

Town of Watertown  
Planning and Zoning Commission  
Regular Meeting  
July 2, 2008

Minnich: I would like to call this regular meeting of the Planning and Zoning Commission to order 7:30 pm on 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 public participation is there any comments from members of the public?**

Minnich: **Next item on the agenda is meeting minutes is there any that has corrections or comments?**

Martin: Meeting on May 21<sup>st</sup> meeting on page 8 martin states that right now (inaudible)

Minnich: Exclude it.

Carol: I cannot hear.

Minnich: Are you suggesting that comment be taken out.

Martin: Take that out of there.

Minnich: Is there any comments or questions from members of the Commission? For purposes of unanimous consent I would address that item 5a, 5c, 5d, 5e,5f, 5g be tabled. Item 5b,5h, through cc be approved with the amendment for item 5r on the May 21, 2008 as just stated by Mr. Martin. Is there any objection? Hearing none that is approved that is stated.

- a. Special meeting of October 25, 2007 for Baillie Company for site plan Approval
- b. Special Meeting January 16, 2008
- c. Public Hearing January 23, 2008 Special Permit #233 Watertown High School Site Plan modifications for an education use with additions and renovations
- d. Public Hearing January 23, 2008 Special Permit #234 Judson School, Watertown, CT Site Plan modifications for an education use with additions and renovations
- e. Public Hearing January 23, 2008 Special Permit #235 Judson School, Watertown, CT Site Plan modifications for an education use with additions and renovations
- f. Special Meeting January 23, 2008
- g. Regular Meeting February 6, 2008
- h. Continuation of public hearing May 7, 2008 an application for a proposed 22 lot subdivision to be known as Southridge Estates located at bunker Hill Road/Sandbank Road, Watertown, Ct in an R-70 residence District.
- i. Public Hearing May 7, 2008 Special Permit #242 of the Cercemaggiore Club for a gazebo to be located at 550 Sylvan Lake Road, Oakville, Ct in an R-30 residence district.
- j. Public Hearing May 7, 2008 Special Permit #243 of County Line, BMW for an addition to the building to expand the service

- department and roof top parking for 116 cars located at 699 Straits Turnpike, Watertown, CT in a B-SC Business Shopping District
- k. Public Hearing May 7, 2008 Special Permit #244 Taft School, 5,800 square foot addition to dining hall temporary trailer, 13 exterior lights and other site changes to be known as HDT/Dining Hall located at 110 Woodbury Road, Watertown, Ct in an R-20F residence district
- l. Public Hearing May 7, 2008 an application for a three lot subdivision to be known as Cherry Avenue Estates, Cherry Avenue, Watertown, CT in an R-12.5 residence district
- m. Public Hearing May 7, 2008 an application for text amendment to Subdivision Regulations Section 5.3.7 Intersections Section 5.3.7a

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- n. Regular Meeting May 7, 2008
- o. Minutes Budget and Administrative Sub-committee May 7, 2008
- p. Continuation of Public Hearing May 14, 2008 Special Permit #243 County Line, Inc. BMW for an addition the building to expand the service department and roof top parking for 116 cars located at 699 Straits Turnpike, Watertown, Ct in a B-SC Business Shopping Center District.
- q. Special Meeting May 14, 2008
- r. Minutes Budget and Administrative Sub-committee meeting May 21, 2008
- s. Subcommittee Parking Regulations June 4, 2008
- t. Motion Sheet Continuation of public hearing June 4, 2008 an application for a proposed 22 lot subdivision to be known as Southridge Estates located at bunker Hill Road/Sandbank Road, Watertown, Ct in an R-70 residence District.
- u. Motion Sheet Continuation of public hearing June 4, 2008 an application for a three lot subdivision to be known as Cherry Avenue Estates, Cherry Avenue, Watertown, CT in an R-12.5 residence district
- v. Motion Sheet Continuation of Public Hearing June 4, 2008 Special Permit #243 County Line, Inc. BMW for an addition the building to expand the service department and roof top parking for 116 cars located at 699 Straits Turnpike, Watertown, Ct in a B-SC Business Shopping Center District
- w. Motion Sheet Public Hearing June 4, 2008 an application for site plan/special permit #246 of the Taft School for a 4,000 gallon fuel

tank to be located at 110 Woodbury Road, Watertown, CT in an R-20F Residence District

- x. Motion Sheet Public Hearing June 4, 2008 an application for site plan/special permit #245 for the construction of a professional office building to be located at 505 Straits Turnpike, Watertown, Ct in an R-T Residential Transition Zone
- y. Motion Sheet Public Hearing June 4, 2008 amendments to the Town of Watertown Zoning Regulations Article I Section 5.2 Wind Turbines
- z. Motion Sheet Regular Meeting June 4, 2008
  - aa. Minutes Moratorium Subcommittee Meeting June 18, 2008
  - bb. Motion Sheet Continuation of public hearing June 18, 2008 an application for a proposed 22 lot subdivision to be known as Southridge Estates located at bunker Hill Road/Sandbank Road, Watertown, Ct in an R-70 residence District.
  - cc. Motion Sheet Special Meeting June 18, 2008

Text of Motion By unanimous consent table 5a, c, d, e, f, g.

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Text of Motion By unanimous consent approve 5b, h-cc be approved with the amendment for 5-r (May 21, 2008 mtg.) as stated by Commissioner Martin to be amended.

Minnich: **Next item on the agenda before we begin remind there is an addendum 7h for Nick Perugini.**

**Therefore I would like to suggest we add to the agenda 9-d Catholic Cemeteries of the Arch Dioceses of Hartford regarding a mausoleum.**

I would like to make a motion to add that to the agenda? Is there a second? Is there any further discussion? All those in favor of adding

it to the agenda please say I, all those opposed motion carries unanimously.

Text of Motion to Add to agenda as 9-d Catholic Cemeteries of the Arch Dioceses of Hartford regarding a mausoleum.

Motion made by D. Minnich and seconded by R. Russ.

All in favor and none opposed.

Minnich: Does anyone want to make a motion for a hearing?

Russ: I would like to make a motion to have a subcommittee to review the subdivision regulations?

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Minnich: **Is there a second to add that as item #9e for subcommittee to reviewing subdivision regulations?** Is there a second? Is there any further discussion? All those in favor of adding that to the agenda please say I, All opposed say no. Motion carries unanimously.

Text of Motion to Add to agenda 9e to establish a subcommittee to review the subdivision regulations.

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

All in favor and none opposed.

Minnich: **Next item on the agenda is staff report.**

Mulcahy: Just to start off, I would like to give you a report on Sandwich Boards Signs. We had quite a few complaints about sandwich boards signs and the dry cleaners. We started systematically asking that the signs be removed from the sidewalks and ask informed persons to remove them. We are just going down the road asking for the sandwich boards sign to be removed. Obviously this is not something that people want to do. They started mushrooming all over and Carol did receive several phone calls about the dry cleaners and several other sandwich boards signs. So you may hear some talk about that. Everyone has been every cooperative so far but they have also give us a list of several others that they would like removed. So we are doing that as we go along down the street.

Mulcahy: The statues are clear on the type of signage Planning and Zoning Commission can regulate and the type of signs that they are advertising.

Rondeau: Does it also include signs that people put up banners?

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Mulcahy: well the last two meetings who had resolutions to allow the banners we do have in the town regulations you are allowed outside fire district you are allowed those banners on a temporary basis for a grand opening and inside the fire district it requires a resolution and we have 2 of them.

Rondeau: There is one right next to the dry cleaners at Brooks. Is that legal?

Mulcahy: That is because we consider that as a grand opening sign and we do allow that. He is supposed to come in for a resolution though

because that is part of the fire district. But we just did enforcement on the sandwich board sign.

The next I had several requests for those fireworks tents that they put up. And I just wanted to be sure that I was on the same footing with that I informed the people that requested that one was the nursery on Main Street. You might be familiar with the fireworks tents that were up in the CVS parking lot in Waterbury, there were several requests to have those in Watertown. I told them that if they are putting them on commercial sites they need to come in for site plan approval because of the parking and taking up of the parking area and the traffic. And I wanted to be sure that my interpretation of that is correct, that any type of structure going on to a commercial property required site plan approval.

Next up the regional meeting just to let everyone know this is a program called Home Connecticut and its alternative to the affordable housing. As you know we had affordable housing applications there are not subject to any zoning. The state of Connecticut has come up with this program called Home of Connecticut the gentlemen that gave the talk is willing to come to any Planning and Zoning Commission and talk about how it works and what actions the Planning and Zoning Commission can take to designate areas in your town for affordable housing and the regulations that you can adopt to go with it. It more pal able alternative than when affordable application comes in as you know the Planning and Zoning regulations go out. And if the Planning and Zoning is interested I

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think his name is Mr. Blinn would be willing to come and give a talk on it. So at any time we want to schedule him on the agenda he is available.

Russ: I would be very interested in a meeting.

Rondeau: How long is the talk?

Mulcahy: Well the talk that he gave to us was pretty brief. Because it was a short regional meeting that each person has a few minutes.

Martin: Is there a way for us to get that packet so we can look at it?

Mulcahy: Certainly. If anybody would like this we can make copies of this and send it out. It is very interesting. It is an alternative to the section in the affordability section in the statutes and gives you a lot more leeway and lot more planning of where you would like affordable housing in your town.

Finally just briefly I wanted to mention that I did have a request for the Zoning Compliance on 900 Main Street. We worked very diligently to try to do a zoning compliance for that building but I did discover that the motion to approve the activities there came with several conditions there that had not been met. This is the old Seymour Smith Company. So I did write up a memo on it for the owner who is Mr. Sandra and but it wasn't exactly saying he was in zoning compliance because I listed off all the conditions of approval and many of them were still outstanding. Sidewalks and dedication of land to the town, for the extension of Pleasantview Avenue, removing of the loading dock, and things like that so I was trying to work with the owner and I was hoping we would come back to either have his conditions modified so he can be done but I just wanted to make everyone aware in case they heard about this situation.

Minnich: Is this a copy of the letter.

Mulcahy: Yes this is the copy of I wrote if anybody is interested.

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Minnich: Mr. Lombard to get that approval back in the mid 90's and those items are not yet completed. Mr. Sandra wanted to get refinancing but of course when you do that (inaudible). We will ask you to follow up and make sure those are complied with and...

Dupliese: Isn't there a problem with that on that Seymour Smith Company?

Minnich: There was a problem in that I guess all these years between the memories of what happened and the history seems to be lost but the real issue is when all is said and done is with all the conversations the actual conditions of approval were part of the motion that this Commission made. And in all instances it is very straight forward to determine it is or is not in compliance and as we have been relayed to on a number of issues they are not in compliance and still questions as to whether they are. But I appreciate you taking the time far more time that should have been necessary. We would ask if you follow up and make sure those conditions are compiled with and...

Dupliese: Isn't there a bank transfer that was suppose to occur with that, the land across the street was never transferred and is that something we take care of now or...

Minnich: I do not recall the land across the street, Ruth may recall that. But I do recall that the land there is a strip of land on Main Street and Pleasant that was required certain approval from the town for the purpose of the road and there is some question, I just do not want to give any more of my time on this. The latest I have heard as of now Mr. Sandra has said that he has something filed on the land records saying that he has that. I am not sure that is there I have not seen it but perhaps that is resolved I do not know. All of these are straight forward to determine whether he is in non compliance or not.

I was asked to come down to the office last week related to the 3 school projects. And I only met with Chuck and Ruth and no one else and also Roy Cavanaugh. Chuck and Ruth had met a few days previous to review the conditions and the Mylar's of the 3 school projects, particularly focused on the two projects that were the Judson and the high school. To make sure those were correct and what we had asked to be done and it was on the Mylar's. The reason for my coming down was there some issues still to which the applicant was having some difficulty wanting to desire to put on the Mylar's without going through the details on that although I could jog my memory I said to Ruth what we had approved is what was on the Mylar's. They had problems to pay for those Mylar's they know the process and that is what they are required to do. And so there about 3 or 4 of those on each of that we had talked about. I asked Ruth today whether those changes that they had talked about that's Chuck and Ruth three days earlier had been included in the Mylar revisions that would get back to them and one of the ones that I had said should also definitely be included because those are the ones that we had approved. I have been informed today that we have not received anything from the school. As you know the town attorney has been doing the process for the bond, and we talked briefly about several items to be bonded and the process of reservation is that the applicant's discretion to decide if this is to be back a cash bond or a letter of credit. These school projects that they also could have the town attorney will develop a legal document where by the funds to which they receive from the bonds would be restricted. Not necessarily having to put the money in an account than rather there be legal restrictions for that and I asked today if that has been done and I have been informed that that has been done. The reason for informing you of this is to be very clear, my understanding of this an issue at the town council level

and public buildings committee and the owners moratorium on the 3 schools that there is a movement to begin perhaps review part of that moratorium. And then be a part of this project related to this. My intent that given the work load for us that we not have a meeting until our regular meeting in August nor to meet again not that we need to meet again on this. Made clearly has an applicant had given this Commission as required by our regulations not the appropriate documentation so they will not receive

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improvement until they do what every other applicant needs to do. So I wanted to give you an update There is no doubt there will be issues that we may hear about and wonder why this is being held up as of today which is July 2<sup>nd</sup> we have received nothing for the corrections that Ruth and Chuck have requested.

