

1. Agenda & Minutes

Documents:

[JANUARY 13, 2026 PLANNING AND ZONING COMMISSION AGENDA.PDF](#)
[DECEMBER 2 2025 PLANNING AND ZONING COMMISSION MINUTES.PDF](#)

2. PL-25-20 97 Spithead Road Resubdivision

Documents:

[PL-25-20 AVAS MEADOW SUBDIVISION APPLICATION PACKAGE_.PDF](#)
[PL-25-20 AVAS MEADOW SITE PLAN 12-03-2025.PDF](#)
[PL-25-20 AVAS MEADOW SHEET 2_REV 12302025.PDF](#)
[PL-25-20 NOTICE OF CONSERVATION COMMISSION ACTION.PDF](#)
[PL-25-20 STAFF REPORT.PDF](#)

3. PL-25-21 Agri-Tourism

Documents:

[PL-25-21 PLANNING AND ZONING COMMISSION APPLICATION.PDF](#)
[PL-25-21 SECTION 1.PDF](#)
[PL-25-21 341_AGRITOURISM_REV_.PDF](#)
[PL-25-21 SECTION6_REV.PDF](#)
[PL-25-21 SECCOG REFERRAL RESPONSE - 20251211.PDF](#)
[PL-25-21 DEEP RESPONSE_01052026 PL-25-21.PDF](#)
[PL-25-21 STAFF REPORT.PDF](#)

4. Correspondence

Documents:

[SAFE FUTURES SITE PLAN APPROVAL EXTENSION REQUEST_121625.PDF](#)

FIFTEEN ROPE FERRY ROAD
WATERFORD, CT 06385-2886



PHONE: 860-442-0553

www.waterfordct.org

RECEIVED FOR RECORD
WATERFORD, CT

2026 JAN -5 P 2:33

ATTEST: *David J. Campa*
TOWN CLERK

AGENDA

Planning & Zoning Commission
Town Hall

January 13, 2026
6:30 p.m.

Meeting Documents

<https://www.waterfordct.org/AgendaCenter/Planning-Zoning-Commission-33/?# 01132026-2285>

ITEM #1 CALL TO ORDER/APPOINTMENT OF ALTERNATES

ITEM #2 APPROVAL OF THE December 2, 2025 MEETING MINUTES

ITEM #3 APPLICATION RECEIPT

#PL-25-20 Request of Glen Fergione, owner & applicant for a three lot resubdivision for property located at 97 Spithead Road, R-40 zone, as shown on plans entitled "Ava's Meadow Resubdivision, Property of Glen Fergione, 97 Spithead Road, dated October 1, 2025, last revision 12/3/2025".

PUBLIC HEARING MUST OPEN BY:

2/12/2026

APPLICATION WAS RECEIVED:

12/16/2025

#PL-25-21 – Application of the Waterford Planning & Zoning Commission to amend the Zoning Regulations: Section 1 Definitions by adding "Farm Promotional Events" and "Farm Catering Events", Sections 3.41, 3.41.1, 3.41.2(b), 3.41.2(c), 3.41.2(f), 3.41.2(n), 3.41.3 and 6.1.2 as they pertain to the Purpose, General Provisions and Submission Requirements applicable to Agri-Tourism.

APPLICATION WAS RECEIVED:

12/16/2025

#PL-25-22 Request of Paul Daversa, owner & applicant for site plan approval for a Pickle Ball Court & Clubhouse with Banquet Hall use for property located at 358-360 Mago Point Way, MPD zone, in accordance with sections 14a.3(7) and 22 of the Zoning Regulations and as shown on plans entitled "Site Development Plans, New Pickle Ball Court & Clubhouse with Banquet Hall Use, 358-360 Mago Point Way, Waterford, CT 06385. Prepared for Mago Way Realty, LLC. dated February 6, 2023. Last revised December 2, 2025".

ACTION REQUIRED BY:

3/19/2026

#PL-26-1 Request of C and R Investments Inc., owner and applicant, for a modified site plan review and approval for a Business office with a One family dwelling on property located at 376 Boston Post Road, C-G Zone in accordance with Sections 8.1.1, 8.1.3 and 22 of the Zoning Regulations and as shown on plans entitled "Improvement Location Survey, Property of C and R Investments, INC., For property located at 376 Boston Post Road (US Route 1)"

ACTION REQUIRED BY:

3/19/2026

ITEM #4 PUBLIC HEARING

PL-25-20 Request of Glen Fergione, owner & applicant for a three lot resubdivision for property located at 97 Spithead Road, R-40 zone, as shown on plans entitled "Ava's Meadow Resubdivision , Property of Glen Fergione, 97 Spithead Road, dated October 1, 2025, last revision 12/3/2025".

PUBLIC HEARING MUST OPEN BY:

2/12/2026

APPLICATION WAS RECEIVED:

12/16/2025

#PL-25-21 – Application of the Waterford Planning & Zoning Commission to amend the Zoning Regulations: Section 1 Definitions by adding “Farm Promotional Events” and “Farm Catering Events”, Sections 3.41, 3.41.1, 3.41.2(b), 3.41.2(c), 3.41.2(f), 3.41.2(n), 3.41.3 and 6.1.2 as they pertain to the Purpose, General Provisions and Submission Requirements applicable to Agri-Tourism.

APPLICATION WAS RECEIVED:

12/16/2025

ITEM #5 APPLICATION REVIEW

#PL-25-19 Request of Mikhail Yevsyuk, Applicant and Esther Poe, Owner for a Coastal Site Plan review and approval for a new single family home on property located at 2 Forest Street VR-7.5 Zone in accordance with Sections 6A.4.1 and 25.4 of the Zoning Regulations and as shown on plans entitled “Site Plan of 2 Forest Street, Waterford, Connecticut, Prepared for Mikhail Yevsyuk, October 9, 2025”

ACTION REQUIRED BY:

1/22/2026

PL-25-20 Request of Glen Fergione, owner & applicant for a three lot resubdivision for property located at 97 Spithead Road, R-40 zone, as shown on plans entitled "Ava's Meadow Resubdivision , Property of Glen Fergione, 97 Spithead Road, dated October 1, 2025, last revision 12/3/2025".

PUBLIC HEARING MUST OPEN BY:

2/12/2026

APPLICATION WAS RECEIVED:

12/16/2025

#PL-25-21 – Application of the Waterford Planning & Zoning Commission to amend the Zoning Regulations: Section 1 Definitions by adding “Farm Promotional Events” and “Farm Catering Events”, Sections 3.41, 3.41.1, 3.41.2(b), 3.41.2(c), 3.41.2(f), 3.41.2(n), 3.41.3 and 6.1.2 as they pertain to the Purpose, General Provisions and Submission Requirements applicable to Agri-Tourism.

APPLICATION WAS RECEIVED:

12/16/2025

ITEM #6 ADMINISTRATIVE REVIEW

Letter dated December 15, 2025 from Ellen M. Bartlett, PE, CPSWQ, to Town of Waterford Planning & Zoning Commission, re: Request for Extension of Site Plan Approval, PL-21-6, 994 Hartford Turnpike

ITEM #7 CORRESPONDENCE

ITEM #8 COMMISSION BUSINESS

A. Review of past months' and ongoing projects

B. Upcoming projects

ITEM #9 ADJOURNMENT

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

Town Hall

December 2, 2025
5:30 PM

Members Present: Chairman Greg Massad, Karen Barnett, and Tim Conderino
Members Absent: Tim Bleasdale and Victor Ebersole
Alternates Present: Doris Crum and Michael Elbaum
Alternates Absent: Joseph DiBuono
Staff Present: Mark Wujtewicz, Planner, Lisa Stearns, Recording Secretary and Katrina Kotfer

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chairman Massad called the meeting to order at 5:30 PM. M. Elbaum was seated for T. Bleasdale and D. Crum was seated for V. Ebersole.

2. APPROVAL OF MINUTES

MOTION: Motion made by D. Crum, seconded by M. Elbaum, to approve the November 18, 2025 meeting minutes.

VOTE: 4-0

3. APPLICATION RECEIPT

No new applications were received.

K. Barnett joined the meeting at 5:40 pm.

4. PRE-APPLICATION REVIEW

Pre-application review pursuant to CGS Section 7-159b and Section 22a.5 of the Waterford Zoning Regulations of a potential application for Electric Boat Division of General Dynamics at 850 Hartford Turnpike.

Atty John Casey, Robinson & Cole, introduced the project to the Commission and noted the following people were part of the design team. Devin Xenelis, Electric Boat, Jim Waldron, Electric Boat, Arty Brogno, Electric Boat, Ross Gionfriddo, Electric Boat, Amanda Magee, Electric Boat's Owner's Representative, Bryan Donovan, DME Engineers, Jason Brown, DME Engineers, Kyle Haubert, CLA Engineers, and Chris Bockstael, FCA Architects were present. He stated that the formal application submitted will be for a modified Special Permit and Site Plan.

K. Haubert reviewed the existing conditions of the site, noting it is 6 parcels that total 83 acres. There are currently approximately 3,900 parking spaces. This will be a reuse of the existing buildings, limited site work is to be proposed. They are proposing to remove the existing cart return areas and convert those areas to additional parking spaces. The existing landscaping and landscaping islands are to be revitalized with additional plantings and landscaping to be added. They propose to have a unified campus appearance. Parking lot repairs will be made with resurfacing done last. The entrances will remain unchanged.

RECEIVED FOR RECORD
WATERFORD CT
2025 DEC -9 PM 2:45
Gregory L. Conderino
TOWN CLERK

C. Blockstael noted that the building will be secured with entry only accessible by employee's badge. There will be no locked gates or perimeter fencing proposed around the campus. Overall the exterior of the building will remain unchanged except for minor cleaning and repointing. The receiving and loading docks may be modified slightly to meet the needs of Electric Boat.

A traffic engineering firm will be performing a traffic impact study. The project team for Electric Boat will provide more detailed plans and reports in support of the formal submission of a modified Special Permit and Site Plan application.

5. APPLICATION REVIEW

#PL-25-12 – Application of the Waterford Planning & Zoning Commission to amend the Zoning Regulations Sections 1 Definitions, 3.41, 3.41.1, 3.41.2, 3.41.3 and 6.1.2 as they pertain to Agri-Tourism.

The application is being withdrawn at this time. A new application will be subject to an upcoming public hearing concerning any new changes requested.

MOTION: Motion made by G. Massad, seconded by D.Crum to withdraw application PL-25-12.

VOTE: 5-0

MOTION: Motion made by G. Massad, seconded by D.Crum to submit a new revised application to amend the Zoning Regulations Sections 1 Definitions, 3.41, 3.41.1, 3.41.2, 3.41.3 and 6.1.2 as they pertain to Agri-Tourism.

VOTE: 5-0

6. ADMINISTRATIVE REVIEW

No discussion occurred.

7. CORRESPONDENCE

No correspondence was received or discussed.

8. COMMISSION BUSINESS

M. Wujtewicz reviewed the status of current and upcoming projects throughout Town with the Commission.

9. ADJOURNMENT

MOTION: Motion made by D. Crum, seconded by M. Elbaum to adjourn at 6:45 pm.

VOTE: 5-0

Respectfully Submitted,



Lisa Stearns

Recording Secretary



Town of Waterford

Department of Planning and Development

www.waterfordct.org

Office Use Only

Date Submitted: _____

Processed By: _____

App. No.: _____

Total Fee: \$ _____

Electronic Submission

Waived: _____ Yes _____ No

PZC Form 1

Planning and Zoning Application

1. Type of Application(s), Use and Property Information (check all that apply)

- | | | |
|--|--|---|
| ☐ Informal Staff Review | ☐ Site Plan/Design Review | ☐ Municipal Project (CGS§8-24) |
| ☐ Special Permit/Design Review ¹ | ☒ Subdivision /Resubdivision | ☐ Lot line Adjustment |
| ☐ Zoning Map Change | ☐ Regulation Amendment(s) | ☐ New District |
| ☐ Multifamily Development | ☐ Coastal Area Management ² | ☐ Earth Excavation |
| ☐ Flood Hazard Area | ☐ Other: _____ | ☐ Other: _____ |

Specify all uses and corresponding section for which this application applies³:

Use: **5.1.1 One Family Dwellings** Section: _____

Use: _____ Section: _____

Use: _____ Section: _____

Name of proposed development/subdivision: **Ava's Meadow Resubdivision** If subdivision how many lots?: **3**

If applicable, are roadways proposed to be private, public or both:

- ☐ Private ☐ Public ☐ Both⁴

Parcel 1

Map/Block/Lot: **130** / _____ / **7829**

Street No. & Name: **97 Spithead Rd**

Size SF/AC: **1,222,482 SF / 28.06 ASres**

Zoning District(s): **R-40**

Parcel 2

Map/Block/Lot: _____ / _____ / _____

Street No. & Name: _____

Size SF/AC: _____ / _____

Zoning District(s): _____

¹ Include a completed list of property owners with Parcel ID, name, address and mailing address. It is the applicant's responsibility to distribute all notices certified return receipt. Evidence of mailing shall be submitted prior to the start of the hearing. Failure to do so will delay the opening of the hearing.

² Coastal Site Plan reviews under Coastal Area Management §25.4 must submit a completed PZC Form 2 in addition to this PZC Form 1.

³ The use listed must correspond to the exact use term noted within the zoning district as a permitted use allowed through site plan or special permit.

⁴ A plan must accompany the application clearly delineating the limits of public and private roads.

2. Applicant Information

Name: Glenn E. Fergione
Title: Owner
Company: _____
Address: _____
City/State: _____
Zip Code: _____
Telephone: _____ Fax: _____

Applicant's Authority to File Application⁵

☒

Legal Owner of Record

☐

Power of Attorney

☐

Contract to Purchase

☐

Other _____

Email: _____

3. Agent Information; if applicable

Name: James Bernardo,LS
Title: Managing Member
Company: James Bernardo Land Surveying, LLC
Address: 102A Spithead Rd
City/State: Waterford CT
Zip Code: 06385
Telephone: 860-447-0236 Fax: _____

Specify Nature of Agent

☐

Attorney

☐

Civil Engineer

☒

Land Surveyor

☐

Design Professional; _____

☐

Other: _____

Bar/License/Reg. No.: CTLS 70121

Email: jim@jbsurvey.com

4. Property Owner(s) and Parcel(s) Information

Is owner co-applicant? ☐ Yes ☐ No

Note: If landowner is an LLC, Corporation, Trust or other legal entity, attach the names, addresses and title of each member or officer, including agent(s). If same as applicant list 'Same'.

Name: Glenn E. Fergione
Title: Owner
Company: _____
Address: _____
City/State: _____
Zip Code: _____
Telephone: _____
Fax: _____
Email: gefergione@sbcglobal.net

Name: _____
Title: _____
Company: _____
Address: _____
City/State: _____
Zip Code: _____
Telephone: _____
Fax: _____
Email: _____

⁵ Applicant must submit evidence attesting to the authority to file application (i.e. deed, option for purchase, etc.)

5. Statement of Use

Attached a typed statement of use in conformance with the Zoning Regulations as described in Section 22.4.2. In addition include all hours and days of operation, size of buildings and number of stories, utilities servicing the parcel, variances received, number of employee and structures to be demolished.

6. Statement of Design Compatibility (Site Plans and Special Permits only)

Attach a statement describing how the building and site design is compatible with the neighborhood, character of Waterford and Zoning Regulations.

7. Consistency with Adopted Plan of Preservation, Conservation and Development (all applications)

Attach a statement attesting to how the proposed use, zone change, amendment or design is consistent with the most recent adopted Plan of Preservation, Conservation and Development (the Plan). Note relevant Plan section numbers and pages.

8. Natural and Cultural Resources

Yes	No		% of Property
☒	☐	a. Are inland wetlands present on site? Total SF/AC _____ / <u>10 acres</u>	<u>35</u>
☐	☒	b. Are tidal wetlands present on site? Total SF/AC _____ / _____	_____
☐	☒	c. Are their known or suspected vernal pools on the property?	
☐	☒	d. CT DEEP NDDDB: Are endangered, threatened or species of special concern suspected to be located on the property? <i>Applicant must attach an 8 1/2 x 11 map of the most current CT DEEP Natural Diversity Database with site clearly identified regardless of response provided. If you answered yes to item d., attach a letter from CT DEEP stating the name of the specie(s) that are suspected to be on the property. See Section 22 of the Zoning Regulations for additional information.</i>	
☐	☒	e. Are floodplains or flood hazard areas on the property?	
		Identify: _____	
☐	☒	f. Is the property located within a local, state or national historic district?	
		If yes identify district name: _____	
☐	☒	g. Does the site possess any structures or sites listed on the local, state or national register of historic landmarks?	
		If yes, identify: _____	

9. Additional Information

Yes No

- ☐ ☒ a. Is any part of the site within 500' of the Town line? Which town: _____
- ☐ ☒ b. Will any egress or ingress for the property use streets within an adjoining municipality?
- ☐ ☒ c. Is any work proposed in wetlands or watercourses? Explain in Statement of Use
- ☐ ☒ d. Is any work proposed within 100 feet of a wetlands or watercourse? Explain in Statement of Use
- ☐ ☒ e. Is any work proposed within a floodplain or flood hazard area? Explain in Statement of Use
- ☒ ☐ f. Is public water available or proposed to the site? Identify: _____
- ☐ ☒ g. Are public sanitary sewers available or proposed to the site? Identify: _____
- ☐ ☒ h. Is there a utility, drainage or other easement(s) on the site? Specify: _____
- ☐ ☒ i. Is open space proposed on the property?

