

TOWN OF MONTVILLE
PLANNING & ZONING COMMISSION
310 NORWICH NEW LONDON TPKE
PHONE (860) 848-8549 Fax (860) 848-2354
MEETING MINUTES
January 12, 2010

1. **Call to Order.** Chairman Marcus called the January 12, 2010 meeting of the Montville Planning & Zoning Commission to order at 7:00 p.m. in the Town Council Chambers.
2. **Pledge of Allegiance.** All rose and pledged the flag.
3. **Roll call and seating of Alternates:**
COMMISSION MEMBERS PRESENT: Commissioners Baron, Desjardins, Siragusa, Marcus Mastrandrea, Pieniadz, Polhemus, and Toner. (8 regular members)
COMMISSION MEMBERS ABSENT: Commissioner Ferrante. (1 regular member)
STAFF PRESENT: Marcia A. Vlaun, Town Planner and Zoning Enforcement Officer, Thomas Sanders.
4. **Executive Session:** none
5. **Public Hearings:** none
6. **New Business:**
 1. **Action items:**
 - a.) **§8-24 Review:** At the request of the WPCA an §8-24 Review for the location and construction of a water booster pump station to be located on the Stephen Legg/L&L Construction, Inc. property, by way of an easement, at Maple Avenue, Montville, CT As shown on Assessor's Map 17 Lot 15-a. Discussion was held. A MOTION was made to forward a **FAVORABLE §8-24 Review** by **COMMISSIONER POLHEMUS; SECONDED** by **COMMISSIONER PIENIADZ**. Voice vote. All in favor. 8-0-0 **MOTION CARRIED**
 - b.) **Budget FY 10/11.** Staff informed the Commission that this year's budget is the same as last year except for salaries. Discussion was held.
7. **Zoning Issues:**
 1. **Action items:** none
 4. **Information Items: Estate of Lowell Meyers/Martin Gohn:** A Zoning Permit application for a Garden Center to be located at 1394 Route 85, Montville Ct As shown on Assessor's Map 2 Lot 7. Discussion was held.
8. **Old Business:**
 1. **Action Items:**
 - a.) **9R Burlake, LLC:** An application for a Special Permit for a 40 Lot Cluster Subdivision located on the property at 120 Gay Hill Road, Uncasville, CT As shown on Assessor's Map 23 Lot 3. (SEE ITEM 8.1.C BELOW)

b.) **9R Burlake, LLC:** An application for a Special Permit for proposed interior lots located on the property at 120 Gay Hill Road, Uncasville, CT As shown on Assessor's Map 23 Lot 3. (SEE ITEM 8.1.C BELOW)

c.) **9R Burlake, LLC:** An application for a 40 Lot Subdivision located on the property at 120 Gay Hill Road, Uncasville, CT As shown on Assessor's Map 23 Lot 3.

Commissioner Siragusa excused himself and left the room. Commissioner Desjardins provided the Commission with a written statement certifying that he had listened to the meeting of 12/8/09. Discussion was held. Consensus of the Commission was that they wanted Staff to draft an approval motion outlining conditions as in the staff report including but not limited to; The special permit application for the Cluster Development is recommended for approval with the following conditions:

Lot number 10 is to be eliminated and combined with lot number 11. The building square for lot 11 is to be moved to the front setback line. The conservation easement on lot 11 shall be extended parallel to the rear lot lines of lots 8 and 9. The developer shall post a performance bond in the amount of \$387,600 and an E&S bond in the amount of \$28,000 for Phase I of the project. The developer shall post a performance bond in the amount of \$657,000 and an E&S bond in the amount of \$23,000 for Phase 2 of the project. The developer shall file all easements in the Montville land records, including sight line and drainage, prior to issuance of a building permit. The sewer mains, sewer laterals, and force mains must be approved pipe from Tables 2-A, 2-B and 2-D of the CT Public Health Code's Technical Standards. The sewer laterals and wells are to be staked to ensure that the required separating distance to the wells is maintained. Any above ground pools installed must be 10 feet from the well. Conservation easements shall be granted to a Homeowners Association. This approval is subject to a condition requiring approval by the Commission, acting in its planning capacity, of the cul-de-sac waiver request that has been made by the applicant in connection with the related Subdivision Application. A dry hydrant shall be installed on Glenn Close Road. The developer is shall schedule a preconstruction meeting with the planning office at least 21 days prior to the start of construction. The developer shall have all E&S measures inspected prior to the start of constructions. The developer shall notify the planning office 72 hours in advance of requested inspection day. And on both the Cluster application and the Subdivision application, that the State Water Quality Permit which must be filed simultaneously with us and the State, be filed with us prior to the start.

The special permit application for the Interior lot development is recommended for approval with the following conditions: Lot number 10 is to be eliminated and combined with lot number 11. The building square for lot 11 is to be moved to the front setback line. The conservation easement on lot 11 shall be extended parallel to the rear lot lines of lots 8 and 9.

The subdivision application is recommended for approval of 39 lots.

