



Town of Watertown, Connecticut

Land Use Administration
Watertown Municipal Center
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PLANNING AND ZONING COMMISSION
REGULAR MEETING AGENDA
MINUTES
February 1, 2023
6:30PM

Place: Watertown Town Hall
Town Council Chambers
61 Echo Lake Road
Watertown, Connecticut

CALL TO ORDER

Chair Raymond Antonacci called the meeting to order.

PLEDGE OF ALLEGIANCE

Chair Raymond Antonacci led the pledge of allegiance.

ROLL CALL

Members Present: Ray Antonacci
Lou Cavallo
Ken Demirs
Dan DiVito
Lou Esposito
Bob Marinaro
Jack McHugh

Members Absent: Richard Antonetti
Dave Pope
Joseph D'Uva

Others Present: Mark Massoud, Administrator for Land Use/Building Services
Carol Allen, Administrative Assistant

Bob Marinaro seated for Richard Antonetti
Jack McHugh seated for Dave Pope

PUBLIC PARTICIPATION: none.

1. ACCEPTANCE OF MINUTES:

Regular Meeting December 7, 2022
Regular Meeting January 4, 2023

Text of Motion: Table Regular Meeting Minutes December 7, 2023 and
January 4, 2023
Motion made by: D. Divito
Second by: L. Cavallo
All in Favor

STAFF REPORT

Mark Massoud, Administrator for Land Use/Building Services reported:

- a. Consideration of model Planned Development District Regulations – At the guidance of the Chair, I took the consultants draft proposal and tailored it to Watertown and submitted to you for your consideration later on the agenda.
- b. Bunker Hill and Commercial Street Site, the former Heritage Development Site - I did a follow up with them based on feedback from the commission members with the residential end of the development. They will be moving forward with their plans and will come back to the commission to share their progress.
- c. Importance of upcoming Land Use seminars - The Connecticut Land Use Educational Series, it is a biennial series that is offered this year. It's a virtual seminar and highly suggest that you take advantage of it, it is informative and we can sign you up for that course.

- d. I was asked to develop and share with you an alternative pathway to consider the framework of the Sealy application. I distilled it down to one page in a summary fashion what a pathway might look like going forward.

CHAIRMAN'S REPORT

Raymond Antonacci reported:

1. I would like to put on the agenda for the next meeting the accessory dwelling units' topic, we did not accept the states recommendation so we can work on that.
2. Mark Massoud tonight has drafted a proposed PDD regulation, that I would like to put on the agenda for a public hearing at our next regularly scheduled meeting. I think it is very flexible and intelligent PDD concept and it would meet a lot of the needs for the both public and the applicant and will work well for us.

2. OLD BUSINESS

- a. Proposed Four lot subdivision Lake Winnemaug Road and Sperry Road, Watertown, CT submitted by DiVesta Engineering for Steiner, Inc.

Chair Raymond Antonacci asked has that decision been made by Wetlands?

Mark Massoud, Administrator for Land Use/Building Services answered no, it has not. We have closed the public hearing, you have unlimited time because the state standards read that the Planning & Zoning Commission cannot make a determination on a subdivision application until they have received a report from the Inland/Wetlands Agency. One should be forthcoming in the next couple of weeks.

Hearing closed January 4, 2023
Decision tabled until action from CCIWA

Continued Public Hearing

- b. Proposed Sealy Oakville Center Planned Development District:
submitted by Attorney Franklin Pilicy:

Petition to amend the zoning regulations 2) section 2 Definitions to add "Planned Development District (PDD)" and to amend section 34.14 Drive – Through Facilities, 3) establish the Sealy Oakville Center Planned Development District (SOCPDD)

Attorney Franklin Pilicy said I have submitted a written application that you have, it is a consent to extend the public hearing to Wednesday March 1st, 2023. The purpose of the extension is for the applicant to provide a conceptual master plan site plan to be submitted as part of the application. With that I would ask that the public hearing simply be extended to March 1st, 2023. I did submit additional correspondence dated January 26th to include in your record a summary report of the first and second application, an amendment to the second application to remove any reference to regulation Section 34.14 in order for a transcript of the two public hearings sessions because I understand that they are not automatically done as in the past, thank you.

Text of Motion: Continue Public Hearing to the March 1, 2023 Regular Meeting. Attorney Pilicy provided a letter dated February 1, 2023 for an extension of time to complete the Public Hearing to March 1, 2023 to provide a conceptual site plan as part of the application.

