

Code Enforcement
Building Official
Wetlands Enforcement

Planning and Zoning
Planning Director
Zoning Enforcement

COLCHESTER ZONING BOARD OF APPEALS
NOTICE OF DECISION

CERTIFIED MAIL

ZBA17-002, Dream Developers of Connecticut, LLC (Applicant), MORUT, LLC, Maureen Monahan, Leo Thomas Rutka (Owner) for property located at 000 Rutka Lane, Tax Map No. 10-00, Lot Nos. 003-000, 004-000, 005-000, 006-000, and 007-000 in the TC Zone. The applicant is requesting variances to Section 15.4.21 of the Colchester Land Development Regulations to reduce the sightline requirement from 500' to 380' to the southwest of Rutka Lane.

Dear Applicant:

The Zoning Board of Appeals, at their Regular Meeting held on Tuesday, November 21, 2017, voted to **APPROVE** the above application for a variance of Section 15.4.21 of the Colchester Land Development Regulations to reduce the sight line requirement from 500' to 380', a reduction of 120' to the southwest sight line along Wall Street from Rutka Lane for the following reasons:

- The Colchester Land Development Regulations permit, upon the written recommendation of the Town Engineer, alternative road design where the proposed development can be shown to meet acceptable engineering practice, embraces low impact or context sensitive flexible design concepts, and does not compromise pedestrian or vehicular safety or emergency access.
- The Sight Line Analysis document dated Rev. November 14, 2017 and prepared by Traffic Engineering Consultant Robert V. Balamalio, P.E. provides evidence of acceptable engineering practice as supported by Connecticut Department of Transportation and American Association of State Highway and Transportation Officials' design guidelines;
- The Colchester Town Engineer has provided written recommendation for granting the requested variance;
- Granting of the variance will not substantially affect the general purpose and intent of the Zoning Regulations or the general zoning plan, will enable appropriate development of the parcels accessed by Rutka Lane in the Town Center District (TC) immediately adjacent to the Arterial/Commercial District (AC) and is consistent with the Plan of Conservation and Development;
- The grade of the connecting town maintained collector road, Wall Street, creates an unusual situation that cannot be corrected by a strict adherence to the letter of the Zoning Regulations thus causing a hardship different from that affecting other properties;

Variance of Section No. 15.4.21
Colchester Land Development Regulations
Rutka Lane
November 21, 2017
Page No. 2

F. This hardship is not the result of the applicant's own action and is not merely financial as it would require re-construction of an existing town road.

G. The variance granted has been found to be in harmony with the general purpose and intent of the Regulations and due consideration has been given to conserving the public health, safety, convenience, welfare and property values with respect to those parcels of land and owing to conditions especially affecting these parcels, but not affecting generally the district in which it is situated.