How much open space is proposed (SF/AC)? _____ / _____ Percent of property(s) _____

Use and purpose of open space: _____

10. Previous Land Use Permits Associated with the Property(s)

Have previous permits been issued for the Property: ☒ Yes ☐ No (List singularly; attached additional pages if necessary)

Date Issued

Issuing Agency

Approved Use/Activity

1/29/90

P&Z

Subdivision Approval

10/23/2025

Conservation Commission

Wetlands permit C-25-13

11. Change of Zone, Regulation Amendment or New Zoning District, if applicable

Yes No

- ☐ ☐ a. Is this application for a new zoning district and/or regulation not presently established within the Zoning Regulations? If a new zoning district, distinguish type of zone proposed:

☐ Fixed Zone

☐ Floating Zone

☐ Overlay Zone

Identify proposed zone name: _____

For new regulations, list proposed section number(s) and titles(s):

i. _____

ii. _____

iii. _____

- ☐ ☐ b. Is this application an amendment to an existing regulation? Attach proposed amendments, clearly noting any deletions, modifications or additions. List sections proposed to be modified:

i. _____

ii. _____

iii. _____

- ☐ ☐ c. Is this application for a change to a district already established within the regulations? Identify:

Supporting materials:

For new zoning districts or a change in zone provide a legal description of the land involved in the zone district change including the following:

- Location map at 1"=1000'
- Accurate description and acreage of tract(s) to be changed with existing buildings and uses
- Show existing features including but not limited to contours at two-foot intervals, wetlands and watercourses, flood plains, all improvements and structures,
- All lots or parts of lots contained in an area within 500 feet in all directions of the zone change tract
- All lots shown in this area and within the zone change tract shall contain the name and address of owners as recorded in the Assessor's records and shall show the nature of use
- North point, and distance along road from nearest road intersection.
- Scale of map(s)

ZONING DATA

Date Updated: 12/03/25

Based on: Town of Waterford Zoning Regs Revised Thru 8-15-2025

Property Address: 97 Spithead Road Waterford, CT 06385

Zoning Section	Description	Required	Provided - Lot #1	Provided - Lot #2	Provided - Lot #3	Remarks
ZONING DISTRICT: R-40						
ZR 5.1.1	Land Use:	1-Fam Residential	1-Fam Residential	1-Fam Residential	1-Fam Residential	Permitted Use
ZR 5.1.1	Min. Lot Size (SF):	40,000	116,109.77 SF	116,109.77 SF	784,127.42 SF	
ZR 5.3	Min. Lot Frontage:	100 FT	222.69 FT	210.71 FT	248.60 FT	
ZR 5.3	Min Lot Width:	125 FT	214.4 FT	217.3 FT	240.5 FT	
ZR 5.4	Min Front Yard Setback:	50 FT	50 FT	50 FT	23 FT	Pre-existing non-conforming - Lot #3
	Min Rear Yard Setback:	50 FT	50 FT	50 FT	APPROX 1,100 FT	
	Min Side Yard Setback:	25 FT	25 FT	25 FT	41 FT	
ZR 5.3.4	Max Building Coverage (%) :	20%	20% Max.	20% Max.	0.3%	
ZR 9.3.5	Max Building Height by Zone:	35 FT	Not to exceed 35 FT	Not to exceed 35 FT	U/K	Not determined - Lot #3

13. Planning, Design and Engineering Team

Provide a list of all professionals responsible for the project. Additional pages attached, if necessary: ☐ Yes ☐ No

Discipline:	Land Surveyor	Telephone:	860-447-0236
Name:	James Bernardo, LS	Fax:	
Company:	James Bernardo Land Surveying, LLC	Email:	jim@jbsurvey.com
License(s)/ Accreditations:	CTLS 70121	License(s)/ Accreditation No(s):	

Discipline:		Telephone:	
Name:		Fax:	
Company:		Email:	
Licenses and/or Accreditations:		License/ Accreditation No(s):	

Discipline:		Telephone:	
Name:		Fax:	
Company:		Email:	
Licenses and/or Accreditations:		License/ Accreditation No(s):	

Discipline:		Telephone:	
Name:		Fax:	
Company:		Email:	
Licenses and/or Accreditations:		License/ Accreditation No(s):	

Discipline:		Telephone:	
Name:		Fax:	
Company:		Email:	
Licenses and/or Accreditations:		License/ Accreditation No(s):	

14. Supporting Documentation

Itemize, including additional attachments, all information provided in support of the application. Titles, dates and sheet/map numbers shall correspond exactly with the corresponding information provided.

Additional pages attached, if necessary: ☐ Yes ☐ No

Ava's Meadow Resubdivision (3 Sheets)

LLHD Approval Letter dated 10-15-2025

15. For Informal Staff Review Use Only

Sec. 7-159b – Pre-application review of use of property. Notwithstanding any other provision of the general statutes, prior to the submission of an application for use of property under chapters 124, 126, 440 and 541 or any other provision of the general statutes authorizing an authority, commission, department or agency of a municipality to issue a permit or approval for use of such property, such authority, commission, department or agency or authorized agent thereof may separately, jointly, or in any combination, conduct a pre-application review of a proposed project with the applicant at the applicant's request. Such pre-application review and any results or information obtained from it may not be appealed under any provision of the general statutes, and shall not be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project.

I have read and understand the above provision of the Connecticut General Statutes and understand and agree that whatever discussion, comments and/or recommendations are made through this review are non-binding upon the parties.

Further, I acknowledge and agree that this pre-application review meeting is being conducted prior to and in anticipation of a formal application to the Waterford Planning and Zoning Commission or Conservation Commission to obtain feedback and response to the proposal or design, as it exists on this date, in the interest of preparing an application consistent with the Subdivision, Zoning or Wetlands regulations of the Town of Waterford as the case may be.

Signature

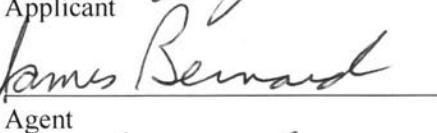
Printed Name

Date


Applicant

Glenn E. Fergione

12-5-2025


Agent

James Bernardo, LS

12-5-2025


Land Owner

Glenn E. Fergione

12-5-2025

Land Owner

16. Technical Assistance Review Fee

In accordance with the Waterford Code of Ordinance Chapter 16.08, the Commission may require third party technical assistance review for the evaluation of applications associated with but not limited to site plans, special permits, zone change and regulation amendments and may collect payment for costs associated with the review. This includes but is not limited to civil engineering, architecture, legal assistance, traffic engineering and environmental protection.

17. Acknowledgements; All applications

Application Content

The undersigned hereby acknowledges that this application and statements submitted herewith are true to the best of my knowledge and approval of the application is contingent upon compliance with all requirements of said regulations.

Right of Entry and Inspection

The undersigned hereby authorizes the Waterford Planning and Zoning Commission or its agents, to enter the subject property for the purposes of inspection and enforcement for the said Zoning Regulations until receipt of final Certificate of Occupancy and Certificate of Zoning Compliance.

Electronic Data Accuracy and Transmission

If applicable, the undersigned hereby acknowledges that all electronic data submitted as part of this application is an accurate and true representation of all paper transmissions provided as part of this application and may be transmitted publically when requested and all applicable fees are paid in full by the requesting party.

Signature

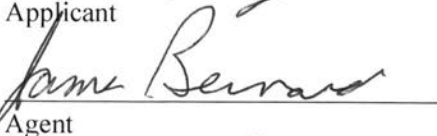
Printed Name

Date


Applicant

Glenn E. Fergione

12-5-2025


Agent

James Bernardo, LS

12-5-2025


Land Owner

Glenn E. Fergione

12-5-2025

Land Owner

Natural Diversity Data Base

Areas

WATERFORD, CT

June 2025

-  State and Federal Listed Species
-  Critical Habitat
-  Town Boundary

NOTE: This map shows known locations of State and Federal Listed Species and Critical Habitats. Information on listed species is collected and compiled by the Natural Diversity Data Base (NDDDB) from a variety of data sources. Exact locations of species have been buffered to produce the generalized locations.

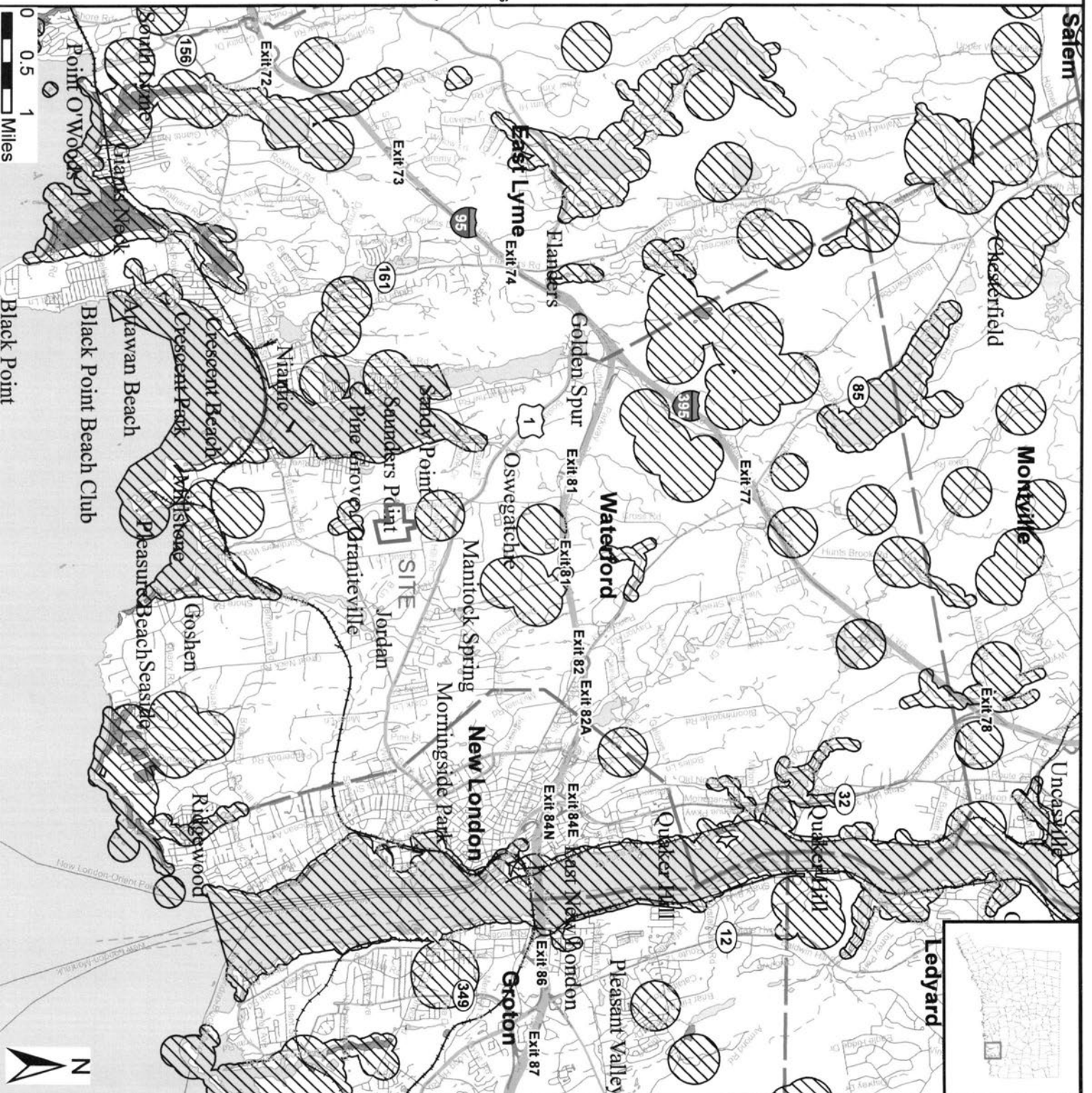
This map is intended for use as a preliminary screening tool for conducting a Natural Diversity Data Base Review Request. To use the map, locate the project boundaries and any additional affected areas if the project is within a hatched area there may be a potential conflict with a listed species. For more information, use DEEP ezfile <https://filings.deep.ct.gov/DEEPportal/> to submit a Request for Natural Diversity Data Base State Listed Species Review or Site Assessment. More detailed instructions are provided along with the request form on our website.
<https://portal.ct.gov/deep-nddbrequest>

Use the CTECO Interactive Map Viewers at <http://cteco.uconn.edu> to more precisely search for and locate a site and to view aerial imagery with NDDDB Areas.

QUESTIONS: Department of Energy and Environmental Protection (DEEP)
79 Elm St, Hartford, CT 06106
email: deep.nddbrequest@ct.gov
Phone: (860) 424-3011



Connecticut
Department of Energy &
Environmental Protection



Statement of Use

This application is for the resubdivision of the 28.06 acre property located at 97 Spithead Road in Waterford, Connecticut. This is a resubdivision of Lot #5 of the Nutmeg Estates Subdivision prepared for Peter Lampasona and approved by the Waterford Planning and Zoning Commission on 1/29/1990.

The property owner, Glenn Fergione, wishes to subdivide the property into 2 additional building lots. It is his intent to gift each one of the lots to 2 of his dear friends. The 2 new lots will be 2.67 acres each.

Mr. Fergione will maintain ownership of the remaining 18.0 acre property which contains his primary residence, barn and farm. The remaining 18-acres is encumbered by a 415' wide Eversource transmission easement and is predominantly inland wetlands.

There is also a disputed southerly boundary with land of Marjorie L. Daly of 81 Spithead Road. Mr. Fergione intends to quit-claim this 4.73-acre portion of the property to Ms. Daly to resolve any title ambiguities.

No open space is proposed.

Date: **10-15-2025**

To: **James Barnardo Land Surveying, LLC**

102A Spithead Rd., Waterford, CT 06385

Subject Property: **97 Spithead Rd., Waterford 06385 (Lot #3), proposed two lot subdivision (Lot #1 and Lot #2)**

Plan Designed by: **James Barnardo L.S. #70121** Plan Date: **10/1/2025** Last Revision Date: **N/A** Date Paid: **10/1/2025**

The plan and associated information submitted to our office on **10/1/2025** for a proposed **two lot subdivision** with one proposed **three bedroom residential building with public water and private septic (Lot #2)**, and one proposed **four bedroom residential building with public water and private septic (Lot #3)** at the above stated property, in the Town of **Waterford**, is:

- ☐ **Approved: Complies with the requirements of Section 19-13-B103 of the Connecticut Public Health Code.**
- ☒ **Approved w/conditions: Complies with the requirements of Section 19-13-B103 of the Connecticut Public Health Code; See conditions below.**
- ☐ **Requires Further Revisions: Modifications are needed to meet the requirements of Section 19-13-B103 of the Connecticut Public Health Code. Items requiring revision are listed below.**

Conditions / NOTES:

1. **One additional test hole is required prior to any septic system installation on Lot #2 in the primary leaching field area.**
2. **If there are any wells on Lot 1, 2 or 3, locate on plan.**
3. **If there are any wells on #91 and #99 Spithead, locate on plan.**
4. **Note: 97 Spithead Rd., Waterford B100a is approved, and the lot is suitable to subdivide into two additional lots. This plan review is for site suitability only, and not intended as an approved septic plan.**
5. **NOTE: All tanks requiring risers shall maintain the original covers on the tanks, have riser covers that weight at least 59 lbs. and/or install a safety device below the riser to prevent individuals from falling into a tank. All below grade tank or riser cover handles shall contain or be fitted with a material that can be located with a metal detector. Please be aware of the new "kid catcher" septic tank requirements.**

The following are not currently required by CT Public Health Code and/or LLHD Plan Review Policies but are encouraged/recommended to protect the proposed structures, onsite septic system, water treatment discharge system and/or water supply/groundwater.

1. **All proposed well arcs should be kept on the property they serve (to allow neighbors full use of their properties) and all well casings should be located at least 10' from driving surfaces and/or structures to prevent future damage and allow for future maintenance of the wells.**
2. **It is strongly encouraged to keep the original tank covers on all tanks requiring risers to prevent the escape of sewer gases and prevent individuals from falling into tanks.**
3. **The designer should take into consideration the location of potential future water treatment discharge systems, rain gardens and footing/gutter drain discharge locations.**

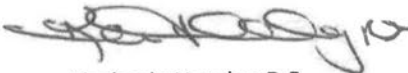
Additional Requirements and Recommendations:

1. Installer to submit scaled and/or tied as-built to LLHD upon 30 days of completion with distances to flow line at house, inlet and outlet cover of tank, d-boxes, cleanouts and ends of leaching rows, well, footing/curtain drains and between tie points. In addition, provide the name of installer, date, house location and street/directional arrow.

