

**TOWN OF MONTVILLE
PLANNING & ZONING COMMISSION
310 NORWICH NEW LONDON TPKE.
UNCASVILLE, CT 06382
PHONE (860) 848-6779 - FAX (860) 848-2354**

**SPECIAL MEETING MINUTES of
September 28, 2016**

1. **Call to order: CHAIRMAN PIENIADZ** opened the September 28, 2016 **Special Meeting** at 7:00 pm.
2. **Pledge of Allegiance:** All rose to pledge the flag.
3. **Roll call and seating of Alternates: COMMISSIONERS PRESENT:** Bolles (seated for Desjardins), Duchesneau (seated for Ferrante) Pieniadz, Polhemus, Siragusa, Toner (acting Secretary) and Yeitz. **COMMISSIONERS ABSENT:** Desjardins, Hillsberg and Ferrante. **STAFF PRESENT:** Marcia Vlaun/Town Planner; and Colleen Bezanson/Assistant Planner/GIS.
4. **Executive Session:** None
5. **New Business**
Public Hearings:

CHAIRMAN PIENIADZ opened **PUBLIC HEARING** at 7:03 pm for the proposed Zoning Change:

- a. **Faria Beede Instruments, Inc., An application for a Zone Change from Industrial to R-20-M on property located at 42 Pink Row, Uncasville, CT. As shown on Assessor's Map 74 Lot 38.**

Staff entered the following **EXHIBIT LIST** into record for the Proposed Zoning Change:

1. Copy of the legal ad as published in The New London Day on September 17, 2016 and September 24, 2016.
2. Notice to Town Clerk regarding Proposed Zoning Map Change received in office of Town Clerk on September 16, 2016.
3. Notice of Proposed Zoning Map Change was sent by Certified, Return Receipt Requested Mail sent on July 19, 2016 to the following:
 1. Waterford Town Clerk
 2. Southeastern Connecticut Council of Governments
4. Copies of Certified mail receipts from abutters
5. Letter from Thomas H. Siedel of SCSOG dated August 9, 2016 stating SCSOG had no objections.
6. Staff report
7. Entire project folder

The Town Planner read the staff report into the record and went through each question of the Zone Change Criteria. **CHAIRMAN PIENIADZ** polled **COMMISSIONERS** for questions of staff; there were none.

Attorney Harry Heller representing the applicant; also went through each question of the Zone Change criteria. **CHAIRMAN PIENIADZ** polled each **COMMISSIONER** for questions of the applicant's representative. There were none.

CHAIRMAN PIENIADZ invited comments from the public in favor of the application two times; there were none. **CHAIRMAN PIENIADZ** then invited comments from the public in opposition of the application two times; there were none.

MOTION was made by **COMMISSIONER SIRAGUSA**; seconded by **COMMISSIONER TONER** to close the **PUBLIC HEARING**. **VOICE VOTE 7-0-0**. **PUBLIC HEARING** closed at 7:15 p.m.

COMMISSIONER YEITZ recused himself from the following application. **COMMISSIONER PIENIADZ** opened the **PUBLIC HEARING** at 7:17 pm.

- b. Town of Montville, proposed Zoning Text Amendments:** Add the following to Section 1.3 (Definitions): Micro-Breweries, Micro-Distilleries. Add the following to Section 11.A.2 (Commercial-2 (C-2) Permitted Uses): 11.A.2.14.a Micro-Breweries; 11.A.2.14.b Micro-Distilleries. Add the following to Section 12.A.2 (Commercial-3 (C-3) Permitted Uses) 12.A.2.13.a Micro-Breweries, 12.A.2.13.b Micro-Distilleries. Add the following to Section 13.2 (Light Industrial (LI) Permitted Uses): 13.2.15.a Micro-Breweries, 13.2.15.b Micro-Distilleries. Add the following to Section 14.2 (Industrial (I) Permitted Uses) 14.2.12.a Micro-Breweries, 14.2.12.b Micro-Distilleries.

