

Town of Watertown  
Planning and Zoning Commission  
Public Hearings  
Excess Grades  
July 2, 2008

Minnuch: I would like to call this public hearing of the Planning and Zoning Commission to order at 7 PM the date July 2, 2008. Carol would you please call the roll.

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

Members Absent: C. Mancini, K. Demirs

Others Present: R. Mulcahy, Administrator of Land Use

D. George sat in for C. Mancini

Minnich: Next item on the agenda is 3e text amendment to subdivision regulations section 5.3.5f excess grades: at stop controlled intersection legs, the maximum grade shall not exceed 3% within 50 feet of the intersection.

Mike would you read the notice of publication.

Masayda: The Planning and Zoning Commission of the town of Watertown will hold a public hearing on July 2, 2008 at the John Trumbull Primary School Library at 779 Buckingham Street, Ct on the following applications text amendment to subdivision regulations section 5.3.5f excess grades: at stop controlled intersection legs, the maximum grade shall not exceed 3% within 50 feet of the intersection. At this hearing which interested persons will be heard and written communications will be received a copy of the application on file at the Planning and Zoning Office, 51 Depot Street, Suite 502, Watertown, Ct between the hours of 8AM and 5PM or by appointment. A copy of the text amendment is also available

for review in the office of the Town Clerk , Depot Street, Watertown,  
Ct this 21<sup>st</sup> and 26<sup>th</sup> day of June 2008.

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Minnich: This was a discussion for over a year but this being on the agenda we will talk about. As you know this subdivision regulation is not required, it is a referral it is entirely up to us as a planning board to decide this. Apparently our regulations state that the maximum grade be 6% at 50 feet intersections. Mike has proposed for some time now, that be changed to 3% so that is in our subdivision regulations are correct. I do not have any comments with this is there any comments from members of the Commission?

Martin: The 6% grade as to 3% how much are we reducing the distance or height of climb in that 50 foot scenario? Do you know?

Masayda: It went from 3 ft to 18" inches. Or 3 times 50 feet.

Minnich: Any other comments from members of the Commission?

Blais: What is the state regulation is it similar?

Masayda: The department of transportation is 3%.

Martin: That is under state roads.

Masayda: All roads, local roads and main roads.

Minnich: Any other questions? Any comments from members of the public on this public hearing and application? Hearing none. Is there a motion 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. The motion carries unanimously.

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

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

Town of Watertown  
Planning and Zoning Commission  
Public Hearings  
Zoning Regulation Location of Motor Vehicles Uses  
July 2, 2008

Minnuch: I would like to call this public hearing of the Planning and Zoning Commission to order at 7 PM the date July 2, 2008. Carol would you please call the roll.

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

Members Absent: C. Mancini, K. Demirs

Others Present: R. Mulcahy, Administrator of Land Use

D. George sat in for C. Mancini

Minnich: Next item on the agenda is an application to amend of the Zoning regulations Article VII – Administration and Enforcement, Section 71.4 Location of Motor Vehicles Uses.  
Mike could you please read the notice of publication.

Masayda: The Planning and Zoning Commission of the Town of Watertown, Ct will hold a public hearing on July 2, 2008 at 7PM, in the John Trumbull Primary School Library at 779 Buckingham Street, on the following applications. An application to amend the text of the Zoning regulations Article VII - Administration and Enforcement Section 71.4 Location of Motor Vehicles Uses. At this hearing the present persons will be heard and written communications will be received and a copy of the application on file in the Planning and Zoning Office, 51 Depot Street, Suite 502. The office hours are between 8 am and 5pm or by appointment. The copy of the text amendment application also on file in the office of the Town Clerk, Depot Street, Watertown, CT dated at Watertown, Ct this 19<sup>th</sup> and 26<sup>th</sup> day of June 2008.

