

**MINUTES
SPECIAL MEETING
Remote Access**

Planning & Zoning Commission
Waterford Town Hall

June 22, 2020
3:00 PM

Members Present: J. Bunkley, J. Bashaw, G. Massad, J. DiBuono, T. Bleasdale
Alternates Absent: K. Barnett
Staff Present: A. Piersall, Planning Director; M. Wujtewicz, Planner; J. Pisechko,
Zoning Official; D. Choisy, Recording Secretary

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chairman Bunkley called the meeting to order at 3:00. No alternates were appointed.

2. APPROVAL OF MINUTES

MOTION: Motion made by J. Bashaw, seconded by T. Bleasdale, to approve the minutes of the June 8, 2020 special meeting as written.

VOTE: 5-0

3. RECEIPT OF APPLICATIONS

No new applications were received.

4. APPLICATION REVIEW

#PL-20-6 – Request of Manly Church, owner and applicant, for Coastal Site Plan review and approval in accordance with Section 25.4 of the Zoning Regulations for construction of a new single family home at 26 Jordan Cove Road, R-20 Zone, and as shown on plans titled “Exist Conditions Site Plan Church Residence”.

Project Engineer Edward Wenke presented this application to the Commission. He noted that the Commission had previously approved a permit for this site for slope stabilization, and stated that portions of that project were not completed. In addition, a stone retaining wall was built without permits. That wall will be removed with approval of this application.

M. Wujtewicz reviewed the Summary and Recommendations contained in the Coastal Site Plan Review Written findings & Decisions:

At its closest point the foundation of the proposed structure will be located to within approximately 10' of the top of the embankment. An at grade blue stone terrace and river rock drainage filter strip which will surround the east, south and north sides of the structure will be constructed to the top of the embankment. There is currently an area on the property that was previously approved by this Commission as a slope restoration project in 2015. Work was performed on the project, however it was not constructed in accordance with the approved site plan. Consequently, the area has continued to erode. The work required to restore and mitigate continued erosion will be performed as part of this site plan. The issuance of a Certificate of Zoning Compliance for the single family dwelling can be conditioned on the completion of this work.

The owner has constructed an approx. 3 ft. high stone and mortar retaining wall on the property within the tidal wetlands without permits. DEEP classifies this wall as an erosion control structure

RECEIVED FOR RECORD
WATERFORD, CT
2020 JUN 26 AM 9:41
TOWN CLERK

which would not be permitted and has requested its removal. The site plan and application indicates that the owner will remove this wall and regrade and plant the area with appropriate planting. Also included in the site plan application will be the removal of the wall and regrading with appropriate vegetation. Completion of this work can also be a condition of approval associated with the issuance of the Certificate of Zoning Compliance for the dwelling.

MOTION: Motion made by J. Bashaw, seconded by G. Massad, to approve Application #PL-20-6 with the Written Decision and Findings contained in the Staff Report, and with the following conditions:

1. Erosion control measures shall be provided on site for the duration of the project and establishment of vegetative cover on disturbed areas;
2. Silt fence at toe of proposed grading to be replaced with coir log as this area is tidally influenced. Update plans accordingly prior to filing on the land records;
3. Final slope re-planting plan (species, number) shall be reviewed and approved by Town Staff prior to planting;
4. All stockpiling of materials shall be located and maintained as identified on the site plan;
5. A Certificate of Zoning Compliance shall not be issued until all the work identified on the site plan has been completed in accordance with this approval. This shall also include all corrective measures identified in the Summary and Recommendations stated in the Staff Report.

The Waterford Planning and Zoning Commission has examined the plans and all other documentation and comments offered by the applicant and reviewing agencies and finds the application consistent with Section 25 of the Waterford Zoning Regulations. The proposal, as presented and submitted with conditions, is consistent with stated Coastal Area Management Policies.

VOTE: 5-0

5. PUBLIC HEARING

#PL-20-4 – Request of Nicholas T. & Donna J. Muscarella, owners, Mary Stoddard, applicant for special permit and site plan approval to conduct agri-tourism activities on property located at 116 Old Colchester Road, RU-120 zone in accordance with sections 3.41, 22 and 23 of the zoning regulations and as shown on plans titled “Site Plan Property Belonging to: Nicholas T. Muscarella Jr. Trustee, et al” revised to November 11, 2019.