Staff entered the following **EXHIBIT LIST** into record as follows:

1. Copy of the legal ad as published in *The New London Day* on September 17, 2016 and September 24, 2016.
2. Notice to Town Clerk regarding Proposed Zoning Regulation Text Amendments received in office of Town Clerk on September 16, 2016.
3. Notice of Proposed Zoning Text Amendments was sent by Certified Mail on July 27, 2016 to the following:
 1. Bozrah Town Clerk
 2. CT DEEP
 3. East Lyme Town Clerk
 4. Ledyard Town Clerk
 5. Norwich DPU
 6. New London City Clerk
 7. New London DPU
 8. Norwich Water
 9. City of Norwich, City Clerk

10. Preston Town Clerk
11. Salem Town Clerk
12. SCCOG
13. Waterford Town Clerk
14. WPCA – Montville
15. OLIS
16. State of Connecticut
4. Interoffice Memorandum from Kristal Kallenberg of OLIS, dated August 1, 2016
5. Interoffice Memorandum from Mark Wujtewicz, Waterford Planner, dated August 5, 2016.
6. Letter from Thomas H. Seidel of SCCOG, dated August 4, 2016.
7. Entire project folder
8. Letter from Gary Goeschel, East Lyme Planning Director dated August 9, 2016.
9. Letter from Deanna L. Rhodes, Norwich City Planner dated August 10, 2016.

The Town Planner gave presentation regarding the application. **CHAIRMAN PIENIADZ** invited comments from public in favor of the application two times; there were none. **CHAIRMAN PIENIADZ** invited comments from the public in opposition of the application two times; there were none.

MOTION was made by **COMMISSIONER SIRAGUSA**; and seconded by **COMMISSIONER TONER** to close the **PUBLIC HEARING**. **VOICE VOTE 6-0-1**. **PUBLIC HEARING** closed at 7:22 pm.

COMMISSIONER YEITZ recused himself from the following application. **COMMISSIONER PIENIADZ** opened the **PUBLIC HEARING** at 7:24 pm.

- c. **#216 ZC 002 - Town of Montville, Zoning Map Change: The following property is to be changed from GOV to C-2: 2090 Route 32 (Map 103 Lot 25).**

Staff entered the following **EXHIBIT LIST** into record as follows:

1. Copy of the legal ad as published in *The New London Day* on September 17, 2016 and September 24, 2016.
2. Notice to Town Clerk regarding Proposed Zoning Map Change received in office of Town Clerk on September 16, 2016
3. Notice of Proposed Zoning Map Change was sent by Certified Mail on July 26, 2016 to the following:
 1. City of Norwich, City Clerk
 2. SCCOG
4. Interoffice Memorandum from Kristal Kallenberg of OLIS, dated August 1, 2016
5. Letter from Thomas Seidel of SCOG, dated August 4, 2016
6. Staff report
7. Entire project folder

The Town Planner read the staff report into the record and went through each question of the Zone Change Criteria. **CHAIRMAN PIENIADZ** polled **COMMISSIONERS** for questions of staff; there were none.

CHAIRMAN PIENIADZ asked if **COMMISSIONERS** had any questions of staff; there were none. **CHAIRMAN PIENIADZ** invited comments from public in favor of the application two times; there were none. **CHAIRMAN PIENIADZ** invited comments from the public in opposition of the application two times; there were none.

MOTION was made by **COMMISSIONER SIRAGUSA**; seconded by **COMMISSIONER TONER** to close the **PUBLIC HEARING. VOICE VOTE 6-0-1. PUBLIC HEARING** closed at 7:31 p.m.

New Business

- d. **216 SITE 01 – 42 Pink Row (Map 74 Lot 38), Uncasville, CT** – Applicant: Dakota Partners, Inc., Owner: Faria Beede Instruments, Inc., Adaptive reuse of existing manufacturing buildings to multi-family residential dwelling units with associated site amenities.

COMMISSIONER SIRAGUSA made **MOTION** to **CONTINUE** this application to the **October 18, 2016 SPECIAL MEETING**; seconded by **COMMISSIONER TONER. VOICE VOTE 7-0-0.**

- e. **216 SUB 01 – 230 Butlertown Road (Map 1, Lot 14), Oakdale, CT** – Applicant: John C. Ellis for *Woodsman Land Trust, Inc.*, - ELK Subdivision - Owner: Manuel J. Misarski & Robert T. Misarski, For a 3-Lot Subdivision/Trail Relocation & Clearing.

