



DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: April 8, 2025

TITLE: Staff Report: Rear Lot Single Family
30 South Bartlett Road
Site Plan
Application PL-25-5

EXECUTIVE SUMMARY

The applicant proposes to construct a new single-family dwelling on a vacant parcel located at 30 South Bartlett Road. The parcel is located on an unimproved portion of South Bartlett Road and qualifies as a rear lot in accordance with Section 1 Definitions (Lot, Rear). In accordance with Section 3.14 of the Zoning Regulations, development on rear lots require site plan approval from the Planning and Zoning Commission. The parcel contains 31,608 square feet of lot area and is located within the R-40 Zone District. In accordance with Section 3.14.3, the minimum area for a rear lot is 1.25 times the minimum lot area for the zone district. In the R-40 District, the minimum area for a rear lot is 50,000 square feet. The parcel is a pre-existing nonconforming lot relative to lot area. In accordance with Section 24.3 of the Zoning Regulations, a single-family dwelling is a permitted use on a nonconforming lot provided it conforms to all other provisions of the zoning regulations. The site plan submitted indicates that the proposed location of the dwelling on the property complies with the required setbacks of 25 feet for a rear lot within the R-40 Zone District.

The dwelling will be serviced by an onsite septic system and public water supply.

BACKGROUND

Pertinent Regulations

CGS 8-3(g)

Section 3.14 – Land Development on Rear Lots

Section 5.1 – Low Density Residential District (R-40)

Section 5.1.1 – One-family Dwellings

Section 22 – Site Plans

Section 24.3 – Non-Conforming Lots

This application was received by the Commission on March 25, 2025.
Action on this application must be no later than May 29, 2025.

DISCUSSION

In order for the Commission to approve a site plan it must find that the plan is consistent with the Town of Waterford Zoning Regulations. The Commission must act on the plan initially submitted for review and can find that the site plan is either compliant with the Zoning Regulations or it may approve the plan with modifications that are required to be implemented prior to filing on the land records.

Section 3.14 of the Zoning Regulations governs the development of a rear lot. It states, in part *“In order to permit a reasonable degree of development on parcels of land which have access to a public street, but do not have frontage on such public street, wherein the sole discretion of the Commission, it is neither probable nor desirable that such land be subdivided as permitted by the Town’s Subdivision Regulations, this Section 3.14, Land Development on Rear Lots may apply. However, only those lots which were in existence on October 28, 1970 and continuously thereafter, and which conform to all provisions of this section, shall be granted approval to be developed under the provisions of this section. ”*

A zoning permit may be issued for a rear lot development only after the proposal has been approved by the Commission. The public street known as South Bartlett Road terminates approximately 430 feet from the subject parcel. The parcel does not have frontage on the public street portion of South Bartlett Road and therefore qualifies as a rear lot in accordance with Section 3.14 of the Zoning Regulations. It has been in existence since prior to October 28, 1970.

All parcels south of the end of South Bartlett Road, including the subject parcel have rights of way access over the 33’ wide portion of Town property to access South Bartlett Road as noted on the referenced “Plan Showing Land To Be Acquired From The Estate Of Katherine Perry By The Town of Waterford”. This plan is submitted into the file for reference. The 33’ wide portion of Town property as shown on the referenced plan is unimproved, contains underground electric utilities, an existing public water main with a service valve connection at the parcel, and is used for access to the Town of Waterford parcel that contains the Rogers Hill Water Tower.

The parcel is a pre-existing non-conforming lot relative to size and minimum lot dimensions, as identified in Section 3.14 of the Zoning Regulations. In accordance with Section 24.3.1 of the Zoning Regulations, a single-family dwelling may be erected on any non-conforming lot provided the construction and placement of the dwelling complies with all other provisions of the Zoning Regulations.

The required minimum setbacks for rear lots located within the R-40 Zone District is 25 feet from all property lines. The site plan submitted indicates that the proposed location of the

dwelling on the property complies with the required setbacks for a rear lot development within the R-40 Zone District. Associated grading and limits of grading, installation of utilities are indicated on the site plan.

In accordance with Section 3.14.10 of the Zoning Regulations, a restricted deed covenant shall be filed on the Land Records, which stipulates that the Town shall not be required to plow, maintain, provide school bus service or garbage service to the rear lot. The restricted covenant language will be reviewed by the Town Attorney as to form and substance prior to endorsement and filing of the final plans on the land records. This requirement is listed as a condition of approval.

RECOMMENDED ACTION

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

Findings:

1. The application is for a permitted use pursuant to Section 5.1.1 of the Waterford Zoning Regulations (One Family Dwelling).
2. The parcel is a Rear Lot as defined in the Waterford Zoning Regulations, Section 1-Definitions (Lot, Rear).
3. The application is for the development of a Rear Lot, which is subject to a Site Plan approval, pursuant to Section 3.14 of the Waterford Zoning Regulations.
4. The application meets the criteria for site plan approval for a rear lot development, pursuant to Section 3.14 of the Waterford Zoning Regulations, subject to condition 3.

