



 DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: March 22, 2023

TITLE: Staff Report: Business Offices/Storage Warehouses
21 Gurley Road
Site Plan/CAM

EXECUTIVE SUMMARY

This development as proposed is for the construction of the six free standing buildings to be used as Business Offices with Storage Warehouses along with associated infrastructure including driveways, parking areas, underground utilities, stormwater drainage elements and grading and landscaping. Each building will contain multiple tenants. One building will be constructed with access from Oil Mill Road along with its associated parking and site improvements. The remaining five buildings and access will be from Gurley Road. A portion of the project is located within the Coastal Area Management boundary and therefore a Coastal Area Management review is also being conducted in conjunction with the site plan review. The development of the parcel for the proposed uses as Business Offices with Storage Warehouses in the Industrial Park (IP-1) Zone District is allowed through the review and issuance of a Site Plan approval in accordance with Section 13.1.2, 13.1.8 and Section 22 of the Town of Waterford Zoning Regulations. Coastal Area Management review is being conducted in accordance with Section 25.4 of the Zoning Regulations.

BACKGROUNDPertinent Regulations

CGS §8-3(g)

CGS §8-24

Permitted Use within the District:

Section 13.1.2 – Professional Offices, medical clinics, medical service laboratories, research laboratories and **business offices**. (Effective 11/28/95)

Section 13.1.8 – **Storage warehouses** and wholesale establishments

- Section 20 – Off Street Parking
- Section 22 – Site Plans
- Section 22b – Design Review of Site and Building Requirements
- Section 25.4 – Coastal Area Management
- Section 25.6 – Stormwater Management and Low Impact Development Standards

DISCUSSION

The project as proposed is to develop approximately 9.9 acres of the total 22-acre parcel. An Archeological Reconnaissance Survey was conducted by the CT State Historic Preservation Office (SHPO) in support of a Stormwater Discharge permit issued by DEEP. Based upon research conducted by SHPO, a portion of the project parcel was identified as a contributing element to the pending Oil Mill Road Historic District listing on the National Register of Historic Places. This area was determined by SHPO to be located outside of the Area of Potential Effect associated with the Project. This archaeological site has been identified on the site plan and no activity is proposed within this area.

The site is not currently served by municipal water and sewer. The proposal for the project also includes the extension of the existing water and sewer infrastructure along a portion Oil Mill Road and a portion of Gurley Road. Approximately 1100 feet of water and sewer main will be installed within a portion of Oil Mill Road and approximately 500 feet of sewer main and 1300 feet of water main will be installed within a portion Gurley Road. The installation of the public infrastructure will be performed by the applicant in accordance to Town of Waterford Utility Commission and Department of Public Works design and construction standards. The infrastructure installation is included in this site plan review and must be completed as part of the overall project. The public infrastructure improvements were reviewed by the Planning and Zoning Commission on behalf of the Town of Waterford Utility Commission through a CGS §8-24 application PL-22-12 and was approved on August 9, 2022. One of the findings in the approval stated that there is a variance process established by Town Ordinance that property owners can pursue to delay connection and that the Planning and Zoning Commission strongly recommends that the Utility Commission consider any requests for variance from properties impacted by the extension of the municipal water and sewer system related to application PL-22-12. The municipal water and sewer extensions and associated work identified on the site plan is consistent with CGS §8-24 application PL-22-12.

The amount of parking on the site is consistent with the requirements for the proposed uses as established in Section 20 of the Zoning Regulations. A Traffic Impact Assessment (TIA) was conducted for the proposal. The traffic impact results initially identified in this report during preliminary review were based on an initial proposal of seven buildings with a total building area of approximately 80,800 SF and 271 parking spaces. The plans had been revised and submitted as part of this formal application to reflect a reduction in the number of proposed buildings to six with a total building area of approximately 65,680 SF. and a reduction in the number of parking spaces to 170. An updated TIA was provided by the applicants traffic engineer which identified the modifications to the initial preliminary plan and concluded that the findings presented in the initial report remain unchanged and that there will be “...*no notable change to area traffic operations, and can be adequately accommodated within the existing transportation infrastructure serving the Project.*” (Emphasis added)

In accordance with Section 22.3 of the Zoning Regulations, the Commission shall take action on the plan that was initially received and may approve that plan with modifications in order for the final plan to be consistent with the requirements for site plan approval. A parking layout plan dated received 3/8/23 which identified parking breakdown for each building was submitted. While the zoning regulations do not require that parking stalls be designated for each building, the identification of parking stalls on the plan for each building is to determine that adequate parking exists in areas proximal to the buildings being served. This plan also included revisions to the sidewalk layout in order to provide adequate safe pedestrian movement to buildings. Each potential use shall require the issuance of a Zoning Compliance Permit in order to determine consistency with the allowed uses and parking requirements identified on the site plan. These modifications are listed within this staff report as conditions of approval. The Commission may take action by incorporating the conditions of approval into its decision. The plan provides for adequate parking and, with the above modifications, safe pedestrian access and movement within the parking areas through the use of sidewalks and painted crosswalks.

