

MINUTES
Regular Meeting 2022 MAY 31 AM 9:35

RECEIVED FOR RECORD
WATERBURY, CT

Planning & Zoning Commission

May 24, 2022
6:30 PM

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

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chairman Massad called the meeting to order at 6:30 PM. B. Chenard was seated for T. Bleasdale.

2. APPROVAL OF MINUTES

MOTION: Motion made by K. Barnett, seconded by B. Chenard, to approve the May 10, 2022 meeting minutes with the correction that under Item 5, K. Barnett was the dissenting vote, not T. Bleasdale.

VOTE: 4-0

MOTION: Motion made by K. Barnett, seconded by K. Petrini, to approve the May 10, 2022 special meeting minutes as written.

VOTE: 4-0

3. RECEIPT OF APPLICATIONS

#PL-22-8 Request of Libby Hill, LLC, owner & applicant for a Site Plan /Special Permit approval for a Storage Facility at 934 & 940 Hartford Turnpike, I-G zone, in accordance with Section 11.1.11, 11.2.11, 22 and 23 of the Zoning Regulations and as shown on plans entitled "Libby Hill L.L.C., 934, 940 Hartford Turnpike Waterford, Connecticut"

#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"

The Commission received the applications.

4. APPLICATION REVIEW

#PL-22-7 – Request of Deborah Hadaway, owner & applicant for a modified site plan approval for Outdoor Dining & Outdoor Entertainment at 377 Mago Point, MPD zone, in accordance with Sections 14a and 22 of the Zoning Regulations and as shown on plans entitled "Modified Site Plan Outdoor Dining & Outdoor Entertainment Use Not Associated with Permanent Structures".

Attorney Bill Sweeney, and Applicant Deborah Hadaway were present for the application. Attorney Sweeney reviewed the prior approval history of the property and the site conditions. He discussed the operational changes the applicant is proposing.

Discussion ensued regarding the status of the current bond.

MOTION: Motion made by K. Petrini, seconded by B. Chenard, to find that:

1. The application is for a use permitted subject to Site Plan approval, pursuant to Section 14a.3(9) of the Waterford Zoning Regulations.
2. This site was previously granted site plan approval through application PL-17-11.
3. The application meets the criteria for a modified site plan approval, pursuant to Section 22 of the Waterford Zoning Regulations, subject to conditions 1-6.
4. The application is in conformance with Section 25.3 of the Waterford Zoning Regulations, Development in Flood Hazard Areas.
5. The proposed activity is consistent with the coastal policies in Section 22a-92 of the Connecticut General Statutes and Section 25.4 of the Waterford Zoning Regulations.
6. The proposed activity incorporates all reasonable measures which would mitigate any adverse impacts of the proposed activity on both coastal resources and future water-dependent development activities.
7. The bond issued for the public improvements as a condition of approval for the previously approved site plan PL-17-11, remains active and in effect in order to guarantee the installation of public improvements associated with the sidewalk as shown on this site plan.

And to approve application PL-22-7 Modified Site Plan at 377 Mago Point Way for Outdoor Dining and/or Outdoor Entertainment, including seasonal facilities not associated with permanent structures with the following conditions:

1. Tent roofs, wall, canopies, covers and other associated equipment, excluding the event mobile trailers shall be removed from the site and remain off site once the facility ceases operating during the "Off-Season".
2. The applicant may store and maintain the event mobile trailers on site and in place during the off season. In the event of an impending major storm and/or flood event, all mobile trailers shall be removed from the site prior to the storm event.
3. The required sidewalk shall be installed to Town standards within five years of the date of site plan approval. Occupancy of the site in conformance with the approved site plan would be allowed prior to

sidewalk installation. Failure to install the sidewalk within the five-year period would be a violation of the site plan approval.

4. The installation of a temporary concrete curb, or other suitable element as may be required to support the sidewalk as deemed acceptable by DPW, shall be installed by the developer. Installation of a granite curb within the right of way would be contemplated with potential future public improvements.
5. The posted surety bond required for the construction of the sidewalk and curb as a condition of site plan approval shall be extended or otherwise shall continue to remain in effect. An estimate for the amount of the bond shall be submitted by the applicant and a review of the estimate by the Dept. of Public Works shall be conducted. If it is determined that additional funds are required to cover the cost of the public improvements, then the bond shall be updated to reflect the increase in coverage.
6. Due to the proximity of the site to the Niantic River and that the site is located within the Niantic River Watershed which is identified as a sensitive watershed in the Town of Waterford 2012 POCD and Niantic River Watershed Management Plan, the use of pesticides and herbicides shall be prohibited.
7. A report substantiating that the trailers are in working order shall be submitted to the Planning and Development Office annually no later than November 30.

