



Town of Watertown, Connecticut

Land Use Administration
Watertown Municipal Center
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PLANNING AND ZONING COMMISSION
REGULAR MEETING
Minutes
September 7, 2022
6:30PM

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

PLEDGE OF ALLEGIANCE

CALL TO ORDER

Vice-Chairman Ray Antonacci called the meeting to order at 6:30PM

ROLL CALL

Members Present: Raymond Antonacci, Vice-Chairman
Ken Demirs
Dan DiVito
Bob Marinaro
Dave Pope
Lou Cavallo, Secretary
Jack McHugh

Members Absent: Richard Antonetti, Chairman
Lou Esposito
Joseph D'Uva

Others Present: Mark Massoud, Administrator For Land Use/Building Services
Paul Bunevich, Town Engineer
Carol Allen, Administrative Assistant

Bob Marinaro sat in for Richard Antonetti
Jack McHugh sat in for Lou Esposito

Text of Motion: Add to the agenda Articles on Agenda (for possible action) after New
Public Hearings and move staff report after Articles on the Agenda
Motion made by: K. Demirs
Second by: D. Pope
All in Favor

PUBLIC PARTICIPATION – none.

ACCEPTANCE OF MINUTES:

Regular Meeting August 3, 2022

Text of Motion: Approve August 3, 2022 minutes
Motion made by: L. Cavallo
Second by: D. DiVito
All in Favor

Lou Cavallo read the public hearing rules.

New Business

1. Site Plan/Special Permit #2022-06 Bed and Breakfast accommodation in the
R70 District at 184 Platt Road, Watertown, CT Map 97 Block10 Lot 30b
Matt Taylor

Text of Motion: Schedule a Public Hearing for October 5, 2022
Motion made by: D. Pope
Second by: B. Marinaro
All in Favor

Carol Allen, Administrative Assistant read the legal notices.

New Public Hearings

1. Site Plan/Special Permit #2022-04 Bed and Breakfast accommodation in the R12.5 District at 153 Deforest Street, Watertown, CT Map 99A Block 61 Lot 1 Daniel Galindo

Daniel Galindo, 153 Deforest Street: I want to thank the commissioners and the commission as well as the Planning & Zoning who have been very helpful in guiding me through the process. My wife Carly and I live in Watertown full-time we really like Watertown and the surrounding towns and lakes in Litchfield County. Our home is on the corner lot across from the Taft property. The property has two driveways and lots of trees and plantings. We have a few bedrooms; we enjoy hosting families and friends whenever we can. One of the guest bedrooms happens to have its own private entrance, that was the way the house was built. We can close off that part from the rest of the house and we thought it might work well as an Airbnb listing. Airbnb of course being an online platform that allows people to rent rooms, houses etc. to other people on that platform. We received the notification from Mark and his staff that there was way to kind of bring that into compliance with the zoning regulations we are pleased that there is a method of doing so. We have one room that's the listing, two people adult maximum, maybe a couple and a kid could use it. Nine times out of ten there is going to be one extra car in the lot. I do have a diagram which is similar to the one that accompanied the application describing how well landscaped it is. There is quite a bit of trees and hedges indicated and there would be one extra car. The application would give us a chance to rent out every once and while. It is usually people that have family in Watertown or Woodbury or something like that visiting their family and friends. The suite has two CO2 smoke detectors.

Public Comment:

Karen Rigapolous: I know the house fairly well; I grew up there as well coming back from New York and I had moved back into our house. My confusion is you have a minimum of five bedrooms, right?

Daniel Galindo: It's possible yes, they are not all furnished.

Karen Rigapolous: Because there was a lot of kids in that house, the suite you are talking about is that the old maids room you are talking about.

Daniel Galindo: There is a door into a room and then there is another room and then there is a bathroom.

Karen Rigapolous: Are you looking to rent out all your bedrooms or just the suite?

Daniel Galindo: We are full time residents; we always plan to live there. There is an accommodation that you know is usually a nice amenity for our family and friends to come visit us and every once and while there is the one unit with maybe two bookings a month, something like that we would expect.

Karen Rigapolous: Because as a direct across the street neighbor that's my concern. Also, my concern is that you go on as Airbnb, you have less control. My concern is Airbnb I have heard not always positive responses about what happens at these homes. A regular BNB you have to live there.

Daniel Galindo: The definition that they have given us yeah we'll agree to live there. We won't be able to have the land use as it's stated without fulfilling the definition from the town. We would have to live there throughout.

Karen Rigapolous: My concern is are you going to be renting out the additional bedrooms as well.

Daniel Galindo: No

Karen Rigapolous: There is just the one unit, one suite that is it.

Daniel Galindo: Airbnb does have a vetting process for their users you know including all forms of government identification and reviews and things like that and we get to preview a user's statistics. Not their whole background, a background of the user of this platform, we would not rent to any person.

Karen Rigapolous: (inaudible)

Daniel Galindo: We also set our own house rules and one of them is no parties, no unannounced guests, things like that.

Karen Rigapolous: Living there you can keep an eye on that. My concern is about hearing the Airbnb situation.

Daniel Galindo: Airbnb is a platform that we use. Imagine it as service we use to book the place and nothing more. From the perspective of the zoning regulation definitions that we have given there is no distinction between Airbnb and the Bed and Breakfast. The only reason I am mentioning it is one accommodation. Whereas I think of a Bed and Breakfast a thriving business

with 10 to 12 rooms and you are serving meals. That is why I am sort of emphasizing the Airbnb because I am thinking of it as just one lone suite that you rent sometimes not all always and not a thriving business.

Karen Rigapolous: And you won't be putting signage up?

Daniel Galindo: No.

Chris Atwood, 241 Woodbury Road: It sounds like there is a bedroom and another room and a bathroom. Will they be allowed to cook any meals? Will there be a refrigerator or hot plate or a microwave in their units? Or are you furnishing breakfast and they are expected to get their meals somewhere else?