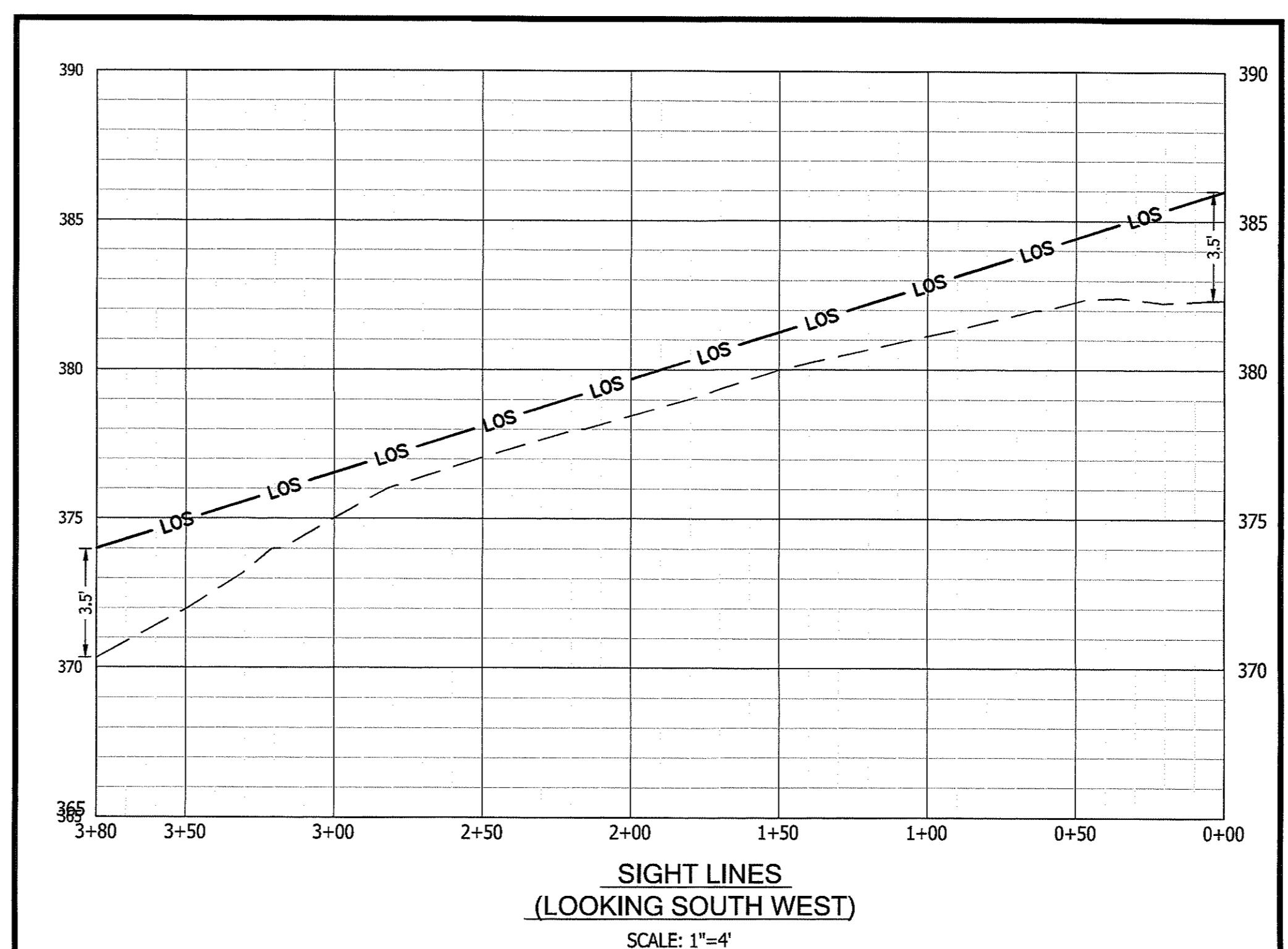
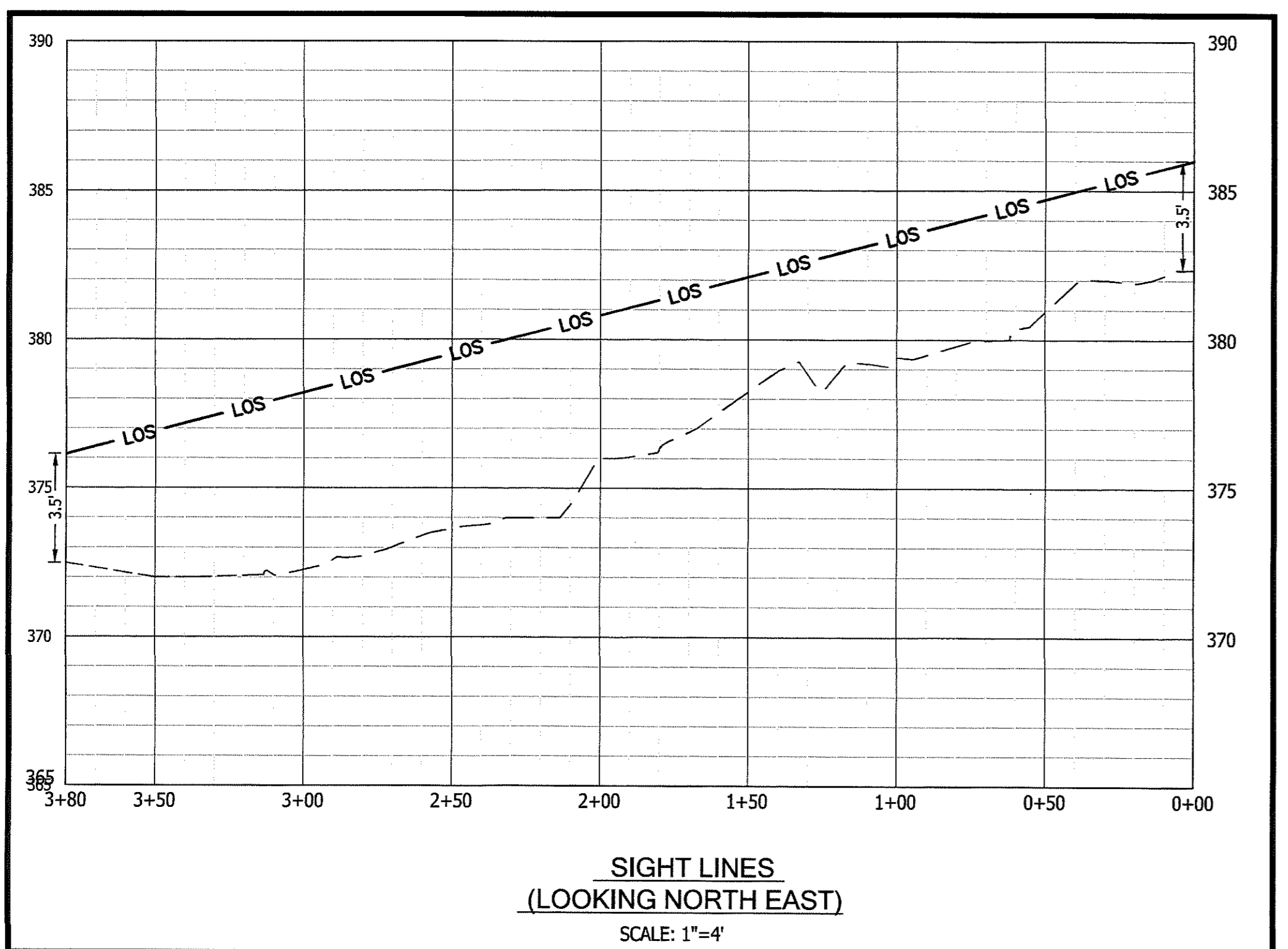
Per Connecticut General Statute's Section 8-34, the variance(s) shall become effective upon publication of the decision. Publication is scheduled for December 1, 2017 in the *Riverfront News Bulletin*. Anyone appealing this decision must do so within fifteen days of the publication of the decision through the Superior Court of the State of Connecticut.

