

**PLANNING AND ZONING COMMISSION
MEETING M I N U T E S**

RECEIVED FOR RECORD
WATERFORD, CT

2025 NOV 20 P 2:13
November 18, 2025

6:30 PM

ATTEST: *Doris Crum*
TOWN CLERK

Remote Access Only

Members Present: Chairman Greg Massad, Karen Barnett, and Tim Conderino
Members Absent: Tim Bleasdale and Victor Ebersole
Alternates Present: Doris Crum and Michael Elbaum
Alternates Absent: Joseph DiBuono
Staff Present: Mark Wujtewicz, Planner and Katrina Kotfer, Recording Secretary

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chairman Massad called the meeting to order at 6:30 PM. M. Elbaum was seated for T. Bleasdale and D. Crum was seated for V. Ebersole.

2. APPROVAL OF MINUTES

MOTION: Motion made by M. Elbaum, seconded by T. Conderino, to approve the September 9, 2025 meeting minutes.

VOTE: 4-0-1 (D. Crum abstained from the vote)

3. APPLICATION RECEIPT

#PL-25-18 Request of Sharon Brown, owner & applicant for a two lot resubdivision for property located at 9 Josan Drive, R-40 zone, as shown on plans entitled "Brown CAM Resubdivision Revised Through August 14, 2025". A coastal site plan review is required in accordance with the Coastal Management Act.

PUBLIC HEARING MUST OPEN BY:

12/4/2025

APPLICATION WAS RECEIVED:

9/30/2025

G. Massad noted that the application was received on September 30, 2025 and would be heard that evening.

#PL-25-19 Request of Mikhail Yevsyuk, Applicant and Esther Poe, Owner for a Coastal Site Plan review and approval for a new single family home on property located at 2 Forest Street VR-7.5 Zone in accordance with Sections 6A.4.1 and 25.4 of the Zoning Regulations and as shown on plans entitled "Site Plan of 2 Forest Street, Waterford, Connecticut, Prepared for Mikhail Yevsyuk, October 9, 2025"

ACTION REQUIRED BY:

1/22/26

The application will be scheduled for review at a future date.

4. PUBLIC HEARING

#PL-25-18 Request of Sharon Brown, owner & applicant for a two lot resubdivision for property located at 9 Josan Drive, R-40 zone, as shown on plans entitled "Brown CAM Resubdivision Revised Through August 14, 2025". A coastal site plan review is required in accordance with the Coastal Management Act.

PUBLIC HEARING MUST OPEN BY:

12/4/2025

APPLICATION WAS RECEIVED:

9/30/2025

Chairman Massad opened the public hearing at 6:36 pm.
M. Wujtewicz read the list of exhibits 1-9 into the record.

- EXHIBIT 1 - Application
 - 1a. Application Form 1 (9 pages)
 - 1b. Application Form 2 (5 pages)
 - 1c. Statement of Use
 - 1d. Consistency with Plan of Conservation and Development
 - 1e. Statement of Design Compatibility
 - 1f. Storm Water Management Report
- EXHIBIT 2 - Site Plan "Brown CAM Resubdivision" Last Revision date August 14, 2025 (4 Sheets)
- EXHIBIT 3- Notice of Public Hearing advertised in the Day newspaper on Tuesday, November 4, 2025 and Tuesday, November 11, 2025
- EXHIBIT 4 - Notice of Public Hearing to Applicant dated October 14, 2025
- EXHIBIT 5 - Certificates of Mailings
- EXHIBIT 6 - Notice of Conservation Commission Action
- EXHIBIT 7 - DEEP Site Plan Review Checklist
- EXHIBIT 8 - Staff Report dated November 18, 2025
- EXHIBIT 9 - Site Plan "Brown CAM Resubdivision" Last Revision date November 13, 2025 (4 Sheets)

Brian Florek, LS, was present on behalf of his client, Sharon Brown. His client is requesting a two lot resubdivision to create two lots for their children. He also stated that the application also includes a request for a waiver from Section 5.3.8 of the Subdivision Regulations which prohibits Flag Lots in subdivisions of less than five lots. Proposed Lot 1 meets the criteria of a Flag Lot. His client is proposing to build two residential houses with a shared driveway. The lots are proposed to be connected to municipal water and sewer systems. The project is located within the Coastal Area Management Boundary and was referred to the Connecticut Department of Energy and Environmental Protection (DEEP) for review. The proposed drainage has been designed by Dave Cooley, PE. The proposed stormwater drainage system will be connected to the Municipal drainage system in Josan Drive, and it will not have an impact on Town resources. B. Florek referenced that this property was created as part of a 1956 subdivision for Josan Drive and that if the property had not been part of a previous subdivision his client would have proposed a free split to create two lots.

