



DEPARTMENT OF PLANNING AND DEVELOPMENT

MEMORANDUM

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: May 23, 2023

TITLE: Staff Report: Multi Family Development
Site Plan Application PL-23-9
Waterford Central Apartments
61 & 61A Myrock Avenue

EXECUTIVE SUMMARY

The proposal as submitted is to construct a 216-unit multifamily development in six buildings with a mix of 144 one bedroom and 72 two bedroom units and to repurpose an existing vacant Office Building located at the southern end of the site to Office Use. The two parcels combined contain 27.62 acres and are located within the C-MF (Commercial-Multi Family Zoning District). As a result of this project, the rear parcel known as 61A Myrock Avenue will be merged into 61 Myrock Avenue. There is also a proposed lot line adjustment between 394 Willetts Avenue Extension and 61 Myrock Avenue. A survey of the proposed lot line revisions indicate that the two parcels will remain compliant with Zoning Requirements. The proposed multifamily use and the office use are both permitted in the C-MF Zone District in accordance with Sections 16.1.2 (multi-family development) and 8.1.3 (business offices and professional buildings) of the Zoning Regulations. In accordance with the Zoning Regulations, which define an acre as containing 40,000 square feet, a total of 221 units would be allowed at a density of 8 units per acre. There are no site or building modifications proposed for the existing Office Building. There are 5.43 acres of wetlands located predominately along the southern boundaries of the site. There is no work proposed within the wetlands or within the 100' upland review area. The Waterford Conservation Commission has reviewed the plan and at a meeting on April 27, 2023 rendered a determination that there is no regulated activity associated with the project as presented.

A total of 326 parking spaces are being provided for on the site. The required amount of parking based upon the bedroom mix is 324. The project also includes the construction of five freestanding garage units, which will provide for parking of 35 vehicles as well as storage units interior to the garage

structures. The project qualifies as a Major Traffic Generator and as required, the applicant will submit to apply for a permit from the Office of the State Traffic Administration.

This project is located adjacent to a previously approved multifamily development to the west, a portion of which is completed and occupied with the remaining portion still under construction. Due to the adjacency of these projects and with both projects owned and under the control of the applicant, there will be one entrance from Willetts Avenue utilized for the multifamily use. The existing driveway access over the CL&P driveway serving 61R Myrock Avenue will continue for the Office use. Active recreational amenities proposed on the site include a pickleball court, pollinator and organic gardens and a dog park.

The site will be served by municipal water and sewer. Associated easements for access and utilities will be provided.

BACKGROUND

Pertinent Regulations

CGS 8-3(g)

Permitted Use within the District

Section 8.1.3 – Business Offices and Professional Buildings

Section 16.1.2 - In the C-MF District, permitted uses shall include multi-family development in accordance with the provisions of Section 18 of these regulations and those uses permitted under Section 8.1 of these regulations.

Section 18 - Multi Family Development

Section 22 - Site Plans

Section 22b - Design Review of Site and Building Improvements

DISCUSSION

The applicant proposes to construct a 216-unit multifamily project with associated site improvements located at 61 & 61A Myrock Avenue. Multifamily uses located within the Multifamily Zone Districts require Site Plan Approval from the Planning and Zoning Commission in accordance with Section(s) 16.1.2 and 18 of the Zoning Regulations. The proposal also includes the repurpose of an existing vacant office building, which requires a site plan approval in accordance with Section 8.1.3, and 22 of the Zoning Regulations. The multifamily use and office use are both included in this application. The proposal has been reviewed by Town Agencies, the Waterford Conservation Commission has made the determination that there are no wetlands impacted, and all work occurs outside of the 100' upland review area.

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 and conditions in order for the final plan to be consistent with the requirements for site plan approval. A review of the plans and reports identified areas in which modifications to the site plan will be required in order that the final plan is consistent with the Zoning Regulations. 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 applicant has provided written responses to the outstanding agency review comments. Those responses have been reviewed and found to be acceptable. Some of which have been incorporated within the staff report as conditions of approval.

A Traffic Impact and Access Study conducted by the applicant's Traffic Engineer was submitted into the file. This study analyzed traffic impacts on Willetts Avenue from this project. A Traffic Impact Statement was previously performed for the adjacent Waterford Woods Project Phase 1 and a Traffic Study was performed for the Phase 2 portion of the Waterford Woods Project, which took into account the accumulated traffic impact on Willetts Avenue from both phases. The Traffic Impact and Access Study included for this project also takes into account the overall traffic impact from both Waterford Woods Phases and this project currently before the Commission. The Commission had requested that a peer review study of the applicant's traffic report be conducted. The Traffic Impact and Access Study and all other documentation and plans were provided to the Town's third party traffic engineer for review. Staff is awaiting the results from the Town's Traffic Consultant. The Traffic Impact Study recommended widening Willetts Avenue at its intersection with Boston Post Road in order to accommodate a second queuing lane dedicated left turn northbound approach onto Boston Post Road. The study also determined that with the reduced queuing created by the addition of the second lane at the northbound approach to Boston Post Road, the signalized intersection would operate at a Level of Service B or better. The non-signalized intersection of the site drive with Willetts Avenue will operate at Level of Service C or better across all peak hours. The applicants Traffic Impact and Access Study has concluded that that the study area roadways and intersections will operate at acceptable standards provided the proposed improvements are implemented. The applicant is required to obtain a permit from the Office of State Traffic Administration prior to issuance of any permits to start construction. The Commission can require as a condition of approval that the Applicant's Traffic Study incorporate the comments from the Town's Traffic Consultant.

