

**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
December 20, 2016**

1. **Call to order:** **CHAIRMAN PIENIADZ** opened the December 20, 2016 Meeting at 7:00PM.
2. **Pledge of Allegiance:** All rose to pledge the flag.
3. **Roll call and seating of Alternates:** **COMMISSIONERS PRESENT:** Bolles, Desjardins, Duchesneau, Hillsberg, McNally, Pieniadz, Pike (Alternate), Polhemus, Siragusa, and Toner. **CHAIRMAN PIENIADZ** welcomed two new **P&Z COMMISSIONERS**; Thomas McNally as a full member and Wills Pike as an Alternate.
STAFF PRESENT: Marcia Vlaun, Town Planner and Elizabeth Burdick, ZEO.
4. **Executive Session:** None
5. **New Business:**
 - a. **216 SITE 04 – 14 Enterprise Lane (Map 002 Lot 005), Uncasville, CT. Applicant: Gary Winalski. Owner: Joe Patterson, Patterson Brothers Properties, LLC.** Site Plan application to operate truck parking and access to rear of building, and install storage bins at front east side of the site. The Applicant **WITHDREW** this application.
 - b. **216 SITE 05 – 1650 Route 85 (Map 11 Lot 2A) Oakdale, CT – Applicant/Owner: Roger & Linda Phillips.** Modification to *Nature's Art Village* Site Plan for construction of a miniature golf course. The Town Planner read the staff report into the record. **CHAIRMAN PIENIADZ** polled **COMMISSIONERS** for questions of staff; questions were answered satisfactorily. **COMMISSIONER TONER** made **MOTION**; seconded by **COMMISSIONER DESJARDINS** that the Commission finds the site plan meets the requirements of Section 10.A and Section 18 of the Zoning Regulations and approves the plan of Roger and Linda Phillips titled "Topographic Survey "Grading Plan" Prepared for Roger Phillips Ct Route 85-Montville, Ct Prepared by Boundaries, LLC dated November 2016" for the property located at 1650 Route 85 (Map 11 Lot 2A). This is a conditional approval. Each and every condition is an integral part of the Commission 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 review.

The conditions of approval are:

1. The ZEO must be contacted 24 hours prior to start of construction.

VOICE VOTE 9-0-0; MOTION CARRIED.

- c. **216 SITE 06 – 669 Route 163 (Map 38 Lot 56), 649 Route 163 (Map 38 Lot 57) and 643 Route 163 (Map 30 Lot 11) Uncasville, CT - Transfer Station. Applicant / Owner: Town of Montville.** Site Plan application for Phase I Reconstruction of the access and egress; for improvements to the drainage system and water quality treatment system. The Town Planner read the staff report into record. Ellen Bartlett of CLA Engineering; was present representing Applicant. **CHAIRMAN PIENIADZ** polled **COMMISSIONERS** for questions of staff; questions were addressed satisfactorily. **MOTION** was made by **COMMISSIONER DESJARDINS**; seconded by **COMMISSIONER HILLSBERG** that the Commission finds the site plan meets the requirements of Section 15.A and Section 18 of the Zoning Regulations and approves the plan for the Town of Montville titled “Montville Transfer Station Improvements Phase I Prepared by CLA Engineers revised to December 15, 2016” for the property located at 669 Route 163 (Map 38 Lot 56), 649 Route 163 (Map 38 Lot 57) and 643 Route 163 (Map 30 Lot 11). This is a conditional approval. Each and every condition is an integral part of the Commission 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 refile another application review. The conditions of approval are:

1. The ZEO must be contacted 24 hours prior to start of construction.
2. Post- Construction Requirements.

After construction is completed and accepted by the Owner, it shall be the responsibility of the Owner to maintain all drainage structures. In addition, the following inspection and maintenance guidelines shall be the responsibility of the Owner, beginning the first year period following construction completion and acceptance, and shall be followed each year thereafter:

1. **Drainage and other Paved Areas:** Inspect on a regular basis not to exceed weekly for litter and debris. Sweep at least twice a year, with the first occurring as soon as possible after first snowmelt and the second not less than 90 days following the first.
2. **Catch Basin Sumps:** Inspect semi-annually and cleaned when the sump is one half full of silt and/or debris.
3. **Landscaped Areas:** Inspect semi-annually for erosion or dying vegetation. Repair and stabilize any bare or eroded areas and replace vegetation as soon as possible.

VOICE VOTE 9-0-0; MOTION carried.

6. Public Hearing: None

7. Old Business:

- a. 216 SITE 02 – 85 Route 163 (Map 17 Lot 28) and Route 163 Rear (Map 24 Lot 10) Montville, CT Applicant: William J. Pieniadz & John Heller.** Site Plan Application for 3,150SF commercial building for general commercial use with associated parking. Extension filed on December 14, 2016. **CHAIRMAN PIENIADZ** recused himself from this Agenda item at 7:32 PM and left Council Chambers. **COMMISSIONER TONER** to assume **CHAIRMAN** position for this agenda item.