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Motor Vehicle Uses/Public Hearing, Wednesday, July 2, 2008  
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Minnich: I refer to the record the letter that I read a referral copy in last public hearing that COG staff has no comments on elimination of section 71.4 as they made that statement. The reason for this zone change, this issue of location of motor vehicles has been measured back into legislature past 8 plus years. They put it in ZBA and then decided to take it out of ZBA give it back to Planning and Zoning and is already indications the zoning board can delegate any of this responsibilities to ZBA if they so desire. That practice has been in this instances has not worked as well as it could because not only do they have to go through on site location and get approval as is with the case with ZBA but they also and almost all of these requires a special permit. That is only then allowed by Planning and Zoning so that has motor vehicle location they have to go to both ZBA and to the Planning and Zoning agency the issue at that location is fairly straight forward. So the thought was make the administration of this location of motor vehicles a little easier is to take back what we have done years

ago and conform to state laws to put it in ZBA this responsibility to take that back now.

Is there any questions? Hearing none. Are there any comments or questions from members of the public? Hearing none. Is there a motion? As there any further discussion? All those in favor please say I all those opposed say no. Motion carries.

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

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

Town of Watertown  
Planning and Zoning Commission  
Public Hearings  
Profession Office District  
July 2, 2008

Minnuch: I would like to call this public hearing of the Planning and Zoning Commission to order at 7 PM the date July 2, 2008. Carol would you please call the roll.

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

Members Absent: C. Mancini, K. Demirs

Others Present: R. Mulcahy, Administrator of Land Use

D. George sat in for C. Mancini

Minnich: The next item on the agenda is the application to amend the text for the Zoning Regulations Section 30.6.1 and 30.6.2 – Qualifying Standards – Professional Office District.

This is an application that has been revised by the Commission. Mike would you read the notice of public hearing.

The town of Watertown will hold a public hearing on July 2, 2008 at 7PM at John Trumbull Primary School, 779 Buckingham Street, Watertown, CT on the following application of section 30.6.1 and 30.6.2 on Qualifying Standards – Professional Office District at this hearing interested persons will be heard and a copy of the application on file at the Planning and Zoning Office, 51 Depot Street, Suite 502, Watertown, CT in the hours of 8 am to 5 pm or by appointment of the text amendment. The application is also on file at the Town Clerks Office, Depot Street, Watertown Ct, this 19<sup>th</sup> and 26<sup>th</sup> of June 2008.

Minnich: Is there a handout.

Carol: It should be with everything I handed out tonight.

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Professional Office District/Public Hearing, Wednesday, July 2, 2008

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Minnich: Let me read for the record a referral from the Town Development which is required for zone changes. It is dated June 30 and the description is The Watertown Planning and Zoning Commission is proposing text amendment to the town zoning regulations. The proposed amendments are to the Qualifying Standards for Professional Office District section 30.6. The proposed section 30.6.3 which would set "the size of the building" at 2,000 square feet and a maximum of 1,500 square feet, when a Professional Office District is at minimum size of 1.5 acres. Proposed section of 30.6.4 would only allow the current maximum of building size of 4,000 square feet in a building foot print of 2,500 square feet, when the Professional Office District is at its maximum size of 4 acres.

The Watertown Planning and Zoning Commission is also proposing to eliminate section 71.4, Location of Motor Vehicle Uses, from the zoning regulations.

STAFF RECOMMENDATION:

Staff has no comments on the elimination of section 71.4. Staff finds the proposed amendments to the Professional Office District (PO) regulation to be confusing and troublesome. Staff has a number of questions and concerns regarding the proposed amendments to the PO zone.

1. Maximum building size and foot print should be set for the zone as a whole, regardless of the size of the zone. Further building size and foot print standards should be dependent on the size of the lot on which the building will be build and not on the size of the zoning district.

2.The proposed regulation does not address what size building and foot print would be allowed in a PO district this is larger than 1.5 acres but smaller than 4 acres. To resolve this problem the regulation should set the maximum building size and foot print to be a percentage of the total area of the building lot.

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3.If a lot is less than 1.5 acres, but is part of a larger PO zone, could the land owner build a professional office building? Could other land owners in the PO zone also build buildings, or would the entire zone be capped at a total of 4,000 square feet in building size and 2,500 square feet I foot print? Can a land owner be prevented from developing PO used in a PO zone, because a neighbor has already met the building size maximums set in the zone?

4.The minimum size of the Professional office (PO) District Zone is only 1.5 acres. A zoning district this small may be challenged as spot zoning. Connecticut courts have recently reaffirmed the illegality of spot zoning. A better approach would be to make professional offices a special permit

use in the Residential Transition Zone. The lot, building, and foot print standards should be set as part of the special permit.

