

TOWN OF WATERFORD
PLANNING AND ZONING PUBLIC HEARING
APPLICATION PL-14-9
June 25, 2014

SUBMITTED TESTIMONY

OF

KATHLEEN JACQUES

10 MAGONK POINT RD

WATERFORD, CT

June 25, 2014

Dear Commissioners:

I am Kathleen Jacques, I reside at 10 Magonk Point Road, and I am an abutting neighbor of the Seaside Regional Center property (Seaside).

Many of us have been here before to discuss regulation language for this property. I also see some new faces on the commission, and we welcome a new planning director, Dennis Goderre to the town. I understand that this is a complex and emotional issue for all the people in attendance and I thank the commissioners for their public service and generous donation of their time.

“My mind is made up, don’t confuse me with the facts.” The disposition of Seaside has been in the news for over 14 years, much longer than any other planning and zoning issue, and commission members most likely have been exposed to extensive media coverage and formed some opinions beforehand. But this is the first and maybe only opportunity when the commissioners get an opportunity to hear “up close and personal” from the residents themselves, particularly the neighbors whose quality of life will be most affected by the final plan and its implementation. There will be advocates for the applicant’s ideas as well, but these interests may reflect short term benefits (construction jobs) and or other anticipated financial benefits of development in general, not the long-term consequences to the specific location and surrounding district.

Although it may seem that the heavy lifting was done when the initial regulation that established this “special district” was adopted, the text changes that are proposed in this application, PL-4-9, are not “ordinary” or “routine” at all. In fact, the requested changes run contrary to the very purpose for which the Special Zone was created – which was to create a residential Preservation District. This application changes the regulation from a residential use to a commercial use which bears no resemblance to a “special” purpose.

This commission, both its veteran and new members, will bear the responsibility for the ultimate fate of the Seaside property, a process that has been closely followed and is of vital concern to the local neighborhood, the district, the town residents-at-large, and all the residents of the State of Connecticut. Yours is a momentous task, and it will require careful deliberation, objectivity and a clear understanding of your roles as planning commissioners for you to make the correct decisions that will accomplish the purpose of the regulation, as it is stated in 17a 1.1 through 17a 1.5

In fact, the foremost reason to deny the application is because the proposed changes undermine the original purpose as stated below:

To transition the Seaside regional center to a productive private use which:

- a. 17a 1.1 Results in the preservation and adaptive reuse of the main building, the employee building I, the duplex and the superintendent’s house, etc.

This goal, to accomplish an adaptive reuse, is eliminated and substituted with “preservation, renovation, rehabilitation, or reconstruction” yet that language has not been defined herein. Adopting language

from the Secretary's Standards and Guidelines for preservation requires a level of expertise beyond the scope of the commissioner's duties and knowledge, and the content of those standards have not been submitted to the record. In fact, the historic preservation has been substantially sidelined and overrun by the other permitted uses.

- b. 17a 1.2 Is designed to preserve and complement the architectural style of the historic structures

Any proposed changes, especially additions to language, in sections 17a.2 through 17a.14 should be carefully reviewed by the commissioners so that you can understand the possible outcomes and the rationale or necessity for such alterations additions, enhancements or restrictions that the text would allow.

- c. 17a 1.3 Integrates and controls all uses and site design to continue the unified and common use of the site

The history of the establishment of the original regulation is the pertinent issue here, as its primary objective was to preserve the historic buildings, and to encourage a residential development which design would not alter the existing campus-like character of the property and its abundance of open space areas.

- d. 17a 1.4 Least impacts the adjacent residential neighborhood

Any regulation that alters the zone from residential to commercial activity is a direct contravention of this purpose, which is a principal goal of the regulation and one of utmost impact to the surrounding area.

- e. 17a 1.5 Provides for public access to the waterfront consistent with the capacity of the coastal resources.

The establishment of a "gated" private community in Waterford is not representative of the desires of the Town or the 2011 Waterford Plan of Conservation and Development, and is not representative of the character of the surrounding community. The proposal to provide access from another property outside of the boundaries of the parcel sidesteps this section of the regulation's purpose and takes its implementation and enforcement out of the control of the commission.

The proposed regulation is too restrictive:

A planning commission enjoys ample discretion in the interpretation and implementation of a "Special District" regulation. Any and all language that excessively defines any section of the regulation essentially undermines such discretion. During the special permit process the commission can only take actions and make decisions that pertain to the any approved regulation as written, thus it is prudent to retain or modify the text with less restrictive language where appropriate.

The primary reason for the establishment of this "Special District" was to facilitate the preservation of the historic buildings. The change of the residential zone classification from RU-120 to R40 (an increase of density of 12 times), was explained as a necessary provision that would "incentivize" a development project. If it is determined that the buildings cannot be preserved, it would be appropriate to revisit the zone and moderate the regulation so that the "least impact" purpose could be achieved. The proposed changes would exploit the loss of the buildings and replace them with a commercial hotel and multi-family time-share community. I have submitted a copy of application PZ2006-026a that was presented to the commission in 2006, which outlines the type of changes that would be supported by the surrounding district (see attachment 1).

Allowing an inn and banquet facility is a commercial use of the property, and the resulting regulation must comply with any existing standards in the current regulations that govern the uses proposed. Specifically, the public road should not be counted toward density. Excess traffic, noise, lighting, and the addition of a bar and liquor service will have a significantly detrimental impact on the surrounding homes

The 2003 regulation (see attachment 2) confined dwelling units to a percentage of existing buildings for a reason – to prevent sprawl. Since that restriction was removed, the commission has seen that recent conceptual plans show intense site coverage. Even though the special permit process governs the approval of a site plan, this is a perfect example where changing the regulation led to unintended consequences and took control of the site plan out of the hands of the commission. Every regulation change that adds a specific detail narrows the commission's discretion. During the reapplication presentation in 2012, the applicant presented a different concept; now withdrawn from the record, that proposed 76 new dwelling units, and he specifically reminded the commission that "everything that is in this Master plan was allowed by the regulation." The commission needs to be very careful not to be lured into a trap by thinking that a "conceptual" drawing might be the site plan that will be eventually brought before them. In fact, it is not even clear why the applicant's submitted "conceptual site plan" is pertinent to the text amendment.

The proposed regulation implicitly includes residential property that is outside the area to which the regulation applies:

The map for this application is for the surveyed parcel described as the Seaside Regional Center. Public access to the waterfront is a condition of this Special District regulation. In the conceptual Master Plan dated June 11, 2014, the applicant proposes to move that access to a residential parcel outside the Seaside District. This is in direct conflict with the purpose of the proposed regulation, and the parcel on the conceptual plan is not under the control of these regulations.

Accommodating a private sale agreement is outside the purview of the commission and may not be in the public's best interest. This could lead to other residential properties being purchased by the developer and an expansion of the commercial activity beyond the Special Zone

The applicant's plan to put a road on private property outside the "Seaside Preservation District" will have an adverse impact on the property values and safety of the neighboring properties, and there is no

record of these new neighbors (owners within 500 ft of the new road) receiving notice of this regulation change. If these owners have not been given proper notification of this regulation change, they may be deprived of their statutory right to appeal the decision of the commission. Therefore, the application should be denied and resubmitted.

The proposed regulation is not residential:

In 2003, the judge denied the neighbors' appeal partially because the applicant argued that the adopted regulation was residential and thus in keeping with the existing character of the neighborhood. An inn, restaurant, and banquet facility are not residential uses.

The traffic study references a Master Plan (2012) that is not in the record:

Complex traffic study reports which assert they can anticipate future road use and estimate past use do nothing to prove "least impact" at all. The value of any study is mostly to establish road surface capacity and wait times – and does not take into consideration the noise, speed, safety, or volume experienced by the existing homeowners. In addition, the traffic study that has been submitted repeatedly refers to a 2012 Master Plan. The content of that plan has not been provided by the applicant. Therefore, either the entire 2012 Master plan must be submitted or the current traffic study should be disregarded for the purpose of the commissioner's deliberations.

The question commissioners need to answer is simple: "Is increased traffic of this magnitude going to violate the regulation's purpose which is to least impact the residential neighborhood?"

(Another measure of "least impact" has been and continues to be the housing density allowed by the regulation. The original objection to the regulation passed in 2003 was that the regulation allowed 12 times the amount of residents allowed in the neighboring R120 zone; the salient point being that the historical discontent with the zoning language has been that it permits high density development in a rural residential district.)

The applicant's financial challenges are not pertinent to the regulation text:

The financial challenges of the development have become the "tail that wags the dog." A simpler regulation that gives the commission discretion when an actual site plan proposal is being reviewed will prevent the regulation from being written for a developer's needs rather than to address the regulation's stated purpose. I have submitted the two adopted regulations and the original regulation that was proposed by the previous town planner. It is an understandable desire of the town government that this property is developed in order to support the grand list, but that should not be the primary concern of a planning and zoning commission. A reasonable residential development will provide tax support to the town and will not require a project of this magnitude. In fact, it could be argued that a simpler proposal would be easier to achieve. It is not the commission's role to try to predict the market demand when determining a regulation.

The argument that because this process has been lengthy, “the town should just move on,” is not appropriate to this application:

The applicant won a competition to become a “preferred developer” partially because he promised to work with the neighbors. He has never done so. What he has done is return to the commission again and again to expand the uses and impacts of the regulation – and create a zoning regulation that will be in place no matter who the actual developer may be.

Once again, the applicant has presented a pretty conceptual picture in order to illustrate how his application might result in a desirable outcome. But, although this applicant has drawn several pictures over the years, he has yet to present a “true” site plan. In addition, he has an option to purchase the land which has no performance deadline and permits him to drag this process on for an immeasurable time.

The emphasis on the financial challenges for this project has become the dominating theme of the need to amend the zone. As concerned residents of Waterford, we depend on this commission to hold true to the established purpose of this district and prevent this regulation from allowing commercial uses in a residential zone.

CONCLUSION

Once upon a time the town government hosted public discussions with community residents about the preservation of Seaside and proposed its own set of regulations (see attachment 3), because so many residents had “history” there. We still do – many of the neighbors have lived there for generations, and in surrounding districts, many residents continue to advocate an appropriate preservation plan.

The commission should go back to its own drawing board again, should deny this regulation, and should subsequently revise this regulation in a way that address the realities of the site’s challenges, the current economy, and the town’s needs and desires.

Those desires are articulated in the Plan of Preservation and Conservation, which I would like to submit into the record in its entirety, and I have attached some pertinent excerpts with this correspondence (attachment 4).

Key objectives of said Plan are:

To preserve coastal resources, protect community character, preserve scenic areas, protect historic resources, protect existing residential neighborhoods, develop businesses (and commercial uses) in identified areas, be guided by the Future Land Use Plan, and take actions consistent with the Regional Plan of Conservation and Development.

The best guideline for the commission continues to be set out in the existing purpose of the Seaside Preservation District regulation itself. When the decisions are made for the right reasons, the result will be a better outcome for Waterford.

