

MINUTES
Remote Access

RECEIVED FOR RECORD
WATERFORD, CT
2022 MAY -3 PM 2:35

Planning & Zoning Commission

April 26, 2022
TOWN CLERK 6:30 PM

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

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chairman Massad called the meeting to order at 6:30 PM. J. DiBuono was seated for N. Giansanti.

2. APPROVAL OF MINUTES

MOTION: Motion made by T. Bleasedale, seconded by K. Barnett, to approve the April 12, 2022 meeting minutes.

VOTE: 5-0

3. RECEIPT OF APPLICATIONS

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

PUBLIC HEARING REQUIRED BY: 6/30/22

#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.

PUBLIC HEARING REQUIRED BY: 6/30/22

The Commission received the applications.

4. PUBLIC HEARINGS

#PL-22-2 – Application of the Waterford Planning & Zoning Commission to amend Section 20.4c of the Waterford Zoning Regulations (Off Street Parking).

G. Massad opened the public hearing at 6:34 p.m. M. Wujtewicz read the list of exhibits, 1-4 into the record. A. Piersall made a presentation regarding the proposed change.

Manjola spoke in support of the regulation amendment.

G. Massad asked three times if anyone would like to speak regarding the application.

MOTION: Motion made by T. Bleasedale, seconded by K. Petrini, to close the public hearing.

VOTE: 5-0

The public hearing closed at 6:40 p.m.

#PL-22-4– Application of the Waterford Planning & Zoning Commission to amend the Waterford Zoning Regulations Sections 1(Definitions) and 3.44 (Temporary Outdoor Dining).

G. Massad opened the public hearing at 6:40 p.m. A. Piersall made a presentation. M. Wujtewicz read the list of exhibits, 1-5 into the record.

Attorney Mark Kepple spoke on behalf of a group of neighbors.

Manjola spoke regarding the application.

Adel Terzi, 134 Fog Plain Road, spoke regarding the application.

Bill O'Donnell spoke regarding the application.

Nancy Hennegan, 7 Reynolds Lane, spoke regarding the application.

Debra Griffith, North Road, spoke regarding the application.

G. Massad asked two times if any member of the public would like to speak.

Barbara Zabel and Tom Kowzer spoke regarding the application.

G. Massad asked three times if any member of the public would like to speak.

MOTION: Motion made by K. Barnett, seconded by T. Bleasedale, to close the public hearing.

K. Barnett inquired whether closing the public hearing would prevent the public from further participation on the application. A. Piersall stated that it would preclude the public from making additional comments. K. Barnett withdrew her motion.

MOTION: Motion made by T. Bleasedale, seconded by J. DiBuono, to close the public hearing noting that zoom has been an adequate forum for the past two years.

VOTE: 4-1 (K. Barnett)

The public hearing closed at 7:42 p.m.

5. APPLICATION REVIEW

#PL-22-2 – Application of the Waterford Planning & Zoning Commission to amend Section 20.4c of the Waterford Zoning Regulations (Off Street Parking).

The Commission discussed the proposed amendment and made the following findings:

1. Application PL-22-2 meets the requirements of Section 28 of the Waterford Zoning Regulations.
2. Application PL-22-2 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 goals of the Business/Economic Development Guide in that the modifications as proposed will promote business and economic development to meet local needs, maintain a favorable tax base and assist in encouraging future business activities.
4. The proposed Regulation Amendment is consistent with the 2012 Plan of Preservation Conservation and Development in Promoting Appropriate Business Development by utilizing data from the most recent edition of the ITE Parking Generation Manual.

MOTION: Motion made by T. Bleasedale, seconded by K. Petrini, to approve Application PL-22-2 to amend Zoning Regulations Section 20.4(c) and adopt the findings 1 thru 4 of the Staff Report with an effective date of May 18, 2022.

VOTE: 5-0

#PL-22-4– Application of the Waterford Planning & Zoning Commission to amend the Waterford Zoning Regulations Sections 1(Definitions) and 3.44 (Temporary Outdoor Dining).

The Commission discussed the application.

MOTION: Motion made by T. Bleasedale, seconded by K. Petrini, to table the discussion to the May 10, 2022 meeting.

VOTE: 5-0

6. REVIEW OF OPT OUT OF PA21-29

The Commission discussed the application. T. Bleasedale stated for the record that he listened to the audio and video of the Opt Out public hearing.

The Commission made the following findings:

1. Public Act 21-29 became effective Oct. 1, 2021 and included standards to allow construction of accessory apartments that supersede municipal zoning regulations governing accessory units, unless a municipality opts out of the legislation before January 1, 2023.
2. Waterford's current zoning regulations (sections 3.36 and 3.39) do not meet the standards for accessory apartments adopted in PA 21-29.
3. Waterford's Plan of Preservation, Conservation, and Development (POPCD), includes a goal to guide residential development by encouraging a variety of housing types and densities to meet the housing needs of current and future residents. This goal includes protecting existing residential neighborhoods and providing for a diverse housing portfolio in Waterford.

4. The Planning and Zoning Commission generally supports elements of PA 21-29 which endeavor to increase the diversity of housing options in Connecticut municipalities.
5. The Planning and Zoning Commission held a public hearing on January 25, 2022 to hear public comment on the potential to opt-out of accessory apartment standards enacted in PA 21-29. The date of this hearing was advertised in The Day newspaper on January 11, 2022 and January 18, 2022. Based on comment received at this hearing, the Commission continued the public hearing to the February 22, 2022 and March 8, 2022 regular Commission meetings to encourage additional public comment and engagement. Materials and testimony associated with the public hearing were posted on the Town's website throughout the hearing process.
6. Certain elements of PA 21-29 do not afford the Commission sufficient control in establishing standards for accessory apartments, including provisions for determining unit size, detached building heights, and front yard setback standards.
7. Should the Town opt out of PA 21-29, the Commission will undertake a comprehensive evaluation of existing zoning regulations and craft new regulations, subject to public input, that better address issues of form, size, and design of accessory apartments in Waterford.

MOTION: Motion made by T. Bleasedale, seconded by K. Petrini, that the Waterford Planning and Zoning Commission hereby adopts findings 1-7 listed herein, and recommends that the Waterford Representative Town Meeting vote to opt out of PA 21-29 for the following reason:

The Planning and Zoning Commission can best provide for more diverse housing opportunities and protect existing residential neighborhoods in a manner consistent with the POPCD by adopting independent standards to govern accessory apartments that do not strictly adhere to all elements of PA 21-29.

VOTE: 5-0

6. CORRESPONDENCE

No correspondence was received.

7. COMMISSION BUSINESS

A. Discussion of Public Hearing Date for Application #PL-22-3

G. Massad directed staff to schedule the public hearing for May 24, 2022.

B. Review of past months and ongoing projects

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

C. Upcoming projects

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

8. ADMINISTRATIVE REVIEW

Discussion of Potential Amendments to Accessory Dwelling Units

The Commission continued the discussion to their next meeting.

Discussion of Potential Third Party Review Standards

The Commission discussed staff's memo and continued the discussion to the next meeting.

9. ADJOURNMENT

MOTION: Motion made by K. Barnett, seconded by T. Bleasedale, to adjourn the meeting at 9:38 PM.

VOTE: 5-0

Respectfully Submitted,



Katrina Kotfer
Recording Secretary