

**DEPARTMENT OF PLANNING AND DEVELOPMENT**

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: January 13, 2026

TITLE: Staff Report: PL-25-20
3 Lot Residential Resubdivision
Ava's Meadow 97 Spithead Road

EXECUTIVE SUMMARY

The project as proposed is for a 3-lot residential resubdivision located at 97 Spithead Road. The property is located within the R-40 (Low Density Residential) Zone District. The gross area of the parcel is 32.79 acres and contains inland wetlands. This property was subject to a subdivision approval granted by the Waterford Planning and Zoning Commission on January 29, 1990 through application #89-216.

Approximately 4.73 acres of the property will be annexed and merged with an adjacent parcel under separate ownership located at 81 Spithead Road. The remaining property will consist of approximately 28.06 acres which is the subject of this resubdivision.

The parcel has approximately 682 linear feet of frontage along Spithead Road, which is a Town accepted road. All three lots are configured as standard frontage lots. Lot 3 contains an existing single-family dwelling that is served by an onsite septic system and municipal water supply. It will continue to utilize an existing driveway accessing Spithead Road. Single-family dwellings are proposed to be constructed on Lots 1 and 2 with on-site septic and municipal water supply. Individual driveways are proposed to be constructed for each of the lots. There are no public improvements proposed for this project.

The property contains approximately 10 acres of wetlands, the majority of which occurs in the rear of Lot 3. While Lot 1 contains approximately 900 square feet of wetlands there are no wetlands identified on Lot 2. The Waterford Conservation Commission reviewed the proposal through Inland Wetland application #C-25-13 and established a 50 foot wetland non-encroachment boundary around the wetland located on proposed Lot #1. Notice of the Conservation Commission action has been submitted into the record as Exhibit 5.

There is an existing easement on the property in favor of the Eversource Power Company that is located on Lot 3.

The application was received by the Commission on December 16, 2025.

The Public Hearing was advertised in The Day on December 30, 2025 and January 6, 2026.

The date of Public Hearing was January 13, 2026.

BACKGROUND

Pertinent Regulations

CT General Statutes:

CGS 8-26 – Subdivision of Land

Zoning Regulations:

Section 3.34 – Lot Design Standards

Section 5 – Low Density Residential District (R-40)

Subdivision Regulations:

Section 3 – Subdivision Application Procedures

Section 4 – Final Plan Requirements

Section 5 – Design Requirements

DISCUSSION

The applicant proposes to resubdivide the existing parcel into three lots. The existing parcel was originally created through subdivision approval of application #89-216 granted by the Planning and Zoning Commission on January 29, 1990. Any further subdivision of 97 Spithead Road, which is the subject of this application, qualifies as a resubdivision in accordance with CT General Statute (CGS) 8-25 and as defined in the Town of Waterford Subdivision Regulations.

The property survey conducted for this proposal revealed a discrepancy in the location and configuration of the southern boundary line of the parcel from a previous survey. A portion of the property (approx. 4.73 acres) is proposed to be merged with an adjacent parcel located at 81 Spithead Road which is under separate ownership. The filing of a quit-claim deed that reflects this proposed parcel merger will be included as a condition of approval. The remaining 28.06 acres will be resubdivided into three parcels. Lots 1 and 2 will be vacant parcels with each consisting of approx. 2.67 acres. Lot 3, which contains the existing dwelling and accessory buildings, will consist of approx. 18 acres and will continue to utilize the existing driveway. The proposed Lots 1 and 2 will each contain new driveways for access onto Spithead Road.

The three parcels that will be created through this resubdivision are consistent with the design standards for lots in the R-40 Zone District and the criteria within the Town of Waterford Subdivision Regulations and Section 3.34 (Lot Design Standards) of the Zoning Regulations. The onsite septic systems have been reviewed by the Ledge Light Health District and approved with conditions (Ex.1d)

RECOMMENDED ACTION

Based on the information provided, staff recommends the Planning and Zoning Commission find that:

Findings:

1. The property is located entirely within the R-40 (Low Density Residential) Zone District
2. The division of the property constitutes a resubdivision in accordance with the definition of resubdivision within the Town of Waterford Subdivision Regulations and State Statute.
3. The proposed lots comply with the lot design standards of Section 3.34 and Section 5 of the Town of Waterford Zoning Regulations as shown on the plan.
4. The Waterford Conservation Commission issued Inland Wetland Permit# C-25-13 for regulated inland wetland activities.
5. The Waterford Conservation Commission issued a report of its action on application #C-25-13 in accordance with CGS §8.26. (Exhibit 5)

and that the Commission approve with conditions application PL-25-20 with the following conditions:

1. The area identified on the plans as “Parcel of Land to be Quit-Claimed to Marjorie L. Daly Trustee” shall be recorded on the Town of Waterford land records no later than the filing of the resubdivision plans on the land records.
2. Any new breaks in the existing stone wall shall be removed and restacked along the existing wall.
3. Driveway sightline demonstrations will be required for each driveway prior to the issuance of building permits for each lot.
4. All conditions of approval for Inland Wetland Permit #C-25-13 shall be incorporated into this decision as if fully set forth herein.

Proposed Motion:

To approve with conditions Application PL-25-20, a 3-Lot residential resubdivision located at 97 Spithead Road with conditions 1 through 4 and to adopt the findings 1 through 5 of the staff report dated January 13, 2026.