Attachment #1

APPLICATION TO AMEND
REGULATION (JACQUES) 2006

FIFTEEN ROPE FERRY ROAD

WATERFORD CT 06385-2886



July 27, 2006

Kathy Jacques
10 Magonk Point Road
Waterford, CT 06385

RE: Application #PZ2006-026
Regulation Change – Seaside Preservation District

Dear Ms Jacques:

The following application was formally received by the Waterford Planning & Zoning Commission at its meeting on July 24, 2006.

#PZ2006-026 – Request of Kathy Jacques, applicant; Paul M Geraghty, agent, to amend the following sections of the Zoning Regulations: 17a.1 – Purpose, 17a.2 – Uses Permitted, including dwelling unit standards, 17a.3 – Accessory Uses, 17a.7 – Maximum Building Height and 17a.11 – Open Space and Recreation.

The application has been sent to State and Town agencies and departments for comments. You will be notified when the item is scheduled for a public hearing.

If at any time you have any questions, feel free to contact me at 444-5813 between 8:00 AM - 4:00 PM weekdays. Your cooperation will help greatly in assuring an expeditious review process.

Sincerely,
Dawn Choisy
Dawn Choisy
Recording Secretary
Planning and Zoning Commission

cc: Paul M. Geraghty, agent

APPLICATION TO AMEND
REGULATION (2006)
JACQUES

SECTION 17a - SEASIDE PRESERVATION ZONING DISTRICT (effective 7/15/03)

17a.1 PURPOSE

To transition the Seaside regional center to a productive private use which:

17a.1.1 Results in the preservation and adaptive reuse of the Main Building, the Employee Building I, so called, the Duplex and the Superintendent's House (Historic Structures) by keeping the existing facade of the buildings.

17a.1.2 Is designed to preserve and complement the architectural style of the Historic Structures by keeping the existing facade of the buildings.

should have been "Historic"

17a.1.3 Integrates and controls all uses and site design to continue the unified and common use of the site

17a.1.4 Least impacts the adjacent residential neighborhood.

17a.1.5 Provides for public access to the waterfront consistent with the capacity of the coastal resources

17a.2 USES PERMITTED IN THE SEASIDE PRESERVATION DISTRICT SUBJECT TO THE APPROVAL OF A SPECIAL PERMIT

The following uses may be permitted in the Seaside Preservation District, subject to the applicable lot design standards of Section 3.34, if approved by the Commission in accordance with the provisions of Section 23 of these regulations. Any such permitted use noted below shall be located primarily in the Historic Structures and is subject to the requirement that the Historic Structures be retained, renovated and integrated into the overall development plan. In meeting this objective, said buildings may be added onto or repositioned on the site.

17a.2.1 Clinics, residential and/or special care facilities, for the terminally ill.

17a.2.2 Adult Day Care

17a.2.3 Dwelling Units, subject to the following standards:

17a.2.3.1 ~~No subdivision of the property into separate single family lots shall be allowed~~ No single family dwellings are permitted.

17a.2.3.2 Households must have at least one member over the age of 55, and must otherwise comply with Federal Fair Housing Act (42 USC 3600-3620) qualifying the development as housing for older persons under the Act.

17a.2.3.3 The commission may limit the number of bedrooms as a condition of granting a special permit.

17a.2.3.4 The density shall not exceed 4 units per acre of buildable area, not to exceed a maximum number of 80 dwelling units. as buildable area is defined in Section 3.34.3 a of these regulations, and which is not otherwise committed to another use, except that the area of the public road maybe counted towards density. Open space areas and/or any area dedicated to public use shall not be used in calculating the buildable area.

17a.2.4 Non-profit theaters and their ancillary service facilities

17a.2.5 Municipal facilities, public or private parks and playgrounds,

17a.3 ACCESSORY USES PERMITTED IN THE SEASIDE PRESERVATION DISTRICT

The following accessory uses are allowed if subordinate to the principal use(s) specially permitted. The commission may limit the location and operation of an accessory use as a condition of granting a special permit

17a.3.1 Educational instruction, certification and training

17a.3.2 Recreation facilities, a community building, spas, physical therapy and personal service uses.

17a.3.3 Meeting facilities.

17a.3.4 Offices

17a.3.5 Day care facilities

17a.3.6 Other similar or customary uses as approved by the commission

17a.4 LOT FRONTAGE & PUBLIC ROAD

17a.4.1A 24' wide public street with a sidewalk set within a 50' right of way shall be improved and dedicated to the Town of Waterford. No parking will be permitted on this road.

17a.4.2 The street shall extend to a point where fifty feet (50') of frontage is provided to the public access area.

17a.4.3 No driveway access will be allowed across the frontage along Shore Road.

17a.4.4 The required front yard along the frontage of Shore Road shall be suitably landscaped and shall not include any parking areas.

17a.4.5 Access shall be provided from all dwelling units to the new public street for municipal solid waste collection and designed in a manner consistent with current collection practices of the Town of Waterford.

17a.5 MINIMUM SETBACKS

17a.5.1 Front yard: Shore Road: 100 feet,

17a.5.2 Front yard: new public road: 25 feet,

17a.5.3 Other yards along the district boundary adjacent to private property: 75 feet, a 40' landscaped partial visual screen shall be provided along the adjacent property line. any such landscaping shall be respectful of views from the adjoining property and shall be designed so as not to obstruct same.

17a.5.4 Building separation: Minimum separation shall comply with the current (1999) Connecticut Building Code as updated from time to time including the Supplemental State Building code which includes 1996 BOCA National Building Code, the 1997 NFPA 100 Life Safety Code, and the 1995 CABO one and two family dwelling code, as applicable.

17a.5.5 Special flood hazard zone A: 50 feet.

17a.6 BUILDING COVERAGE

The aggregate building coverage of all buildings located within this district shall not exceed 15% of the total land area of said district, which includes land dedicated for a public road.

17a.7 MAXIMUM BUILDING HEIGHT 17a.7.1

Maximum building height 35 feet

17a.7.2 Spires, steeples, cupolas, chimneys, flagpoles, and similar features may be erected an additional 12 feet above the maximum building height established herein subject to:

17a.7.2.1 Occupying in the aggregate not more than 10 percent of the total roof area,

17a.7.2.2 Not being used for human occupancy

17a.7.2.3 Being incorporated into the design of the building

17a.7.3 Addition(s) to the Historic Structures may extend to the height of the existing building not to exceed 35 feet

17a.8 OFF-STREET PARKING

Off-street parking areas, access drives, landscaping and other requirements shall be provided in accordance with the provisions of Section 20 of these regulations. In the interest of reducing the amount of impervious surfaces, the commission may grant modifications to the provisions of section 20. Modification requests shall include the nature of the modification, amount of the reduction and justification for the granting of the modifications. The commission may modify or condition the approval of a modification to the parking requirements. but shall first consider the need for employee and guest parking which may be associated with the development proposal.

17a.9 SIGNS

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

17a.10 ENVIRONMENTAL PROTECTION

17a.10.1 No development shall be undertaken 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.

17a.10.2 A storm water management plan shall be submitted, which mitigates any impact the use of this site has on water quality. The storm water management system shall, based on available technology, have the ability to treat the first inch of runoff to remove 80% of total suspended solids, oils, chemicals and floatable debris. Best management practices to control pollution at the source shall be specified

17a.10.3 The total area which is impervious to the infiltration of storm water shall be limited to 30% of the site and including the area of the public road.

17a.11 OPEN SPACE & RECREATION

All areas not approved for development as defined shall be set aside as permanent open space or recreation area in perpetuity to be held in common by the owners within the district. The use, maintenance and preservation of all common areas, including open space and recreation areas, shall be controlled by an association of common owners organized pursuant to Connecticut's Common Interest Ownership Act. Association documents governing this obligation shall be submitted to the Commission for approval. All exterior common and limited common areas shall be delineated on the site plan required by Section 12 below.

17a.11.1 The area below elevation 12' and any adjacent area which the commission determines will facilitate public access shall be set aside as a public park and improved as required by the Commission. This area shall not be subject to the rules and regulations of the owners but instead shall be regulated by the Town of Waterford Parks and Recreation Department. The Commission may allow land above elevation 12' to be substituted for the same amount of land below 12' in determining the area to be set aside for public access, provided however that any such substituted land must be contiguous to, and become a part of the public park.

17a.11.2 A Conservation and Public Access Easement over the public park and parking area shall be conveyed to the State with the Town as its successor. An agreement governing the use, operation, improvement and maintenance of the public park and parking area shall be submitted and may be conditioned as part of granting a special permit. The public parking area shall be exclusively designated as such and shall not be used in calculating the parking necessary for any other on site development.

17a.11.3 Passive recreation facilities serving residents of the dwelling units shall be located and improved on the basis of 500 square feet per residential dwelling unit. If approved by the Commission, required recreation area may include land set aside to meet the requirement of Section 17a.11.2 herein. Furthermore, where the Commission finds that either adequate outdoor facilities currently exist to serve the recreational needs of the occupants of the Seaside Preservation District, or that proposed indoor facilities will suitably provide for such recreational needs, the Commission may waive either a portion of or all of the requirements of Section 17a.11.3 of these regulations.

17a.11.4 The commission may require a system of trails and sidewalks within the development to provide access between buildings, uses and for recreational purposes.

17a.11.5 Public parking for at least 25 vehicles including van accessible handicapped/senior spaces shall be provided and located for convenient access to the park. The commission may require additional public parking areas be established in a location necessary to support acceptable public uses. Appropriate signage shall be employed to define this area as public parking only.

17a.12 SITE PLAN APPROVAL

A site plan shall be submitted to the Commission in accordance with the provisions of Section 22 of these

regulations and the purpose of this district, and no building or structure, parking lot, or outdoor use of land, shall be used, constructed, enlarged, or moved until said site plan has been approved by the Commission. The development shall be constructed in accordance with these Regulations and the site plan as approved by the Commission. Changes to the approved plans may be made, the extent of which shall be set forth in the special permit.

17a.13 DESIGN

The architectural and site design of all buildings and improvements within the Seaside Preservation District, including typical floor plans and building elevations drawn to scale showing the exterior materials and treatment to be used, shall be submitted. The Plan submission shall specifically show how the development will result in the preservation and re-use of the Main Building, Employee Building 1, the Duplex and the Superintendent's House, how the principal use is to be primarily located in these buildings and how all new construction will be integrated into a cohesive and unified development plan. The development shall be constructed in accordance with these design plans and the special permit shall specify the manner in which any changes to the design elements may be made.

17a.14 PHASED CONSTRUCTION

The development may be phased as approved by the Commission for a period of up to 5 years. Thereafter the Commission may grant annual extensions not to exceed a total extension of 5 years. The commission may modify the phasing schedule and specify the timing of the restoration of the historic structures, installation of public improvements including site utilities and the public park and parking areas and the level of improvements required in order to permit the use and occupancy of the development.

SECTION 17a - SEASIDE PRESERVATION ZONING DISTRICT (effective 7/15/03)

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17a.2.3.3 The commission may limit the number of bedrooms as a condition of granting a special permit.

17a.2.3.4 The density shall not exceed 4 units per acre of buildable area as buildable area is defined in Section 3 34.3.a of these regulations, and which is not otherwise committed to another use, except that the area of the public road maybe counted towards density.

