

**PLANNING AND ZONING COMMISSION
MEETING MINUTES
REMOTE MEETING**

RECEIVED FOR RECORD
WATERFORD, CT

2023 MAY -2 P 3:00

Planning & Zoning Commission
Remote Access Only

April 25, 2023
6:30 PM
TEST: [Signature]
TOWN CLERK

Members Present: Chairman Greg Massad, Karen Barnett, Tim Bleasdale, Tim Conderino and Victor Ebersole
Alternates Present: Doris Crum
Alternates Absent: Bertrand Chenard and Joseph DiBuono
Staff Present: Jonathan Mullen, AICP, Planning Director, Mark Wujtewicz, Planner and Katrina Kotfer, Recording Secretary

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chairman Massad called the meeting to order at 6:30 PM. No alternates were seated.

2. APPROVAL OF MINUTES

MOTION: Motion made by T. Bleasdale, seconded by K. Barnett, to approve the March 28, 2023 meeting minutes.

VOTE: 5-0

3. APPLICATION RECEIPT

#PL-23-6 – Application by Melissa Occhionero Hume to amend the Waterford Zoning Regulations Sections 1 Definitions: (Home Occupations) and 3.11.11(Parking, Home Occupations).

PUBLIC HEARING REQUIRED BY: 6/29/23

The Commission received the application and scheduled the application for Public Hearing on June 13, 2023.

#PL-23-7 – Request of Kingstown Properties, LLC applicant and Mary Archambault Trustee, owner, for a Site Plan approval for a 47-unit multi-family rental community for property located at 109R & 131 Clark Lane, R-20 zone, in accordance with CGS 8-30g and as shown on plans entitled "Proposed Affordable Housing Development, 131 & 109R Clark Lane, Waterford, Connecticut".

ACTION REQUIRED BY: 6/29/23

The Commission received the application and scheduled the application for discussion on June 13, 2023.

4. PUBLIC HEARING

G. Massad modified the public hearing order and moved PL-23-5 before PL-23-4 and noted the deliberation would occur after each public hearing as appropriate.

#PL-23-5 – Request of Mago Way Realty, owner & applicant for a Site Plan/Special Permit approval for New Pickleball Court & Clubhouse at 358 & 360 Mago Point Way, MPD zone, in

accordance with Sections 14a.3(9), 14a.3(15), 22 and 23 of the Zoning Regulations and as shown on plans entitled "Site Development Plans, New Pickleball Court & Clubhouse, 358-360 Mago Point Way, Waterford, CT 06385, Prepared for Mago Way Realty LLC, Date February 6, 2023".

PUBLIC HEARING REQUIRED BY: 6/1/23

G. Massad opened the public hearing.

Attorney, William Sweeney, Barbara Daversa, Owner, Sean Rowe, designer and Seamus Moran, PE were available for the application.

M. Wujtewicz read the exhibit list into the record.

W. Sweeney reviewed with the Commission the proposed adaptive reuse of the existing automotive repair shop building into a seasonal private clubhouse with outdoor dining. He reviewed the shared parking agreements. The clubhouse and court are proposed to be open from dawn to dusk with no nighttime activities and be open seasonally from May through November. The new lighting proposed was reviewed. Repairs and upgrades to the building are being made to conform to FEMA flood requirements.

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

MOTION: Motion made by T. Conderino, seconded by V. Ebersole, to close the public hearing.

VOTE: 5-0

The Commission reviewed the application and the staff report. The Commission made the following findings:

1. The application is for uses permitted subject to Special Permit and Site Plan approval, pursuant to Sections 14a.3(15) and 14a.3(9) of the Waterford Zoning Regulations.
2. The statements of Special Permit Findings provided by the applicant in accordance with Section 23.5 identifies that the proposed use is consistent with sections 23.5.1 through 23.5.9.
3. The application meets the criteria for site plan approval, pursuant to Section 22 of the Waterford Zoning Regulations, subject to condition 3.
4. The plan as presented conforms to Section 14a.7.1(e) in that the off-site parking spaces have been identified on shared parking plans submitted into the record as Exhibit 7.
5. The application is in conformance with Section 25.3, Development in Flood Hazard Areas, of the Waterford Zoning Regulations.
6. The proposed activity is exempt from a Coastal Area Management Site Plan Review in accordance with Sections 25.4.2a.1, 25.4.2a.2 and 25.4.2a.4 of the Zoning Regulations.
7. 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.

and proposed the following conditions:

1. Easement and support documentation for the proposed sidewalk along Mago Point Way shall be submitted and reviewed by the Department of Public Works and the Town Attorney as to form prior to the issuance of a Certificate of Zoning Compliance for the building improvements.
2. A Quit Claim Deed to the Town shall be required for the area outside of the existing Town Right of Way of Mago Point Way that includes a portion of the on-street parking spaces to the curb of the proposed sidewalk. This shall be submitted and reviewed by the Department of Public Works and the Town Attorney as to form prior to the issuance of a Certificate of Zoning Compliance for the building improvements
3. The existing conditions survey must be provided prior to filing the final plans on the land records.