Motion made by: Jack McHugh

Second by: L. Cavallo

All in Favor

Chair Raymond Antonacci said we are still in the public hearing and we have people here who want to speak from the public. I would like to mention for the record we received from Katherine Camara a 128 page document which the commission will take under advisement and be distributed to the commission members prior to any decision that is made on this application.

Katherine Camara, 31 Cottage Place: I have 62 original petitions for you, I will give them to Carol, they are petitions from persons living within 500 feet of the property that are requesting if any vote on this it would have to pass by a 2/3rds majority. Ms. Camara believed that this application is insufficient needing information to back up statements for an environmental impact, a traffic impact and the impact to town services and the green.

David Overbaugh, 23 Ball Farm Road said the report from Glen Chalder was an excellent and thorough professional report. He received a copy of Attorneys Pilicy's site plan and saw what he considered a Wendy's drive through on Hillside Avenue and asked if this is a good fit for Oakville for that neighborhood. Mr. Overbought saw on Watertown talks that Mr. Lombard had posted a site plan that he claimed that he submitted 8 months ago to Planning and Zoning to Mark and to the commission, I verified today that it was never received. I don't know what this is, it looks like nothing that Attorney Pilicy said last week and it actually looks like

the Target Plaza on Chase Avenue and asked why the neighbors were never shown this before, why was this not shared with the Town and the commission. In closing he wanted to say I think Attorney Pilicy and his clients have been very vague on their plans for the property. No real site plan or possible tenants have officially been named but they are adamant about one or two fast food drive throughs restaurants. Why are they so unwilling to do a traffic study which is desperately needed because that is a small congested area. As many fellow neighbors and I have said many times we are not opposed to development of this area. We want it developed in a positive way for the neighborhood and for the town. What this group is proposing is not beneficial to anyone except their bottom line. To the developers, I suggest they talk to Jack McHugh on what to develop, like he developed on Echo Lake Road that would be a perfect fit for that area of downtown.

Robert Rose, 146 Riverside Street stated his concerns about the crime rate going up in that area and what it is going to do to property values. He asked what is going to happen with the amount of traffic and the type of people in the neighborhood. Mr. Rose stated we kept it a good neighborhood all these years and he is afraid what it is going to be turned into.

Elizabeth Wasiutynksi, 514 Sylvan Lake Road stated we still don't have a formal application. She said the four documents turned in at the last special meeting, two are a copy of one another dated April of 21. You will find there is a copy that was given to officials of the town presumably on May 21 which is the same document given the concept paper in April and then another document with little houses on which has nothing to do with the concept suggestion and stated we have a lot of work to do. What the proposal is the concept of three buildings sometimes they are labeled grocery stores, a small building on the corner and the fast-food restaurant with a roundabout with windows for fast food delivery. The only different on those pieces of paper is the location of a large cluster of parking areas and asked the commission to look at the conceptual idea. She asked to look at all of Oakville and not only that one Sealy property, thank you.

Brian Damelio, 15 Henry Street wanted to state the fast-food place behind Veterans Park is totally unacceptable. He said living on Henry Street affects him with a forty-to-sixty-foot retail spot which would be directly across from his house and wonders what he would be looking at when going out his front door. He asked what kind of traffic is going up Henry Street to facilitate this building? Mr. Damelio had concerns for his grandkids with the added traffic and said we need an independent traffic study.

David Mango, 240 Riverside Street went to different agencies regarding traffic and found out the survey would have to come from SLR. Mr. Mango had concerns about traffic backing up to the Pin Shoppe and said you need to think about the people.

Rose Soboleski, 456 Davis Street talked about the Advanced CT report coming back with the highest and best use of this property giving appropriate types of shops and businesses to keep its village essence so it would fit the neighborhood with no zone change required and having no drive throughs supported. She talked about the traffic on Hillside having driveways of other properties opposite the entrance in that property would create a revolving door effect and is not going to work. It would create additional traffic, snarl ups, vermin creeping in, noise pollution, amplified sounds and light pollution. The Sealy property is surrounded by close nit residential lands and homes and the application is not large enough to support the applicants' proposal in a safe manner. She suggested to the commission to vote down the PPD application.

