

**TOWN OF MONTVILLE
PLANNING & ZONING COMMISSION
310 NORWICH NEW LONDON TPKE
PHONE (860) 848-8549 x379 Fax (860) 848-2354
MEETING MINUTES
June 12, 2012**

1. **Call to Order.** Chairman Pieniadz called the June 12, 2012 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 Desjardins, Ferrante, Katske, Pieniadz, Polhemus and Siragusa. (6 regular members)
COMMISSION MEMBERS ABSENT: Commissioners Mastrandrea and Toner. (2 regular members)
STAFF PRESENT: Thomas Sanders, Zoning Enforcement Officer/Assistant Planner.
4. **Executive Session:** none.
5. **New Business:**
 1. **Action items:** none
 2. **Not ready for action:** none.
6. **Public Hearings:**
 - a.) **Tilcon Connecticut, Inc.:** An application for a Special Permit renewal with respect to earth products excavation and processing on the property located at 53 Caroline Road, Montville, CT As shown on Assessor's Map 59 Lot 7. Chairman Pieniadz opened the Public hearing at 7:03p.m. Staff Report dated June 12, 2012 was distributed to the Commission. **Applicant:** Attorney Harry Heller, representing the applicant made a presentation to the Commission. He also advised the Commission that Frank Lane of Tilcon was on hand to address their concerns. Attorney Heller informed the Commission that this application was for a renewal of an existing permit. **Staff:** Staff advised that he and the Wetlands Officer made a site visit yesterday and that all was in order. No complaints have been received regarding the operation. **Public:** no comments were received from the public either for or against. A **MOTION** was made by **COMMISSIONER DESJARDINS; SECONDED** by **COMMISSIONER KATSKE** to **CLOSE** the Public Hearing. Voice vote. 6-0-0 All in favor. **MOTION CARRIED.**
7. **Old Business:**
 1. **Action Items:**
 - a.) **Jay M. Haverson/Michael Samuels, Samuels, LLC:** An application for Site Plan review for Montville Plaza on the property located at 2268-2284 Norwich-New London Tpke. (Route 32), Montville, CT As shown on Assessor's Map 106 Lots 34, 35, & 36. Staff report was distributed to the Commission which included comments from the various departments. Discussion was held. A **MOTION** was made by **COMMISSIONER DESJARDINS; SECONDED** by **COMMISSIONER POLHEMUS** as follows: A **MOTION** to **DENY**

application 212-SITE-5 Applicant: Jay Haverson; Property Location: 2268-2284 Route 32 as shown on Assessor's Map 106 Lots 34, 35 & 36.

The Commission **DENIES** this application for the following reasons:

- The Inland Wetlands Commission denied the application for this project on May 17, 2012.
- The Comments of the Town Engineer letter dated May 11, 2012.
- Failure to comply with Section 18.3 of the Zoning Regulations (Site Plan Requirements).
- The following plan submissions are labeled "Preliminary":
 - Site Plan – CP-1
 - Grading and Drainage – CP-2
 - Demolition & Erosion Control – CP-3
- The Application is not signed.
- The applicant submitted a preliminary traffic report. A final and complete study was not submitted.
- Plans were rejected by the Fire Marshal and the Building Inspector.

Voice vote. 6-0-0 All in favor. **MOTION CARRIED.**

A **MOTION** was made by **COMMISSIONER DESJARDINS; SECONDED by COMMISSIONER POLHEMUS** to **ADD** under Old Business 7.1.b **Tilcon Connecticut, Inc.** Voice vote. 6-0-0 All in favor. **MOTION CARRIED.**

b.) Tilcon Connecticut, Inc.: An application for a Special Permit renewal with respect to earth products excavation and processing on the property located at 53 Caroline Road, Montville, CT As shown on Assessor's Map 59 Lot 7.

A **MOTION** was made by **COMMISSIONER DESJARDINS; SECONDED by COMMISSIONER POLHEMUS** as follows: A **MOTION** to approve, with conditions, an application for Tilcon Connecticut Inc. for a special permit (renewal) for earth products excavation and processing on property located at 53 Caroline Road, Montville, Ct., as shown on Assessors Map 59 Lot 7; and as shown on "Site Development Plan Proposed Excavation Prepared For Tilcon Connecticut, Inc. Caroline Road Montville, Connecticut, Revised 5/4/12; CME Associates, Inc."

The Commission approves this special permit and finds that:

The proposed use is in harmony with the appropriate and orderly development of the neighborhood and will not hinder or discourage the development of adjacent properties nor impair property values. The location and size of the proposed use, the nature and intensity of operations involved in connection therewith, its site layout and its relation to access roads will not be such that both pedestrian and vehicular traffic to and from the use and the assembly of persons in connection therewith will not be hazardous or inconvenient, no incongruous with any residential district or conflict with the normal traffic of the neighborhood. The nature and intensity of the operations involved in connection with the proposed use and the site layout and development will not have a negative impact on the environment. The Commission finds that this application complies with the Town of Montville Zoning Regulations. This is a conditional approval. Each and every condition is an integral part of the Commission's decision. Should any of the conditions, on appeal from this decision, be found to be void or of no legal effect then this conditional approval is likewise void. Should any of the conditions not be implemented by the applicant or his successors within the specified permit time period,

then this conditional approval is void. The applicant may re-file another application for review.

This application is approved with the following conditions:

1. The Erosion and Sediment control bond (bond #14-014-547 Liberty Bond Services) in the amount of \$42,150 to remain in place.
2. This permit is valid for 5 years.
3. The applicant is responsible for obtaining a State General Stormwater Quality Permit if required.

Discussion was held. Voice vote. 6-0-0 All in favor. **MOTION CARRIED.**

2. Not Ready For Action: none

8. Zoning Matters:

1. Action Items: none.

2. Non-Action Items: none.

3. Zoning Officer's Report: The ZEO's Report was distributed to the Commission. Discussion was held.

9. Communications: none

10. Minutes:

a.) Acceptance of the minutes from the regular meeting of May 8, 2012. A **MOTION to APPROVE** was made by **COMMISSIONER DESJARDINS; SECONDED** by **COMMISSIONER SIRAGUSA**. Voice vote. 6-0-0 All in favor. **MOTION CARRIED.**

11. Other business to come before the Commission: none

12. Adjourn: The meeting adjourned at 7:30 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**