



ANNUAL REPORT PLANNING AND ZONING COMMISSION FISCAL YEAR 2022/2023

I. GENERAL OVERVIEW

The Waterford Planning and Zoning Commission serves the Town in three major ways. First, the Commission drafts and evaluates zoning and subdivision regulations that enable development in Waterford. Second, the Commission evaluates applications for new projects and oversees violations of the regulations. Third, the Commission develops long-range land use policy for Waterford and is responsible for making sure new development and regulations are consistent with the Waterford Plan of Preservation, Conservation, and Development. A long range Land Use Policy that the Commission undertook was the adoption on May 10, 2022 of an Affordable Housing Plan as required by State Statute Section 8-30j and Public Act 22-74.

The Planning and Zoning Commission has also undertaken the task of updating the 2012 Waterford Plan of Preservation, Conservation and Development as required by State Statute. The process of updating the Plan is a year long endeavor and the final plan is expected to be completed in 2024.

Many of the services provided in the Planning and Development Office are funded through the Planning and Zoning Commission. The Commission provides staff for all land use and economic development services in Waterford. The Planning staff provides expertise and assistance to the Board of Selectmen, RTM, and other agencies in Waterford and beyond concerning land use and economic development opportunities in Waterford.

During Fiscal Year 2022/2023 the Commission held 20 regular meetings and 1 special meeting to consider 21 applications. Both the Commission and the Planning Department worked quickly to keep the development approval process moving without significant interruption, and with the goal of enabling continued investment in Waterford.

Total fees received from miscellaneous fees and applications of the three land use commissions was \$67,924.87. This amount includes \$54,663.44 for Zoning Compliance Permits.

II. DEVELOPMENT ACTIVITY

Subdivisions

The Planning and Zoning Commission evaluates applications to subdivide land based on the standards in the Waterford Subdivision Regulations. In FY 2022/2023 there were no residential subdivision applications submitted. The Planning and Zoning Commission approved one nonresidential subdivision.

47 Great Neck Road – 2 Lots

ZONING COMPLIANCE PERMITS

Zoning Compliance permits are required in conjunction with building permits where certain exterior work or changes in use or occupancy of a building or site are proposed. Zoning Compliance permits are also used to permit by-right activities in the Zoning Regulations, such as Home Occupations. These permits are issued by the Zoning Official. Although the Commission does not review these permits directly, the Commission does control the regulations that govern how the permits can be issued. The Planning Department staff use feedback received from the Zoning Official about these permits to identify areas of the Zoning Regulations that can or should be improved. Staff then brings these recommendations to the Planning and Zoning Commission to consider. Zoning Compliance permits represent the largest volume of formal reviews performed under the umbrella of the Planning and Zoning Commission.

In Fiscal Year 2022/2023, the Department completed 251 Zoning Compliance reviews. 204 of these reviews were associated with building permits. 47 of the reviews were strictly for zoning-related inquiries and compliance reviews for site work associated with Commission-approved projects. The time required to review zoning compliance matters varies greatly. Reviewing setback compliance for a small shed may take 30 minutes, while a compliance letter concerning the historic use of a property and the regulatory status governing redevelopment can take many hours. The Planning Department collects fees for Zoning reviews.

22 zoning compliance permits were issued for the construction of new single-family homes.

Commercial Development

All commercial properties are required to apply for approvals from the Planning and Zoning Commission before they are developed. The Commission relies on the Waterford Zoning Regulations and technical guidance from the Planning Department and other Town and regional agencies to evaluate applications. This year, the Commission approved 7 commercial developments.

742 Broad Street – Site Plan Approval
806 Hartford Turnpike – Site Plan & Special Permit Approval
262 Boston Post Road – Accessory Outdoor Dining
372 Boston Post Road – Site Plan Approval
118 Boston Post Road – Site Plan Approval
21 Gurley Road – Site Plan & CAM Approval
358/360 Mago Point Way – Site Plan & Special Permit Approval

Multi Family Developments

Multi Family Developments require site plan approval from the Planning and Zoning Commission. Projects for multifamily developments may include common interest communities such as condominium developments or rental units. While not a requirement for multifamily development in Waterford, Town staff encourages developers to include units within their projects that are considered affordable in accordance with CT State Statute criteria. This year Waterford approved 3 multifamily developments.

48 Great Neck Road – 40 Units including 4 affordable
61 & 61A Myrock Avenue – 216 Units including 22 affordable
109R & 131 Clark Lane – 47 Units including 15 affordable

Municipal Projects

Significant improvements to Town facilities require Planning and Zoning Commission review. These reviews are known as CGS 8-24's, which is a reference to CT General Statutes Chapter 124 §8-24 "Municipal Improvements." When a Town project is proposed, the Commission evaluates it's consistency with the Plan of Preservation, Conservation, and Development and the Town's land use regulations. The Commission's review is one of the factors the Town considers when acquiring property or interests such as conservation easements, or when funding major improvements to Town property. This year the Commission approved 3 "CGS §8-24" applications.

Oil Mill Road and Gurley Road – Municipal Sewer & Water Extension
1 Hamel Court – Property Disposal
51 Daniels Avenue – Property Disposal

III. ZONE CHANGES AND REGULATION AMENDMENTS

The Zoning Regulations are a critical and controlling factor in the way people develop property in Waterford. Waterford's Zoning Regulations were first adopted in 1954. Over the years, changes in Town priorities for development, conservation opportunities, and evolving legal requirements have led to regulation amendments. One of the Planning and Zoning Commission's fundamental responsibilities is the legislative role of writing and enforcing the Zoning Regulations. In recent years, the Commission has sought to clarify, simplify, and improve sections of the Zoning Regulations. Regulation amendments can be initiated by the Commission or by an applicant. Regardless of how a regulation amendment is first conceived, the Commission reviews how the proposal may affect all properties and uses the proposal relates to throughout Town. The Commission uses research from staff, public comments, and the Plan of Preservation, Conservation, and Development to guide decisions.

Regulation Amendments:

3.19 Temporary Forms of Outdoor Entertainment – Denied
3.44 Temporary Outdoor Dining – Denied
1 and 3.24 Prohibition of Cannabis Establishments
1 and 3.26 Accessory Dwelling Units
1 and 3.11.11 Home Occupations

Zone District Changes:

61 & 61A Myrock Avenue – Commercial(C-G) to Commercial Multifamily (C-MF)

IV. CONSTRUCTION IN THE COASTAL BOUNDARY

21 Oswegatchie Road – CAM

V. ENFORCEMENT

The Zoning Enforcement Officer investigates complaints related to violations of the Waterford Zoning Regulations. When a complaint is received, the Officer performs site visits and property research to ascertain whether there is a violation. Although all complaints received are thoroughly investigated, not all complaints qualify as violations. In FY 2022/2023, 24 complaints rose to the level of violations. Of those, 21 were resolved, and 3 remain open and under continued enforcement activity at the end of the fiscal year.

MEMBERS	STAFF
Gregory Massad – Chairman Timothy Bleasdale Karen Barnett Timothy Conderino Victor Ebersole, Jr Joseph DiBuono, Alternate Bert Chenard, Alternate Doris Crum, Alternate	Jonathan Mullen, AICP, Planning Director Mark Wujtewicz, Planner Maureen FitzGerald, Environmental Planner Wayne Scott, Zoning Official Katrina Kotfer, Secretary I

Respectfully submitted,

Planning and Zoning Commission