

**DEPARTMENT OF PLANNING AND DEVELOPMENT****MEMORANDUM**

TO: Planning and Zoning Commission

FROM: Mark Wujtewicz, Planner

DATE: June 13, 2023

TITLE: Staff Report: Affordable Housing Development CGS §8-30g  
109R & 131 Clark Lane  
Site Plan Application PL-23-7

**EXECUTIVE SUMMARY**

The proposal as submitted is to construct 47 3-bedroom detached single-family dwellings located at 109R & 133 Clark Lane. The combined area of the two parcels is 16.166 acres. As a result of this project the two parcels will be merged. An internal access drive serving the community will be constructed that will intersect with Clark Lane at two locations. The southern intersection with Clark Lane will be ingress only while the northerly intersection is designed for both ingress and egress. The proposed water and sewer systems will be privately owned and constructed to Town of Waterford and City of New London design standards. A Conservation Easement is proposed with the application.

The proposed site plan was submitted for review subject to the provisions of Connecticut General Statutes §8-30g. An Affordable Housing Plan has been submitted into the record by the applicant (Exhibit 6). As specified in the Housing Affordability Plan submitted, 30% or 15 of the residential units will meet the criteria for affordable housing as defined in CGS §8-30g for a period of forty years. The Plan establishes the criteria and requirements for administering the designated Housing Opportunity Units. The Affordable Housing Plan is currently under review by Town Counsel and approval of this site plan application can be conditioned upon recommendation by the Town Attorney relative to form and substance prior to endorsement of the final plans.

**BACKGROUND****Pertinent Regulations**

CGS §8-3(g)

CGS §8-30g

Section 22 – Site Plans

Section 22b - Design Review of Site and Building Improvements

## DISCUSSION

The single-family dwellings are approximately 1350 sq. ft. each in size and are located along the interior road with off road parking provided for each dwelling. In accordance with Section 20.3(b), a multi-family project requires 2 parking spaces for each unit containing three or more bedrooms. Each area designated for parking on the site plan contains an adequate number of parking spaces for each of the units served by the parking area. There is no parking permitted along both access drives and along the travel lane of the interior drive.

A Traffic Impact Study conducted by the applicant's Traffic Engineer was submitted into the record. (Exhibit 4) This study analyzed traffic impacts from this project at the future site driveway intersections with Clark Lane; the intersection at Clark Lane, Stenger Farm Park driveway and the northern Clark Lane Middle School driveway; the southern Clark Lane Middle School driveway; and the intersection of Clark Lane and Route 1. The Study concluded that during the busiest weekday peak hours; there will be a negligible increase in delays at area intersections from existing conditions to built conditions.

The stormwater management treatment system incorporates several design elements including, catch basins with sumps, hydrodynamic separator, bio-retention and wet-bottom detention basins in order to mitigate potential impacts to stormwater quality and quantity. Additional offsite stormwater runoff currently influencing the project site from Clark Lane is included in the treatment design. The stormwater discharge from Clark Lane has been operating without the benefit of a drainage easement. The developer is proposing a drainage easement to the Town of Waterford for the Clark Lane Stormwater discharge. Several design elements are incorporated into the overall design of the Stormwater system. 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.

There are approximately 6.19 acres of wetlands located on the property. The proposal has been reviewed by Town Agencies and the Waterford Conservation Commission has issued Wetland Permit #C-22-14 with conditions on March 23, 2023. This permit was issued for clearing, excavation and grading up gradient of the 100 ft. upland review area, construction of a stormwater treatment and detention basin system within 0.56 acres of the 100 ft. upland review area, discharge of treated stormwater to inland wetlands, and filling and grading within 0.13 acres of upland review area for the construction of 7 houses and associated grading. A report of Conservation Commission action is included in the record (Exhibit 9).

The applicant proposes a Conservation Easement Area in the rear portion of the property east of the proposed bio-retention and detention basins. The easement shall be granted in favor of the Town of Waterford to provide permanent protection to the wetland resources. The Easement language is under review by Town Counsel and approval of this site plan application can be conditioned upon recommendation by the Town Attorney relative to form and substance of the Conservation Easement prior to endorsement of the final plans.

### Findings:

1. The parcel is located within the R-20 Zoning District as identified on the most recently adopted Zone District Map.
2. Waterford is subject to the Connecticut "Affordable Housing Appeals Procedure" (CGS §8-30g) because less than 10% of the housing stock meets State criteria for affordable housing.
3. The project is a multi-family development and is submitted pursuant to the provisions of Connecticut General Statutes §8-30g.

4. Thirty percent (30%) or 15 of the dwellings as identified in the affordable housing plan submitted into the record will contribute towards the Town's affordable housing stock.
5. The Waterford Conservation Commission issued Inland Wetland Permit# C-22-14 for regulated inland wetland activities.
6. The Waterford Conservation Commission has submitted to the Planning and Zoning Commission a final report in accordance with CGS §8-3(g).
7. The number of parking spaces provided meets the requirements of Section 20.3(b) of the Waterford Zoning Regulations.
8. 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 the following condition(s):

1. The Limits of Permanent Clearing and Disturbance shall be identified on the site plan as the wetland non-encroachment boundary.
2. Provide pavement markings for the parking areas on the final plan prior to filing on the land records.
3. Provide parking calculations on the plan prior to filing on the land records.
4. Provide fencing around the perimeter of the detention basin. Detail and location shall be provided on the site plan prior to filing on the land records.
5. Provide solid vinyl fencing along west property line in addition to the proposed arborvitae. Show fence location and detail on the final site plan prior to filing on the land records.
6. Provide specific reference on the site plan that this project is an Affordable Housing Development submitted in accordance with CGS §8-30g prior to filing on the land records.
7. Building mounted lights shall be full cutoff, dark sky compliant. Fixture detail shall be provided prior to filing the plans on the land records.
8. 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.
9. Recommendation by the Town Attorney relative to form and substance of the Conservation Easement prior to endorsement of the final plans.
10. Recommendation by the Town Attorney relative to form and substance of the Affordable Housing Plan prior to endorsement of the final plans.
11. Recommendation by the Town Attorney relative to form and substance of the Drainage Easement prior to endorsement of the final plans.
12. All conditions of approval for Inland Wetland Permit #C-22-14 shall be incorporated into this decision as if fully set forth herein.

### **Proposed Motion**

**To approve with conditions, the Proposed Affordable Housing Development Site Plan Application #PL-23-7 located at 109R and 131 Clark Lane with conditions 1 thru 12 and adopt the findings 1 thru 8 of the staff report.**