17a.2.4 Non-profit theaters and their ancillary service facilities

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17a.5 MINIMUM SETBACKS

17a.5.1 Front yard: Shore Road: 100 feet,

17a.5.2 Front yard: new public road: 25 feet,

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17a.5.4 Building separation: Minimum separation shall comply with the current (1999) Connecticut Building Code as updated from time to time including the Supplemental State Building code which includes 1996 BOCA National Building Code, the 1997 NFPA 100 Life Safety Code, and the 1995 CABO one and two family dwelling code, as applicable.

17a.5.5 Special flood hazard zone A: 50 feet.

17a.6 BUILDING COVERAGE

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17a.7 MAXIMUM BUILDING HEIGHT

17a.7.1 Maximum building height 35 feet

17a.7.2 Spires, steeples, cupolas, chimneys, flagpoles, and similar features may be erected an additional 12 feet above the maximum building height established herein subject to:

17a.7.2.1 Occupying in the aggregate not more than 10 percent of the total roof area,

17a.7.2.2 Not being used for human occupancy

17a.7.2.3 Being incorporated into the design of the building.

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Off-street parking areas, access drives, landscaping and other requirements shall be provided in accordance with the provisions of Section 20 of these regulations. In the interest of reducing the amount of impervious surfaces, the commission may grant modifications to the provisions of section 20. Modification requests shall include the

nature of the modification, amount of the reduction and justification for the granting of the modifications. The commission may modify or condition the approval of a modification to the parking requirements

17a.9 SIGNS

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17a.10 ENVIRONMENTAL PROTECTION

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17a.10.2 A storm water management plan shall be submitted, which mitigates any impact the use of this site has on water quality. The storm water management system shall, based on available technology, have the ability to treat the first inch of runoff to remove 80% of total suspended solids, oils, chemicals and floatable debris. Best management practices to control pollution at the source shall be specified.

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17a.11.1 The area below elevation 12' and any adjacent area which the commission determines will facilitate public access shall be set aside as a public park and improved as required by the Commission. The Commission may allow land above elevation 12' to be substituted for the same amount of land below 12' in determining the area to be set aside for public access, provided however that any such substituted land must be contiguous to, and become a part of the public park.

17a.11.2 A Conservation and Public Access Easement over the public park and parking area shall be conveyed to the State with the Town as its successor. An agreement governing the use, operation, improvement and maintenance of the public park and parking area shall be submitted and may be conditioned as part of granting a special permit.

17a.11.3 Passive recreation facilities serving residents of the dwelling units shall be located and improved on the basis of 500 square feet per residential dwelling unit. If approved by the Commission, required recreation area may include land set aside to meet the requirement of Section 17a.11.2 herein. Furthermore, where the Commission finds that either adequate outdoor facilities currently exist to serve the recreational needs of the occupants of the Seaside Preservation District, or that proposed indoor facilities will suitably provide for such recreational needs, the Commission may waive either a portion of or all of the requirements of Section 17a.11.3 of these regulations.

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17a.11.5 Public parking for at least 25 vehicles including van accessible handicapped/senior spaces shall be provided and located for convenient access to the park. The commission may require additional public parking areas be established in a location necessary to support acceptable public uses.

17a.12 SITE PLAN APPROVAL

A site plan shall be submitted to the Commission in accordance with the provisions of Section 22 of these regulations and the purpose of this district, and no building or structure, parking lot, or outdoor use of land, shall be used, constructed, enlarged, or moved until said site plan has been approved by the Commission. The development shall be constructed in accordance with these Regulations and the site plan as approved by the Commission. Changes to the approved plans may be made, the extent of which shall be set forth in the special permit.

17a.13 DESIGN

The architectural and site design of all buildings and improvements within the Seaside Preservation District, including typical floor plans and building elevations drawn to scale showing the exterior materials and treatment to be used, shall be submitted. The Plan submission shall specifically show how the development will result in the preservation and re-use of the Main Building, Employee Building 1, the Duplex and the Superintendent's House, how the principal use is to be primarily located in these buildings and how all new construction will be integrated into a cohesive and unified development plan. The development shall be constructed in accordance with these design plans and the special permit shall specify the manner in which any changes to the design elements may be made.

17a.14 PHASED CONSTRUCTION

The development may be phased as approved by the Commission for a period of up to 5 years. Thereafter the Commission may grant annual extensions not to exceed a total extension of 5 years. The commission may modify the phasing schedule and specify the timing of the restoration of the historic structures, installation of public improvements including site utilities and the public park and parking areas and the level of improvements required in order to permit the use and occupancy of the development.

Draft Proposed Zoning District and Regulations

Seaside Preservation Zoning District
 District Location, Seaside Regional Center
 (Excluding Land to be Retained by the State of Connecticut)

deletions

Comment: Accurate survey and description required.

SEASIDE PRESERVATION*

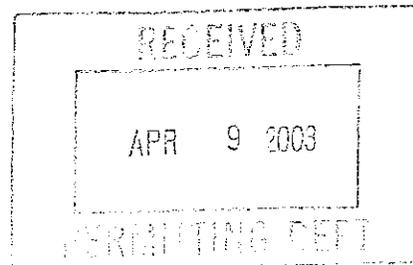
1. **PURPOSE:** To transition the Seaside regional center to a productive private use which:
 - 1.1 Results in the preservation and adaptive reuse of the Historic Structures
 - 1.2 Is designed to preserve and reflect the current architectural style
 - 1.3 Integrates and controls all uses and site design to continue the unified and common use of the site
 - 1.4 Least impacts the adjacent residential neighborhood.
 - 1.5 Provides for public access to the waterfront consistent with the capacity of the coastal resources
 - 1.6 Continues the institutional special use of the site by focusing on the needs of persons over age 55.

2. **Uses Permitted In The Seaside Preservation District Subject To The Approval Of A Special Permit.**
 The following uses may be permitted in the Seaside Preservation District, subject to the applicable lot design standards of Section 3.34, if approved by the Commission in accordance with the provisions of Section 23 of these regulations, the purpose of this district and results in the substantial preservation of the historic buildings on this site
 - 2.1 Clinics, Residential and/or Special care facilities, for the terminally ill.
 - 2.2 Adult Day Care
 - 2.3 Private educational institutions, excluding colleges and universities.
 - 2.4 Home for the aged, nursing home, rest home as defined in Section 19A-490(L) of the Connecticut State Statutes or Assisted living as such term is defined herein and in Section 19A-490(L) of the Connecticut State Statutes. The total occupancy shall be limited to 180 residents.
 - 2.5 Dwelling Units, except Single Family.
 - 2.5.1 Households must have at least one member over the age of 55
 - 2.5.2 The commission may limit the number of bedrooms and occupants as a condition of granting a special permit.
 - 2.5.3 The density shall not exceed 4 units per acre of buildable area (3.34.3.a), not otherwise committed to another use, except that the area of the public road maybe counted towards density.
 - 2.5.4 75% of the units must be located within one or more of the following; the Main Building, Employee Building 1, The Duplex or the Managers Cottage including any addition thereto.
 - 2.5.5 For new construction the number of dwelling units per building shall be at least two.
 - 2.6 Non-profit theaters and their ancillary service facilities
 - 2.7 Municipal facilities, public or private parks and playgrounds,

3. ACCESSORY USES PERMITTED IN THE SEASIDE PRESERVATION:

The following accessory uses are allowed if subordinate to the principle use(s) specially permitted. The commission may limit the location and operation of an accessory use as a condition of granting a special permit.

- 3.1 Educational instruction, certification and training
- 3.2 Recreation facilities, a community building, spas, physical therapy and personal service uses.
- 3.3 Meeting facilities
- 3.4 Offices
- 3.5 Day Care Facilities
- 3.6 Other Similar Or Customary Uses As Approved By The Commission



4. LOI FRONTAGE & PUBLIC ROAD:

- 4.1. A 24' wide public street set within a 50' right of way shall be improved and dedicated to the Town of Waterford. No parking will be permitted on this road.
- 4.2. The street shall extend to a point where fifty feet (50') of frontage is provided to the public access area.
- 4.3. No driveway access across the frontage along Shore Road.
- 4.4. The required front yard along the frontage of Shore Road shall be suitably landscaped and shall not include any parking areas.
- 4.5. Access shall be provided from all dwelling units to the new public street for municipal solid waste collection and designed in a manner consistent with current collection practices of the Town of Waterford.

5. MINIMUM SETBACKS

- 5.1. Front yard: Shore Road: 100 feet,
- 5.2. Front yard: new public road: 20 feet,
- 5.3. Other yards along the district boundary adjacent to private property: 75 feet, a 40' landscaped partial visual screen shall be provided along the adjacent property line.
- 5.4. Building separation: 30' unless modified by the commission depending on the type of fire protection to be provided and the accessibility of the building for emergency personnel and equipment
- 5.5. Special flood hazard zone a -
 - 5.5.1. 100 feet - for new construction & expansion of existing buildings,
 - 5.5.2. For existing buildings the current setback may be maintained.
- 5.6. Any historic building existing at the time of adoption of these district regulations, which is closer to a property line than these setback allow shall not be considered a non-conforming structure under section 24.4.1a. Any addition shall comply with the setbacks contained herein and no new non-conformity or increased encroachment results, or no non-conforming use is established or expanded.

Not modified if new are not including

6. BUILDING COVERAGE

The aggregate building coverage of all buildings located within this district shall not exceed 15% of the total land area of said district, which includes land dedicated for a public road.

7. MAXIMUM BUILDING HEIGHT

- 7.1. maximum building height 35 feet
- 7.2. Spires, steeples, cupolas, chimneys, flagpoles, and similar features may be erected an additional 12 feet above the maximum building height established herein subject to:
 - 7.2.1. Occupying in the aggregate not more than 10 percent of the total roof area,
 - 7.2.2. Not being used for human occupancy
 - 7.2.3. Being incorporated into the design of the building.
- 7.3. Addition(s) to the Main Building may extend to the height of the existing building.

8. OFF-STREET PARKING

Off-street parking areas, access drives, landscaping and other requirements shall be provided in accordance with the provisions of Section 20 of these regulations. In the interest of reducing the amount of impervious surfaces, the commission may grant modifications to the provisions of section 20. Modification requests shall include the nature of the modification, amount of the reduction and justification for the granting of the modifications. The commission may modify or condition the approval of a modification to the parking requirements.

9. SIGNS

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

10. ENVIRONMENTAL PROTECTION

- 10.1. No development shall be undertaken 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.
- 10.2. A storm water management plan shall be submitted, which mitigates any impact the use of this site has on water quality. The storm water management system shall, based on available technology, have the ability to treat the first inch of runoff to remove 80% of total suspended solids, oils, chemicals and floatable debris. Best management practices to control pollution at the source shall be specified.
- 10.3. The total area which is impervious to the infiltration of storm water shall be limited to 30% of the site and including the area of the public road.