Chairman Bunkley opened the public hearing. A. Piersall read the following exhibits into the record:

- EXHIBIT 1 - Application and Support Material
- EXHIBIT 2 - Letter dated March 17, 2020 from Abby Y. Piersall to property owners within 150’ of the subject property informing of hearing postponement.
- EXHIBIT 3 - Notice of Public Hearing advertised in the Day newspaper on June 8, 2020 and June 15, 2020
- EXHIBIT 4 - Public Hearing Notification sent to property owners within 150 feet of subject property along with certificates of mailing.
- EXHIBIT 5 - Plan titled “Site Plan, Property Belonging to: Nicholas T. Muscarella Jr., Trustee, et al, 116 Old Colchester Road, Village of Quaker Hill, Waterford, Connecticut”

- EXHIBIT 6 - Letter dated November 26, 2020 to David Cooley, PE from George Calkins, LLHD Re: Site Plan; Property Belonging to Nicholas T. Muscarella, Jr., Trustee et al; 116 Old Colchester Road, Village of Quaker Hill, Waterford, Connecticut
- EXHIBIT 7 - Fire Marshal Plan Review dated 3/13/2020
- EXHIBIT 8 - Assessor Farm Designation
- EXHIBIT 9 - Condensed Comments
- EXHIBIT 10 - Public Hearing Presentation
- EXHIBIT 11 - Staff Report dated June 19, 2020
- EXHIBIT 12 - Speed Enforcement Evaluator
- EXHIBIT 13 - Revised Site Plan submitted June 20, 2020
- EXHIBIT 14 - Letter from Jennifer Chapel received June 22, 2020
- EXHIBIT 15 - Letter from Katarina Jaeger submitted June 19, 2020

Attorney Gordon Videll, representing the applicant, presented an overview of the proposal (Exhibit 10). He stated the proposed events will include weddings, and reviewed how weddings are related to farms and farming.

J. Bashaw asked about the proposed septic system. Attorney Videll said that installation of the proposed septic system is very expensive, and the applicant wants to see if the business is successful prior to installing it. They are requesting that the Commission allow the use of portable bathrooms for 2 years.

M. Wujtewicz noted that the Staff Report entered into the record (Exhibit 11) was prepared prior to receipt of revised plans (Exhibit 13). Staff is recommending that the public hearing be continued until July 13, 2020 so that proper review of the revised plans can be done.

Chairman Bunkley asked if there was anyone from the public who wished to speak regarding this application.

Alfredo & Vanessa Agsalud of 120 Old Colchester Road spoke in favor of the application.

Jennifer Chapel of 104R Old Colchester Road noted that her comments were already submitted into the record as Exhibit 14. She stated that her main concern is having weddings on the property.

Applicant Mary Stoddard stated that they may also want to hold farm to table dinners. She stated that they are going to be farming the property, and farming is noisy.

Kyle Stoddard of 116 Old Colchester Road stated that they have a right to farm.

Alfredo Agsalud of 120 Old Colchester Road stated that he never experienced any light or noise pollution.

Katerina Jaeger of 123 Old Colchester Road noted that her comments were submitted as Exhibit 15.

M. Stoddard stated that they will be practicing organic farming.

MOTION: Motion made by J. Bashaw, seconded by T. Bleasdale, to continue the public hearing for Application #PL-20-4 to July 13, 2020.

VOTE: 5-0

6. APPLICATION REVIEWS

#PL-20-4 – Request of Nicholas T. & Donna J. Muscarella, owners, Mary Stoddard, applicant for special permit and site plan approval to conduct agri-tourism activities on property located at 116 Old Colchester Road, RU-120 zone in accordance with sections 3.41, 22 and 23 of the zoning regulations and as shown on plans titled “Site Plan Property Belonging to: Nicholas T. Muscarella Jr. Trustee, et al” revised to November 11, 2019.

This public hearing is still open.

7. CORRESPONDENCE

No correspondence was received.

8. ADMINISTRATIVE REVIEW

E-mail correspondence to Abby Piersall from Daniel Steward, Subject: RE: Modification to I-C zone.

Daniel Steward stated that his family owns property on Cross Road that they have been trying to sell for about 20 years. He wants to know if the Commission has any interest in adding the option of multi-family use to the I-C zone. Commission members noted that the Commission is working on updating the housing regulations. It was the consensus of the Commission that the property owners should apply for an amendment to the I-C zone regulations.

9. ADJOURNMENT

MOTION: Motion made by J. Bashaw, seconded by G. Massad, to adjourn the meeting at 4:30.

VOTE: 5-0

Respectfully Submitted,



Dawn Choisy
Recording Secretary