***Please note that soils testing indicated on this plan are representative of actual soils conditions and additional deep test pits and percolation tests may be required by the Ledge Light Health District if the building or system location is altered and/or the suitable septic area is limited. Applicant should be aware that subdivision approval IS NOT sufficient for individual lot approval. Each lot must be reviewed by the Ledge Light Health District at the time of building permit application in order to obtain lot approval and issue a septic/well permit.**

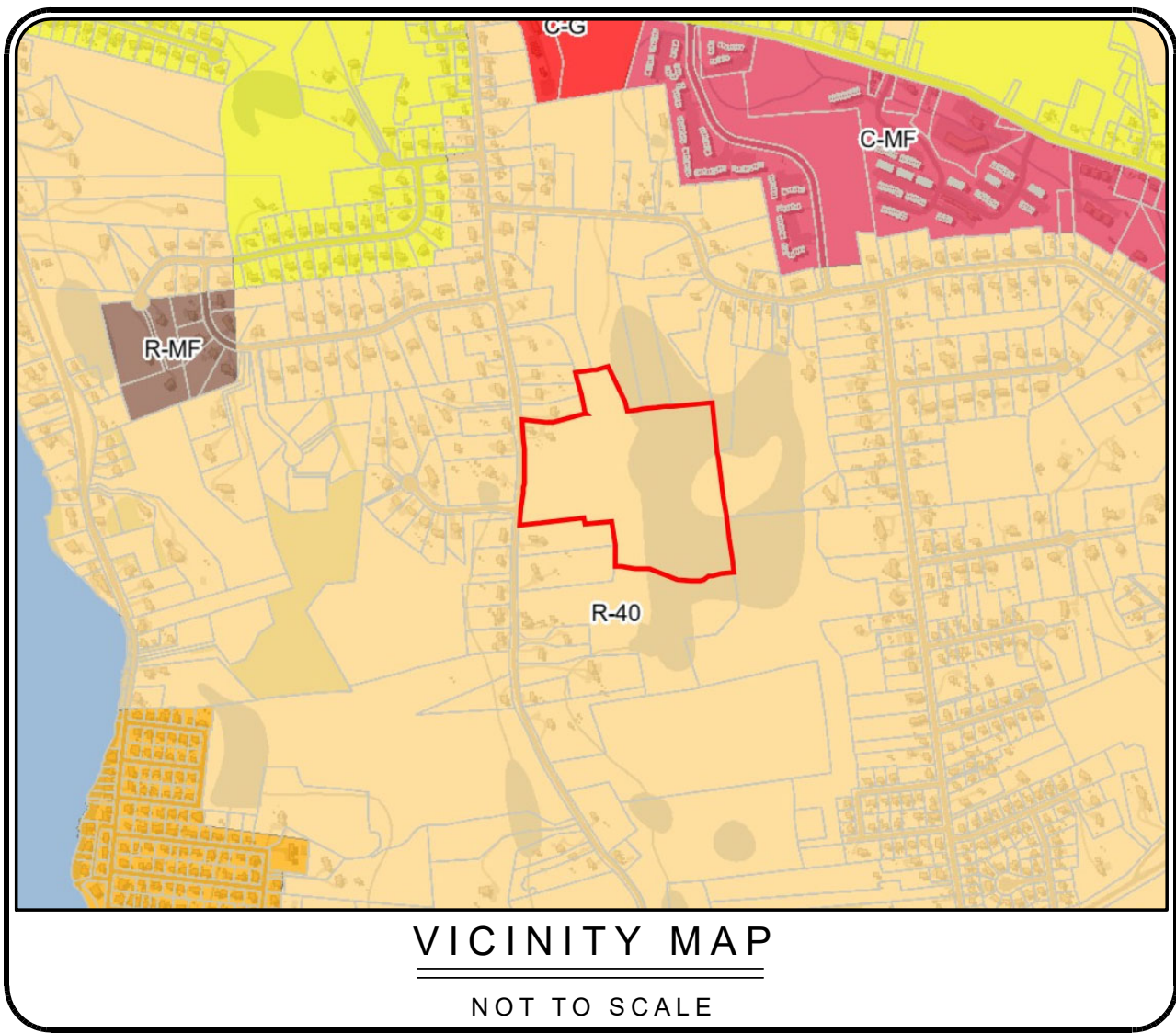
Please call me at 860-448-4882 ext. 1301 with any questions regarding this matter.

Sincerely,



Kimberly Hamley R.S.
Senior Environmental Health Specialist

Cc: Katie Baldwin REHS MPH

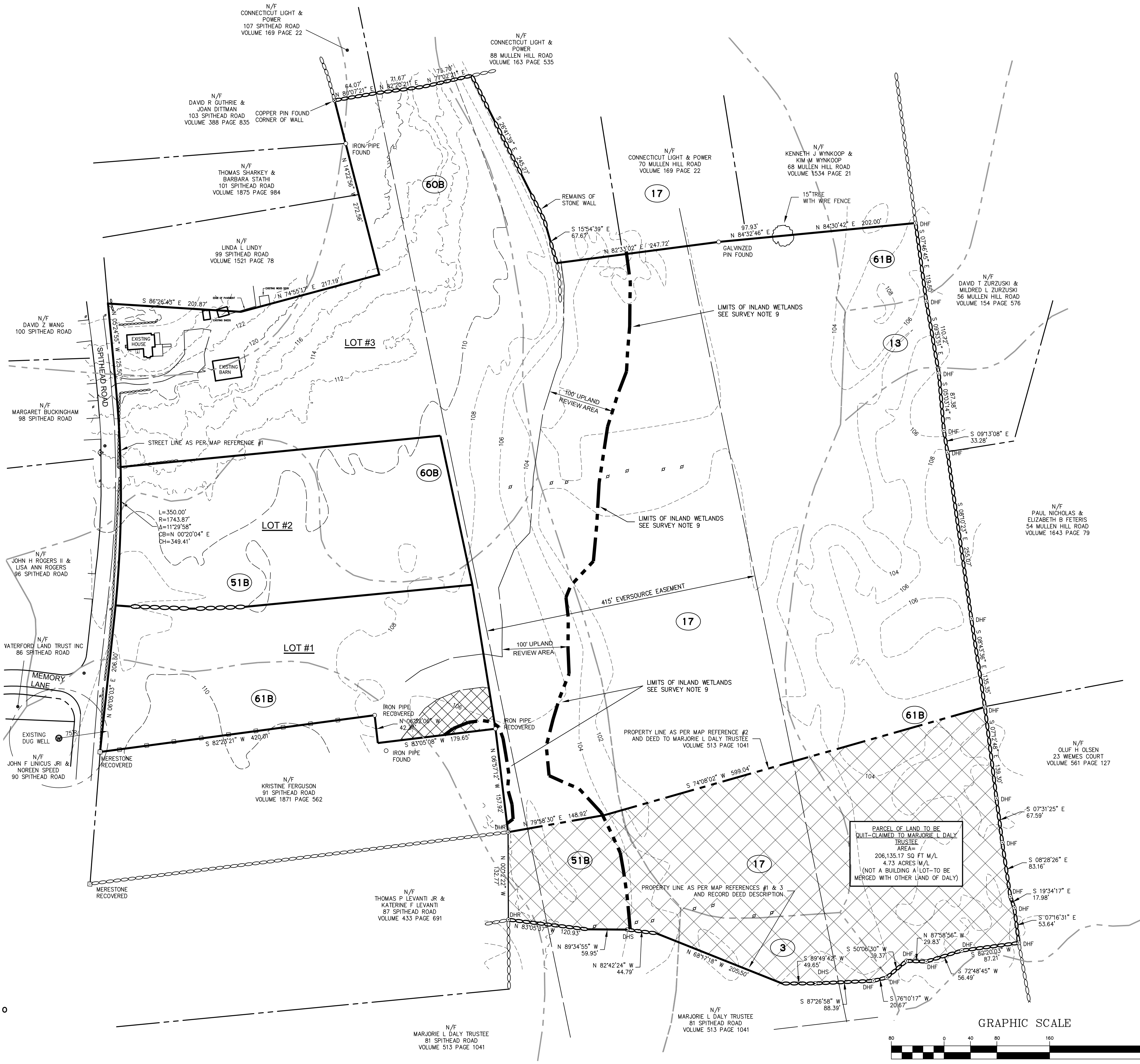
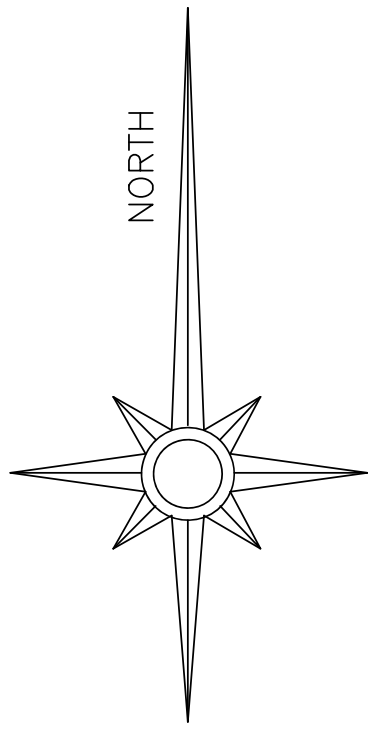


NOTES:

- THIS PLAN AND THE SURVEY IT IS BASED ON HAVE BEEN PREPARED IN ACCORDANCE WITH THE REGULATIONS OF CONNECTICUT STATE AGENCIES, SECTIONS 20-308 MINIMUM STANDARDS OF ACCURACY, CONTENT AND CERTIFICATION FOR SURVEYS AND MAPS. THE TYPE OF SURVEY IS AN IMPROVEMENT LOCATION SURVEY. THE BOUNDARY DETERMINATION CATEGORY IS DEPENDENT RESURVEY AND THE HORIZONTAL ACCURACY CONFORMS TO CLASS A-2. TOPOGRAPHIC SURVEY IS COMPILED FROM STATE LIDAR DATA AND FIELD VERIFIED AND IS CLASS T-2 AND THE VERTICAL ACCURACY CONFORMS TO CLASS V-2.
- NO DECLARATION IS EXPRESSED OR IMPLIED BY THIS MAP OR COPIES THEREOF UNLESS THE PRINT BEARS THE IMPRESSION TYPE SEAL AND ORIGINAL LINE SIGNATURE OF THE SURVEYOR WHOSE NAME AND REGISTRATION NUMBER APPEARS BELOW OR THEREON.
- REFERENCE IS MADE TO WATERFORD LAND EVIDENCE RECORDS VOLUME 470 AT PAGE 655 FOR A QUIT CLAIM DEED - STATUTORY DEED DATED JULY 10, 1997 REGARDING RECORD TITLE TO THE SUBJECT PROPERTY.
- THE PROPERTY SHOWN HEREON IS SUBJECT TO, OR BENEFITED BY THE FOLLOWING:
SEE VOLUME 126 AT PAGE 553 FOR AN EASEMENT CONVEYED TO MILLSTONE POINT CO.
SEE VOLUME 169 AT PAGE 117 FOR AN EASEMENT TO CL&P
THE SUBJECT PROPERTY IS LOCATED ENTIRELY WITHIN THE R-40 ZONE DISTRICT.
- BY GRAPHICAL DEPICTION ONLY, THIS PARCEL LIES WITHIN FLOOD HAZARD ZONES X (SHADED) AND X (UNSHADED) AS SHOWN ON "NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP NEW LONDON COUNTY, CONNECTICUT, COMMUNITY: TOWN OF WATERFORD, 090107 MAP NUMBER: 09011C0481J 09011C0483J MAP EFFECTIVE: 8-5-2013, FEDERAL EMERGENCY MANAGEMENT AGENCY".
- THE SUBJECT PROPERTY IS SHOWN ON THE TOWN OF WATERFORD TAX ASSESSOR MAP 130 AS LOT 7829 AND HAS AN ASSIGNED STREET ADDRESS OF 97 SPITHEAD ROAD.
- BEARINGS AND COORDINATES NOTED HEREON ARE REFERENCED TO THE CONNECTICUT STATE PLANE COORDINATE SYSTEM (NAD 83) EPOCH 2011 (2010.0), ELEVATIONS DEPICTED HEREON ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88), TRANSFORMED FROM ELLIPSOID HEIGHT TO ORTHOMETRIC HEIGHT UTILIZING NGS2018 GEOID, AS DETERMINED BY GLOBAL POSITIONING SYSTEM (GPS) OBSERVATIONS UTILIZING THE SUPER GNSS REFERENCE NETWORK STATION HAVING THE FOLLOWING VALUES:
LATITUDE = N41.303892795°
LONGITUDE = W72.050613875°
ELLIPSOID HEIGHT = -10.7997 METERS
- THIS PLAN REPRESENTS THE LOCATION OF THE BOUNDS AND SITE CONDITIONS DETERMINED BY FIELD SURVEY ON MARCH 31, 2025. RECORD TITLE AND ADJOINER INFORMATION WAS OBTAINED FROM TAX ASSESSOR AND LAND EVIDENCE RECORDS ON MARCH 31, 2025.
- UNDERGROUND UTILITY, STRUCTURE AND FACILITY LOCATIONS DEPICTED AND NOTED HEREON HAVE BEEN COMPILED, IN PART, FROM RECORD MAPPING SUPPLIED BY THE RESPECTIVE UTILITY COMPANIES OR GOVERNMENTAL AGENCIES, FROM PAROLE TESTIMONY AND FROM OTHER SOURCES. THESE LOCATIONS MUST BE CONSIDERED AS APPROXIMATE IN NATURE. ADDITIONALLY, OTHER SUCH FEATURES MAY EXIST ON THE SITE, THE EXISTENCE OF WHICH ARE UNKNOWN TO JAMES BERNARDO LAND SURVEYING, LLC. THE SIZE, LOCATION AND EXISTENCE OF ALL SUCH FEATURES MUST BE FIELD DETERMINED AND VERIFIED BY THE APPROPRIATE AUTHORITIES PRIOR TO CONSTRUCTION. CALL BEFORE YOU DIG 1-800-922-4455.
- THE INLAND WETLANDS SHOWN HEREON WERE COMPILED FROM THE RECORD SUBDIVISION PLAN AS DELINEATED BY RICHARD SNARSKI, CERTIFIED SOIL SCIENTIST. THE PORTIONS OF THE LOTS ADJACENT TO SPITHEAD ROAD WERE EVALUATED FOR POTENTIAL WETLANDS BY JOSEPH THEROUX, CERTIFIED SOIL SCIENTIST. HIS REVIEW LETTER IS ATTACHED TO SHEET 2.

MAP REFERENCES:

- NUTMEG ESTATES SUBDIVISION PLAN SPITHEAD ROAD WATERFORD, CONNECTICUT PREPARED FOR PETER LAMPASONA PREPARED BY JOHN KOPKO JR. & ASSOCIATES, INC. DATE: APR 89 SCALE: 1"=100' SHEETS 1 THROUGH 5 OF 5 REVISED DECEMBER 1986 (#2584-2586).
- PLAN SHOWING PROPERTY BELONGING TO DAVID R. & MURIEL N. HINKLE LOCATED AT 79 SPITHEAD ROAD WATERFORD, CONNECTICUT SCALE: 1"=50' APRIL 1978 (#995).
- PLAN SHOWING PORTION OF LAND BELONGING N/F TO JAMES R. RAINEY SPITHEAD ROAD WATERFORD, CONN. SCALE: 1"=40' JANUARY 31, 1974 BY DANIEL C. MCKAY JR. PE & LS (#693).
- REVISED SUBDIVISION PLAN OF THE CHRISTINE S. MAC DOWELL PROPERTY ON SPITHEAD ROAD WATERFORD, CONNECTICUT DATE: AUGUST 1965 SCALE: 1"=60' ZONE: R-40 REVISED 8/25/67 BY W.A. MORSE (#364).
- THE CONNECTICUT LIGHT & POWER COMPANY BERLIN, CONNECTICUT MILLSTONE POINT LINE SHOWING LAND TO BE ACQUIRED FROM FREDERICK O. & IRVING B. WAYNARD TOWN OF WATERFORD SCALE: 1"=100' DATE: 7-3-67 NO. 17503-0 (#353).

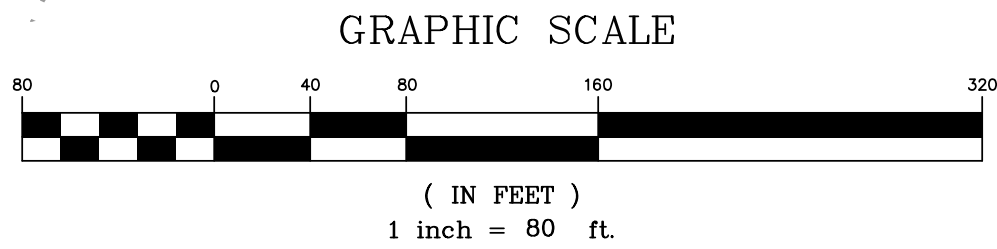


LEGEND	
THE FOLLOWING SYMBOLS/ABBREVIATIONS MAY APPEAR ON THIS DRAWING	
AC	ACRES
BF	BASIN FLOOR
BT	BITUMINOUS
BCLC	BITUMINOUS CONCRETE CURB CURBING
CONC	CONCRETE
DIA	DIAMETER
DB	DISTRIBUTION BOX
DHF	DRILL HOLE FOUND
DHR	DRILL HOLE RECOVERED
DHS	DRILL HOLE SET
EOP	EDGE OF PAVEMENT
ELEV	ELEVATION
FF	FINISHED FIRST FLOOR
LF	LINEAR FOOT
(MIN)	MINIMUM
N/L	MORE OR LESS
N/F	NOW OR FORMERLY
PVC	POLY VINYL CHLORIDE
SCH40	SCHEDULE 40
S.F.	SQUARE FEET
TR	TO REMAIN
W/B	WIDE TIRE BUSH
SP	SPARTINA PATENS
SA	SPARTINA ALTERNIFLORA
TBR	TO BE REMOVED
TH	THRESHOLD ELEVATION
TYP	TYPICAL
TW	TOP OF WALL ELEVATION
VF	VERIFY IN FIELD
P-5	SOIL PERC TEST LOCATION
SOIL DEEP TEST LOCATION	
WELL	
HYDRANT	
BUSH	
DECIDUOUS TREE	
CONIFERUS TREE	
BUILDING SETBACK LINE	
CLEARING LIMIT LINE	
EXISTING TREELINE	
EXISTING CONTOUR	
NEW CONTOUR	
SEDIMENT FENCE	
STORM DRAIN PIPE	
STONE WALL	
SANITARY SEWER	
WATER	

SOILS LEGEND

- | | |
|-----|--|
| 3 | RIDGEBURY, LEICESTER AND WHITMAN SOILS, 0 TO 8 PERCENT SLOPES, EXTREMELY STONY |
| 13 | WALPOLE SANDY LOAM, 0 TO 3 PERCENT SLOPES |
| 17 | TIMAKWA AND NATCHAUG SOILS, 0 TO 2 PERCENT SLOPES |
| 51B | SUTTON FINE SANDY LOAM, 0 TO 8 PERCENT SLOPES, VERY STONEY |
| 52C | SUTTON FINE SANDY LOAM, 2 TO 15 PERCENT SLOPES, EXTREMELY STONY |
| 60B | CANTON AND CHARLTON FINE SANDY LOAMS, 3 TO 8 PERCENT SLOPES |
| 61B | CANTON AND CHARLTON FINE SANDY LOAMS, 0 TO 8 PERCENT SLOPES, VERY STONEY |

SUBDIVISION AREA= 1,222,482.13 SQ FT M/L
28.06 ACRES M/L



TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

James Bernardo
JAMES BERNARDO LICENSE #70121

12-3-2025
DATE

AVA'S MEADOW RESUBDIVISION

PROPERTY OF
GLENN E. FERGIONE

FOR PROPERTY LOCATED AT

97 SPITHEAD ROAD

TOWN OF WATERFORD - COUNTY OF NEW LONDON - CONNECTICUT

Sheet No.