VOTE: 4-0

5. PUBLIC HEARING

#PL-22-6 – Request of Adams Builders, LLC, applicant & owner, Joe Wren, PE, agent for a Zoning Map Change and Planned Design District at 48 Great Neck Road.

G. Massad opened the public hearing at 7:20 pm.

Joe Wren, PE, Francis Adams, owner, Stanley Gniazdowski, CRE, CCIM, and Scott Hesketh, PE, were present for the application.

J. Wren explained the proposed project is for a Zone District change for 48 Great Neck Road and a regulation amendment in support of the proposed PDD-2 Zone. The Master Design Plan for the proposal identifies 40 total units with 20 units as single family style and 10 units as two family duplex style, all within a common interest community. A minimum of 4 units are proposed as affordable meeting the State criteria for affordability. This proposed housing type will provide a housing type not currently available.

Stanley Gniazdowski, CRE, CCIM provided a market analysis of the proposed project.

M. Wujtewicz read the list of exhibits, 1-10, into the record:

EXHIBIT 1 - Application

1a. Application & supporting documents (16 pages)

- 1b. 500' abutters list
- 1c. 500' radius map
- 1d. Master Design Plan Narrative (Section 19.3.2.1) (4 pages)
- 1e. Development & Architectural Standards (11 pages)
- 1f. Traffic Report (6 pages)
- 1g. Market Analysis (4 pages)
- EXHIBIT 2 - Master Plan Design Plan, Date December 22, 2021, Sheet 1 of 12 (1 page)
- EXHIBIT 3- 500' Abutters Map, Dated April 13, 2022, Sheet 1 of 1 (1 page)
- EXHIBIT 4 - Property Survey, Revised March 7, 2022 (1 page)
- EXHIBIT 5 - Compilation Survey, Dated March 7, 2021 (1 page)
- EXHIBIT 6 - Notice of Public Hearing advertised in the Day newspaper on Tuesday, May 10, 2022 and Tuesday, May 17, 2022
- EXHIBIT 7 - Certified copy of the Zoning Regulations effective through December 31, 2021
- EXHIBIT 8 - Development & Architectural Standards Revised Submitted May 4, 2022
- EXHIBIT 9 - Architectural Renderings Revised Submitted May 4, 2022
- EXHIBIT 10 - Staff Report

Robert Crouse, Village Drive spoke regarding the application.

The Commission discussed and offered suggestions to incorporate into the Site Plan when it is submitted to the Commission as a Site Plan application in the near future.

G. Massad asked three times if anyone from the audience would like to comment.

MOTION: Motion made by K. Barnett, seconded by B. Chenard, to close the public hearing.

VOTE: 4-0

APPLICATION REVIEW

Discussion of the request of Adams Builders, LLC, applicant & owner, Joe Wren, PE, agent for a Zoning Map Change and Planned Design District at 48 Great Neck Road.

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

MOTION: Motion made by K. Barnett, seconded by B. Chenard, to Application PL-22-6 to change the Zone Designation for the property located at 48 Great Neck Road from I-G (General Industrial) to PDD-2 (Planned Design District 2) and to amend the Zoning Regulations by adding Section 30.2 Planned Design District 2, Development and Architectural Standards by adopting the following findings with an effective date of June 22, 2022:

1. Application PL-22-6 meets the requirements of Section 28 of the Waterford Zoning Regulations.
2. Application PL-22-6 meets the requirements of Connecticut General Statutes Chapter 124 §8-3 governing changes of zoning regulations and districts.

3. The application of the PDD-2 District to this parcel is consistent with the stated goal of the Natural Resources Policy as stated in the 2012 Plan of Preservation, Conservation and Development as amended to June 11, 2015 ("The Plan") by preserving, enhancing and protecting natural resources in order to maintain environmental health and support the overall quality of life in Waterford. The proposed multifamily development within the PDD-2 Zone District will provide for more flexibility in design and building placement and will allow for the creation of open space thereby creating less impact on water quality through "smart growth" design when compared to General Industrial uses.
4. The proposed PDD-2 Zone District is also consistent with the Residential Development policy of The Plan in that it provides a housing option that will meet the needs of present and future residents of Waterford. The multifamily use proposed for the PDD-2 Zone District will contribute to a diverse housing portfolio for the Town of Waterford. The Plan states that 47% of residents surveyed indicated that there were too little affordable housing opportunities for first-time home buyers. In providing for a diverse housing portfolio, one of the elements contained in the proposed design standards for the PDD-2 Zone District requires that a minimum of 10% of the housing units meet current affordability guidelines and requirements.

VOTE: 3-1 (K. Petrini voting against)

PUBLIC HEARING

#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).

G. Massad opened the public hearing at 9:08 p.m.

Attorney Mark Kepple was present for the application.

