

**TOWN OF MONTVILLE
PLANNING & ZONING COMMISSION
310 NORWICH NEW LONDON TPKE
PHONE (860) 848-8549 Fax (860) 848-2354
MEETING MINUTES
September 13, 2011**

1. **Call to Order.** Chairman Marcus called the September 13, 2011 meeting of the Montville Planning & Zoning Commission to order at 7:00 p.m. in the Town Council Chambers.
2. **Pledge of Allegiance.** All rose and pledged the flag.
3. **Roll call and seating of Alternates:**
COMMISSION MEMBERS PRESENT: Commissioners Baron, Desjardins, Ferrante Marcus, Polhemus, and Siragusa. (6 regular members)
COMMISSION MEMBERS ABSENT: Commissioners Mastrandrea, Pieniadz, and Toner. (3 regular members)
STAFF PRESENT: Thomas Sanders, Zoning Enforcement Officer and Town Planner, Marcia Vlaun.
4. **Executive Session:** none
A **MOTION** was made to **MOVE** (change order of) Agenda item 13. a.) Discussion of Regulation changes necessitated by Public Act 11-79 by **COMMISSIONER FERRANTE; SECONDED** by **COMMISSIONER POLHEMUS**. Voice vote. 6-0-0 All in favor. **MOTION CARRIED.**
13. a.) Discussion of Regulation changes necessitated by Public Act 11-79. Attorney Ochsner made a presentation to the Commission which included a history of the passage of Public Act 11-79 and the proposed changes to the Subdivision Regulations and Zoning Regulations that are now necessary in order to protect the town. The Commission received copies of a CCM Memorandum which included a copy of the Branse, Willis, et al opinion and copies of informational minutes of interested parties which discussed the Act. Discussion was held. The Commission will have Atty. Ochsner work on the revisions to the Zoning Regulations and the Commission will review proposed changes to the Subdivision Regulations that were distributed to them tonight. The Commission discussed having a Special Meeting for the Public Hearing in order to act quickly on these changes. A **MOTION** was made to **SET the Public Hearing** for the earliest possible date which would allow (the Commission) to make our legal requirements by **COMMISSIONER FERRANTE; SECONDED** by **COMMISSIONER SIRAGUSA**. Voice vote. 6-0-0 All in favor. **MOTION CARRIED.**
Discussion was held regarding our five State Representatives who all voted in favor of this Public Act. A **MOTION** was made by **COMMISSIONER SIRAGUSA; SECONDED** by **COMMISSIONER FERRANTE** to have Attorney Ochsner **draft a response to our legislators** including the following: going on the record that this act has damaged the housing market; caused harm to towns; they need to fix it right; and the costs involved for the towns to react to the Public Act. Voice vote. 6-0-0 All in favor. **MOTION CARRIED.** Restrictive covenants were discussed.

5. New Business:

1. Action items: a.) Village Apartments LLC: Request for the release of a maintenance bond in the amount of \$5,000.00 relative to the rebuilding of the apartments located on the property at 82 Jerome Road, Uncasville, CT As shown on Assessor's Map 69 Lot 42. Staff reminded the Commission of the history of the rebuild of the apartments. Discussion was held. A **MOTION** was made to **RELEASE THE BOND** by **COMMISSIONER BARON; SECONDED** by **COMMISSIONER SIRAGUSA**. Voice vote. 6-0-0 All in favor. **MOTION CARRIED.**

6. Public Hearings: none

7. Zoning Issues:

1. Action items:

8. Old Business:

1. Action Items:

2. Not Ready For Action: none

9. Communications: Staff: Staff advised that we had received a letter from the Town of Salem regarding P.A. 11-79. Salem has put a moratorium in place. Chairman Marcus informed the Commission of the upcoming FOI Seminar and voiced his concerns over the use of "personal email accounts" which would be subject to FOI.

10. Minutes:

a.) Acceptance of the minutes from the Regular meeting of August 23, 2011. A **MOTION** to **APPROVE** (the minutes) was made by **COMMISSIONER BARON; SECONDED** by **COMMISSIONER DESJARDINS**. Voice vote. 6-0-0 **MOTION CARRIED.**

11. New Business:

2. Not Ready For Action: none

12. Zoning Issues:

2. Non-Action Items: none

3. Zoning Officer's Report:

13. Other business to come before the Commission: Discussion was held regarding proposed changes to the regulations as suggested by Commissioner Siragusa relative to building homes with handicapped access including door width. It was determined that most of the issues would now be contained in the Building Code due to the ADA.

14. Adjourn: The meeting adjourned at 8:00 p.m.

Respectfully submitted,

Judy A. LaRose
Recording Secretary

AN AUDIO RECORD OF THE MEETING IS ON FILE IN THE MONTVILLE TOWN CLERK'S OFFICE.