Dupliese: They cannot start any construction until those proper things are done?

Minnich: That is right.

Russ: They can't go forward on this moratorium until that is lifted is that legal?

Minnich: The Town Attorney gave them a legal opinion, but also the Board of Education requested legal opinion for their attorney ship both attorneys said that was legal. The reasoning for that legality is not that it is going to stop the construction but temporarily stop it that both said that the town council has the legislative body has the authority to temporarily delay the project. In part we need recall as part of this that the bonding ordinances to which the town council approves and we do the funding. The bonding ordinances do not have any start date or whatever is in the ordinance and so it is in the discretion of the town and both attorneys have said that the

discretion is not delegated by the town council it is the town council discretion (inaudible). So I have asked Ruth to finish contacting the school and the people to whom she is in contact with both verbally and as an e-mail so there is some documentation for this. I have also asked her to ask the town attorney.

Mulcahy: All those e-mails have been sent both to the Town Attorney and to Kaestle Boos and copy to Todd LoFrese that is the assistant superintendent.

Martin: You have listed the issues that are still outstanding?

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Mulcahy: Right and that I am still waiting for the Mylar's to take out which maps were to be made in Mylar's and sent an e-mail to the Town Attorney asking thanking him for his opinion tonight and also asking him for those legal documents for the schools so we can finish up.

Minnich: On the issue last week for Echo Lake Brownsfield we approved a letter of withdrawal, we approved the withdrawal of their approval that we had give them earlier on their Phase I as they called part of the project but I was just following up on my own notes we also asked that they provide a letter for withdrawal. Have they done that?

Mulcahy: No they have not. Their cease and desist is still in effect as far site restoration, the plan is inactive; there has been no further communication from the perspective buyer.

George: There has been no activity?

Mulcahy: I was not informed that there has been any activity. It looks dead.

Dupliese: I have been down there a couple of times, I do not see anything not even any motion in or out, no tracks, nothing.

Minnich: Please require them to let us know the status of those projects?

Muchaly: Would you like me to check with DEP or....Attorney Yoreo.

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Minnich: As you all know we are in the process of looking at our finances in town and Roy Cavanaugh came to the meeting which was we wanted to find out my reaction and your reaction to one of the costs to the town is for Chuck Berger who attends these meetings that is what he is contracted is overtime. And that is one of the issues to which they are looking at. Chuck would still do the work that he is currently doing during the day there is no change at all in that. What that is intended since these meetings would be owned at the times I and Ruth want to request them to come and their time would be majority of the times so I read that in terms of your reaction to of issues you have with this.

Russ: I think if we schedule our meetings for him to be here for bonding issues because they say on the bonding issues it is very important to our decision at least that much.

Masayda: They could cover those bonding issues memo though. I do not see their presence here is necessary for bonding issues.

Martin: The issue is there is going to be advanced notification, advanced information provided to him. So he could do all the reviews and provide us with a good summation of what is being brought to the table. A lot of times we are here and things are being discussed here for the first time. We are asking for his opinions and if he is not going to be here that's got to stop. You can't be making decisions there is a lot of times we ask for his expertise. He is going to have the time to review all the information before it comes to us and comment on everything if he is not going to be here.

Minnich: Okay I'll speak with Roy and he asked how your reaction was and expresses our reluctance acceptance of this proposal. So we can get past these budget problems. Anything else with staff report?

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Dupliese: I don't know if I can bring it up here or not is Echo Lake Brownsfield at our last meeting there was a motion passed to waive their application fee for their next application when they come in for a new application and I feel that we wrong in doing that. My view is that they come in with their first application and what was their so called Phase I and then we had to spend money on cease and desist order. And they were going to have to come in for their Phase II anyway because that is what they already did they violated their Phase I because they went into their Phase II. And now we are waiving their Phase II application which is actually going to cover all the whole site and I don't think we should have done that. I think we should charge them the regular application fee on the next application.

Minnich: There is a way to proceed with this in terms of what you want. A. it would be on the agenda and b. at another time. And in so doing so we want appropriate time and then we can make a motion to add it to the agenda it would require a two thirds vote so in voting in the negative for this will not be able to make a motion to add it to the agenda. That motion we can vote on it but you cannot make a motion to add something to the agenda it would have to be someone who is going to make an affirmative to which that end would be favored to be considered.

Dupliese: So if someone voted yes to it waive the fee would have to be the one to make the motion to re add it to the...

Minnich: **The next item on the agenda if there is nothing else on the staff report article 7a the applicant Walnut Grove Farm, Curt Jones, Civil One, 21 Lot subdivision titled Southridge Estates, Bunker Hill Road/Sandbank Road, Watertown in R-70 zone**

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I do not know how to proceed here. I need your guidance here I asked Ruth she proposed a draft motion of approval. As we talked last time we needed to get Chuck Berger's comments I received those as you did this evening. We finished those today and I do thank Chuck for doing that because he got I guess I understand was yesterday within the last 24 hours or 30 hours and he did turn this around and had memo dated. I have not seen that final plan, I do not have it, I do not have the site plan, and I have not had a chance review Chuck Berger's comments. I am only speaking for myself, I am not prepared to vote on this however if one of the

member's want to spend time and talk about it we will do that it is up to you. I am willing to consider tabling this?

George: I will make a motion to be this?

Masayda: Seconded.

Minnich: Is there any further discussion? All those in favor please say I, All those opposed no. Motion carries.

Text of Motion to Table.

Motion made by D. George and seconded by M. Masayda.

All in favor and none opposed.

Minnich: Just for the record Ruth on that we have 65 days following the closing of the public hearing and we did that last week so if we do this in our meeting in August we have sufficient time to this.

Mulcahy: Yes

Minnich: **The next item on the agenda is 7b Taff School site plan/special permit #247 baseball field dugout, 110 Woodbury Road, Watertown, Ct in an R-20F zone.**

J. Blais recused himself from this application.

R. Rondeau sat in for J. Blais.

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Minnich: All this is pretty standard with what they have submitted to us and has been reviewed by staff and these are the same plans. I draw your attention to item #2 is no sound amplification or scoreboard are permitted under this application and have amplified sound on the field now where. None of those have been proposing and are not on the application but just to clear that has to come back to

this commission. I will read this motion. Any comments? Hearing none.

**WHEREAS**, the Town of Watertown Planning and Zoning Commission received a Special Permit # 247/Site Plan application for baseball dugouts in an R-20F Residence District located at 110 Woodbury Road, Watertown, CT which includes Site Plan dated 5/29/08 prepared by Fuss & O'Neil Surveyors & Engineers, 247 Main Street South, Woodbury, CT ; and

**WHEREAS**, the Commission held a public hearing on July 2, 2008;  
and

**IT IS THEREFORE RESOLVED** the Watertown Planning and Zoning Commission **APPROVES** Special Permit #247/Site Plan application for baseball dugouts in an R-20F Residence District subject to the following conditions:

1. Prior to Town officials signing a final A-2 Survey mylar site map and the two paper site map copies, the final map with a signature block for the Chairman of Planning and Zoning 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.

2. No exterior athletic field lights, sound amplification or scoreboard are approved with this application.

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 July 2, 2013.

Minnich: Is there a motion? Is there a second? Is there any discussion? You need to talk to us.

Dupliese: A site plan Mylar is what he had asked for August 1<sup>st</sup> you had a revision for the site plan. I think he had said that.

Minnich: The site plan Mylar's shall be submitted on or before August 1, 2008. Is there someone who would like to make that motion? All the motions on the table correct the motion would be as read with the amendment included in that and now is so moved? Is there a second? Any further discussions? Hearing none. Carol would you please call the roll for the purpose of recording our votes. On vote of seven in favor and none opposed the motion is approved,  
The application is approved.

3. The site plan Mylar's shall be submitted on or before August 1, 2008.

Motion made by G. Dupliese and seconded by D. George.

All in favor and none opposed.

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Minnich: **Next item on the agenda is the Water and Sewer Department, Site Plan/ Special Permit #249 Application two steel storage containers, 8 X 20 French Street, Oakville in a R12.5 zone.**

Mulcahy: This is a special permit application, Site Plan.

Minnich: Is there a special permit number?

Carol: I will put it in tomorrow.

J. Blais return to the meeting.

R. Rondeau no longer seated for J. Blais.

Minnich: Before you begin I wanted to say that this application requires a public hearing? The action for this evening for this Commission to consider is whether the application is complete and whether we can accept your application and secondly whether to establish a public hearing. So whatever comments you make you can perhaps in your brevity you can have issues review and if you want to get some guidance before the public hearing.

**Vinnie Caterino – Assistant Superintendent for the Water and Sewer Department for the Town of Watertown.**

Yes I understand that. What we have here is a site plan showing two metal storage containers in the back of our building, the building is located at 747 French Street. Presently behind the building there is storage, there is items being stored there right now such as fire hydrants, manhole covers and miscellaneous valves, pipes and miscellaneous equipment that ability comes for uses. What we were

thinking of doing is 2 metal storage containers which are shown on the handout I gave you from Eagle Leasing. Putting back there and storing all the equipment inside there to make the place look a little neater. And that is essentially what we plan on doing here. We started the zone process about 2 weeks ago we were not sure if we needed a site plan but we found out that we did and so here we are. So we did not put in a lot of time into the plan what you have before you is just essentially what is going to happen in the site plan. It is

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not going to change that much. We might have to add some buffering between the neighbors and where ever else we discuss with Ruth and your permission. But essentially what we are doing is shown on this plan and again we may have to do some modifying depending on what we talk about.

Minnich: Thank you is there any questions from members of the Commission?

Martin: Is that just an open alcove there or is that you have a dotted line?

Caterino: That area is totally open that dotted line just shows like where we presently store all the materials and it is presently gravel.

Masayda: I would just like to remind the Commission that over the past several years there has been many issues with metal containers to name a few the church at the intersection of Buckingham and French they had tractor trailer storage, we had them remove that from the location. There is a location on Falls Avenue that had metal containers that had issues with that having been removed. Also in Fusco built his development on the intersection of Buckingham and those condos there was metal containers at that location that had to be removed. Also at K Mart we had several issues with them having metal containers needing to be removed. All of these locations were adjacent to residential areas and which fine. This

Commission had had issues with metal containers in residential areas.

George: Did they have approval to put containers there?

Masayda: No, just having a metal container in a residential area. I can see if it was a temporary for a few months, but for a permanent container adjacent to that.

Minnich: You are going to tell us next time Vinnie why the metal and why not a built structure, I am sure you will address that. What Mike has referred to there are issues, we would remind you that the Town of Watertown is not exempt the requirement that you must notify by the green cards all the adjoining property owners they have a right to be here and they have return receipt. You need to have submitted here at the time of the start of the public hearing. So they have a

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right to know. And anyone else you feel you need to send out. If there are other neighbors that you feel benefit by this comment. It is best to get this all resolved here at this point.

Mulcahy: Just to put on the record I did discuss with Vinny the fact of the 35 foot setback in the rear does not meet the regulations for the 50 foot buffer from residential neighborhood. So they will need to have to change the location of the container or get a variance for that, because there is a 50 foot buffer between non residential uses and residential neighbors.

Rondeau: What kind of buffer is there now between the adjacent property owners and the existing building is it wide open there are currently trees or anything there?

Caterino: Presently to the west of our building on French Street it is pretty heavily wooded in that area. And towards the rear of the property Thomas Olson's property it is kind of open it has some trees and so this kind of opening and in the winter time this definitely would be open because there is no evergreens in that area just where the trees are and the leaves will fall off and they will have pretty good visibility. We would definitely have to propose a substantial evergreen buffer. Like I said we just started this zoning process a couple of weeks ago and we did not get too much input from anybody. The building roof we did not talk at all about it and so we are kind of pulling our stages with this whole project and see where it takes us.

