

**PLANNING AND ZONING COMMISSION
MEETING MINUTES**

RECEIVED FOR RECORD
WATERFORD, CT

2024 NOV 13 2024
6:30 PM

Planning & Zoning Commission
Auditorium

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

ATTEST: *D. J. Campos*
TOWN CLERK

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

G. Massad called the meeting to order at 6:40 PM. D. Crum was seated for T. Bleasdale.

2. APPROVAL OF MINUTES

MOTION: Motion made by T. Conderino, seconded by K. Barnett, to approve the October 22, 2024 meeting minutes noting the correction on page 3, fourth sentence remove "Old Norwich Road".

VOTE: 4-0

MOTION: Motion made by D. Crum, seconded T. Conderino, to approve the October 22, 2024 special meeting minutes.

VOTE: 4-0

3. PLEDGE OF ALLEGIANCE

4. APPLICATION RECEIPT

M. Wujtewicz noted that a new application had been received for a site plan/special permit for modifications to WalMart. The application will be scheduled for a public hearing at a future meeting.

Chairman Massad modified the agenda and moved Item 6 earlier in the meeting.

6. PUBLIC HEARING

#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".

PUBLIC HEARING MUST CLOSE BY:

11/14/2024

G. Massad reopened the public hearing at 6:41pm.

M. Wujtewicz, read the exhibit list, items 18-33 into the record.

EXHIBIT 18 - Letter from Ursula Moreshead dated October 22, 2024

EXHIBIT 19 - Letter from Vivian Carr

- EXHIBIT 20 - Letter from Steve Cole
- EXHIBIT 21 - Letter from Therese Foss (2 pages)
- EXHIBIT 22 - Letter from Crystal Leahy dated October 22, 2024
- EXHIBIT 23 - Email from Amy Arnold dated October 23, 2024
- EXHIBIT 24 - Email from Attorney William R. Sweeney to Mark Wujtewicz, Jonathan Mullen and Attorney, Robert Avena dated October 24, 2024
- EXHIBIT 25 - Waterford Planning and Zoning Commission meeting minutes January 27, 2020 (3 pages)
- EXHIBIT 26 - Driveway Easement, 23 Old Norwich Road (7 pages)
- EXHIBIT 27 - Proposal for Peer-Review Traffic Engineering/Transportation Planning Services Proposed Affordable Housing Project at Robert Village Drive Waterford, Connecticut (8 pages)
- EXHIBIT 28 - Proposed Affordable Housing Project Peer Review of the Traffic Impact Report dated November 8, 2024 from SLR International Corporation (2 pages)
- EXHIBIT 29 - Email from Diana Deedy to Jonathan Mullen dated November 10, 2024
- EXHIBIT 30 - Letter from Therese Foss to Planning & Zoning Commission dated November 11, 2024 (6 pages)
- EXHIBIT 31 - Petition of Residents of Senkow Drive and Roberts Court received November 12, 2024 (2 pages)
- EXHIBIT 32 - Email from Steve Cole dated Saturday November 9, 2024 forwarded to Katrina Kotfer, Jonathan Mullen and Robert Avena (4 pages)
- EXHIBIT 33 - Email from Amy Arnold dated Tuesday, November 12, 2024 forwarded to Katrina Kotfer and Jonathan Mullen (7 pages)

Vivian Carr, 5 Roberts Court, spoke regarding construction timeline concerns.

Wayne & Amy Arnold, 23 Old Norwich Road, spoke regarding their concerns that this project will use their shared driveway.

Present for the applicant were Scott Hesketh, PE, Hesketh & Associates, and Dan Delgrosso, Principle, 1721, LLC.

S. Hesketh submitted written responses (Exhibit 34) to the Commission's concerns raised at the previous meeting and also to the Peer Review of the Traffic Impact Report by SLR International Corporation dated November 8, 2024 (Exhibit 28)

- EXHIBIT 34 - Traffic Impact Report Roberts Village Housing dated November 12, 2024 from F.A. Hesketh & Associates, Inc.

He noted that he had reviewed his notes from his work on an earlier potential project at the site for access to Old Norwich Road. He stated for the record that in his professional opinion a proposed access to Old Norwich Road is not an option. He also reviewed with the Commission the investigation he had conducted into potential access onto Mohegan Avenue Parkway. D. DelGrosso stated that he had an estimate for access to Mohegan Avenue Parkway that would be \$250,000. S. Hesketh stated his client is willing to add a stop sign and stop bar at the egress from Roberts Village Drive to Roberts Court as a condition of approval.

