if you are in a tight spot, they will allow the offset distance from the curb to the driver's eye, which is 15 feet; the distance can be measured from the edge of traveled way. It could be pushed towards the street 3 more feet. That change alone will make the site distance comply with having to touch the slope o build a retaining wall. Currently, there is a project on Main Street in Thomaston which is a state highway and they have a similar situation. They let them go to 10 feet of an offset. The rationale is because the site distance is geared towards getting an SU-30 delivery vehicle across the travel lane safely and the argument is that an SU 30 offset is much smaller, closer to 6 feet, so they let them go 10 feet.

Using 15 feet from the travel lane would be a very safe condition.

MR. Minnich asks if the Department of Public Works has any comment on this. Mr. Berger answers that he had heard new information tonight as to the need for a retaining wall and or it not be needed to be done in the towns right of way and can be accomplished with just grading. The Department of Public Works is under the impression that the retaining wall was much higher and much more substantial structure than what he had heard earlier this evening. The position of the Department of Public Works was not to have to maintain this structure in the town right of way to provide a site line. They are not in a position to issue an encroachment permit for such a structure. He states he needs to look into the new information presented tonight and if it can be accomplished just by grading, that would be the Department's preference. IF the wall is less in height than was originally understood, we should go back and reconsider it. He states he would be in favor of one of these options.

Mr. Frigo states we are only in this position because Echo Lake Road wasn't held to a typical cross section when it was improved. There is a bump in the road where the contractor avoided taking the tree down. The slope is 1:1 directly from the edge of pavement to the private property and all the standards point to a 10 foot shelf for snow and a 3:1 slope for grading and if that had happened, we wouldn't be in this position. They are ready to rectify it if necessary.

Mr. Minnich asks if any member of the public has any comments

**Roger Hamel, 291 Echo Lake Road**

Mr. Hamel lives in the house east of the property being developed. He has been there with his daughter for 4.5 years and was approached by the applicant looking to purchase 10 feet of his property for \$1500.00 plus the paint work on his property so that he can have an easement onto his development and he strongly objects to it. He states that the plans speak for themselves and he feels that as far as Watertown is concerned, it is not the direction the town should be going in and further feels that once there is one development like this, another one will pop up and wishes it to be stopped before it starts. He claims he bought the house he is in because of the privacy it provides with the wooded area and there is enough traffic as well as garbage along this street. He likens it to a superhighway. He speaks of a development going in up the street with 16 houses and who is going to bus all of the children who will move into this complex. His daughter does not even have a bus to the high school from his house. The turn is on Greenwood Ave and won't pick her up.

He thinks this is going to be a project. There are 29 houses on 3.5 acres and thinks it is too much.

**Leo Cambique, Echo Lake Road, Watertown**

He states he does not want to see 30-50 cars trying to get on Echo Lake Road from this location and he feels it will be a nightmare. He claims he agrees with Mr. Hamel and he is totally against it. Echo Lake Road is hard enough to get onto. He does not think there will be enough room for the amount of cars that this amount of housing will generate. At first he was all for it, putting up some houses but not 29 units.

Mr. Minnich asks for any comments or questions.

**Robert Ghent, Attorney**

Attorney Ghent states the location and relationship of the proposed retaining wall and trying to meet and/or overcome the engineering objections to it, rather it be in the public way or property line necessitated putting in the applicants property may have involved sloping and grading and the relationship between those 2 sites and the circumstance potentially presenting itself, they encouraged Mr. Rizk to approach to neighbor to attempt

to secure sloping and grading rights to improve the area by installing a retaining wall, but his efforts have been rebuffed and he is left to slope and grade in the right of way or on his property as the case may be using the existing site conditions. The applicant is prepared to slope and grade the area at the intersection to achieve the required site line. As he understands, a letter was written to the Department of Public Works to address the issue regarding the location of the wall and he thought it was going to extend 4-6 feet in height and he is just learning that it will not be that high and it sounds like the engineering office needs to reevaluate its position on it and he would like to continue the public hearing until the issues can be addressed.