Martin: The jud on the building, do you know what the jud is between the back wall of the existing building is the jud going out what is the distance on that?

Caterino: It is 20 feet.

Martin: So those containers could be perpendicular to the building.

Caterino: We could stick them real close to the building if we had to.

Blais: Is the building surveyed to the lot?

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Caterino: Yes this plan from the existing survey that was done 20 years ago, so the location of the building in respect to the property lines is accurate.

Blais: There is a wetland around there too?

Caterino: Many years ago there may have been wetlands apparently everything has been filled in since then because there is grass right

now, the storm drainage from the rear property and goes out towards I think...

Blais: There is a huge pipe that goes through Polk School that starts right from the building.

Caterino: That is probably the same height; I heard stories from Wetlands years ago. It is pretty wet in the back even now.

Masayda: I will like to make a motion to set a public hearing at the Chairman's discretion and to accept the application for approval. Is there any further discussion? All those in favor please say I, all those opposed no. Motion carries. We will do that for our first meeting in August. Whatever the first Wednesday in August would be?

Mulcahy: The 6<sup>th</sup>.

Minnich: I would just remind you beginning of the public hearing the locations of these storage containers needs to be defined and if it is within the setback then this Commission by its own regulations not permitted to approve the application it will have to go before ZBA. You have an option to go to ZBA or if you are going to plan on doing that or if I am here we can approve it. I just want to remind that this a special permit so that we also have some jurisdiction on this matter as well.

Masayda: If it is not in the setback why should we accept the application?

Minnich: He can move storage tanks to a place that is not involved with setbacks. You know we cannot approve this if it is within the setback.

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Caterino: We could modify the location.

Minnich: Also one last point one of the reasons why this is in special permit because this is in a residential district therefore on the special permit we must take into account the neighbors in terms of the impact on that. So we may rest assured I will almost guarantee you that area of screening is going to be an issue. That needs to be shown on the site plan as to what you are going to be doing with the screening, so it would be with Ruth and Chuck look into this 100,000 times.

Text of Motion to Accept application for review and schedule a public hearing for August 6, 2008.

Motion made by M. Masayda and seconded by R. Russ.

All in favor and none opposed.

Minnich: **Next item on the agenda is 7 d Candee Hill Junction, LLC, Site Plan Application Sign 48 Sq. Ft., 1400 Main Street, Oakville, in B-G district.**

**Mark Tedesco –**

Regarding the sign I stand in front of Commission members a little embarrassed I find myself doing my homework when I take down my project, I went in for my certificate of occupancy regarding Candee Hill Junction that is the retail development across from Economy Tire on Main Street. Everything was in compliance other than one small item Ruth diligently reminded I never got a permit seven years ago when I went in for this application regarding the sign. If you read the minutes from way back when there was quite a beef between myself and Ms. Wick regarding the 2 separate lots. I have the right to have 2 signs and when I went for a variance recently is to combine those two signs to make one, it just makes for a better street scape than having a bunch of signs cluttering up Main Street. So right now I have one sign that meets as far as I can tell all compliances, lighting, height all the restrictions are taken care of other than the variances which I went got for and they are in place right now. And I apologize for this oversight but again the project is 100% complete and I would

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like to thank the Commission, members and staff it has been a difficult project. I have a lot of good confidence in the project and that is about it. If there are any questions?

Martin: The signs square footage meets our regulations?

Mulcahy: He received 2 variances the sign that is allowed is 24 sq ft he received a variance for 24 sq ft so it is a 48 sq ft sign. He also received a front yard property line setback variance of 7 ft. so it is within 3 ft of the property line.

Minnich: If there any questions Ruth has an approval for us to consider. The ZBA approved the variance. Quite frankly ultimately what we are deciding here is the location of this and that is what he has not yet received as part of the condition of his original approval he was to come back to the Commission he is here now to get a approval for the location. The sign is in compliance he has gotten the variances.

Rondeau: Does it also include, I was a little confused about the setback.

Mulcahy: He got 2 variances.

Minnich: He has that variance.

Minnich: It needs our approval and that is what is here.

Mulcahy: I did have a fax today from sign company I sent him the appendix and the regulations on the outdoor lighting of illuminated signs and they faxed me that it is in compliance with our regulations and the table appendix 14.

Minnich: I will read the motion then.

**WHEREAS**, the Town of Watertown Planning and Zoning Commission received a Site Plan modification application on July 2, 2008 from Candee Hill Junction LLC, for 1400 and 1432 Main Street, Oakville, CT for a 48 sq. ft. sign located 3 feet from the property line 15' high in a B-G General Business District which included a Foundation As-Built Survey Parcel A and B dated 4/21/08 with a final revision date of 6/16/08 prepared for Hard Rock Development LLC by Land-Data Engineers 567 Watertown Avenue, Waterbury, CT; and

**WHEREAS**, the applicant received a 24 sq. ft. variance for the size of the sign and a 7' variance for the front yard property line setback;

**WHEREAS**, the Commission heard the application presentation on July 2, 2008; and

**IT IS THEREFORE RESOLVED** that the Watertown Planning and Zoning Commission **APPROVES** the Site Plan modification application titled Foundation As-Built Survey with a final revision date of 6/16/08 for the location of a 48 sq. ft. sign 3 feet from the front property line 15' high in a B-G General Business District with the following conditions:

1. The conditions of approval of June 5, 2002 and March 5, 2008 remain as part of this site plan modification approval.
2. All exterior lighting shall be full cut off and all non-essential lighting shall be turned off after business hours.

3. The illuminated sign shall comply with Article VI Section 61.4.3. Outdoor Lighting of the Town of Watertown Zoning Regulations.

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4. The final Mylar and final plans shall be approved by the Town Engineer, Administrator of Land Use and are subject to review and approval by the Commission at the discretion of the Chairman or Commission.

In accordance with Section 8-3 (i) of the Connecticut General Statutes, all work in connection with this modified Site Development Plan shall be completed within five years after approval of this modified site plan. Said five year period shall expire on July 2, 2013. All work in connection with the remaining portions of the Site Development Plan previously approved by the Commission and not in conflict with this modified site plan must be completed within the time period the Commission approved at earlier dates.

Minnich: Is there such a motion? Is there a second? Is there any further discussion?

Carol would you please call the roll. On a vote of 7 in favor and none opposed

The motion is approved and the application is approved. They also requested in a letter to us that the fee which I believe is \$530.00 dollars the application fee be waived for this project. Does the Commission agree with that request?

Rondeau: He already paid an application fee when he initially came in for his development.

Minnich: Part of my logic on this that I have in really all the cases we waived fees we do it because they withdrew or they are going to or got

denied the it was conditional one they come back within a year with a similar application at the same site and to and have the same application within one year. There was no request this application was approved in June 5, 2002. I will not approve the request for a waiver but that is my vote. We should have a vote on it.

Blais: What is the scope of the normal refund process?

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Minnich: We have specific reasons outlines as to how and why we can give refunds this in my opinion in reading what we have done recently in terms of voting this is not one of them. There is some discretion here, the discretion quite clearly is this is the issue of the condition that he made on June 5, 2002 require him to come back as a continuation is that been the continuation of that existing permit.

Blais: 6 years later

Minnich: That is the mitigating issue.

Rondeau: But the applicant said he was not aware until just recently that was something that was that was inadvertently overlooked if you return to the original application. So it wasn't like get this project and then decides to add something on it at a later date. Typically when you get a project like this signage as included as we see the applications all the time. So on and so forth...

Minnich: This was a specific condition of approval. Which he knew about and which we conditioned and he did not meet it. This was a specific condition that the sign come back to the Commission for its approval.

Tedesco: Could I add on something so we won't drag this out. It is 500 and something dollars it is a very minor modification anyone who is on the board in 2002 it was a heated battle getting this approved with the generated time and at that point there I just gave up. And I was not going to fight this sign at that time. I had that right coming to me and I let it go, a feel that it is for a minor modification here. It is a lot of money \$500.00 dollars.

Dupliese: Was there a notification in the newspapers.

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Mulcahy: We will have to publish.

Dupliese: And that publication costs money and time to do that.

Minnich: I think we owe Mr. Tedesco a response.

Rondeau: I make a motion that accepting one way or another.

Minnich: So we deny his request and state the application he must pay. Is there any discussion? Hearing none. Carol would you please call the roll for the purpose of recording our votes. On a motion of 6 in favor and 1 opposed the request for the waiver of the fees is denied.

Masayda: And the reason why I voted no was because it was significant amount of dialogue during he brought his application in front of this Commission and he spent significant amount of time with 2 signs and 1 sign. I also feel there was a minor modification.

Minnich: I think that the more we spend time applying the fees to which we approved the more we find that the fees are far more than the cost to which the fees were designed to be paid for. We find that on many instances and it is just not on this one obviously Mark if this was \$120,000.00 you wouldn't be here. But it is \$500.00 and in his judgment as he just said that is exorbitant that same logic we are going to find elsewhere maybe when we pass the budget crisis we can take a look at the fees charge here again. Because the logic to which we applied is doesn't work.

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Mulcahy: It is difficult for us to fee schedule. It is very difficult to tell people with minor modifications that are the fees that the town council sets. It is difficult as staff people because we have hardship it is very difficult and I like to see that minor modification lowered.

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

All in favor and none opposed.

Text of Motion to Deny the request for waiver of application fees and the fees must be paid.

Motion made by R. Russ and seconded by D. George.

Aye: D. Minnich, R. Russ, G. Martin, G. Dupliese, J. Blais, D. George

Nay: M. Masayda

On a vote of 6 in favor and 1 against, the motion is approved to deny the request for waiver of application fees

Minnich: **The next item on the agenda is item #7e Hardrock Developers, Stuart Somers Co., Site Plan Modification, Watertown Business Center, Echo Lake Road, Watertown in IR-200 zone.**

**Mark Tedesco for Hardrock Development LLC**

This is a development that was in front of this Commission approximately one year ago we made a text amendment change so that again what I am trying to get at here we want to start thinking out of the box. We know that the bigger factories are not working as Commissioner Dupliese said a couple of meetings ago. I am not going to say things are dead but things are snoozing. So I came in front a year ago with this new concept of multiple buildings on one piece of property it has been approved and I know the Commission does not want to hear about money I spent quite a bit of money to get this approved engineering,

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planning, and studies. In doing so I realize now I am not going to say it was a mistake but it is not going to fly with this concept. Again we are trying to bring economic development to town; I'm sure industry still a viable way as long as I can produce. It is going to boost taxes in the town without anything going out. What we allowed then was seven buildings in the town. We feel that will fly a little bit better with the public, smaller manufacturers for instance let just say Stately Stairs, Penarity there on Rt. 6 with roto rooter business. This is a perfect scenario for them to have their own little piece of the American pie their own unit, condominium unit to themselves. They do not have to share that unit with an of the AC guy or the plumber next door they could have their own unit we have a private drive coming in for utilities it is very similar to the last application other than working at some smaller buildings, more buildings but smaller.

We have less impervious area and in lieu of 120,000 feet of buildings and I think we are down to 89,000 sq feet of buildings. I am going to let Charlie Spath from Stuart Somers Co. addressing any questions along with Attorney Fisher.

Spath: Is there any questions? I would like to go over this proposal myself. Currently we are approved by Wetlands with same plan that was previously approved. We actually have less land cleared because there is less attention to these properties. The whole concept regarding this is before we were approved we had much larger buildings. We had a structure instead of one drive we had actually 3 drives, one up in the middle of the buildings and two around the reverse side of the back of the buildings. These units were approximately 20,000 square feet per unit and it was more than 130,000 these buildings. And the idea was that these buildings would be divided as individual units and sold to manufacturers or business people for use. What we are looking at now is this is a maximized plan, this is the condominium documents are actually a maximum of 15 units in real life they would be probably be a maximum of 13 to 14 units. What we tried to do was maximize so you would not have to add any more in the future. These are 5,000 square footprints and what is nice about this plan really Mark could come in and build the infrastructure and then build these

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much smaller units which affordable to build one at a time and these units would have parking associated with the unit. So what would happen is the sizes of the units are actually based upon the use. Because of warehouse use you would need less parking, if it was a different use you would need more parking. There is an average of about 19 parking spaces per building here. There is approximately 20% less with this plan maximized impervious area in the last plan. Besides that the major difference like I said is the one

infrastructure would be the road to be put in all drainage, the utilities, and the phases of when the construction could start. What we would be looking at is a maximized 15 unit and what you are looking at here is look at this one big block, that is asphalt from here all the way across and was larger buildings. The problems with this plan the issues you have depending on the uses that go in the buildings you have parking issues the people wanting to park outside the unit. These units are thinner and deeper and you look and there is 3 ½ parking spaces for each unit. So there would be issues with the parking. It is much better for the owner of the unit as this is here you have much more direct and controlled parking for the building. Any questions?