S-01

SHEET 1 OF 3

Scale:

1"=80'

Date

OCTOBER 1, 2025

Project No.

24089-1

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B	NON-ENCROACHMENT BOUNDARY ADDED	12-3-2025
A	WETLANDS ADDED NEAR 91 SPITHEAD ROAD	10-15-2025

REVISIONS

AVA'S MEADOW RESUBDIVISION

PROPERTY OF
GLENN E. FERGIONE

FOR PROPERTY LOCATED AT

97 SPITHEAD ROAD

TOWN OF WATERFORD - COUNTY OF NEW LONDON - CONNECTICUT

ZONING DATA		Date Updated: 12/03/25	Based on: Town of Waterford Zoning Regs Revised Thru 8-15-2025			
Property Address: 97 Spithead Road Waterford, CT 06385						
Zoning Section	Description	Required	Provided - Lot #1	Provided - Lot #2	Provided - Lot #3	Remarks
ZONING DISTRICT: R-40						
ZR 5.1.1	Land Use	1-Fam Residential	1-Fam Residential	1-Fam Residential	1-Fam Residential	Permitted Use
ZR 5.1.1	Min. Lot Size (Gf)	40,000	116,109.77 SF	116,109.77 SF	784,127.42 SF	
ZR 5.3	Min. Lot Frontage	100 FT	222.69 FT	210.71 FT	248.60 FT	
ZR 5.3	Min. Lot Width	125 FT	214.4 FT	217.9 FT	240.5 FT	
ZR 5.4	Min Front Yard Setback	50 FT	50 FT	50 FT	23 FT	Pre-existing non-conforming - Lot #3
	Min Rear Yard Setback	50 FT	50 FT	50 FT	APPROX 1,100 FT	
	Min Side Yard Setback	25 FT	25 FT	25 FT	41 FT	
ZR 5.3.4	Max Building Coverage (%)	20%	20% Max.	20% Max.	0.3%	
ZR 9.3.5	Max Building Height by Zone	35 FT	Not to exceed 35 FT	Not to exceed 35 FT	U/K	Not determined - Lot #3

CONNECTICUT PUBLIC HEALTH CODE - 19-13-B100A COMPLIANCE

LOT #1
POTENTIAL 3-BEDROOM HOUSE WITH LESS THAN 10 MIN/IN PERCOLATION RATE
REQUIRES A MINIMUM 495 SQUARE FEET OF EFFECTIVE LEACHING AREA

MLSS CALCULATION NEED NOT BE CONSIDERED, DEPTH TO RESTRICTIVE LAYER GREATER
THAN 60" IN TEST HOLES 1 & 2:

USE 50LF OF GST 6212 PROVIDING 10.0 SF EFFECTIVE LEACHING PER LINEAR FOOT
THEREFORE 500 SQUARE FEET OF EFFECTIVE LEACHING AREA PROVIDED

LOT #2
POTENTIAL 3-BEDROOM HOUSE WITH LESS THAN 10 MIN/IN PERCOLATION RATE
REQUIRES A MINIMUM 495 SQUARE FEET OF EFFECTIVE LEACHING AREA

MLSS CALCULATION IS AS FOLLOWS:
BASED ON A RESTRICTIVE LAYER OF 32" AT TEST HOLE 8 AND A SLOPE OF 2%

HF=42
PF=1.5
PT=1.0
THEREFORE MLSS = 63LF

USE 63LF OF GST 6212 PROVIDING 10.0 SF EFFECTIVE LEACHING PER LINEAR FOOT
THEREFORE 630 SQUARE FEET OF EFFECTIVE LEACHING AREA PROVIDED

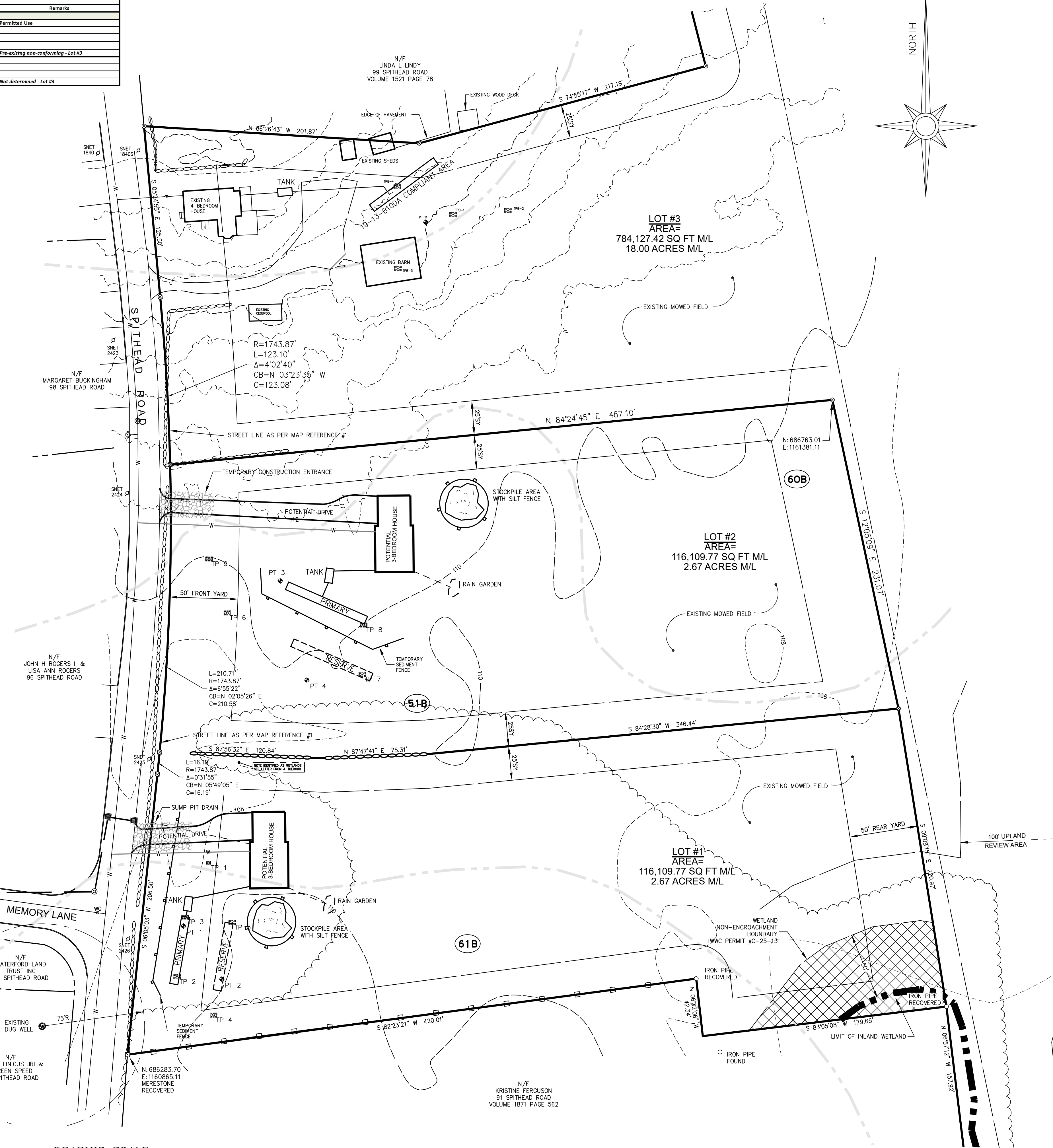
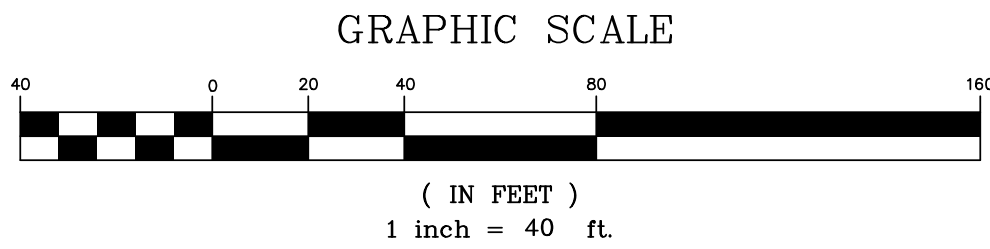
LOT #3
EXISTING 4-BEDROOM HOUSE WITH LESS THAN 10 MIN/IN PERCOLATION RATE
REQUIRES A MINIMUM 495+82.5 = 577.5 SQUARE FEET OF EFFECTIVE LEACHING AREA

MLSS CALCULATION IS AS FOLLOWS:
BASED ON A RESTRICTIVE LAYER OF 42" AT TEST HOLE B-4 AND A SLOPE OF 0%

HF=26
PF=1.75
PT=1.0
THEREFORE MLSS = 45.5LF

USE 58LF OF GST 6212 PROVIDING 10.0 SF EFFECTIVE LEACHING PER LINEAR FOOT
THEREFORE 580 SQUARE FEET OF EFFECTIVE LEACHING AREA PROVIDED

LEGEND	
THE FOLLOWING SYMBOLS/ABBREVIATIONS MAY APPEAR ON THIS DRAWING	
AC	ACRES
BF	BASEMENT FLOOR
BIT	BITUMINOUS
BCLC	BITUMINOUS CONCRETE LIP CURBING
CONC	CONCRETE
DA	DIAMETER
DB	DISTRIBUTION BOX
EDP	EDGE OF PAVEMENT
ELEV	ELEVATION
FF	FINISHED FIRST FLOOR
LF	LINEAR FOOT
(MIN)	MINIMUM
M/L	MORE OR LESS
N/F	NOW OR FORMERLY
PVC	POLY VINYL CHLORIDE
SCH40	SCHEDULE 40
5.44	SPOT ELEVATION
SF	SQUARE FEET
TR	TO REMAIN
HTB	HIGH TIDE BUSH
SP	SPARTINA PATENS
SA	SPARTINA ALTERNIFLORA
TBR	TO BE REMOVED
TH	THRESHOLD ELEVATION
TYP	TYPICAL
TW	TOP OF WALL ELEVATION
VF	VERIFY IN FIELD
P-5	SOIL PERC TEST LOCATION
THB	THICK BUSH
WELL	WELL
HYDRANT	HYDRANT
BUSH	BUSH
DEODORUS TREE	DEODORUS TREE
CONFERUS TREE	CONFERUS TREE
BUILDING SETBACK LINE	BUILDING SETBACK LINE
CLEARING LIMIT LINE	CLEARING LIMIT LINE
EXISTING TREELINE	EXISTING TREELINE
EXISTING CONTOUR	EXISTING CONTOUR
NEW CONTOUR	NEW CONTOUR
SEDIMENT FENCE	SEDIMENT FENCE
STORM DRAIN PIPE	STORM DRAIN PIPE
STONE WALL	STONE WALL
SANITARY SEWER	SANITARY SEWER
WATER	WATER



12/23/2024
MR. JIM BERNARDO
BERNARDO SURVEYING LLC
102A SPITHEAD RD.
WATERFORD, CT. 06385
RE: WETLAND INSPECTION, 97 SPITHEAD RD., WATERFORD, CT.

DEAR MR. BERNARDO,

AT YOUR REQUEST I HAVE INSPECTED THE PROPOSED SUBDIVISION AREA
ADJACENT TO SPITHEAD ROAD FOR THE PRESENCE OF WETLANDS AND
WATERCOURSES ON THE ABOVE REFERENCED PROPERTY.

AFTER A THOROUGH EXAMINATION OF ALL LOW LYING AREAS, I FOUND NO
EVIDENCE OF INLAND WETLANDS OR WATERCOURSES IN OR ADJACENT TO THE
PROPOSED SUBDIVISION AREA.

IN CONCLUSION, IF YOU HAVE ANY QUESTIONS CONCERNING THE INSPECTION OR
THIS REPORT, PLEASE FEEL FREE TO CONTACT ME.

THANK YOU,

Joseph R. Theroux

JOSEPH R. THEROUX
CERTIFIED SOIL SCIENTIST
MEMBER SSSSNE, NECSS, SSSA

DRAFT DRAFT

TOWN OF WATERFORD
Inland Wetlands & Watercourse Permit #C-25-13
97 Spithead Road, Waterford, CT

The Waterford Conservation Commission, in their capacity as the Town's Inland Wetland
Agency, hereby authorizes the applicant to conduct regulated activities in designated areas
located at 97 Spithead Road, Waterford, CT, which are subject to jurisdiction in accordance with
CT General Statutes, Sections 22a-36 through 22a-45, inclusive, as amended, and the Waterford
Inland Wetlands and Watercourse regulations.

This permit is a grant of approval to conduct the following regulated activities:

- Grading and construction activity upland of inland wetlands to construct two (2)
residential lots served by on-site septic and municipal water.

These regulated activities are associated with the construction of a 2.67 residential subdivision
on a 2.67 acre parcel of land located at 97 Spithead Road, Waterford, Connecticut. The proposed
development is shown on a plan entitled: "Ava's Meadow Resubdivision, Property of Glenn E.
Ferguson, For Property Located at 97 Spithead Road, Town of Waterford - County of New
London - Connecticut" revised thru October 15, 2025, prepared by James Bernardo Land
Surveying, LLC.

The Conservation Commission authorizes the activity with the following conditions of approval
to minimize impacts associated with the proposed regulated activity and protect the inland
wetlands and watercourses on this site:

SPECIAL CONDITIONS:

- The limits of clearing and disturbance shall be marked on the lots and inspected
by the Commission's agent prior to the start of site work.

- A 50 ft. natural vegetated buffer bordering the wetland areas at the southeast
corner of Lot #1 is to be maintained to protect the adjacent wetland hydrology and
water quality. No filling, grading, and clearing or removal of vegetation shall be
conducted within 50 ft. of the wetland on Lot #1 without specific authorization
from the Conservation Commission.

- The 50 ft. vegetated buffer established on Lot #1 shall be labeled a wetland non-
encroachment boundary on the final plan and marked on site with non-
encroachment area markers provided by the Conservation Commission affixed to
trees or to 4 x 4 inch posts.

STANDARD CONDITIONS:

- The Conservation Commission's agent shall be notified at least 48 hours prior to
commencement of any regulated activity.

- Final stabilization of disturbed soil areas, including all temporary and permanent
soil disturbances, shall be stabilized with the application of loam, seed and
appropriate erosion control measures.

- At all times during site work and until soil areas are stabilized, the applicant shall
install and maintain erosion and sediment control measures such as silt fence, filter
fence, silted hay bales or other measures deemed necessary by the Commission's
agent to prevent erosion and sedimentation impacts to wetlands and watercourses.

- Erosion control and soil stabilization measures shall comply with the approved
plan and the guidelines as established in the Connecticut Guidelines for Soil
Erosion and Sediment Control, as revised thru 2024.

- Upon direction of the Commission's agent, erosion and sediment control
measures shall be removed by the applicant following stabilization of the site.

All work and all regulated activities conducted pursuant to this authorization shall be consistent
with the terms and conditions of this permit. Any structure, excavation, deposition of fill,
obstruction of flow, encroachment or other regulated activities not specifically identified and
authorized herein shall constitute a violation of this permit and may result in permit
modification, suspension or revocation.

In the event that any additional wetland or watercourse regulated activities are required as a
result of other agency permitting to support the proposed activity, the Waterford Conservation
Commission reserves the right to reconsider the proposed regulated activity and may require
modifications to minimize the impact to wetland resources.

In evaluating this application, the Commission has relied on information provided by the
applicant. If such information subsequently proves to be false, incomplete and/or inaccurate, this
permit may be modified, suspended or revoked.