MOTION: Motion made by T. Conderino, seconded by V. Ebersole, to approve with conditions the site plan and special permit for New Pickleball Court and Clubhouse with Seasonal Outdoor Dining application #PL-23-5 at 358 & 360 Mago Point Way with conditions 1 thru 3 and adopt the findings 1 thru 7 of the staff report.

VOTE: 5-0

#PL-23-4 – Application of the Waterford Planning & Zoning Commission to amend the following Sections of the Waterford Zoning Regulations: Section 1 (Definitions), Sections 3.9.11, 3.9.12, 3.36 (Accessory Apartments), 3.39 (Accessory Dwelling Units), 4.1.7, 4.2.8, 5.1.7, 5.2.11, 6.1.8, 6.2.11, 6A.4.6, 7.1.9, 7A.2.7, 8.1.17, 10.2.16, 17.1.11, 17.2.3 as they relate to Accessory Dwelling Units.

G. Massad opened the public hearing.

M. Wujtewicz read the exhibit list into the record. Exhibit 7, comments from Bert Chenard was noted to be part of the record.

Ms. Thorman spoke regarding the application.

Daniel Doherty, Dimmock Road spoke regarding the application.

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

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

VOTE: 5-0

5. APPLICATION REVIEW

#PL-23-4 – Application of the Waterford Planning & Zoning Commission to amend the following Sections of the Waterford Zoning Regulations: Section 1 (Definitions), Sections 3.9.11, 3.9.12, 3.36 (Accessory Apartments), 3.39 (Accessory Dwelling Units), 4.1.7, 4.2.8, 5.1.7, 5.2.11, 6.1.8, 6.2.11, 6A.4.6, 7.1.9, 7A.2.7, 8.1.17, 10.2.16, 17.1.11, 17.2.3 as they relate to Accessory Dwelling Units.

The Commission discussed the application and made the following findings:

1. The Planning and Zoning Commission took action on April 26, 2022 to approve an 'opt-out' of the provisions of PA-21-29.
2. The RTM took action on June 6, 2022 and voted unanimously to 'opt-out' of the provisions of PA-21-29.
3. Application PL-23-4 meets the requirements of Section 28 of the Waterford Zoning Regulations.
4. Application PL-23-4 meets the requirements of Connecticut General Statutes Chapter 124 §8-3 governing changes of zoning regulations and districts.
5. The proposed Regulation Amendments are consistent with the 2012 Plan of Preservation Conservation and Development in meeting the stated goals of the Residential Development Guide by encouraging a variety of housing types and densities to meet the housing needs of current and future residents.
6. The proposed Regulation Amendments are consistent with a defined strategy in the Community Character chapter of the Plan by allowing an ADU to be located on a parcel that contains a single-family dwelling, thereby encouraging the preservation of undeveloped land.
7. The proposed Regulation Amendments are consistent with Section 4.7.3 of the Towns recently adopted Housing Plan by updating the Zoning Regulations relative to Accessory Dwelling Units.

MOTION: Motion made by T. Bleasdale, seconded by T. Conderino, to approve Application PL-23-4 to amend Zoning Regulations for Accessory Dwelling Units and to adopt the findings 1 thru 7 of the Staff Report.

VOTE: 5-0

MOTION: Motion made by T. Bleasdale, seconded by K. Barnett, to make May 24, 2023 the effective date for PL-23-4.

VOTE: 5-0

6. ADMINISTRATIVE REVIEW

No action was taken.

7. CORRESPONDENCE

The Commission noted that correspondence was received from the First Selectman's Office regarding a potential sale of the Southwest School to Project LEARN.

8. COMMISSION BUSINESS

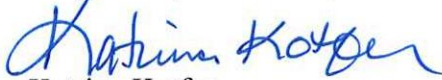
M. Wujtewicz updated the commission on existing ongoing projects and potential upcoming projects.

9. ADJOURNMENT

MOTION: Motion made by K. Barnett, seconded by T. Conderino, to adjourn the meeting at 7:33 PM.

VOTE: 5-0

Respectfully Submitted,



Katrina Kotfer
Recording Secretary