The applicant has applied for a review and permit from the CT Office of State Traffic Administration (**OSTA**) as required. The Commission reserves the right to review any modifications proposed within the property in order to accommodate any required improvements as a result of the OSTA permit findings and conditions.

The applicant conducted a series of test pits. The results from the test logs revealed the presence of a pre-existing landfill comprised of construction debris such as brick, concrete, mortar, wood, metal pipe and debris. The test logs also indicate that residential and municipal solid waste was not encountered. All surface debris will be removed in areas of construction and covered with clean fill material from the cut portion of the site. All metals will be removed and replaced with clean fill material.

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 the stormwater basin and rain gardens 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 project is presented as being constructed in phases along with a construction schedule. All site improvements in support of each building including but not limited to parking, sidewalks and landscaping must be completed in accordance with the approved site plan prior to issuing a Certificate of Zoning Compliance for each building. The stormwater detention basin and treatment system must also be completed and stabilized prior to receiving water from the storm drainage system.

The proposed water and sewer systems will be privately owned and constructed to Town of Waterford and City of New London design standards.

RECOMMENDED ACTION

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

Findings:

1. The parcel is located within the C-MF Zoning District as identified on the most recently adopted Zone District Map.
2. The merger of 61 and 61A Myrock Avenue, as a result of this project is consistent with Zoning Regulations.
3. The proposed lot line adjustment impacting 394 Willetts Avenue Extension and 61 Myrock Avenue indicated on the Lot Line Revision Plan is compliant with Town of Waterford Zoning Regulations
4. The project is a multifamily development which is a permitted use within the C-MF Zone District and is developed in accordance with Section 18 of the Town of Waterford Zoning Regulations.
5. The project is proposed as a Site Plan in accordance with Section 18.1a of the Town of Waterford Zoning Regulations
6. The project as proposed includes the repurpose of an existing Office Building, which is a permitted use in accordance with Section 8.1.3 of the Town of Waterford Zoning Regulations.
7. The Waterford Conservation Commission has reviewed this proposal and determined that there are no regulated inland wetland activities.
8. With modifications as specified within the staff report, the site plan conforms to Section 22 of the Town of Waterford Zoning Regulations.
9. 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.
10. 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.

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

1. An operation and maintenance manual and inspection checklist for all elements of the stormwater treatment system shall be submitted to the Planning Department at the time final plans are filed. The manual shall identify the party responsible for the maintenance and inspection and repair of the system components and responsible for submission of the annual maintenance report to the Town, in accordance with Section 25.6 of the zoning regulations.
2. The final plans shall include a note identifying that the stormwater treatment system is in compliance with Section 25.6.10.14 of the Waterford Zoning Regulations
3. A DEEP Construction Stormwater Permit will be required for this project as the total disturbed area exceeds 5 acres.
4. Waterford Utility Commission approved details shall be added to the final plans prior to filing on the land records.
5. A CT Licensed Environmental Professional (LEP) shall be present to verify that any debris encountered during excavation is disposed of properly.
6. The stormwater detention basin and treatment system shall be completed and stabilized prior to the issuance of the Certificate of Zoning Compliance for the first completed residential building. Subsequent Certificates of Zoning Compliance for each remaining residential building will be issued

upon inspection and verification by the design engineer that the stormwater basin and treatment system remains stabilized and continues to function as designed.

7. A planting schedule for the detention basin aquatic shelf is to be submitted to the Planning Department for review and approval prior to planting.
8. Proposed access easements for 61 Myrock Avenue (Waterford Central Apartments) to utilize the common access drive located on 394 Willetts Avenue Extension (Waterford Woods) as depicted on the site plan shall be provided and filed at the time of filing the final plans on the land records.
9. The Applicant's Traffic Impact be updated to incorporate any comments and recommendations from the Peer Review Study performed by the Town's Traffic Consultant prior to filing the final plans on the land records.

Draft Motion

To approve with modifications and conditions, the Waterford Central MultiFamily Development site plan application Permit #PL-23-9 for 61 & 61A Myrock Avenue with conditions 1 thru 9 and adopt the findings 1 thru 10 of the staff report.