



DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planning Director

DATE: May 12, 2026

TITLE: Staff Report: Zoning Regulation Amendment – Application PL-26-7
Section 6A – Lot Area, Setback and Building Regulations (Maximum Height)

EXECUTIVE SUMMARY

This application has been submitted pursuant to Section 28.2 of the Waterford Zoning Regulations to amend the following sections of the Zoning Regulations:

Section 6A.6 - Lot Area, Setback and Building Regulations (Maximum Height). To amend the maximum height for the VR-7.5, VR-10 and VR-15 Zone Districts from 20 ft. to 25 ft.

This application was received by the Commission on March 24, 2026
The application was posted in the Office of the Waterford Town Clerk on April 16, 2026
The Public Hearing was advertised in The Day newspaper on April 28 and May 5, 2026
The date of Public Hearing was May 12, 2026

BACKGROUND

Pertinent Regulations

Connecticut General Statutes

CGS 8-3(a)

CGS 22a-104(e)

Waterford Zoning Regulations

Section 6A.6 – Lot Area, Setback and Building Regulations (Maximum Height)

Section 28 – Amendments

DISCUSSION

The proposed modification to Section 6A.6 is to increase the maximum height of buildings currently allowed from 20 feet to 25 feet. The definition of building height in the Waterford Zoning Regulations will remain unchanged. When reviewing zoning regulations for a specific Zone District designation, the Planning and Zoning Commission (the Commission) must consider the results the proposed regulation amendment may have on all areas in Waterford with the same zone district designation.

The Village Residential (VR) Zone Districts were created in order to preserve the existing “village character” of certain areas in town that were typically developed on small lots with similar distinct characteristics such as building style and density. Village Residential (VR) Districts were first included within Waterford zoning in December of 1982. The maximum building height established in the original VR zone district was 35 feet. Subsequent to the original adoption, the Commission proposed and approved amendments on November 21, 1988 (Appl. #88-506) modifying the bulk requirements to more fully achieve the goal and intent of the village districts. One of the bulk requirements that the Commission proposed and adopted was to reduce the maximum building height to 25 feet. The Commission found that this reduction in maximum building height was consistent with the level of development while also maintaining the village character of the VR districts. The current maximum height of 20 feet in the VR zone districts is the result of a regulation amendment submitted by a private party and approved by the Commission on July 15, 2002 through Application #02-501. The application for this current request is for the Commission to consider an increase to the maximum building height of 20 feet to the previously approved 25 feet.

Pursuant to Section 8-3a of the Connecticut General Statutes, before the Commission acts upon an application to amend the Zoning Regulations of the Town of Waterford, it must find whether or not the amendments being proposed are consistent with the goals, policies and objectives contained in the 2012 Waterford Plan of Preservation, Conservation and Development, herein after called the Plan.

One of the strategies identified in the Residential Development chapter of the Plan is to “Protect Existing Residential Neighborhoods”. The Village Residential Zone Districts are established and developed residential neighborhoods, the purpose of which as identified in Section 6A.1 of the Zoning Regulations states, in part “...to preserve the existing character of a village, permit infill development consistent with the existing density and character of a village....”.

Reinforcing the overall community structure of Waterford is a strategy in the Overall Structure chapter of the Plan and, on page 49 of the Plan, is described as:

“...supporting the existing villages and hamlets in the community. Residents have indicated that they like the charm and the diversity of the existing villages and would like to maintain and strengthen the overall ambience and feeling within the context of what is best for the town as a whole.”

Through the review and approval of application #88-506, the Commission made the finding that the maximum building height of 25 feet was consistent with the level of development and the purpose as stated in Section 6A.1 of the Zoning Regulations. The increase of building height from the existing 20 feet to 25 feet is supported by the previous finding listed in application #88-506 as well as the strategies identified in the Plan.

RECOMMENDED ACTION

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

Findings:

1. Application PL-26-7 meets the requirements of Section 28 of the Waterford Zoning Regulations.
2. Application PL-26-7 meets the requirements of Connecticut General Statutes Chapter 124 §8-3 governing changes of zoning regulations and districts.
3. The proposed Regulation Amendment is consistent with the 2012 Plan of Preservation Conservation and Development in meeting the stated strategy of the Residential Development Chapter in that it protect existing residential neighborhoods by preserving the existing character

of a village and permitting infill development that is consistent with the existing density and character of a village.