M. Kepple spoke regarding the application and submitted the following exhibit:

EXHIBIT 8 Excerpt from the Town of Waterford 2012 Plan of Conservation and Development (3 pages)

M. Wujtewicz read the list of exhibits, 1-7 into the record:

EXHIBIT 1 - Application (7 pages)

1a. Cover Letter (1 page)

1b. Applicant's Exhibit A (1 page)

1c. Applicant's Exhibit B (2 pages)

1d. Applicant's Exhibit C (1 page)

1e. Applicant's Exhibit D (2 pages)

1f. Applicant's Exhibit E (2 pages)

EXHIBIT 2 - Notice of Public Hearing advertised in the Day newspaper on Tuesday, May 10, 2022 and Tuesday, May 17, 2022

EXHIBIT 3 - Certified copy of the Zoning Regulations effective through December 31,

- 2021
- EXHIBIT 4 - Current version of 3.19 Temporary Outdoor Entertainment Revised received May 6, 2022 (1 page)
- EXHIBIT 5 - Applicant's Exhibit B- Marked Up Version of Existing Regulation Revised received May 6, 2022 (2 pages)
- EXHIBIT 6 - Town Clerk Posting stamped received for record May 9, 2022 (1 page)
- EXHIBIT 7 - Staff Report

Scott Gladstone, 30 Niantic River Road, spoke regarding the application.

Debra Griffith, northern end of North Road, spoke regarding the application.

Bill O'Donnell spoke regarding the application.

Harry Colonis, 35 Paula Lane, spoke regarding the application.

Kedric Bartsch, Boston Post Road/Reynolds Lane, spoke regarding the application.

Dodie Carson, Waterford Resident, spoke regarding the application.

Cliff Oletz, end of dead end street, spoke regarding the application.

Mike Buscetto, spoke regarding the application.

Nancy Hennegan, spoke regarding the application.

G. Massad asked three times if anyone from the audience would like to speak.

MOTION: Motion made by B. Chenard, seconded by K. Petrini, to close the public hearing at 10:04 pm.

VOTE: 4-0

PUBLIC HEARING

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

G. Massad opened the public hearing at 10:05p.m.

Attorney Mark Kepple spoke regarding the application.

M. Wujtewicz read the list of exhibits, 1-10, into the record.

- EXHIBIT 1 - Application (8 pages)
1a. Cover Letter (1 page)
1b. Applicant's Exhibit A (1 page)
1c. Applicant's Exhibit B (4 pages)
1d. Applicant's Exhibit C (1 page)
- EXHIBIT 2 - Notice of Public Hearing advertised in the Day newspaper on Tuesday, May 10, 2022 and Tuesday, May 17, 2022
- EXHIBIT 3 - Certified copy of the Zoning Regulations effective through December 31, 2021
- EXHIBIT 4 - Applicant's Exhibit A- Received April 19, 2022 (2 pages)
- EXHIBIT 5 - Applicant's Exhibit B- Received April 19, 2022 (2 pages)
- EXHIBIT 6 - Applicant's Exhibit C- Received April 19, 2022 (2 pages)
- EXHIBIT 7 - Applicant's Exhibit D- Received April 19, 2022 (2 pages)
- EXHIBIT 8 - Applicant's Exhibit E- Received April 19, 2022 (2 pages)

EXHIBIT 9 - Town Clerk Posting stamped received for record May 9, 2022 (1 page)
EXHIBIT 10 - Staff Report

Mike Buscetto spoke, regarding the application.
Bill O'Donnell, Reynolds Lane, spoke regarding the application.
Harry Colonis, Paula Lane, spoke regarding the application.
Jay Wheeler, 63 Willetts Avenue, New London, spoke regarding the application.

M. Kepple concluded his presentation.

G. Massad asked if anyone from the audience would like to speak.

MOTION: Motion made by K. Barnett, seconded by B. Chenard, to close the public hearing at 10:30 pm.

VOTE: 4-0

6. CORRESPONDENCE

Correspondence dated May 16, 2022 and information package was received from Barbara and Arthur Dean to Chairman Greg Massad regarding 9 Waterview Drive.

Correspondence dated May 18, 2022 was received from Ted Olynciw, Representative RTM 2nd District to Abby Piersall, AICP regarding 9 Waterview Drive.

7. COMMISSION BUSINESS

A. Review of past months and ongoing projects

A. Piersall gave a brief update to the status of ongoing projects.

B. Upcoming projects

A. Piersall gave a brief update to the status of upcoming projects.

8. ADMINISTRATIVE REVIEW

No action taken.

9. ADJOURNMENT

MOTION: Motion made by K. Barnett, seconded by B. Chenard, to adjourn the meeting at 10:33 PM.

VOTE: 4-0

Respectfully Submitted,

for Katrina Kotfer
Katrina Kotfer
Recording Secretary