COMMISSIONER SIRAGUSA made **MOTION** to **CONTINUE** this application to the **October 11, 2016 REGULAR MEETING**; seconded by **COMMISSIONER TONER. VOICE VOTE 7-0-0.**

6. Zoning Matters: None

7. Old Business:

- a. **Faria Beede Instruments, Inc.**, An application for a Zone Change from Industrial to R-20-M on property located at 42 Pink Row, Uncasville, CT. As shown on Assessor's Map 74 Lot 38.

COMMISSIONER TONER made **MOTION**, seconded by **COMMISSIONER SIRAGUSA** to approve the proposed zone change application from I to R-20-M on the property located at 42 Pink Row, Uncasville, CT. (Map 74 Lot 38). The commission finds that the proposed zone change is in conformance with the Comprehensive Plan and Plan of Conservation and Development (POCD), based on the findings and general discussion of the criteria contained in the staff report and testimony of the applicant's legal representation. There was no testimony provided by the general public that addressed the Comprehensive Plan or the POCD. The effective date for the zone change shall be October 16, 2016.

ROLL CALL VOTE: COMMISSIONER BOLLES-in favor; COMMISSIONER DUCHESNEAU-in favor; COMMISSIONER PIENIADZ-in favor; COMMISSIONER POLHEMUS-in favor; COMMISSIONER SIRAGUSA-in favor; COMMISSIONER TONER-in favor; COMMISSIONER YEITZ-in favor. **VOTE 7-0-0 MOTION** passed.

b. Town of Montville, Zoning Text Amendments: Add the following to Section 1.3 (Definitions): Micro-Breweries, Micro-Distilleries. Add the following to Section 11.A.2 (Commercial-2 (C-2) Permitted Uses): 11.A.2.14.a Micro-Breweries; 11.A.2.14.b Micro-Distilleries. Add the following to Section 12.A.2 (Commercial-3 (C-3) Permitted Uses) 12.A.2.13.a Micro-Breweries, 12.A.2.13.b Micro-Distilleries. Add the following to Section 13.2 (Light Industrial (LI) Permitted Uses): 13.2.15.a Micro-Breweries, 13.2.15.b Micro-Distilleries. Add the following to Section 14.2 (Industrial (I) Permitted Uses) 14.2.12.a Micro-Breweries, 14.2.12.b Micro-Distilleries.

COMMISSIONER TONER made **MOTION**, seconded by **COMMISSIONER SIRAGUSA** to approve the following Amendments to the Town of Montville Zoning Regulations with an effective date of October 16, 2016:

- Add the following to Section 1.3 (Definitions):

1. Micro-Breweries – a business which manufactures beer in accordance with CGS Chapter 545 (Liquor Control Act) - As Amended.
2. Micro-Distilleries – a business which manufactures alcoholic liquor in accordance with CGS Chapter 545 (Liquor Control Act) - As Amended.

- Add the following to Section 11.A.2 (Comercial-2 (C-2) Permitted Uses):

- 11.A.2.14.a Micro-Breweries allowing for the manufacture, storage, bottling, sale and distribution of beer with an on premise tasting room, food service and gift shop.
- 11.A.2.14.b Micro-Distilleries allowing for the manufacture, storage, bottling, sale and distribution of alcoholic liquor with an on premise tasting room, food service and gift shop.

- Add the following to Section 12.A.2 (Commercial-3 (C-3) Permitted Uses):

- 12.A.2.13.a Micro-Breweries allowing for the manufacture, storage, bottling, sale and distribution of beer with an on premise tasting room, food service and gift shop.
- 12.A.2.13.b Micro-Distilleries allowing for the manufacture, storage, bottling, sale and distribution of alcoholic liquor with an on premise tasting room, food service and gift shop.