11. OPEN SPACE & RECREATION

- 11.1. All areas not approved for development as defined shall be set aside as permanent open space or recreation area in perpetuity to be held in common by the owners within the district.
- 11.2. The area below elevation 12' and any adjacent area which the commission determines will facilitate public access shall be set aside as a public park and improved as required by the Commission.
- 11.3. A Conservation and Public Access Easement over the public park shall be conveyed to the State with the Town as its successor. An agreement governing the use, operation, improvement and maintenance of the public park shall be submitted and may be conditioned as part of granting a special permit.
- 11.4. Recreation facilities serving residents of the dwelling units shall be located and improved on the basis of 500 square feet per residential dwelling unit.
- 11.5. The commission may require a system of trails and sidewalks within the development to provide access between buildings, uses and for recreational purposes.
- 11.6. Parking for at least 25, vehicles including van accessible handicapped/senior spaces shall be provided and located for convenient access to the park. The commission may require additional parking areas be established in a location necessary to support acceptable public uses.

12. MODIFICATIONS:

As provided herein various modifications may be granted by the Commission in furtherance of the purposes of this district. The Commission shall state its reasons for the action taken on any modification.

Other Proposed Amendments to the Zoning Regulations:

New Definition To Be Added To Section 1:*

Assisted living: A full care and/or special care building for persons at least age 55 who need assistance with one or more functions of daily living. Private residential areas for up to two person, containing a bath, sleeping accommodations, and a limited food preparation area, are combined with common dining and activity spaces to create a communal setting for the occupants. Access is provided within the building to social, recreational, personal and essential care services for the occupants to continue a level of independent living.

3.8 MORE THAN ONE BUILDING ON A LOT

Except as provided in Sections 3, 17, 18, ~~X~~ (# for new Seaside Preservation District) and Section 19 of these Regulations, only one principal building and the accessory buildings or uses customarily incident thereto shall be located on any single lot.

3.34 LOT DESIGN STANDARDS (Effective 9/21/92)

3.34.2 Applicability

These standards shall apply to the creation of lots through lot division or subdivision in any zoning district, and lot development under the Cluster Subdivision, Planned Group Development, Seaside Preservation District and Multi-Family Development Regulations.

4.2 USES PERMITTED IN THE R-20 DISTRICT SUBJECT TO THE APPROVAL OF A

4.2.5 Home for the aged, nursing home, rest home, as defined in Section 19A-490(L) of the Connecticut State Statutes and/or places for assisted living, as defined herein and in Section 19A-490(L) of the Connecticut State Statutes; hospitals and clinics; and private educational institutions.

13.2 USES PERMITTED IN THE IP-1 DISTRICT SUBJECT TO THE APPROVAL OF A SPECIAL PERMIT (Amended 10/25/82, Effective 12/1/82)

Home for the aged, nursing home, rest home, as defined in Section 19A-490(L) of the Connecticut State Statutes and/or places for assisted living, as defined herein and in Section 19A-490(L) of the Connecticut State Statutes, including Independent dwelling units developed in conjunction with and with access to services of an Assisted Living development.

NOTES:

- The location and section numbering for all proposed regulations and amendments shall be established by the Planning and Zoning Commission in a manner consistent with the organization of the Zoning Regulations and may result in renumbering sections affected by these changes to insure appropriate cross referencing.

CONSISTENCY REVIEW

Of The 1998 Plan of Preservation, Conservation, and Development.

Related to the Seaside Regional Center and the Creation of the Seaside Preservation Zoning District and other related Zoning Regulation amendments. (CGS 22a-104 & 8-3a)

Coastal Areas-

Continue to address the special needs and issues of coastal areas

The Town must continue to actively participate in ongoing discussions with the State regarding the reuse of the Seaside Center. Patients have been relocated from the former mental health facility and the State is contemplating concepts regarding reuse or disposition of the facility that abuts Long Island Sound. Since this facility is located in a residential area, any future use must be compatible with these constraints. In addition, provision must be made for appropriate public access to, use of, and/or ownership of the waterfront. As plans are refined, assess the existing zoning and adjust, if necessary, to encourage an appropriate development plan. (emphasis added)

Finding: Consistent

- Public Access and control of the waterfront is required
- Adjustment to the Zoning Regulations will encourage and appropriate development plan

Coastal Flooding Issues

Development in coastal high-hazard zones should be discouraged or prevented unless no feasible alternatives exist. This policy is necessary due to the hazard to life and property and due to the problems of evacuation or rescue. In coastal areas, the Town should consider storm surge information developed for Long Island Sound by the U. S. Army Corps of Engineers (COE) and factor such information into future decisions regarding significant new development or reuse, especially in the context of emergency evacuation needs.

Development in 100-year flood zones should be carefully planned in conformance with the applicable elevation and structural requirements. The Town should carefully consider the impact of future development on coastal areas and strive to maintain natural flood control benefits by preserving wetland areas and minimizing the amount of impervious surfaces (pavement and buildings). The Town should continue to deter development of designated areas in Waterford (such as barrier beaches) that are especially susceptible to flood hazard.

Finding: Consistent

- Areas within the boundary of the 500-year flood are to be used for public access, will not be considered buildable for housing density calculations and development will be setback from this area insuring minimal risk to life and property.
- Areas designated by the COE for various categories of hurricanes will not contain habitable uses.
- Amount of impervious surfaces are limited, and storm water treatment of runoff is required

Open Space-Assessment & Recommendations - Open Space Preservation and Techniques

Pursue public ownership of open space when it is appropriate. Public ownership may be desirable when the parcel would:

- expand, improve, or contribute to the overall open space system, or
- provide for active or passive recreation areas, including coastal access, or provide for important trail connections.

Finding: Consistent

The State will be retaining an ownership interest in the waterfront through a conservation and public access easement.

Housing & Residential Areas-Residential Zoning

Modify some residential zoning designations and regulations. These changes are needed to encourage the provision of desired housing types and the most appropriate future land use patterns in Waterford. These changes are justified in order to protect natural resources, retain the rural character that so many residents cherish, focus development in areas with infrastructure, and promote a better community and higher quality of life.

Finding: Consistent

A variety of special needs housing for persons over 55 are provided as well as special care facilities for the frail elderly and terminally ill.

Ensure that residential development is compatible with the capabilities of the land. At the present time, except for cluster developments, the zoning regulations do not consider environmental constraints on a site as a way of determining residential development yield. Rather, the Town relies on regulations that require:

- a certain percentage of land in subdivisions to be open space,
- a certain percentage of open space to be non-wetlands,
- a certain amount of road construction to provide frontage, and
- a certain area of each lot to be "buildable" (2,500 square feet if served by sewer or 30,000 square feet if served by on-site septic system).

As a result, the development plan for a property can depend more often on an applicant trying to locate *as many lots as possible* on a parcel than trying to design the *best overall plan* for the development and conservation of the parcel.

Adopt a developable land regulation that applies to all residential uses. Such a regulation would require the deduction of certain types of land areas (such as those suggested for conservation in the Natural Resource Conservation chapter) in all residential zones and for all types of residential development (conventional subdivision, cluster development, village-style development, and multi-family development). At the present time, Waterford only applies this type of regulation to cluster developments.

Finding: Consistent

Development in the Seaside Preservation District will not include land that is considered un-buildable.

HISTORIC PRESERVATION-National Register Of Historic Places

Listings on the National Register are also on the State Register of Historic Places.

“Seaside” (Shore Road)

A waterfront estate on Great Neck overlooking Long Island Sound. Was used as a tuberculosis sanatorium (the first of its kind in the United States) in 1930s, 1940s and 1950s. Then used as a state mental health facility until the 1990s. Currently being considered for reuse.

Finding: Consistent

These regulations provide for the preservation of the principle and contributing historic structures on site.

These regulations contain design requirements to preserve the integrity of this historic place and its architecture.

PLAN DESIGNATIONS

The following is a list of maps that are part of the 1998 Plan and the designation thereon that apply to the Seaside Site.

Existing Land use Plan: Public Private Institution

Proposed land use & Open Space Plans: Desired Open Space

Residential: Low Density. **Inconsistent Change to Village Residential**

Coastal: Scenic Area and Waterfront greenbelt/walkway

FUTURE LAND USE PLAN

DESCRIPTIONS OF FUTURE LAND USE CATEGORIES

Open space

Desired Open Space

Areas that contain sensitive resources and/or would make a significant contribution to Waterford's open space network and greenbelt system.

Natural Resources

Areas that exhibit significant environmental constraints (wetlands, watercourses, steep slopes, floodplains, and coastal resource areas) and that represent the highest priorities for conservation. Use of these areas should be generally restricted or discouraged. These areas should

Natural Resources cont.

not be used to calculate development density.

Residential

Village Residential

Areas that have developed historically with smaller lots established prior to zoning. The overall density of development is expected to occur between two and five units per acre

Lowest Density

Areas not intended to be served by public sewer or water and where residential development is expected to occur at densities less than one unit per three acres, due to environmental and /or access constraints and desired development patterns

Village Residential Development

COMMUNITY STRUCTURE

VILLAGES

According to the current Zoning Regulations, the criteria for classifying an existing area as a village residential area are that it:

1. is a stable residential area generally composed of lots smaller than 20,000 square feet in area,
2. functions as an entity,
3. has an existing, identifiable character that distinguishes it from surrounding development resulting from one or more factors including common density, similar building ages, sizes, and/or styles, geographic features, including water, topography, and man-made barriers, street system, historic identification,
4. was generally developed before the present zoning regulations were enacted, and
5. does not contain large tracts of undeveloped land.

CONCLUSION:

In most respects the Seaside Preservation district complies with the 1998 Plan of Preservation, Conservation and Development. As anticipated when the plan was developed changes would have to occur to transition this piece of state property to private use. Therefore as part of this proposal the 1998 Plan of Preservation, Conservation and Development is being amended to change the housing density from lowest density to Village residential for the following reasons

1. Plan includes recommendations for the establishment of new Village Residential zones
Consider allowing new Village Residential zones to be established under certain conditions.
Proposals for village residential development in new areas could be considered by the Commission if:
 - the proposed site is adequately served by infrastructure,
 - the proposed plan preserves a significant amount of open space, and
 - the development yield does not increase the overall density in the community.
2. The site is served by public water and sewer.
3. In addition to requiring a public access park the majority of the site 85% will be open and 70% free of buildings and pavement.
4. The development yield is equivalent or less than the prior population at the point of peak use of the Seaside Center by the State of Connecticut.
5. The site does not fit the definition of lowest density especially since there is adequate water and sewer to support the proposed use
6. As a single site Seaside meets the definition of a village area if developed in accordance with the stated purpose of the Seaside Preservation District Regulations.
7. Other plan map designations are consistent with these new regulations and would remain the same.

November 4, 2003

Kathleen F. Jacques, et al.

Suggested changes to Seaside Preservation District zoning regulation and related items:

- 1.) Develop a site plan based on the original concept (avoid individual unit construction).
- 2.) Limit development to 60 units.
- 3.) Population distribution between historic buildings and new construction must be significant: 75%/25% as called for in RFP
- 4.) Agree to abate historic buildings in phase I of construction and materially complete housing units located in them before construction of additional housing units.
- 5.) Limit height of new housing units to 35 feet, and agree to not have any auxiliary buildings, such as a club house or maintenance building, be higher than _____
- 6.) No parking areas, private or public, should be placed along perimeter buffer zones.
- 7.) Pay cost of town water and sewer hookup (trench, pipes, etc) needed by abutters who are currently dependent on septic systems and wells.
- 8.) Allow a neighborhood site plan approval committee (members to be determined) to vote on the proposed site plan before said site plan is presented to the Planning and Zoning Board for a decision.