Daniel Galindo: Again, we are following the guidance from the zoning staff that they have given us. The space does not have any hotplate or kitchen facilities and we will not be providing any meals. We do have a mini refrigerator to keep some waters in and a Keurig type of coffee machine and that's it.

Robert McCarthy, 48 Hamilton Avenue: I am not in favor of this because this is a business and it's a residential neighborhood. I feel that businesses should not be allowed in residential neighborhoods. I have lived there my whole life and this house is also part of our historic district and would like to keep it that way, thank you.

Lou Cavallo: I think that the Airbnb type of businesses are actually good for our economy. I think it brings people in and it supports our businesses. They support the local grocery store, coffee shops and any other events. I don't see it much different from what he is doing or if we to rent his house month to month to somebody. If somebody wanted to rent it this whole entire house month to month, I don't see a big difference if a person wanted to have 10 people over that day and have a big party there is not a lot we can do as long as they are not too noisy and following the ordinance. I m in favor of Airbnb's I don't think we should restrict them. We should encourage them provided that they are done respectfully and that is all we can ask. I use Airbnb when I travel and I rent from my family and there are never no problems with us. Airbnb filters us correctly, they have the option to chose who they want to be there. I rent Airbnb when my family comes from Europe to my own hometown, I think it is a great accessory for the town and it does support the economy. It's my opinion and thank you.

Ken Demirs: What would be the longest length of time you might rent to a couple?

Daniel Galindo: It's hard to say sometimes, it's request based, we would always see the request but I would say less than a week in most scenarios. Usually within a couple of days.

Ken Demirs: Would somebody be able to for a month or 5 weeks or 6 weeks?

Daniel Galindo: I don't think so.

Ken Demirs: Is the month a max for the Airbnb.

Daniel Galindo: There is a max you are able to set up. It is subjective of that; we have a lot of control over it.

Jack McHugh: Historically in the past there has been a lot of problems with Airbnb with people renting out the whole house and having these huge parties. Who is going to police all these Airbnb's that we are going to be getting in town. It seems like we are going to be getting a lot more applications to come through here. If an owner rents out his whole house for the Airbnb and there is a party and all the neighbors are complaining is there a way that we are actually going to police this or revoke their application.

Lou Cavallo: I would like to state something to what Jack said and I think he brings up a good point. I think we could use some kind of citation system where if that property gets a citation by either the police or the Town for a legitimate complaint and if they get 3 strikes then they are out. Then they can no longer rent we can adopt something like that into the ordinance for keeping everybody in check to make sure things don't get out of control.

Vice Chair Raymond Antonacci: I would like to ask Mark Massoud to explain to everybody and to the commission the regulations that we currently have for B and B' s in town. I know there is two requirements, its occupied as a residence by the owner of the property and there is adequate parking. Would you please explain what we have for regulations Mark?

Mark Massoud, Administrator for Land Use/Building Services: Sure, Mr. Chair during the course of your conversation you hit on some of them. B and B' s in the traditional sense and Mr. Galindo was right to point out that Airbnb is just a platform that encourages the traditional Bed and breakfast facilities. Bed and Breakfast are allowed in any residential zone in Watertown, they are an allowed use. Cooking facilities are typically not allowed within any room and that is primarily driven by the building code. Any B and B that's permitted by zoning

would have to meet any building codes that occur, particularly in terms of life and safety issues. There is not a lot within the zoning regulations that provides standards and I think the commission will have to look to alter that in the future. As is correctly pointed out within the definition of the Airbnb their has to be a resident manager, the owner or a resident manager must live within the facility. There are requirements for one parking space per room that is let and there is a maximum cap of six rooms within any one facility that could be rented. The length of stay is a good question and doing research on the various stays that now are currently out there and 30 days seems to be a dividing line between a definition of the short term stay and a long-term stay. That is not specifically addressed by the regulations but we presume that a traditional B and B speaking here would be a less than 30 days stay. The B and B could be used as a home occupation and so there would be an allowance for a small sign somewhere on the residence indicating that an Airbnb exists there. It would be small something like 3 square feet any home occupation has an allowance for a sign. That is the distinctions that have been drawn at this point for B and B's.

Text of Motion: Close the Public Hearing

Motion made by: D. DiVito

Second by: D. Pope

All in Favor

2. Michael Terelmes for Site Plan/Special Permit #2022-05 to operate Bed and Breakfast accommodation in the R12.5 District at 45 Eddy Street Oakville, CT Map 113A Block 135 Lot 2

Attorney Richard Giland Jr.: representing the applicant who unfortunately this evening is away on a business trip. I would like to present to Carol if I might the green cards and receipts for services as well as his avadavat and compliance with the notes. I would like to distribute if I might a letter that Mr. Terelmes wrote which I believe would address many of the concerns and questions that members of the commission may have as well as a sketch of his property with some parking on that if I might. I would like if I might for Mr. Terelmes as well as members of the public read Mr. Terelmes letter into the record.

Attorney Richard Giland Jr. read the letter into the record that Mr. Terelmes wrote dated December 7, 2022 regarding his application.

