

MINUTES

Planning & Zoning Commission
Waterford Town Hall

December 20, 2010
7:00 PM

Members Present: G. Hughes, J. Auwood, T. Ward, D. Award
Members Absent: E. Maguire,
Alternates Present: B. Chenard
Alternates Absent: A. Laben (1 vacancy)
Staff Present: T. Wagner, D. Choisy

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Acting Chairperson Hughes called the meeting to order at 7:00. B. Chenard was appointed to sit for E. Maguire.

2. APPROVAL OF MINUTES

MOTION: Motion made by T. Ward, seconded by B. Chenard, to approve the minutes of the December 6, 2010 meeting as written.

VOTE: 5-0

3. RECEIPT OF APPLICATIONS

#PZ2010-034 ó Request of the Town of Waterford Recreation and Parks Commission, for municipal improvement in accordance with Section 8-24 of the Connecticut General Statutes to locate a bathroom/storage building at 45 Dayton Road.

T. Wagner stated that this application was in order for receipt and appears later on the agenda for the Commission's review and action.

4. APPLICATION REVIEWS

#PZ2010-024– Request of James M. & Zan L. Hoagland, owners and applicants, James Bernardo Land Surveying, agent, for a 5-lot resubdivision for property located at 11 Spithead Road, R-40 zone, as shown on plans entitled "Hoagland Resubdivision" dated May 27, 2010 revised through August 30, 2010.

T. Wagner reviewed the modifications, stipulations and conditions stated in the draft prepared by Staff. He stated that some modifications have been made in response to information received from the Department of Public Works.

MOTION: Motion made by J. Auwood, seconded by T. Ward, to approve with conditions application # PZ2010-024 for resubdivision in accordance with the findings,

modifications, stipulations and conditions contained herein. All potential adverse impacts have been addressed as modified herein.

INLAND WETLAND REPORT: The Conservation Commission approved with conditions this resubdivision under Permit # CCNS2010-041. All provisions of Conservation Commission Permit # CCNS2010-041 are incorporated into this decision as if fully set forth herein. Specifically a non-encroachment line has been established over a portion of Lots 1 and 2. Any violation of the requirements of this non-encroachment line is a violation of the Zoning Regulations including Section 3.34. A Conservation Easement has been proposed over a portion of Lots 1 and 2.

EROSION AND SEDIMENTATION CONTROL PLAN CERTIFICATION:

The proposal as presented will limit disturbance and thus is certifiable in accordance with the standards of Section 4.5 of the Subdivision Regulations. Limits of clearing will be strictly enforced, and disturbance of individual lots will not occur until zoning compliance permits have been issued, thus reducing the exposed areas at any given time. Provisions for stormwater and erosion control are required to be shown on the Zoning Compliance plans in accordance with the following:

PLAN MODIFICATIONS, STIPULATIONS AND CONDITIONS

1. Proposed footing drains are to be installed directly into the Town drainage system. Modify plan to reflect saddle connection as specified by DPW. A permit from the Department of Public Works shall be obtained prior to any work within the Town right of way.
2. Proposed grading for Lots 2 and 3 shall be done in such a manner as to prevent an increase in the flow of surface water onto adjacent properties. The zoning compliance plan shall provide detailed grading to distribute surface water onto the lot through the use of swales and rain gardens. The Zoning Official may require the plan be prepared by a professional engineer. The Zoning Official may require information on the impact grading will have on the other lots in this subdivision and adjacent property.
3. No Zoning Compliance permit for a new house on lots 2 or 3 shall be issued until the drainage connection is installed to serve both lots, found acceptable for use and a clear water drain agreement(s) is issued by the Department of Public works.
4. The shared portion of the driveway serving lots 2 and 3 is considered a shared improvement and shall be constructed prior to the issuance of a zoning compliance permit and in conjunction with the installation of the subsurface and surface water conveyances .
5. Section 5.4.4 of the subdivision regulations state that a subdivision may be exempt from requiring Open Space if it contains less than five lots and has a total area of less than five acres of land. The subdivision lot layout as proposed contains four lots and has a total area of 14.32 acres. The applicant proposes a Conservation easement over the area west of the wetland non-encroachment line established by the Conservation Commission to the western property line and undeveloped portion of Lot 2. The Planning and Zoning Commission finds that the creation of the Conservation Easement would meet the intent of the regulations of setting aside undeveloped land for open space.
6. The Conservation easement area shall be indentified on the final plans.
7. Reference to the Conservation easement shall be noted on the property deeds for Lots 1 and 2. A copy of this language shall be submitted to the Planning Office for review prior to filing the final plans on the land records.