Minnich: Could you review the traffic circulation for us?

Spath: The traffic circulation in this case with this would be up the driveway there would be a turn around there could be a constructed island if necessary with the turnaround that would direct you back. Each individual unit has a design here most units do have a loading dock area or do have a swing around where they would continue around the building. As in these cases here this would swing around this way the loading dock area is there swing around the buildings so there is very good circulation in this plan here. It could differ from what we have shown here as people do come in have needs we would address those needs and change the design.

Minnich: What is the width of that main road?

Spath: That is actually 30 feet the width.

Masayda: A lot of the information that is in the plans that we got in our packet of what is mentioned tonight.

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Dupliese: I think you want to address one of them which were when you build the infrastructure and then build individual units as you ever need

be? Number two is tractor trailer access do they all have full access for tractor trailers? I am looking at the way you have it set up and I am not sure if they all have access you would provide tractor trailer access to all of them.

Spath: It would be by use. We have the access drive itself definitely can handle the tractor trailer access these units here are designed for tractor trailer other ones are not.

Dupliese: And are these 5,000 square foot buildings?

Spath: What we designed here are 5,000 square foot footprints.

Dupliese: So they would no longer since they are less than 6,000 square feet they do not to be sprinklers.

Spath: The building could be more than 6,000 square feet and that is the building code it would go by building codes in that respect. But as a zoning requirement there is parking for each use and the building size would be limited to the use in parking area.

Dupliese: So you would have hydrants though all the way up to the end of the building for fire and access for the fire department.

Spath: Yes that is approved and there are hydrants.

Masayda: If I were to purchase a 10,000 square foot building would I be able to do that?

Spath: What would happen in that case Mike is probably instead of purchasing, what you would do is purchase two areas which in this case these are 2 5,000 adjoining in the middle with parking we would purchase at least one area you would have to have adequate parking so depending on the use of your 10,000 square foot building the mostly likely it would 10,000 it would be scoured and that would be a minimum amount of parking so would be in a smaller area but you may want to put a 10,000 square building say in the turn around here and

depending on the use you may have more employees necessary to run the business you would have more parking that would be decided.

Masayda: So my 10,000 square foot building would take up three of those other buildings.

Spath: Yes that is why I am saying maximum.

Dupliese: So our site plan then if we approve the site plan it is really not an approved site plan it is an approved infrastructure theory.

Spath: It is a maximum use really but in the condominium documents that would have to come back in front of the Commission and this would have to be approved by the Town Engineer and the Zoning.

Dupliese: Like Mr. Masayda said is that if you purchased a 10,000 square foot building and that 10,000 square foot building was manufacturing and office, let say it is half office and half manufacturing then you would require a larger number of parking spaces and accessibility and sprinklers so the fire department would want full access so you would have to bring that one back to us.

Spath: It is actually in the condominium documents.

Dupliese: I don't think they care about the condo documents they care about the site plan.

Spath: If the building is larger it would have to come back to the Commission as well, I think if it were a small variation like there is a drive here and this is squared off and smaller building then probably not come back to the Commission. I will be reviewed by the Zoning Officer. Off course if there is four units here then we are looking at putting one building and one large parking area its going to be...

Minnich: What are the intended uses for this development?

Tedesco: It was mentioned offices, well, certain portion of the building is allowed, a very small portion. You have a pawn shop or a coin shop

you are allowed to have an office for your secretary. The piece of property across the street has been sitting vacant now for they really can't afford to move on with it the infrastructure is here it is all done for them. Tax dollars coming in. Albert Downey on Rt. 6 the

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roto ruter business he does not need frontage he does not need to be seen. So perfect for him in lieu of blasting for the last two years and everything else perfect example for him.

Martin: So when you say commercial you are not talking about commercial as far as Stillers. This is still industrial type of business coming into the zones. More storage and broken up.

Minnich; So I would take it by the size I would assume b the size of the buildings to which you are proposing that intention to this point is to not have hotel, motel or restaurant in this development at all?

Spath: No

Dupliese: Is that allowed?

Minnich: In special permit if he was going to say I would ask more questions? I do want to understand and I am obviously not going to get a response but I do want to see the condominium documents that you are saying my what I wanted to get out of those quite frankly at this stage was the ownership of all of this specifically that it is a condominium owned by condominium association and it's a typical condominium where the land is part of the condominium and the structures are part of the condominium association with the interior owned by the individual people occupying that strip of land. I wanted to be clear and certain on the condominium will solve all that but in my own mind this is not going to be 15 individual owned little lots that you are going to carve up and that would not conform with the IR200 zone. And I just wanted to understand that.

Spath: Basically and I will let Attorney Fisher explain that pretty close to the Watertown residential crossing condominiums. It is new to Watertown, Oxford is doing it and a lot of towns in the state are doing it. Again the big boys the Timkins and the Scovills, it's done. Its going to be the same as Watertown Crossing just industrial manufacturing. I will let Mr. Fisher explain better.

Rondeau: Is the road going to be a town road or is that owned by the condominium?

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Spath: It is a driveway/road it's privately owned and maintained by the association 100%. Again no tax dollars going towards this endeavor, just tax dollars coming in.

**Robert Fisher – Attorney with Kramer and Anderson of Litchfield**

I recognize some faces with my frequent visits to Watertown. Mark asked me to address this issue very briefly. What is being proposed is a true condominium commercial not residential. It's covered by the Connecticut Common interest ownership act and the form of ownership will be each unit owner will own an individual unit or more depending on what that person wants. And will own essentially to the layer of paint on the outside of that unit. Each individual owner will also have what is called undivided interest in the common area. The common area is where everything outside those layers of paint including the driveway parking areas and sidewalks utilities lines and everything else is definitely not a division of property. This is not a subdivision and I am giving you if care a supreme court case from last year 19 pages long but I have highlighted some part of it that make it very clear that no subdivision approval is required creating a condominium as nothing to do with zoning. Rather than complicate things I just ask if any of the Commissioners have questions relating the legal part of this condominium and how it will work and I will try to be responsive.

Martin: Assuming that the maintenance of this site is taken care of by some quote condo people.

Fisher: Yes the association is responsible for basically running the site just as though it were a small village and there will be common charges assessed against the individual unit owners.

Dupliese: So the developer at some point puts in the road he only sells 2 units and obviously the 2 units don't have the responsibility for the whole site of plowing and whatever so how do you pick up the horsemen's share of the maintenance costs until the place is full?

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Fisher: Usually what happen is that developer in this case Hardrock is the so called declarant the entity that creates the condo which is what is going on here after a certain number of units are sold usually more than half and association is formed of those unit owners and they are now responsible for making the rules and making sure that these things are taken care of. At that point in time after half the units are sold Hardrock is a minority share holder so it's a democratic way of running the site.

Tedesco: Regarding that question also like Watertown Crossing when we got to 70% then the association was formed and they took it over. But I am putting a covenant it is in front of you somewhere in that mass of paperwork where I want to be hands on right to almost the end. I want to make sure just like anything I do the subdivisions whatever I want to make sure it is done right and someone puts up some trash it's going to hurt me financially on the rest of the units to be sold. So I put in there that I am going to have full power up until almost 90% is sold. At that point there the last one or two they are on their own. The association will have to follow the rules.

Dupliese: And will still proceed with the construction schedules so you would do the road and the detention pond and then you build the first four buildings and three years from now you come back and build four more you would have to put up a silt fence accordingly and however that would work with construction schedule.

Tedesco: What we are going to do here is go in and do all the infrastructure all the road right to the end and even the turnaround area which cuts and fills in here, I am going to take care of that also. No sense to pass that on to the new association unit owners. So all your detention would be addressed immediately?

Minnich: Is this all underground utilities?

Tedesco: Yes, sewer, water and gas telephone cables the works.

Minnich: Do you have any light posts in the property so it is all from the buildings itself?

Tedesco: All full cut off lighting on all the buildings.

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Minnich: Is the driveway which we saw the last time identical to this proposal?

Tedesco: No it is not. I will let Charlie explain that.

Spath: Previously the driveway went around the back of the building here now what it generally what it does is go between the buildings. Not exactly the same spot.

Minnich: I am sorry I did not say clearly enough what I was intending to say. The driveway as it relates to the intersection of Echo Lake Road is that the same.

Spath: Yes, it has not changed the only thing that has changed is there is an intersection site requirement and that has been taken care of by the Town of Watertown there was site line requirements and that

has been taken care of. And I have reviewed this with Chuck Berger regarding all engineering. I actually met today he did have some issues and we took care of those. I think he sent a letter.

Minnich: Two more quickly. Did you get a copy of the Fire Marshal's report on this at some point?

Mulcahy: We do have that in the file. It is here. I did send out a review sheet with the original packet and it had the date of May 27, 2008.

Minnich: I would ask to copy that for us. The issue of the signage what is your proposal on this?

Tedesco: Dave you got me on that one again.

Mulcahy: This fire marshal report was in Charley Spath's booklet that was sent out to everyone.

Dupliese: It was sent out in a separate envelope.

Minnich: I did not get this supplemental.

Dupliese: I got this Saturday.

Carol: It did go out. We put it in a separate envelope it did not fit in the packet.

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Tedesco: I am willing to go with the last application that was approved. Or we could do that at a later date with another application.

Minnich: This is signage on the building.

Tedesco: Whatever signage I am allowed by the statues is fine. I am not looking for a variance at this time or anything like that nor do I think I need to in the future.

Blais: How about an environmental spill up there?

Tedesco: We have addressed this with the Sewer and Water Department. What we are going to be doing with Vinny Cabria and Mr. Deditus is putting in some kind of what is called hand holes or a manhole so that easement to the town of Watertown so the water authority to come on to the property and actually check to make sure there is no hazardous waste going into the sewer system. A lot of industrial sites have that Commissioner Russ could help me out here a little bit being on the water department several years.

Russ: They will be checking.

Martin: Just so I understand now are you going to be building these buildings are the owners going to be building?

Tedesco: I would like to build them but if they want to get their own builders?

Martin: And the square footage that we are talking about if we approve this development is we are approving the sizes of the buildings or are we approving...

Minnich: He has built it as he proposes but he has to come back if he changes it by modification but he has to do what is on the site line.

Blais: You said he can build a building up to 5,000 square feet without something back here. But anything above the 5,000 square feet and he has to come back to the Commission for approval.

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Martin: The locations and everything has to come back to us for approval. In other words you could combine some buildings because somebody has asked for a larger building but do we set a maximum square footage on his property. So right now you are at minimum.

Spath: Actually right now we are on a lot coverage basis were only allowed 30% we are at 12.7. The buildings that were previously approved were 130,000 square feet. This is less than that because they are spread out there is less impervious areas. So we are not working up to 130,000 what was previously approved. We are working between to 80 to 100 in reality. What is shown here now are about 75.

Rondeau: From the architecture of the buildings itself you said the individual owners could go in and build their own building. So my question is what is it ultimately going to end up looking like? Do they have to come to us for a site plan for every building that goes up? They could pretty much put up what they want?

Spath: I will let Mark answer that one for you. But there is some paperwork in the condominium documents.

Tedesco: In the back of your packets are our pictures of what typically could be put there. Thirty percent would be of a stucco drive masonry type of a product, defining the sides, front and the other side, so thirty percent of that would have to be has to be some masonry product to jazz it up. I don't want to see just a bunch of steel buildings up there. I am also putting deed restrictions in other words they want to put up a building they have to come to me just like any subdivision I do, they got to come to me and make sure it going to be aesthetically correct.

Dupliese: I don't want to give you a hard time but for some reason I thought that industrial zone up there when we doing Fed Ex and others was 60%.

Tedesco: I am going to tell you something and I quoted Ms. Wick on this are nothing in our books about masonry construction in an industrial zone.

Dupliese: When I came for approval it was 60% but I do not know where that number came from.

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Blais: When I was on that board before the first one they did beyond that was archives building on Commercial Street.