I have submitted with that a simple sketch using the town's website to show the location of the home on the lot. You will notice on that sketch that there are four parking places which are for the home residents in front of the

property. The Bed and Breakfast accommodation is located at the rear of the property and there is ample parking in the back of the building as Mr. Terelmes has made a parking area out with 3 quarter inch stone and there is certainly enough room for three or four parking spaces back there for the guests. As Mr. Terelmes indicated the home is comprised of 5 bedrooms, 3 bathrooms, he only intends to use only 2 bedrooms and one bath and I believe there is a small sitting outside the bedroom which would be the scope of the area used within the home for the bed and breakfast purpose. There is no additional structures or additions anticipated to the building. It will be occupied essentially under the same roof; we don't have to worry about altering the neighborhood or the complexion of the home. I don't believe the use will adversely affect the neighborhood. There are no changes to the single-family home that's anticipated. Towns services will not adversely be impacted as well, seeing we are not increasing the size of the home or the services that are required of it. I don't believe there is any sensitive environmental features on the property that would need to be addressed or that would be impacted by the use. I believe it is consistent with the Town Plan of Development as your own regulations provide for this use within all residential districts. I am aware of a communication that has come to the commission from a neighbor. Ms. Manilo who made some statements in her letter and most of which I believe are not relevant to the application. She does touch upon the health and safety of the guests and the people in the neighborhood there and as Mr. Terelmes has indicated he's the one that will be closest to these people occupying he and his family safety is paramount to him. I believe that would address her primary concern you can tell from her letter that it appears that she does spend quite a bit of time concerning herself with Mr. Terelmes use of his property by some of the facts that she states within that letter. I do appreciate the comments from Commissioner Cavallo with this type of use. I believe is a benefit to the town. That is the reason it is incorporated into your Plan of Development. The people that stay there would be accessing as he indicated restaurants within the area because there is not going to be any meals served in this particular property to those guests. They would be spending their money within your town which I think is a benefit.

Lisa LaValle, 35 Eddy Street: My main concern was the safety of who was going to be renting these places out. I am little more comfortable with that he is going to be living on site. My recollection of the home and the way that it was setup that the downstairs living space that he is supposed to be occupying was more of a family room setup with laundry, not a bedroom, a bathroom and I think there is an office there now too, how that whole downstairs is just going to be his living space. Then the upstairs the front part of the house where the kids are is that when they move out is that going to be turned into an additional B and

B rental. Are the appliances going taken out kitchen where the rental is going to be.

Attorney Richard Giland Jr.: I believe that the B and B accommodations are in the rear of the property and there is a separate entrance on that side of the house. If you are facing it from the street would be on the left-hand side of the house.

Lisa LaValle: The front entrance, there is one big deck so there is stairs to come unto the deck from the front portion. I don't remember if there are stairs coming up the side I am wondering how they getting in? Do they get in from his downstairs because the front has a gate it's actually fenced off between the two decks.

Attorney Richard Giland Jr.: My understanding of the property is that there is a separate entrance that you access and that the rear of the property and that is where the parking would be. Mr. Terelmes occupies the front portion of the house.

Lisa LaValle: I thought he was occupying the back downstairs because the front part is a separate living space where the children are living.

Attorney Richard Giland Jr.: My understanding is that there is a second story it is accessed from the rear of the property. It consists of two bedrooms, a bathroom and a small B and B area.

Lisa LaValle: He is residing downstairs?

Attorney Richard Giland Jr.: Correct.

Lisa LaValle: I don't remember that being a living space to accommodate an office a bedroom.

Vice Chair Raymond Antonacci: Is there a kitchen downstairs?

Attorney Richard Giland Jr.: There is not a kitchen in the B and B section of the property but there is a kitchen where Mr. Terelmes and his family live yes.

Lisa LaValle: Up in the front? Is he living with the kids?

Attorney Richard Giland Jr.: Yes, it's my understanding only the back upper portion of the house that rear portion of the house that is accessible for the B and B.

Vice Chair Raymond Antonacci: Is there anything else we have heard your concerns about the downstairs?

Lisa LaValle: it didn't seem that downstairs would accommodate a full-time living situation based on how I remembered it. If he is going to be there my concern was how he was vetting, who was coming in and staying.

Vice Chair Raymond Antonacci: That is totally a legitimate question and we would have to talk to Mr. Terelmes to determine that, okay thank you.

Attorney Richard Giland Jr.: He will be occupying the property; the property is co-owned by his partner and it is my understanding that she occupies the property as well.

Chris Atwood, 241 Woodbury Road: I wanted clarification, I heard two bedrooms, one bathroom, a sitting room and 3 people maximum and no small children.

Chris Atwood: I heard that's going to be a single B and B rental or possibly two different family units could be there? Is it only the single one?

Attorney Richard Giland Jr.: I believe it would be just for one use, one occupant for the B and B use. One bedroom is a very small room with a single bed, a twin and then the other has a queen size bed. The max for sleeping would be 3.

Vice Chair Raymond Antonacci: What is the square footage of this property?

Attorney Richard Giland Jr.: The building Mr. Terelmes indicated in his letter is 2,500 hundred square feet and the area that is going to be utilized is 700 square feet for the Airbnb.

Chris Atwood: It was also mentioned there would be multiple parking spaces. If there is 3 people and one family unit why are multiple parking spaces needed. It's great that there is extra space but why would they be needed if there is one family rental that is why I wanted the clarification?

Attorney Richard Giland Jr.: Certainly, people who occupy that B and B may bring more than one vehicle. Particularly if they are coming to visit someone from Taft and might have a child and parents coming from different directions.

Sabena LaValle, 35 Eddy Street: My daughter just spoke earlier, I am the original owner but now the home is in their names. My one question was that in reading some of these things it looks as though this has been going on for quite a few months. How all of a sudden it had become a town issue, if it's perfectly alright? I read a lot of the reviews that people who have stayed there it seems like it goes way back to January, what prompted it all of sudden to become a town issue?

Mark Massoud, Administrator for Land Use/Building Services: It came to our attention through a complaint on Eddy Street. What appeared to be the use of a dwelling for folks that would be rentals on a short-term basis. We did some investigation and through the investigation of the complaint and also the investigation of B and B's throughout Town. That is why you have that multiple applications before you, it emanated through a complaint that the Town investigated.

Sabena LaValle: The complaint was merely that this person saw that this was being used, that there was a complaint problems?

Vice Chair Raymond Antonacci: That is correct, that there had been no permitting that had been done, no application submitted to Planning and Zoning

Sabena LaValle: So, there was no problem, I saw one area cops had been called there a few times, one of the comments in Ms. Minilo's letter. That was an issue and the second one is that the cops had been there. I keep hearing that there is no cooking allowed however a couple of the people who had already rented said in their reviews that they especially like the fact that they can cook there. I am a little confused on those those issues.