The Town Planner read the staff report into record. Attorney Harry Heller, representing Applicant, gave presentation regarding application. Acting **CHAIRMAN TONER** polled **COMMISSIONERS** for questions of the Applicant's representative; questions were addressed satisfactorily. **COMMISSIONER TONER** explained that this agenda item was required a two-part approval. **COMMISSIONER HILLSBERG** made **MOTION FOR WAIVER**, seconded by **COMMISSIONER SIRAGUSA**; that the Commission waives the requirement to provide a Class A-2 survey for Sheet 1 of 3 of the plans titled "Site Plan Showing Improvements Prepared for William J. Pieniadz and John Heller #85 Route 163 – Palmertown Rd) - (Map 17 Lot 28 & Route 163 Rear - (Map 24 Lot 10) Uncasville, CT Prepared by Advanced Surveys LLC., dated 2/8/16 and revised to November 2016." The Commission has determined that the Class D survey provides adequate information for them to evaluate compliance with the Zoning Regulations.

CHAIRMAN TONER requested a **ROLL CALL VOTE**. The following **COMMISSIONERS** voted "*in-favor*": **BOLLES, DESJARDINS, DUCHESNEAU, HILLSBERG, McNALLY, SIRAGUSA, TONER and POLHEMUS. VOTE 8-0-1. MOTION** carried. **COMMISSIONER PIENIADZ** recused himself from this vote.

COMMISSIONER HILLSBERG made **MOTION**, seconded by **COMMISSIONER DESJARDINS** that the Commission finds the site plan meets the requirements of Section 11.A and Section 18 of the Zoning Regulations and approves the plan of William J. Pieniadz and John Heller titled "Site Plan Showing Improvements Prepared for William J. Pieniadz and John Heller #85 Route 163- (Palmertown Road) - (Map 17 Lot 28 & Route 163 Rear - (Map 24 Lot 10) Uncasville, CT Prepared by Advanced Surveys LLC dated 2/8/16 and revised to November 2016."

This is a conditional approval. Each and every condition is an integral part of the Commission 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 review.

The conditions of approval are:

1. The ZEO must be contacted 24 hours prior to start of construction.
2. An E&S Bond in the amount of \$4,000 must be posted prior to the issuance of a Zoning Permit.
3. A note must be added to the plans stating that property corner pins shown to be set shall be installed prior to the start of construction.
4. Silt fencing must be added beyond the grading limits on both sides of the entrance drive.
5. A note must be added to the plan stating that the block manufacturer shall submit shop drawings and design calculations by a CT licensed PE for retaining walls prior to construction.
6. A note shall be added to the plans stating that the applicant shall hire a CT licensed PE who shall monitor and inspect the construction of the retaining walls and, upon completion, certify to their acceptability and conformance with the required design.
7. Post- Construction Requirements.

After construction is completed and accepted by the Owner, it shall be the responsibility of the Owner to maintain all drainage structures. In addition, the following inspection and maintenance guidelines shall be the responsibility of the Owner, beginning the first year period following construction completion and acceptance, and shall be followed each year thereafter:

1. Drainage and other Paved Areas: Inspect on a regular basis not to exceed weekly for litter and debris. Sweep at least twice a year, with the first occurring as soon as possible after first snowmelt and the second not less than 90 days following the first.
2. Catch Basin Sumps: Inspect semi-annually and cleaned when the sump is one half full of silt and/or debris.
3. Landscaped Areas: Inspect semi-annually for erosion or dying vegetation. Repair and stabilize any bare or eroded areas and replace vegetation as soon as possible.

CHAIRMAN TONER requested **ROLL CALL VOTE**. The following **COMMISSIONERS** voted *“in-favor”*: **BOLLES, DESJARDINS, DUCHESNEAU, HILLSBERG, McNALLY, SIRAGUSA, TONER and POLHEMUS. VOTE 8-0-1. MOTION** carried. **COMMISSIONER PIENIADZ** recused himself from this vote.

COMMISSIONER PIENIADZ returned to the meeting at 7:54PM and resumed as **CHAIRMAN**.

8. Zoning Matters:

- a. Liz Burdick presented the November 2016 Zoning Report.

9. Town Planner:

- a. Town Planner discussed plans to work on the following projects with the P&Z Commission during the winter months:
 1. Zoning Regulations
 2. Subdivision Regulations
 3. POCD
 4. Road Ordinances
 5. Fee schedules

Town Planner requested the winter months of January, February, and March the Commission meet the first meeting of the month for workshops on the above mentioned projects leaving the second meeting of the month for applications received by the P&Z Commission. The first workshop meeting is January 10, 2017 with topic to be announced.

10. Communications:

- a. Letter from Connecticut Association of Realtors.

11. Minutes:

- a. **COMMISSIONER DESJARDINS** made **MOTION**, seconded by **COMMISSIONER TONER** to accept the November 8, 2016 meeting minutes. **VOICE VOTE 8-0-2. MOTION CARRIED.**

12. Other Business: None

13. Adjourn:

- a. **COMMISSIONER TONER** made **MOTION**, seconded by **COMMISSIONER HILLSBERG** to Adjourn the meeting. **All were in FAVOR** - Meeting adjourned at 8:25PM.

Respectfully submitted,
Michelle M. Giroux
Recording Secretary

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

Conflict of Interest

Disclosure Form

In accordance with Section C903 of the Town's Charter, I, William J. Pieniadz, a member of the Planning & Zoning Commission at the meeting dated Tuesday, December 20, 2016 have disclosed that I have a "*Conflict of Interest*" regarding item 7a on the agenda and would recuse myself from discussion /debate and voting. Below is the basis of the Conflict of interest.

OWNER OF PROPERTY AGENDA ITEM 7A.

Signature William J. Pieniadz Date 12/20/2016

This form shall be incorporated in the minutes of the particular board, commission, or office and a full copy of such minutes shall be filed in the office of the Town Clerk.