

## MINUTES

Planning & Zoning Commission  
Waterford Town Hall

RECEIVED FOR RECORD  
WATERFORD, CT  
16 AUG 12 PM 2:01  
August 8, 2016  
6:30 PM  
ATTEST: *David L. Caruso*  
TOWN CLERK

Members Present: J. Bunkley, B. Chenard, (1 vacancy)  
Members Absent: J. Auwood, S. Stotts  
Alternates Present: E. Maguire, M. Mazzella (1 vacancy)  
Staff Present: A. Piersall, Planning Director; M. Wujtewicz, Planner; M. FitzGerald,  
Environmental Planner; T. Lane, Zoning Official; D. Choisy,  
Recording Secretary  
Also Present: Town Attorney R. Avena

### 1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Acting Chairman Bunkley called the meeting to order at 6:30 and appointed E. Maguire to sit for S. Stotts and M. Mazzella to sit for Chairman Auwood.

### 2. APPROVAL OF MINUTES

**MOTION:** Motion made by B. Chenard, seconded by E. Maguire, to approve the minutes of the July 25, 2016 meeting as written. There was a brief discussion of the minutes.

**VOTE:** 3-0-1, M. Mazzella abstaining.

**MOTION:** Motion made by E. Maguire, seconded by M. Mazzella, to rearrange the agenda, and move Item #3 after Item #5.

**VOTE:** 4-0

### 4. RECEIPT OF APPLICATIONS

**#PL-16-15** – Request of First Selectman Daniel Steward, applicant, Town of Waterford, owner for modification of an existing site plan for property located at 1000 Hartford Turnpike, I-G zone, in accordance with Sections 11 & 22 of the Zoning Regulations, and as shown on plans titled “Alterations and Additions to the Town of Waterford Municipal Complex” dated 7/13/16.

M. Wujtewicz stated that the Commission had previously approved a CGS 8-24 application for this project. This item will be scheduled for the Commission’s review at a future meeting.

**#PL-16-16** – Application of the Waterford Planning & Zoning Commission to create a Mago Point District, in accordance with Section 28 of the Waterford Zoning Regulations (Amendments).

A. Piersall stated that this application is in order for receipt, and the public hearing will be scheduled for September 12, 2016.

### 5. APPLICATION REVIEWS

**#PL-16-11** – Request of Picardi Realty LLC, owner; Kincora Development, LLC, applicant, for site plan approval to locate a retail development on property located at 122 & 124 Boston Post Road, PDD-1 zone, in accordance with Sections 19, 22, and 30 of the Zoning Regulations and as shown on

the plans titled "Site Plan for Phase 1, 122-124 Boston Post Road, Waterford, CT" dated 6/30/2016

Attorney William Sweeney, Project Engineer Brian McCarthy of RJ O'Connell & Associates and Bill McCabe of Kincora Development were present.

Attorney Sweeney briefly reviewed the proposed Phase 1 of this development.

B. McCarthy stated that comments from Staff had been received, and the plans have been modified to address those comments. He noted that the issue of interlot access with the adjacent Pizza Palace property had been raised at the previous meeting, and stated that the plans have been revised to reflect improvements on the applicants parcel in order to facilitate interlot access in the future. Attorney Sweeney stated that the applicant has not been able to come to an agreement with one of the owners of the Pizza Palace property. They will build the access and try to come to a private access agreement with all the owners. B. McCarthy showed where the access would be. A. Piersall stated that another condition can be added to the approval to provide that access.

B. McCarthy reviewed the modifications made to the plans to address the comments received from Staff. M. Wujtewicz stated that Staff has reviewed the revised plans, and any issues not addressed are listed in the conditions of approval in the Staff Report dated August 8, 2016.

B. Chenard stated concerns with the egress only onto Miner Lane, noting that there is potential for cars trying to enter the site from that exit. He asked if there was any way to eliminate some parking spaces to allow for ingress and egress. Attorney Sweeney stated that the egress only onto Miner Lane was approved as part of the Master Design Plan. The amount of parking being proposed has already been reduced, and they don't want to lose any more. He stated that signage may help discourage people going the wrong way. B. McCarthy explained why egress only is the best alternative.

M. Mazzella stated concerns with stormwater surface flow from the gas station and Pizza Palace property. B. McCarthy reviewed the existing and proposed drainage.

M. Wujtewicz stated that a condition should be added that the waterline as approved by the Utility Commission be shown on the final plans.

**MOTION:** Motion made by E. Maguire, seconded by B. Chenard, to approve Application #PL-16-11 with the following findings and conditions:

*Findings of Fact:*

1. The application is for a use that is permitted subject to the approval of a Site Plan pursuant to Section 30.1 of the Waterford Zoning Regulations.
2. The Site Plan as submitted and modified substantially conforms to the Master Design Plan as approved by the Commission in accordance with Permit PL-16-3 and Section 19 of the Waterford Zoning Regulations.
3. The application meets the criteria for Site Plan approval in accordance with Section 22 of the Waterford Zoning Regulations subject to conditions 1 - 9.
4. The inclusion of a municipal improvement in the form of a waterline easement in favor of the Town of Waterford Utility Commission constitutes a public

improvement pursuant to Section 8-24 of the CT General Statutes. Approval of this application also includes a positive report and finding by the Commission in accordance with Section 8-24 of the Connecticut General Statutes.

5. Historical interlot access exists between this parcel and an adjacent parcel not under the control of the applicant. The applicant has included improvements to the site plan on the project parcel in order to facilitate interlot access.

Conditions of Approval:

1. Prior to filing the approval on the land records, the water line easement language shall be reviewed and approved by the Town Attorney as to form.
2. A note shall be added to the Construction Sequence which includes language addressing the timing of the installation of the subsurface drainage infiltration system.
3. Reference to the subsurface drainage basin on Note 6.4 on Sheet C1-D shall be modified to reference the infiltration chamber system and eliminate reference to the use of the subsurface drainage basin as a sedimentation basin.
4. Prior to issuance of a Certificate of Occupancy for the ALDI Grocery building, a pollution prevention and stormwater management plan be created and made available to assist the site/building manager in order to maintain the performance of the system as designed.
5. Provide lane demarcation striping at the Boston Post Road entrance to separate ingress and egress traffic flow.
6. Prior to issuance of a Certificate of Occupancy, as-built plans shall be provided.
7. 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.
8. Prior to filing the approval on the land records, plans shall be updated to show improvements to support future interlot access to 114 Boston Post Road as follows:
  - a) The landscape buffer area at the access point shall be removed.
  - b) Pavement shall extend to the lot line at the access point.
  - c) A gate shall be shown at the property line.
9. Prior to filing the approval on the land records, the water line easement area as described in the easement language shall be shown on the plans.

**VOTE:** 4-0

**3. EXECUTIVE SESSION**

**MOTION:** Motion made by E. Maguire, seconded by M. Mazzella, to enter into Executive Session to discuss pending litigation – Kobyluck vs. Town of Waterford at 7:24.

**VOTE:** 4-0

**MOTION:** Motion made by M. Mazzella, seconded by B. Chenard, to exit Executive Session at 8:05. No action was taken during Executive Session.

**VOTE:** 4-0

**6. CORRESPONDENCE**

There was no correspondence

**7. ADMINISTRATIVE REVIEW**

No items were discussed.

**8. ADJOURNMENT**

**MOTION:** Motion made by E. Maguire, seconded by B. Chenard, to adjourn the meeting at 8:06.

**VOTE:** 4-0

Respectfully Submitted,

  
Dawn Choisy  
Recording Secretary