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

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WATERFORD, CT
2024 JAN 29 A 10: 25
ATTEST: Carol L. Langer
TOWN CLERK

Planning & Zoning Commission — January 23, 2024
Remote Access Only — 6:30 PM

Members Present:	Chairman Greg Massad, Karen Barnett, Tim Bleasdale, Tim Conderino and Victor Ebersole
Alternates Present:	Bertrand Chenard and Doris Crum
Alternates Absent:	Joseph DiBuono
Staff Present:	Jonathan Mullen, Planning Director, Mark Wujtewicz, Planner, Robert Avena, Esq., Town Attorney and Katrina Kotfer, Recording Secretary

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

G. Massad called the meeting to order at 6:30 PM. No alternates were seated.

2. APPROVAL OF MINUTES

MOTION: Motion made by T. Bleasdale, seconded by T. Conderino, to approve the December 12, 2023 meeting minutes.

VOTE: 5-0

3. APPLICATION RECEIPT

#PL-24-3 – Request of the Town of Waterford Board of Selectman for municipal improvement in accordance with Section 8-24 of the Connecticut General Statutes to purchase property located at 439 & 441 Boston Post Road.

ACTION REQUIRED BY: 2/27/2024

The Commission received the application and scheduled it for discussion later in the meeting.

Chairman Massad noted that application PL-24-1 was submitted for receipt at the January 9, 2024 Planning & Zoning Commission meeting. The January 9, 2024 meeting was cancelled, however the application was still officially received in accordance with State Statute and that it is scheduled for review later in the meeting.

4. PUBLIC HEARING

#PL-23-16 – Request of Mondays, LLC, owner, 16-18 Boston Post Road Associates, LLC, owner and 7Hills Hospitality Group, LLC, applicant for a Site Plan/Special Permit approval for New Hotel at 16 & 18 Boston Post Road and 295 & 313 Willetts Avenue, C-G zone, in accordance with Sections 8.2.6 and 23 of the Zoning Regulations and as shown on plans entitled "Woodspring Suites, 295 & 313 Willetts Avenue, 16 & 18 Boston Post Road Waterford, CT December 5, 2023".

PUBLIC HEARING MUST CLOSE BY: 2/27/2024

Chairman Massad opened the public hearing at 6:35 PM.

M. Wujtewicz read the exhibit list into the record.

Attorney William Sweeney presented to the Commission the proposal to build a 4 story 122 room extended stay hotel on a combined site of four parcels comprising approximately 4 acres. The subject lots are primarily surrounded by other commercial uses. Attorney Sweeney referenced an existing zoning violation on the property by one of the current owners. He stated that his client has agreed to remove the unapproved fill deposits within 90 days of approval and to properly dispose of the material off site.

The site will have access from Boston Post Road to the north and Willetts Avenue Ext. to the south. The primary access to the proposed hotel will be from Boston Post Road and it is proposed to have an address of 18 Boston Post Road. Attorney Sweeney noted that the location of the proposed hotel on the site complies with all bulk dimensional requirements and is a responsible infill development.

Ellen Bartlett, PE, CLA Engineers reviewed the project with the Commission. She noted that having entrances on Boston Post Road and Willetts Avenue Extension provides for safe emergency access. The Willetts Avenue Extension access will be a secondary access for the suite. Upon recommendation of the Waterford Chief of Police, speed bumps are proposed at the Willetts Avenue Ext. access drive in order to deter the use of "cut-through" traffic between Boston Post Road and Willetts Avenue Extension. An extensive landscape plan has been developed for the site with additional focus elements at the entrances to provide for a more visually appealing color enhancement. She noted that the property is to be serviced by both municipal water and sewer service with access from Willetts Avenue Extension.

Shaun Kelly, Traffic Engineer from Chapel Engineering, reviewed the existing traffic conditions and how the proposed hotel will impact the traffic. He stated that the traffic impacts will be minimal. All proposed signs and marking conform to state traffic guidelines. The project will require an encroachment from the State DOT for the access onto Boston Post Road.

Attorney Sweeney briefly reviewed the elevation design plans and floor plans for the proposed hotel. He noted that the elevations had New England/ Northeastern design elements incorporated. The exterior of the building will be comprised of durable materials. He also noted that the Design Review Board had reviewed the proposed design of the building and landscaping and that the Board had unanimously approved of the design.

C. Thompson, AIA, of BRR Architects provided additional detail on the design and materials of the building.

Chairman Massad asked if anyone from the public would like to speak.

Carl Cascio, 50 Myrock Avenue, spoke in support of the proposal but voiced concerns about the existing traffic conditions on Willetts Avenue Ext. and the impact that the project will have exacerbating the current traffic conditions.

Nicholas and Richelle Gualtieri, 320 Willetts Avenue Ext. voiced concerns with the speed and increase in the amount of traffic. They also stated concerns that the hotel will be used as long term housing as time goes on.

Chairman Massad asked three times if there was any member of the public wishing to speak on this application. With no response from the public, members of the Commission posed questions for questions of the applicant.