Vice Chair Raymond Antonacci: There are reviews that accompanied the letter and one of the reviews did say did say we especially like to cook in the kitchen.

Attorney Richard Giland Jr.: That's correct and I believe that at the time that occurred Mr. Terelmes was not aware of the fact that you couldn't have that type of facility as part of the B and B and it's my understanding that's been removed.

Vice Chair Raymond Antonacci: The kitchen has been removed

Attorney Richard Giland Jr.: Yes, any heating element according to Connecticut Building Code in their definition of Bed and breakfast establishments it indicates no provision for cooking or warming of food in the guest rooms and Mr. Terelmes echoed that in his letter that moving forward certainly he is not going to be having that occurring in the home. I had an opportunity to review the proposed motion on this matter and it does provide for review by the Fire Marshal as well as the building official so that all would be in compliance for sure.

Sabena LaValle: I did notice you handed out some sketching of the whole thing, are we not allowed to see that? I know the original setup of the home; I remember when the back part was added onto for the son who got married. I knew a living unit was in the front, a living unit in the back and the downstairs was a family kind of rumpus room. I am a little confused as to where the five bedrooms are now and where there is the separate two bedroom I believe?

Vice Chair Raymond Antonacci: This sketch does not address that; it is a plot plan it does not show where the bedrooms are located, it doesn't do a layout of the house.

Attorney Richard Giland Jr.: I can address the question but as I indicated to your daughter, my understanding is that accommodations for the Bed and Breakfast are going to be in the rear of the property. You had indicated that was an addition for a prior owner's child to move in. That is the area that would be used for the B and B.

Sabena LaValle: And the downstairs unit was just a family room is now his living area, he has turned that into a whole living area downstairs.

Attorney Richard Giland Jr.: I don't know but that area is not going to be part of the B and B use. It is going to maintain itself as the family's use of the property, the owners of the property.

Sabena LaValle: You indicated that he is in the front with his children?

Attorney Richard Giland Jr.: My understanding he lives in the front unit of his home with his family.

Carolyn Dumond, 54 Clyde Street: I own the property on Clyde Street which is actually my side yard abuts his back yard. I have a couple of questions, who is going to police this Bed and Breakfast?

Vice Chair Raymond Antonacci: We don't have to answer your question, but it's a good question, continue. Secondly what is to stop this man from living here right now while he opens this up and then five, six months down the road, he moves out then what. Two, there are several children in that area, we have no idea who they are letting in there. Another thing I know you have probably have driven by on the area, as you can see there are cars on both sides of the road at all times. Traffic flies through there from the high school, from Polk, from everywhere, there are no sidewalks for our children. We don't need any more traffic to that area. Another issue I don't know if you are aware or not when Eddy Street and the street above was flooding over, they put several drains, pipes, curtain drains. Teeches use to own the property they have drains in their backyard as well which ties into my yard, a big catch basin which goes over to the neighbor's house into that drain it goes all the way down. If he puts parking back there and cars are driving back and forth over this, what happens to the rest of our properties flooding out. I know Mr. Budat, one of his pipes is also tied into that curtain drain. We have a lot of issues as it is there, with people flying up and down the roads, cutting through Buckingham, down Eddy, down Clyde Street to go to the High School, they go through town and do it on all the side streets. It is getting quite dangerous for kids riding their bicycles out there. I don't want to be looking at a parking lot in my backyard, those are the issues that I have.

George Norman, 271 Woodbury Road: I appreciate what the attorney has said obviously he has been prepared. The issue I have is who is going to police and enforce the regulations. It seems to me that the Zoning Enforcement Officer will have a full-time job just going through these new locations to make sure that they are up to date and they are not having little cookouts inside in the house or violations to the regulations. Which by the way are very slim and confusing and no one quite has quite a good handle on them what the regulations are. But the most important thing is the regulations need to be policed and enforced by the ZEO. The permits should only have a certain period of time. They should not be a forever permit for this type of use. It's based on the type of use, if anyone is in violation of the use, how soon can the permit could be retracted. There is a lot more thought that should go into this thing. It is up to the commission to come up with a much stronger set of regulations, if you are going to allow a commercial operation in all neighborhoods, yours and mine. We are running a major risk when we start allowing the breakdown, it's a slippery slope issue we have here and people do want to come to this town

and visit and all that, it is not going to improve the income of the Town to visit and all that. It's not going to improve the income of the town. It's not going to open up every restaurant to be highly successful, it only comes for a day or a week. It's not an economic issue it's an issue of simply being able to control regulations that we have in this town and to make sure we protect our citizens, our children because there is a lot of issues out there.

Paul Bunevich, Town Engineer: This is the first I have seen of this sketch Attorney Giland. I am concerned on a few levels, this is a pre-existing, non-conforming lot on a number of levels, footage and side yard for the driveway. I don't believe this parking layout conforms to the parking regulations, front prohibition, side yard distance from the house. I am not saying it can't work but just based on here there is no room for seven spaces in this scenario. I don't know about topography, is this lot essentially flat or I think it goes down in the back. I think I remember being out here at one time, I believe site plan approval is a part of this application.

Vice Chair Raymond Antonacci: Yes.

Paul Bunevich: This would have to ironed out one way or another you may have to go to ZBA.

Dan DiVito: I was going to ask Mark Massoud if he could comment on how we could police a way to rescind this special permit if there is too many complaints.

Mark Massoud, Administrator for Land Use/Building Services: We discussed putting some limits on the special permit. In some other types of cases there is some other one-year review of uses but that is fairly impractical as Mr. Norman had pointed out given staff resources and time available, so that was deemed to be impractical. We suggested a five-year review of the permit in this case with B and B's to get a handle on use and operation.