The developer shall post a performance bond in the amount of \$387,600 and an E&S bond in the amount of \$28,000 for Phase I of the project. The developer shall post a performance bond in the amount of \$657,000 and an E&S bond in the amount of \$23,000 for Phase 2 of the project. The developer shall file all easements in the

Montville land records, including sight line and drainage, prior to issuance of a building permit. The developer shall file all easements in the Montville land records, including sight line and drainage, prior to issuance of a building permit. Glenn Close shall be named either Glenn Close Road or Glenn Close Drive for E911 identification purposes. That the State Water Quality Permit which must be filed simultaneously with us and the State, be filed with us prior to the start.

Also that the Commission grant a waiver of 31 feet for Glenn Close (road/drive) Discussion was held. A **MOTION** was made to **CONTINUE** items 8.1.a, 8.1.b and 8.1.c by **COMMISSIONER BARON; SECONDED by COMMISSIONER DESJARDINS**. Voice vote. 7-0-1 **MOTION CARRIED** (with Commissioner Siragusa out of the room)

Commissioner Siragusa returned to the meeting room. The Commission took a break from 7:46 to 7:56 when the meeting was called back to order

d.) Robert Sachs, Trustee: Conceptual Review for a cluster subdivision to be located on the property at 316 Chapel Hill Road, Oakdale, Ct As shown on Assessor's Map 35 Lot 1. Discussion was held. Staff advised that the application was incomplete and that the applicant planned on re-submitting a more complete plan later. A **MOTION** was made by **COMMISSIONER PIENIADZ; SECONDED by COMMISSIONER POLHEMUS to DENY** Conceptual Review for a cluster subdivision to be located on the property at 316 Chapel Hill Road, Oakdale, Ct As shown on Assessor's Map 35 Lot 1 with the reason being that an evaluation of the impact of the development on the Public Water Supply required by C.G.S. Section 8-2 (Regulations) and the Montville Zoning Regulations Section 17.2.e (Special Permit) has not been provided. Voice vote. 8-0-0 All in favor. **MOTION CARRIED.**

e.) Village Apartments, LLC: An application for a Site Plan review for the establishment of a permanent stockpile area for rocks/excavated material located on the property at 82 Jerome Road, Uncasville, CT As shown on Assessor's Map 69 Lot 42. Attorney Tim Bates, Attorney for the applicant and Clint Brown of DiCesare-Bentley addressed the Commission. Photographs of the site were entered into the record by both Staff and the applicant. Discussion was held. A **MOTION to APPROVE was made by COMMISSIONER SIRAGUSA; SECONDED by COMMISSIONER POLHEMUS to APPROVE** an application for a Site Plan review for the establishment of a permanent stockpile area for rocks/excavated material located on the property at 82 Jerome Road, Uncasville, CT As shown on Assessor's Map 69 Lot 42, with the operating hours to be not before 8:00 a.m. and not after 5:00 p.m. Monday –Friday as shown on the plan titled “ Earthwork Stockpile Location and Erosion and Sediment Control Plan Village Apartments Building 2 82 Jerome Road Montville, Connecticut with revisions through September 25, 2009. Roll call vote as follows: In favor: Commissioners Baron, Desjardins, Siragusa, Mastrandrea, Pieniadz, Polhemus, and Toner. Opposed: Commissioner Marcus. 7-1-0 **MOTION CARRIED**

1. Not Ready For Action:

9. Communications: Staff: Staff informed the Commission that she had received a letter from the Town of Ledyard regarding a proposed Zoning Amendment change regarding the

Commission acting as the ZEO. **Commission:** Chairman Marcus received a newsletter from UCONN called Tech Transfer. Commissioner Baron advised that the Regional Planning Commission is scheduled to meet on January 25th.

10. Minutes:

- a) Acceptance of the minutes from the Regular meeting of December 8, 2009. A **MOTION to APPROVE** was made by **COMMISSIONER PIENIADZ; SECONDED** by **COMMISSIONER TONER**. Voice vote. 7-0-1 with Commissioner Siragusa abstaining. **MOTION CARRIED**
- b) Acceptance of the minutes from the Special workshop meeting of December 15, 2009. **MOTION to APPROVE** was made by **COMMISSIONER POLHEMUS; SECONDED** by **COMMISSIONER TONER**. Voice vote. 8-0-0 **MOTION CARRIED**

11. New Business:

1. Non-Action items:

- a.) **Halifax Realty, LLC:** An application for a Site Plan Review for the construction of a one story 7,200 sq. ft. retail/office building and related site improvements located on the property at 1951 & 1957 Route 32, Uncasville, CT As shown on Assessor's Map 99 Lots 69 &70. A **MOTION** was made to **CONTINUE** by **COMMISSIONER POLHEMUS; SECONDED** by **COMMISSIONER TONER**. Voice vote. All in favor. 8-0-0 **MOTION CARRIED.**

12. Zoning Issues:

2. Non-Action items:

- 3. Zoning Officer's Report:** Discussion was held relative to recent activity.

- 13. Other business to come before the Commission:** Town Council Member Beetham addressed that Commission and thanked them for their service and voiced his displeasure with the Village Apt. decision. Staff reminded the Commission of the POCD review. Discussion was held.

- 14. Adjourn:** The meeting adjourned at 8:50 p.m.

Respectfully submitted,

Judy A. LaRose
Recording Secretary

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