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

1. The Limits of Permanent Clearing and Disturbance shall be identified on the site plan
2. Recommendation by the Town Attorney relative to form and substance of the restricted deed covenant in accordance with Section 3.14.10 of the Zoning Regulations prior to endorsement of the final plans.
3. The restricted deed covenant referenced in Condition 2 shall be filed on the land records at the time of filing the final plans.

Proposed Motion

To approve with modifications and conditions, the Site Plan for the single family rear lot development application #PL-25-5 located at 30 South Bartlett Road, with modifications and conditions 1 thru 3 and to adopt the findings 1 thru 4 of the staff report.

NOTES

1. This survey has been prepared pursuant to the Regulations of Connecticut State Agencies Sections 20-300b-1 through 20-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996.

2. This Property/Boundary Survey is a RESURVEY. It is intended to describe a parcel of land to be acquired by the Town of Waterford. A Resurvey is a survey of property lines made when a surveyor has found a prior survey of the subject property. The property lines depicted hereon are from a plan entitled "RIVERVIEW BUILDING LOTS IN WATERFORD CONN. BELONGING TO CHARLES E. PERRY NOVEMBER 1924 SURVEYED AND DRAWN BY DABOLL AND CRANDALL C. ENGR'S NEW LONDON CONN. SCALE 40' = 1 INCH" This survey is intended to update that plan to current conditions and to Class A-2 Accuracy Standards.

3. Several 3/4" diameter iron pipes were recovered at the end of the South Bartlett Road. These pipes are of unknown origin, do not mark property corners and are not to be confused with existing iron pins which do mark boundaries.

4. Current deeds for lots south of the end of South Bartlett Road reserve rights of way over the 33' wide strip for purposes of ingress and egress. These rights shall remain.

5. Bearings and Coordinates based on North American Datum 1983.

6. Permanent monumentation to be set at all corners of parcel after construction has been completed.

7. Area of parcel to be acquired is 19,676 square feet, 0.45 acres

8. This survey conforms to Class A-2 Accuracy.

MAPS

Additional Reference Maps used in the preparation of this survey include:

A) PLAN SHOWING PROPERTY OF GENERAL DYNAMICS CORPORATION CONN. ROUTE #32 WATERFORD, CONN. SCALE: 1"=200' MARCH, 1972 DICESAR-BENTLEY-WELLING, ENGINEERS GROTON, NORWICH CONNECTICUT

B) PLAN SHOWING LAND OF RICHARD J. & ROSE R. DAYS, JR. LOCATED ON SOUTH BARTLETT ROAD IN THE TOWN OF WATERFORD SCALE 1"=40' SEPTEMBER 1974 GEORGE H. DIETER LAND SURVEYOR

C) PROPERTY SURVEY PREPARED FOR JAMES HALBERT BARTLETT PLACE WATERFORD, CT. SCALE 1"=20' JUNE 27, 1985 PREPARED BY FRANSEN CONSULTANTS NORWICH, CT.

D) PLAN OF PROPERTY BELONGING TO THERESE S. & JOHN J. McGUIRK 32 & 33 SOUTH BARTLETT ROAD WATERFORD, CONNECTICUT SCALE 1"=20' AREA: PARCEL A=12,482 S.F. AREA: PARCEL B=6,214 S.F. MARCH 27, 1987 WILLIAM F. KENT, LAND SURVEYOR

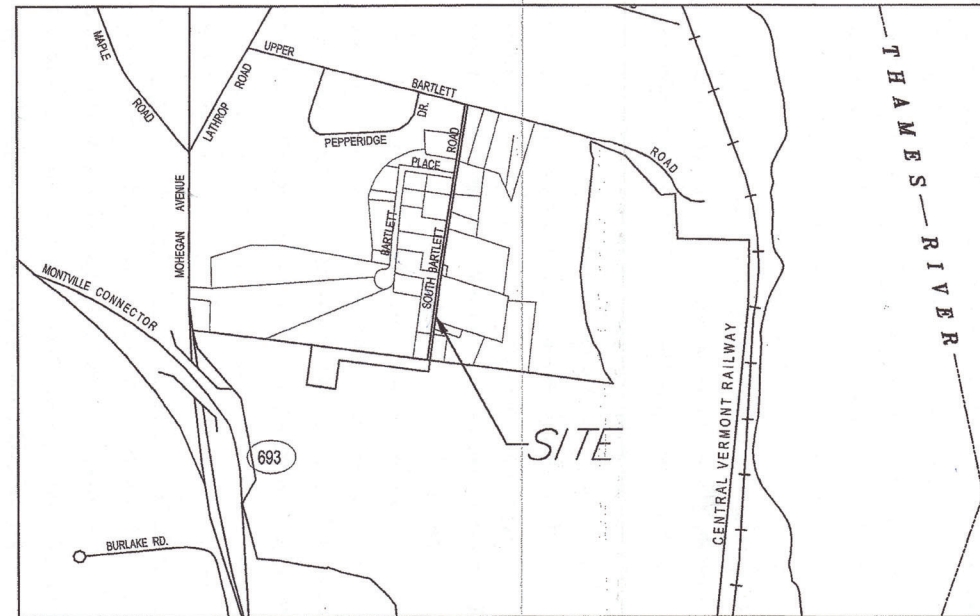
E) PLAN SHOWING LAND TO BE ACQUIRED FROM THE ESTATE OF KATHERINE PERRY BY THE TOWN OF WATERFORD PUBLIC WORKS DEPARTMENT SCALE: 1"=40' DATE: SEPT. 1992