The property contains approximately 3.75 acres of wetlands with proposed regulated activity occurring within 3.25 acres of the upland review area. As a result, an application for Inland Wetland Permit #C-22-09 was submitted to the Waterford Conservation Commission. Inland Wetland Permit #C-22-09 was approved by the Conservation Commission for site work, building and infrastructure construction, and construction of stormwater treatment basins and the discharge of stormwater run-off to adjacent inland wetlands. In accordance with CGS §8-3(g) a report of the Conservation Commission action was submitted into the record.

In accordance with Town of Waterford Zoning Regulations, a review of the Natural Diversity Data Base maps and files associated with this project was reviewed by CT DEEP. That review identified State Listed Species documented nearby the project site. The CT DEEP determined that the site plan submitted for review and protection measures incorporated in the site plan are adequate to minimize the impacts to the species identified.

A portion of the parcel is located within the Coastal Area Management Boundary. The applicant submitted an application for Coastal Area Management Site Plan Permit in accordance with Section 25.4 of the Zoning Regulations. There were no coastal resources identified on or adjacent to the property. A perennial stream flows through the west portion of the parcel from its northerly property line along Interstate 95 to where it exits the property at the parcel's southerly property line along Gurley Road and eventually discharging offsite to the Niantic River. Measures have been incorporated in the Site Plan that protect this perennial stream from negative impacts during site development through the use of temporary erosion and sedimentation control measures and the stormwater quality basins post construction.

A Stormwater Management Design Report was submitted into the file for the proposal. A review of the report was conducted and stormwater design elements, including stormwater basins, rain gardens and subsurface leaching systems for roof runoff to address both water quality and quantity were incorporated into the plans. These systems have been reviewed and found that they will function adequately to mitigate any adverse impacts of both stormwater quality and quantity to subsurface and surface receiving waters and wetlands. The applicant has provided for the record a report which identifies that the proposed stormwater management system is consistent with and meets the criteria of the 2004 Connecticut Stormwater Quality Manual and is also consistent with Section 25.6 of the Zoning Regulations.

RECOMMENDED ACTION

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

Findings:

- a. The parcel is located within the Industrial Park (IP-1) Zoning District as identified on the most recently adopted Zone District Map.
- b. The westerly portion of the parcel is located within the Coastal Area Management Boundary and is subject to Coastal Area Management review in accordance with Section 25.4 of the Waterford Zoning Regulations.
- c. The application is for a use(s) permitted subject to Site Plan approval, pursuant to Section 13.1.2 and 13.1.8 of the Waterford Zoning Regulations.
- d. With modifications as specified within the staff report, the site plan conforms to Section 22 of the Town of Waterford Zoning Regulations.
- e. The application meets the criteria for site plan approval with modifications, pursuant to Section 22 of the Waterford Zoning Regulations, subject to conditions 3 and 4.
- f. The public water and sewer main extensions were reviewed by the Planning and Zoning Commission on behalf of the Town of Waterford Utility Commission through a CGS §8-24 application #PL-22-12 and was approved on August 9, 2022 with a finding that there is a variance process established by Town Ordinance that property owners can pursue to delay connection and that the Planning and Zoning Commission continues to strongly recommend that the Utility Commission consider any requests for variance from properties impacted by the extension of the municipal water and sewer system related to application PL-22-12.
- g. The site plan is consistent with the coastal policies in Section 22a-92 of the Connecticut General Statutes and Section 25.4 of the Waterford Zoning Regulations.
- h. The site plan incorporates all reasonable measures which would mitigate the adverse impacts on coastal resources.
- i. The Waterford Conservation Commission issued Inland Wetland Permit# C-22-09 for regulated inland wetland activities.
- j. The Waterford Conservation Commission issued a report of its action on application #C-22-09 in accordance with CGS §8.3(g).
- k. This application has been reviewed by the Town of Waterford Design Review Board in accordance with Section 22b of the Waterford Zoning Regulations and which Board submits a positive report to the Planning and Zoning Commission

and that the Commission approve with modifications the proposal with the following conditions:

1. A stormwater Operations and Maintenance Plan shall be provided prior to the issuance of a Certificate of Zoning Compliance.
2. All conditions of approval for Inland Wetland Permit #C-22-09 shall be incorporated into this decision as if fully set forth herein.
3. Prior to filing on the land records, the final plans shall include a detail of the dumpster enclosures.
4. Prior to filing on the land records, the final plans shall be modified to include the revisions to the sidewalk layout as shown on the parking layout plan dated received 3/8/23.
5. Each potential tenant use shall require the issuance of a Zoning Compliance Permit in order to determine consistency with the allowed uses and parking requirements identified on the site plan.

Proposed Motion

To approve with modifications, the Site Plan for Business Offices and Storage Warehouses located at 21 Gurley Road application PL-23-2 with conditions 1 thru 5 and to adopt the findings a thru k of the staff report.