4. The proposed Regulation Amendment is consistent with the 2012 Plan of Preservation Conservation and Development in meeting the stated strategy of the Overall Structure Chapter by maintaining the charm and the diversity of the existing villages in addition to maintaining and strengthening the overall ambience and feeling within the context of what is best for the town as a whole.

Proposed Motion:

That the Commission approve Application PL-26-7 to amend Zoning Regulation Section 6A.6 to increase the maximum building height in Village Residential Districts from 20 feet to 25 feet by adopting the findings 1 thru 4 of the Staff Report dated May 12, 2026 with an effective date of June 5, 2026.

Effective Date: June 5, 2026

A. Reinforce Overall Community Structure

Growth is inevitable in Waterford. One of the key issues for us to address is whether this growth will enhance Waterford or detract from the community. So that future growth will enhance the community, we should strive to make sure that future development:

- reinforces the overall structure of the community,
- provides features which tend to enhance community character, and
- enhances people's perception of space and "sense of place."

This includes supporting the existing villages and hamlets in the community. Residents have indicated they like the charm and the diversity of the existing villages and would like to maintain and strengthen this overall ambience and feeling within the context of what is best for the town as a whole.

B. Seek To Create An Overall Town Center / Focal Point For The Community

While the Civic Triangle area serves as a community focal point today, it relies almost entirely on community uses (Town Hall, High School, Library, Community Center, etc.). As a result, this area can be very quiet at certain hours of the day, days of the week, and months of the year.

Waterford should look for opportunities to create an overall town center / focal point with a variety of uses that reinforce and complement each other. With a mixture of residential / retail / office/ restaurant and other uses organized in a pedestrian-friendly manner, Waterford could create an active and vibrant place which would become an exciting focal point.. Waterford would benefit from a town center which does not rely on people driving in from other areas for daytime activities.

In the telephone survey, 64% of participants supported the idea of a walkable and pedestrian-friendly town center.

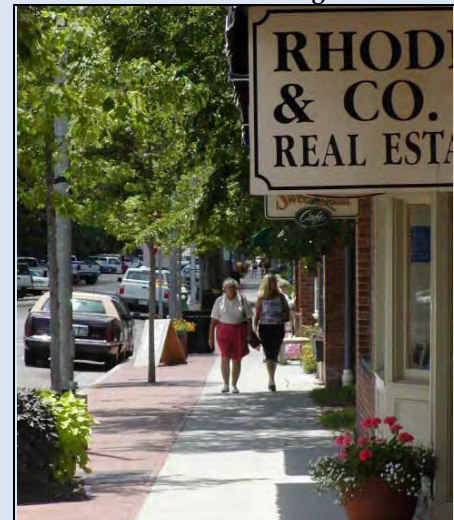
<i>Issue</i>	<i>Strongly And Somewhat Agree</i>	<i>Not Sure / Don't Know</i>	<i>Somewhat And Strongly Disagree</i>
Waterford should have a village-type "town center," with a walkable and pedestrian-friendly setting, community gathering spots, shops and housing.	64%	9%	27%

One area where this approach might work would be on Route 1 east of Avery Lane and the Civic Triangle. While topography may be a constraint to establishing a pedestrian-friendly arrangement in some areas, the confluence of roads and uses in this area make it a natural location for creation of a mixed-use town center / focal point.

Mixed Use Village



Mixed Use Village



GUIDE

Residential Development

GOAL

Encourage a variety of housing types and densities to meet the housing needs of current and future residents.

Waterford is, and will continue to be, a predominantly residential community. Since about 78 percent of Waterford is zoned in ways that allow for residential development, planning for appropriate residential development is an important element of the Plan.

Overall, the residential development program for Waterford is to continue the patterns of residential type and intensity that have served the Town well. Single-family residential development is permitted in most areas of town at densities compatible with soil type, terrain, and infrastructure constraints. Multi-family development has occurred in areas near Route 1 that are served by public water and public sewer.

Another key policy objective for the future is to provide for housing options which will continue to meet the needs of present and future residents of Waterford.

A. Protect Existing Residential Neighborhoods

Waterford's residential neighborhoods are key determinants of the overall quality of life for residents. Encouraging the preservation and enhancement of these areas is a continuing strategy for the Town.