Tedesco: Correct. Bordaise does a lot of type of these buildings. They were also under the impression regarding this application before there had to be 50, 60 %. And someone brought it to my attention that there is nothing in our books or our regulations saying that this. Gentlemen it has to be in print it can't be just let do it. An applicant like myself looks at the rule book follow the rules, there is nothing in there about masonry construction in an industrial zone.

Minnich: You are correct but what is part of the mitigating issue here is I will leave it at that.

Spath: I would like to make a point to the Commission this is a rear lot no one is ever going to see this. The access driveway from here to here is approximately 400 Lineal feet off of Echo Lake road and the drive is 800 but this is a rear it is kind of a flat lot. The only way you are going to see it if you drive back there where those businesses are.

Minnich: I do understand that but my quick thought upon hearing that my original thought on this goes with the subdivisions and the other 55 we have done. I don't look in my mind look at it as just an original sale; I don't think that is a perspective of the town. We obviously want this issue, this circumstance we want like you those buildings to (inaudible) I know there has been an internal word and that is reality but if they are not going to be looking to people that have business want their buildings to look (inaudible) I at some point then we need to assure that when come times for the second or third sale we are not doing something here that occupies so we are all on the same page but I just have a little exception back and your hitting the corner and you are never going to see and let's move on. I think we are all talking the same thing.

Spath: It is 30%. (inaudible) Economic development here this is industrial this is not Main Street these are not going to be seen from the public regarding Echo Lake Road. You know I am going to do a good job. Thirty percent is quite a bit of masonry. Just take for instance Candee Hill Junction you got about 30% masonry work if you make it one big brick building that is not to me aesthetically pleasing either you need to jazz it up with different types of product stucco, siding of a quality kind. Just like again Candee Hill Junction it is industrial gentlemen.

Minnich: Is the legal documents in this proposal for any of this what you sent out in the mail?

Spath: Yes. The draft is. It has been approved and revised to some of Chuck Berger concerns. We are talking drainage, rights and easements.

Minnich: I would suggest is this is just my thought that this be referred to the viewing of the condominium legal documents to our Town Attorney. My ultimate issue is not so much the 50 or 70 whatever that is going to be. My cue is making sure that the ownership of the land and this is truly a condominium because without that is going to be troublesome. But you assured me that it is and I think our town attorney can look at the documents to make sure that is...

Fisher: I can assure you that is going to be one piece of land and it is a true condominium.

Dupliese: I just like to have you brought signage and the signage that is down on Echo Lake Road because that is a common drive right?

Tedesco: I own half of that driveway, Garvey owns the other half.

Dupliese: And there is sign at the bottom already is there not?

Tedesco: Garvey has a sign for his own property.

Dupliese: So you would have a sign of some type. Your sign would list like if you have 14 tenants you are going to have placards for...

Tedesco: Yes, I am staying in compliance of our regulations.

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Dupliese: Of within the square footage.

Tedesco: Yes

Minnich: I think there is a couple of things we need to decide and this up to on this issue, the site plan, make our decision in 65 days it's not required to have a public hearing it up to you whether you wish to have one?

Tedesco: I do not see a need for one.

Minnich: Anybody else? The other issues that we receive tonight a communication from Chuck Berger on this I know I haven't had a chance to look at it and I don't know if you have. Whatever the US Post Office issue is I have not received my copy yet as of yesterday of this I suggest that we table this bring this back maybe in August and talk about it.

Tedesco: Whatever the Commission needs from me we are prepared to at the next meeting again time is of the essence we are trying to get this done before winter. I was hoping to get it tonight but it does not look that way. Again we contacted Chuck Berger he is 95% on board here. I know it is a shame that you did not get your pamphlets in time.

Minnich: That I have a Town Attorney just review and I am sure Chuck does his usual good job my other question about the fire marshal will be here.

Tedesco: The fire marshal is 100% on board here.

Masayda: I will make a motion that we table this until the next meeting. Or possibly approve it with a condition that it is acceptable the condominium part is acceptable ...

Martin: Let's table it for the August 2<sup>nd</sup> meeting. We should have everything set by August and I second the motion. It gives everybody a target time to look at it. It is one month.

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Minnich: Is there any other comments or questions? Hearing none. All those in favor of the motion of tabling this, say I all those opposed no. Motion carries unanimously.

Text of Motion to Table to the August 6, 2008 regular meeting.

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

All in favor and none opposed.

Minnich: **Next item on the agenda is 7f CHK Industries, Site Plan application for additional 300 square feet of office space, 380 Main Street, Watertown, Ct in BO-F district.**

**John DeClare**

This is what we plan on doing is just finishing off some existing space interior. Were only mainly for filing cabinets, desk, chair and computer. That is the basis of it. It is all interior work.

Minnich: What is the use of this?

DeClare: Well we are going to use it for filing cabinets.

Minnich: In zoning terms what are using it for is it a restaurant,

DeClare: It is a Town and Country Pediatrics

Minnich: Medical office

Russ: Where exactly is 380?

DeClare: It was just being south of there

Minnich: it is the building between the town hall and the town hall annex, the office building in the back.

DeClare: It is a blue building

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Minnich: I certainly don't have any problems with these 300 square feet. As long as the application is complete. The site plan that you gave is not site plan is just a drawing. The issue with regards it does not have the any direction its does not have...

DeClare: I did not file yet.

Russ: That really does not need to come before us interior.

Mulcahy: Well it sparks parking and things like that.

Russ: It is all existing isn't it?

Mulcahy: It is a change of use.

Dupliese: What was the use?

Mulcahy: Basement storage.

Dupliese: And now they are going to make it an office.

Mulcahy: The site plan that they have submitted was dated May 4, 1985 and revised to 9-9-9-85 for parking, drive and grading that is when they originally got approval there.

Minnich: Ruth has a letter, a motion of approval if we want to look at it this evening, it is your call.

Dupliese: it is going from storage space which is just basic storage space to office. Is there somebody working down there? Then it has to meet all those requirements to for the Fire Department.

Mulcahy: Yes they have to go over there.

Minnich: This was kind of Ruth's call if she felt comfortable and to bring it back to us.

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Mulcahy: It is a very minor site plan modification in that it is interior work and they worked hard to find this old site plan when they got their approval in 1985. I counted the parking spaces that they showed and I compared it to the parking regulations and they do have the adequate parking.

Masayda: I think we should leave this one up to ZEO to make a determination on it.

Mulcahy: I would rather have a motion.

Minnich: Because she has brought it here the real question is who office space is this?

Mulcahy: It goes with the medical office.

Rondeau: Is it within our authority to make a radon test?

Dupliese: That is building environment.

Rondeau: Is that something that could be done.

Dupliese: It is the building departments call.

Minnich: I am looking at the motion of approval the lighting issue is it in compliance now? You are not changing the lights correct?

Mulcahy: No changing of any exterior lights

Minnich: And those lights are in compliance are they not?

Mulcahy: The exterior of your building is what they are asking about? Are they full cut off at this point? Are they shielded?

Minnich: Just make that a condition. I am suggesting we add it to what is here is that all exterior lights be full cut off. If there is no other comments on this I will read it.

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**WHEREAS**, the Town of Watertown Planning and Zoning Commission received a Site Plan application on July 2, 2008 titled Town & Country Pediatrics & Family Medicine, Towne Center Office Building, 380 Main Street, Watertown, CT, for conversion of 300 sq. ft. of basement storage space to office space from John DeClaire, CKH Industries, 520 Temple Hill Road, North Windsor, NY located in a Office Business District B-OF in the Fire District which includes a Site Plan Map Showing Property titled Towne Center Office Building dated May 1, 1985 revised 9/9/85;

**WHEREAS**, the Commission heard the application presentation on July 2, 2008; and

**IT IS THEREFORE RESOLVED** that the Watertown Planning and Zoning Commission approves the Site Plan modification application for conversion of 300 sq. ft. of basement storage space to office space for Town & Country Pediatrics & Family Medicine , Towne Center Office Building, located at 380 Main Street, Watertown, CT with the following condition:

1. Prior to Town officials signing a final mylar map and two paper copies, the final map with a signature block for the Chairman of Planning and Zoning 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.
  
2. All exterior lights shall be full cut off fixtures.

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Minnich: Is there such a motion? Is there a second? Any further discussion?  
Carol would you call the roll for the purpose of recording our votes.  
On a vote of 7 in favor and none opposed the motion is approved  
the application is approved.

Motion made by M. Masayda and seconded by R. Russ.

All in favor and none opposed.

Minnich: **The next application is Charles Lacombe, Anco Tool & Manufacturing, Site Plan add air conditioner on roof for pad, 1094 Echo Lake Road, Watertown in an IR-80 zone.**

**Charles Lacombe – Anco Tool**

I have to add a couple of issues. And I am contemplating on whether to put them on the roof or outside the building. But what I have to know is what I have to do to put them up there. Thank you.

Minnich: Is this a formal application that you are making Ruth is that correct?

Mulcahy: Yes, I thought that by tonight you were sort of going to nail down which one you wanted to do.

Lacombe: I was waiting for a one of the contractor's to get back to me but he has not gotten back to me yet.

Mulcahy: So did you want to table this until August 6<sup>th</sup>.

Lacombe: August 6<sup>th</sup> the summer would be over. I kind of need it now.

Mulcahy: You could condition it if want as long as the pad meets the setback regulations and has long as the rooftop mechanicals I do not know if you want them shielded or if you want..

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Dupliese: Do you have roof top units now?

Lacombe: No I don't.

Dupliese: I am trying to remember this building here, I know you sit down a little from the road but I don't think we can see the roof from the road can we?

Lacombe: If you are coming down the road you can see it. Yes

Dupliese: At this point you are waiting to hear whether price wise it is cheaper to put on the roof or put it in the back.

Lacombe: Right

Dupliese: But I think if what Ruth is saying that if you put it in the back all you have to do is meet the building requirements. If you put it on the roof you may have to put some sort of shield or barrier so that were not...

Lacombe: If I put it on a pad on the side and I want to add on it is going to be right in the way. I would have to take it out of there. I would prefer to put it on the roof.

Dupliese: How much air conditioning are you adding do you know?

Lacombe: It would be 2 units.

Masayda: Why do we need this in front of the Commission for a mechanical issue?

Dupliese: I think it is because of the roof top unit, whether it is visible from the street.

Mulcahy: It's a visibility of an exterior thing we had similar, it sounds very minor but we had a similar situation with insurance building on Main Street wanted to do roof top mechanicals and I am sure if I had said to them go ahead. I would have heard from many people about that because it is right on the corner and it is a little building for site plan approval they would have to have a setback. This is something that the Commission can set a policy on if they want to. I am not sure where to draw the line when it comes to site plan approval.

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Masayda: Why don't we approve this with a condition if it is on the roof that it be shielded?

Minnich: We could do that Mike, my other thought is our if it goes on the ground you don't need us you can go if it goes on the roof the only issue that we have is 2 things one is height and obviously what you have submitted is not the height is not going to be an issue and the other is the aesthetics without knowing if you are going to put on the roof without knowing where you are going to put it on the roof that is hard to judge. I agree with Mike that screening is the safest way.

Minnich: This is totally up to you. It is obviously well under the season for heating. To save yourself some money I would think you would want to have an idea of specifically if you are going to put it on the roof and where you are going to put it on the roof. I can't imagine our role is going to be anything other than deciding whether it is meets...My view is that is entirely up to you. I don't know how we are going to approve this without knowing the answer to that. My suggestion is that you withdraw your application and then if you submit another application similar to the application fee that you have would fined to that.

Masayda: Or do the approval for screening and it is his call?

Minnich: That is a lot of money.

Masayda: It would be up to him.

Lacombe: If I put it on the roof I am going to say \$20,000.00 dollars okay.

Minnich: Well you screening is going to cost you a lot of money

Lacombe: Well if it does I will put it on the pad.

Martin: So this is not a residential area. We require screening on every roof top unit?

Masayda: There is no site plan there is nothing to go by. He is coming in front of us without any information so the safest thing we can do is approve something with screening.

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Dupliese: When he originally went for his building permit I remember Mr. Lacombe and his son when they came to him. It was the same time as Bakery and Fed Ex and Textron and at that Commission required screening for every roof top unit. And that is why he is in front of us at this point because Fed Ex had the screen there and New England had the screen there.

Lacombe: Carly does not have screening.

Minnich: I will say this, I am one person my intent is if he wants to proceed with the application, my vote will be to deny the application. The reason that I am denying the application is from my one vote the application is not properly before us, because he has not indicated what he wants on the roof, where it is going to be on the roof, and role here is rather limited and one of the esthetics and we can't even determine that. In my present compromise which is the screening, my view with the screening is that is a lot of money and basically it says, it is really not properly done before us. If you come with a site plan that says where you want to put it and...