Jill Neri, 11 Josan Drive, voiced concerns with the wetlands potentially being impacted behind her property and water overflow that builds into the road.

B. Florek stated that the wetland area in the front of the property will be protected by boulders as required by the Conservation Commission permit. He also stated that based upon the design of the stormwater system there will be any additional water added to the wetland. It will be isolated from any surface water runoff from the proposed driveway.

B. Florek also stated that the wetland to the rear of the property will not be impacted or disturbed in accordance with the Inland Wetland Permit that was granted by the Conservation Commission.

Chairman Massad asked three times if anyone from the public would like to speak regarding the application. There was no public response.

MOTION: Motion made by T. Conderino, seconded by D. Crum to close the public hearing for PL-25-18.

VOTE: 5-0
Public hearing closed at 7:49 pm.

The Commission moved to the Application Review.

5. APPLICATION REVIEW

#PL-25-18 Request of Sharon Brown, owner & applicant for a two lot resubdivision for property located at 9 Josan Drive, R-40 zone, as shown on plans entitled "Brown CAM Resubdivision Revised Through August 14, 2025". A coastal site plan review is required in accordance with the Coastal Management Act.

PUBLIC HEARING MUST OPEN BY:

12/4/2025

APPLICATION WAS RECEIVED:

9/30/2025

M. Wujtewicz reviewed the staff report with the Commission.

The Commission discussed the following findings:

The property is located entirely within the R-40 (Low Density Residential) Zone District

1. The division of the property constitutes a resubdivision in accordance with the definition of resubdivision within the Town of Waterford Subdivision Regulations and State Statute.
2. The proposed lots meet the lot design standards of Sections 3.34, 3.38 and 5 of the Town of Waterford Zoning Regulations.
3. The Waterford Conservation Commission issued Inland Wetland Permit# C-24-06 for regulated inland wetland activities.
4. The Waterford Conservation Commission issued a report of its action on application #C-24-0 in accordance with CGS §8.3(g).
5. The resubdivision is consistent with the applicable coastal policies in Section 22a-92 of the Connecticut General Statutes.
6. Based upon a review of the information provided in the record and in accordance with Section 5.7.1.1 of the Waterford Subdivision Regulations, the Commission finds that the granting of the waiver to Section 5.3.8 of the Subdivision Regulations with conditions allowing one flag lot in the two lot resubdivision will not be detrimental to the public safety, health and welfare nor will it have a significant adverse effect on other adjacent property.

The Commission discussed the following conditions:

1. Pursuant to section 3.38.4 of the Zoning Regulations, the Commission finds that access to Lot 2 shall be over Lot 1 perpetuity. Cross reciprocal easements shall be required over Lot 1 in favor of Lot 2. These easements shall incorporate the use of the driveway access and utilities and are to be recorded on the land records at the time final plans are recorded.
2. The shared driveway shall be designed and constructed in such a way as to support emergency vehicle apparatus. The driveway and associated drainage improvements within the area of the cross reciprocal easement shall be constructed prior to the issuance of a zoning compliance permit for house construction.
3. The public and shared improvements, including the drainage improvements and shared driveway shall be bonded prior to recording the final plans on the land records.

4. Access and utility easement language shall be submitted to the Planning Department and reviewed prior to filing the final plans on the land records.

MOTION: Motion made by T. Conderino, seconded by D. Crum to approve with conditions Application PL-25-18, a 2-Lot residential resubdivision located at 9 Josan Drive with conditions 1 through 4 and to adopt the findings 1 through 7 of the staff report date November 18, 2025.