This permit shall be valid for a period of 5 years. Permit extensions may be authorized in
accordance with CT General Statutes § 22a-36 through 22a-45 inclusive. If the regulated
activity is not completed within the time frame, the permit may be held to be invalid by the
Conservation Commission or the applicant may be required to petition the Commission for an
extension or re-issuance of the permit. The Commission may require the applicant to furnish
additional information at that time.

The Conservation Commission renders this Summary Ruling in accordance with the Waterford
Inland Wetlands and Watercourse Regulations based on the following considerations:

- The construction does not involve direct or indirect impacts to inland wetlands or
watercourses.

- Potential short-term construction impacts are minimized by installation of erosion
and sediment controls to reduce the potential for sediment impacts. Potential long-
term impacts to on-site wetland resources are minimized by maintenance of wetland
hydrology and maintenance of a vegetated upland buffer area adjacent to wetlands.

- Strict adherence to the terms and conditions imposed with this permit will protect
the quality of wetlands and surface waters on this property.

This permit will be strictly enforced. If the Conservation Commission finds that the applicant
has not complied with the permit conditions or has exceeded the scope of this permit as set forth
herein, or if the intended use of the general site is not as represented by the application or the
plan of record, the Commission may suspend or revoke this permit, direct the Environmental
Officer to issue a cease and desist order, require the applicant to modify, extend or revise the site
work, or require the applicant to restore the area to its original condition.

Dated: October 23, 2025

Issued By: Chairman, Richard F. Muckle
Waterford Conservation Commission

JAMES BERNARDO
LAND SURVEYING, LLC
102A SPITHEAD ROAD
WATERFORD, CONNECTICUT 06385
(860) 447-0236
WWW.JBSURVEY.COM



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OTHER PROJECT LOCATION.
OTHER PROJECT LOCATION.
WRITTEN PERMISSION OF THE
OWNER OR THE SURVEYOR
SHALL REMAIN THE PROPERTY
OF THE SURVEYOR.

B	ZONING COMPLIANCE CHART, WETLANDS PERMIT & NON-ENCROACHMENT BOUNDARY ADDED	12-3-2025
A	WETLANDS ADDED NEAR 91 SPITHEAD ROAD	10-15-2025

REVISIONS

LTR	DESCRIPTION	DATE
-----	-------------	------

AVA'S MEADOW RESUBDIVISION
PROPERTY OF
GLENN E. FERGIONE
FOR PROPERTY LOCATED AT
97 SPITHEAD ROAD
TOWN OF WATERFORD - COUNTY OF NEW LONDON - CONNECTICUT

Sheet No.

S-02

SHEET 2 OF 3

Scale:
1" = 40'

Date
OCTOBER 1, 2025

Project No.
24089-2

ZONING DATA		Date Updated: 12/03/25		Based on: Town of Waterford Zoning Regs Revised Thru 8-15-2025			
Property Address: 97 Spithead Road Waterford, CT 06385							
Zoning Section	Description	Required	Provided - Lot #1	Provided - Lot #2	Provided - Lot #3	Remarks	
2R Sect 5 ZONING DISTRICT: R-40							
2R 5.1.1	Land Use	1-Fam Residential	1-Fam Residential	1-Fam Residential	1-Fam Residential	Permitted Use	
2R 5.1.1	Min. Lot Size (SF)	40,000	116,109.77 SF	116,109.77 SF	784,127.42 SF		
2R 5.1	Min. Lot Frontage	100 FT	222.69 FT	210.71 FT	248.60 FT		
2R 5.3	Min Lot Width	125 FT	214.4 FT	217.9 FT	240.5 FT		
2R 5.4	Min Front Yard Setback	50 FT	50 FT	50 FT	23 FT	Pre-existing non-conforming - Lot #3	
	Min Rear Yard Setback	50 FT	50 FT	50 FT	APPROX 1,100 FT		
	Min Side Yard Setback	25 FT	25 FT	25 FT	41 FT		
2R 3.34.3	Min Buildable Area (SF)	30,000	109,000	108,000	APPROX 350,000	Lot #3 Excludes any inland wetlands soils	
2R 5.3.4	Max Building Coverage (%)	20%	20%	20% Max.	0.3%		
2R 9.3.5	Max Building Height by Zone	35 FT	Not to exceed 35 FT	Not to exceed 35 FT	U/R	Not determined - Lot #3	

CONNECTICUT PUBLIC HEALTH CODE - 19-13-B100A COMPLIANCE

LOT #1
POTENTIAL 3-BEDROOM HOUSE WITH LESS THAN 10 MIN/IN PERCOLATION RATE REQUIRES A MINIMUM 495 SQUARE FEET OF EFFECTIVE LEACHING AREA
MLSS CALCULATION NEED NOT BE CONSIDERED, DEPTH TO RESTRICTIVE LAYER GREATER THAN 60" IN TEST HOLES 1 & 2:
USE 50LF OF GST 6212 PROVIDING 10.0 SF EFFECTIVE LEACHING PER LINEAR FOOT THEREFORE 500 SQUARE FEET OF EFFECTIVE LEACHING AREA PROVIDED

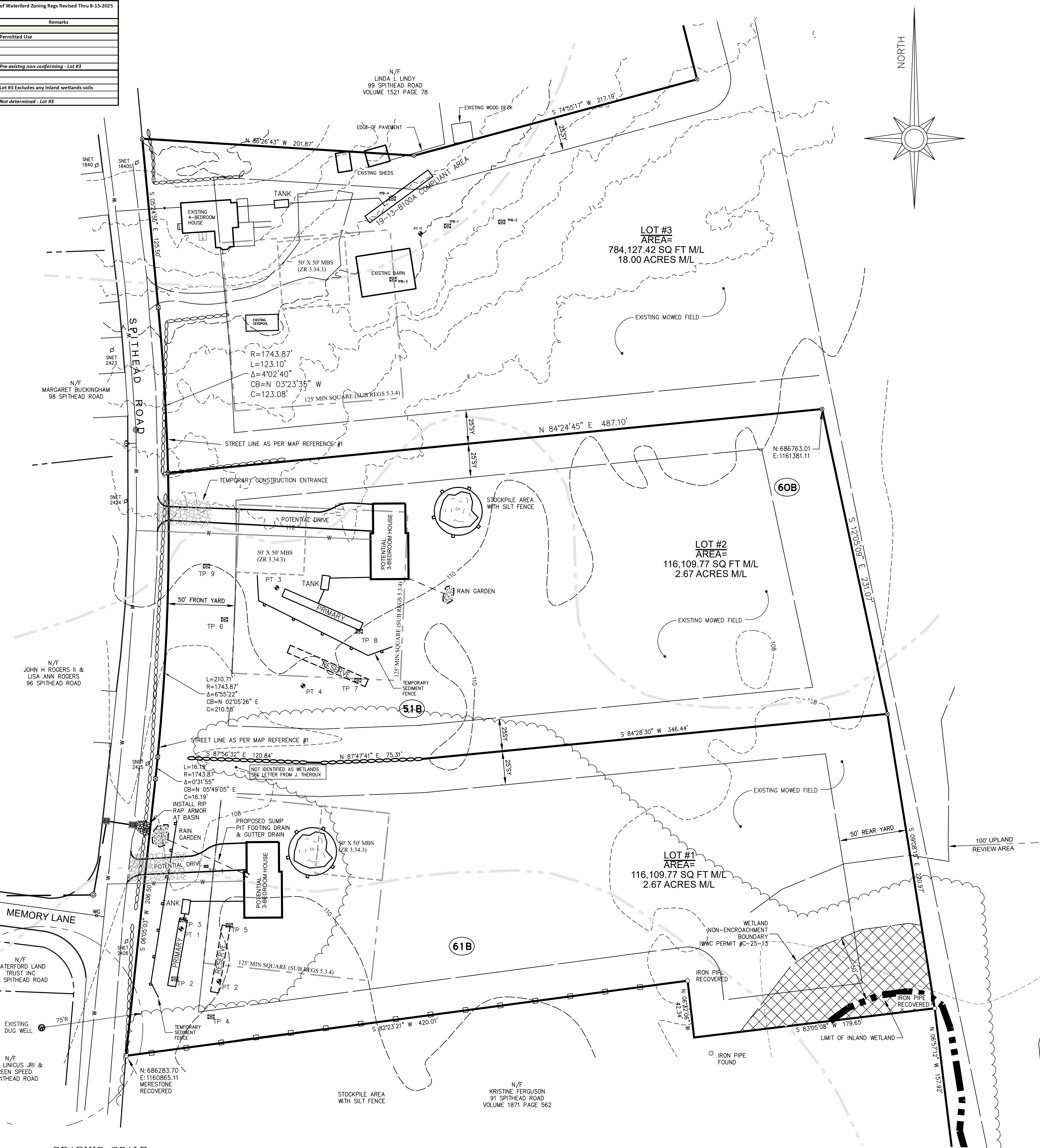
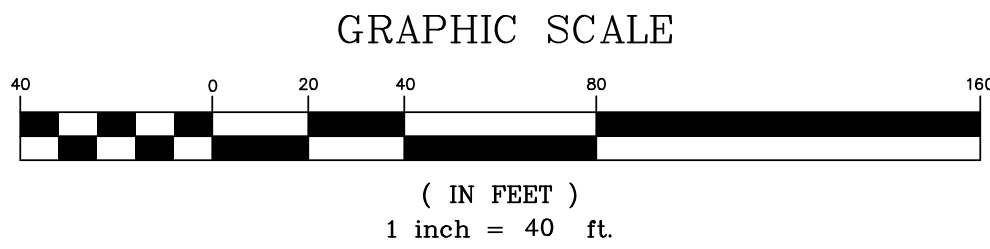
LOT #2
POTENTIAL 3-BEDROOM HOUSE WITH LESS THAN 10 MIN/IN PERCOLATION RATE REQUIRES A MINIMUM 495 SQUARE FEET OF EFFECTIVE LEACHING AREA
MLSS CALCULATION IS AS FOLLOWS:
BASED ON A RESTRICTIVE LAYER OF 32" AT TEST HOLE 8 AND A SLOPE OF 2%
HF=42
PF=1.5
PF=1.0
THEREFORE MLSS = 63LF
USE 63LF OF GST 6212 PROVIDING 10.0 SF EFFECTIVE LEACHING PER LINEAR FOOT THEREFORE 630 SQUARE FEET OF EFFECTIVE LEACHING AREA PROVIDED

LOT #3
EXISTING 4-BEDROOM HOUSE WITH LESS THAN 10 MIN/IN PERCOLATION RATE REQUIRES A MINIMUM 495+82.5 = 577.5 SQUARE FEET OF EFFECTIVE LEACHING AREA
MLSS CALCULATION IS AS FOLLOWS:
BASED ON A RESTRICTIVE LAYER OF 42" AT TEST HOLE B-4 AND A SLOPE OF 0%
HF=26
PF=1.75
PF=1.0
THEREFORE MLSS = 45.5LF
USE 58LF OF GST 6212 PROVIDING 10.0 SF EFFECTIVE LEACHING PER LINEAR FOOT THEREFORE 580 SQUARE FEET OF EFFECTIVE LEACHING AREA PROVIDED

DEPARTMENT OF PUBLIC WORKS NOTES

- ANY NEW "BREAKS" IN THE EXISTING STONE WALL SHALL BE REMOVED AND RE-STACKED ALONG THE EXISTING WALL.
- DRIVEWAY SIGHT LINE DEMONSTRATIONS WILL BE REQUIRED FOR EACH DRIVEWAY PRIOR TO THE ISSUANCE OF BUILDING PERMITS ON EACH LOT.

LEGEND	
THE FOLLOWING SYMBOLS/ABBREVIATIONS MAY APPEAR ON THIS DRAWING	
AC	ACRES
BF	BASEMENT FLOOR
BIT	BITUMINOUS
BCLC	BITUMINOUS CONCRETE LIP CURBING
CONC	CONCRETE
DA	DIAMETER
DB	DISTRIBUTION BOX
EDP	EDGE OF PAVEMENT
ELEV	ELEVATION
FF	FINISHED FIRST FLOOR
LF	LINEAR FOOT
(MIN)	MINIMUM
M/L	MORE OR LESS
N/F	NOW OR FORMERLY
PVC	POLY VINYL CHLORIDE
SCH40	SCHEDULE 40
5.44	SPOT ELEVATION
SF	SQUARE FEET
TR	TO REMAIN
HTB	HIGH TIDE BUSH
SP	SPARTINA PATENS
SA	SPARTINA ALTERNIFLORA
TBR	TO BE REMOVED
TH	THRESHOLD ELEVATION
TYP	TYPICAL
TW	TOP OF WALL ELEVATION
VF	VERIFY IN FIELD
P-5	SOIL PERC TEST LOCATION
THB	THICK
SOIL DEEP	TEST LOCATION
WELL	
HYDRANT	
BUSH	
DECIDUOUS TREE	
CONIFERUS TREE	
BUILDING SETBACK LINE	
CLEARING LIMIT LINE	
EXISTING TREELINE	
EXISTING CONTOUR	
NEW CONTOUR	
SEDIMENT FENCE	
STORM DRAIN PIPE	
STONE WALL	
SANITARY SEWER	
WATER	



12/23/2024
MR. JIM BERNARDO
BERNARDO SURVEYING, LLC
102A SPITHEAD RD.
WATERFORD, CT. 06385
RE: WETLAND INSPECTION, 97 SPITHEAD RD., WATERFORD, CT.

DEAR MR. BERNARDO,
AT YOUR REQUEST I HAVE INSPECTED THE PROPOSED RESUBDIVISION AREA ADJACENT TO SPITHEAD ROAD FOR THE PRESENCE OF WETLANDS AND WATERCOURSES ON THE ABOVE REFERENCED PROPERTY.
AFTER A THOROUGH EXAMINATION OF ALL LOW LYING AREAS, I FOUND NO EVIDENCE OF INLAND WETLANDS OR WATERCOURSES IN OR ADJACENT TO THE PROPOSED RESUBDIVISION AREA.
IN CONCLUSION, IF YOU HAVE ANY QUESTIONS CONCERNING THE INSPECTION OR THIS REPORT, PLEASE FEEL FREE TO CONTACT ME.
THANK YOU.

Joseph R. Theroux
CERTIFIED SOIL SCIENTIST
MEMBER SSSSNE, NECSS, SSSA

DRAFT DRAFT

TOWN OF WATERFORD
Inland Wetlands & Watercourses Permit #C-25-13
97 Spithead Road, Waterford, CT

The Waterford Conservation Commission, in their capacity as the Town's Inland Wetland Agency, hereby authorizes the applicant to conduct regulated activities in designated areas located at 97 Spithead Road, Waterford, CT, which are subject to jurisdiction in accordance with CT General Statutes, Sections 22a-36 through 22a-45, inclusive, as amended, and the Waterford Inland Wetlands and Watercourses regulations.

- This permit is a grant of approval to conduct the following regulated activities:
- Grading and construction activity upgradient of inland wetlands to construct two (2) residential lots served by on-site septic and municipal water.
- These regulated activities are associated with the construction of a 2.67 residential resubdivision on a 2.67 acre parcel of land located at 97 Spithead Road, Waterford, Connecticut. The proposed development is shown on a plan entitled: "AVA's Meadow Resubdivision, Property of Glenn E. Fergione, For Property Located at 97 Spithead Road, Town of Waterford - County of New London - Connecticut" revised the October 15, 2025, prepared by James Bernardo Land Surveying, LLC.
- The Conservation Commission authorizes the activity with the following conditions of approval to minimize impacts associated with the proposed regulated activity and protect the inland wetlands and watercourses on this site:

- SPECIAL CONDITIONS:**
- The limits of clearing and disturbance shall be marked on the lots and inspected by the Commission's agent prior to the start of site work.
 - A 50 ft. natural vegetated buffer bordering the wetland areas at the southeast corner of Lot #1 is to be maintained to protect the adjacent wetland hydrology and water quality. No filling, grading, and clearing or removal of vegetation shall be conducted within 50 ft. of the wetland on Lot #1 without specific authorization from the Conservation Commission.
 - The 50 ft. vegetated buffer established on Lot #1 shall be labeled a wetland non-encroachment boundary on the final plan and marked on site with non-encroachment area markers provided by the Conservation Commission affixed to trees or to 4 x 4 inch posts.

C	MBS, MBA & BUILDABLE AREA ADDED, DPW COMMENTS OF 12-23-25 ADDRESSED	12-29-2025
B	ZONING COMPLIANCE CHART, WETLANDS PERMIT & NON-ENCROACHMENT BOUNDARY ADDED	12-3-2025
A	WETLANDS ADDED NEAR 91 SPITHEAD ROAD	10-15-2025
LTR	DESCRIPTION	DATE

- STANDARD CONDITIONS:**
- The Conservation Commission's agent shall be notified at least 48 hours prior to commencement of any regulated activity.
 - Final stabilization of disturbed soil areas, including all temporary and permanent soil disturbances, shall be stabilized with the application of loam, seed and appropriate erosion control measures.
 - At all times during site work and until soil areas are stabilized, the applicant shall install and maintain erosion and sediment control measures such as silt fence, straw bales or other measures deemed necessary by the Commission's agent to prevent erosion and sedimentation impacts to wetlands and watercourses.
 - Erosion control and soil stabilization measures shall comply with the approved plans and the guidelines as established in the Connecticut Guidelines for Soil Erosion and Sediment Control, as revised this 2024.
 - Upon direction of the Commission's agent, erosion and sediment control measures shall be removed by the applicant following stabilization of the site.

All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structure, excavation, deposition of fill, obliteration of flow, encroachment or other regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in permit modification, suspension or revocation.