5.A four acre maximum zoning district size may be unfair to adjacent landowners wishing to develop their land for professional office uses. Determining the size of a zoning district is typically done during the zoning map adoption or amendment process.

6.Proposed section 30.6.3 dictates that "the size of the building is 2,000 Sq. Ft." Why does the regulation specify that a building be exactly 2,000 square feet in size? What if less space is needed by the owner? Allowing smaller professional buildings, will help reduce land use conflicts with the residential nature of the underlying zone.

7.The size of a building can be measured in many ways. If not defined elsewhere, the term "size of the building" needs to be clarified. For example, size of the building" size could be defined as gross floor area, net floor area, or usable floor area.

8.If not defined elsewhere, the term "foot print" should be clarified. Does "foot print" include impervious surface area? Setting a maximum percentage of impervious surface coverage would be clearer and could be used to improve the water quality of Watertown's watersheds.

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Professional Office District/Public Hearing, Wednesday, July 2, 2008  
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9.The Council of Governments was given only 19 days to review this proposal. Chapter 124 Sec 8-3b of the Connecticut General Statutes requires that COG be notified of zoning amendments "not later than thirty days before the public hearing. " Complying with State Statute will safeguard the legality of Watertown Planning and Zoning Commission decisions and ensure that COG staff has enough time to provide referral letters to Commissioners and applicants in advance of the public hearing.

The next page which is part of the letter, I asked Moosa who is the drafter of the changes of the proposed regulations. Let take a look at the comments that COG had made in relationship to the two sections 30.6.1 and 30.6.2 and talking about the proposed is on that page which will be changing what is at the top of this page which is the current regulations and the proposed change which is quote 30.6.1 the minimum lot area for a PO zone is 1.5 acres and 30.6.2 the maximum lot coverage a. is 25% b. the maximum impervious surface coverage 45%. Then delete 30.6.3.E. Bulk and Coverage 1. Maximum Building ground Coverage 2,500 Sq. Ft 2. Maximum Impervious Surface Coverage 25%. I did take the time to review the comments that COG made and suggested changes that Moosa Raffey has made and all the suggestions that COG has made are quoted in here except for one and that being #4 where COG suggested that this residential transition be a application be done by special permit. The reason for this change as Moosa has pointed out and people coming to the office the existing language as you see at the top is confusing and the referral that COG has written can be confusing and we will make this a lot easier to understand. These are of rights that people would have.

Are there any other comments from members of the Commission?

For the record Jim Blais has returned now. We are going to go back into that session at 7:45.

We will turn it to members of the public is there any comments on this proposed text amendment? Hearing none is there a motion to close the public hearing? Is there a second is there any further discussion? All those in favor please say I and all opposed say no. Motion carries.

Mr. Blais return to the meeting.

R. Rondeau no longer seated for J. Blais

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Text of Motion is to Close the Public Hearing

Motion made by R. Russ and seconded by G. Dupliese

All in favor and none opposed.

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

Town of Watertown  
Planning and Zoning Commission  
Public Hearings  
Southridge Estates  
July 2, 2008

Minnuch: I would like to call this public hearing of the Planning and Zoning Commission to order at 7 PM the date July 2, 2008. Carol would you please call the roll.

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

Members Absent: C. Mancini, K. Demirs

Others Present: R. Mulcahy, Administrator of Land Use

D. George sat in for C. Mancini

Minnich: The first item on the agenda is there by in error continuation of a public hearing for a proposed 21 lot subdivision to be known as Southridge Estates located at Bunker Hill Road/Sandbank Road, Watertown, Ct. in an R-70 residence district.

We closed this public hearing last meeting so this is not subject being open. So we will move on.

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

Town of Watertown  
Planning and Zoning Commission  
Public Hearings  
Taft School  
July 2, 2008

Minnuch: I would like to call this public hearing of the Planning and Zoning Commission to order at 7 PM the date July 2, 2008. Carol would you please call the roll.