Masayda: It's his cost...

Martin: Let me for warn you on screening it is not only expensive for roofing issues it causes you headaches down the road. Be very careful where you head with that.

Rondeau: If we did approve it with the conditions of screening and he gets an estimate and it is outrageous and he decides he wants to do something different he can always come back for approval for modifications.

Martin: I tend to agree with David it is not a complete application.

Rondeau: If we used that as a rule of thumb in the last application we should pass. That was interior. This is an air conditioning unit on the roof.

Russ: I will make a motion that we refuse his application; he does not have a proper application in front of us to review.

Minnich: Is there a second?

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Masayda: I would like to amend that we don't deny it; we approve it with the condition that if it is mounted on the roof, Screening will accompany the unit.

Martin: We are not discussing the type of screening, were not discussing the height of the screening...

Maysada: Screening acceptable to the ZEO

Lacombe: We are asking if we were allowed to put a roof top air conditioner on.

Minnich: The answer to that is quite simple; it is almost always going to be yes. Your question is to screen it?

Lacombe: We did not know what we had to do, we don't know if we are going to put it on the ground, on the roof whatever, the only thing we are asking for if we decide we are going to put the air conditioner on the roof are you guys going to give us permission? Obviously when the time comes we will have all the information that we need there. We don't want to come here with all the information and say you know....

Masayda: The motion is to approve it with condition of screening that is acceptable to the ZEO. This is an industrial zone it is an air conditioning unit.

Minnich: Is there a second to Michael motion? Is there any other motions? We will vote then on the amendment which is to approve it on the roof with the condition it be screened is my call.

Masayda: Acceptable to the ZEO.

Martin: If he gets the proper information to us. If it meets our regulations and we are saying yes.

Minnich: Carol would you please the roll for the purpose of recording our votes on this amendment.

Carol: On the amendment.

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Minnich: On vote of 2 in favor and 5 opposed the motion to approve is denied.

Martin: Could we explain what we are doing here. We are not telling you, you can't do it.  
What we are telling you is come back to us with the size of the unit, location.  
Personally I wouldn't tell you to put screening on it. If the heights were fine and we got a good location...

Lacombe: We did not get the paperwork yet from the contractor

Martin: Come in August 6<sup>th</sup> with all that paperwork with all the locations, the screening is a nightmare...

Minnich: The main motion is what again Carol?

Carol: To deny the application.

Lacombe: All of a sudden I want to put a screen on it but it is not mandatory I have to come out and put a screen on it, if you guys decide and it looks good even though I don't need a screen...

Minnich: You cannot put it on the roof without approval from zoning.

Lacombe: I am saying I am but if everything looks good everybody is happy the way it looks somebody on the board decides well we better screen it and everybody else agrees to...

Martin: It will be the majority of the board.

Lacombe: Yes the majority...

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Minnich: Let's vote on the main motion. The main motion is to deny this application. Any further discussion? Carol would you please call the roll for the purpose of recording our votes. On a vote of 5 in favor, one opposed and one abstention the application is denied. It is incumbent on us to indicate on the record why we denied it. I will start my reason for denying the application, The application is complete is does not indicate where on the roof it is going to be, or if it is going to be on the roof, the whole purpose of this application is for us to determine the esthetics of the screening of which this is may need to occur. In terms of you putting it on the ground you have every right to put it on the ground you do not need us you just go the building inspector's office for that. That was my reason for denying it is there any others? Are there any other reasons for denying it for the record?

Martin: I like to make a motion. That if he comes back before us with all the proper paperwork that we waive the fees. Is there a second? Is there any further discussion? All those in favor of the motion please say I, all those opposed no. The motion carries.

Lacombe: Also on that application was that I put up a sign we never put the sign up. So now we want to put the sign up.

Minnich: You will talk to Ruth about that.

Dupliese: You have approval for that sign do not put up something different because you do not have approval for that sign.

Minnich: He could do signs.

Text of Motion to Deny application because it is not complete.

Motion made by R. Russ and seconded by J. Blais.

Vote taken after motion to amend

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Text of Motion to Amend the motion to approve the application with the condition that if the air conditioner is mounted on the roof, screening will accompany the unit acceptable to the Zoning Enforcement Officer.

Motion made by M. Masayda and seconded by G. Dupliese.

Aye: M. Masayda, G. Dupliese,

Nay: D. Minnich, R. Russ, G. Martin, J. Blais, D. George

On a vote of 2 in favor and 5 opposed the amended motion is denied.

Vote on the main motion: (Deny the application)

Aye: D. Minnich, R. Russ, G. Martin

J. Blais, D. George

Nay: M. Masayda,

Abstain: G. Dupliese

On a vote of 5 in favor, 1 opposed, 1 abstention, the application is denied because the application is incomplete and it does not designate where on the roof the air conditioner is going to be or if it is going to be on the roof.

Text of Motion If applicant resubmits his application, the fees be waived.

Motion made by G. Martin and seconded by G. Dupliese.

All in favor and none opposed.

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Minnich: **The next application is 7h David Szabo, Goldschmidt & Associates, Preliminary Discussion on a proposed Zone change from R-G General Residential to B-C – Central Business District, Griffin School, 26 Davis Street, Oakville in R-G zone.**

This gentleman is not here correct. Yes. This item has been taken off, he has withdrawn his desire to come to us for a preliminary discussion and the owner of the property has spoken to him. As I understand today he did not have the permission of the owner to be here. Nor is he the owner of the property so his preliminary discussion on changing the zone for the property does not have interest at this point.

Minnich: Next item on the agenda is item, we have added an addendum to this for item 7hi for site plan/special permit #248 for a Nick Perugini.

**Robert Fisher – Attorney with Kramer and Anderson of Litchfield**

I am here on behalf of Nick Perugini tonight I am assuming there will be a public hearing because this is an application for a special acceptance?

Minnich: Yes that is correct.

Fisher: Do you have questions other than the timing that Nick can answer.

### **Nick Perugini – Oakville**

I own the house on 505 Straits Turnpike I would like to turn it into a 4,000 square foot office building it house is about 104 years old. It is in pretty bad shape. I would like to take it out and replace it with a new office.

Minnich: Do you have anything more to add.

Perugini: Yes I went to ZBA.

Minnich: What is the intended use of....

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Perugini: it is going to be a office of some kind hopefully a lawyer's office or a realtors office something that does not require much parking or professional doctors, realtor, surveyor something like that.

Minnich: And no one is going to be living on the presiding property?

Perugini: No

Minnich: Ruth would you be able to supply us at the public hearing with a copy of what variances occurred on this property and the discussion that ZBA had on that.

Mulcahy:Yes

Minnich: This is a single parcel correct.

Perugini: Yes

Russ: Just for everybody knowledge this parcel is on the corner of Bunker Hill Road and Straits Turnpike. It's a great looking old house it is right across from the Mobil station, next to the convalescent home. I has always been rented but it is vacant now correct?

Perugini: It is vacant right now it is very hard to rent there is a lot of traffic a lot of noise people do not live there more than six months or a year then they move out. Yes John lived there before he just moved out last week. It is vacant.

Martin: You are tearing it down and building a new structure.

Perugini: Yes

Rondeau: When you mentioned something about you wanted to put something in there that would not require a lot of parking was that because...

Perugini: We do have parking requirement it is only going to be 4,000 square feet, it's going to have an elevator, it's going to be a hallway or whatever I am looking for a lawyer's office like something next door.

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Rondeau: The reason I asked that is because although your intention may be for it to be lawyers office now who knows seven years from now when the lease is up what may go in there my feeling is obviously it has to meet the requirements for that building regardless If you have a lawyer's office in there now that's fine.

Perugini: I understand that.

Minnich: The decision tonight is whether we should accept this application for review and establish a public hearing? Is there a second? Any other discussions? Hearing no discussion. All those in favor please say I, all those opposed no. We will do this at our August 6<sup>th</sup> meeting; everything is pretty much in order for this application.

Mulcahy: I just want I have a typo on the first part about the square footage of the building. Also under the variance part I will fill that in with the dates that he had received the variances. So everything you see is listed out there, that he has submitted.

Minnich: Let me read what I have been required to read from our by-laws. Those that are present I reminded that it is you are not to communicate to the Commission members the merits of this application while the decisions are pending, when communications is not a Commission meeting. Communicate with staff and the Planning and Zoning Commission when not in session, documents obtained from this applications must be recorded for receipt in the office of the Commission in sufficient time for staff to review documents and prepare comments that is required in the effort to make sure we do the process without we need to only talk to staff on this.

Perugini: I understand.

Minnich: Anything else? I look forward to your presentation on August 6<sup>th</sup>.

Text of Motion to Accept application for review and schedule a public hearing for the August 6, 2008 regular meeting.

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

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All in favor and none opposed

Meeting was recessed at 9:45PM

Meeting reconvened at 9:50PM

G. Dupliese left the meeting at 9:45PM

R. Rondeau was seated for G. Dupliese

Minnich: Let's call this meeting to order at 9:50. Glen has left Ray would you sit in for Glen.

**Next item on the agenda is the Planning and Zoning Commission Text amendment to Zoning Regulation, Section 30.6.1 and 30.6.2 – Qualifying Standards – Professional Office District.**

The suggested motion that the zoning regulation 30.6.1 be modified to read The minimum lot size for a PO zone is 1.5 acres.

The zoning regulation for 30.6.2 be modified to read The maximum size (a) maximum building coverage is 25% (b) maximum surface coverage is 45%.

The motion also to delete zoning regulation 30.6.3e Bulk and Coverage

1. Maximum Building Ground coverage 2,500 Sq. Ft.

2. Maximum Impervious Surface coverage 25%

All of that is in form of a motion? Is there a second? Is there any discussion?

Martin: First of all are we discussing the 4 acres anymore? The four acres is gone.

Minnich: The maximum for a district is how they explain is silly because...

Martin: But why are we then increasing the maximum impervious surface from 25 to 45?

Minnich: That is a good question and that is why the note on the bottom I asked Moosa to put that together. On our current zoning R30 the maximum impervious surface is 25%. In an R12.5 it is 35% the rationale that Moosa has in suggesting for the 45% is there will be parking involved in this and so by it would be more surface impervious than would be in the residential and the R30 and R12 so it was his number for being 45. He certainly did not think it should be anything less than the 35%.

Martin: 25% impervious area is a lot.

Mulcahy: We can move it to 35%.

Martin: You should always be looking to keep the impervious surface lower not higher. If we can get our parking requirements on 35% impervious area then that is where it should stay.

Rondeau: If the building takes up 25% coverage would there be enough space left over for parking regulations?

Martin: Then the building should not be any bigger than to allow the proper parking requirements on the site. So if you need 40% of impervious surface for parking then you are left with whatever the buildings. It is a balancing between the two. You just don't increase both because you want a bigger building and have more parking. It just does not make sense especially on a 1.5 acre lot. You are reducing the lot size.

Minnich: We have to keep in mind that like a lot of things we don't need to necessarily define all situations that is the purpose of ZBA. Folks can meet that if we change to 35% if people can't meet the 35% they go to ZBA. That is their role. Is there an amendment then you wanting to make then?

Martin: I recommend we make amendment to make that 35% not 45%.

Minnich: so the maximum impervious surface coverage is 35%.

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Martin: That is my recommendation.

Minnich: Is there a second? Is there any further discussion? All those in favor of the amendment please say I, All those opposed no. On a vote of 6 in favor and one opposed the motion is approved.

Back to the main motion Once again to be real clear what the special permit issue that COG recommending or stating that should be included and it is not included in here. So this is all of right that people have in an RT zone for this kind of activity.

Rondeau: I would like to make amendment that we add in ...

Minnich: Is that 42.2 is the general that we are going to put this.

Mulcahy: I think it should be under section 30 residential transition zone Professional Office District.

Minnich: If I am understanding what Ray is about to propose he is proposing anything in the zone be a special permit.

Mulcahy: As far as my understanding these professional office were already subject to some sort of special, I guess it is an overlay zone so you could change the language from Professional Office put it as a special permit use.

Minnich: So in the 30.5.4 that we add the site probably into a paragraph in a sentence between the two sentences that are there that say leases are permitted by special permit.