In the event that any additional wetland or watercourse regulated activities are required as a result of other agency permitting to support the proposed activity, the Waterford Conservation Commission reserves the right to reconsider the proposed regulated activity and may require modifications to minimize the impact to wetland resources.

In evaluating this application, the Commission has relied on information provided by the applicant. If such information subsequently proves to be false, incomplete and/or inaccurate, this permit may be modified, suspended or revoked.

This permit shall be valid for a period of 5 years. Permit extensions may be authorized in accordance with CT General Statutes § 22a-36 through 22a-45 inclusive. If the regulated activity is not completed within the time frame, the permit may be held to be invalid by the Conservation Commission or the applicant may be required to petition the Commission for an extension or re-issuance of the permit. The Commission may require the applicant to furnish additional information at that time.

The Conservation Commission renders this Summary Ruling in accordance with the Waterford Inland Wetlands and Watercourses Regulations based on the following considerations:

A. The construction does not involve direct or indirect impacts to inland wetlands or watercourses.

- B. Potential short-term construction impacts are minimized by installation of erosion and sediment controls to reduce the potential for sediment impacts. Potential long-term impacts to on-site wetland resources are minimized by maintenance of wetland hydrology and maintenance of a vegetated upland buffer area adjacent to wetlands.
- C. Strict adherence to the terms and conditions imposed with this permit will protect the quality of wetlands and surface waters on this property.

This permit will be strictly enforced. If the Conservation Commission finds that the applicant has not complied with the permit conditions or has exceeded the scope of this permit as set forth herein, or if the intended use of the regulated site is not as represented by the application or the plan of record, the Commission may suspend or revoke this permit, direct the Environmental Officer to issue a cease and desist order, require the applicant to modify, extend or revise the site work, or require the applicant to restore the area to its original condition.

Dated: October 23, 2025
Issued By: Chairman, Richard F. Muckle
Waterford Conservation Commission

JAMES BERNARDO
LAND SURVEYING, LLC
102A SPITHEAD ROAD
WATERFORD, CONNECTICUT 06385
(860) 447-0236
WWW.JBSURVEY.COM



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C	MBS, MBA & BUILDABLE AREA ADDED, DPW COMMENTS OF 12-23-25 ADDRESSED	12-29-2025
B	ZONING COMPLIANCE CHART, WETLANDS PERMIT & NON-ENCROACHMENT BOUNDARY ADDED	12-3-2025
A	WETLANDS ADDED NEAR 91 SPITHEAD ROAD	10-15-2025
LTR	DESCRIPTION	DATE

REVISIONS

AVA'S MEADOW RESUBDIVISION
PROPERTY OF
GLENN E. FERGIONE
FOR PROPERTY LOCATED AT
97 SPITHEAD ROAD
TOWN OF WATERFORD - COUNTY OF NEW LONDON - CONNECTICUT

Sheet No.
S-02
SHEET 2 OF 3
Scale:
1" = 40'
Date
OCTOBER 1, 2025
Project No.
24089-2

FIFTEEN ROPE FERRY ROAD



WATERFORD, CT 06385-2886

Date: October 27, 2025

To: Waterford Planning & Zoning Commission

RE: Report of Conservation Commission Action:
Inland Wetland Permit #C-25-13 – 97 Spithead Road

Commissioners,

The Waterford Conservation Commission granted inland wetland permit #C-25-13 for regulated inland wetland activities associated with a 3-lot residential resubdivision and construction of 2 new residences on land located at 97 Spithead Road, Waterford, CT. The permit was granted with conditions on October 23, 2025.

Authorized activities include grading and construction activity upgradient of inland wetlands to construct two (2) residential lots served by on-site septic and municipal water.

The proposed development is shown on a plan entitled; "Ava's Meadow Resubdivision, Property of Glenn E. Fergione, For Property Located at 97 Spithead Road, Town of Waterford - County of New London - Connecticut" revised thru October 15, 2025, prepared by James Bernardo Land Surveying, LLC.

A copy of the permit is attached.

Respectfully;

Maureen FitzGerald
Environmental Planner

Attachment:

Public Hearing
Resubdivision
97 Spithead Road
PL-25-20
Exhibit 5



TOWN OF WATERFORD
Inland Wetlands & Watercourses Permit #C-25-13
97 Spithead Road, Waterford, CT

The Waterford Conservation Commission, in their capacity as the Town's Inland Wetland Agency, hereby authorizes the applicant to conduct regulated activities in designated areas located at 97 Spithead Road, Waterford, CT, which are subject to jurisdiction in accordance with CT General Statutes, Section 22a-36 through 22a-45, inclusive, as amended, and the Waterford Inland Wetlands and Watercourses regulations.

This permit is a grant of approval to conduct the following regulated activities:

1. Grading and construction activity upgradient of inland wetlands to construct two (2) residential lots served by on-site septic and municipal water.

These regulated activities are associated with the construction of a 2-lot residential resubdivision on a 28 acre parcel of land located at 97 Spithead Road, Waterford, Connecticut. The proposed development is shown on a plan entitled; "Ava's Meadow Resubdivision, Property of Glenn E. Fergione, For Property Located at 97 Spithead Road, Town of Waterford - County of New London - Connecticut" revised thru October 15, 2025, prepared by James Bernardo Land Surveying, LLC.

The Conservation Commission authorizes the activity with the following conditions of approval to minimize impacts associated with the proposed regulated activity and protect the inland wetlands and watercourses on this site:

SPECIAL CONDITIONS:

1. The limits of clearing and disturbance shall be marked on the lots and inspected by the Commission's agent prior to the start of site work.
2. A 50 ft. natural vegetated buffer bordering the wetland area at the southeast corner of Lot #1 is to be maintained to protect the adjacent wetland hydrology and water quality. No filling, grading, land clearing or removal of vegetation shall be conducted within 50 ft. of the wetland on Lot #1 without specific authorization from the Conservation Commission.
3. The 50 ft. vegetated buffer established on Lot #1 shall be labeled a wetland non-encroachment boundary on the final plan and marked on site with non-encroachment area markers provided by the Conservation Commission affixed to trees or to 4 x 4 inch posts.

STANDARD CONDITIONS:

4. The Conservation Commission's agent shall be notified at least 48 hours prior to commencement of any regulated activity.
5. Final stabilization of disturbed soil areas, including all temporary and permanent soil disturbances, shall be stabilized with the application of loam, seed and appropriate erosion control measures.
6. At all times during site work and until soil areas are stabilized, the applicant shall install and maintain erosion and sediment control measures such as fabric filter fence, staked hay bales or other measures deemed necessary by the Commission's agent to prevent erosion and sedimentation impacts to wetlands and watercourses.
7. Erosion control and soil stabilization measures shall comply with the approved plans and the guidelines as established in the Connecticut Guidelines for Soil Erosion and Sediment Control, as revised thru 2024.
8. Upon direction of the Commission's agent, erosion and sediment control measures shall be removed by the applicant following stabilization of the site.

All work and all regulated activities conducted pursuant to this authorization shall be consistent with the terms and conditions of this permit. Any structures, excavation, deposition of fill, obstructions of flow, encroachments or other regulated activities not specifically identified and authorized herein shall constitute a violation of this permit and may result in permit modification, suspension or revocation.

In the event that any additional wetland or watercourse regulated activities are required as a result of other agency permitting to support the proposed activity, the Waterford Conservation Commission reserves the right to reconsider the proposed regulated activity and may require modifications to minimize the impact to wetland resources.

In evaluating this application, the Commission has relied on information provided by the applicant. If such information subsequently proves to be false, incomplete and/or inaccurate, this permit may be modified, suspended or revoked.

This permit shall be valid for a period of 5 years. Permit extensions may be authorized in accordance with CT General Statutes § 22a-36 through 22a-45 inclusive. If the regulated activity is not completed within this time frame, the permit may be held to be invalid by the Conservation Commission or the applicant may be required to petition the Commission for an extension or re-issuance of the permit. The Commission may require the applicant to furnish additional information at that time.

The Conservation Commission renders this Summary Ruling in accordance with the Waterford Inland Wetlands and Watercourses Regulations based on the following considerations:

- A. The construction does not involve direct or indirect impacts to inland wetlands or watercourses.
- B. Potential short-term construction impacts are minimized by installation of erosion and sediment controls to reduce the potential for sediment impacts. Potential long-term impacts to on-site wetland resources are minimized by maintenance of wetland hydrology and maintenance of a vegetated upland buffer area adjacent to wetlands.
- C. Strict adherence to the terms and conditions imposed with this permit will protect the quality of wetlands and surface waters on this property.

This permit will be strictly enforced. If the Conservation Commission finds that the applicant has not complied with the permit conditions or has exceeded the scope of this permit as set forth herein, or, if the intended use of the general site is not as represented by the application or the plan of record, the Commission may suspend or revoke this permit, direct the Environmental Officer to issue a cease and desist order, require the applicant to modify, extend or revise the site work, or require the applicant to restore the area to its original condition.

Dated: October 23, 2025

Issued By: _____
Chairman, Richard F. Muckle
Waterford Conservation Commission

**DEPARTMENT OF PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: January 13, 2026

TITLE: Staff Report: PL-25-20
3 Lot Residential Resubdivision
Ava's Meadow 97 Spithead Road

EXECUTIVE SUMMARY

The project as proposed is for a 3-lot residential resubdivision located at 97 Spithead Road. The property is located within the R-40 (Low Density Residential) Zone District. The gross area of the parcel is 32.79 acres and contains inland wetlands. This property was subject to a subdivision approval granted by the Waterford Planning and Zoning Commission on January 29, 1990 through application #89-216.

Approximately 4.73 acres of the property will be annexed and merged with an adjacent parcel under separate ownership located at 81 Spithead Road. The remaining property will consist of approximately 28.06 acres which is the subject of this resubdivision.

The parcel has approximately 682 linear feet of frontage along Spithead Road, which is a Town accepted road. All three lots are configured as standard frontage lots. Lot 3 contains an existing single-family dwelling that is served by an onsite septic system and municipal water supply. It will continue to utilize an existing driveway accessing Spithead Road. Single-family dwellings are proposed to be constructed on Lots 1 and 2 with on-site septic and municipal water supply. Individual driveways are proposed to be constructed for each of the lots. There are no public improvements proposed for this project.

The property contains approximately 10 acres of wetlands, the majority of which occurs in the rear of Lot 3. While Lot 1 contains approximately 900 square feet of wetlands there are no wetlands identified on Lot 2. The Waterford Conservation Commission reviewed the proposal through Inland Wetland application #C-25-13 and established a 50 foot wetland non-encroachment boundary around the wetland located on proposed Lot #1. Notice of the Conservation Commission action has been submitted into the record as Exhibit 5.

There is an existing easement on the property in favor of the Eversource Power Company that is located on Lot 3.

The application was received by the Commission on December 16, 2025.

The Public Hearing was advertised in The Day on December 30, 2025 and January 6, 2026.

The date of Public Hearing was January 13, 2026.

BACKGROUND

Pertinent Regulations

CT General Statutes:

CGS 8-26 – Subdivision of Land

Zoning Regulations:

Section 3.34 – Lot Design Standards

Section 5 – Low Density Residential District (R-40)

Subdivision Regulations:

Section 3 – Subdivision Application Procedures

Section 4 – Final Plan Requirements

Section 5 – Design Requirements

DISCUSSION

The applicant proposes to resubdivide the existing parcel into three lots. The existing parcel was originally created through subdivision approval of application #89-216 granted by the Planning and Zoning Commission on January 29, 1990. Any further subdivision of 97 Spithead Road, which is the subject of this application, qualifies as a resubdivision in accordance with CT General Statute (CGS) 8-25 and as defined in the Town of Waterford Subdivision Regulations.

The property survey conducted for this proposal revealed a discrepancy in the location and configuration of the southern boundary line of the parcel from a previous survey. A portion of the property (approx. 4.73 acres) is proposed to be merged with an adjacent parcel located at 81 Spithead Road which is under separate ownership. The filing of a quit-claim deed that reflects this proposed parcel merger will be included as a condition of approval. The remaining 28.06 acres will be resubdivided into three parcels. Lots 1 and 2 will be vacant parcels with each consisting of approx. 2.67 acres. Lot 3, which contains the existing dwelling and accessory buildings, will consist of approx. 18 acres and will continue to utilize the existing driveway. The proposed Lots 1 and 2 will each contain new driveways for access onto Spithead Road.

The three parcels that will be created through this resubdivision are consistent with the design standards for lots in the R-40 Zone District and the criteria within the Town of Waterford Subdivision Regulations and Section 3.34 (Lot Design Standards) of the Zoning Regulations. The onsite septic systems have been reviewed by the Ledge Light Health District and approved with conditions (Ex.1d)

RECOMMENDED ACTION

Based on the information provided, staff recommends the Planning and Zoning Commission find that:

Findings:

1. The property is located entirely within the R-40 (Low Density Residential) Zone District
2. The division of the property constitutes a resubdivision in accordance with the definition of resubdivision within the Town of Waterford Subdivision Regulations and State Statute.
3. The proposed lots comply with the lot design standards of Section 3.34 and Section 5 of the Town of Waterford Zoning Regulations as shown on the plan.
4. The Waterford Conservation Commission issued Inland Wetland Permit# C-25-13 for regulated inland wetland activities.
5. The Waterford Conservation Commission issued a report of its action on application #C-25-13 in accordance with CGS §8.26. (Exhibit 5)

and that the Commission approve with conditions application PL-25-20 with the following conditions:

1. The area identified on the plans as “Parcel of Land to be Quit-Claimed to Marjorie L. Daly Trustee” shall be recorded on the Town of Waterford land records no later than the filing of the resubdivision plans on the land records.
2. Any new breaks in the existing stone wall shall be removed and restacked along the existing wall.
3. Driveway sightline demonstrations will be required for each driveway prior to the issuance of building permits for each lot.
4. All conditions of approval for Inland Wetland Permit #C-25-13 shall be incorporated into this decision as if fully set forth herein.

Proposed Motion:

To approve with conditions Application PL-25-20, a 3-Lot residential resubdivision located at 97 Spithead Road with conditions 1 through 4 and to adopt the findings 1 through 5 of the staff report dated January 13, 2026.



Town of Waterford

Department of Planning and Development

www.waterfordct.org

Office Use Only

Date Submitted: _____

Processed By: _____

App. No.: _____

Total Fee: \$ _____

Electronic Submission

Waived: ____ Yes ____ No

PZC Form 1

Planning and Zoning Application

1. Type of Application(s), Use and Property Information (check all that apply)

- | | | |
|--|---|---|
| ☐ Informal Staff Review | ☐ Site Plan/Design Review | ☐ Municipal Project (CGS§8-24) |
| ☐ Special Permit/Design Review ¹ | ☐ Subdivision /Resubdivision | ☐ Lot line Adjustment |
| ☐ Zoning Map Change | ☒ Regulation Amendment(s) | ☐ New District |
| ☐ Multifamily Development | ☐ Coastal Area Management ² | ☐ Earth Excavation |
| ☐ Flood Hazard Area | ☐ Other: _____ | ☐ Other: _____ |

Specify all uses and corresponding section for which this application applies³:

Use: Definitions	Section: Section 1
Use: Agri-Tourism	Section: 3.41, 3.41.1, 3.41.2(b), 3.41.2(c), 3.41.2(f), 3.41.2(n), 3.41.3
Use: Farming	Section: 6.1.2

Name of proposed development/subdivision: _____ If subdivision how many lots?: _____

If applicable, are roadways proposed to be private, public or both:

☐ Private ☐ Public ☐ Both⁴

Parcel 1

Map/Block/Lot: ____/____/____

Street No. & Name: _____

Size SF/AC: ____/____

Zoning District(s): _____

Parcel 2

Map/Block/Lot: ____/____/____

Street No. & Name: _____

Size SF/AC: ____/____

Zoning District(s): _____

¹ Include a completed list of property owners with Parcel ID, name, address and mailing address. It is the applicant's responsibility to distribute all notices certified return receipt. Evidence of mailing shall be submitted prior to the start of the hearing. Failure to do so will delay the opening of the hearing.

² Coastal Site Plan reviews under Coastal Area Management §25.4 must submit a completed PZC Form 2 in addition to this PZC Form 1.

³ The use listed must correspond to the exact use term noted within the zoning district as a permitted use allowed through site plan or special permit.

⁴ A plan must accompany the application clearly delineating the limits of public and private roads.

2. Applicant Information

Name: Waterford Planning & Zoning Commission

Title: _____

Company: Town of Waterford

Address: 15 Rope Ferry Road

City/State: Waterford CT

Zip Code: 06385

Telephone: _____ Fax: _____ Email: _____

Applicant's Authority to File Application⁵

☐ Legal Owner of Record

☐ Power of Attorney

☐ Contract to Purchase

☒ Other Commission Proposal

3. Agent Information; if applicable

Name: _____

Title: _____

Company: _____

Address: _____

City/State: _____

Zip Code: _____

Telephone: _____ Fax: _____ Email: _____

Specify Nature of Agent

☐ Attorney

☐ Civil Engineer

☐ Land Surveyor

☐ Design Professional; _____

☐ Other: _____

Bar/License/Reg. No.: _____

4. Property Owner(s) and Parcel(s) Information

Is owner co-applicant? ☐ Yes ☐ No

Note: If landowner is an LLC, Corporation, Trust or other legal entity, attach the names, addresses and title of each member or officer, including agent(s). If same as applicant list 'Same'.

