



Town of Watertown, Connecticut

Land Use Administration
Watertown Municipal Center
61 Echo Lake Road
Watertown, CT 06795
office: (860) 945-5266 fax: (860) 945-4706
web: watertownct.org

THIS MEETING WILL BE AN IN-PERSON MEETING AND WILL ALSO BE AVAILABLE VIA ZOOM FOR LISTEN ONLY. A LINK WILL BE POSTED ON THE DAY OF THE MEETING. PLEASE SEE WWW.WATERTOWNCT.ORG - UNDER THE CALENDAR OF MEETINGS

Zoning Board of Appeals
Regular Meeting Agenda
January 28, 2026
7:00PM

Place: Watertown Town Hall
Planning and Zoning Conference Room
61 Echo Lake Road
Watertown, Connecticut

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **MINUTES**
 - a. Minutes October 22, 2025
 - b. November 19, 2025
4. **OLD BUSINESS**

5. PUBLIC HEARING

- a. Application ZBA #2025-004 for a variance to reduce the front yard parking area setback to 17 ½ ft instead of 35 ft, Slade Street MBL 114 173A 1A. Watertown, CT in a R-12.5 Residential Zoning District.

Section 6.2.F.2 of the Watertown Zoning Regulations requires that in a Residential zone no parking area shall be located within the required front-yard, which for the R-12.5 zone is 35 Ft.

Date of Receipt: November 19, 2025

6. NEW BUSINESS

- a. Application ZBA #2025-004 for a variance to reduce the front yard parking area setback to 17 ½ ft instead of 35 ft, Slade Street MBL 114 173A 1A. Watertown, CT in a R-12.5 Residential Zoning District.

Date of Receipt: November 19, 2025

Section 6.2.F.2 of the Watertown Zoning Regulations requires that in a Residential zone no parking area shall be located within the required front-yard, which for the R-12.5 zone is 35 Ft.

7. COMMUNICATIONS AND BILLS

CT Federation of Planning and Zoning Agencies Quarterly Newsletter
Winter, 2026 and dinner at the Aqua Turf Mach 26, 2026

8. ADJOURNMENT

TOWN OF WATERTOWN
Zoning Board of Appeals
Legal Notice

The Zoning Board of Appeals of the Town of Watertown will hold a public hearing at 7:00PM on Wednesday, January 28, 2026 at the Watertown Town Hall, Town Council Chambers, 61 Echo Lake Road, Watertown, CT to hear and act upon the following application:

Application #2025-0004 of Erik Markiewicz for a variance of 17.5 Ft to the front yard parking setback to allow for a parking area to be located, at closest, 17.5 Ft from the front property line at Map 114 Block 173A Lot 1A, Watertown, CT in an R-12.5 Residential Zoning District.

Section 6.2.F.2.C. of the Watertown Zoning Regulations requires that no parking area be located within the required front yard setback, which is 35 Ft in an R-12.5 Residential Zoning District.

At this hearing, interested persons and written communications will be heard. A copy of the application is on file in the Planning and Zoning Office, Watertown Municipal Center, 61 Echo Lake Road, Watertown, CT. between the hours of 8:30AM and 4:30PM.

Dated in Watertown, CT this 15th day January, 2026 and 22nd day of January, 2026.

Edwin Dalton, Secretary
Zoning Board of Appeals



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MINUTES
Zoning Board of Appeals
SPECIAL MEETING
November 19, 2025
7:00PM

Place: Watertown Town Hall
Planning and Zoning Conference Room
61 Echo Lake Road
Watertown, Connecticut

1. CALL TO ORDER

Chairman Enrico Sarandrea called the meeting to order at 7:00PM

2. ROLL CALL

Members Present: Rick Sarandrea, Chairman, Ned Dalton, Secretary,
Vin Gianetto, Gary Swingle, Joe Proe

Members Absent: Phil Roger, Vice-Chairman, Jeff Franson,

Others Present: Cameron Natusch, Asst. Zoning Enforcement Officer

3. PUBLIC PARTICIPATION

4. MINUTES

October 22, 2025

5. OLD BUSINESS

6. NEW BUSINESS

- a. Clarification/modification on ZBA approval #2025-002 of Water Oak LLC for a variance of 13 Ft to the front yard property line setback for the construction of a 39'x 78' residential home to be located, at closest, 22 Ft from the front property line at Lot 2A Booth Avenue, Watertown, CT in an R-12.5 Residential Zoning District.