- Add the following to Section 13.2 (Light Industrial (LI) Permitted Uses):

- 13.2.15.a Micro-Breweries allowing for the manufacture, storage, bottling, sale and distribution of beer with an on premise tasting room, food service and gift shop.
- 13.2.15.b Micro-Distilleries allowing for the manufacture, storage, bottling, sale and distribution of alcoholic liquor with an on premise tasting room, food service and gift shop.

- Add the following to Section 14.2 (Industrial (I) Permitted Uses):

- 14.2.12.a Micro-Breweries allowing for the manufacture, storage, bottling, sale and distribution of beer with an on premise tasting room, food service and gift shop.
- 14.2.12.b Micro-Distilleries allowing for the manufacture, storage, bottling, sale and distribution of alcoholic liquor with an on premise tasting room, food service and gift shop.

The Commission finds the proposed Amendments are consistent with the goals of the Plan of Conservation and Development (POCD) and the Comprehensive Plan.

ROLL CALL VOTE: COMMISSIONER BOLLES-in favor; COMMISSIONER DUCHESNEAU-in favor; COMMISSIONER PIENIADZ-in favor; COMMISSIONER POLHEMUS-in favor; COMMISSIONER SIRAGUSA-in favor; COMMISSIONER TONER-in favor; COMMISSIONER YEITZ-abstain. VOTE 6-0-1 MOTION passed.

- c. **Town of Montville, Zoning Map Change:** The following property is to be changed from GOV to C-2: 2090 Route 32 (Map 103 Lot 25).

COMMISSIONER TONER made **MOTION**, seconded by **COMMISSIONER SIRAGUSA** to approve the proposed zone change application from GOV to C2 on the property located at 2090 Route 32, Uncasville, Ct. (Map 103 Lot 25). The Commission finds that the proposed zone change is in conformance with the Comprehensive Plan and the Plan of Conservation and Development, based on the findings and general discussion of the criteria contained in the staff report. The government has sold the property; therefore the GOV zoning designation is no longer consistent with the comprehensive plan. The effective date of the zone changes shall be October 16, 2016.

ROLL CALL VOTE: COMMISSIONER BOLLES-in favor; COMMISSIONER DUCHESNEAU-in favor; COMMISSIONER PIENIADZ-in favor; COMMISSIONER POLHEMUS-in favor; COMMISSIONER SIRAGUSA-in favor; COMMISSIONER TONER-in favor; COMMISSIONER YEITZ-abstain. VOTE 6-0-1 MOTION passed.

- d. **216 SUB 01 – 230 Butlertown Road (Map 1, Lot 14), Oakdale, CT – Applicant:** John C. Ellis for *Woodsman Land Trust, Inc.*, - ELK Subdivision - Owner: Manuel J. Misarski & Robert T. Misarski, For a 3-Lot Subdivision/Trail Relocation & Clearing.

COMMISSIONER SIRAGUSA made **MOTION**, seconded by **COMMISSIONER TONER** to **CONTINUE** Item 7d to the October 11, 2016 regular meeting.
VOICE VOTE 7-0-0.

8. Zoning Matters:

- a. ZWO report for August 2016 was distributed.

9. Town Planner:

- a. Town Planner requested a **Special Meeting** be set for **October 18, 2016 at 7:00 pm**. **COMMISSIONER PIENIADZ** polled **COMMISSIONERS** for availability of meeting. All will be able to attend **the October 18, 2016 SPECIAL MEETING**.

10. Communications: None

11. Minutes:

- a. Acceptance of minutes from August 23, 2016 meeting. **MOTION** made by **COMMISSIONER SIRAGUSA**; seconded by **COMMISSIONER TONER** to **APPROVE** the minutes of the August 23, 2016 meeting. **VOICE VOTE 7-0-0. MOTION CARRIED.**

12. Other Business:

- a. **COMMISSIONER SIRAGUSA** made **MOTION**, seconded by **COMMISSIONER TONER** to set a **Special Meeting for October 18, 2016. VOICE VOTE 7-0-0. MOTION CARRIED.**

13. Adjourn: Meeting was adjourned at 7:52 p.m.

Respectfully submitted,

Michelle M. Giroux

Recording Secretary

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