Please note that this Approval is not valid until filed on the land records in the Office of the Town Clerk. This document is to be used for filing purposes, and filing may be done after publication. Please provide this office with a copy of the filing receipt so we may close out the file.

The owner/applicant shall be bound by the provisions of this Application and Approval.

Respectfully,

Daphne C. Schaub
Daphne C. Schaub, CEO
Assistant Planner & Zoning Enforcement Officer



Legend

EXISTING

SYMBOL	DESCRIPTION
□	MONUMENT
○	EX. IP / REBAR
○	DRILL HOLE
○	UTILITY POLE W/ LIGHT
○	STONEWALL
○	FENCE LINE
○	WATER VALVE
○	OVERHEAD WIRES
○	ADJACENT PROPERTY LINE
○	INDEX CONTOUR
○	WETLANDS BOUNDARY/FLAG
○	MEAN LOW WATER LINE
○	MEAN HIGH WATER LINE
○	HIGH TIDE LINE
○	COASTAL JURISDICTIONAL LINE
○	ZONE LINE
○	EASEMENT LINE
○	BUILDING SETBACK LINE
○	EXISTING WATER LINE
○	EXISTING SEWER LINE
○	N/F
○	NOW OR FORMERLY CATCH BASIN
○	(TYP.)
○	SPOT ELEVATION
○	DRILL HOLE
○	POINT OF BEGINNING
○	TEST PIT
○	PERCOLATION TEST
○	UTILITY POLE
○	DRAINAGE MANHOLE
○	SEWER MANHOLE
○	HYDRANT
○	WATER SHUTOFF

PROPOSED

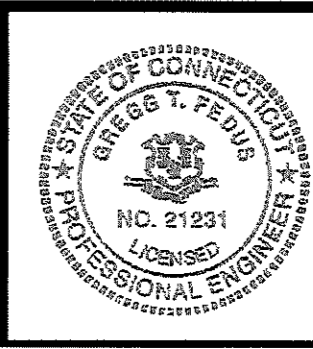
SYMBOL	DESCRIPTION
○	IRON PIN TO BE SET
○	SILT FENCE
○	WATER SERVICE
○	SANITARY SERVICE
○	SPOT ELEVATION
○	INVERT
○	GALLOW
○	SCHEDULE
○	HAY BALE BARRIER
○	WATER SHUTOFF

NO.	DATE	REVISIONS
1	7/5/2022	GENERAL REVISIONS
2	8/15/2022	TOWN ENGINEER COMMENTS
3	8/30/2022	STAFF COMMENTS

Sight Lines
of
Property Transferred To
Niantic Bay Group, LLC
Colchester, Connecticut
Prepared For:
JOHN DORAN
APRIL 6, 2022

DRAWING SCALE: 1"=30'

