

## MINUTES

Planning & Zoning Commission  
Waterford Town Hall

February 10, 2020  
6:30 PM

Members Present: J. Bunkley, J. Bashaw, J. DiBuono, T. Bleasdale  
Members Absent: G. Massad  
Alternates Present: K. Barnett  
Staff Present: M. Wujtewicz, Planner; M. FitzGerald, Environmental Planner; D. Choisy, Recording Secretary

### 1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chairman Bunkley called the meeting to order at 6:30. K. Barnett was appointed to sit for G. Massad.

### 2. APPROVAL OF MINUTES

**MOTION:** Motion made by J. Bashaw, seconded by J. DiBuono, to approve the minutes of the January 27, 2020 meeting as written.

**VOTE:** 5-0

### 3. RECEIPT OF APPLICATIONS

M. Wujtewicz stated that the following applications were received after the agenda was posted, but within the statutory time frame for receipt by the Commission:

#PL-19-19 – Request of Memle Properties LLC, owner and applicant for site plan approval to locate a professional office building at 114 Cross Road, I-C zone, in accordance with Sections 12.1.12 and 22 of the Zoning Regulations and as shown on plans entitled "Site Plan prepared for Memle Properties, LLC," dated December 9, 2019, revised to 2/5/20.

This application is in order for receipt, and will be scheduled for the Commission's review at a future meeting.

#PL-20-5 – Request of RCP Waterford I LLC & RCP Waterford II, LLC, owners and applicants for site plan approval to locate a medical office building at 5 Dayton Road, C-G zone, in accordance with Sections 8.1.11 and 22 of the Zoning Regulations and as shown on plans entitled "Land Development Plans for Proposed Medical Office Building Issued for Site Plan Approval" dated January 21, 2020.

This application is in order for receipt and will be scheduled for the Commission's review at a future meeting.

#PL-20-3 – Request of Nicholas T. & Donna J. Muscarella, owners, Mary Stoddard, applicant for special permit and site plan approval to conduct agri-tourism activities on property located at 116 Old Colchester Road, RU-120 zone in accordance with sections 3.41, 22 and 23 of the zoning regulations and as shown on plans titled "Site Plan Property Belonging to: Nicholas T. Muscarella Jr. Trustee, et al" revised to November 11, 2019.

This application is in order for review and a public hearing will be scheduled.

### 4. APPLICATION REVIEW

#PL-19-2– Request of Alvin Steinman, applicant, Ronald Steinman, owner for Coastal Site Plan review and approval for shoreline restoration on property located at 74, 76 & 78 Niantic River

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WATERFORD, CT  
2020 FEB 11 PM 3:05  
ATTACHED TO PL-19-19



Road, VR-10 zone, and as shown on plans entitled "Coastal Site Plan, New Living Shoreline, Town of Waterford" dated December 30, 2019.

Keith Nielsen of Docko, agent for the applicant, reviewed this application with the Commission. He stated that the applicants' properties have been damaged by past storms. He reviewed the proposed activity, and stated that the purpose of this project will be to restore a natural habitat adjacent to the beach consistent with zoning regulations to preserve and conserve soil and vegetation. No activity is proposed beyond the Coastal Jurisdiction Line.

The applicant proposes to re-establish the area of eroded slope by placing approximately 75 cubic yards of blended topsoil, gravel and stone along approximately 130 feet of eroded shoreline. The top medium of the fill will be planted with salt tolerant vegetation in order to establish a vegetated root system to aid in the retention of the soil once the vegetation becomes permanently established. All work proposed occurs landward of the Coastal Jurisdiction Line (CJL).

M. Wujtewicz reviewed the Coastal Site Plan Review Written Findings & Decisions with the Commission.

CGS section 22a-92(b)(2)(F) states, in part, that one of the purposes of the Coastal Area Management Act is to "Promote nonstructural solutions to flood and erosion problems except in those instances where structural alternatives prove unavoidable and necessary to protect commercial and residential structures and substantial appurtenances that are attached or integral thereto, constructed as of January 1, 1995, infrastructural facilities or water dependent uses." The application as presented satisfies the intent of CGS Section 22a-92(b)(2)(F) by implementing a non structural method of slope stabilization of an eroding shoreline by placing a soil, gravel and stone mix medium along the eroded shoreline from the top of the existing bank to the toe of the previous slope. This method provides a non-structural alternative to the eroding shoreline. Since there are no structures in the immediate vicinity of the area of the bank that is impacted by the erosion, a structural alternative would not be permitted. The Commission finds that the non structural method of slope stabilization identified on the submitted site plan is acceptable in providing an adequate level of slope protection while maintaining the coastal escarpment.

Potential to cause erosion/sedimentation; need for adequate sedimentation and erosion control measures:

The project as presented identifies the proximity of the disturbance to the coastal resource. This disturbance is of a temporary nature during the placement of fill. The slope will be reestablished and erosion controls shall be incorporated at the top of the slope in order to mitigate any erosion that may occur from surface runoff during the soil and vegetation installation. The erosion controls shall be left in place until the site has been permanently stabilized.

Water quality and/or stormwater impact:

There is a potential for a temporary negative impact to water quality during the construction phase of the project. This potential will be mitigated through the installation and maintenance of erosion control measures as identified on the plan.

**MOTION:** Motion made by J. Bashaw, seconded by J. DiBuono to approve Application #PL-19-2 with the following conditions:

1. The applicant shall identify, prior to initiating work, the location of any stockpiled materials on the plan submitted for Zoning Compliance Permit. Appropriate erosion controls must also be indicated at the stockpile areas.

2. Provide a detail for the erosion and sediment controls on the plans. If this measure is determined to not provide adequate erosion control during construction, additional containment measures must be indicated on the plan.
3. Erosion controls shall be incorporated at the top of the slope in order to mitigate any erosion that may occur from surface runoff during the soil and vegetation installation. The erosion controls shall be left in place until the site has been permanently stabilized.

The Waterford Planning and Zoning Commission has examined the plans and all other documentation and comments offered by the applicant and reviewing agencies and finds the application consistent with Section 25 of the Waterford Zoning Regulations. The proposal, as presented and submitted with conditions, is consistent with stated Coastal Area Management policies.

**VOTE:** 5-0

## **5. CORRESPONDENCE**

Memo dated February 10, 2020 to the Planning and Zoning Commission from Abby Y. Piersall,  
Title: Continuation of December 9<sup>th</sup> Housing Discussion

Chairman Bunkley read the memo to the Commission. He noted that Glen Chalder of Planimetrics will be at the February 24<sup>th</sup> meeting to lead a discussion about possible locations where different housing options might be preferable and what kinds of buildings would best suit the community.

## **6. ADMINISTRATIVE REVIEW**

Reappointment of Robert Nye and Joy Merrill to the Design Review Board – Terms expire 5/4/2020.

**MOTION:** Motion made by J. Bashaw, seconded by T. Bleasdale, to reappoint Robert Nye and Joy Merrill to the Design Review Board. Terms to run from 5/5/20 to 5/4/23.

**VOTE:** 5-0

## **7. ADJOURNMENT**

**MOTION:** Motion made by J. Bashaw, seconded by T. Bleasdale, to adjourn the meeting at 6:50.

**VOTE:** 5-0

Respectfully Submitted,

  
Dawn Choisy  
Recording Secretary