

Approved by the Commission on: _____

Draft

**Town of Montville Planning & Zoning Commission
Meeting Minutes for Monday, July 28, 2009
7:00 p.m. – Town Council Chambers**

1. Call to Order – Chairman Marcus called the meeting to order at 7:00 p.m.
2. Pledge of Allegiance
3. Roll Call and Seating of Alternates

Present were Commissioners Baron, Desjardins, Ferrante, Marcus, Pieniadz, Polhemus, Siragusa and Toner. Absent was Commissioner Mastrandrea. Also present were Assistant Town Planner & Zoning Enforcement Officer, Thomas Sanders and Town Council Liaison, Russ Beetham.

4. Public Hearings: none.
5. New Business:

1. Action Items.

a. **Julius Meyer, III/ Vincent & Melanie Attwater-Young: An application for a subdivision located on the property at 371 Chapel Hill Road, Oakdale, CT as shown on Assessor's Map 3, Lot 3, along with a request for waivers of the following: Section 4.3.10 five foot contours; Section 4.3.14 date of completion; Section 4.3.15 Passive Energy; Section 4.4 Construction Plan; Section 4.5 Soil Erosion and Sediment Control Plan; Section 4.6 Subsurface Sewage Disposal System.**

Mr. Sanders stated the applicants are requesting a subdivision for the creation of three lots to correct a pre-existing condition. There are currently two dwellings on one lot. He stated the property is located south of the Montville Manor Subdivision and is in an R-80 zone. The three lots will exceed the size requirements in this zone. The existing two lots are improved with three single family dwellings and several accessory structures. Total acreage consists of 16.64 acres. Lot #1 and lot #2 will consist of three acres each and lot #3 10.64 acres in size. These properties currently exist and there will be no changes to any of the properties at this time. The approval will allow the properties to be legal and allow for transfer or financing without creating problems for the homeowners. The current proposal is for the owner of the original lot to transfer ownership of the new lot to the applicant, owner of the other lot. This proposal has been reviewed and approved by the Inland Wetlands Commission on July 16, 2009. The Health Department has reviewed

and found this application in compliance as of June 30, 2009 and they are requesting no changes to any of the properties at this time. It was determined by the Uncas Health District that the lots meet the minimum requirements of the Connecticut Public Health Code for subsurface sewage disposal. Each dwelling is served by separate, existing wells and existing subsurface septic disposal systems. The Planning Review suggested the Commission grant the waivers of the Subdivision regulations and Stormwater Management is not required because there will be no changes to any of the properties at this time.

Commissioner Baron inquired if easements will be required for the towers located on this property. Mr. Sanders stated they are controlled by the Federal Government and have been there for many years. Commissioner Baron inquired regarding the fall zone and if the Town may be liable for the towers if this proposal is passed.

Commissioner Siragusa inquired if the outbuildings on this property will meet the required setbacks of one hundred feet if the subdivision is approved. Mr. Sanders explained they will not but will be less non-conforming than they are at this time.

Motion made by Commissioner Pieniadz, seconded by Commissioner Desjardins to approve and grant the requested waivers of the Subdivision Regulations and approve the subdivision request for property located at 371 Chapel Hill Road, Oakdale, CT as shown on Assessor's Map 3, Lot 3, along with a request for waivers of the following: Section 4.3.10 five foot contours; Section 4.3.14 date of completion; Section 4.3.15 Passive Energy; Section 4.4 Construction Plan; Section 4.5 Soil Erosion and Sediment Control Plan; Section 4.6 Subsurface Sewage Disposal System. Discussion: none. Roll Call Vote: **7-0-1**. Voting in favor of approval were Commissioners Baron, Desjardins, Ferrante, Marcus, Pieniadz, Polhemus, and Toner. Voting in opposition: none. Abstaining from the vote was Commissioner Siragusa. **Motion carried.**

6. Zoning Issues

1. Action Items – none.

7. Old Business

1. Action Items

a. **Hastedt Brothers LLC/Lombardi Business Park, LLC – an application for a Special Permit for a mobile asphalt recycler located on the property at 18 Sachatello Industrial Drive, Oakdale, Connecticut, as shown on Assessor's Map 5, Lots 27-10 and 27-17 and a portion of Lots 18, 11 and 13.**

Chairman Marcus stated Commissioner Pieniadz has listened to the recordings of the previous meetings and is eligible to vote on this item. It was determined everyone present is eligible to vote on this item with the exception of Commissioner Baron.