EXCERPTS

ATTACHMENT
4



WATERFORD

2011 Plan of Conservation and Development

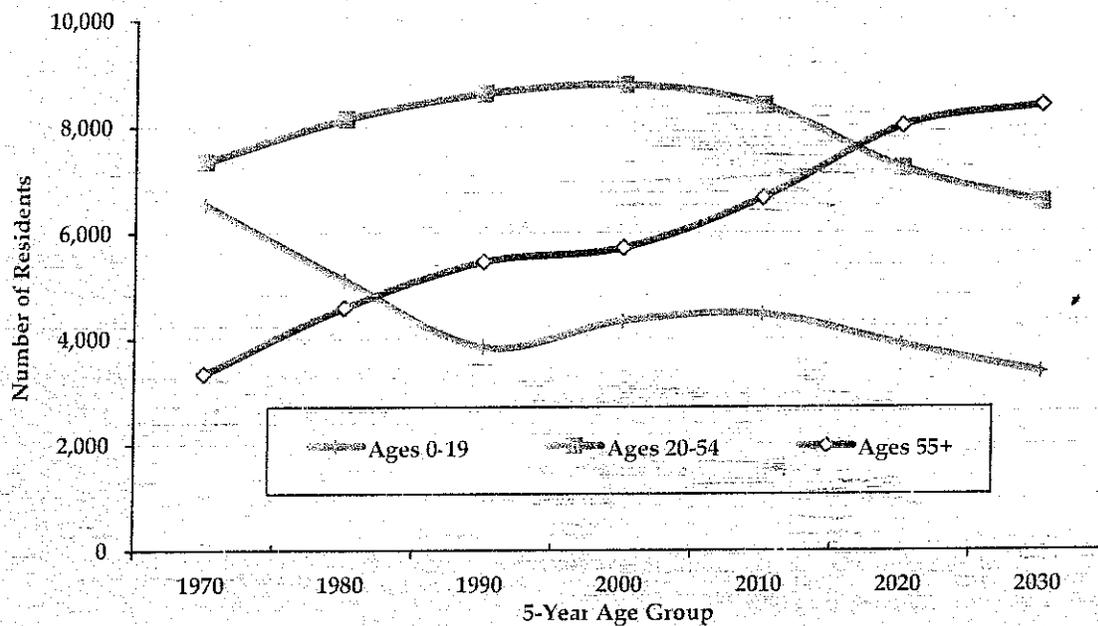


Part I - Policy Elements

Draft for Public Comment - May 2011

Predicting future migration rates is one of the most challenging aspects of population projections. If the recent total population change continues, Waterford might continue to grow at a modest rate (the high projection in the chart on the preceding page). On the other hand, if the population of Waterford continues to age in place, this may result in a continuation of a lower birth rate, higher death rate, and lower net migration. In that scenario, Waterford might lose population over the next decade or so.

While overall population changes can be important, it is the changing age composition of a community which can have the most impact on municipal functions. As the following chart indicates, Waterford (like many other communities) is undergoing a fundamental demographic shift where older age groups are becoming dominant as people live longer and healthier lives.



Changing Fiscal Conditions

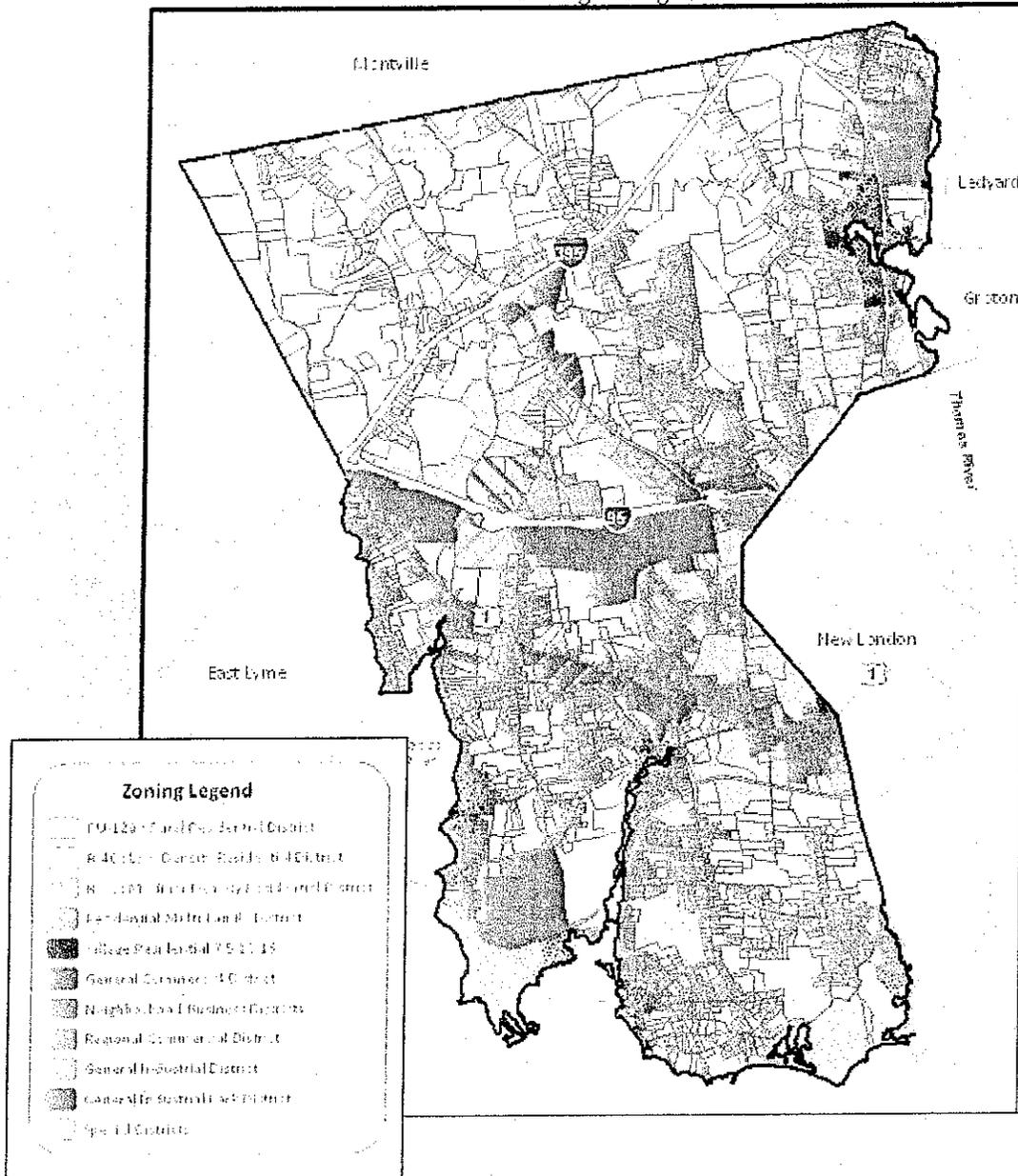
In the 1980s and 1990s, Waterford had one of the largest tax bases of any community in Connecticut due to the Millstone nuclear facility. Waterford received significant tax revenues from this facility and this helped keep taxes low for residents and businesses and supported a wide variety of services and facilities for residents.

However, due to utility deregulation, Millstone now generates less tax revenue than it did previously. As a result, Waterford is in the process of adapting municipal spending to reflect this new fiscal reality and reconcile community needs and desires with available funding.

When asked about taxes in Waterford as part of the telephone survey, about 63 percent of residents felt that taxes in Waterford were still reasonable. About 70 percent of residents indicated that taxes in Waterford were about the same or lower in comparison to other towns in the area.

The colored areas on the zoning map below indicate the types of uses presently allowed in different areas of Waterford. Overall, most areas of Waterford are intended for residential uses (yellow, white and green areas).

Existing Zoning



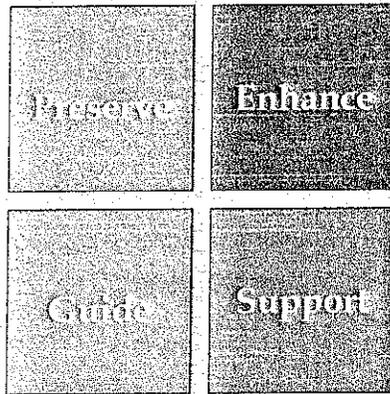
Through the public meetings and the telephone survey, it was learned that Waterford residents:

- are generally satisfied with the overall direction of the community,
- are concerned about fiscal issues, and
- would like to maintain the overall quality of life in the community.

In terms of the physical, economic, and social development of the community, the input received from Waterford residents indicated they want to:

- preserve those things which contribute to the overall character and ambience of the community,
- enhance the overall character and quality of life of Waterford,
- guide future growth and change in ways that will enhance the community, and
- continue to provide the support services and facilities that are needed in the community.

These basic elements became the foundation for this Plan of Conservation and Development:



In addition, this input influenced the following overall goal which guided preparation of this Plan:

Guide the future of Waterford so that:

- important resources will be preserved,
- development will enhance neighborhoods and the community,
- community needs will be addressed, and
- the overall ambience and quality of life will be maintained.