Mulcahy: Professional Office it is listed under the special permit uses as #4 under 30.5 additional special permit uses. This is #4 under a special permit use I think he wants is delete the words overlay zone and just take as a special permit. I think that Sam's point was you have an RT overlay zone and then you are calling this an overlay zone when

you are really treating it as a special permit. And so he is asking to delete the overlay zone part.

Minnich: Didn't we already apply the overlay zone?

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Mulcahy: No the overlay zone the first overlay zone that you have in R12.5 and R30 is the residential transition zone and that is a zone. What Sam's point is this isn't really a zone this is really a special permit use you have it listed under special permit use and see what he is saying you shouldn't have an overlay zone of an overlay zone, especially when you are allowing it to be 1.5 acres that spot zoning if you are calling it a zone. So what you should do is delete the word zone an overlay zone and just make it a special permit. And you can just leave it as professional offices.

Minnich: And then special permit how do you want to word that special permits.

Mulcahy: Well it is under special permits I would take out an overlay zone to the R30 shall be designated in conjunctio9n with a ...

Minnich: 07 is designated.

Mulcahy: Unless you want to say where that special permit, unless you want to leave in the part professional office as a special permit use. And then say allowed shall border Straits Turnpike or Bunker Hill Road.

Minnich: We don't want to leave that there.

Mulcahy: What I am saying if you want continue to designate where this special permit is allowed you could leave the end of the sentence just change it, instead of calling it a zone, say such special permit uses shall border Straits Turnpike or Bunker Hill Road within the R-T Transition Zone.

Minnich: And would require a special permit.

Mulcahy: Well you already have it listed under special permit. But you are calling it a zone and top of it. So all you have to do is take the first sentence out change the second sentence to take out district, and put such special permit use shall border Straits Turnpike or Bunker Hill Road within the R-T transition zone.

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Minnich: May I suggest a that we delete the section 30.5.4 Professional Office and we add a section 30.5.4 Professional Office that reads residential transition zone in areas of the town: such special permit use shall border Straits Turnpike or Bunker Hill Road which is in the designated R-T Residential Transition Zone.

The only place where we have an RT zone it must border Straits Turnpike and Bunker Hill.

What we are taking out is the first sentence that talks about overlay zone. I guess I was confused I thought an overlay was an overlay.

Mulcahy: It is too convoluted.

Minnich: Section 30.5.4 is suggested to be is deleted and in its place is the words Professional Office and then residential transition zone in areas of the town of Watertown: such special permit use shall border Straits Turnpike or Bunker Hill Road within the designated R-T Residential Transition Zone. Next paragraph the purpose of the professional office PO use in R30/R12.5 Residential Transition Zone is intended to accommodate a transition between the commercial zone B-SC and the residential R-30/R-12.5 Zone, while still maintaining and preserving the residential character of the area.

Blais: Is that transition zone go from Bunker Hill Road down to.... That is why that attorney office is there.

Minnich: Do we make that motion is there a second? Is there any further discussion? So that is an amendment that we made. All those in favor please say I, All those opposed no. Motion carries unanimously.

We are back to the main motion. Has amended by Gary the amendment the motion being it 30.6.2 that the maximum impervious surface coverage is 35%.

Carol: We have already voted on that.

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Minnich: Back to the main motion as amended. All those in favor please say I, all those opposed no. Motion carries.

Is there a motion that the effective date for the text amendment that was just approved is Friday, July 11, 2008? Is there a second? Any further discussion? All those in favor please say I, All those opposed no. Motion carries.

Text of Motion to Amend Zoning Regulation

Section 30.6.1 -The minimum lot size for a PO zone is 1.5 acres.

Section 30.6.2 – The maximum size (a) maximum building coverage is 25% (b) maximum impervious surface coverage is 45%

Delete

Section 30.6.3e Bulk and Coverage

1. Maximum Building Ground Coverage 2,500 Sq. Ft.
2. Maximum Impervious Surface Coverage 25%

Motion made by R. Russ and seconded by D. George.

Vote taken after motion to amend

Text of Motion to Amend motion to read maximum impervious surface coverage to be 35%.

Motion made by G. Martin and seconded by M. Masayda.

Aye: D. Minnich, M. Masayda, G. Martin, J. Blais, D. George, Rondeau

Nay: R. Russ

On a vote of 6 in favor and 1 opposed, the motion is approved

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Text of Motion to Delete existing Section 30.5.4 Professional Office

Add New Section 30.5.4 Professional Office - Residential Transition Zone in areas of the Town of Watertown; such special use permit districts shall border Straits Turnpike or Bunker Hill Road within the designated R-T Residential Transition Zone.

The purpose of a professional office "PO" Use in an R-30/R-12.5 Residential Transition Zone is intended to accommodate a transition between the commercial zone B-SC and the residential R-30/R-12.5 Zone, while still maintaining and preserving the residential character of the area.

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

All in favor and none opposed.

Vote on main motion as amended:

Aye: 7 Nay: 0

Text of Motion for Effective date of the text amendment will be July 11, 2008

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

All in favor and none opposed.

Minnich: When we make the change we got to give a reason as to why we made the change. And the reason we made the change is its clarifies ambiguities within the existing language and makes the text clearer than what it was before. Under the state law we make text change and we are required to state on the record as to why it is we made the text amendment and so my reason and you can have your own its makes the text language of the zone change we clearer. Does anybody else have any comments on that?

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Minnich: **Planning and Zoning Commission Text Amendment to Zoning Regulations Article VII – Administration and Enforcement Section 71.4 Location of Motor Vehicles Uses.**

Rondeau: I do not understand location of motor vehicles uses.

Mulcahy: When you come in to get an automobile dealership or repair you have to have location of approval and it requires a public hearing and DMV requires that to be on your records and verified by the zoning official. They changed the law so that they allow Planning and Zoning Commission to do this part of it. The Zoning Board of Appeals have always had power to do it you can still designate them but what happened is that means they have to go to 2 public hearings because most repair shops most automobile dealerships

are all special permits and all the towns. So that makes them go through 2 different Commissions this streamlines the process and gets it back so that the people don't understand that they have to go to 2. So this just clarifies who's is going to do it in the town.

Minnich: The motion before if I may suggest is the one that was noticed in the public hearings that we delete section 71.4 Location of Motor Vehicles Uses the Zoning Board of Appeals shall have the authority to hear and decide upon all requests for certification of approval for motor vehicles sales, services and repair uses in accordance with the general statues such authority shall not supersede the Commission's authority to hear and decide upon request for special permits for such uses. All of what I just read is deleted. Is there such a motion? Is there a second? Is there any further discussion? All those in favor please say I, all those opposed no. The motion carries. The reason for that the reasons that we stated at the public hearing which is my reason for the record is that it makes the process more streamline and that you do not have to go through 2 agencies the ZBA and Zoning Board to get a motor vehicle application approval.

Minnich: Is there an effective date for the amendment just approved is Friday, July 11, 2008. Is there a second? Is there any further discussion? All those in favor please say I, All opposed say no. Motion carries.

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Text of Motion to Delete Section 71.4 Location of Motor Vehicle Uses. The Zoning Board of Appeals shall have the authority to hear and decide upon all requests for Certificates of Approval for motor vehicle sales, services and repair uses in accordance with the General Statutes. Such authority shall not supersede the Commission's authority to adhere and decide upon requests for Special Permits for such uses.

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

All in favor and none opposed.

Text of Motion for The effective date of the text amendment will be July 11, 2008.

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

All in favor and none opposed.

Minnich: **Next item on the agenda is item 7k this is an amendment for text amendment for Subdivision Regulations 5.3.5.f** Excess Grades: What is suggested is that the sentence be changed and modified as I will state that at stop controlled intersections lanes the maximum grades shall (inaudible) be 3% within 50 feet of the intersection. All other parts of section 5.3.5f remain as is. Is there such a motion?

Masayda: Motion to approve.

Russ: Second.

Minnich: Is there any further discussion? All those in favor please I, all those opposed no.  
The motion is approve and the reasons on this is matter of safety that 3% provides accelerations at stop controlled intersections. The effective date for the subdivision text the amendment just approved is Friday, July 11, 2008.

Martin: So moved.

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Russ: Second.

Minnich: Any further discussion? All those in favor please say I, all those opposed no. Motion carries.

Martin: Dave now these 6 get into our rules and regulations. By the 7<sup>th</sup> they will have them all in. Because a subject comes in and looks at that, that is going to be changed. Right.

Minnich: They have to bring it to the Town Clerk with the entire statue, process it and publish it.

Martin: And that is enough time

Minnich: Because next week they put it in the paper.

Text of Motion to The sentence "at stop controlled intersection legs, the maximum grade shall not exceed 3% within 50 feet of the intersection.

Motion made by M. Masayda and seconded by R. Russ.

All in favor and none opposed.

Text of Motion: The effective date of the text amendment will be July 11, 2008

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

All in favor and none opposed.

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Minnich: **Next is old business with is Route 262 planned commercial district.**

The only reason that I had to put this back on the agenda is to get some understanding as to when we wanted to begin the process of our discussion upon what a draft language may or could be. Of course all of this is going to be subject to what we receive back from the studies, also subject to the public hearing notices. But the thought that in caring for what we had in many months ago was that we should have as part of what these people that are doing the studies have in front of them is a preliminary draft whatever the proper word is of what our concept of what the language would be which would help them to determine particularly that second study that has to do with the economic impact. So my own issue here that I had and there are other things and that is fine is to determine a time that we wanted to start to do this. My thought process is whatever you want it to be, when did you want to start this?

Russ: I would suggest next Wednesday.

Rondeau: My question is, we asked the town for the money to do the study correct?

Minnich: Yes, We are going to ask the town.

Rondeau: Assuming that they don't have the money for sake of argument. What is the point of spending all that time determining what is going to be done with the study if in fact no study ever actually ever is being done?

Minnich: Well, there are other ways to go about this with regards to what language we may wish to put into this text amendment that would require that information to be given closer to the time or if not at the time of an application. Specifically one of the alternatives this Commission has is to have an overlay zone and of course the definitions of what an overlay zone is we define now and apply that overlay zone at the time so anyone who has an application has one of the alternatives that in my mind is not the best alternative in that we always wanted it to be able to take the time to have an understanding of what specific language we will have in there. But it is an alternative to the fact of not having money and funding to

do the studies. But we certainly have an overlay zone. We could do that language.

Russ: I think next Wednesday we could have a meeting, everybody and the Commission and have discussion so that we have a direction of how we want to go about this the wording and what available and what is not available and what do we do. Step by Step so everybody is on board on this Commission when the application does come in. We have a good understanding I think we need to have clarifications.

Minnich: Would that be fine for everyone.

Masayda: I am not going to be here I am on vacation.

Mulcahy: I am not going to be here.

Russ: The following week let's say.

Minnich: Is everybody on board with that.

Masayda: The thing is you guys are trying to come up with a scope that you are not sure you want to come up with. That is why you have the professional guy come in here to determine what we need.

Minnich: I will be quite frank, and said this to you many times before I don't for an outside to come in and write the language for me and to tell me what it is that we're going to have for the details of the zone. I think that is what we get appointed to do but we need to do it with a process that we agreed upon which the process of using the study is.

Masayda: But when you get into language like this you need someone who is very experienced in doing this. So that is why like that guy Miller like you said which we decided before that would come up with a

draft scope so that we can review it so we have a basis to even start a discussion instead of just trying to pick stuff out of the air.

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Minnich: But Mike, that was not his task it was never his task even in the whole planning function that we did and the comprehensive plan and all that. It was never the task of the consultants to determine or to do the language for what the zone was going to be. Their task was to specific things of the demographics we know what it says. It never was to do the text amendment.

Masayda: I know in rewrite scopes where I work is that we explain to the consultant what our intent is. He comes up with a draft scope then it gets distributed amongst us as the Commission members or where my office in and we review that scope. We may add or delete as we see. But at least we have something to start with.

Russ: Well this meeting here is because if we get denied the \$25,000.00 for someone to do that and bring us that information forward then we are going to have our own discussion and we are going to figure out how were going about it and then we bring it on.

Masayda: How are you going to do that if you are not experienced to do that? How do you know that?

Minnich: One of the avenues in all fairness to that question is the fact we are not the only community in the state has this sort of thing and Ruth is in the process and is getting it near completed of getting the kinds of similar places in the state and she has contacted those planning officials to get the language so we will have text language from other towns in this state with regards to the same type of development.

Masayda: The biggest concern I have if we fall flat on our faces no matter what we decide at least you have the proper documentation to back that up. You are not sitting here and we seven guys are the ones that did it where you have all this professional documentation behind to back you up to direct in a proper decision that we want make.