Dr. Diane Haggis, 53 Hillside Avenue stated as I listened to all of this, it's not just the neighbors that are talking about having something that is developed that would commensurate with the neighborhood, that is in line with the architecture of the neighborhood. You have several reports from people that are saying there are specific things that should and should not go into that area. I don't want it to be an us and them, it's not an us and them, we have professional folks agreeing with the neighborhood in terms of consideration.

Mark Massoud, Administrator for Land Use/Building Services said referring back to the one-page handout I gave to you, in order for an application to be a true Planned Development District it has to be established by the approval of 3 applications submitted and processed at the same time. One would be a text amendment application that provides the narrative of the proposed changes and is part of the master plan documents, a zone change application locating the specific location of the PPD district which have been provided, with some discussion as to their completeness. What's missing is the conceptual master plan with information and sufficient detail for the commission to understand and establish the parameters of the PDD. In this particular case a certain amount but not all of the information has been provided by the applicant. I have listed what those specific items would be and there are several of them that would give the commission the idea of the basic parameters of the conceptual plan. It would be schematic architectural drawings, you have received copies of those, there would be a zoning table that lists the pertinent information so you can understand that it fits within the general zoning parameters. Then a traffic study estimating the potential traffic generation so you could understand in a basic format, at least in the beginning what the capacity of the streets within the neighboring zones would be able to accommodate traffic. With the fulfillment of the three components, it could be considered a PDD for the commission to consider. One of the drawbacks at this point of time is a possible lack of time for the applicant to complete the outstanding site details and the traffic study but as you know the applicant has granted an extension and presumably, they are going to move forward with all or part of that depending on the conversation. That is the short summary of what appears the applicants need to provide to you in order to complete this particular PDD process that you have in front of you.

Katherine Camara, 31 Cottage Place stated that Mark Massoud made a comment at the end of the last meeting about the D.O.T. He is absolutely right the DOT is not interested in being involved after an application is approved. She also stated we have been told that after COVID all these restaurants needs a drive through and wanted to point out that Five Guys opened a new one in Waterbury that does not have a drive through. It's not true that every restaurant that is opened in the fast-food realm has to be a drive through. She asked how many people have come here and said to you this is the greatest idea ever. I have been here the first round you had two people, the second round I don't know if we had anybody. Up until today and up until this comment that you haven't heard anybody here telling you that this is a wonderful idea and to put a drive through in downtown Oakville center, thank you.

Chair Raymond Antonacci said this public hearing is continued until the March meeting.

New Correspondence received from applicant in support of above application.

1. A letter dated January 26, 2023 with the reference to the Sealy application to remove reference there is only zoning regulations section 34.14 drive-through we have accepted that letter.
2. Letter dated January 26, 2023 from Attorney Pilicy a petition to amend zoning regulation definitions to add a Planned Development District and establish the Sealy Oakville Center Plan Development, we accepted that letter.
3. We have the options here that have already been decided that we are going to continue the public hearing. The applicant granted an extension for further deliberations and possible revisions.

3. NEW BUSINESS

- a. 56 Echo Lake Road LP & MR, LLC site plan application to convert 8,456 of existing Industrial space to residential use; request for interpretation of zoning regulations

Chair Raymond Antonetti read a letter from the Town Attorney Paul Jessell rendering an opinion.

Attorney Franklin Pilicy stated the application enclosed includes a number of items, the request for interpretation that you commented on, the site plan the application form, building one that shows the proposed residential use of that building with some architectural drawings and the application fee. I understand that it is going to be

adjusted through staff based on the projected cost of construction for the residential apartments. There is nothing changing on the site plan, the only thing that is going to occur here if this application is approved. We would ask the commission if you see fit to endorse the interpretation to allow the construction available for residential to be inside one building and the site plan application can proceed in the ordinary course but as site plans goes there is not much going on here.

Dan DiVito commented he was happy to see the building is under construction and looking better I think it's an add to the town.

Lou Cavallo asked if he is proposing all two-bedroom apartments above these buildings?

Michael Gonzales, LPMR and Lupo Electric answered it is not all two bedrooms, there is 6 two-bedrooms, two one-bedrooms and an efficiency apartment, it is nine total.

Lou Cavallo asked in regards to parking it doesn't seem to be enough adequate parking in there.

Michael Gonzales answered I believe the code states there needs to be 2 ½ spots per unit. The plan does call for 9 garages with a spot in front of each garage and we have additional space in our lot which will have parking.