K. Barnett inquired as to what the speed limit is for Old Norwich Road. S. Hesketh stated that did not know.

G. Massad asked the developer if he had an estimate to submit for the record that shows the proposed \$250,000 cost to access Mohegan Avenue Parkway. D. DelGrosso did not have any documentation to add to the record.

G. Massad asked S. Hesketh how the number of 87 trips per day was determined. S. Hesketh noted he used the ITE traffic generator.

Therese Foss, 10 Senkow Drive, spoke about the traffic analysis.

Ethan Gray, 16 Senkow Drive, spoke about his concerns with safety.

Merin Moltz, 7 Roberts Court, spoke about the cul de sac and submitted a letter, exhibit 35 into the record.

Anthony Russo, SLR International Corporation, spoke from a speaker phone supporting his analysis contained in the Peer Review of the Traffic Impact Report by SLR International Corporation dated November 8, 2024 (Exhibit 28).

S. Hesketh asked the chair if he could ask A. Russo 3 rebuttal questions.

Has SLR designed a project with more than 35 units? Is it his testimony that the project is unsafe? Is he familiar with the Town of Waterford Subdivision regulations?

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

MOTION: Motion made by T. Conderino, seconded by D. Crum, to close the public hearing at 7:45 pm.

VOTE: 4-0

7. 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**

The application review was continued to the November 14, 2024 special meeting.

5. KOBYLICK BROTHERS, LLC et.al., v. TOWN OF WATERFORD PLANNING & ZONING COMMISSION; DOCKET NUMBER KNL-CV-6014470-S (RESUBDIVISION)

To consider and act upon a Proposed Settlement of the Superior Court Administrative Appeal entitled Kobyluck Brothers, LLC., et. al, v Town of Waterford Planning & Zoning Commission Docket Number KNL-CV-12-6014470-S, pursuant to new revised plans and conditions, and to instruct the Town Attorney to enter a Court Stipulated Judgment pursuant to the revised plans and conditions.

MOTION: Motion made by T. Conderino, seconded by K. Barnett, to consider and act upon a Proposed Settlement of the Superior Court Administrative Appeal entitled Kobyluck Brothers, LLC., et. al, v Town of Waterford Planning & Zoning Commission Docket Number KNL-CV-12-6014470-S, pursuant to

new revised plans and conditions, and to instruct the Town Attorney to enter a Court Stipulated Judgment pursuant to the revised plans and conditions.

VOTE: 3-0-1(D. Crum abstained)

KOBYLUCK BROTHERS, LLC et.al., v. TOWN OF WATERFORD PLANNING & ZONING COMMISSION; DOCKET NUMBER KNL-CV-6014469-S (SPECIAL PERMIT & SITE PLAN)

To consider and act upon a Proposed Settlement of the Superior Court Administrative Appeal entitled Kobyluck Brothers, LLC., et. al, v Town of Waterford Planning & Zoning Commission Docket Number KNL-CV-12-6014469-S, pursuant to new revised plans and conditions, and to instruct the Town Attorney to enter a Court Stipulated Judgment pursuant to the revised plans and conditions.

MOTION: Motion made by T. Conderino, seconded by K. Barnett, to consider and act upon a Proposed Settlement of the Superior Court Administrative Appeal entitled Kobyluck Brothers, LLC., et. al, v Town of Waterford Planning & Zoning Commission Docket Number KNL-CV-12-6014469-S, pursuant to new revised plans and conditions, and to instruct the Town Attorney to enter a Court Stipulated Judgment pursuant to the revised plans and conditions.

VOTE: 3-0-1 (D. Crum abstained)

8. ADMINISTRATIVE REVIEW

Planning and Zoning Commission 2025 Schedule of Meetings

MOTION: Motion made by K. Barnett, seconded by D. Crum to approved the proposed 2025 Planning and Zoning Commission meeting schedule with the modification that the two meetings in August will be August 5, 2025 and August 19, 2025.

VOTE: 4-0

9. CORRESPONDENCE

No correspondence was received.

10. COMMISSION BUSINESS

No discussion occurred.

11. ADJOURNMENT

MOTION: Motion made by K. Barnett, seconded by T. Conderino to adjourn at 7:55 pm.

VOTE: 4-0

Respectfully Submitted,



Katrina Kotfer
Recording Secretary