Attorney Sweeney addressed the concerns regarding traffic speed and the potential for long term housing. He stated that the business model for the hotel caters to business class temporary extended stay and will not be used for long-term housing.

Attorney Sweeney also addressed the concerns regarding traffic previously raised by Mr. Cascio by stating that the traffic report did not identify any traffic safety issues and that there was no reason to prevent access from the site onto Willetts Avenue Ext.

K. Barnett asked if the applicant had a proposed timeline for construction to completion. Renita Somers, Development Manager, 7 Hills Hospitality stated they expect 11-12 months once they receive the building permit.

T. Conderino voiced concerns regarding increases in traffic on Willetts Avenue Extand asked if the Willetts Avenue Ext. entrance could be for emergency use only.

S. Kelley stated that the amount of added vehicles at three per hour from this project onto Willetts Avenue Ext is considered a very small amount and will not have any discernable impact on current traffic conditions.

D. Crum asked if Willetts Avenue Ext. could be used for emergency access only.
Attorney Sweeney responded that the traffic report submitted into the record did not identify the need to restrict access on Willetts Avenue Ext.

B. Chenard asked if the shed encroachment on 26 Boston Post Road is to be resolved. He asked if the applicant would be willing to allow no truck traffic during construction during peak traffic time except during utility work and as part of the spoils removal. Attorney Sweeney responded to Commissioner Chenard's concerns. He stated that his client was willing to accept a condition to the approval that construction vehicle use on Willetts Avenue Ext be limited to the work associated with the utility installation and the removal of the unauthorized fill material from the site.

Attorney Avena noted that the unauthorized fill to be removed has been tested for any potential contaminants that there was no indication of anything of a deleterious nature contained within the fill material. He also noted that the violations on the property is associated with the owner and not of the applicants doing.

MOTION: Motion made by T. Conderino, seconded by T. Bleasdale, to close the public hearing at 8:06 PM.

VOTE: 5-0

5. APPLICATION REVIEW

#PL-23-16 – Request of Mondays, LLC, owner, 16-18 Boston Post Road Associates, LLC, owner and 7Hills Hospitality Group, LLC, applicant for a Site Plan/Special Permit approval for New Hotel at 16 & 18 Boston Post Road and 295 & 313 Willetts Avenue, C-G zone, in

accordance with Sections 8.2.6 and 23 of the Zoning Regulations and as shown on plans entitled "Woodspring Suites, 295 & 313 Willetts Avenue, 16 & 18 Boston Post Road Waterford, CT December 5, 2023".

M. Wujtewicz reviewed his staff report with the Commission. Based on the Commission's discussion that evening he suggested adding 3 additional conditions.
Condition 4 is that all conditions of the Conservation Commission approval shall be incorporated into this decision.
Condition 5, that the unauthorized fill shall be removed within 90 days of approval.
Condition 6, that construction vehicles shall not use the Willetts Avenue Extension entrance with the exception of utility work and unauthorized fill removal.

The Commission made the following findings:

1. The application is for a use subject to a Special Permit approval, pursuant to Section 8.2.6 of the Waterford Zoning Regulations.
2. The application meets the criteria for site plan approval, pursuant to Section 22 of the Waterford Zoning Regulations, subject to modifications listed.
3. The Statement of Use (Exhibit 8) provided by the applicant in accordance with Section 23.5 of the Zoning Regulations identifies through the findings that the proposed use is consistent with Sections 23.5.1 through 23.5.9.
4. The Waterford Conservation Commission issued Inland Wetland Permit# C-23-09 for regulated inland wetland activities.
5. The Waterford Conservation Commission issued a report of its action on application #C-23-09 in accordance with CGS §8.3(g).
6. 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.

The Commission discussed the following conditions:

1. An annual Maintenance and Inspection Report for the Stormwater management system shall be provided to the Town of Waterford Planning and Development Department. This report shall be required to be submitted in order to verify that the stormwater management system is maintained and continues to operate as originally designed.
2. The Zoning Compliance Chart shall be updated to reflect the correct total acreage of the combined parcels. This shall be shown on the final plans prior to filing on the land records.
3. In order to maintain the Willetts Avenue Ext access as secondary there shall be no signage at that access.
4. All conditions of approval for Inland Wetland Permit #C-23-09 shall be incorporated into this decision as if fully set forth herein.
5. All unauthorized fill on the property identified as a result of a zoning enforcement action shall be removed and properly disposed of at an off-site location. Verification of proper disposal shall be provided to the Planning Department.
6. Construction vehicles may utilize the Willetts Avenue Extension access only for the purpose of utility installation and the removal and disposal of the unauthorized fill. All other construction vehicle access shall utilize Boston Post Road.

MOTION: Motion made by T. Bleasdale, seconded by G. Massad to approve with modifications and conditions, the Site Plan / Special Permit for Woodspring Suites Hotel application #PL-23-16 at 16 & 18 Boston Post Road and 295 & 313 Willetts Ave Ext, with modifications and conditions 1 thru 6 and to adopt the findings 1 thru 6 of the staff report.