8. The Conservation easement shall be marked in the field prior to filing the final plans on the land records.
9. A draft cross reciprocal access easement and maintenance agreement including underground utilities and drainage for the shared driveway serving Lots 2 and 3 shall be submitted at the time of filing the final plans on the land records. No Zoning Compliance permit for lot 2 or 3 shall be issued until the final executed easement is filed on the land records.

VOTE: 5-0

#PZ2010-034 ó Request of the Town of Waterford Recreation and Parks Commission, for municipal improvement in accordance with Section 8-24 of the Connecticut General Statutes to locate a bathroom/storage building at 45 Dayton Road.

Recreation and Parks Department Program Coordinator Kerry Sullivan reviewed this application with the Commission. The proposal is to construct a bathroom/storage building at the Lisa Dedrick Softball Field. Currently there are portable bathroom facilities on the site. The building will be built by volunteers with funds from the Lisa Dedrick Foundation to take care of materials and other expenses. K. Sullivan reviewed the location of the proposed building, and stated that the field is used from April to October.

T. Wagner stated that Staff is in favor of the proposal, and requests that the Commission authorize the Zoning Official to act as the Commission's agent through the issuance of a Zoning Compliance permit.

MOTION: Motion made by T. Ward, seconded by B. Chenard, to approve the 8-24 request of the Recreation and Parks Commission to install a bathroom/storage facility at the Lisa Dedrick Softball Field located at 45 Dayton Road as shown on the application material submitted and to authorize the Zoning Official to act as the Commission's agent through the issuance of a Zoning Compliance Permit.

VOTE: 5-0

5. ADMINISTRATIVE REVIEW

Request for Extension to file Mylars – Levin Estates Resubdivision, 41 Lamphere Road, #PZ2010-028

MOTION: Motion made by D. Award, seconded by B. Chenard, to approve a 90-day extension to file the Mylars for the Levin Estates Resubdivision, 41 Lamphere Road, #PZ2010-028. New filing deadline: 4/24/11.

VOTE: 5-0

Request for Bond Release – Casean Court Subdivision

The Commission reviewed an amended site inspection report dated December 20, 2010 prepared by M. Wujtecwicz, and also a response from the developer received on December 20, 2010. T. Wagner stated that Staff is recommending that the Town continue to hold \$5,000 of the \$45,000 bond currently being held to guarantee the establishment of permanent vegetative cover in the spring.

MOTION: Motion made by J. Auwood, seconded by T. Ward, to release to the developer \$40,000 of the bond currently being held and accrued interest. The Town will retain \$5,000 for the guarantee of the establishment of permanent vegetative cover in the spring of 2011.

VOTE: 5-0

Request for Roadway Acceptance – Cottage Lane

T. Wagner stated that the outstanding issues still have not been resolved. This item will appear on the next agenda.

2011/2012 Budget

The Commission reviewed the draft budget.

MOTION: Motion made by T. Ward, seconded by B. Chenard to approve the 2011/2012 budget.

VOTE: 5-0

6. CORRESPONDENCE

7. ADJOURNMENT

MOTION: Motion made by D. Award, seconded by T. Ward, to adjourn the meeting at 7:34.

VOTE: 5-0

Respectfully Submitted,

Dawn Choisy
Recording Secretary