

**TOWN OF MONTVILLE
PLANNING & ZONING COMMISSION**

310 NORWICH NEW LONDON TPKE.

UNCASVILLE, CT. 06382

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MEETING MINUTES

Tuesday, November 18, 2014 7:00 p.m.

LOCATION: TOWN HALL – Council Chambers

1. **Call to order.** Chairman Pieniadz call the November 18, 2014 meeting of the Montville Planning and Zoning Commission to order at 7:00 p.m. in the Town Council Chambers
2. **Pledge of Allegiance.** All rose to pledge the flag
3. **Roll call and seating of Alternates: COMMISSION MEMBERS PRESENT:** Commissioners Yeitz, Polhemus, Ferrante, Siragusa, Pieniadz, Desjardins, Toner, Hillsberg, and Alternate Bolles. **STAFF PRESENT:** Marcia Vlaun, Town Planner and Colleen Bezanson, Planner II.
4. **Executive Session:** None
5. **New Business:**
 - a.) **Doreen Mrowka:** A Site plan application for the construction of a 1,856 sq. ft. automotive repair facility with associated parking on the property located at 96 Route 163, Uncasville, Ct. As shown on Assessor's Map 73 Lot 55A. **MOTION** was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER HILLSBERG to Continue to the next meeting. Voice Vote All in Favor 8-0-0. **MOTION CARRIED.**
6. **Public Hearings:**
 - a.) **Bruce Duchesneau:** A Zone Change application for the following parcels from R40 to R20: 3, 7, 11, 15, 21, 25, 29, 33, 37, and 41 Carol Drive in addition to 45, 55, and 59 Sharp Hill Rd., Uncasville, Ct. As shown on the Assessor's Map 23 lots 51 thru 64 .Chairman Pieniadz opened the Public Hearing at 7:03 pm. The Town Planner read the following Exhibits into the record:

STAFF EXHIBITS:

1. Legal ad as published in the New London Day on November 7, 2014 and November 14, 2014
2. Copy of the Zone Change Application date stamped as received by the Montville Town Clerk.
3. Proof of mailing notices to property owners within 500' of the requested Zone Change property.
4. Staff report: Meeting dated 11/18/14
5. Compilation Plan To Accompany Zone Change Request: Zone Change General Location Survey Prepared for Bruce R. Duchesneau Prepared by Eric Seitz
6. Future Land Use Map from the 2010 Town of Montville Plan of Conservation and Development
7. Zoning Map certified by the Town Clerk Revised to 1/28/99
8. Zoning map certified by the Town Clerk Revised to 10/6/14
9. Zoning Regulations certified by the Town Clerk
10. Town of Montville Zoning Regulations Section 7.11 (Cluster Developments)

The Town Planner described the setbacks for both the R20 and the R40 Zones. She indicated that multifamily units were allowed in the R20 and Duplexes in the R40. The Zone Change Criteria was discussed and it is staff's recommendation that the Zone Change be denied because it is not consistent with the Comprehensive Plan (Zoning Regulations) and there have been no significant changes in the area.

Attorney Harry Heller, representing the applicant entered the following into the record and went through the Zone Change Criteria and discussed reasons as to why the Zone Change was in conformance with the Comprehensive Plan:

1. The Town of Montville as Depicted in the Conservation and Development Policies Plan for Connecticut 2005-2010 with the Office of Policy and Management Conservation and Development Policies Plan Definitions
2. Copy of the Town of Montville Zoning Map dated August 1, 1976
3. Copy of the Town of Montville Zoning Map dated 4/16/90.

Chairman Pieniadz asked the public if there was anyone in FAVOR of the Zone Change. The following person spoke in FAVOR of the Zone Change:

- ***Bruce Duchesneau*** of 45 Sharp Hill Rd: Wanted to exercise his right to get back the R20 zoning which was there prior to 1996 and he wanted to be able to develop the area as time went on.

Chairman Pieniadz asked the public if there was anyone was AGAINST of the Zone Change. The following People spoke AGAINST the Zone Change

- ***Nancy Delacruz*** of 21 Sharp Hill Rd: Indicated that there have been drainage issues in the area since Carol Dr. was first built. Any big development will take away from character of Sharp Hill Rd.
- ***Darlene McCarthy*** of 392 Maple Ave: Also spoke of drainage problems in the area and did not believe that this would be a benefit to the area
- ***James and Nancy Harmon*** of 3 Carol Dr.: Letter was read into the record by the Town Planner received in the office on November 12th. They were not in favor because they did not want any more traffic, noise or housing that was already permitted in the area (Public Exhibit 1)
- ***Heidi (Luth) Schluntz*** of 9 Jackman Rd, Amston Ct.: Letter was read into the record by the Town Planner received in the office on November 13th. She indicated that she is the daughter of one of the property owners within the Zone Change area. She indicated that this was a quiet dead end street where children could play and not worry about being hurt. The privacy of the people there will be lost and they will have to live with potential property line encroachments.
- ***Gloria Luth*** of 25 Carol Dr: Was very concerned that she would lose her privacy

Chairman Pieniadz asked again 3 times if anyone was in Favor, with no one speaking, and then 3 times if anyone was AGAINST , with no one speaking.

MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER TONER to CLOSE the Public Hearing. Voice Vote All in Favor 8-0-0. **MOTION CARRIED.** Public Hearing Closed at 7:58 pm

7. Old Business: None

8. Zoning Matters: The Town Planner discussed with the Commission an issue that had arisen regarding two living units on the same lot. A lot and house that had been in foreclosure had been purchased and then combined with an abutting property which also had a house on it. In addition to the two dwelling units the well for the property was across the street on a 3rd piece of property. The Town Planner has instructed the Zoning Officer to correspond with the property owner to resolve the issue before any legal matters need to be taken.

9. Communications:

a.) **OSTA:** The Town Planner asked the Commission to authorize the Chairman to cosign a letter with the Planning Director to OSTA (Office of State Traffic Authority) to request the enforcement of the stipulations of the STC permit for the Mohegan Tribe and install a permanent counter on Sandy Desert Rd and Rt 2A Ramps and reports be provided to the Town Planner. Discussion was held. **MOTION** was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER TONER to authorize the Planning and Zoning Chairman to cosign the letter to OSTA. Voice Vote 8-0-0. **MOTION CARRIED.**

10. Minutes:

- a.) Acceptance of the minutes from the meeting of October 14, 2014. **MOTION** was made by COMMISSIONER POLHEMUS and seconded by COMMISSIONER TONER to Accept the minutes of the October 14, 2014 meeting. Voice Vote 6-0-2. **MOTION CARRIED.** Commissioners YEITZ and SIRAGUSA Abstained
- b.) Acceptance of the minutes from the meeting of October 28, 2014. **MOTION** was made by COMMISSIONER POLHEMUS and seconded by COMMISSIONER TONER to Accept the minutes of the October 28, 2014 meeting. Voice Vote 7-0-1. **MOTION CARRIED.** Commissioners YEITZ Abstained

11. Other business to come before the Commission: None

12. Adjourn: Commission adjourned at 8:15 p.m

NOTE: NO NEW BUSINESS WILL BE DISCUSSED AFTER 10:30 P.M. AND ALL COMMISSION BUSINESS WILL CEASE AT 11:00 P.M. ANY UNFINISHED BUSINESS WILL BE CONTINUED TO THE NEXT MEETING.