

**PLANNING AND ZONING COMMISSION
REGULAR MEETING MINUTES**

RECEIVED FOR RECORD
WATERFORD, CT

2023 JUN 30 P 3:17

June 27, 2023

ATTEST: *[Signature]* 6:30 PM
TOWN CLERK

Planning & Zoning Commission
Town Hall

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

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

G. Massad, called the meeting to order at 6:30 PM. D. Crum was seated for T. Bleasdale.

2. APPROVAL OF MINUTES

MOTION: Motion made by K. Barnett, seconded by T. Conderino, to approve the June 13, 2023 meeting minutes.

VOTE: 3-0-2 (V. Ebersole and G. Massad abstained as they did not attend the June 13, 2023 meeting)

4. APPLICATION RECEIPT

#PL-23-10 Request of Kincora Waterford, LLC, Applicant and Owner for a modified site plan approval for a restaurant for property located at 122 & 124 Boston Post Road, PDD-1 Zone in accordance with Sections 19 and 30.1 of the Zoning Regulations and as shown on plans entitled "Phase II Site Plan for 122-124 Boston Post Road, Waterford, CT"

ACTION REQUIRED BY: 8/31/23

M. Wujtewicz noted that this application was received after the agenda was posted but within the statutory time frame. The review of this application will be scheduled for early August.

5. APPLICATION REVIEW

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

ACTION REQUIRED BY: 6/29/23

G. Massad recused himself from the discussion. V. Ebersole noted that he had not attend the public hearing on June 13, 2023 and had not been able to review the recording and record and will not participate in the deliberations. B. Chenard was appointed to sit for the application. G. Massad deferred leading the deliberations to K. Barnett and left the room.

K. Barnett opened the discussion. The Commission discussed the application. Attorney Avena reviewed with the Commission the 8-30g Statute. He referenced that during the public hearing a question of a potential adverse possession was raised. He noted that Planning Commissions do not decide property lines disputes and that if a dispute is settled that results in a substantive change to an approved site plan, that the applicant will need to resubmit a new site plan to the Commission.

M. Wujtewicz reviewed the staff report with the Commission. He noted that there were three recommendations for conditions forwarded by the Design Review Board at their June 13, 2023 meeting suggesting that the color of the buildings be varied in order to eliminate repetitiveness, downward lighting be installed for the entrance monument sign and a central mailbox be provided. The Commission discussed the recommendations and determined that a central mailbox structure could potentially cause traffic conflicts within the site and would be best not to be installed.

The Commission made the following findings:

1. The parcel is located within the R-20 Zoning District as identified on the most recently adopted Zone District Map.
2. Waterford is subject to the Connecticut "Affordable Housing Appeals Procedure" (CGS §8-30g) because less than 10% of the housing stock meets State criteria for affordable housing.
3. The project is a multi-family development and is submitted pursuant to the provisions of Connecticut General Statutes §8-30g.
4. Thirty percent (30%) or 15 of the dwellings as identified in the affordable housing plan submitted into the record will contribute towards the Town's affordable housing stock.
5. The Waterford Conservation Commission issued Inland Wetland Permit# C-22-14 for regulated inland wetland activities.
6. The Waterford Conservation Commission has submitted to the Planning and Zoning Commission a final report in accordance with CGS §8-3(g).
7. The number of parking spaces provided meets the requirements of Section 20.3(b) of the Waterford Zoning Regulations.
8. This application has been reviewed by the Town of Waterford Design Review Board in accordance with Section 22b of the Waterford Zoning Regulations and which Board submits a positive report to the Planning and Zoning Commission with the following recommendations:
 - a. Colors of the homes and other architectural features be varied in order to eliminate repetitiveness and provide visual variation among the buildings.
 - b. The proposed lighting for the monument sign be directed downward,
 - c. A central mailbox be provided.

The Commission discussed the following conditions:

1. The Limits of Permanent Clearing and Disturbance shall be identified on the site plan as the wetland non-encroachment boundary.

2. Provide pavement markings for the parking areas on the final plan prior to filing on the land records.
3. Provide parking calculations on the plan prior to filing on the land records.
4. Provide fencing around the perimeter of the detention basin. Detail and location shall be provided on the site plan prior to filing on the land records.
5. Provide solid vinyl fencing along west property line in addition to the proposed arborvitae. Show fence location and detail on the final site plan prior to filing on the land records.
6. Provide specific reference on the site plan that this project is an Affordable Housing Development submitted in accordance with CGS §8-30g prior to filing on the land records.
7. Building mounted lights shall be full cutoff, dark sky compliant. Fixture detail shall be provided prior to filing the plans on the land records.
8. The approval of the site plan includes fire zones as may be established and enforced pursuant to Chapter 8.08 of the Waterford Code of Ordinances.
9. Recommendation by the Town Attorney relative to form and substance of the Conservation Easement prior to endorsement of the final plans.
10. Recommendation by the Town Attorney relative to form and substance of the Affordable Housing Plan prior to endorsement of the final plans.
11. Recommendation by the Town Attorney relative to form and substance of the Drainage Easement prior to endorsement of the final plans.
12. All conditions of approval for Inland Wetland Permit #C-22-14 shall be incorporated into this decision as if fully set forth herein.
13. Colors of the homes and other architectural features be varied in order to eliminate repetitiveness and provide visual variation amongst the buildings.
14. The proposed lighting for the monument sign be directed downward.

MOTION: Motion made by T. Conderino, second by D. Crum to approve with conditions, the Proposed Affordable Housing Development Site Plan Application #PL-23-7 in accordance with CGS 8-30g located at 109R and 131 Clark Lane with conditions 1 thru 14 and to adopt the findings 1 thru 8 of the staff report.

VOTE: 3-1 (B. Chenard voted to deny)

G. Massad returned to the room and resumed as chair.

6. ADMINISTRATIVE REVIEW

No action was taken.

7. CORRESPONDENCE

No correspondence was received.

8. COMMISSION BUSINESS

No action was taken.

9. ADJOURNMENT

MOTION: Motion made by K. Barnett, seconded by T. Conderino, to adjourn the meeting at 7:32 PM.

VOTE: 5-0

Respectfully Submitted,



Katrina Kotfer
Recording Secretary