Motion made by Commissioner Pieniadz, seconded by Commissioner Polhemus to approve the application for a Special Permit for a mobile asphalt recycler located on the property at 18 Sachatello Industrial Drive, Oakdale, Connecticut, as shown on Assessor's Map 5, Lots 27-10 and 27-17 and a portion of Lots 18, 11 and 13 with the following conditions;

1. The applicant must provide the Planning Office with the name and telephone number of an on-site contact who will be present during operation;
2. The on-site contact must notify the Planning Office with the time and the date of the first three plant runs;
3. The applicant shall immediately shut down the operation of directed to do so by the Town staff, and Staff shall only order shut down if written complaints regarding acrid odors have been received by the Planning Office;
4. The length of this first Special Permit shall be for one year and is renewable in five year increments thereafter.

Discussion: none. Roll Call Vote: 7-0. Voting in favor of the approval were Commissioners Desjardins, Ferrante, Marcus, Pieniadz, Polhemus, Siragusa and Toner. All in favor, **motion carried**. (Commissioner Baron was not eligible to vote)

2. Not Ready for Action – none.

8. Communications

Mr. Sanders discussed a letter from the Town of Ledyard regarding the reduction of garage setbacks; he distributed the Annual Report and stated the Plan of Development was sent to the Commissioners by mail. He discussed possible action in the fall regarding updating the flood maps and zoning regulations.

Commissioner Marcus discussed a correspondence from a resident with a neighbor who starts his race car in his driveway causing excessive noise.

9. Minutes

a. Acceptance of the minutes from the regular meeting of June 23, 2009.

Motion made by Commissioner Desjardins, seconded by Commissioner Polhemus to accept the June 23, 2009 meeting minutes as submitted. Discussion: none. Roll call vote: 6-0-2. Voting in favor approving the minutes were Commissioners Desjardins,

Ferrante, Pieniadz, Polhemus, Siragusa and Toner. Voting in opposition none. Abstaining were Commissioners Marcus and Baron. **Motion carried.**

10. New Business

2. Non-Action Items

a. **Cornerstone Baptist Church; an application for a Site Plan Review for the construction of an addition on the property located at 900 Route 163, Oakdale, Connecticut as shown on Assessor's Map 46 Lot #2.**

Mr. Sanders suggested this item be continued until the next meeting to give the staff time to obtain comments from the Town Engineer.

Motion made by Commissioner Polhemus, seconded by Commissioner Toner to continue this matter until the next regularly scheduled meeting. Discussion: none. Voice vote: 8-0, all in favor, **motion carried.** This item will be placed on the August agenda for discussion.

11. Zoning Issues

2. Non-action Items

Mr. Sanders addressed the correspondence regarding the race car noise complaint in the residential neighborhood. He stated since the letter was received, the police have gone out to the site where the race car is kept and spoke with the owners who were told citations will be issued if this happens again.

3. Zoning Officers Report

Mr. Sanders distributed his report to the Commissioners for review.

12. Other Business to Come Before the Commission

a. Plan of Conservation and Development

Chairman Marcus stated the Commissioners have been mailed the document. He suggested they read it over and discussions regarding its content will take place in September. He indicated the Town Planner did a great job with the document and commended her for taking on the task.

Commissioner Baron discussed open space and how it is depicted on the map. Chairman Marcus stated Ms. Vlaun, Town Planner will discuss the document with the Commission when she returns from vacation.

13. Adjourn

Motion made by Commissioner Pieniadz, seconded by Commissioner Siragusa to adjourn the meeting at 8:00 p.m. Discussion: none. Voice vote: 8-0, all in favor, **motion carried.**

Respectfully Submitted by:

Audrey Ulmer, Recording Secretary for the Town of Montville