

MINUTES
Town Hall

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Planning & Zoning Commission

July 12, 2022
TOWN CLERK 6:30 PM

Members Present: K. Barnett, T. Bleasdale, V. Ebersole and K. Petrini
Members Absent: G. Massad
Alternates Present: B. Chenard
Alternates Absent: J. DiBuono
Staff Present: A. Piersall, Planning Director, M. Wujtewicz, Planner, K. Kotfer,
Recording Secretary

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

T. Bleasdale called the meeting to order at 5:30 PM. B. Chenard was seated for G. Massad.

2. PLEDGE OF ALLEGIANCE

3. APPROVAL OF MINUTES

MOTION: Motion made by K. Barnett, seconded by V. Ebersole, to approve the June 28, 2022 meeting minutes.
VOTE: 4-0-1 (B. Chenard abstained)

4. PLAN OF PRESERVATION CONSERVATION AND DEVELOPMENT (POCD)

Ken Livingston, AICP and Rory Jacobson, AICP of FHI Studio, Inc. discussed with the Commission the potential schedule and branding for the updating the POCD. The Commission also discussed potential venues for "popup" events for FHI Studio Inc. to attend and potentially gather information.

MOTION: Motion made by K. Barnett, seconded by B. Chenard, to approve logo number three with the following modifications:
a) The text to be placed above the wave graphic
b) The blue color to be used will be "Lancer Blue"
VOTE: 5-0

5. APPLICATION RECEIPT

No applications were received by the Commission

6. APPLICATION REVIEW

#PL-22-3 – Request of William F. O'Donnell, applicant, to amend Sections 3.19 of the Waterford Zoning Regulations (Temporary Forms of Outdoor Entertainment).

ACTION REQUIRED BY: 7/28/22

A. Piersall polled the members present and asked if they had either attended the public hearings

on May 24, 2022 or had a chance to review the hearing record and audio recordings and were prepared to deliberate on the application. K. Barnett, B. Chenard, V. Ebersole and K. Petrini stated they were prepared.

The Commission discussed the hearing record and made the following findings:

1. The Waterford Planning and Zoning Commission held a public hearing and voted to adopt the current Section 3.19 of the Waterford Zoning Regulations (Temporary Forms of Outdoor Entertainment) on August 24, 2020 by a vote of 4-0. This regulation became effective on September 9, 2020. There were no appeals made relative to this amendment.
2. The Planning and Zoning Commission found Section 3.19 (Temporary Forms of Outdoor Entertainment) to be consistent with the 2012 Plan of Preservation, Conservation, and Development (POCD), as amended, when the regulation was adopted. The application PL-22-3 is not consistent with the POCD and the Commission's previously approved regulation amendment.

MOTION: Motion made by K. Barnett, seconded by V. Ebersole to deny the application to amend Sections 3.19 of the Waterford Zoning Regulations (Temporary Forms of Outdoor Entertainment).

VOTE: 4-0 (T. Bleasdale noted he has recused himself from the discussion and vote)

The Commission discussed possible alternative language that they may consider putting forward at a future date.

MOTION: Motion made by K. Barnett, seconded by K. Petrini to have staff look into specifically the amount of calendar days events are allowed and to consider that if an event is proposed as recurring that the abutters within 200 feet be noticed in some manner to be discussed at a future meeting.

VOTE: 5-0

#PL-22-5 – Request of Mark Kepple, applicant, to amend Sections 3.44 of the Waterford Zoning Regulations (Temporary Outdoor Dining).

ACTION REQUIRED BY: 7/28/22

The Commission discussed the application.

MOTION: Motion made by K. Petrini, to deny the application to amend Sections 3.44 of the Waterford Zoning Regulations (Temporary Outdoor Dining).

K. Barnett discussed aspects of the motion and prepared a counter motion.

MOTION: Motion made by K. Barnett to add the word "acoustic" back into the ordinance. There was no second to the motion.

K. Petrini discussed the following findings:

1. The Waterford Planning and Zoning Commission held a public hearing and voted to adopt the current Section 3.44 of the Waterford Zoning Regulations (Accessory Outdoor Dining) on May 10, 2022 by a vote of 4-1. This regulation became effective on May 31, 2022. There were no appeals made relative to this amendment.
2. The Planning and Zoning Commission found Section 3.44 (Accessory Outdoor Dining) to be consistent with the 2012 Plan of Preservation, Conservation, and Development (POCD), as amended, when the regulation was adopted.
3. The current Section 3.44 of the Zoning Regulations was adopted with specific provisions to require Commission review of any proposal to allow music in association with Accessory Outdoor Dining. No amendment to Section 3.44 as proposed in PL-22-5 is necessary at this time, however the Commission may, in its legislative role, consider future amendments.