Public Meeting Exercises

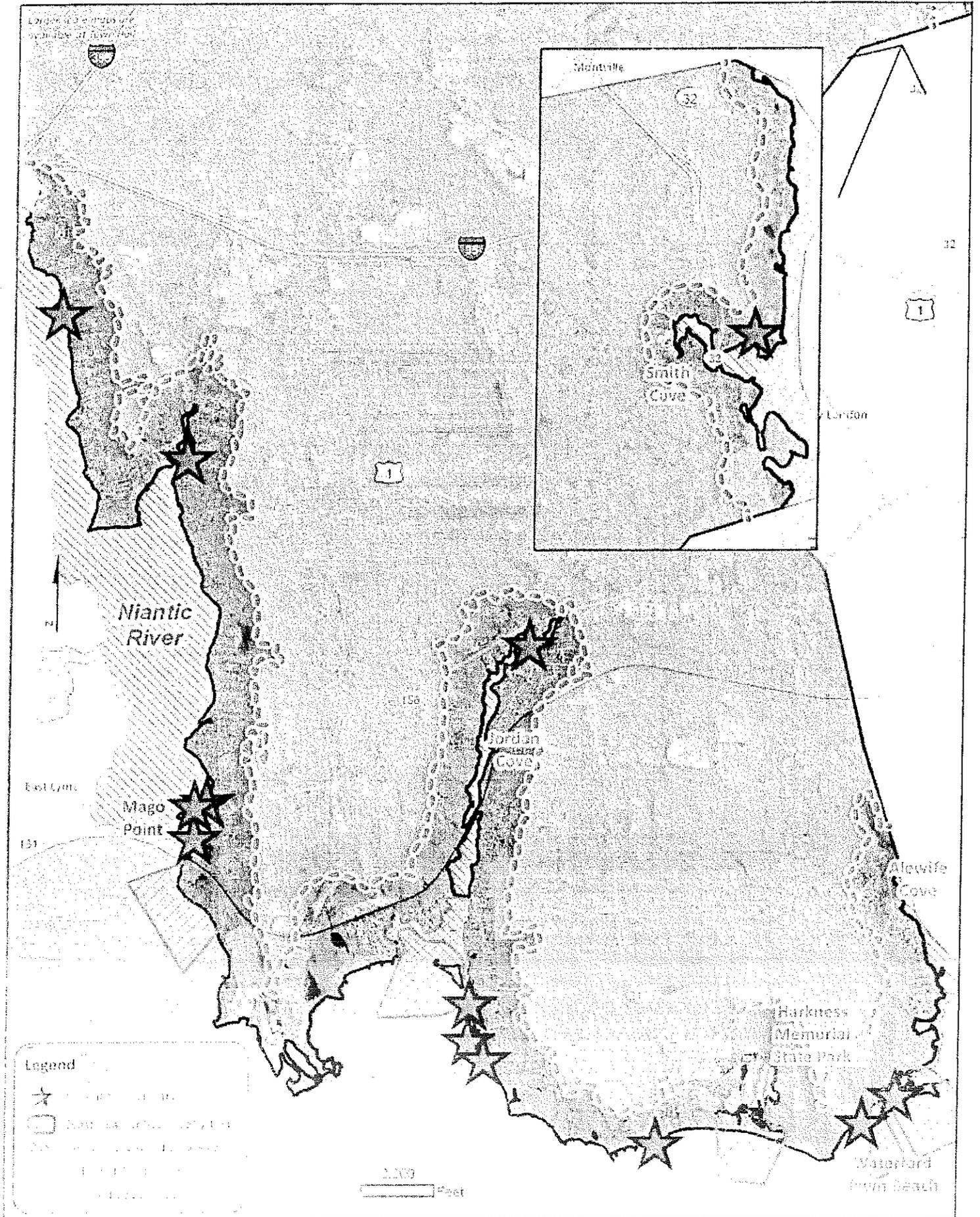


Public Meeting Exercises



Coastal Resources

Waterford, CT



Open Space

Establish a meaningful system of open spaces in order to protect important resources and enhance our overall quality of life.

This Plan defines "dedicated open space" as land that is owned by entities or otherwise restricted in some way where such land is likely to be preserved or dedicated as open space, hopefully in perpetuity (town park, state forest, land trust, etc.). The terms "managed open space" is used to refer to lands owned by entities or used in a way where it serves some open space function but it may not be preserved in perpetuity, may not allow for public access or use, or has another purpose (golf courses, water company lands, cemeteries, hunting clubs, some utility lands, etc.).

Preservation of open space can serve five important purposes:

- protection of community character,
- preservation of lands for parks and recreational uses,
- conservation of important natural resources,
- fiscal and economic benefits, and
- shaping of development patterns.

Approximately 3,230 acres of land (15 % of the land area) in Waterford can be categorized as open space since it has some measure of protection from future development through ownership, easement, or compatible use. Some of these areas (Harkness, Arboretum, etc.) are the most treasured places in Waterford and make a significant contribution to the overall character of the community. Other areas help protect natural resources or scenic resources or provide recreation opportunities.

However, not all the land that is perceived as open space in Waterford is in fact preserved as open space. Most people tend to perceive "open space" as including all vacant land. In other words, they think "open space" is any land that is not built upon. However, much of that land is in private ownership and subject to future development. One of the reasons that neighbors oppose new developments is over the loss of what they perceive to be open space.

There is little doubt that open space adds considerably to the overall ambience and quality of life of the community. Waterford should seek to continue to acquire and manage open space lands for the benefit of the Town and its population. Otherwise, open lands and familiar landscapes will continue to change as the development of the Town continues and opportunities to acquire these lands will be lost.

In the telephone survey, 58% of participants want the Town to acquire more land for parks and open space. However, residents were less willing to support increased taxes to fund open space preservation. Waterford residents are more strongly in favor of efforts to establish a trail system for pedestrians and bicycles. Overall, 79 percent of participants want the Town to devote efforts to establish a trail system.

ENHANCE

Community Character

ENHANCE

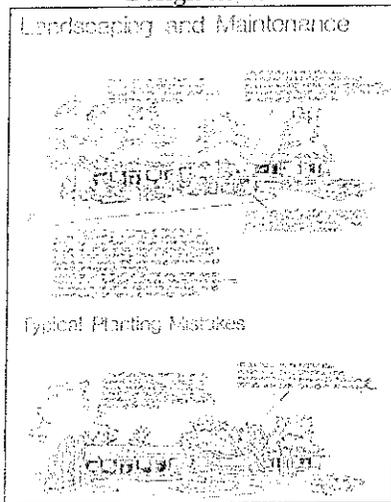
Maintain and enhance the overall character and ambience of Waterford.

The telephone surveys of Waterford residents found that many residents moved to Waterford because of its overall character and ambience. While the features that contributed to this perception varied, there is little doubt that the overall appearance and feeling of the community are important attributes to people.

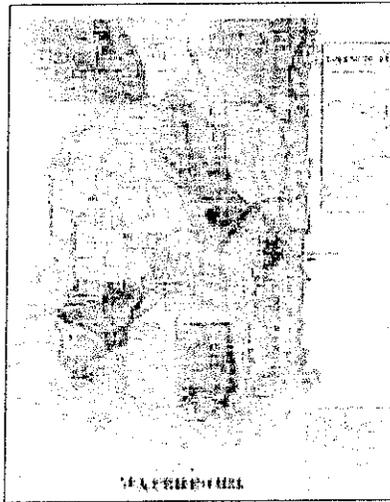
Based on comments from public meetings and feedback from the telephone surveys, the Plan recommends four main strategies for protecting and enhancing community character:

- establishing an advisory design review process
- preserving historical and archeological resources
- preserving and enhancing key scenic vistas and areas
- encouraging the preservation of undeveloped land (PA 490)

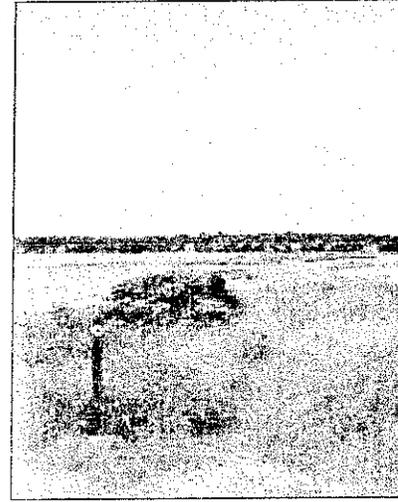
Design Review



Historic Character



Scenic Resources



See the "Implementation Element" of the Waterford Plan of Conservation and Development for information on tasks and actions currently programmed for implementation of these Community Character strategies.

B. Continue to Protect Historic / Archeological Resources

Waterford contains a variety of historic and archeological resources. These resources contribute to the overall ambience of the community and provide a direct connection to the history and "sense of place" of Waterford.

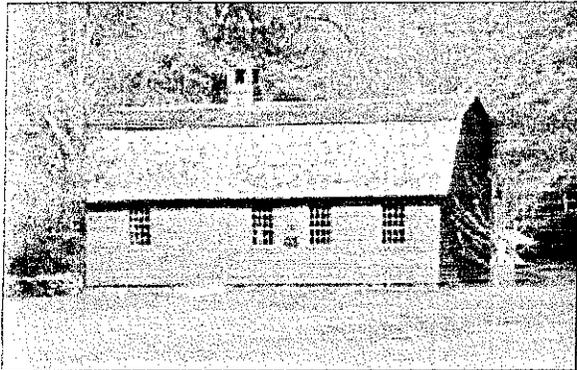
However, these resources can be threatened in a number of different ways, including demolition of historic structures, disturbance of archeological artifacts, lack of awareness, and neglect.

While 62% of participants in the telephone survey felt that the amount of Town effort towards preserving historic structures was "just right", the Plan recognizes how fragile these resources can be. Since these resources can enrich our visual and emotional attachment to the community and since these resources can never be replaced if lost, efforts to identify and preserve these resources should continue and, perhaps, receive greater emphasis in the future.

Some of the strategies to help protect these resources include:

Identification	<ul style="list-style-type: none">• Continue to undertake studies to identify and document historic and/or archeological resources in Waterford
Recognition	<ul style="list-style-type: none">• Consider nominating eligible areas or properties for inclusion in the State Register of Historic Places or the National Register of Historic Places• Consider preparing a map showing areas of archeological sensitivity so that an archeological assessment can be required if warranted
Preservation	<ul style="list-style-type: none">• Encourage preservation of existing historic buildings• Encourage and support preservation activities of current owners
Cooperation	<ul style="list-style-type: none">• Continue to encourage the preservation activities of the Waterford Historical Society and other organizations