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

Members Absent: C. Mancini, K. Demirs

Others Present: R. Mulcahy, Administrator of Land Use

D. George sat in for C. Mancini

Minnich: **Next item on the agenda is the site plan/special permit #247 for a baseball field dug out located at Taft School, 110 Woodbury Road, Watertown, CT in an R-20F residence district..**

Jim Blais has recused himself.

Mike could you read the notice of public hearing

The Planning and Zoning of the Town of Watertown, Ct holds a public hearing on July 2, 2008 at 7Pm at John Trumbull Primary School Library, 779 Buckingham Street, Watertown, Ct .on the following application. Site plan/special permit #247 for baseball field dugout located at Taft School, 110 Woodbury Road, Watertown, Ct. in R20 residence zone and at this hearing interested persons will be heard and will receive a copy of the application on file with the Planning and Zoning Office, 51

Depot Street, Suite 502, Watertown, Ct. The office hours are 8 am to at 5Pm or by appointment. The application is also on file at the office of the Town Clerk, Depot Street, Watertown, Ct dated at Watertown, Ct this 19<sup>th</sup> and 26<sup>th</sup> day of June 2008.

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Taft School/Public Hearing, Wednesday, July 2, 2008  
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**Ron Bomegen – Fuss & O’Neill**

The letter went out to the neighbors of the parcel with the address of the High School.

Minnich: For the record the staff has placed the notice on the door of the high school and publicly notifies them of the hearing that the public hearing is here at this time.

Bomegan: Tonight I am here for the site plan approval special permit for dugouts at the baseball field at Taft School. The baseball fields are located at the center of the campus right over here and the dining hall which we were here for the last several months. This is Woodbury Road the site is located on the side. Currently right now all that is out there is aluminum benches and a chain link fence. There is going to be a short brick wall behind the home plate for a backstop the wall is going to be 30 inches tall with the chain link fence being 25 to 30 tall feet above that. The measurements of the dugout are 9 feet wide by 9 feet tall by 40 feet long. There are two 30" openings one on each side for students to get in and out of the dugouts. There is a 2 foot tall brick wall in front of the dugouts with 2 foot protective netting above that tTo protect any balls from exiting the dugout. The dugout is 14" below the field is going to be about 2 steps down. We also are going to put drains in case any water gets in there, which would tie into a catch basin system directed just in back of the existing backstop. Each dug out will have footings 46". Does everybody have the handouts I passed out last time? It has elevation views of the dugouts, I will show you the site plan real quick. We have the 2 dugouts, we have the fence and

the catch basins are behind the existing fence now. That is all I have, the only thing that I ask if you close the hearing and decide to approve it, like we did on the dining hall snip the A2 survey which was required August 1<sup>st</sup> which was scheduled to be concluded.

Minnich: Any questions from members of the Commission? Are there any comments from members of the public?

Russ: A motion to close the public hearing.

Minnich: Is there any further discussion?

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Taft School/Public Hearing, Wednesday, July 2, 2008  
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Rondeau: I have a question because this was posted at the high school, somebody be could at the high school on their way here, is there a way to leave this open for a half an hour, just to give anybody an opportunity to be heard. Let go on to the next application and close it after a half an hour.

Minnich: Just for clarification the notice of the town meeting was in the paper.

Rondeau: I make a motion that we close it and wait 30 minutes.

Martin: That is reasonable.

Minnich: Is there any further discussion? All those in favor of that motion to recess this public hearing until 7:25 pm say I all those opposed no. Motion carries unanimously. The maker of the first motion withdraws their motion to. Carl is second on that.

Text of Motion to Close the public hearing but wait until 7:25 PM in case abutting property owners have not arrived at the meetings to voice their opinions.

Motion made by R. Rondeau and Seconded by G. Martin.

All in favor and none opposed.

J. Blais recused himself again for this vote.

R. Rondeau sat in for J. Blais.

Minnich: It is 7:25 let's turn back to item 7 b which site plan/special permit hearing #247 for baseball field at Taft School. Is there anyone here that would like to speak to the Commission on the Taft school dugout. Anyone like to speak on the Taft School dugouts? Motion to close the public hearing? Is there a second? Is there any further discussion? All those in favor please say I, all those opposed motion carries unanimously.

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Taft School/Public Hearing, Wednesday, July 2, 2008  
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Michael Masayda \_\_\_\_\_  
Secretary