Gregg T. Fedus
Gregg T. Fedus P.E.
CT. License No. 21231



FEDUS ENGINEERING, LLC
CIVIL ENGINEERS
Mailing Address: 70 Essex Street Mystic, Connecticut 06355
Office: (860) 536-7390 Fax: (860) 536-1644

SECTION	REGULATION	REQUIREMENTS	PROPOSED
11.6	MAXIMUM DENSITY	4 UNITS/BUILDABLE ACRE	3.4 UNITS/BUILDABLE ACRE
11.6	SETBACK FROM RESIDENTIAL PROPERTY	50'	50'
11.6	COVERAGE BY BUILDING	20%	11.7%
11.6	COVERAGE BY IMPERVIOUS	30%	21.3%
11.6	RECREATION OPEN SPACE (AREA BEHIND CURB MINUS THE WETLANDS)	3,600 SF	49,678 SF
11.6	PARKING/GARAGE SPACE	2 CARS/DWELLING	4 CARS/DWELLING 2 IN GARAGE, 2 DRIVEWAY

LIMIT OF WETLANDS
AS MARKED IN THE FIELD ON JUNE 6, 2005
BY RICHARD SNARSKI, SOIL SCIENTIST

148 WALL ST
N/F
THOMAS B & LILLIAN A. ATKINS
M/B/L: 10-00/10-00
V89-217
MAILING ADDRESS
224 WALL ST
COLCHESTER, CT 06415

168 WALL ST
N/F
THOMAS B & LILLIAN A. ATKINS
M/B/L: 10-00/10-00
V89-217
MAILING ADDRESS
224 WALL ST
COLCHESTER, CT 06415

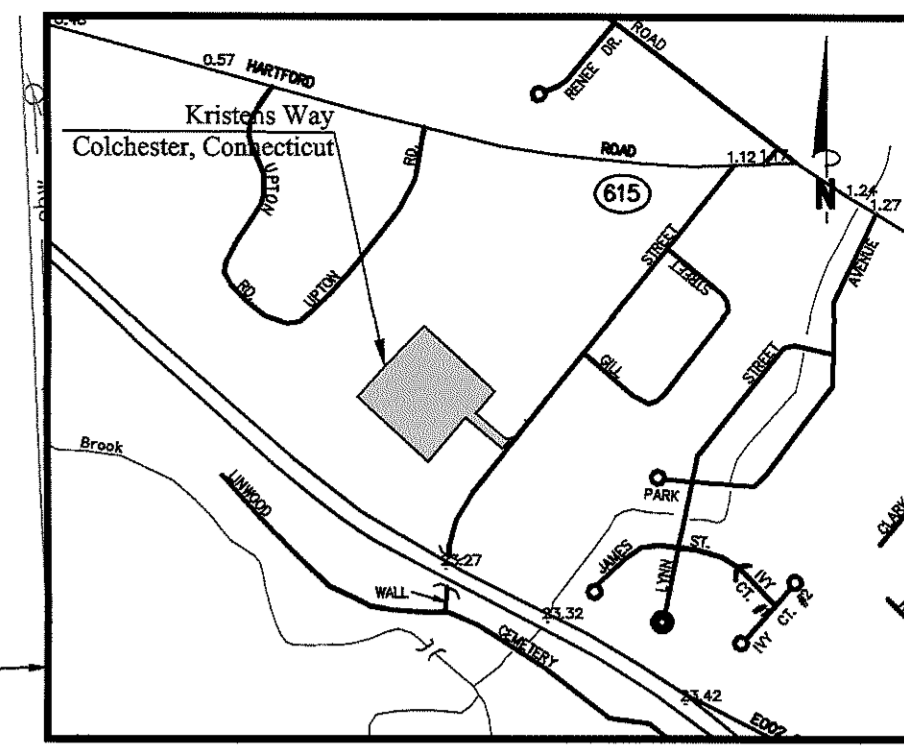
87 UPTON RD
N/F
ALPHA Q INC
M/B/L: 9-00/8-004
V426/318
MAILING ADDRESS
87 UPTON RD
COLCHESTER, CT 06415

220 WALL ST
N/F
NANCY RUTKA - WISSLER & JOHN J. WISSLER
M/B/L: 10-00/2A-00
V112/145
MAILING ADDRESS
220 WALL ST
COLCHESTER, CT 06415

224 WALL ST
N/F
ALICE ANN & ELIZABETH MANSFIELD
M/B/L: 5-00/3-00
V660/782
MAILING ADDRESS
224 WALL ST
COLCHESTER, CT 06415