Date of Receipt: November 19, 2025

- b. Clarification/modification on ZBA approval #2025-003 of Water Oak LLC for a variance of 7 Ft to the front yard property line setback for the construction of a 39'x 51.58' residential home to be located, at closest, 28 Ft from the front property line at Lot 2B Booth Avenue, Watertown, CT in an R-12.5 Residential Zoning District.

Date of Receipt: November 19, 2025

Section 1.4 of the Watertown Zoning Regulations requires a minimum 35 Ft setback from front property lines for principal buildings and oversize accessory structures in an R-12.5 Residential Zoning District.

Text of Motion: Clarification that the previously approved motions for items a-b applications 2025-02 and 2025-03 do not limit the variance to construction of only a single-family home but for any allowed use of the property based on the Watertown Zoning Regulations

Motion made by Ned Dallton
Second by Jim Proe
All in favor

- c. Application ZBA 2025-004 for a variance of 17 ½ ft front yard instead of 35 Ft for a parking area, Slade Street MBL114 173A 1A Watertown Ct in an R 12.5 Residential Zoning district.

Section 1.4 of the Watertown Zoning Regulations requires a minimum 35 Ft setback from front property lines for principal buildings and oversize accessory structures in an R-12.5 Residential Zoning District

No motion made

7. COMMUNICATIONS AND BILLS

8. ADJOURNMENT

Text of motion: Adjourn at 7:16PM
Motion made by Jim Proe
Second by Ned Dalton
All in favor



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Watertown Municipal Center
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office: (860) 945-5266 fax: (860) 945-4706
web: watertownct.org

MINUTES
REGULAR MEETING AGENDA
October 22, 2025
7:00PM

Place: Watertown Town Hall
Planning and Zoning Conference Room
61 Echo Lake Road
Watertown, Connecticut

1. CALL TO ORDER

Chairman Enrico Sarandrea called the meeting to order at 7:00PM

2. ROLL CALL

Members Present: Rick Sarandrea, Chairman
Vincent Giannetto
Gary Swingle
James Proe

Members Absent: Phillippe Roger, Vice-Chairman
Ned Dalton, Secretary
Jeff Franson

Others Present: Cameron Natusch, Assistant Zoning Enforcement
Officer/Wetlands Enforcement Officer
Carol Allen, Administrative Assistant

Gary Swingle sat in for Phil Roger
James Proe sat in for Ned Dalton

3. PUBLIC PARTICIPATION

4. ELECTION OF OFFICERS

Vincent Giannetto made a motion to re-elect the current officers.
Gary Swingle seconded the motion.
All in favor

Chairman: Enrico Sarandrea
Vice Chairman: Phillipe Roger
Secretary: Ned Dalton

5. MEETING DATES for calendar year 2026

Text of Motion: Approve Meeting Dates for calendar year 2026
Motion made by: Gay Swingle
Second by: Jim Proe
All in favor

6. MINUTES

7. OLD BUSINESS

The Commission requested hard copies of maps for review of applications.

8. NEW BUSINESS

Chairman Sarandrea said the two public hearings App #2025-002 and App #2025-003 should be heard together.

- a. Application ZBA#2025-002 of Water Oak LLC for a variance of 13 Ft to the front yard property line setback for the construction of a 39'x 78' single family home to be located, at closest, 22 Ft from the front property line at Lot 2A Booth Avenue, Watertown, CT in an R-12.5 Residential Zoning District.
- b. Application ZBA#2025-003 of Water Oak LLC for a variance of 7 Ft to the front yard property line setback for the construction of a 39'x 51.58' single family home to be located, at closest, 28 Ft from the front property line at Lot 2B Booth Avenue, Watertown, CT in an R-12.5 Residential Zoning District.

Text of Motion: Motion made to close both Public Hearings App #2025-002 and App#2025-003
Motion made by: Gary Swingle
Second by: Jim Proe
All in Favor

Rick Sarandrea said the Commission should vote on the applications separately.