Name: _____	Name: _____
Title: _____	Title: _____
Company: _____	Company: _____
Address: _____	Address: _____
City/State: _____	City/State: _____
Zip Code: _____	Zip Code: _____
Telephone: _____	Telephone: _____
Fax: _____	Fax: _____
Email: _____	Email: _____

⁵ Applicant must submit evidence attesting to the authority to file application (i.e. deed, option for purchase, etc.)

5. Statement of Use

Attached a typed statement of use in conformance with the Zoning Regulations as described in Section 22.4.2. In addition include all hours and days of operation, size of buildings and number of stories, utilities servicing the parcel, variances received, number of employee and structures to be demolished.

6. Statement of Design Compatibility (Site Plans and Special Permits only)

Attach a statement describing how the building and site design is compatible with the neighborhood, character of Waterford and Zoning Regulations.

7. Consistency with Adopted Plan of Preservation, Conservation and Development (all applications)

Attach a statement attesting to how the proposed use, zone change, amendment or design is consistent with the most recent adopted Plan of Preservation, Conservation and Development (the Plan). Note relevant Plan section numbers and pages.

8. Natural and Cultural Resources

Yes	No		% of Property
☐	☐	a. Are inland wetlands present on site? Total SF/AC _____/_____	_____
☐	☐	b. Are tidal wetlands present on site? Total SF/AC _____/_____	_____
☐	☐	c. Are their known or suspected vernal pools on the property?	
☐	☐	d. CT DEEP NDDDB: Are endangered, threatened or species of special concern suspected to be located on the property? <i>Applicant must attach an 8 1/2 x 11 map of the most current CT DEEP Natural Diversity Database with site clearly identified regardless of response provided. If you answered yes to item d., attach a letter from CT DEEP stating the name of the specie(s) that are suspected to be on the property. See Section 22 of the Zoning Regulations for additional information.</i>	
☐	☐	e. Are floodplains or flood hazard areas on the property?	
		Identify: _____	
☐	☐	f. Is the property located within a local, state or national historic district?	
		If yes identify district name: _____	
☐	☐	g. Does the site possess any structures or sites listed on the local, state or national register of historic landmarks?	
		If yes, identify: _____	

9. Additional Information

Yes No

- | | | |
|--------------------------|--------------------------|---|
| ☐ | ☐ | a. Is any part of the site within 500' of the Town line? Which town: _____ |
| ☐ | ☐ | b. Will any egress or ingress for the property use streets within an adjoining municipality? |
| ☐ | ☐ | c. Is any work proposed in wetlands or watercourses? Explain in Statement of Use |
| ☐ | ☐ | d. Is any work proposed within 100 feet of a wetlands or watercourse? Explain in Statement of Use |
| ☐ | ☐ | e. Is any work proposed within a floodplain or flood hazard area? Explain in Statement of Use |
| ☐ | ☐ | f. Is public water available or proposed to the site? Identify: _____ |
| ☐ | ☐ | g. Are public sanitary sewers available or proposed to the site? Identify: _____ |
| ☐ | ☐ | h. Is there a utility, drainage or other easement(s) on the site? Specify: _____ |
| ☐ | ☐ | i. Is open space proposed on the property? |

How much open space is proposed (SF/AC)? _____ / _____ Percent of property(s) _____

Use and purpose of open space: _____

10. Previous Land Use Permits Associated with the Property(s)

Have previous permits been issued for the Property: ☐ Yes ☐ No (List singularly; attached additional pages if necessary)

Date Issued

Issuing Agency

Approved Use/Activity

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

11. Change of Zone, Regulation Amendment or New Zoning District, if applicable

Yes No

☒☐

a. Is this application for a new zoning district and/or regulation not presently established within the Zoning Regulations? If a new zoning district, distinguish type of zone proposed:

☐

Fixed Zone

☐

Floating Zone

☐

Overlay Zone

Identify proposed zone name: _____

For new regulations, list proposed section number(s) and titles(s):

i. **Section 1 Definitions**

ii. _____

iii. _____

☒☐

b. Is this application an amendment to an existing regulation? Attach proposed amendments, clearly noting any deletions, modifications or additions. List sections proposed to be modified:

i. **3.41, 3.41.1, 3.41.2(b), (c), (f), (n), 3.41.3**

ii. **6.1.2**

iii. _____

☐☒

c. Is this application for a change to a district already established within the regulations? Identify:

Supporting materials:

For new zoning districts or a change in zone provide a legal description of the land involved in the zone district change including the following:

- Location map at 1"=1000'
- Accurate description and acreage of tract(s) to be changed with existing buildings and uses
- Show existing features including but not limited to contours at two-foot intervals, wetlands and watercourses, flood plains, all improvements and structures,
- All lots or parts of lots contained in an area within 500 feet in all directions of the zone change tract
- All lots shown in this area and within the zone change tract shall contain the name and address of owners as recorded in the Assessor's records and shall show the nature of use
- North point, and distance along road from nearest road intersection.
- Scale of map(s)

12. Bulk Zoning Requirements Table

Complete the following table, which must also be included on applicable drawings:

Zoning District(s): _____		
Item	Required	Proposed
Minimum Lot Size		
Frontage		
Front Yard		
Side Yard		
Rear Yard		
Building Line		
Building Coverage		
Parking ⁶		
Landscaping		
Impermeable Coverage		

⁶ Attach method used to determine the number of parking spaces required.

13. Planning, Design and Engineering Team

Provide a list of all professionals responsible for the project. Additional pages attached, if necessary: ☐ Yes ☐ No

Discipline:	_____	Telephone:	_____
Name:	_____	Fax:	_____
Company:	_____	Email:	_____
License(s)/ Accreditations:	_____	License(s)/ Accreditation No(s):	_____

Discipline:	_____	Telephone:	_____
Name:	_____	Fax:	_____
Company:	_____	Email:	_____
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Name:	_____	Fax:	_____
Company:	_____	Email:	_____
Licenses and/or Accreditations:	_____	License/ Accreditation No(s):	_____

14. Supporting Documentation

Itemize, including additional attachments, all information provided in support of the application. Titles, dates and sheet/map numbers shall correspond exactly with the corresponding information provided.

Additional pages attached, if necessary: ☐ Yes ☐ No

Existing Regulations 3.41, 3.41.1

3.41.2(b), (c), (f), (n), 3.41.3

Existing Regulation 6.1.2

Proposed Regulation Amendments

15. For Informal Staff Review Use Only

Sec. 7-159b – Pre-application review of use of property. Notwithstanding any other provision of the general statutes, prior to the submission of an application for use of property under chapters 124, 126, 440 and 541 or any other provision of the general statutes authorizing an authority, commission, department or agency of a municipality to issue a permit or approval for use of such property, such authority, commission, department or agency or authorized agent thereof may separately, jointly, or in any combination, conduct a pre-application review of a proposed project with the applicant at the applicant's request. Such pre-application review and any results or information obtained from it may not be appealed under any provision of the general statutes, and shall not be binding on the applicant or any authority, commission, department, agency or other official having jurisdiction to review the proposed project.

I have read and understand the above provision of the Connecticut General Statutes and understand and agree that whatever discussion, comments and/or recommendations are made through this review are non-binding upon the parties.

Further, I acknowledge and agree that this pre-application review meeting is being conducted prior to and in anticipation of a formal application to the Waterford Planning and Zoning Commission or Conservation Commission to obtain feedback and response to the proposal or design, as it exists on this date, in the interest of preparing an application consistent with the Subdivision, Zoning or Wetlands regulations of the Town of Waterford as the case may be.

Signature

Printed Name

Date

Applicant

Agent

Land Owner

Land Owner

16. Technical Assistance Review Fee

In accordance with the Waterford Code of Ordinance Chapter 16.08, the Commission may require third party technical assistance review for the evaluation of applications associated with but not limited to site plans, special permits, zone change and regulation amendments and may collect payment for costs associated with the review. This includes but is not limited to civil engineering, architecture, legal assistance, traffic engineering and environmental protection.

17. Acknowledgements; All applications

Application Content

The undersigned hereby acknowledges that this application and statements submitted herewith are true to the best of my knowledge and approval of the application is contingent upon compliance with all requirements of said regulations.

Right of Entry and Inspection

The undersigned hereby authorizes the Waterford Planning and Zoning Commission or its agents, to enter the subject property for the purposes of inspection and enforcement for the said Zoning Regulations until receipt of final Certificate of Occupancy and Certificate of Zoning Compliance.

Electronic Data Accuracy and Transmission

If applicable, the undersigned hereby acknowledges that all electronic data submitted as part of this application is an accurate and true representation of all paper transmissions provided as part of this application and may be transmitted publically when requested and all applicable fees are paid in full by the requesting party.

Signature

Printed Name

Date

Applicant

Agent

Land Owner

Land Owner

Section 1 - DEFINITIONS

Farm Promotional Events:

Events that are open to the general public including but not limited to Farm-to-Table Dining Experience, Educational Farm Tours and Workshops

Farm Catering and Banquet Events:

Private events such as weddings, private parties and similar uses not open to the general public.

3.41 AGRI-TOURISM (Effective Date 1/29/18, Revised 6/4/25)

Purpose:

The purpose of this regulation is to allow Agri-tourism uses in Waterford, while maintaining rural character, preserving farmland, and protecting the health, safety and welfare of the citizens. Agri-tourism presents a unique opportunity to combine aspects of tourism and agriculture to provide a number of financial, educational and social benefits to the community while allowing farmers to supplement their farming activities with activities and events directly related to the farm and farming. Agri-tourism activities are multi-day seasonal uses, which are accessory to the Farm and Farming operation. They include ~~which include~~, but are not limited to u-pick operations, hay rides, corn mazes, petting zoo, cut you own Christmas trees, ~~farmer's markets~~, wine tasting, horseback riding, carriage rides, sleigh rides, ~~ice cream facilities~~, and garden tours. Agri-tourism events are single day uses or multi-day uses with each day having a defined start and end time. Agri-tourism events may include Farm Promotional Events in addition to Farm Catering and Banquet Events. Multi-day ~~uses~~ events shall not exceed three consecutive days. Agri-tourism activities and events may be permitted only in the RU-120 Zone District.

3.41.1. ~~At a minimum, a~~ Agri-tourism ~~activities~~ events shall be permitted in accordance with the provisions contained herein, subject to the issuance of a Special Permit in conformance with Section 23 of these Regulations.

3.41.2 General Provisions Applicable to Agri-tourism.

- a. The parcel(s) on which agri-tourism is proposed shall be contiguous and shall consist of no less than 20 acres, of which at least 51% of the gross area of the parcel(s) meets the definition of Farm in Section 1 of these regulations and is designated as farmland by the Waterford Town Assessor pursuant to CGS Chapter 203§12-107(c), as amended.
- b. Agri-tourism ~~activities and~~ events shall be limited to the areas as shown on an approved Site Plan, including outdoor and indoor areas of the farm property.
- c. All parking ~~and~~ areas associated with activities and events shall be no closer than 150 feet from all property lines.
- d. All activities and events shall occur between 8:00 a.m. and 10:00 p.m.
- e. Outdoor lighting shall not shed light beyond the boundaries of the subject property.
- f. No more than one (1) Agri-Tourism event shall take place simultaneously.; ~~no more than two events shall take place in any week running from Monday to Sunday, and no more than one event shall take place on any weekend running from Friday through Sunday. No more than 25 total Agri tourism events may be permitted in a calendar year. Each day of a multi day event shall count toward the maximum number of Agri tourism events permitted in a calendar year. The Commission may impose conditions to further limit the number and time of activities and events to mitigate adverse impacts to neighboring properties.~~
- g. The property owner shall reside on the property and be on the property during any Agri-tourism activity or event.
- h. All Agri-tourism activities and events shall comply with all local, state and federal regulations and statutes. Approval of plans by other State, Federal and Local regulatory agencies shall be obtained when applicable.
- i. Complete visual screening, as defined in Section 1 of these regulations, shall be provided during all times of operation.
- j. All amplified music or sound shall occur within structures and shall comply with all Town of Waterford noise ordinances.
- k. Exterior speakers or amplification of music or sound is prohibited.

- l. Overnight lodging is prohibited.
- m. Off-street parking shall comply with the following provisions of Section 20 of the Waterford Zoning Regulations:
 - i. Section 20.2
 - ii. Section 20.16
 - iii. Section 20.3(h)
 - iv. Section 20.5
 - v. Section 20.6
- mi. ~~A Zoning Compliance Permit shall be required for any activity or event to ensure compliance with the Special Permit. Applications for Zoning Compliance shall be made at least 7 days prior to the event.~~ The Commission may impose conditions to limit the number and time of events to mitigate adverse impacts to neighboring properties

3.41.3 Submission requirements:

In addition to the requirements of Section 22 & 23, the Special Permit Application to conduct Agri-tourism events shall also include, at a minimum, the following information:

- a. A statement describing the availability of adequate public utilities or on-site water and septic capabilities.
- b. A sworn, notarized statement by the property owner acknowledging requirements to comply with all applicable public health, fire, and building codes.
- c. A copy of the deed for the subject parcel.

SECTION 6 - RURAL RESIDENTIAL DISTRICT (RU-120)

6.1 GENERAL

The minimum lot size in this district shall be 120,000 square feet subject to the lot design standards of Section 3.34 of these regulations. The following shall be permitted uses within this district.
(Amended 7/2/90, Effective 7/13/90)

6.1.1 One-family dwellings.

6.1.2 Farming, except piggeries and the raising of animals for the production of pelts.

Added Text

An agri-tourism activity as defined in Section 3.41 shall be considered an accessory use to the principal farming use and shall include but not be limited to seasonal activities such as, u-pick operations, hay rides, corn mazes, petting zoo, cut you own Christmas trees, wine tasting, horseback riding, carriage rides, sleigh rides, garden tours and other similar activities.

Roadside stands not over 200 square feet in size, only when used for the sale of farm products, shall be permitted only if such stand is accessory to a farm use existing on the lot on which said stand is located, All such stands shall be set back 15 feet from the front property line and shall be provided with at least three off-street parking spaces in addition to those parking spaces required to serve the other uses of the property. All of the products offered for sale at any stand established under this provision shall have been grown or produced on said property.

6.1.3 Public libraries, public schools, and places of worship, subject to the approval of a site plan under the provisions of Section 22 of these regulations.

6.1.4 Public or private parks and playgrounds, subject to the approval of a site plan under the provisions of Section 22 of these regulations.

6.1.5 (Repealed 10/1/2000)

6.1.6 Customary Home Occupations as defined in Section 1 herein and subject to the provisions of Section 3.11 of these regulations.

6.1.7 Accessory uses as defined in Section 1 herein and subject to the provisions of Sections 3.9 and 3.10 of these regulations.

6.1.8 Accessory apartments in accordance with Section 3.36 of these Regulations.

6.2 USES PERMITTED IN THE RU-120 DISTRICT SUBJECT TO THE APPROVAL OF A SPECIAL PERMIT

The following uses may be permitted in the RU-120 District, if approved by the Commission in accordance with the provisions of Section 23 of these regulations.

6.2.1 Radio or television antennae, flagpoles, towers, chimneys, water tanks or standpipes, any of which extend more than 40 feet above the ground or private antennae more than 20 feet above the residential structure on which they are to be erected or more than 40 feet above the ground.

6.2.2 Cemeteries.

6.2.3 Buildings and structures and sub-stations operated by utility companies, but excluding service yards and outside storage areas.

6.2.4 Municipal facilities including firehouses and parking lots serving firehouses.

6.2.5 Private educational institutions.

6.2.6 Riding stables, nurseries, and commercial greenhouses.

6.2.7 Animal hospitals, veterinary hospitals, and kennels.

6.2.8 Golf courses and country clubs.

6.2.9 Agri-tourism uses in accordance with Section 3.41 of these regulations. (Effective 1/29/18)

6.2.10 Convalescent nursing home, places for assisted living, hospitals, medical clinics or medical service laboratories. (Amended 8/19/08)

6.2.11 Accessory dwelling units in accordance with Section 3.39 of these Regulations. (Effective 6/30/13)

6.3 MINIMUM LOT FRONTAGE AND WIDTH

No lot in this district shall have less than 150 feet frontage on a public street, and each lot shall be at least 200 feet in width at the building line.

6.4 MINIMUM SETBACKS

6.4.1 Front Yard - 50 feet, except when lots front a State Highway, the minimum setback shall be 75 feet.

6.4.2 Side Yard - 30 feet.

6.4.3 Rear Yard - 75 feet.

6.5 BUILDING COVERAGE

The aggregate building coverage on any lot in this district shall not exceed 15% of the total area of said lot.

6.6 MAXIMUM BUILDING HEIGHT

No building in this district shall be constructed, reconstructed, extended, enlarged, moved, or altered in any way so as to have a maximum building height in excess of 35 feet, except as provided in Section 3.6 of these regulations.

6.7 OFF-STREET PARKING

Off-street parking spaces shall be provided for each lot within this district in accordance with the provisions of Section 20 of these regulations.

6.8 SIGNS

All signs erected within this district shall conform to the requirements of Section 21 of these regulations.

6.9 ENVIRONMENTAL PROTECTION

No development shall be undertaken on any lot within this district nor shall the existing character, including vegetation and topography, be disturbed from its natural state except in accordance with the provisions of Section 25 of these regulations.

Section 1 - DEFINITIONS

Farm Promotional Events:

Events that are open to the general public including but not limited to Farm-to-Table Dining Experience, Educational Farm Tours and Workshops

Farm Catering and Banquet Events:

Private events such as weddings, private parties and similar uses not open to the general public.

