

**Town of Montville Planning and Zoning Commission**  
**Public Hearing/Regular Meeting Minutes May 24, 2022**

1. **Call to Order:** Chairperson Lundy called the meeting to order at 6:00 p.m.
2. **Pledge of Allegiance.**
3. **Roll Call.** Present were Commissioners Lundy, Siragusa, Desjardins, Longton, Pike, Poole, Duchesneau and Estelle until 7:09 p.m. Also present were Planning Director, Liz Burdick and ZEO/WEO, Tiffany Williams. Absent was Commissioner Kobyluck.
4. **Public Hearings/Applications:**
  - a. **Public Hearing: PZ#22 SUB 1** – 82B Pires Drive (M/B/L 038-050-006) Oakdale, CT - Applicant/Owner: Chestnut Ridge, LLC – Agent: Attorney Harry Heller for 1-Lot Resubdivision to create 2 lots. *(Submitted 4/6/22, Date of Receipt 4/26/22, PH must open by 6/30/22 – PH set for 05/24/22)*. Chairperson Lundy opened the Public Hearing at 6:02 p.m. The Planning Director entered the following exhibits into the record:
    1. Application and Plans titled “Resubdivision Plan, Prepared for Chestnut Ridge, LLC, #82B Pires Drive & Simpson Lane, Montville, Connecticut, Prepared by Advanced Surveys, LLC, Dated February 08, 2022”
    2. Uncas Health Comments dated 4/14/2022
    3. Favorable Report from the IWC dated 4/22/22
    4. Planner Comments dated 4/26/22
    5. Public Hearing Notice published in The Day Newspaper on May 13th & 20th, 2022
    6. Public Hearing Notice posted to Town of Montville Website on May 11, 2022
    7. Planner Comments dated 5/13/22
    8. Applicant Comments dated 5/18/22
    9. Revised Plans titled “Resubdivision Plan, Prepared for Chestnut Ridge, LLC, #82B Pires Drive & Simpson Lane, Montville, Connecticut, Prepared by Advanced Surveys, LLC, Dated February 08, 2022” Revision date 5/2022
    10. Planner Comments dated 5/23/22The Planning Director read her staff report. Atty. Harry Heller spoke on behalf of the applicant. 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.  
**Motion** (Siragusa/Desjardins) to close the public hearing at 6:12 p.m. ALL in FAVOR 8-0-0 **Motion Carried**
  - b. **Discussion & Decision: PZ#22 SUB 1** – 82B Pires Drive (M/B/L 038-050-006) Oakdale, CT, Applicant/Owner: Chestnut Ridge, LLC - Agent: Attorney Harry Heller for 1-Lot Resubdivision to create 2 lots. *(DRD 35 days from close PH)*. Discuss was held. **Motion** (Poole/Desjardins) to **APPROVE** Application PZ #22SUB2 for a 1-Lot resubdivision to create one new lot in accordance with the Montville Zoning Regulations and the application, supporting documentation and a plan set entitled “Resubdivision Plan, Prepared for Chestnut Ridge, LLC, #82B Pires Drive & Simpson Lane, Montville, Connecticut, Prepared by Advanced Surveys, LLC, Dated February 08, 2022, Revised to 5/22/22” with the following condition:
    1. Prior to the endorsement of the mylars for filing, the Applicant shall submit a copy of the “Third Amendment to the Declaration of Chestnut Ridge”, which will add the new lot and shall be filed on the land records with the subdivision plan.
    2. Prior to the signature of the Chairman the applicant shall submit digital data to the office as required by Section 3.9 of the Subdivision Regulations
    3. Final plans shall be signed and sealed by Licensed Land Surveyor.**ROLL CALL VOTE All in FAVOR 8-0-0 Motion Carried**