Text of Motion: Gary Swingle made a motion to approve App# 2025-002 of Water Oak, LLC for a 13 ft variance to the front yard property line located at Lot 2-A Booth Avenue, as proposed.
Vin Gianetto seconded the motion.
All in favor

Text of Motion: Gary Swingle made a motion to approve App# 2025-003 of Water Oak LLC for a 7 ft variance to the front yard property line setback located at Lot 2-B Booth Avenue, Watertown, as proposed.

Mr. Natusch asked the Commission to add additional details to the motion making it contingent on the buildings themselves because giving them a blanket variance to the front yard would allow them to build as much as they wanted to that distance.

Gary Swingle amended his motion to approve App #2025-003 of Water Oak LLC for a 7 ft variance to the front yard property line set back as shown on the plan located at Lot 2B Booth Avenue, Watertown
Second by: Jim Proe
All in favor

Gary Swingle amended his motion for Water Oak LLC for App #2025-002 to approve App# 2025-002 of Water Oak, LLC for a 13 ft variance to the front yard property line for Lot 2-A Booth Avenue as shown on the plan.
Vin Gianetto seconded the motion.
All in favor

9. COMMUNICATIONS AND BILLS

10. ADJOURNMENT

Text of Motion: Adjourn at 7:58PM
Motion made by: Vin Gianetto
Second by: Gary Swingle
All in favor:



Town of Watertown Connecticut
Conservation Commission/ Inland Wetland Agency
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ZONING BOARD OF APPEALS
Town of Watertown, Connecticut

Application Fee \$310
This includes the \$60 State Fee

Application for: Zoning Variance or Appel of ZEO Decision

Application Number: 2BA 2025-0004

Property Location: 114 Block 173A Lot 7A

NOTE: The Zoning Board of Appeals will hold a public hearing on this application. The applicant, or authorized agent, must be present at the public hearing. If a variance from the Zoning Regulations is requested, the applicant should be prepared to present information concerning 1) details of any exceptional difficulty or unusual hardship claimed, 2) the conditions especially affecting the premises that are not typical of a district, 3) how the relief sought is only that which is necessary to relieve any exceptional difficulty or hardship, 4) how the granting of a variance would be in harmony with the purpose and intent of the Zoning Regulations and 5) how the granting of the variance will not impair the public health, safety, convenience, welfare and property values. The Board of appeals is authorized by this application to inspect the premises. The board may obtain information on its own initiative but will need to rely upon data presented at the hearing. Variances may be granted by the Board subject to conditions deems necessary to preserve the purpose and intent of the Zoning Regulations.

1. Name of Applicant: Erik Markiewicz
Home Address: 196 Callender Rd Watertown
Business Address: _____
Home Telephone #: _____ Mobile _____
Business Telephone #: 203 509 4533 Mobile _____
Email: Erik@theCompleteCo

2. Name of Property Owner: church
Home Address: _____
Business Address: _____
Home Telephone #: _____ Mobile _____
Business Telephone #: _____ Mobile _____
Email: _____

3. Property owner's consent to the activities proposed in this application:
SEE Attached letter Date: _____

4. Applicant's interest in the property Purchase

5. The applicant hereby appeals to the Zoning Board of Appeals of the Town of Watertown, Connecticut:

A. Or B. () To determine and vary application of the Zoning Regulations related to (Describe the variance):
Front yard set back parking 17 1/2' instead of 35'
DRIVEWAY width from 20' to 15'

So as to permit

ALLOW PARKING IN the Front set BACK
ALLOW driveway to be 15' instead of 20'

B. () To hear and decide an alleged error by the Zoning Enforcement Officer concerning

6. If Applicable Application for Zoning Permit # _____
Dated _____ was disapproved by the Zoning Enforcement Officer on _____

7. Has a previous application for a variance or appeal been filed for the premises?

YES () NO (X) If YES, Date _____

8. Refer to the specific sections of the Zoning Regulations which are the subject of this application

Page 133 Section 6.2^{F.2} Setback & Driveway
6.9. Driveway
L.F.

9. Specify the relief sought from the Zoning Board of Appeals under this application, along with any exceptional difficulty or unusual hardship.

Moving parking into set back area & making driveway 15' instead of 20'

Hardship is the top of its steep slope causing the driveway to be steep. by pushing the building up & parking up closer to road eliminates how steep the driveway will be & also gets us further away from wetland area. making the driveway 15' instead of 20' TOWNS Retention Pond is in the way.