Single Family Neighborhood



Multi-Family Neighborhood



6. Limits of clearing not shown for sidewalk installation.
7. Sidewalk detail not consistent through sheets.
8. Note common maintenance easements for attached units.
9. Show stop bar and tail with stop sign.
10. Provide deeds, performance bond, and declaration prior to filing of plans.
11. Detail of concrete pedestrian ramp shall be shown.
12. Roadway cross section shows paved width of 34' while proposed road is 24'. Correct per standards.
13. Proposed sidewalk shall be 5' wide when a grass strip separates the walk from the road and 4.5 feet when it abuts the road.
14. Typical swale channel detail shall show 4:1 bottom slopes.

VOTE: 5-0 to approve with modifications.

This property is also known as parcels #3, 4, 5 & 6 on assessor's map #24.

ITEM #4 - PUBLIC HEARING REVIEW

#88-506 Village Residential Zone Regulation Amendments
The Commission reviewed the existing regulations, originally proposed recommendations, and the final proposed recommendations. Tom Wagner explained the procedure for calculating height and the Commission agreed that the limit on the number of stories should be eliminated as the height restriction would be sufficient. Mr. Wagner explained that the new regulations would not apply to subdivisions pending before the Commission, previously approved subdivisions, previously approved variances, and building permit applications which are pending or submitted before the effective date.

MOTION made by G. Avery, seconded by L. Cole to approve #88-506, request of the Waterford Planning & Zoning Commission to amend Section 6-A (Village Residential Zone District) of the Zoning Regulations by adding Subsection 6A.2.5 to require each lot to be served by public water and sewer, and amending Section 6A.6 regarding side yard setbacks, building coverage, and maximum height for the following reasons:

1. Due to the limited sizes of lots permitted and the Town's phased sewer program to install public utilities into the village residential areas, it is necessary and feasible to require all new construction to be connected to public water and sewer. This requirement is consistent with the water and sewer use policies of the Coastal Management guidelines.
2. Increases in the side yard requirements, the decrease in permitted building coverage, and reduction in permissible building height are a necessary adjustment to the original VR bulk requirements for the following reasons:
 - A. Provide greater building separation to ensure sufficient distance between building to reduce the potential for fire spread between structures and access to structures for fire-fighting purposes.

- B. Provide sufficient side yard area to accommodate off-street parking.
 - C. Provide building heights, coverages, and setbacks consistent with the present level of development in the VR zones and the purpose of the VR regulations as stated in Section 6A.1 and 6A.2.
 - D. To ensure and provide for better visual access to coastline since the VR districts are located on or adjacent to Waterford's coastal areas.
3. These amendments are consistent with the MCP and are consistent with the intent of the Village Residential concept. The adjustments are warranted as reviewed by the Commission and constitute adjustments to the regulations based on considerations for public safety, off-street parking, and visual access to the waterfront, which were not fully considered when the original VR Regulations were adopted.

VOTE: 5-0 to approve.

Effective Date: November 28, 1988.

ITEM #5 - PLANS TO BE RECEIVED

Received the request of Valerie Britagna, applicant and owner, for a 2 lot subdivision of property located at 117 Great Neck Rd.

Received the request of Mark & Donna Kuvalanka, applicants and owners, for a 5 lot subdivision of property located at 9-15 James Avenue.

The request of Pastor Everett Hunt, applicant; Lakes Pond Baptist Church, owners, for site plan approval to construct a new church at 1144 Hartford Road was withdrawn by the agent due to plan deficiencies.

Received the request of New London Board of Realtors, applicants and owners, for site plan approval to construct an addition to the professional office building located at 711 Broad St.

Received the request of Douglas Marchese, applicant; George & Doris Mattison, owners, for a 2 lot subdivision at 198 Old Norwich Road. A public hearing will be scheduled for requested waivers.

Received the request of Philip Guiney, applicant; Rosario & Carol Ballestrini, owners, for a 2 lot resubdivision from 2 existing lots at 2 and 8 Nichols Lane. A public hearing will be scheduled.

The request of Anthony Sylvester, applicant; Norma Mayo & Mary Schiller, owners, for a Planned Group Development special permit, site plan approval, and CAM site plan approval to locate a marina at 10-12 River Road was withdrawn by the applicant due to the fact that a boundary survey was not available.

Received the request of Cummings & Lafayette, applicant; Anderson Supply, owners, for site plan approval to locate a wholesale building at 16 Industrial Drive.

Received the request of Joanne M. Morton, applicant; Michael M. & Joanne M. Morton, owners, for a home occupation permit at 8 Clifton St.