Lou Cavallo asked about the parking for the commercial building as well as the apartments?

Michael Gonzales answered for the commercial buildings there are three retail locations and each one of them have parking spaces in front of their location on our lot and the other areas are offices which have parking as well. There is parking for all according to the town's requirement, 2 ½ spots per apartment plus there is multiple spots for each business.

Lou Cavallo asked about coming in and out and are you coming out just onto Echo Lake or you're going out through the Silk Street.

Michael Gonzales answered at this time we have an entrance on Echo Lake Road, we also have an entrance on Silk Street which have millings down which is a separate entrance. We plan to finish that entrance so that there'll will be multiple entrances.

Chair Raymond Antonacci said there are 72 parking spaces provided and asked Mark do we see 72 parking spaces on this plan.

Michael Gonzales answered on the current situation no but on the finished space yes it was designed by an Engineer.

Mark Massoud, Administrator for Land Use/Building Services said the application was received on Friday, we have not had a chance to review it. I am certainly aware of it because we had a pre-application meeting with the architect. Parking would be an issue that I would look at and respectfully request if you wished to accept the Town Attorney's opinion but to continue this until we have a chance to review.

Chair Raymond Antonacci stated I would like the commission to consider the request to have the 25 percent in one building at this point and then the site plan and parking issues can be handled by the Zoning Department whether the compliance is met at a later time. Any comments from the commission to have it all in one building.

Hearing none.

Chair Raymond Antonacci do we have a motion to adopt that or deny that?

Text of Motion: Approve the interpretation of zoning regulations by a letter provided by Attorney Paul Jessell dated February 1, 2023 and to table the site plan application to the March 1, 2023 Regular Meeting.

Motion made by: D. DeVito

Second by: Lou Cavallo

All in Favor

- b. Consideration of proposal to adopt model regulations for Planned Development Districts.

Chair Raymond Antonacci said Mark has given us a proposed Planned Development District regulation and I would like to entertain a motion by the commission to place this as a public hearing for the next regularly scheduled meeting.

Text of Motion: Schedule a public hearing for March 1, 2023

Motion made by: D. DeVito

Second by: Lou Cavallo

All in Favor

Chair Raymond Antonacci asked to place the public hearing at the next scheduled meeting thank you.

Chair Raymond Antonacci commented that this is a really good plan. It is flexible for the developer and it meets the need the commission will require I believe.

COMMUNICATIONS AND BILLS

- a. Letter dated January 26, 2023 from Attorney Pilicy Order of Transcript of Public Hearing Sessions for December 07, 2022 and January 25, 2023.

Chair Raymond Antonacci stated we have already heard from Attorney Pilicy on the transcripts.

- b. Connecticut Land Use Law for Municipal Land Use Agencies, Boards and Commissions, Virtual Seminar, Saturday March 11, 2023 9:00PM – 4:00 PM

The virtual seminar, we have a requirement now that every commissioner has to do four hours annually of education. This is a virtual seminar, it's a great opportunity to do it and you can do it online. I encourage everyone to comply with that requirement by the state and get the four hours in annually.

Mark Massoud, Administrator for Land Use/Building Services said you would receive a reference book for use afterwards, it's very comprehensive. I have used it all the time to look back at issues that come up in Planning & Zoning, Wetlands, and ZBA, it's an added bonus.

- c. CT Federation of Planning and Zoning Quarterly Newsletter and Conference to be held in person at the August Turf Country Club on March 23, 2023 at 5:00 PM. –

It is at the Aqua Turf for a free dinner and a presentation. If anyone wants to drive up with me, I would be happy to accommodate them to come up as a group.

INFORMAL DISCUSSION:

Jack McHugh stated I use to have my office at Depot Square and I am not one hundred percent sure that Silk Street is a town street I think it is an easement. They were talking about the possibility of them coming off of Silk Street to get into their property. When we were owners of Depot Square what we had to do to keep it an easement is, we had to shut that road down for one hour a year just to make sure we kept it as an easement so the Town would take it over as eminent domain. You might want to look into that.

Mark Massoud, Administrator for Land Use/Building Services answered I will look into that.

NEXT MEETING DATE: March 1, 2023

4. ADJOURNMENT

Text of Motion: Adjourn at 7:26PM
Motion made by: D. DiVito
Second by: L. Cavallo
All in Favor

Ken Demirs _____
Secretary