232 WALL ST
N/F
JOHN KNAPP
M/B/L: 5-00/2-00
V30/27
MAILING ADDRESS
232 WALL ST
COLCHESTER, CT 06415

PROPOSED PAVEMENT AREA	AREA
PROPOSED PAVEMENT TWO WAY	7,300 SF
PROPOSED PAVEMENT ONE WAY	20,599 SF
PROPOSED DRIVEWAYS	19,354 SF
TOTAL PROPOSED PAVEMENT AREA	47,253 SF
25 % OF PAVEMENT AREA	11,813 SF
DRIVEWAYS UP TO OR EXCEEDING 11,813 SF SHALL BE PERVIOUS/POROUS	
* AREA OF POROUS DRIVEWAY IS 12,517 SF	



Location Map

Scale: 1"=1000'



Legend	
EXISTING	
Symbol	DESCRIPTION
□	MONUMENT
⊕	EX. IP / REBAR
○	DRILL HOLE
⊕	UTILITY POLE W/ LIGHT
⊕	STONEWALL
⊕	FENCE LINE
⊕	WATER VALVE
ohw	OVERHEAD WIRES
---	PROPERTY LINE
---	ADJACENT PROPERTY LINE
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---	COASTAL JURISDICTIONAL LINE
---	ZONE LINE
---	EASEMENT LINE
---	BUILDING SETBACK LINE
---	EXISTING WATER LINE
---	EXISTING SEWER LINE
N/F	NOW OR FORMERLY CATCH BASIN
(TYP.)	TYPICAL
+5.6	SPOT ELEVATION
DH	DRILL HOLE
(PCB)	POINT OF BEGINNING
TP1	TEST PIT
P1	PERCOLATION TEST
⊕	UTILITY POLE
⊕	DRAINAGE MANHOLE
⊕	SEWER MANHOLE
⊕	HYDRANT
⊕	WATER SHUTOFF
PROPOSED	
⊕	IRON PIN TO BE SET
---	SILT FENCE
---	WATER SERVICE
---	SANITARY SERVICE
---	SPOT ELEVATION
INV.	INVERT
GAL.	GALLON
SCHED.	SCHEDULE
HB	HAY BALE BARRIER
⊕	WATER SHUTOFF

GENERAL NOTES:

- THIS SHEET IS DESIGNED TO INDICATE LIMITS OF INDIVIDUAL OWNERSHIP, COMMON OWNERSHIP, AND EASEMENTS DEDICATED TO THE TOWN OF COLCHESTER AND ASSOCIATED PUBLIC UTILITIES AS NECESSARY.
- BEFORE FINAL MYLARS ARE FILED, SPECIFIC LOCATIONS OF EASEMENTS FOR WATER LINES, SEWER LINES, ELECTRIC AND CABLE SHALL BE DESIGNED AND APPROVED BY THE APPROPRIATE AGENCIES.
- SUMP PUMPS WILL BE REQUIRED FOR FOOTING DRAINS IN EACH OF THE HOUSES. DEDICATED DRAINAGE PIPES WITHIN THE COMMON AREA R.O.W. ARE PROVIDED TO FOOTING DRAINS WHERE DIRECT ACCESS TO CATCH BASINS IS NOT PRACTICABLE. (NOT SHOWN FOR CLARITY).
- THE DEVELOPMENT LIES WITHIN THE TOWN OF COLCHESTER AQUIFER PROTECTION ZONE (APZ), AND ANY ACTIVITY THAT TAKES PLACE WITHIN THE DEVELOPMENT ARE SUBJECT TO APZ REGULATIONS.
- CATCH BASIN SUMPS AND STORAGE PIPES SHALL BE CLEANED AT A MINIMUM OF ONCE PER YEAR (IN SPRING) AND PERFORMANCE OF THIS TASK SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.

Reference Maps:

- "PROPERTY SURVEY, MAP DEPICTING PROPERTY TO BE TRANSFERRED TO NIAN TIC BAY GROUP, LLC, COLCHESTER, CONNECTICUT, PREPARED FOR JOHN DORAN," BY: FEDUS ENGINEERING, LLC, ANTHONY HENDRIKS, L.S. #10834, SCALE: 1"=40'; DATE: MARCH 16, 2022.

NO.	DATE	REVISIONS
1	7/5/2022	GENERAL REVISIONS
2	8/15/2022	TOWN ENGINEER COMMENTS
3	8/30/2022	STAFF COMMENTS

Site Plan
of
Property Transferred To
Niantic Bay Group, LLC
Colchester, Connecticut
Prepared For:
JOHN DORAN
APRIL 6, 2022

DRAWING SCALE: 1"=30'



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SHEET NO. 3 OF 11 JOB NO. 22-001081 DRAWN BY: DC

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CT. License No. 21231