Vice Chair Raymond Antonacci: The timing of this application is interesting as addressed through several members of the public. We are in the process of adopting new regulations and the Airbnb is a current phenomenon that needs to be addressed. We are not exactly replete with guidance on this matter but we do our best to be reasonable at this time. We are going to be adopting the regulations shortly we do have to address zoning concerns. I have one questions for Attorney Giland, on the website advertising this particular B and B a person by the name of Ana stated we are in the neighborhood if you needed anything, we can be reached by phone as well. That indicates that nobody was living in the house at the time this was rented out as a BNB.

Attorney Richard Giland Jr.: I necessarily don't agree with that interpretation if they indicated that they are in the area then provide a cell number it doesn't exclude the fact that they live there. If I can address Mr. Bunevich's comment, I have a sketch and I think this was part of your original package that Mr. Terelmes put in, it seems to detail that there is already parking in the front of the property and that should be considered to be a prior non-conforming use of the property. Mr. Terelmes had a number of pine trees in the rear of his property and he put in ¾ inch stone because he could not get grass to grow in the rear of the property. He also on the sketch that I presented there is a pretty sizeable area for parking that is paved already in which on his rendering he showed the availability of parking in that particular location. In my sketch I merely put it in the back because I thought it would be easier for people to turn around and accommodate. But if that is a concern maybe the approval can be conditioned upon Mr. Bunevich's review and approval.

Vice Chair Raymond Antonacci: I am going to suggest that we keep this public hearing open, I am going to need a motion from the commission.

Carol Allen, Administrative Assistant: Before you make the motion, I wanted it on the record that commission did receive letters from Tina Manilo and she asked that is be read into the record but we don't do that but we do have them. There was one also in favor of the application from Mr. Beardry from 55 Eddy Street, you did get all of these, so I know you are not reading them but just to have it on record you did receive everything.

Vice Chair Raymond Antonacci: Yes, we did receive those, we put those on the record and we are not going to read those into the record.

Text of Motion: Table application to the October 5, 2022 meeting

Motion made by: K. Demirs

Second by: D. Pope

All in Favor

3. Attorney James Strub on behalf of Venture Real Estate Enterprises LTD;
Petition to amend the zoning regulations section 27.3.1 uses; add self storage facilities with multiple buildings to the IR-80 zoning district.

Vice Chair Raymond Antonacci called for a five minutes recess.

Attorney James Strub from Secor, Cassidy & McPortland in Waterbury and Southbury: Under your regulations when there is an application for a zone change whether it's for map or text we are supposed to disclose if the applicant has any interest. The interest is the plan to develop those two properties for the use that is being suggested.

Attorney James Strub read and reviewed the petition application authorization request.

It is our belief after meeting with town staff to review what our process was, what it was going to be, it wasn't a guaranteed path forward. You can see from the map there was a couple of changes that we had to make; a couple different zone change options we had. This is the path we decided to go forward with, we specifically discussed the plan for special exception and thought under the circumstances the change in the IR200 from 2018 to allow self-storage was a good regulation. When you are surrounded in that 262 corridor with different industrial zones you are going to be surrounded by uses that are similar. This use in terms of taxation on services it is the smallest of all the uses.

Attorney James Strub reviewed and submitted an environmental impact statement.

Just so you have a sense of the big picture because this applicant has a contract to purchase an IR80 zone already which is 172 Frost Bridge Road, those properties are already zoned IR80. The next public hearing after this is related to 146 Frost Bridge Road related to the green piece on the map surrounded by other colors and that is zoned residential in the next public hearing, we are seeking to change that to IR80. Relative to the POCD the Route 262 corridor this area is deemed very positive for this type of commercial light industrial developments, being next to Route 8 is a bonus for many reasons the grades are amazingly different and if you notice all the white area between highway and 262 is the red area much wider than say a front yard setback. That is all owned by the state that is a buffer area that we can't even touch.

Elizabeth Wasiutynski – 514 Sylvan Lake Road: If you were to look at the map of the two properties which are under discussion tonight you would note there is an R30 piece of property which has one of its sides on Sylvan Lake Road. I come to you tonight in order to speak 3 issues having to do with the properties which are now going to be now one property on Frost Bridge Road intended to house people's junk in storage. Attorney Strub has mentioned something that is important to the role that you play in our town. The attorney spoke earlier which are represented by you the members of the public, represent their own

concerns which are usually concerning limited issues and not what the public is interested in. I have lived on 514 Sylvan Lake Road, on a dead-end road which is no longer dead end because of the amount of traffic that we have of trucks, cars because of a business that is contained at the end of Sylvan Lake Road. I would like to bring to your attention that tonight's meeting if I heard correctly a reference made to an R80 parcel which is owned by Mr. Whoehider which is on the saddle, down at the bottom of the saddle of the larger property on the map. We are at the bottom of that saddle; our driveway comes out near the saddle. One of the things that has qualities in what you are able to do tonight is to make sure that there will be no internal road leading from Frost Bridge Road to Sylvan Lake Road as part of the change in the zoning. An internal road that would enable people who are coming with their stuff to the buildings which are going to be built and bringing trucks or truckloads of stuff and then trying egress onto Sylvan Lake Road. We have plenty of traffic already with the delivery of alcohol, with the delivery of food, with the delivery of other goods and services to the business which is on Sylvan Lake Road. I don't think an internal road is necessary to the development of the buildings that are under concern tonight. I would hope that you as a commissioner, number one and very importantly make note of the fact that any internal road that could bring traffic going from Frost Bridge Road to Sylvan Lake Road and back again would not be permitted in either this activity or any future activities which may be decided to happen on the property. I am delighted for the Whoehider's that they are selling the property. I have no reason to not want for them not to sell the property or for them to not benefit from selling the property in these very difficult times. As a person who intends to live longer at Sylvan Lake Road, I think the presentation by the attorney tonight talking about the small traffic that an institution like this of just putting stuff away into boxes is indeed going to provide for low traffic. It's certainly a lot better than having a brand gas pumping machinery and fixing of cars on the entry into Sylvan Lake Road which I thought was going to be developed. However, it may develop in the future and that is why I am asking for the internal road to be noted as a property use that you would not want to see on that saddle at 172 Frost Bridge Road. The second issue that I would like to bring to you and talk to you about your ability and your wanting to do some altruistic work. Is to notice that property that is being under your consideration on Frost Bridge Road abuts town property which is called Sylvan Lake which is a beautiful area both for hiking and for fishing and off course for swimming. The economy is going to get better and that is going to be a swimming hole for a long time yet. A lot of money has gone into maintaining that property, one would hope you would look towards having that town property a jewel in the properties in the Town of Watertown to be maintained and not to be in any way hurt by the development that you are discussing tonight. A third element has to do with my question whether you

