

**PLANNING AND ZONING COMMISSION
SPECIAL MEETING M I N U T E S**

RECEIVED FOR RECORD
WATERFORD, CT

Planning & Zoning Commission
Town Hall

2024 NOV 19 2024: 15
6:15 PM

Members Present: Chairman Greg Massad, Karen Barnett, and Tim Conderino
Members Absent: Tim Bleasdale and Victor Ebersole
Alternates Present: Doris Crum
Alternates Absent: Joseph DiBuono
Staff Present: Jonathan Mullen, Planning Director, Mark Wujtewicz, Planner,
Robert Avena, Esq., Town Attorney and Katrina Kotfer, Recording
Secretary

ATTEST: *[Signature]*
TOWN CLERK

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

G. Massad called the meeting to order at 6:15 PM.

2. PLEDGE OF ALLEGIANCE

3. APPLICATION REVIEW

#PL-24-14 Request of 1721, LLC applicant and owner, for a Site Plan approval for a 24-unit multi-family community for property located at 430 Mohegan Avenue Parkway and 23B Old Norwich Road, R-20 zone, in accordance with CGS 8-30g and as shown on plans entitled "Roberts Village Drive, CGS 8-30g Affordable Housing, Site Development Plans for Conservation Commission Review, Revised 8/28/2024".

ACTION REQUIRED BY:

11/14/2024

G. Massad asked Attorney Avena if the Commission could condition any approval on closing Roberts Court and have access on either Old Norwich Road or Route 32 (Mohegan Avenue Parkway). Attorney Avena noted that he has met with staff and reviewed the record and the testimony of the third party traffic consultant. He noted there are two expert opinions regarding traffic and safety that were entered into the record. One of them from the Applicant's Traffic Engineer and the other from the Third Party Traffic Consultant retained by the Commission. Attorney Avena asked that the revised staff report dated November 14, 2024 be read into the record and be added to the record as Exhibit #36. He recommended that the Commission make a motion and enter into deliberations.

G. Massad read the November 14, 2024 staff report into the record.

MOTION: Motion made by G. Massad, seconded by T. Conderino to approve with conditions and modifications, the Proposed Affordable Housing Development Site Plan Application #PL-24-14 located at 430 Mohegan Avenue Parkway and 23B Old Norwich Road with conditions and modifications 1 thru 11 and adopt the findings 1 thru 11 of the November 14, 2024 staff report.

Attorney Avena reviewed Connecticut General Statutes 8-30g Affordable Housing. He reviewed with the Commission potential scenarios if the Commission either denies the application or approves it with conditions. He noted that if the Commission denies the application based upon health and safety concerns and the applicant chooses to appeal that

decision there is a special court docket that will fast track appeals of 8-30g decisions. The Commission will have the burden of proof to justify the denial.

If the Commission identifies a health and safety issue, it can condition an approval that ameliorates the health and safety concern as stated in the motion. The Commission had reviewed the record containing the expert testimony and documented reports including those of the applicant's traffic expert and the traffic expert retained by the Commission. The Commission identified an issue of concern regarding the traffic and safety of Roberts Court and has provided the applicant a manner in which to have the project go forward. If the applicant was to modify the plan to provide alternative means of access and egress along the frontage on Mohegan Avenue Parkway and Old Norwich Road to meet the conditions of approval, the Staff would review the modifications and consult with the Commission as to whether the conditions were met. If the applicant decides to utilize Roberts Court as part of its alternate plan modification, it would need to reapply to the Commission for a modified site plan approval because that alternative would not have met the condition that access and egress to Roberts Court be eliminated.

The Commission discussed the motion and the application.

G. Massad called for a vote.

VOTE: 4-0

4. ADJOURNMENT

MOTION: Motion made by T. Conderino, seconded by K. Barnett to adjourn the meeting at 6:50 PM.

VOTE: 4-0

Respectfully Submitted,



Katrina Kotfer
Recording Secretary