VOTE: 5-0

T. Bleasdale stepped away from the meeting.

#PL-24-1 – Request of the Town of Waterford Board of Selectmen for municipal improvement in accordance with Section 8-24 of the Connecticut General Statutes to purchase property located at 8 Goshen Road.

APPLICATION RECEIVED: **1/9/2024**
ACTION REQUIRED BY: **2/13/2024**

M. Wujtewicz reviewed the staff report with the Commission. The Commission briefly discussed the application.

The Commission made the following findings:

1. That the proposed acquisition of 8 Goshen Road for municipal purposes qualifies for a CGS §8-24 review by the Planning and Zoning Commission.
2. Great Neck Elementary School is a Community Facility as identified on the Community Facilities Map contained in the 2012 Plan of Conservation and Development (pg. 67)
3. The addition of this parcel is consistent with the stated goal in the 2012 Plan of Conservation and Development, Community Faculties chapter to "*Provide adequate services and facilities to meet community needs.*" (pg. 66)
4. The addition of this parcel is consistent with the 2012 Plan of Conservation and Development, Community Facilities chapter Section A. Monitor and Adapt to Changing Community Facility Needs. (pg. 67)

MOTION: Motion made by G. Massad, second by K. Barnett to approve CGS §8-24 Application #PL-24-1 for the acquisition of the parcel known as 8 Goshen Road by adopting the findings 1 thru 4 of the staff report and to find that the proposal is consistent with the Town of Waterford 2012 Plan of Preservation Conservation and Development.

VOTE: 4-0

#PL-24-3 – Request of the Town of Waterford Board of Selectmen for municipal improvement in accordance with Section 8-24 of the Connecticut General Statutes to purchase property located at 439 & 441 Boston Post Road.

ACTION REQUIRED BY: **2/27/2024**

M. Wujtewicz reviewed the staff report with the Commission. The Commission briefly discussed the application.

The Commission made the following findings:

1. That the proposed acquisition of 439 and 441 Boston Post Road for municipal purposes qualifies for a CGS §8-24 review by the Planning and Zoning Commission.
2. The acquisition of these parcels is consistent with the stated goal in the 2012 Plan of Conservation and Development, Community Facilities chapter to "*Provide adequate services and facilities to meet community needs.*" (pg. 66)
3. The addition of this parcel is consistent with the 2012 Plan of Conservation and Development, Community Faculties chapter Section A. Monitor and Adapt to Changing Community Facility Needs. (pg. 67)
4. The acquisition of the parcels is consistent with the major highlight of the 2012 POCD Future Land Plan in that *"Community facilities and institutional uses will be encouraged and configured to enhance the overall community."*(Pg. 80)
5. The acquisition of the parcels is consistent with the 2012 POCD in that the parcels are identified in the Future Land Use Plan as an Institutional / Community Facility (Pg. 81)

MOTION: Motion made by G. Massad, second by T. Conderino to consider and act on a request from the Board of Selectmen to the Planning and Zoning Commission for an 8-24 review of the Town's proposed acquisition of 439 and 441 Boston Post Road from the Oswegatchie Fire Company No. 4, Inc. and to find that the proposal is consistent with the Town of Waterford 2012 Plan of Preservation Conservation and Development.

VOTE: 4-0

6. EXECUTIVE SESSION

Discussion of the following pending lawsuits entitled:

1. Kobyluck Brothers, LLC et. al., v. Town of Waterford Planning & Zoning Commission; Docket Number KNL-CV-12-6014470-S
2. Kobyluck Brothers, LLC, v. Town of Waterford Planning & Zoning Commission; Docket Number KNL-CV-12-6011799-S
3. Kobyluck Brothers, LLC et. al., v. Town of Waterford Planning & Zoning Commission; Docket Number KNL-CV-12-6014469-S

Jonathan Mullen, Planning Director, Mark Wujtewicz, Planner, Robert Avena, Esq., Town Attorney and Katrina Kotfer, Recording Secretary were invited in by the Commission to enter executive session.

MOTION: Motion made by T. Conderino, seconded by V. Ebersole, to enter into executive session at 8:27 pm.

VOTE: 4-0

MOTION: Motion made by T. Conderino seconded by V. Ebersole, to leave executive session at 8:39 pm with no votes taken.

VOTE: 4-0

7. ADMINISTRATIVE REVIEW

No discussion occurred.

8. CORRESPONDENCE

No correspondence was received.

9. COMMISSION BUSINESS

Staff reviewed with the Commission the status of ongoing and potential upcoming projects.

T. Bleasedale rejoined the meeting

10. ADJOURNMENT

MOTION: Motion made by T. Conderino, seconded by V. Ebersole to adjourn the meeting at 8:45 PM.

VOTE: 5-0

Respectfully Submitted,

Katrina Kotfer
Recording Secretary