

MINUTES

Planning & Zoning Commission
Waterford Town Hall

RECEIVED FOR RECORD
WATERFORD, CT
16 SEP 16 PM 2:10
ATTEST: September 12, 2016
6:30 PM
TOWN CLERK

Members Present: J. Auwood, J. Bunkley, S. Stotts, B. Chenard, (1 vacancy)
Alternates Present: E. Maguire
Alternates Absent: 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

1. CALL TO ORDER AND APPOINTMENT OF ALTERNATES

Chairman Auwood called the meeting to order at 6:30 and appointed E. Maguire to sit for the vacancy.

2. APPROVAL OF MINUTES

MOTION: Motion made by J. Bunkley, seconded by B. Chenard, to approve the minutes of the August 22, 2016 meeting as written.

VOTE: 3-0-2, Chairman Auwood and S. Stotts abstaining.

3. RECEIPT OF APPLICATIONS

No new applications were received.

4. APPLICATION REVIEW

#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.

Scott Atkin of Anchor Engineering reviewed this application with the Commission. He stated that both interior and exterior improvements are proposed. Remediation is required due to past activities on the site. An existing underground oil storage tank containing heating oil will be removed. He reviewed the proposed site improvements, and stated that Staff’s comments have been addressed. The Conservation Commission has issued a permit for this activity, and the plans were revised to address conditions of the Conservation Commission approval.

B. Chenard stated concerns with the proximity of the proposed remediation to the wetlands. S. Atkin explained the swale design. M. FitzGerald stated that this was discussed in detail with the Conservation Commission.

M. Wujtewicz stated that the Commission had previously approved a CGS 8-24 application for this project. He reviewed findings and conditions of approval contained in his memo to the Commission dated September 12, 2016. A. Piersall noted that the Design Review Board reviewed this application earlier in the day, and gave a positive recommendation.

MOTION: Motion made by E. Maguire, seconded by S. Stotts, to approve Application #PL-16-15 for the Municipal Complex Renovation Site Plan Modification with the following findings and conditions:

Findings:

1. The application as proposed is to renovate and existing Specially Permitted Use within the IG Zone District in accordance with Section 23.9.1 of the Zoning Regulations
2. The site plan as submitted and modified is in conformance with the Town of Waterford Zoning Regulations.
3. The application meets the criteria for Site Plan approval in accordance with Section 22 of the Town of Waterford Zoning Regulations subject to conditions.
4. A CGS 8-24 approval for this project was granted by the Planning and Zoning Commission on December 14, 2015.
5. The Waterford Conservation Commission granted inland wetland permit #C-16-06 for regulated inland wetland activities associated with the soil remediation work and site improvements.

Conditions of Approval:

1. Adequate fire suppression and protection shall be in place at all times to the satisfaction of the Fire Marshal during the remediation, demolition and construction activities.
2. Coordination with the Town Fire Marshal's Office for timing and transition of fire suppression during construction.
3. Prior to filing the plans on the land records, the site plan shall be modified to indicate a 5' turnout is required to be installed at the end of the interior drive aisle located in the south parking lot.
4. Prior to filing the plans on the land records, the site plan shall be modified to indicate measures to protect HELCO Pole #5842 from vehicle impact
5. Ensure adequate clearance of overhead wires to vehicular traffic located in the rear of the building.
6. Provide adequate traffic control and pedestrian safety measures during the period of remediation, demolition and construction. These measures are to be reviewed and approved by the Town Fire Marshal and Zoning Official prior to issuance of a Zoning Compliance Permit. These measures shall be maintained at all times during construction operations. A note shall be added to the plans indicating this requirement prior to filing the plans on the land records.
7. As-built plans shall be required to be submitted and approved prior to issuance of a Certificate of Zoning Compliance
8. The Conservation Commission approved with conditions this site plan under Permit #C-16-6. All provisions of Conservation Commission Permit #C-16-6 are incorporated into this decision as if fully set forth herein.

VOTE: 5-0

5. PUBLIC HEARINGS

#PL-16-14 – Request of Town of Waterford, owner; Waterford Utility Commission, applicant, for site plan and special permit approval to install a grit receiving station on property located at 85 Miner Lane, R-40 zone, in accordance with Sections 5.2.3, 22 & 23 of the Zoning Regulations and as shown on the plans titled “Waterford Utility Commission, Waterford, Connecticut, Contract Drawings for Grit Receiving Station” dated June 2016.