know have seen site plans, the delivery of water to that property that is being considered. Perhaps some of you remember the issues that developed in Waterbury when persons who did own the storage facilities where people started living there. That there were folks who really didn't have places to live and where warmth was an invitation to the homeless. Storage costs less to rent than an apartment. Again, I beg you to consider the future in that respect that those storage facilities might be used to a sad but a very real use. Even though you don't anticipate it happening, it could happen. Therefore your leadership in making certain uses of the property not be permitted in the future and to give guidance to the conservation development document which is prepared every ten years for the Town of Watertown.

Attorney James Strub: Good questions, they don't specifically apply to the zone change, I will be happy to discuss them now. If you look at this map and you see the red piece that actually goes all the way down to Sylvan Lake Road but there is a section on the bottom with a line through it, existing zone line the IR80 ends at that line and everything below it is R30. Even if this was the flattest piece of property in the world, we couldn't go through the R30 to access this commercial use unless we came and changed the R30 zone. If that was a suggestion made to me, I would say that is not a good idea, we are not going to do that. The property across from your property will remain zoned residential.

Elizabeth Wasiutynski: Is it part of the sale?

Attorney James Strub: I am not the attorney for the Whoehider's so I don't want to talk about that, that will remain residential.

Elizabeth Wasiutynski: It shouldn't be made into an IR80.

Attorney James Strub: We are not asking for it and I don't think that will ever change but that is up to them.

Vice Chair Raymond Antonacci: This map shows the property you are addressing right now is to be retained by the current owner, so it's not an issue.

Attorney James Strub: On number two, the second item she raised relative to the park and its preservation there is a natural ridge that starts at the 146 property and then it comes over onto the park side where the cliffs are above the water, that property starts to come up and the 146 side goes all the way across, functionally the bottom part of our IR80 piece is functionally not usable because it is on the downside of that. It is still IR80 but there is plenty of

property that is zoned something that can't ever be developed. Relative to this specific spot there is a natural feature in place that will preclude us from impacting the park in any way. Nobody on one side is going to see what is happening on the other on the either side. On the third item the place in Waterbury was across from the old Sports Authority where there were some people living in there, relative to the operation of the facility it would not happen to this modern facility.

J.R. Klisim, JT Self storage: We have several locations throughout the state, this will be my sixteenth development if we are approved. Getting to the point with people living in the unit, the simple answer is how you run your business. We have a daily walk through of all our properties with an onsite manager every day. We don't have a homeless problem at all, we would pick it up immediately. We are going to build a nice project here. We are going to police the property to make that everything is going the way we wanted to. We have a lease that is a guideline for our on-site managers. We have good on-site managers; we are not a property that has no on-site manager. The one in Waterbury they may have had an absentee out of state owner. We are a family business, my father started it, he retired and now I am running things and I have two nephews involved we put our stamp on our properties.

John McHugh: Attorney, you mentioned the units will have no electricity?

Attorney James Strub: They won't have electricity they will not have outlets relative to the running for shops.

John McHugh: Hours of operation?

J.R. Klisim: There is no outlets in any units, we have a mix of climate-controlled units and drive-up units. We do have some outlets to operate our own things. We position them in such a way if someone plugs into them we see it right away. Hours of operation, we are open 365 days a year, the customers can access the property from 6 am to 10 pm. We are also fully fenced and a secured facility. The manager is there 6 days a week from 9 to 6, there is no manager there on Sundays except if you want to access your goods you can.

John McHugh: Outside lighting for the parking area will there be any light pollution or will those lights be on a turn off at a certain time?

Jim Siconchek: We light the facilities with lights off of the building. They are cutoff fixtures so we are just lighting our driveways. They do stay on overnight so there are no dark periods which is useful for security. If somebody comes you can see and record them on the video, they are dark sky compliant.

Vice Chair Raymond Antonacci: Those are all questions that come with the site plan at a later time, this is a zone change application it is nice to know the answers to these questions.

Attorney James Strub: We can answer all questions.

Dan DiVito: On your map across the street, I know there is a house up there is that still a residential zone.

Attorney James Strub: I believe that is used for a residence it is zoned IG80. It is preexisting and non-conforming in the IG80 zone.

Dan DiVito: You said you had 16 other locations, what are some of the towns?

J.R. Klisim: We sold a few last years but right now we have Wolcott, Middletown, Middlefield, we are in construction in Meriden right now, that is what we have at this time. We sold 7 older facilities last year, it has to do with state planning, my father was part of those as well.

Dan DiVito: Will there be outdoor storage?

J.R. Klisim: We don't do any outdoor storage, we never have, never will, its not what we want to do. There is no cars or campers, nothing is parked outside.

Attorney James Strub: Just to be clear based how the regulation exists already and our desired to mirror the regs and the reg allows for that. As for this property and this owner that is not the intention, I don't want any surprises relative to language.