V. Ebersole seconded the motion by K. Petrini.

VOTE: 2-2 (T. Bleasdale noted he has recused himself from the discussion and vote)
Motion does not pass.

The Commission discussed the application further.

MOTION: Motion made by K. Barnett, seconded B. Chenard to deny the application to amend Sections 3.44 of the Waterford Zoning Regulations (Temporary Outdoor Dining) pursuant to the following findings:

1. The Planning and Zoning Commission found Section 3.44 (Accessory Outdoor Dining) to be consistent with the 2012 Plan of Preservation, Conservation, and Development (POCD), as amended, when the regulation was adopted.
2. The current Section 3.44 of the Zoning Regulations was adopted with specific provisions to require Commission review of any proposal to allow music in association with Accessory Outdoor Dining. No amendment to Section 3.44 as proposed in PL-22-5 is necessary at this time, however the Commission may, in its legislative role, consider future amendments.
3. No additional amendment to Section 3.44 concerning music has been found to be necessary at this time the Commission has legislative authority to and may elect to revisit this issue in the future.

VOTE: 4-0 (T. Bleasdale noted he has recused himself from the discussion and vote)

K. Barnett left the meeting at 7:10 pm.

#PL-22-9 Request of Property 806, LLC, owner & applicant for a Site Plan /Special Permit approval for a Drive-thru Car Wash at 806 Hartford Turnpike, C-G zone, in accordance with Sections 8.2.17, 22 and 23 of the Zoning Regulations and as shown on plans entitled "Proposed Car Wash 806 Hartford Turnpike Waterford, Connecticut"

ACTION REQUIRED BY: 9/1/22

Staff gave a brief review of the staff report for application PL-22-9. The Commission discussed the application.

MOTION: Motion made by K. Petrini, seconded V. Ebersole to continue the deliberation of application PL-22-9 to the August 9, 2022 meeting.

VOTE: 4-0

#PL-22-13 Request of FC Real Estate, LLC, owner & River Valley Periodontics, applicant for a Site Plan approval for an addition to a Professional Building at 742 Broad Street Ext., NB zone, in accordance with Sections 7.1.3 and 22 of the Zoning Regulations and as shown on plans entitled "Modification to Site Plan, Existing Conditions Plan, Land of FC Real Estate, LLC 742-744 Broad Street Ext. Route 85, Waterford, Connecticut"

ACTION REQUIRED BY: 9/1/22

Craig Foisie, owner, Eric Peterson, PE, PLS and Samuel Sargeant, AIA were present for the application. E. Peterson described the 663 square foot addition that would consist of three new rooms. He noted that there currently is adequate parking on the property and the parking lot will be repainted to delineate the parking spaces. S. Sargeant described the architectural details of the proposal.

M. Wujtewicz reviewed with the Commission the staff report and reported that the Design Review Board had met earlier that day and gave a favorable review of the project with the added condition that "foundation plantings be installed along the east side of the addition".

The Commission made the following findings:

1. A modified Site Plan Approval is required due to the site improvements required.
2. This property was subject to a Site Plan approval #79-17 granted by the Waterford Planning and Zoning Commission on November 19, 1979.
3. The application meets the criteria for site plan approval, pursuant to Section 22 of the Waterford Zoning Regulations.
4. 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 condition:

1. Foundation plantings be installed along the east side of the addition.

MOTION: Motion made by K. Petrini, seconded V. Ebersole to approve the Modified Site Plan for an addition to the existing Professional Building application #PL-22-13 at 742 Broad Street Extension and to adopt the findings 1 thru 4 of the staff report and condition 1.

VOTE: 4-0

7. ADMINISTRATIVE REVIEW

The Commission discussed a timeline to begin discussions of proposed Cannabis Establishments regulations and modifications to Accessory Dwelling Units.

8. CORRESPONDENCE

Staff distributed email correspondence dated July 12, 2022 from Mary Childs.

9. COMMISSION BUSINESS

A. Review of past months and ongoing projects

Nothing to report.

B. Upcoming projects

Nothing to report.

10. ADJOURNMENT

MOTION: Motion made by B. Chenard, seconded by V. Ebersole, to adjourn the meeting at 8:55 PM.

VOTE: 4-0

Respectfully Submitted,



Katrina Kotfer
Recording Secretary