10. Steps taken to minimize or avoid the proposed variances of the Zoning Regulations. Give specific examples of the steps taken.

Attempting to move the Retention Pond. Inland wetlands asked to move the house farther away from wetlands. We tried to reconfigure the building but due to wetlands & topography this is the only alternative.

11. Provide list of abutting property owners

- A) From the town GIS
- B) Assessors Office

Signature of Applicant: _____ Date: 11-14-25

Signature of Property Owner: See Attached letter Date: 11-14-25

CONNECTICUT FEDERATION OF PLANNING AND ZONING AGENCIES QUARTERLY NEWSLETTER

Winter 2026

Volume XXX, Issue 1

SAVE THE DATE – 2026 ANNUAL CONFERENCE

The Federation will hold its Annual Conference on March 26, 2026 at the Aqua Turf Country Club in Plantsville CT. The event starts at 5:00 p.m. The program for the Conference will include a presentation on HB 8002 'An Act Concerning Housing Growth'. Flyers announcing the event will be sent to all members later this month. Attendees will be entitled to receive credit for One Hour of Training as well as enjoy a wonderful dinner.

CONDITIONS OF APPROVAL FOR A VARIANCE MUST BE STATED ON THE VARIANCE CERTIFICATE

The owners of a parcel of property abutting Long Island Sound were granted a variance to exceed building height limitations contained in the zoning regulations. The variance would allow a room on the top of their planned home, providing access to a rooftop deck. Before work could commence, various tropical storms impacted the Long Island shoreline, leading to revised floodplain and zoning regulations. The property owners submitted a revised permit application for their proposed home which was approved by the land use officer.

A neighbor appealed the zoning permit approval to the zoning board of appeals claiming that the variance could

not be relied upon to approve the new permit because the variance approval was conditioned on the building plans submitted at that time, and not on the new plans which proposed a full top floor instead of a rooftop deck and access room.

The zoning board of appeals affirmed the issuance of the zoning permit. An appeal to court followed. The court found that the variance was not conditioned on the building plans submitted with the variance application. The certificate of variance, which was recorded on the land records, contained no conditions including no references to any building plans. If the board wanted to condition its issuance of a variance based upon plans submitted with the variance application, it must state this on the certificate of variance. *Sargent v. Zoning Board of Appeals, 236 Conn. App. 269 (2025)*.

LOSS OF REMOTE CONNECTION AT HYBRID MEETING IS LOSS OF FUNDAMENTAL FAIRNESS

A land use commission scheduled a hybrid public hearing on a special permit application. The first night of the public hearing went according to plan. However, at the second night of the hybrid hearing, the zoom meeting connection failed for over two hours. Despite this technical issue, the public hearing continued in-person. The Commission subsequently held a

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CONNECTICUT FEDERATION OF PLANNING AND ZONING AGENCIES QUARTERLY NEWSLETTER

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hybrid meeting wherein it approved the application. Again, the zoom meeting connection failed leaving remote attendees unable to view or hear the proceedings. The court found these proceedings fatally flawed as the failure of the remote connection during the hearing and meeting on the pending application deprived remote attendees of fundamental fairness.

Fundamental fairness requires that administrative agencies provide the public with the right to offer testimony and other evidence and to cross-examine witnesses as well as pose questions to the agency. The zoom meeting failure deprived the public of this right. The zoom failure and the Commission's response also violated the freedom of information act, providing additional supporting evidence that fundamental fairness was not provided. *Wallach v. Plan & Zoning Commission, LND-CV-24-6188465 (10.28.25)*.

SEWER CONNECTION PERMITS CAN EXPIRE

An application to connect to a municipal sewage system was approved with a condition that the approval would expire if a connection to the system was not made within 2 years of the approval. This time limit condition was appealed, wherein the court found that it was within the water pollution control authority's powers to impose it. The court also ruled that the 2-year time

period was stayed during any pending appeals to court.