Russ: We are getting this information; we are going to utilize everything we can get.

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Masayda: Ruth is one person in large office for her to overcome that type pass. I deal with a lot of scopes like this and you guys.

Minnich: That is certainly what you suggest, and I understand the concept that you have made and no doubt one we can change what we have discussed previously. But I say in all fairness to you Mike that the reference to read is on page 46 and 47 and page 86. Nowhere not even in the original proposal that we had are we requesting the consultants to come up with language for us for the zone change. It was always intended that the applicant would propose a draft for that and we would be reacting to that was always proposed that we would be if not the applicant then we would come up with the language. His task wasn't to determine the language. But I certainly think that Brian Miller or we get we are going to ask him all the questions in the world that does not mean that we can't. The process that you are suggesting is certainly a process we could go through. But it is different than we have discussed before.

Masayda: It seems to me the most logical the best information and get it from the...

Martin: I would like to make a recommendation to meet in 2 weeks.

Minnich: How can we make a meeting in 2 weeks and talk about this and come forward.

Martin: Let's move on one way or another.

Minnich: Is 2 weeks fine with everyone? Is it fine with you Mike?

Masayda: I will have to check my schedule, at the moment it is okay.

Russ: What is the time now?

Minnich: Is 7:00 okay with everyone? It will be the only thing on the agenda. In two weeks. The 16<sup>th</sup>.

Masayda: Is there going to be any correspondence after that, some type of outline....

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Minnich: Ruth will have language, I believe there was going to be contact with the Gail McTaggart, and they may have put in language, I don't know what they are going to have but there will be part of this.

Masayda: What about COG why don't we have them come up with some language first? Why do postpone this following Wednesday until we get some from COG where we can get a start in here.

Minnich: COG is only a referral agency.

Masayda: Then we will have a referral; they could come up with something.

Martin: Why don't we review with what we got?

Masayda: Sometime they provide recommendations, and say this is what we have right now. Can we determine first whether COG can help us first before we set a date?

Minnich: Yes, the only thing COG is going to ask for Ruth has asked them to get help with some...

Mulcahy: They said the language from that they recommended is was from out-of-state and sent me that and I will have what they sent me. I can print out copies with that. There is quite a bit of information on the different planned commercial developments.

Minnich: We need to vote on this.

Russ: I make a motion that we have the meeting on July 16<sup>th</sup> at 7PM.

George: I second the motion.

Minnich: Any further discussion? All those in favor please say I, all those opposed no. On a vote of 6 in favor and 1 opposed. The motion is approve so the meeting is 2 weeks from today.

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Text of Motion to Schedule a special meeting to be held on July 16, 2008 to discuss proposed language for a Planned Commercial District.

Motion made by R. Russ and seconded by D. George.

Aye: D. Minnich, R. Russ, G. Martin, G. Dupliese, J. Blais, R. Rondeau

Nay: M. Masayda

On a vote of 6 in favor and 1 opposed, the motion is approved.

Minnich: **Next item on the agenda is the moratorium on the residential zoning and the subdivision regulations.**

Russ: We had our meeting this evening Ruth gave us some information relative to administrative policies because of the two no votes. Money is being restricted we did not feel that the Town Engineer will be able to spend any money or the time on this to

research it. And also she gave me figures just recently about the growth in the town.

Mulcahy: I just gave you the figures of how many permits that we issued for houses in the different years. Starting in 2006 for single family homes is was 28 permits. In 2007 there were 22 permits so far this year its 14 permits we are only half way through so it is definitely decreasing.

Russ: Then I showed her this Sunday, June 29<sup>th</sup> republican home transactions in town. It looks like a significant weaker decline.

Masayda: So what you are saying there is no need for a moratorium?

Russ: That what we voted. No need.

Minnich: There is a motion for the recommendation is for there is no moratorium for residential. Is there a second? Is there any further discussion? All those in favor say I, all opposed say no. Motion carries unanimously. I thank the committee for doing the work and they are discharged. Thank you.

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Text of Motion: A moratorium is not needed because of the slowdown in the economy.

Motion made by M. Masayda and seconded by R. Russ.

All in favor and none opposed.

Minnich: **Next item on the agenda is the request for abandonment of a portion of paper street – Chase.**

Is there anybody here to talk about this? I will make it real quick. I would hope that whoever made this application come and talk to us. My concern is that on what is labeled as 2b on Chase Avenue in lot 124 that is an internal lot. I do not know who owns the adjoining properties if the lots are combined that is a possibility but I have problem with proving the abandonment of this road when that

creates an internal lot. But that doesn't necessarily in the end create an internal lot if they are going to combine it with property that they may own or they would deed restriction that would not allow it to be building lot. But not knowing what their intent of all of this. I do not know how we can proceed with all of this. Roy was just reacting to somebody's, was he doing this on his own, I thought he had a neighbor request it.

Mulcahy: I do not know this is all I got.

Minnich: Because Mary Ellen Muscaluck on the back has officially requested your consider for abandon paper streets. So would assume that Mary Ellen Muscaluck or representative would be here explaining this. As to why they are doing it.

Rondeau: I motion to table this.

Martin: I will second.

Minnich: Is there any further discussion? All those in favor please say I, all those opposed no. Motion carries.

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Text of Motion to Table due to lack of sufficient information.

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

All in favor and none opposed.

Minnich: **Next item on the agenda is request for a 90 day extension to file Mylar – Regina Farms Subdivision.**

Is there a motion? Is there a second? Is there any further discussion?  
All those in favor please say I, all those opposed say no. Motion carries.

Text of Motion to Approve request for a 90 day extension to file Mylar – Regina Farms Subdivision.

Motion made by R. Rondeau and seconded by M. Masayda.

All in favor and none opposed.

Minnich: **Next item on the agenda is 9c which is fiscal year 2008- 2009 budget.**

Ruth did you have any comments on this you met with the manager and...

Mulcahy: Yes I have a schedule meeting for July 11<sup>th</sup> that we are suppose to go through our budgets and also through any services that we are currently receiving in our office and try to eliminate everything and they said to talk to your staff, talk to everyone about eliminating certain things. Everything from as I said the water coolers are all going, we are not allowed to have refrigerators anymore, paper is going to be part of it, any kind of extra time obviously, we might recommend to put on the priority list getting rid of the newspaper delivery, we do use it for the legal ads, but we can get them to fax us something possibly we usually check to make sure our legal ads are in there. Every little thing that we can eliminate they want eliminated.

Russ: I think you can pick that up on the internet.

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Mulcahy: So these are little things and then the other things are because our office is open 9 hours a day everything is on the table and having

that coverage sometimes could lead to instead of the required 7 hour day it could lead to an 8 hr day if someone's on vacation and then another person is sick you have somebody working over the allotted 7 hours if you are going to be open for 9 hours. So that is on the table they also brought up the possibility, they are looking at everything 4 day work week; I don't know where they are going with all of this stuff. But were suppose to as department heads were suppose to be coming up with every cut that we could possibly make. I don't know if they are going to look at the amount of postage we spend on packets or anything like that I don't know what is going to happen with any of it.

Russ: I always volunteer to just call me up Friday. I will pick up my packet.

Minnich: Anything else on that? You will keep us informed.

Mulcahy: Yes, if the Commission members have any suggestions to, anything...

Minnich: I don't feel I need to volunteer because has already decreased before it started from last year.

Mulcahy: We did not have it at all. So it is going to be difficult for us because they said they wanted a real budget and that's what we did and so that is...

Minnich: **We will move on to 9d which is the Catholic Church Mausoleum.**

As you recall the last time we referred to Paul Jessell to give an opinion as to the issue before us and clearly the issue before us was before the Commission the issue of putting that mausoleum not on the cemetery. We are aware of the legality of the mausoleum itself, but the complicating issue here is the fact that they are having a chapels and bathrooms and other facilities. To make a long story short from what Paul Jessell our attorney has sent back. It is his opinion that the Planning and Zoning Commission to quote him does not have

jurisdiction in the approval process. I have read his opinion, I have read section 198310 I have discussed it with another attorney and it is my consideration I do not agree with his opinion. I don't not agree with his opinion as it relates to the mausoleum the crypts itself. What I don't agree with is to the rest of it. I do think that they have to come to zoning to get zoning approval. The reason it is on this agenda is to decide as a Commission for us to consider as we as a Commission want and make a determination as to whether they should or should not come to us as they would for another application knowing that the mausoleum part the actual crypts are not subject to zoning.

Rondeau: My opinion is that it is in a separate area it can't generate that much traffic other than a funeral now and then I agree with Paul Jessell. It is not going to generate any business there.

Mulcahy: Does anybody want to see I did get the building plans. This belongs to the building inspector.

Minnich: The plans will show there are a chapel areas and bathrooms.

Masayda: How much square footage is it?

Mulcahy: It is 10,000 I am sorry it is 26,000 square feet, the lower level area.

Minnich: You talked to another attorney did you know.

Mulcahy: And he said the key to it is whether it fits the definition of a mausoleum. And whether the Commission feels it fits the definition. That is why I handed out we do not obviously have an definition in the zoning regs so you refer to Webster's. And that is Webster's definition that I handed out the one...

Minnich: The one that says large tomb usually a stone building with places for entombment of the dead above ground.

Masayda: They are not having functions there right? Other than funerals?

Mulcahy: They are going to have 2 bathrooms is going to be required they have one bathroom now but they are going to be required because they are a chapel to have 2 according to the building code.

Masayda: Bu other than funerals they are not going to be having any other type of functions or anything else. So it is a big building that is going to store above ground people. is a chapel you go to pray.

Rondeau: It's a chapel there it's like a little church.

Masayda: It is a chapel you go to pray.

Blais: We don't even have a definition of what it is...

Rondeau: The point is if they were coming in for that building for advisement of for storage they would need to come for a permit.

Blais: Because they are using the term mausoleum you don't have to answer any questions?

Mulcahy: Even on the title it says chapel mausoleum.

Minnich: A motion may I suggest one that the Mt. Oliver Cemetery they called chapel mausoleum to subject to Watertown Planning and Zoning regulations?

Blais: I will second it.

Minnich: Are there any further discussions? All those in favor please say I, all those opposed say no.

Masayda: The size of the structure is not an issue to me it is the function.

Martin: They have to go through us for approval and they go through the process and it is done.

Minnish: You will communicate our decision to the Town Attorney and to the people whoever they are Archdiocese of Hartford.

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Text of Motion: The request of the Catholic Cemeteries Association of the Archdiocese of Hartford, CT for a chapel mausoleum is subject to the Watertown Planning and Zoning regulations

Motion made by D. George and seconded by J. Blais.

All in favor and none opposed.

Minnich: **Next item on the agenda is 9e to form a subcommittee to review the Town of Watertown's subdivision regulations and make a recommendation to the full board on its findings.**

Ray this is your do you want to talk about this.

Rondeau: Based on the fact that we decided not to have a moratorium we are delicately slow with applications, this is an appropriate time to form a subcommittee that could go over some of the subdivision regulations so that we can type up and clarify things that we constantly have problems with such as frontage issues, we are going to review the subdivision regulations and make recommendations to the full board as the appropriate changes (inaudible).

Minnich: Is there any further discussion? All those in favor please say I, all those opposed no. One is who wants to be on the committee and the second one when they are going to meet or when the first meeting is going to be. Who would like to serve on this subcommittee? Glen, Ray, Gary and Ron. When do you want to meet?

Rondeau: I recommend so that we are not taking more people away from their families on other nights if we are going to meet at 7:00 on 16<sup>th</sup> to discuss other topics why not meet at 8:00 or 8:30 or whatever.

Martin: You mean following the first meeting.

Minnich: Is that okay with the others. Make it at 8:00 then. July 16<sup>th</sup>.

Text of Motion to Form a subcommittee to review the Town of Watertown's Subdivision Regulations and make a recommendation to the full board on its findings

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Motion made by R. Russ and seconded by R. Rondeau.

All in favor and none opposed.

Members on the subcommittee are G. Dupliese, R. Rondeau, G. Martin and R. Russ

R. Rondeau made a recommendation to have the first meeting at 8:00PM on July 16, 2008.

Minnich: There is nothing on the agenda for me. Is there a motion to adjourn? Any further discussions? All those in favor say I and all those opposed say no. The motion carries.

Text of Motion to Adjourn at 10:45.

Motion made by R. Russ and seconded by R. Rondeau.

All in favor and none opposed.

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

Secretary