Jordan Schoolhouse

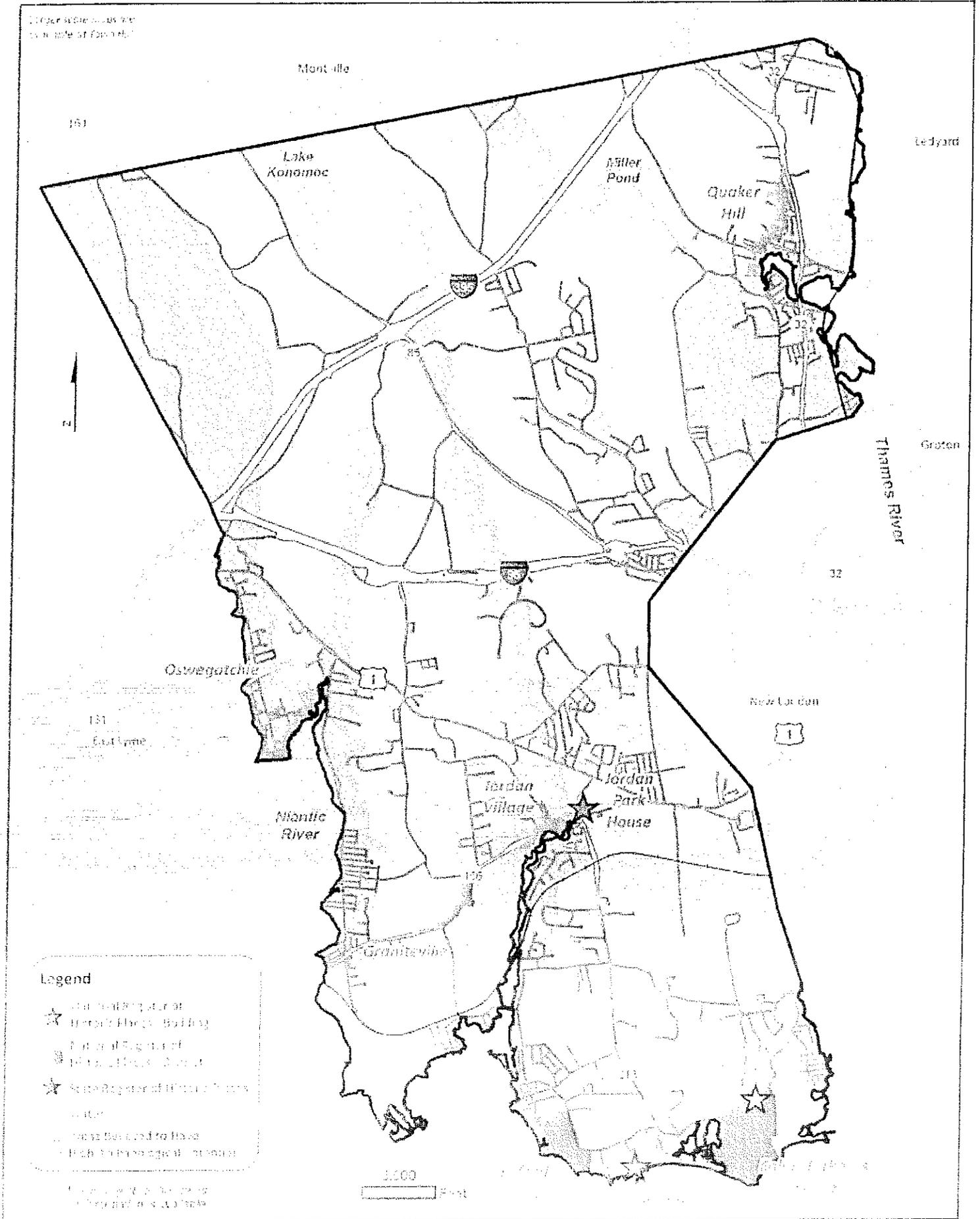


Archeological Investigation



Historic and Archaeological Resources Plan

Waterford, CT



D. Encourage Preservation of Undeveloped Land

Undeveloped land adds to the overall ambience of Waterford and enhances community character. Most everyone likes undeveloped land since it looks like "open space". However, the land is not protected in any way and so the contribution to community character and ambience may be lost if the property is developed. One of the reasons why property might be sold and developed is due to the high costs of ownership.

In recognition of this, the Connecticut legislature established a "use assessment" program in the 1960s for land that is essentially undeveloped. This program (commonly referred to as PA-490 and codified in CGS 12-107) contains four components:

- Forest Land (based on State criteria),
- Farm Land (based on State criteria),
- Maritime Heritage (waterfront land used exclusively for commercial lobstering purposes), and
- Open Space Land (based solely on local criteria).

Properties that participate in the program receive a reduced assessment (based on "use" rather than market value) and this makes the property less expensive to own. If the property is sold within 10 years of its enrollment in the program, there is a recapture provision for the unpaid taxes.

Waterford should consider whether to adopt an open space assessment program. This program can make undeveloped land less expensive to own and this undeveloped land will contribute to the overall character and ambience of the community.

To establish an open space assessment program, the program needs to be recommended in the Plan of Conservation and Development and the program needs to be adopted by the local legislative body (the Representative Town Meeting).

The Plan recommends that land be eligible for the open space assessment program if it meets the following criteria:

- residentially zoned,
- more than five acres in area and at least twice the minimum lot size in the zone, and
- the open space assessment would be only for that portion of the parcel in excess of the minimum lot area requirement in the zone.

Forest Land



Farm Land



"Open Space" Land



Residential Development

Encourage a variety of housing types and densities to meet the housing needs of current and future residents.

Waterford is, and will continue to be, a predominantly residential community. Since about 78 percent of Waterford is zoned in ways that allow for residential development, planning for appropriate residential development is an important element of the Plan.

Overall, the residential development program for Waterford is to continue the patterns of residential type and intensity that have served the Town well. Single-family residential development is permitted in most areas of town at densities compatible with soil type, terrain, and infrastructure constraints. Multi-family development has occurred in areas near Route 1 that are served by public water and public sewer.

Another key policy objective for the future is to provide for housing options which will continue to meet the needs of present and future residents of Waterford.

A. Protect Existing Residential Neighborhoods

Waterford's residential neighborhoods are key determinants of the overall quality of life for residents. Encouraging the preservation and enhancement of these areas is a continuing strategy for the Town.

Single Family Neighborhood



Multi-Family Neighborhood



B. Provide For A Diverse Housing Portfolio In Waterford

Waterford's housing "portfolio" consists primarily of owner-occupied, single-family dwellings which were constructed over the years to meet the housing needs of Waterford residents at those times. However, what was built in the past may not be what is needed to meet the housing needs of future residents because:

Conditions and Trends	Possible Housing Result
<ul style="list-style-type: none"> • People are living longer and healthier lives 	<ul style="list-style-type: none"> • There may be more interest in smaller homes, homes with accessory units, and homes with less maintenance • There may be a demand for more assisted living options
<ul style="list-style-type: none"> • The cost of a typical home is exceeding the ability of many people to afford it 	<ul style="list-style-type: none"> • There will be increasing interest in housing options that are less expensive
<ul style="list-style-type: none"> • People are focusing more on housing for shelter and comfort rather than an investment 	<ul style="list-style-type: none"> • This may result in housing units which are smaller but have more amenities
<ul style="list-style-type: none"> • People are considering other housing choices for energy and lifestyle reasons 	<ul style="list-style-type: none"> • There may be interest in newer housing units with lower operating costs and newer technologies

The housing needs of the community are evolving and Waterford will continue to consider ways to address the housing needs of current and future residents. This includes housing options for an aging population as well as housing opportunities for younger persons and families.

In the telephone survey, residents supported the concept of diversifying the types of housing in Waterford. Participants tended to feel that Waterford had the right amount of single family homes and condominiums but that there may be too few other types of housing opportunities.

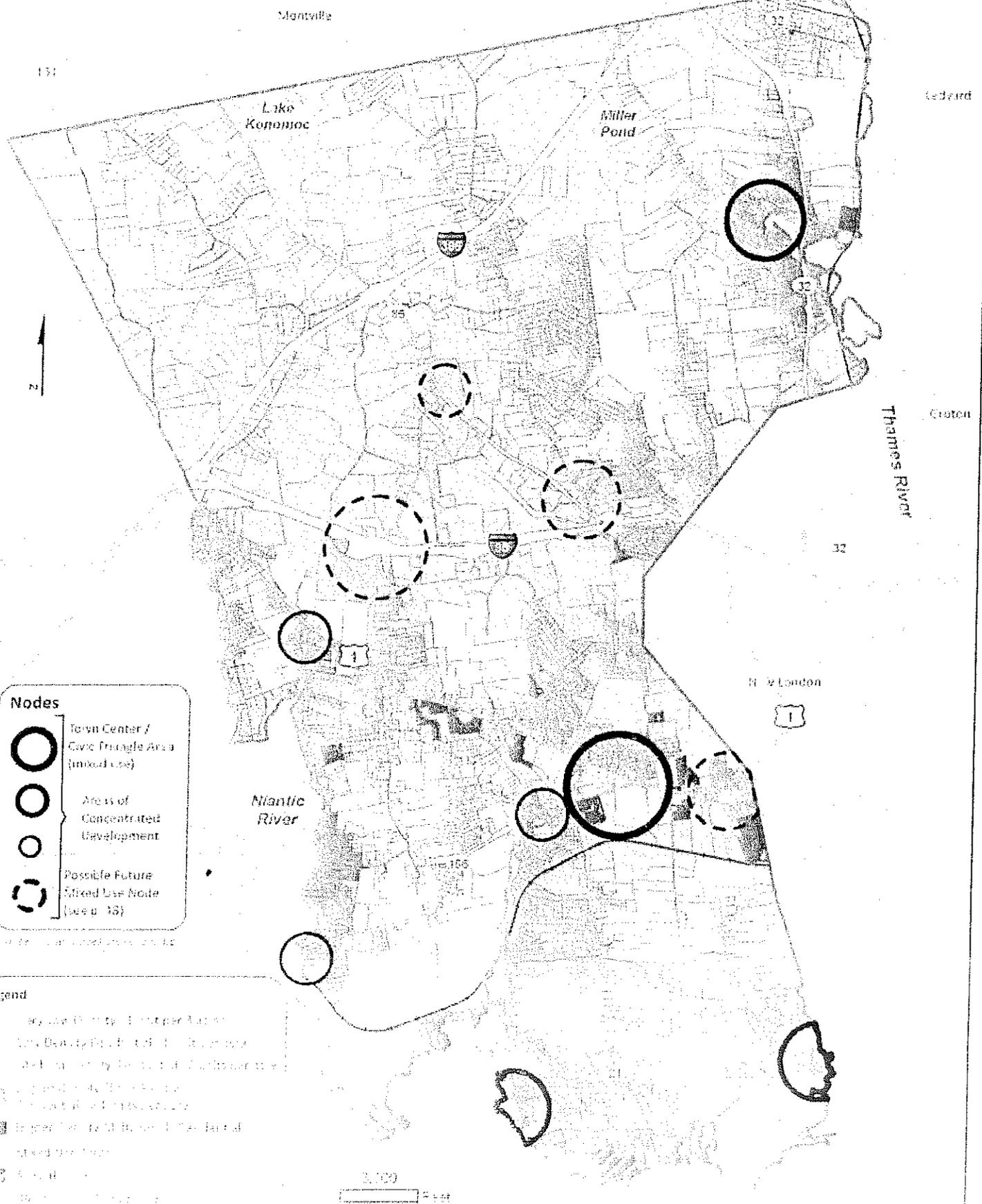
Issue	Amount Is Too Little	Amount Is Just Right	Amount Is Too Much	Not Sure / Don't Know
Single family homes	17%	63%	5%	15%
Condominiums	14%	49%	21%	16%
Rental housing for young people	51%	22%	1%	26%
Affordable housing for first-time home buyers	47%	30%	1%	22%
Smaller houses for senior citizens	44%	31%	1%	24%
Affordable apartments for senior citizens	40%	30%	3%	27%
Rental housing for families with children	36%	30%	3%	31%

Waterford will seek to encourage the availability of housing for a variety of age and income groups. At the same time though, the Planning and Zoning Commission may seek to moderate the location and or pace of certain proposals in order to ensure that the ability of the community to assimilate such housing is maintained.

