



DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: August 19, 2025

TITLE: Staff Report: Retail Store and Service Station
118 Boston Post Road
Site Plan Modification
PL-25-15

EXECUTIVE SUMMARY

The project as proposed is a modification to a previously approved site plan (PL-22-18) that was approved by the Commission on January 10, 2023. The project started with the issuance of a demolition permit for the existing building and removal of fuel tanks, piping and dispensers on July 6, 2023.

The applicant states that during construction ledge was encountered in the area where the new fuel tanks were to be installed and relocated the tanks closer to the building to avoid the ledge. This field modification necessitated moving the proposed canopy approximately 12 feet closer to the building. By moving the canopy closer to the building, the parking that was originally approved in the front of the building could not be accessed because of the reduced width of the interior drive.

This site plan modification proposes a change to the parking layout from that which was previously approved, relocation of the dumpster as well as changes to the onsite stormwater drainage design as a result of the field modifications implemented during the construction.

BACKGROUND

Pertinent Regulations
CGS 8-3(g)

Permitted Use within the District:

Section 8.1.2 – Retail Stores and Service Establishments

Section 20 – Off Street Parking

Section 22 – Site Plans

DISCUSSION

The property was previously approved by the Planning and Zoning Commission through site plan application PL-22-18 issued on January 10, 2023 for a new 1,560 square feet convenience store (Retail) and gas station (Service Station) with canopy. During the construction process, the applicant states that they encountered ledge in the area where the new fuels storage tanks were to be located. As a result of the location of the ledge, the applicant implemented field modifications that relocated the tanks away from the ledge but closer to the building. This modification resulted in the canopy and pump dispensers also being relocated twelve feet closer to the building, thereby eliminating the interior drive needed to access the parking stalls that were originally proposed at the front of the building.

The twelve parking spaces proposed with this site plan modification includes six spaces for the three fuel dispensers and six spaces for the retail parking. The number of spaces proposed is consistent with the previously approved site plan. However, the modified location of the canopy requires the relocation of the six retail parking spaces.

Variances were granted for this proposal on July 13, 2022 by the Waterford Zoning Board of Appeals through application ZBA-22-5 for the following:

1. Section 20.3(d) – Reduce number of required parking spaces from 15 to 12.
2. Section 8.4.1 – Reduce the required front yard setback for the retail building from 75 feet to 73 feet
3. Section 8.4.1 - Reduce the required front yard setback for the canopy from 75 feet to 15 feet.
4. Section 8.4.3 – Reduce the required rear yard setback for the retail building from 50 feet to 8 feet.

The relocation of the canopy from the previously approved setback of fifteen feet from the front property line to twenty-seven feet is a reduction in the amount of the variance that was granted. This increase in the setback of the canopy from the front property line is allowed without the need for a variance in that the relocation of the canopy results in a greater setback than that which was previously approved.

Aside from the relocation of the canopy further from the front property line, the previously approved variances have been incorporated into the project site plan.

The new location of the canopy has been reviewed by emergency services and the fire marshal has approved the new location as providing adequate access for emergency vehicles to access the building and the site.

The applicant is proposing a modification of the stormwater treatment system consisting of a swale and drainage basin/rain garden. Due to the regarding associated with the changes to the

site, there is an increase proposed to stormwater storage. The applicant has submitted a report into the record from the project engineer stating that the proposed changes to the stormwater design will have no negative impact to downstream properties and is adequate to contain the site generated stormwater volume.

RECOMMENDED ACTION

Based on the information provided, staff recommends the Planning and Zoning Commission find that:

Findings:

1. The retail store with gasoline dispensing is a permitted use within the CG Zone District.
2. The original site plan was approved by the Commission through application PL-22-18 on January 10, 2023.
3. This proposal is a modification to the original approved site PL-22-18.
4. Variances were granted by the Zoning Board of Appeals through Application ZBA-22-5.
5. The variances granted through application ZBA-22-5 have been incorporated into this project site plan with a modification to the front yard setback for the canopy.
6. The relocation of the canopy resulted in an increase in the setback of the canopy from the front property line previously approved by variance.
7. A variance of the front yard setback for the canopy is not required as its new location reflects an increase in the setback than what was previously approved.
8. The site plan conforms to Section 22 of the Town of Waterford Zoning Regulations by incorporating the variances previously granted through ZBA-22-5.

and that the Commission approve with conditions the proposal with the following conditions:

1. A copy of the completed stormwater maintenance and inspection reports shall be provided to the Planning and Zoning Department on a continual basis.
2. All conditions and modifications associated with the previously Site Plan shall remain in full force and effect.

Proposed Motion

To approve with conditions Planning and Zoning Modified Site Plan Application #PL-25-15 for the New Convenience Store and Fueling Station located at 118 Boston Post Road with conditions 1 and 2 and to adopt the findings 1 thru 8 of the staff report dated August 19, 2025.