Seasonal Harvest Festivals:

- **Celebrating specific crops:** Focus on a particular crop when it's at its peak, such as a "Heirloom Tomato Festival" or "Strawberry Shortcake Day".
- **Integrating cultural traditions:** Host celebrations around heritage crops, incorporating traditional music, dance, and food preparations.
- **Family-friendly activities:** Include pumpkin carving contests, apple pressing demonstrations, hayrides, corn mazes, petting zoos, and farm-themed photo opportunities to attract families.

Farm-to-Table Dining Experiences:

- **Seasonal dinners:** Host quarterly dinners highlighting the season's best produce.
- **Chef collaborations:** Partner with local chefs for cooking demonstrations and meals using farm ingredients.
- **Sunset dinners in the fields:** Offer exclusive dining experiences among your crops.
- **Interactive food stations:** Set up tasting stations and chef demonstration areas to engage guests.

Educational Farm Tours and Workshops:

- **Hands-on harvesting:** Offer guided tours where visitors can pick their own produce.
- **Cooking classes:** Teach guests how to use farm-fresh ingredients.
- **Agricultural skill-sharing sessions:** Host workshops on topics like sustainable farming or food preservation.
- **Targeting specific demographics:** Design tours tailored to different groups, such as school children or food enthusiasts

3.41 AGRI-TOURISM (Effective Date 1/29/18, Revised 6/4/25)

Purpose:

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5 Connecticut Avenue
Norwich, CT 06360
(860)889-2324
secogct.gov

Representing 22 towns, cities, and
boroughs in Southeastern
Connecticut.

December 11, 2025

Mark Wujtewicz
Planner
Town of Waterford
15 Rope Ferry Road
Waterford, CT 06385

I am writing in response to a request for an intermunicipal referral for the Town of Waterford. The application was received on December 10, 2025. The application was referred to this agency pursuant to Section 8-3(b) of the Connecticut General Statutes.

The proposed amendments seek to establish regulations for Agri-tourism (Section 3.41) within the RU-120 Zone District. The purpose of these regulations is to allow Agri-tourism uses while simultaneously maintaining the rural character of the area, preserving farmland, and protecting the health, safety, and welfare of citizens. Agri-tourism is defined as a unique opportunity to combine tourism and agriculture, offering financial, educational, and social benefits to the community, and allowing farmers to supplement their primary activities.

The proposed regulations address two types of operations:

1. Agri-tourism activities: These are multi-day seasonal uses accessory to the farm operation, such as u-pick operations, hayrides, corn mazes, petting zoos, farmer's markets, and garden tours. These activities are considered accessory uses for farming in the RU-120 district and are not subject to a Special Permit.
2. Agri-tourism events: These are single-day uses or multi-day uses (not exceeding three consecutive days). Events require the issuance of a Special Permit and may include Farm Catering and Banquet Events (private events like weddings) or Farm Promotional Events (open to the public, like educational farm tours or Farm-to-Table Dining Experiences).

Key requirements for Agri-tourism include operational limitations and property specifications, such as limiting total events to no more than 25 per calendar year, prohibiting overnight lodging, and requiring all activities and events to occur between 8:00 a.m. and 10:00 p.m. Furthermore, the regulations require the property owner to reside on the property and be present during any activity or event. The parcel used for Agri-tourism must consist of no less than 20 contiguous acres, with at least 51% of that gross area meeting the definition of a Farm and being designated as farmland by the Town Assessor.

Based on a review of the material provided, I have determined that the proposed zoning regulation amendment is not likely to have a negative intermunicipal impact.

If you have any questions, please contact me at tlussier@secogct.gov.

Sincerely,
Taylor Lussier
Planner I
SECOG
tlussier@secogct.gov





January 5, 2026

Waterford Planning and Zoning Commission
c/o Mark Wujtewicz, Planner
Waterford Town Hall
Fifteen Rope Ferry Road
Waterford, CT 06385

RE: Review of Proposed Zoning Text Amendments for Sections 1 – Definitions, 3.4.1, 3.4.1.1-3, and 6.1.2

Dear Commissioners:

Thank you for referring the above-referenced proposed set of zoning text amendments for our review and comment. The set of zoning text amendments received on December 10, 2025 concern agritourism activities. Acting as the Commissioner's staff, our office has reviewed the proposed set of zoning text amendments for consistency with the policies and standards of the Connecticut Coastal Management Act (CCMA), and we find them to be consistent.

Please be advised that this consistency determination is based on coastal management considerations only and does not necessarily reflect other municipal planning and zoning considerations that may apply. These comments are made in response to the review requirement contained in Section 22a-104(e) of the Connecticut General Statutes, which requires that notification be sent to the Commissioner of Energy and Environmental Protection at least 35 days prior to the commencement of the public hearing. Once notified, our office is responsible for reviewing the proposal's consistency with the policies of Section 22a-92 and the criteria of Section 22a-102(b) of the CCMA.

Should you have any questions regarding this letter, please feel free to contact me at (860) 424-3779 or by email at karen.michaels@ct.gov.

Sincerely,

Karen Michaels, EA III
DEEP Land and Water Resources Division

KAM/kam

cc: Waterford Coastal File – Proposed Zoning Text Amendments: Sections 1 – Definitions, 3.4.1, 3.4.1.1-3, and 6.1.2



DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: January 13, 2026

TITLE: Staff Report: Zoning Regulation Amendment – Application PL-25-21
Sections 1- Definitions, 3.41, 3.41.1, 3.41.2(b, c, f and n), 3.41.3 and 6.1.2 as
they pertain to the Purpose, General Provisions and Submission Requirements
applicable to Agri-tourism

EXECUTIVE SUMMARY

This application has been submitted by the Waterford Planning and Zoning Commission pursuant to Section 28.2 of the Waterford Zoning Regulations to amend Sections 1 - DEFINITIONS, 3.41, 3.41.1, 3.41.2(b), (c), (f), (n), 3.41.3 and Section 6.1.2 of the Zoning Regulations relative to Agri-tourism

The proposed modifications to Section 1, Section 3.41 and Section 6.1.2 including the above referenced subsections are to more clearly establish the distinctions between those Agri-tourism uses which are listed as events and those which are listed as activities as well as eliminating some of the standards and criteria for compliance subsequent to the approval of a Special Permit. The uses that are listed as activities within Section 3.41 are considered accessory to the farming operation and will not be subject to the requirements of a Special Permit. Uses which are listed as events will still be subject to the requirements of a Special Permit. Once a Special Permit has been granted for an Agri-tourism event space, all uses as defined in the proposed definitions of events can be conducted on the property.

This application was received by the Commission on December 16, 2025.

The application was posted in the Office of the Waterford Town Clerk on December 22, 2025.

The Public Hearing was advertised in The Day newspaper on December 30, 2025 and January 6, 2026.

The date of Public Hearing was January 13, 2026.

BACKGROUND

Pertinent Regulations

Connecticut General Statutes

CGS 8-3(a)

Waterford Zoning Regulations
Section 1 – Definitions
Section 3.41 – Agri-Tourism
Section 6.1.2 – Rural Residential District (RU-120)
Section 28 – Amendments

Waterford Zoning Regulations

Added Text

~~Deleted Text~~

Existing text to remain

Section 1 – DEFINITIONS (Effective Date: ~~10/4/24~~)

Farm Promotional Events:

Events that are open to the general public including but not limited to Farm-to-Table Dining Experience, Educational Farm Tours and Workshops

Farm Catering and Banquet Events:

Private events such as weddings, private parties and similar uses not open to the general public.

Section 3.41- AGRI-TOURISM (Effective Date, ~~1/29/18, Revised 6/4/25~~)

Purpose:

The purpose of this regulation is to allow Agri-tourism uses in Waterford, while maintaining rural character, preserving farmland, and protecting the health, safety and welfare of the citizens. Agri-tourism presents a unique opportunity to combine aspects of tourism and agriculture to provide a number of financial, educational and social benefits to the community while allowing farmers to supplement their farming activities with activities and events directly related to the farm and farming. Agri-tourism activities are multi-day seasonal uses which that are accessory to the Farm and Farming Operation. They include, but are not limited to u-pick operations, hay rides, corn mazes, petting zoo, cut your own Christmas trees, ~~farmer's markets~~, wine tasting, horseback riding, carriage rides, sleigh rides, ~~ice cream facilities~~, and garden tours. Agri-tourism activities are not subject to the issuance of a Special Permit. Agri-tourism events are single day uses or multi-day uses with each day having a defined start and end time. Agri-tourism events may include Farm Promotional Events in addition to Farm Catering and Banquet Events. Multi-day uses events shall not exceed three consecutive days. Existing Special Permits issued for Agri-tourism shall conform to the requirements of these regulations or any amendment thereto. Agri-tourism activities and events may be permitted only in the RU-120 Zone District.

3.41.1. ~~At a minimum, Agri-tourism activities events~~ shall be permitted in accordance with the provisions contained herein, subject to the issuance of a Special Permit in conformance with Section 23 of these Regulations.

3.41.2(b) - Agri-tourism ~~activities and~~ events shall be limited to the areas as shown on an approved Site Plan, including outdoor and indoor areas of the farm property.

3.41.2(c) – All parking ~~and~~ areas associated with activities and events shall be no closer than 150 feet from all property lines.

3.41.2(f) - *No more than one (1) Agri-Tourism event shall take place simultaneously., ~~no more than two events shall take place in any week running from Monday to Sunday, and no more than one event shall take place on any weekend running from Friday through Sunday. No more than 25 total Agri-tourism events may be permitted in a calendar year. Each multi-day event shall count toward the maximum number of Agri-tourism events permitted in a calendar year. The Commission may impose conditions to further limit the number and time of activities and events to mitigate adverse impacts to neighboring properties.~~*

3.41.2(n) - *~~A Zoning Compliance Permit shall be required for any activity or event to ensure compliance with the Special Permit. Applications for Zoning Compliance shall be made at least 7 days prior to the event.~~ The Commission may impose conditions to limit the number and time of events to mitigate adverse impacts to neighboring properties.*

3.41.3 - *Submission requirements:*

In addition to the requirements of Section 22 & 23, the Special Permit Application to conduct Agri-tourism events shall also include, at a minimum, the following information:

- a. *A statement describing the availability of adequate public utilities or on-site water and septic capabilities.*
- b. *A sworn, notarized statement by the property owner acknowledging requirements to comply with all applicable public health, fire, and building codes.*
- c. *A copy of the deed for the subject parcel.*

6.1.2 - *Farming, except piggeries and the raising of animals for the production of pelts.*

An Agri-tourism activity as defined in Section 3.41 shall be considered an accessory use to the principal farming use and shall include but not be limited to seasonal activities such as pick-your-own operations, hay rides, corn mazes, petting zoo, cut your own Christmas trees, wine tasting, horseback riding, carriage rides, sleigh rides, garden tours and other similar activities

Roadside stands not over 200 square feet in size, only when used for the sale of farm products, shall be permitted only if such stand is accessory to a farm use existing on the lot on which said stand is located, All such stands shall be set back 15 feet from the front property line and shall be provided with at least three off-street parking spaces in addition to those parking spaces required to serve the other uses of the property. All of the products offered for sale at any stand established under this provision shall have been grown or produced on said property.

DISCUSSION

Section 1 - DEFINITIONS

The regulation amendments as proposed introduce two uses listed as Agri-tourism events. These events, “Farm Promotional Events” and “Farm Catering and Banquet Events”, are currently not defined within the Zoning Regulations. As such, the addition of these uses must be defined within the context of the Zoning Regulations.

Section 3.41- AGRI-TOURISM

The regulation amendments proposed are designed to distinguish between those Agri-tourism uses which are activities and those which are events. While the existing regulations established these uses as distinct types of uses, the permitting process for the two types were similar. Both categories (Activities and Events) required a Special Permit and Site Plan review and approval by the Planning and Zoning Commission (Commission). The purpose of the regulation amendments proposed throughout Section 3.41 and its subsections is to remove Special Permit and Site Plan review and approval for Agri-tourism activities only and to list them as accessory uses associated with a farm or farming operation. By establishing Agri-tourism activities as accessory uses they are considered to be customary and incidental to the farm or farming use. An Accessory Use is defined within the Town of Waterford Zoning Regulations as *“a subordinate use which is clearly incidental to and customary in connection with the main building or use and which is located on the same lot with such main building or use.”* The accessory uses that are proposed to be listed within Section 6.1.2 are incidental and customary to a farm or farming use in that they cannot operate unless a farm or farming operation occurs as a principal use on the parcel.

Proposed language within Section 3.41 also states that, *“Agri-tourism activities are not subject to the issuance of a Special Permit”*. This proposed language further clarifies that any of the uses listed as Agri-tourism activities within Section 3.41.2 and 6.1.2 do not require review and approval of a Special Permit and Site Plan by the Commission.

Proposed text changes for Sections 3.41.1, 3.41.2(b), 3.41.2(f) and 3.41.2(n) removes “Agri-tourism activities” from being subject to Special Permit review and approval while still requiring “Agri-tourism events” defined in Section 1 and as listed within Section 3.41, subject to the issuance of a Special Permit and Site Plan. The amendment to Section 3.41(f) also removes the maximum number of events that can be held during a week as well as removes the maximum number of events that can be held in a calendar year. The proposed modification to Section 3.41.2(n) also removes the requirement that a Zoning Compliance application be submitted for review for any event at a location that has received a Special Permit and Site Plan approval for conducting Agri-tourism events. The Commission retains the ability to impose conditions that may limit the number and time of events in order to mitigate any potential adverse impacts to neighboring properties at the time it reviews an application for a Special Permit to allow Agri-tourism.

The Commission previously enacted Agri-Tourism regulations in 2018 in order to encourage the preservation of undeveloped farmland and by allowing the continuation of farms with income generating activities and events directly related to the farms and farming operations. The regulation amendments which are the subject of this application further increase the ability of farms and farming operations to remain sustainable by providing additional opportunities for Agri-tourism activities.

Pursuant to Connecticut General Statutes Section 8-3a, before the Commission acts upon an application to amend the Zoning Regulations of the Town of Waterford, it must find whether or not the amendments being proposed are consistent with the goals, policies and objectives contained in the 2012 Waterford Plan of Preservation, Conservation and Development, herein after called the Plan.

RECOMMENDED ACTION

Based on the information provided, staff recommends the Planning and Zoning Commission find that:

Findings:

1. Application PL-25-21 meets the requirements of Section 28 of the Waterford Zoning Regulations.
2. Application PL-25-21 meets the requirements of Connecticut General Statutes Chapter 124 §8-3 governing changes of zoning regulations and districts.
3. The proposed regulation amendments are consistent with the Plan in meeting the stated goals of the Sustainability/Resiliency Chapter (Pg. 40).
4. The proposed regulation amendments further encourage additional means to continue to support local farmers and farming by allowing Agr-tourism defined activities to operate as an accessory use to a farm and farming operation without being subject to the requirements of a Special Permit and Site Plan review (Pg. 42).

Proposed Motion:

That the Commission approve Application #PL-25-21 to amend Zoning Regulations Sections 1 – Definitions, 3.41, 3.41.1, 3.41.2(b, c, f and n), 3.41.3 and 6.1.2 and adopt the findings 1 thru 4 of the Staff Report dated January 13, 2026.

Effective Date: February 20, 2026

ENHANCE

Sustainability / Resiliency

GOAL

Promote activities that are more sustainable over the long term and help to create a resilient community.

For this Plan, “sustainability” refers to the philosophy of encouraging activities that allow present generations to meet their needs without compromising the ability of future generations to meet their needs. The term “resiliency” refers to the community’s ability to readily recover from sudden changes or adversity.

Although the future cannot be determined with certainty, it is becoming more apparent that resource availability and utilization will likely have greater importance. This will undoubtedly impact residents and businesses in Waterford in ways we may not yet fully foresee. To ensure it is a “resilient” community, Waterford should start investigating and implementing, as appropriate, sustainability measures to preserve resources and maintain a healthy quality of life for future generations.

The Town of Waterford should be a leader in sustainable practices.

Residential Solar Collector



Sustainability



C. Encourage Farms and Farming

Having more food grown locally and available locally helps make Waterford a more sustainable and a more resilient community.

Waterford should seek ways to support local farmers and farming since this could provide a number of health, nutrition, and economic benefits for residents. In addition to the farmer's market, it might also include roadside farm stands.



Farm Stand



Farm Produce



CLA Engineers, Inc.

Civil • Structural • Survey

317 MAIN STREET • NORWICH, CT 06360 • (860) 886-1936 • (860) 886-9165 FAX

December 15, 2025

Town of Waterford
Planning & Zoning
15 Rope Ferry Road
Waterford, CT 06385

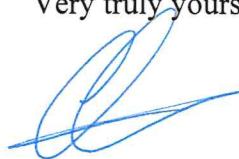
RE: Site Development Plan
Safe Futures
994 Hartford Turnpike
Site Plan application #PL-21-6
Inland Wetlands & Watercourses Permit #C-20-03
CL-6772

An application for Safe Futures for a Site Development Plan was approved by the Conservation Commission. On behalf of the owners, this firm is requesting a Permit Extension in accordance with CT General Statutes 22a-36 through 22a-45. .

An application for Safe Futures for a Site Development Plan was approved by the Planning and Zoning Commission in August of 2021. On behalf of the owners, this firm is requesting a Permit Extension.

If you have any questions please do not hesitate to contact me.

Very truly yours,



Ellen M. Bartlett, PE, CPSWQ
LEED Accredited Professional