Mark Massoud, Administrator for Land Use/Building Services: Attorney Strub has done a very good job of summarizing the discussions, there was a fair number of pre-discussions in terms of pulling this application together and as he indicated taking the language from the IR200 zone and mirroring it for the IR80 zone that seemed to work very well. The lone facility that is in operation now seems to operate fairly well under the standards that have been set forth in the zoning regulations. As he indicated, since most things seem to be special permit, I assumed that it was but he was correct in that we deemed it to be a

site plan approval but we are for approval when that facility was approved. A question was asked at the last meeting about how many properties would be affected? We included in your packet a rough sketch of where those other IR80 zones are located. The one that has the most residences adjacent to it is the site that is under subject right now. There are a number of sites along Commercial Street, we have indicated that most of them were occupied or built parcels and the ones that were vacant and may be subject to use under this condition seem to not have an impact on adjacent residential areas.

Vice Chair Raymond Antonacci: Paul any comments?

Paul Bunevich, Town Engineer: Nothing, Mr. Chairman.

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Louis Cavallo: The attorney said you have a zone 80 and you have IR200 which in the IR200. I understand where you allow the storage units and you want to incorporate that section into IR80 why not just change that zone into IR200.

Attorney James Strub: If I may Mark and I talked about this and if you look at the map it showed all the red area above, to change the zone to 200 you would end up with a piece that was 200 by itself. As a planner looking at the documents, the thought was anytime you look at one spot you say okay is there an IR200 next to it. To your point that was the path forward but when we looked at the map and everything across 262 was IR80 and the piece we have already is IR80. It just made sense based on the structure of the IR200 and the IR80, where the differences really are in the area and bulk requirement not in the use requirements, it just made sense to kind of normalize it. If there is an anomaly, the anomaly is there's a couple of uses that's just in one and not in the other, that was our thought process. I'm not here to tell you that your thought process would have been wrong, we could have been here going that way, this is where we are at.

Mark Massoud, Administrator for Land Use/Building Services: Again, Jim and I had that conversation and I think it was staff's suggestion to make that use consistent across the two zones as opposed to singling out one particular piece and just changing that piece. It seemed a bit like spot zoning, we wanted to try to achieve some consistency.

Text of Motion: Close the Public Hearing
Motion made by: K. Demirs
Second by: D. DiVito
All in Favor

4. Attorney James Strub on behalf of Venture Real Estate Enterprises LTD; 146 Frost Bridge Road Petition for amendment to the zoning map from R-12.5 to IR-80. Map 116A Block 93 Lot 7

Attorney James Strub: Just a bit housekeeping, this is a petition for a map change versus what we had just done in a prior hearing, which was a petition for a text change as a result we had some procedural requirements we had to follow that are a little different. When there is a text change, it covers lots of areas in town. The concept of sending specific notices and putting signs up isn't really practical, the reliance is more on what the staff does when they publish notices in the paper. When there is a map change, it does apply to a specific piece. It is 146 Frost Bridge Road and that's being changed from residential to commercial, in that case we have to follow both notice requirements relative to abutters and also putting a sign up. Also like the last hearing these properties are owned by the Whoehider families a bit of a checkerboard 146 is owned by certain family members, 172 by others. I have an authorization for this record as well. As to the particulars the petition itself this one is pretty simple. We are just looking to change 146 Frost Bridge Road from green to red, which is decided to change that island of residential into an IR80. Which will then be combined with the IR80 piece that's known as 172 and will allow for comprehensive development in this area. We think it is consistent with the POCD. Route 262 corridor is in front, across the road is IG80 across 262, there is IR80 and the piece that we are going to combined with is already IR80. There is a portion of 172 down below that is currently zoned R30 that will remain zoned R30, we are not asking for that to be changed. I don't think this commission would allow us to change it. When you stand in front of Frost Bridge Road and look at the driveway towards the park, you'll will actually see the bedrock coming out of the ground where it starts to go up and on the other side where the cliffs are that is the natural ridge that we will not be impacted, the development will go in further. We can show what the schematic of what the development would look like where it would land. I have the environmental impact which is required. When we change the zone all the IR80 uses would apply. To create more IR80 in the town we think that this is the right piece to do it to given its location and given what it abuts it, given it access to and from 262.

Elizabeth Wasiutynski – 514 Sylvan Lake Road: Because these issues are being taken under your discussion and your vote as two separate issues. I would like the record to show that the comments that I made about an inside road on 172 Frost Bridge Road being permitted in the future going from the IR80 through the 30 continue to be my position in my asking that you in some way note that an inside road would not be permitted even if the R20 were taken into the consideration.

Vice Chair Raymond Antonacci: Duly noted.

Mark Massoud, Administrator for Land Use/Building Services: This portion of Attorney Strub's presentation was a logical extension in terms of what they're trying to accomplish. They have an IR80 zoned surrounding the R12.5 piece and it makes sense for them to have it rezoned, that is all one piece so they can continue forth with a uniform development.

Paul Bunevich, Public Works: No objection or comments from Public Works.

Text of Motion: Close the Public Hearing

Motion made by: K. Demirs

Second by: D. DiVito

All in Favor

5. Attorney James Strub on behalf of Kim Keegan for a two lot resubdivision of 13.04 acres parcel at 340 Bryant Road Watertown, CT in the R-90 District Map 23 Block 28 Lot 6B

Text of Motion: Accept letter of withdrawal

Motion made by: D. DiVito

Second by: K. Demirs

All in Favor

6. Divesta Engineering for Steiner, Inc. application for 4 lot subdivision, Lake Winnemaug Road and Sperry Road, Watertown, CT Map 141, Block 20-06

The applicant did not attend the meeting.

Public Hearing postponed until October 5 2022 pending decision from CCIWA

Text of Motion: Postponed to the October 5, 2022 meeting

Motion made by: K. Demirs

Second by: D. DiVito

All in Favor

Articles on Agenda (Ready for Possible Action)

1. Site Plan/Special Permit #2022-04 Bed and Breakfast accommodation in the R12.5 District at 153 Deforest Street, Watertown, CT Map 99A Block61 Lot 1 Daniel Galindo

Text of Motion: Approve Site Plan/Special Permit #2022-04 Bed and Breakfast accommodation in the R12.5 District at 153 Deforest Street, Watertown, CT Map 99A Block61 Lot 1 Daniel Galindo in accordance with Mark Massoud's resolution dated August 9, 2022

Motion made by: K. Demirs

Second by: D. Pope

All in Favor

2. Michael Terelmes for Site Plan/Special Permit #2022-05 to operate Bed and Breakfast accommodation in the R12.5 District at 45 Eddy Street, Oakville, CT Map 113A Block 135 Lot 2.