5. **Old Business:**

- a. **22 SITE 1-** 82 Jerome Rd, 15 Jerome Ave, 232 Norwich-New London Turnpike, (M/B/L 069-042-000, 069-051-000, 069-061-000), Uncasville, CT, Applicant/Owner: Village Apartments, LLC and Connecticut Multifamily Equities II, LLC - Agent: Attorney Harry Heller for three (3) proposed new Multi-Family Buildings for 160 Dwelling Units and associated site improvements. *(Date of Receipt 1/25/22. Orig. DRD 3/30/22. Tabled from 3/22/22 to 4/26/22 meeting w/27-day ext. Tabled from 4/26/22 to 5/24/22 meeting w/27-day ext.)*. The Planning Director read her staff report. Atty. Harry Heller and Seamus Moran, P.E. from Loureiro Engineering Associates spoke on behalf of the applicant. Discussion was held. **Motion** (Desjardins/Longton) to **APPROVE** PZ #22 SITE 1- 82 Jerome Rd, 15 Jerome Ave, 232 Norwich-New London Turnpike, (M/B/L 069-042-000, 069-051-000, 069-061-000), Uncasville, CT, Applicant/Owner: Village Apartments, LLC and Connecticut Multifamily Equities II, LLC - Agent: Attorney Harry Heller for three (3) proposed new Multi-Family Buildings for 160 new dwelling units for a total of 214 dwelling units, and associated site improvements in accordance with the application, supporting documentations and a plan entitled: "Site Development Plan, Village Apartments – Phase III, New Multi-family Apartment Buildings, 15 Jerome Avenue, 82 Jerome Road and 232 Route 32, Prepared by Loureiro Engineering Associates, Dated March 11, 2021, Revised to 05/24/22" with the following conditions:
1. The lot line adjustment (merger) plan shall be filed on the Land Records in the office of the Town Clerk prior to issuance of a zoning permit to start work and the address of the properties when merged shall be coordinated with the Montville Tax Assessor.
  2. The Parking Plan/Narrative dated November 15, 2021 and the May 24, 2022 revised Parking Narrative, reviewed & approved by the Town Engineer on 5/24/22, shall be part of this approval.
  3. The 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., LS and CSS prior to the issuance of zoning permit to start work.
  4. Before construction of the project commences, the project will further require (i) OSTA (Office of the State Traffic Authority) permit for a major traffic generator; and (ii) DEEP (Dept. Energy Environmental Protection) registration under the Connecticut General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities.
  5. Applicant shall comply with all requirements of Uncas Health District and the Montville WPCA, Fire Marshal and Building Official during project construction.
  6. On-site rock/materials processing requires a zoning permit reviewed & approved by the Zoning Official per ZR Section 4.11.11/4.11.11 5 (Excavations/Processing – Requirement for Res. Zones) prior to start.
  7. Prior to issuance of a zoning permit to start work, a soil erosion & sediment control bond shall be posted in the amount of \$106, 230 in a form acceptable to the Finance Director.
  8. An approved zoning permit is required prior to the start of any work.
- ROLL CALL VOTE All in FAVOR 7-0-0 **Motion Carried**
- b. **22 SITE 3** – 612 Route 82 (M/B/L 058-009-00A) Oakdale, CT - Applicant: Oakdale Food Stop - Owner: Leemilts Petroleum, Inc. for proposed Gas Station/Convenience Store Renovation & Addition and associated site improvements. *(Submitted 2/8/22. Date of Receipt 2/22/22. Orig. DRD 4/28/22. Tabled from 3/22/22 to 4/26/22 meeting w/27 day ext. Tabled from 4/26/22 to 5/24/22 meeting w/29-day ext.)*. **Motion** (Desjardins/Longton) to remove from Table, All in Favor 7-0-0 **Motion Carried**
- The Planning Director read her staff report. Discussion was held. **Motion**

(Desjardins/Longton) to **APPROVE** Application# PZ 22 SITE 3 – 612 Route 82 (M/B/L 058-009-00A) Oakdale, CT - Applicant: Oakdale Food Stop - Owner: Leemilt's Petroleum, Inc. for proposed Gas Station/Convenience Store Renovation & Addition and associated site improvements in accordance with the application, supporting documents and a plan entitled: "Property Survey, Prepared for Leemilt's Petroleum, Inc., 612 Norwich-Salem Turnpike (Route 82), Oakdale (Montville), CT, Sheet S-1, Dated 2/4/2020" and "Leemilt's Petroleum, 612 Norwich-Salem Turnpike (RT 163/82), Oakdale, CT, Prepared Freeman Companies, Sheets C-101-C-104 Dated 11/4/21 and Sheets A1, 2, 5, & 6, Dated 10/23/2020, Revised May 10, 2022" with the following conditions:

1. The finished side of the proposed stockade fence, to be extended along contiguous residential property lines up to existing light poles, shall face the residential properties
2. Any existing lighting attached to the roof of the canopy shall be removed and no new lighting shall be installed.
3. The Applicant shall comply with all of the requirements of Uncas Health District in its memo dated May 18, 2022.
4. Property lines and clearing limits shall be clearly defined and flagged and the ZEO and/or the Planning Director shall conduct an inspection prior to the start of any work.
5. Final plan shall be revised as follows:  
1. Show canopy drainage; 2. Show revised location of level spreader pulled back further from the property line; 3. Revise Zoning Compliance Table to show 50' side yard setback to residential zone in addition to C-1 side yard setbacks *and* revise plan set to show 50' setback from all residential property lines; 4. Show benchmark;
6. 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., LS and CSS.
7. A separate zoning permit for any proposed new or replacement signage, *including freestanding, building mounted, canopy or pump signage* shall be submitted for review & approval of the Zoning Official.
8. Areas of the site with disturbed soils due to soil testing shall be stabilized with loam and seed.
9. Applicant shall comply with State of CT DOT comments in its memo dated April 4, 2022.
10. Applicant shall comply with comments of the Fire Marshal dated 2/24/22 regarding smoke alarms.
11. Prior to issuance of a zoning permit to start work, a soil erosion & sediment control bond shall be posted in the amount of \$9,400 in a form acceptable to the Finance Director.
12. An approved zoning permit is required prior to the start of any work.
13. 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.
14. 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
15. 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.

ROLL CALL VOTE All in Favor 7-0-0 **Motion Carried**

- c. **22 PZ 1** – Affordable Housing Plan Application of Montville Planning & Zoning Commission for 2022 Proposed Town of Montville Affordable Housing Plan (*Tabled from 4/26/22 meeting. DRD – N/A PZC Application*). **Motion** (Desjardins/Longton) to move before item 5a. All in Favor 7-0-0 **Motion Carried**

Amanda Kennedy spoke about the revisions made to the Draft Affordable Housing Plan. Atty. Harry Heller explained CGS 8-30g per the request of the commission. **Motion** (Desjardins/Longton) to table application and set a Public Hearing for June 28, 2022. All in Favor 7-0-0 **Motion Carried**

6. **New Business:**

- a. **22 SITE 4** – 53 Caroline Rd. (M/B/L 059-007-000) Oakdale, CT – Applicant: Tilcon Connecticut, Inc. – Owner: Tilcon Minerals, Inc. - Agent: Attorney Harry Heller for site plan renewal per Special Permit Renewal application #217SP2, dated 5/23/17 for continuation of earth products excavation and processing operation, including the manufacture of bituminous concrete and concrete. (*Submitted 5/11/22. Date of Receipt 5/24/22. DRD 7/28/22*). The Planning Director read her staff report. Atty. Harry Heller spoke on behalf of the applicant. Discussion was held. **Motion** (Duchesneau/Desjardins) to **APPROVE** Application PZ#22SITE4 53 Caroline Road, Montville, CT in accordance with the application, supporting documents, including “Narrative, Updated to May 5, 2022” and a plan entitled “Site Development Plan Prepared For Tilcon Connecticut, Inc. Caroline Road Montville, Connecticut Boundary and Existing Conditions Sheets 1 thru 3 of 6, Grading Sheets 4 thru 5 of 6, and Erosion & Sediment Control Details Sheet 6 of 6 Prepared by CHA dated 4/28/2022 with the following conditions:

1. In no event shall actual excavation operations be commenced with respect to any activity for which a permit is granted under this application until such time as the Zoning Enforcement Officer, at least 15-days prior, has inspected and approved the instillation of soil erosion and sediment controls measures in each successive phase.