Mr. Masayda states that possibly the wall can be put as far back to the property line as possible and that an agreement be established that the applicant take responsibility for maintaining the wall. He asks if there will be a maintenance agreement recorded on the land records for the gross particle separator discharging into the town system and that should also be part of the requirement on that it should have to be cleaned once a year or twice a year and it should be recorded on the land records. He wasn't clear on the easement to drain and that the town needs an easement to drain to a development.

Mr. Minnich summarizes that the encroachment of the wall on the town's right of way is a concern and if it matters to the PW department, he will not vote against the project because of the wall and to that, the course of this last week a number of comments have been heard as a way for this project not to proceed. There will be conditions on it, but that will not be the reason to reject the project as has been attempted. Mr. Masayda states that before anything is accepted, they should know what size the wall is 2 feet, 6 feet.

Mr. Minnich states that the Public Works director states that there will be no encroachment at all into the town's right of way, period. He feels it needs to be reevaluated and he also understands that some would like to suggest it not be approved. He states it needs to be worked out and it is not a reason to reject the project. On the sidewalk issue, he does not understand. Sidewalks have standards and Watertown's are 5 feet. Why wouldn't we build it to standard? It needs to be concrete, 5 feet wide and all other things that are required with a sidewalk need to be met. The commission agrees that there should be a concrete curb.

Mr. Mancini states they were told that in the regulations, the street had to be 30 feet wide and he states the regulations were altered because recently a road was built and was 24 feet wide with bituminous curb. We could put concrete but there has been some ambiguity as the standard.

He asks if there is any objection requesting this applicant comply with the sidewalk standard of 5 feet, concrete with concrete curbing and there is no objection. So that is what needs to be done.

The road standard as far as 30 foot goes, if a less of a width such as 24 feet, that 6 feet would allow greenway to be put into the project. He asks the commission.

Mr. Rondeau thinks 24 foot roadway with a greenway and a sidewalk would be a lot more presentable. 30 feet is not necessary in this subdivision.

Mr. Mancini thinks it would be very tight and cars would be stacking up, so he is in favor of a 30 foot roadway.

Mr. Masayda states he thinks the roadway should be wider because of the chance for on street parking. Mr. Minnich counters that in the discussion previous to this the decision was not to allow on street parking. There will be designated parking areas and because of access issues as a possible condition or added to their plan, no on street parking would be allowed. Mr. Masayda says “people do what people do” and if someone lives at the upper side, he could see them parking on Echo Lake Road and walking up. Because there will be no parking enforcement, Mr. Masayda feels the width should be 28 or 30 feet.

Mr. Mancini discusses the parking in front of the garages and how it can't be done. Now there will be two (2) car garages with no parking in front of them. If there are 3 cars in a unit, it will have to park on the road on in a designated area. Going from 30 to 24 feet with a 6 foot greenway, you will not gain anything by reducing it to 24 feet, so he prefers it stays 30 feet for the reasons of parking.

Mr. Rondeau states he doesn't foresee the parking being the commission's concern. He would rather have the 24 foot road with a greenway and sidewalk because of its presentability and aesthetics.

Mr. Martin asks if it is a 30 foot with no sidewalk or a 24 with a sidewalk. The answer is 24 foot with and 30 foot with sidewalks. He goes on to state that this is a very dense development and if there is a birthday party being held, there will be very serious parking problems. He feels the 30 foot is appropriate.

The consensus is 30 feet.

There is a discussion about Echo Lake Road and the size of the sidewalk. There is a question of people use the sidewalk in front of the large wall. The answer is no.

Mr. Minnich states that at the next meeting he hopes to conclude this matter.

**MOTION:**

<b>Text of Motion:</b>	To Table Item 3a
<b>Motion Made By:</b>	Mr. George
<b>Seconded By:</b>	Mr. Mancini

Motion passes unanimously.