Vice Chair Raymond Antonacci: That was a continued public hearing.

Text of Motion: Table application from Michael Terelmes for Site Plan/Special Permit #2022-05 to operate Bed and Breakfast accommodation in the R12.5 District at 45 Eddy Street, Oakville, CT Map 113A Block 135 Lot 2

Motion made by: K. Demirs

Second by: D. DiVito

All in Favor

3. Attorney James Strub on behalf of Venture Real Estate Enterprises LTD; Petition to amend the zoning regulations section 27.3.1 uses; add self storage facilities with multiple buildings to the IR-80 zoning district.

Text of Motion: Approve application from Attorney James Strub on behalf of Venture Real Estate Enterprises LTD; Petition to amend the zoning regulations section 27.3.1 uses; add self storage facilities with multiple buildings to the IR-80 zoning district in accordance with resolution by Mark Massoud dated August 12, 2022

Motion made by: K. Demirs

Second by: D. Pope

All in Favor

4. Attorney James Strub on behalf of Venture Real Estate Enterprises LTD; 146 Frost Bridge Road Petition for amendment to the zoning map from R-12.5 to IR-80. Map 116A Block 93 Lot 7

Text of Motion: Approve an application by Attorney James Strub on behalf of Venture Real Estate Enterprises LTD; 146 Frost Bridge Road Petition for amendment to the zoning map from R-12.5 to IR-80. Map 116A Block 93 Lot 7 in accordance with a resolution from Mark Massoud dated August 12, 2022

5. Attorney James Strub on behalf of Kim Keegan for a two lot resubdivision of 13.04 acres parcel at 340 Bryant Road Watertown, CT in the R-90 District Map 23 Block 28 Lot 6B

Text of Motion: Accept letter of withdrawal
Motion made by:
Second by:
All in Favor

6. Divesta Engineering for Steiner, Inc. application for 4 lot subdivision, Lake Winnemaug Road and Sperry Road, Watertown, CT Map 141, Block 20-06

Text of Motion: Postpone Public Hearing to October 5, 2022 pending decision from CCIWA

Motion made by: K. Demirs
Second by: D. DiVito
All in Favor

OLD BUSINESS: none

INFORMAL DISCUSSIONS:

Vice Chair Raymond Antonacci: I have always been in favor of looking into the possibility of having an Architectural Review Committee. Recently a property on 1230 Main Street in Watertown used to be the Old Crestwood Ford building years ago with the circular building showroom. The Shaker family has built a structure which is very imposing to say the least. It passed through this commission but we really didn't have a good feeling for the impact it would have and I think if we had an Architectural Review Commission at least to consider it. Have an architect on and some people knowledgeable about building

trades to take a look at these applications and make recommendations to the commissions, does anyone have any feelings on that.

Ken Demirs: We have talked about it in the past but it just never seems to ever come together.

Vice Chair Raymond Antonacci: We should ask Mark; can you check for us when you have an opportunity to see if there are any other towns that have Architectural Review Commissions and how they work. I'm sure it's just an advisory capacity, I am sure that they have to act quickly. Maybe you can give us some feedback on what other towns maybe doing.

Mark Massoud, Administrator for Land Use/Building Services: I could Mr. Chair I believe off the cuff there is some restrictions on their use in a strictly regulatory point of view and needs to be built into certain districts for instance we adopted new regulations for the historic BO Zone downtown and we did actually include those provisions but they were specifically allowed under the Village District Zoning Act, it mandates the commission to have an architectural review. In other zones I believe that is not so straightforward but I could certainly could ask and we could query our zoning consultant on the impacts and effects of having some architectural review. At the very least the commission could pay more attention themselves and we could ask for specific details maybe in the past where we haven't paid as much attention to that matter but having said that I will certainly look into that for you.

Next meeting is October 5, 2022.

STAFF REPORT

1. Update on Zoning Regulation Revisions – The sub-committee will meet at the end of the month with the zoning consultant to finalize some of the outstanding items for adoption of the zoning regs to bring the document to the board as a whole.
2. Report on Accessory Dwelling Units and revised statutes – The commission can either opt in or opt out by the end of the year. I refer you to the document we gave you at the last meeting just so you are comfortable with that, it seems to me that the commission and others seemed okay with proposed ADU regulations. I wanted to check that with you so that we can be comfortable with the decision that we make.
3. Update on Affordable/Alternative Housing Plan – The town needs to adopt it's affordable housing plan by end of the year. We are on track for that and in the fall will pick up little more.

4. Bed and Breakfast and AirBNB – The regulations with regards to B and B's are decidedly lacks and we will pay attention to those.
5. Food Trucks – Looking for feedback from commissioners as to how they would like to see maybe the circumstances that allow for that.

ADJOURNMENT

Text of Motion: Meeting adjourned at 8:55PM

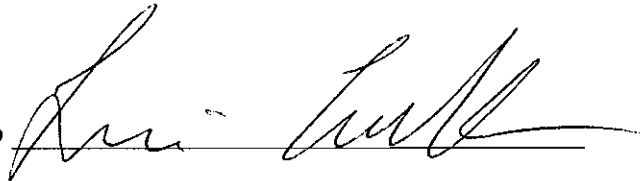
Motion made by: D. DiVito

Second by: K. Demirs

All in Favor

Lou Cavallo

Secretary

A handwritten signature in black ink, appearing to read "Lou Cavallo", is written over a horizontal line. The signature is fluid and cursive.