VOTE: 5-0

The agenda was modified to move item 6 earlier in the meeting.

6. PRE-APPLICATION REVIEW

Pre-application review pursuant to CGS Section 7-159b and Section 22a.5 of the Waterford Zoning Regulations of a potential application for a proposed subdivision and PDD development at 53 Great Neck Road.

Brandon Handfield, PE, Yantic River Consultants, Skip Adams and Gordy Adams were present for the presentation. B. Handfield reviewed a Preliminary Master Plan for a Planned Design District Multi-Family development with the Commission. He noted they are proposing 47 single family units and 46 townhouse units, totaling 93 units. He reviewed potential setbacks from property lines, recreational areas and open spaces. The proposed plan has no direct wetland impacts and no work proposed in the coastal boundary.

Commissioners voiced concerns with the density, affordability and consistency with the Town's Plan of Conservation and Development.

B. Handfield thanked the Commission for their input and will review the Commissions comments with his clients.

4. PUBLIC HEARING (Continued)

#PL-25-12 – Application of the Waterford Planning & Zoning Commission to amend the Zoning Regulations Sections 1 Definitions, 3.41, 3.41.1, 3.41.2, 3.41.3 and 6.1.2 as they pertain to Agri-Tourism.

M. Wujtewicz read the list of exhibits 1-9 into the record.

- EXHIBIT 1 - Application (9 pages)
- EXHIBIT 2 - Proposed Regulation Amendments
- EXHIBIT 3 - SECCOG Referral
- EXHIBIT 4 - Public Hearing Notice run in The Day newspaper July 8, 2025 and July 15, 2025
- EXHIBIT 5 - Copy of Application to Town Clerk's Office
- EXHIBIT 6 - Certified copy of Sections 1, 3 and 6 of the Town of Waterford Zoning Regulations, revised through effective date: June 4, 2025
- EXHIBIT 7 - SECCOG Response
- EXHIBIT 8 - Staff Report
- EXHIBIT 9 - DEEP Response

Kyle Stoddard 116 Old Colchester Road, read a statement regarding Agri-Tourism.

Chairman Massad asked three times if anyone from the public would like to speak regarding the application. There was no additional public response.

MOTION: Motion made by D. Crum, seconded by M. Elbaum to close the public hearing for PL-25-12.

VOTE: 5-0

The public hearing closed at 7:20 pm.

The Commission moved to the Application Review.

5. APPLICATION REVIEW (Continued)

#PL-25-12 – Application of the Waterford Planning & Zoning Commission to amend the Zoning Regulations Sections 1 Definitions, 3.41, 3.41.1, 3.41.2, 3.41.3 and 6.1.2 as they pertain to Agri-Tourism.

M. Wujtewicz reviewed the staff report with the Commission. The Commission discussed eliminating the language limiting the number of events that can be conducted in a calendar year currently in the regulations. The Commission also proposed eliminating the existing requirement for a Zoning Compliance Permit to be issued for each event and to eliminate the current language regulating the number of events that can occur within a week and during a weekend.

Concerns were raised regarding enforcement of special permit conditions and the zoning regulations. The discussion was continued to the next meeting.

7. ADMINISTRATIVE REVIEW

Draft 2024/2025 Planning and Zoning Annual Report

MOTION: Motion made by M. Elbaum, seconded by K. Barnett to approve the 2024/2025 Planning and Zoning Annual Report.

VOTE: 5-0

Draft 2026 Meeting Schedule

MOTION: Motion made by M. Elbaum, seconded by K. Barnett to approve the 2026 meeting schedule.

VOTE: 5-0

Draft Planning and Zoning FY 2027 Budget

MOTION: Motion made by D. Crum, seconded by T. Conderino to approve the FY 2027 budget.

VOTE: 5-0

8. CORRESPONDENCE

No correspondence was received or discussed.

9. COMMISSION BUSINESS

M. Wujtewicz reviewed the status of current and upcoming projects throughout Town with the Commission.

10. ADJOURNMENT

MOTION: Motion made by K. Barnett, seconded by D. Crum to adjourn at 8:17 pm.

VOTE: 5-0

Respectfully Submitted,



Katrina Kotfer
Recording Secretary