

Town of Montville
Planning and Zoning Commission
310 Norwich New London Turnpike Uncasville, CT 06382
Meeting Minutes of Tuesday, January 25, 2022 Public Hearing/Regular Meeting

1. Call to Order: Chairperson Lundy called the meeting to order at 6:00 pm
2. Pledge of Allegiance: All rose to salute the flag
3. Roll Call: Present were Commissioners Lundy, Pike, Siragusa, Desjardins, Duchesneau, Poole and Kobyluck. Also present were Planning Director, Liz Burdick and Zoning Enforcement Officer, Tiffany Williams. Absent were Commissioners Estelle and Longton
4. Public Hearings/Applications:
 - a. Public Hearing. PZ# 221-1 POCD – Application of the Montville Planning & Zoning Commission for 2021 Proposed Amendments to the 2010 Montville Plan of Conservation and Development. (*PH open 12/14/21 – Continued to 1/25/22*).
The Planning Director entered the following exhibits into the record:
 18. Favorable Report from Conservation Commission dated January 4, 2022.
 19. Favorable Report from the Town Council dated January 11, 2022 Resolution No. 2022-02
 20. Planner Staff Report dated January 25, 2022
 21. Review Comments from Parks and Recreation Commission received January 25, 2022.The Planning Director gave an update on review comments from Parks and Recreation Commission. Discussion was held. Chairperson Lundy asked three times if there was anyone from the public who would like to speak in favor of or opposition to this application. There were none.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by
COMMISSIONER DESJARDINS to close the Public Hearing.
ALL in FAVOR 7-0-0 **Motion Carried** – Public Hearing Closed at 6:15 pm
 - b. Discussion & Decision. PZ# 221-1 POCD – Application of the Montville Planning & Zoning Commission for 2021 Proposed Amendments to the 2010 Montville Plan of Conservation and Development. (*DRD – N/A. PZC Application*) Discussion held
A MOTION was made by COMMISSIONER SIRAGUSA and seconded by
COMMISSIONER DESJARDINS to APPROVE Application #221POCD1 for Proposed 2021 Draft Amendments to the 2010 Montville Plan of Conservation and Development (POCD) as submitted with the application received by the Commission on 9/28/2021 with an Effective Date of February 18, 2022, with the followed amendments:
 1. Typographical errors identified in the Draft have been revised.
 2. The date shall be changed to 2022 as needed and acknowledgment pages will be revised as needed.
 3. Community Profile Open Space and Cultural Resources Page 39 has been revised to include Hopemead State Park – 17.40 acres.
 4. Community Profile Open Space and Cultural Resources Page 41 Park Land and Trails map has been revised to identify Stony Brook Reservoir as a waterbody.

In approving the POCD, the Commission has considered the following:

- (1) The need for affordable housing.
- (2) The need for protection of existing and potential public surface and ground drinking water supplies.
- (3) The use of cluster development and other development patterns to the extent consistent with soil types, terrain and infrastructure capacity within the municipality.
- (4) The state plan of conservation and development adopted pursuant to chapter 297.

- (5) The regional plan of conservation and development adopted pursuant to section 8-35a.
- (6) Physical, social, economic and governmental conditions and trends.
- (7) The needs of the municipality including, but not limited to, human resources, education, health, housing, recreation, social services, public utilities, public protection, transportation and circulation and cultural and interpersonal communications.
- (8) The objectives of energy-efficient patterns of development, the use of solar and other renewable forms of energy and energy conservation.
- (9) Protection and preservation of agriculture.
- (10) The most recent sea level change scenario updated pursuant to subsection (b) of section 25-68o.
- (11) The need for technology infrastructure in the municipality.