Chairman Auwood opened the public hearing and read the following exhibits into the record:

- EXHIBIT 1 - Application and Support Material
- EXHIBIT 2 - Notice of Public Hearing advertised in the Day newspaper on August 29, 2016 and September 5, 2016
- EXHIBIT 3 - Hearing Notification letter to applicant dated August 23, 2016 along with certificates of mailing.
- EXHIBIT 4 - Plans titled “Waterford Utility Commission, Waterford, Connecticut, Contract Drawings for Grit Receiving Station” dated June 2016
- EXHIBIT 5 - Staff Review Comments dated August 16, 2016
- EXHIBIT 6 – Memorandum dated 8/23/16 to Neftali Soto, PE from Dennis Dievert Jr, PE, Subject: Construct Grit Station – Application #PL-116-14, Response to Town of Waterford Staff Review Comments
- EXHIBIT 7 - Inter-Office Correspondence to Abby Piersall and Mark Wujtewicz from Tali Soto, Re: CGS 8-24 Report Request – Grit Station (Temporary Storage Facility)
- EXHIBIT 8 - DEEP Permit to Construct and Operate issued February 1, 2016.
- EXHIBIT 9 - Document dated March 25, 2016 titled “Appendix III, Sewers and Wet Wells Cleaning Equipment
- EXHIBIT 10 - #PL-16-8, 85 Miner Lane CGS 8-24 Planning and Zoning Commission file

James Bartelli, Assistant Director of the Utility Commission and Dennis Dievert of Wright-Pierce Engineers presented this application to the Commission. J. Bartelli stated that the purpose of the facility will be to temporarily store grit and other debris collected during sewer collection system and pump station cleaning. The site will house one 20 cubic yard roll-off container with a carbon canister for odor control, with provisions to house a second 20 cubic yard roll-off container and small storage container in the future. Other sites were looked at, but this site will work best. The hours of operation will be 7 a.m. to 3:30 p.m., unless there is an emergency.

E. Maguire asked how many times a day trucks will go onto the site. J. Bartelli replied that maybe 2 times a day.

S. Stotts asked if the facility will be used 5 days a week. J. Bartelli replied that it depends; it could possibly be used more in the springtime.

B. Chenard asked what would be the earliest time of the day trucks would be entering the site. J. Bartelli replied that it would not be before 7 a.m. It will be about as loud as a dump truck. B. Chenard stated concerns regarding odors, especially when the truck is being emptied. J. Bartelli explained how odors will be contained.

S. Stotts asked if there are any other towns in the state using the same process. J. Bartelli replied

D. Dievert reviewed the proposed site improvements (Exhibit 4). M. Wujtewicz asked if any additional screening is proposed. D. Dievert replied that no additional screening is proposed at this time.

M. Wujtewicz noted that there were several conditions attached to the DEEP permit (Exhibit 8), and asked if the facility could be regional. D. Dievert stated that it can't be regional.

Chairman Auwood asked how many truckloads the container will hold. J. Bartelli replied that he did not know. J. Auwood asked if there will be any emergency efforts to control odor in case of a spill. J. Bartelli explained how the odor will be controlled.

Chairman Auwood asked if there was anyone in the audience who wished to speak regarding this application.

John Occhinero of 11 Pepperbox Road stated that he also owns property on Miner Lane. He submitted into the record as Exhibit 11, and read aloud a letter in opposition of the application.

James Londregan of 4 Laurel Crest Drive stated concerns with material being left on the site, and also with odor. He wants to make sure the facility will just be for the Town of Waterford.

J. Bartelli stated that it is not meant to be a regional facility. It will not be a septic dumping site, there will be no effluent.

M. Wujtewicz asked if the lime to be used for odor control will be stored on site. D. Dievert said that it is currently designated as a future storage area on the site plan.

M. Wujtewicz asked if there is any Town traffic to the site right now. J. Bartelli said that the Department of Public Works is currently storing chip stone there. There is also stump grinding at other times.

B. Chenard stated that the DEEP permit does not say that the operation is limited to the Town of Waterford. J. Bartelli stated that the Commission can make it a condition of approval. B. Chenard asked if the application can be approved with a time limit. M. Wujtewicz said it can be approved with a time limit, and if there are any changes, they will have to come back to the Commission.

John Occhinero of 11 Pepperbox Road stated concerns about additional traffic in a residential area.

There being no further comments or questions, the public hearing was closed at 7:50.

#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).