2. The following shall be revised in the narrative and the plan:

A. Application Narrative:

- Overview – paragraph 1. Revise to show the correct date of the revision of the Zoning Regulation to October 15, 2018 (v. May 18, 2020).
- General Procedure - Note #8, 10 & 11 - Revise to add “at least twice” before the word weekly per 2017 special permit renewal application.
- Soil Characteristics of the Subject Site – paragraph 6 (“wetlands soils”). Revise to change the word “original” special permit (v. instant) and add “instant site plan renewal” application.

B. Plan dated April 28, 2022, Revised to May 5, 2022:

- Page 6, Overview – paragraph 1. Revise to show the correct date of the revision of the Zoning Regulation to October 15, 2018 (v. May 18, 2020).
- Page 6, General Procedures. Note #8, 10 & 11 - Revise to add “at least twice” before the word weekly per 2017 special permit renewal application.

3. The existing bond in the amount of \$42,150 shall remain in place.
4. The site plan renewal per the special permit is valid for a period of 5 years from date of approval of the application

ROLL CALL VOTE All in FAVOR 7-0-0, **Motion Carried**

- b. **22 SITE 5** – 125 Depot Rd (M/B/L 071-007-000) & 133 Depot Rd (M/B/L 071-001-000), Depot Rd (M/B/L 071-013-000) and 55 Dock Rd (M/B/L 071-008-000), Uncasville, CT – Applicant: Gateway Montville, LLC Owner: Uncasville LLC & Gateway Montville LLC (Lessee) - Agent: Attorney Harry Heller for Redevelopment of Industrial Properties for Phase I Bulk Material Storage & Handling Facility with Intermodal Capabilities and Phase II Placement of Fill Material for Future Development. *(Submitted 5/12/22. Date of Receipt 5/24/22. DRD 7/28/22).* The Planning Director read her staff report. Atty. Harry Heller and David McKay, P.E., Boundaries, LLC spoke on behalf of the applicant. Discussion was held. **Motion** (Longton/Pike) to table the application until the June 28, 2022. All in Favor 7-0-0 **Motion Carried**
- c. **22 SUB 2** – Monahan Drive (M/B/L 023-003-000) from southerly terminus of Monahan Dr. & easterly side of Swanty Johnson Rd., Uncasville, CT – Applicant/Owner: Cornerstone Ventures LLC - Agent: Attorney Harry Heller for a 29 Lot Resubdivision. *(Submitted 5/18/22. Date of Receipt 5/24/22. PH must open by 7/28/22).*
- d. **22 SP 1** - Monahan Drive (M/B/L 023-003-000) from southerly terminus of Monahan Dr. & easterly side of Swanty Johnson Rd., Uncasville, CT – Applicant/Owner: Cornerstone Ventures LLC - Agent: Attorney Harry Heller for a Special Permit for a 29-Lot Cluster Resubdivision *(Submitted 5/18/22. Date of Receipt 5/24/22. PH must open by 7/28/22).*

Both applications 22 SUB 2 & 22 SP 1 were discussed together. The Planning Director read her staff report. Atty. Harry Heller spoke on behalf of the applicant. Discussion was held. **Motion** (Poole/Longton) to table the application and set a Public Hearing for June 28, 2022 for both Application 22 SUB 2 & 22 SP 1. All in Favor 7-0-0 **Motion Carried.**

7. **Zoning Matters.** ZEO Report. Tiffany Williams, Zoning Enforcement Officer asked that the commission members call or email her with any questions about her report.
8. **Town Planner Report.** Projects update. Liz Burdick, Planning Director gave an update on the grants she is currently working on.
9. **Other Business:** None.
10. **Correspondence.** None
11. **Minutes:**
  - a. **Motion** (Longton/Siragusa) to accept the meeting minutes of the April 26, 2022 Regular Meeting Minutes. All in Favor 7-0-0 **Motion Carried.**
12. **Executive Session:** None.
13. **Adjourned:** 8:28 p.m.

Respectfully submitted,  
Meredith Badalucca  
Recording Secretary