This decision places WPCA approvals in the same class as zoning approvals wherein such approvals can expire and any pending court cases involving the approval stay the running of the time period. *Shapiro Commons LLC v. WPCA, FBT-CV-24-6140246 (10.17.24)*

TREE REMOVAL AND THERMAL POLLUTION

The removal of mature trees within a regulated area was determined by the commission as likely to cause a significant adverse impact to a wetland, forming the basis for a denial of an application to construct a single-family dwelling. Evidence in the record demonstrated that by removing the trees, there would be increased thermal pollution that would negatively impact water temperature, increase algae growth and change the water content of the soil.

While the applicant disputed whether there would be any adverse impact from the tree removal, the commission could decide which expert evidence to believe as long as fundamental fairness was observed. Fundamental fairness in an administrative hearing includes placing an expert witness on notice of the reviewing agencies concerns and doubts about the expert's evidence. *Milne v. IWWA, FST-CV-24-6068722 (11.10.25)*

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SELF-INFLICTED HARDSHIP DUE TO LOT MERGER

An application to vary the required street frontage for a lot was denied on the basis that any hardship was self-inflicted. The applicant wanted to split his lot and create a new building lot. One lot contained an existing home and fronted on a street. The second lot would have access by means of a 25' wide deeded driveway. The zoning regulations required 50' of street frontage for an interior lot.

The history of the existing lot was that it had once been two lots. The applicant had purchased both lots and due to a lot merger provision in the zoning regulations, the lots had merged into one lot. Sometime after this merger, the zoning regulations had been amended to increase lot frontage requirements from 25' to 50'.

Any hardship was self-inflicted because if the applicant had placed the lots in different ownership, then he could have avoided the merger of his lots. In doing so, the lots would have been nonconforming as to frontage requirements.

Another issue on appeal was whether the board members were biased against the application. Apparently, this same application had been submitted several times before and been denied each time. Several board members stated their displeasure to have to hear

the same application again. The court found that this frustration did not amount to bias. *Haines v. ZBA, LND-CV-23-6171028 (1.24.25)*

ANNOUNCEMENTS

Lifetime Achievement Award and Length of Service Award

Nomination forms will be sent out later this month for these awards which will be presented to recipients at the Federation's annual conference. You should begin your process of finding eligible nominees now.

Workshops

Connecticut law now requires that every land use agency member receive 4 hours of training every two years. At the price of \$200.00 per session for each agency attending, our workshops are an affordable way for your board to 'stay legal'.

ABOUT THE EDITOR

Steven Byrne is an attorney with an office in Farmington, Connecticut. A principal in the law firm of Byrne & Byrne LLC, he maintains a strong focus in the area of land use law and is available for consultation and representation in all land use matters both at the administrative and court levels.

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*Please make check payable to:
Connecticut Federation of Planning & Zoning Agencies*

**CONNECTICUT FEDERATION OF
PLANNING & ZONING AGENCIES**
P.O. Box 1065
270 Farmington Avenue
Farmington CT 06034



**Watertown Zoning Board of Appeals
61 Echo Lake Road
Watertown, CT 06795**

SAVE THE DATE!

CFPZA Annual Conference – March 26, 2026

Please consider attending this year's Annual Conference of the Connecticut Federation of Planning and Zoning Agencies scheduled to take place at 5:00 pm on Thursday, March 26, 2026, at the Aqua Turf, Southington, CT. The night is sure to be both enjoyable and informative.

Our speaker will be presenting information on HB 8002 'An Act Concerning Housing Growth'. This comprehensive law imposes substantial requirements and responsibilities on municipal land use commissions to amend their regulations and affordable housing plans. This includes state-mandated amendments to zoning regulations to allow 'as-of-right' multi-family housing and eliminate parking requirements for certain types of housing. In addition, housing plans will need to be adopted or amended to show how each town will meet its affordable housing needs. Our speaker will provide a summary of this new law and also address what resources are available to towns to comply with it.

Connecticut General Statute §8-4c now requires an educational component for all land use commission members. At a cost of only \$70.00 per individual, this conference is a cost-effective way to complete one hour of education while providing an opportunity to socialize with commission members from other towns.

In addition, Length of Service awards will be presented to commission members who have served in any capacity for 12 or 25 years. If you have a commission member who is eligible for this recognition, please submit his or her name. Nomination forms will be included in the registration packet that will be sent to your commission in the coming weeks.

I hope to see you and members of your commission at this worthwhile event!