Chairman Auwood opened the public hearing and read the following exhibits into the record:

- EXHIBIT 1 - Application
- EXHIBIT 2 - Proposed Mago Point District Regulations – Section 14a
- EXHIBIT 3 - Mago Point Design Guidelines dated July 2016 - Draft

- EXHIBIT 4 - Notice of Public Hearing advertised in the Day newspaper on August 29, 2016 and September 5, 2016
- EXHIBIT 5 - Referral letter dated August 10, 2016 to SCCOG from Mark Wujtewicz
- EXHIBIT 6 - Referral letter dated August 10, 2016 to Rob Klee, Commissioner, Department of Energy & Environmental Protection from Mark Wujtewicz
- EXHIBIT 7 - Letter dated August 25, 2016 to Mark Wujtewicz from Thomas Seidel, Southeastern Connecticut Council of Governments
- EXHIBIT 8 - Notice of Public Hearing sent to abutters, along with certificates of mailing
- EXHIBIT 9 - Certified copy of the Town of Waterford Zoning Regulations, effective date July 15, 2016
- EXHIBIT 10 - Certified copy of the Town of Waterford Zoning Map revised through June 16, 2016
- EXHIBIT 11 - Letter dated September 7, 2016 to Joseph Auwood from Robin & Terry Lineberger
- EXHIBIT 12 - Proposed Mago Point Zone District Boundary, Revised September 8, 2016

Glen Chalder of Planimetrics reviewed the history of the Mago Point area. Several workshops with the property owners in the area have been held. He reviewed the area included in the new Mago Point District, as well as the uses that will be allowed (Exhibit 2) as well as the Design Guidelines (Exhibit 3).

Chairman Auwood asked if there was anyone present who wished to speak regarding this application.

Terry Lineberger of 20 Niantic River Road referred to his letter to the Commission (Exhibit 11), requesting that his entire property be included in the new Mago Point District. A. Piersall stated that the Zone District Boundary has been revised (Exhibit 12), and now includes Mr. Lineberger's entire parcel.

Deborah Hadaway of 377 Mago Point Way asked for clarification as to where Mago Point Way ends. A. Piersall explained where the road ends.

Fran Violante of 27 Niantic River Road asked what the percentage of green space or open space will be, and also what the impact of the State of Connecticut expanding the boat launch will be. A. Piersall responded that the only designated Open Space is the municipal parcel on River Street, and the State is exempt from local zoning regulations. The Town is working with the State and has offered suggestions.

Linda Ferguson of 10 Millstone Road West asked about signage, noting that cars often come down Millstone Road by mistake. A. Piersall replied that the Mago Point Ad Hoc committee will be meeting later in the week, and signage can be discussed at that time.

John Cabral of 377 Mago Point Way stated that he is in favor of the new district, but would prefer it if the minimum lot sizes were 5,000 square feet or less. He stated concerns with the streetscape, and the lack of a bike path on Mago Point Way.

Gary Smith of 1 First Street also stated concerns regarding the streetscapes and the proposed lot sizes.

Deborah Hadaway of 377 Mago Point Way also stated that the minimum lot sizes should be smaller. She has concerns with the bike path and the village district.

A. Piersall stated that the points made are valid, and there is still room for discussion. She suggested that the public hearing be kept open and continued to the Commission's next meeting. G. Chalder stated that the regulations can also be changed in the future.

6. APPLICATION REVIEWS

#PL-16-14 – Request of Town of Waterford, owner; Waterford Utility Commission, applicant, for site plan and special permit approval to install a grit receiving station on property located at 85 Miner Lane, R-40 zone, in accordance with Sections 5.2.3, 22 & 23 of the Zoning Regulations and as shown on the plans titled “Waterford Utility Commission, Waterford, Connecticut, Contract Drawings for Grit Receiving Station” dated June 2016.

M. Wujtewicz stated that Staff will draft a decision incorporating comments received this evening for the Commission's review at the next 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).

This public hearing is still open.

7. CORRESPONDENCE

There was no correspondence

8. ADMINISTRATIVE REVIEW

Discussion of Zoning on Cohanzie School property

A. Piersall said that the town will start to look at how to enable the old Cohanzie School to be re-used.

9. ADJOURNMENT

MOTION: Motion made by E. Maguire, seconded by S. Stotts, to adjourn the meeting at 8:50.

VOTE: 5-0

Respectfully Submitted,



Dawn Choisy
Recording Secretary