F) PLAN SHOWING LAND TO BE ACQUIRED FROM RICHARD J. JR. AND ROSE R. DAYS BY THE TOWN OF WATERFORD PUBLIC WORKS DEPARTMENT SCALE: 1"=40' DATE: OCT. 1992

G) PLAN SHOWING PROPERTY OF LANA SMITH APPLICANT: MARY ANN SMITH 24 SOUTH BARTLETT ROAD VILLAGE OF QUAKER HILL WATERFORD, CONNECTICUT ZONE: R-40 SCALE: 1"=20' DECEMBER 7, 2000 WILLIAM F. KENT, REGISTERED LAND SURVEYOR

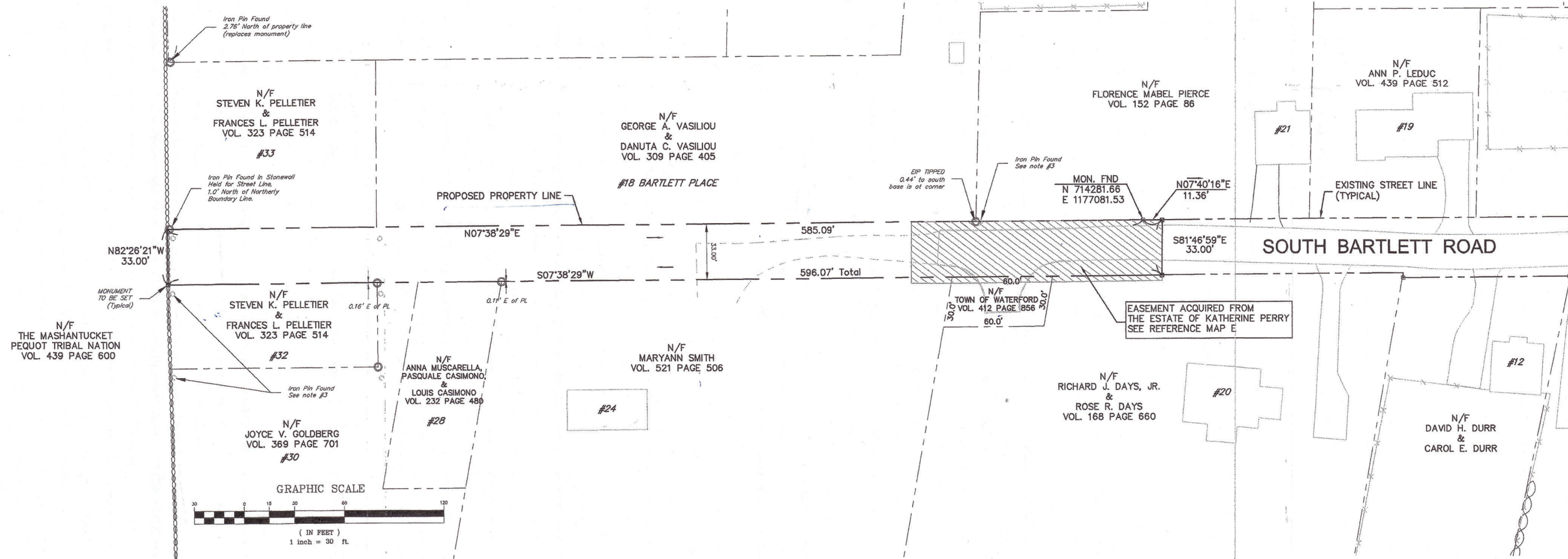
LEGEND

- EXISTING PROPERTY LINE
- - - PROPOSED PROPERTY LINE
- STONEWALL
- IRON PIN FOUND (PROPERTY CORNER)
- IRON PIN FOUND (UNKNOWN)
- DRILL HOLE FOUND
- MONUMENT FOUND
- MONUMENT TO BE SET



LOCATION PLAN

SCALE 1"=500'



To the best of my knowledge and belief this map is substantially correct as noted hereon.

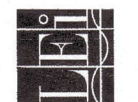
KEVIN L. DOROS #13291 DATE 1/14/05

No certification is expressed or implied unless this map bears the embossed seal of the Land Surveyor whose signature appears hereon.

Designed By:	SCALE: 1"=50'	DATE: Nov. 4, 2004
KLD	By	Rev.
Drawn By:	Revision	Date
KLD		
Checked By:		
LEE		
CAD File:		
TonkBound		

PLAN SHOWING LAND TO BE ACQUIRED FROM THE ESTATE OF KATHERINE PERRY BY THE TOWN OF WATERFORD SOUTH BARTLETT ROAD WATERFORD, CONNECTICUT

Lenard Engineering, Inc.
Civil, Environmental and Hydrogeological Consultants
1060 State Road
Storrs, CT 06268
(860) 428-5400



Drawing #	1
Job #	04-356.5

10370