

**DEPARTMENT OF PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: October 22, 2024

TITLE: Staff Report: Affordable Housing Development CGS §8-30g
1721, LLC
430 Mohegan Ave Pkwy & 23B Old Norwich Road
Site Plan Application PL-24-14

EXECUTIVE SUMMARY

The proposal as submitted is to construct 16, 3-bedroom & 4-bedroom detached single-family dwellings and 4, two-unit duplex buildings for a total of 24 dwelling units located at 430 Mohegan Avenue Parkway. A pedestrian easement is proposed across the vacant lot located at 23B Old Norwich Road to provide pedestrian access to the public sidewalk on Old Norwich Road. The parcel at 23B Old Norwich Road is currently owned by the owner and developer of 430 Mohegan Avenue Parkway. The area of 430 Mohegan Avenue Parkway is currently 5.1 acres. This proposal also includes a lot line revision whereby 4,327 S.F. of land from 23B Old Norwich Road will be deeded to the adjacent parcel at 430 Mohegan Avenue Parkway. The two parcels will maintain their conforming zoning status. The proposed road will be privately owned and maintained. The proposed water and sewer systems will be privately owned and constructed to Town of Waterford and City of New London design standards.

The proposed site plan was submitted for review subject to the provisions of Connecticut General Statutes §8-30g. An Affordable Housing Plan ("The Plan") has been submitted into the record by the applicant (Exhibit 1c). The Plan specifies that, 30% or 8 of the residential units will be deed restricted as affordable housing as defined in CGS §8-30g for a period of forty years. The Plan establishes the criteria and requirements for administering the designated Housing Opportunity Units. "The Plan" is currently under review by Town Counsel and approval of this site plan application can be conditioned upon recommendation by the Town Attorney relative to form and substance prior to endorsement of the final plans.

BACKGROUND**Pertinent Regulations**

CGS §8-3(g)

CGS §8-30g

Section 22 – Site Plans

Section 22b - Design Review of Site and Building Improvements

DISCUSSION

Roberts Village is a multi-family proposal consisting of 20, single-family dwellings and 4, two-family duplex dwellings. The single-family & duplex dwellings are comprised of five different architectural styles ranging in size from approximately 1,200 to 2,600 sq. ft. of gross floor area. Off-street parking is provided for each dwelling within garages and/or driveways. The project as proposed is for an Affordable Housing Development in accordance with Connecticut General Statutes §8-30g and as such is not subject to the Town of Waterford Zoning Regulations. The parking provided on-site for the project is still consistent with the amount of parking required for a multi-family development which, in accordance with Section 20.3(b) is two parking spaces for each unit containing three or more bedrooms. Each dwelling provides the adequate number of off-street parking. Fourteen additional off street parking spaces are designated within common parking areas as identified on the site plan. There is no parking permitted along the travel lane of the interior drive.

A Traffic Impact Report (“The Report”) conducted by the applicant’s Traffic Engineer was submitted into the record. (Exhibit 1e) The Report analyzed traffic impacts from this project at key intersections within the study area. Those intersections include; Route 32 at Benham Avenue; Route 32 at Senkow Drive; Old Norwich Road at Senkow Drive; Senkow Drive at Roberts Court and the proposed site entrance at the Roberts Court cul-de-sac. The Report concluded that the key intersections identified will continue to operate at the same levels of service as under the background conditions during the morning and afternoon peak hours and that there is sufficient capacity of the road network to accommodate the volumes associated with the project.

The application as presented proposes that the road serving Roberts Village as well as the water, sewer and stormwater drainage utility infrastructure shall be held in private ownership by the Common Interest Community and shall be permanently set aside in such a manner as to relieve the Town from ever having to own, maintain or provide services on such road and utility infrastructure. The design of the privately maintained roadway has been reviewed and provides for the safety, health and convenience of the future residents of Roberts Village. The privately maintained utility infrastructure has been reviewed by Town agencies and will be constructed in accordance with Town standards.

The stormwater management treatment system incorporates several design elements including, catch basins with sumps, grassed swales and two wet-bottom detention basins in order to mitigate potential impacts to stormwater quality and quantity. The design of the stormwater system takes into account the additional off-site stormwater run-off within the existing watershed area that contributes to the on-site drainage pattern within the project area. The elements incorporated into the overall design of the stormwater system have been reviewed and found that they will function adequately to mitigate any adverse impacts of both stormwater quality and quantity to subsurface and surface receiving waters and wetlands.

The parcel contains approximately 5.72 acres of which 0.042 acres are wetlands. The proposal has been reviewed by Town Agencies and the Waterford Conservation Commission has issued Wetland Permit #C-24-05 with conditions on August 8, 2024. This permit was issued to conduct regulated activities including filling and grading of approximately 7,000 sq. ft. of upland review area to construct a portion of two stormwater treatment basin embankments and a graded outlet channel. Additional authorization included the discharge of treated stormwater run-off to inland wetlands and watercourses. A report of Conservation Commission action is included in the record (Exhibit 5).

Findings:

1. The parcel is located within the R-20 Zoning District as identified on the most recently adopted Town of Waterford Zone District Map.
2. Waterford is subject to the Connecticut “Affordable Housing Appeals Procedure” (Connecticut General Statutes §8-30g) due to the fact that less than 10% of the housing stock meets State criteria for affordable housing.
3. The project is a multi-family development and is submitted pursuant to the provisions of Connecticut General Statutes §8-30g.
4. Thirty percent (30%) or 8 of the dwellings as identified in the affordable housing plan submitted into the record will contribute towards the Town’s affordable housing stock.
5. **The Developer proposes to organize the Community under the Common Interest Ownership Act in compliance with Chapter 828 of the Connecticut General Statutes.**
6. The Waterford Conservation Commission issued Inland Wetland Permit# C-24-05 for regulated inland wetland activities.
7. The Waterford Conservation Commission has submitted a final report to the Planning and Zoning Commission in accordance with Connecticut General Statutes §8-3(g).
8. The number of parking spaces provided exceeds the requirements of Section 20.3(b) of the Waterford Zoning Regulations.
9. This application has been reviewed by the Town of Waterford Design Review Board in accordance with Section 22b of the Waterford Zoning Regulations and which Board submits a positive report to the Planning and Zoning Commission.

And that the Commission approve with the following modifications and condition(s):

1. The approved limits of clearing up gradient of the inland wetland boundary are to be labeled as the wetland non-encroachment area on all construction plan sheets.
2. The proposed “inland wetland upland review area easement” designation is to be removed from all plan sheets. An easement was not required in this area by the Town and the boundary of the hatched area does not conform to the approved clearing limits and wetland non-encroachment boundary.
3. Provide fencing around the perimeter of the detention basin. Detail and location shall be provided on the site plan prior to filing on the land records.
4. Recommendation by the Town Attorney relative to form and substance of a hold harmless agreement between the Developer and the Town regarding the private utilities prior to endorsement of the final plans.
5. **Recommendation by the Town Attorney relative to form and substance of the documentation related to the Community organized as a Common Interest Community.**
6. Recommendation by the Town Attorney relative to form and substance of the Affordable Housing Plan prior to endorsement of the final plans.
7. All conditions of approval for Inland Wetland Permit #C-24-05 shall be incorporated into this decision as if fully set forth herein.

Proposed Motion

To approve with conditions, the Proposed Affordable Housing Development Site Plan Application #PL-24-14 located at 430 Mohegan Avenue Parkway and 23B Old Norwich Road with conditions 1 thru 7 and adopt the findings 1 thru 9 of the staff report.