Residential Densities Plan

Waterford, CT

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Town of Waterford



Nodes

- Town Center / Civic Triangle Area (mixed use)
- Areas of Concentrated Development
- Possible Future Spread Use Node (see p. 18)

Legend

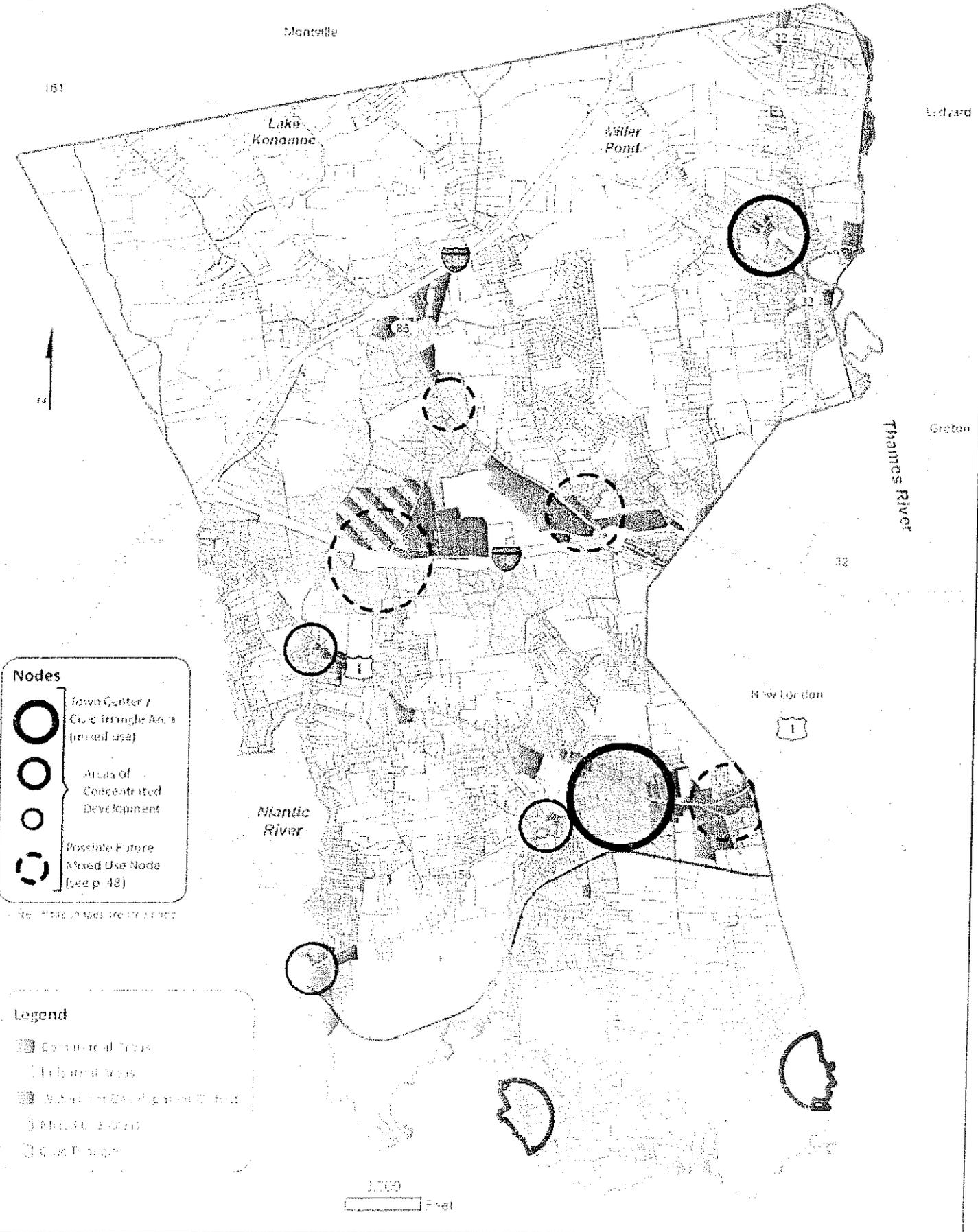
- Very Low Density (1 unit per 100,000 sq ft)
- Low Density (1 unit per 50,000 sq ft)
- Medium Density (1 unit per 25,000 sq ft)
- High Density (1 unit per 10,000 sq ft)
- Higher Density (1 unit per 5,000 sq ft)
- Spread Use Node

Scale: 0, 100, 200 Feet

Business Development Plan

Waterford, CT

Longer scale areas are
available at 1:50,000



Conclusion

Future Land Use Plan

As the Plan is implemented, the map on the facing page illustrates the location and intensity of *future* land uses that are desired. Since this map illustrates the goals, policies, objectives, and recommendations of each of the Plan sections when combined together, it is called the Future Land Use Plan for Waterford.

It is important to state that this is not a fixed vision for Waterford. Rather it reflects the application of the programs and strategies of this Plan as they are currently envisioned. Over time, this Plan can (and should) be changed as circumstances warrant.

Future Land Use Plan

The Future Land Use Plan presented on the facing page contains the following categories:

Nodes	Existing or desirable community focal points and village-type areas
Natural Resources	Areas where natural resource protection is a priority of the Plan
Open Space	Areas with existing or desirable open space and greenway trails
Residential Areas	Areas used or intended for low, moderate, or higher density residential use
Business Areas	Areas used or intended for development of business uses
Other Areas	Institutional uses, community facilities, and other uses

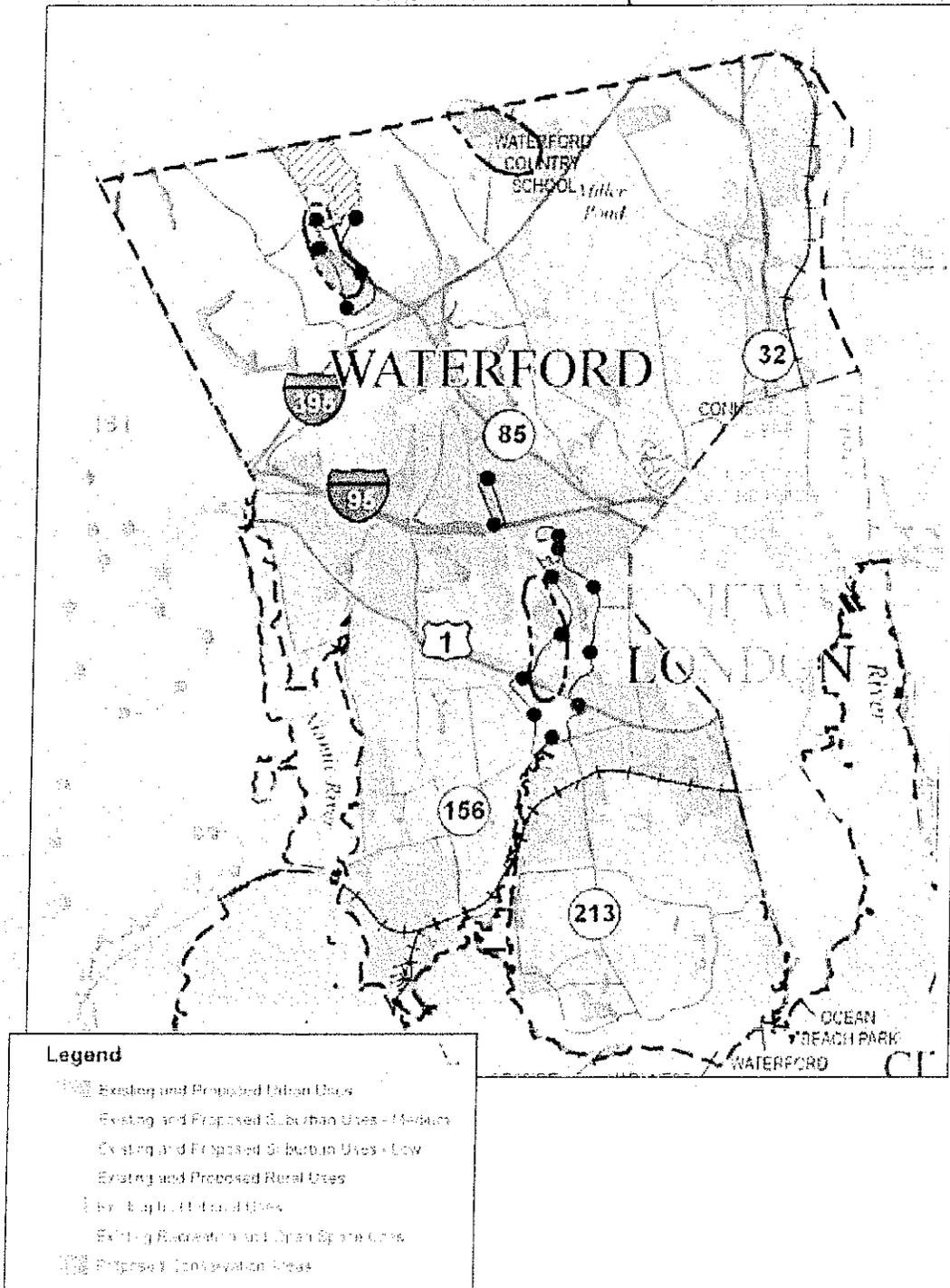
The major highlights of this Future Land Use Plan are as follows:

- Natural resources and coastal resources will be protected.
- Efforts will be devoted to creating an open space / greenway trail system throughout Waterford.
- Efforts will be devoted to enhancing community character and quality of life.
- Enhancing and creating mixed use nodes is a key recommendation in the Plan.
- The Plan recommends protecting and enhancing existing residential neighborhoods.
- The Plan recommends diversifying Waterford's housing portfolio and configuring residential development patterns to help establish an overall open space / greenway trail system.
- Waterford will manage and guide development in business areas to ensure that the development will contribute to and enhance the overall community.
- Community facilities and institutional uses will be encouraged and configured to enhance the overall community.
- Waterford will continue to promote transportation solutions that will help manage traffic on local streets and provide transportation alternatives for the future.
- Waterford will continue to support its desired growth patterns through the provision of appropriate utility infrastructure.

Regional Plan Of Conservation and Development

In addition, this Plan was compared with the Regional Plan of Conservation and Development (2007) prepared by the Southeastern Connecticut Council of Governments and found to be generally consistent with that Plan and the Regional Conservation and Development Plan map.

State Locational Guide Map



Connecticut Conservation and Development Plan - State Growth Principles

In accordance with Section 8-23 of the Connecticut General Statutes, the Plan of Conservation and Development has been evaluated for consistency with statewide growth management principles.

<p>Principle 1 -</p> <p>Redevelop and revitalize regional centers and areas of mixed-land uses with existing or planned physical infrastructure.</p>	<p>FINDING - Consistent</p> <p>The Plan encourages and promotes the creation of mixed land uses. The Plan recommends supporting the overall community structure with physical infrastructure. Waterford does not have a designated "regional center".</p>
<p>Principle 2 -</p> <p>Expand housing opportunities and design choices to accommodate a variety of household types and needs.</p>	<p>FINDING - Consistent</p> <p>The Plan recommends that Waterford seek to diversify its housing "portfolio" and address recognized housing needs - housing that is more affordable and housing for an aging population.</p>
<p>Principle 3 -</p> <p>Concentrate development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse.</p>	<p>FINDING - Consistent</p> <p>The Plan continues with the overall zoning framework of more intensive development along arterial roads and bus lines. In addition, the Plan supports the concept of development of a mixed use "node" near the Civic Triangle.</p>
<p>Principle 4 -</p> <p>Conserve and restore the natural environment, cultural and historical resources, and traditional rural lands.</p>	<p>FINDING - Consistent</p> <p>An entire segment of the Plan ("Preserve") identifies strategies to conserve and restore the natural environment and another segment (Enhance) identifies strategies to conserve cultural and historical resources and undeveloped land.</p>
<p>Principle 5 -</p> <p>Protect environmental assets critical to public health and safety.</p>	<p>FINDING - Consistent</p> <p>The Plan contains recommendations to protect environmental assets critical to public health and safety. In particular, the Plan stresses the importance of protecting water quality.</p>
<p>Principle 6 -</p> <p>Integrate planning across all levels of government to address issues on a local, regional, and statewide basis.</p>	<p>FINDING - Consistent</p> <p>The Plan is part of the process of integrating planning with other levels of government and with other agencies. The Plan will be used to coordinate efforts with:</p> <ul style="list-style-type: none"> • adjacent communities, • regional organizations, and • state agencies.