ALL in FAVOR 7-0-0 Motion Carried

- c. Public Hearing: 221 6 PA21 ADU – Application of the Montville Planning & Zoning Commission for opt out of the requirements of Public Act 21 regarding accessory dwelling units. *(PH must close by N/A. PZC Application)*

Chairperson Lundy opened the Public Hearing at 6:21 pm. The Planning Director entered the following exhibits into the record:

1. December 14, 2021 Meeting Minutes
2. Copy of legal ad published on the Town Website on January 14, 2022
3. Copy of legal ad published in The Day on January 14, 2022 & January 21, 2022
4. Email from Town Attorney, M. Willis dated January 21, 2022
5. Planner Staff Report dated January 25, 2022
6. The entire project folder.

The Planning Director discussed the email from the Town Attorney. She also informed the commission that she received an email from Desegregate CT who is compiling a list of which towns are/are not opting out of PA21 parking requirements and accessory dwelling units. She communicated with a staff from Desegregate CT and explained the reason for opting out so that the PZC could take it time in drafting proposed new regulations that more closely adhere to requirements in the act. She stated Desegregate CT would send information regarding other Towns' adopted regulations. She advised the Opt-out would be sent to the Town Council for its decision and that it may hold a public hearing. Chairperson Lundy asked three times if there was anyone from the public who would like to speak in favor of or opposition to this application. There were none.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by
COMMISSIONER DESJARDINS to close the Public Hearing.

ALL in FAVOR 7-0-0 Motion Carried – Public Hearing Closed at 6:25 pm

- d. Discussion & Decision. 221 6 PA21 ADU - Application of the Montville Planning & Zoning Commission for opt out of the requirements of Public Act 21 regarding accessory dwelling units. *(DRD – N/A. PZC Application)* Discussion was held.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by
COMMISSIONER PIKE to APPROVE Application #221 6 to Opt-Out of PA21-29 (“Act”) ADU requirements so that it can evaluate how to thoughtfully and intentionally draft regulations regarding accessory dwelling units requirements more compatible with the Act.

ALL in FAVOR 7-0-0 Motion Carried

5. Old Business:

- a. 221 SITE 4 – 1967 – 1981 Route 32 (099-061, 062, 064, 066, 067 & 068) Applicant: Garrett Homes, LLC Owner: Deborah Parker, Trustee of the Doris Antonino Family Trust - Proposed Retail Development including construction of an about 10,700SF retail building (*Submitted 10/29/21, Date of Receipt 11/9/21, Decision Required Date 1/12/22, Extension Granted on*

12/16/21 to 1/25/22). The Planning Director read her staff report and gave an update on the State of CT DOT comments. Bill Fries of BL Companies spoke on behalf of the applicant. Discussion was held.

A MOTION was made by COMMISSIONER PIKE and seconded by COMMISSIONER DESJARDINS to APPROVE Application #221SITE4 1967-1981 Route 32, Uncasville, CT in accordance with the application, supporting documents and a plan entitled "Land Development Plan Set for Site Plan Application, Proposed Retail Development, 1981 Norwich-New London Turnpike (Route 32, Map 99, Lots 61, 62, 64, 66, 67, 68), Montville, CT, Prepared for Garrett Homes, LLC, Prepared by BL Companies, Dated 10/29/21, Revised to 1/24/22."

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. Prior to approval of a zoning permit to start work, the plan sheet entitled "Lot Line Modification Plan, Sheet No. BS-1, Land of Deborah Parker, Trustee, Route 32, Montville, CT Dated 10/26/21, Revised to 12/13/21" shall be filed on the Montville Land Records in the office of the Town Clerk.
2. Final revised plan sets, along with a digital copy of the final plan, shall be submitted to the Planning Dept. & shall be signed and sealed by P.E. & L.S.
3. Per Uncas Health District, All existing wells must be abandoned by licensed well driller and an asbestos inspection must be conducted for each house and abatement done, if necessary, prior to any demolition.
4. Prior to issuance of a zoning permit to start work, a soil erosion & sediment control bond shall be posted in the amount of \$12,300 in a form acceptable to the Finance Director.
5. A separate application shall be submitted for any future site signage.
6. Plan set shall be revised to address all DOT comments & add notes to sheet TT-1 per DOT that address truck turning at the site. An approved State of Connecticut DOT Encroachment Permit is required prior to the issuance of a zoning permit to start work.
7. An approved zoning permit is required prior to the start of any work.
8. After work has started, any substantive changes to the approved site plan require review and approval by the Planning Director and/or the Planning & Zoning Commission.
9. The ZEO must be contacted and a pre-construction meeting shall be held at least 24- hours prior to start of any work. Soil Erosion and Sediment Controls shall be installed and inspected by the ZEO prior to the start of any work
10. Post-Construction Requirements as follows:

After construction is completed and accepted by the Owner, it shall be the responsibility of the Owner to maintain all drainage structures as shown on Plan Details Sheet DN-6. 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. Inspect every six (6) months during the first year of operation and adjust the Inspection Interval based on previous observations of sediment accumulation and high water elevations.
2. Conduct jetting and vactoring annually or when inspection shows that maintenance is necessary.

3. 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.
4. Catch Basin Sumps: Inspect semi-annually and cleaned when the sump is one half full of silt and/or debris.
5. 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.

ALL in FAVOR 7-0-0 **Motion Carried**

6. New Business:

- a. 221 SITE 6 – 410 - 412 Maple Avenue (Rockland Overlook Industrial Condo), Applicant/Owner: Advanced Associates, LLC – Agent: Attorney Harry Heller for proposed 4000SF Industrial Garage for tree service trucks & equipment. (*Submitted 12/28/21, Date of Receipt 1/25/22, DRD 3/30/22*). The Planning Director read her staff report and explained that the applicant has requested an extension to the March 22, 2022 meeting. Atty. Harry Heller spoke on behalf of the applicant.

A MOTION was made by COMMISSIONER DESJARDINS and seconded by
COMMISSIONER SIRAGUSA to table until March 22, 2022.

ALL in FAVOR 7-0-0 **Motion Carried**

- b. 22 SITE 1- 82 Jerome Rd, 15 Jerome Ave, 232 Norwich-New London Turnpike (069-042, 051, 061) Applicant/Owner: Village Apartments, LLC and Owner, Connecticut Multifamily Equities II, LLC - Agent: Attorney Harry Heller for three (3) proposed Multi-Family Buildings for 160 Dwelling Units and associated site improvements. (*Submitted 1/12/22, Date of Receipt 1/25/22, DRD 3/30/22*) The Planning Director gave a brief overview of application. Atty. Harry Heller spoke on behalf of the applicant and state the application is before IWC and requested the application be tabled until February 22, 2022.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by
COMMISSIONER DESJARDINS to table until February 22, 2022.

ALL in FAVOR 7-0-0 **Motion Carried**

- c. 22 HOME 7 – 531 Route 163 (031-007-00A) Applicant/Owner: Dillon Troxell/DLT Supply LLC for Home Occupation Firearms sales. The Planning Director read the staff report and explained this application was received on January 24, 2022 and needed further staff review as well as more information from the applicant.

A MOTION was made by COMMISSIONER DESJARDINS and seconded by
COMMISSIONER PIKE to table until February 22, 2022.

SIX (6) in FAVOR ONE (1) OPPOSED (Siragusa) 6-1-0 **Motion Carried**

7. Zoning Matters.

- a. January Zoning Officer Report – Tiffany Williams, Zoning Enforcement Officer read her report.

8. Town Planner Report. – Liz Burdick discussed proposed Zoning Regulation Amendments received from the Town of Bozrah. Planner is to send a letter to Bozrah citing no impacts to Montville. Continued Discussion of Public Act 21 and Legislation Impacting Development & Land Use Procedures. Discussed Commissioner training requirements.

9. Other Business: None

10. Correspondence: None

11. Minutes:

- a. A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSION DESJARDINS to accept the meeting minutes of the December 14, 2021 Public Hearing/Regular Meeting Minutes

SIX (6) in FAVOR ONE (1) Abstention (Commissioner Poole) 6-0-1 **Motion Carried.**

12. Executive Session: None

13. Adjourned 7:27 pm

Respectfully submitted,

Meredith Badalucca,

Recording Secretary