

**Planning & Zoning Commission**  
**REGULAR MEETING**  
**January 24, 2023 - 6:00 p.m.**  
**Town Council Chambers – Town Hall**  
**310 Norwich-New London Turnpike, Uncasville, CT 06382**

**Meeting Minutes**

1. **Call to Order:** Chairman Sara Lundy called the meeting to order at 6:00 p.m.
2. **Pledge of Allegiance:** All of rose for the Pledge of Allegiance.
3. **Roll Call:** Chairperson Sara Lundy, Vice Chairman Wills Pike, Secretary John Desjardins and Commissioners Chuck Longton, Anthony Siragusa, John Estelle, John Poole, Joshua Kobyluck, and Bruce Duchesneau. **Also Present:** Director of Land Use & Development Liz Burdick and Zoning Officer Meredith Badaluca.
4. **Additions or Changes to the Agenda:** **MOTION (Estelle/Pike) to add Item 8.b “Public Comment” to New Business. All in favor (9-0-0). APPROVED.**
5. **Minutes:** **MOTION (Estelle/Pike) to approve the minutes of the December 13, 2022 meeting. All in favor (9-0-0). APPROVED.**
6. **Public Hearing/Applications:** None.

7. **Old Business:**

- a. **22 SITE10 – 303 Route 32, Uncasville, CT (Parcel ID 070/004/000),**  
Applicant/Owner: James E. Wray, Lombardi Gravel, LLC for site plan approval for multi-family development & associated site improvements. *(Submitted 12/02/22, Date of Receipt 12/13/22, DRD 02/15/23, Tabled from 12/13/22 Reg. Meeting). REQUEST TO TABLE TO 2/28/23 REGULAR MEETING WITH EXTENSION GRANTED.*

**MOTION to take application off the table. (Desjardins/Siragusa). All in favor (9-0-0). Motion carried.**

Liz Burdick summarized her staff report to the Commission. She stated that she received a letter from the applicant/owner asking commission to table the application to the 2/28/23 regular meeting to address staff recommendations.

**MOTION was made (Desjardins/Longton) to TABLE Application #22SITE10 to the February 28, 2023 regular meeting of the PZC as the Applicant has granted a 30-day extension of time to make the decision. All in favor (9-0-0). APPROVED.**

- b. **22 SUB 3 – East Lake Road (M/B/L 007-035-000) – Applicant, Sunmar/RAF Builders, LLC – Owner, Walter N. Wainright, Jr. for an 8-Lot Subdivision – Request for (final) 90-day extension of time to file subdivision mylars** *(Approved with conditions on 7/26/22. Orig. deadline to file subdivision mylars 10/26/22. 90-day extension granted by PZC on 10/25/22. Subsequent deadline to file mylars 1/24/23)* **REQUEST FOR FINAL 90-DAY EXTENSION OF TIME TO FILE MYLARS ON OR BEFORE 4/24/23.**

Liz Burdick summarized her staff report to the Commission. She stated that, the applicant, by its attorney, Jon B. Chase, Esq., on 01/17/23, submitted a request for a 2<sup>nd</sup> and final 90-day extension of time to file the mylar plans for the approved 8-lot subdivision. Applicant states the request is a “*further reflection of current market conditions and consequent business decisions, but my clients continue to anticipate filing the approved plans in due course.*”

**MOTION was made (Pike/Desjardins) to GRANT a 90-day extension of time to April 24, 2023 to file the approved mylar plans for Application PZ #22 SUB 3 – East Lake Rd (M/B/L 007-035-000) Oakdale, CT – Applicant, Sunmar/RAF Builders, LLC – Owner, Walter N. Wainwright, Jr. for an 8-Lot Subdivision plan entitled: “Subdivision Plan Prepared for Sunmar/RAF Builders, LLC, Property of Walter N. Wainwright, Jr., East Lake Road & Fire Street, Montville (Oakdale), CT, June 2022, Revised to 7/11/22.” All in favor (9-0-0). APPROVED.**

## **8. New Business:**

**a. 23 SITE1- 689 Old Colchester Rd, Uncasville, CT (Parcel ID 030/089/00A),**  
Applicant/Owner: Atlantic Broadband (CT), LLC for site plan approval for an accessory office building and associated site improvements. *(Submitted 1/10/23, Date of Receipt 1/24/23, DRD 03/29/23).*

Liz Burdick addressed the Commission and stated the Applicant is proposing to construct an accessory office building supporting an existing unmanned telecommunication use on the property. She stated the “accessory” office is to serve 2 full-time employees and up to eight transient employees. A 10-space parking lot is also proposed to provide on-site parking for those employees along with an on-site stormwater management system and other appurtenances.

Liz Burdick stated that there are still outstanding staff comments and she is meeting with Breezeline and its Engineers on January 27, 2023 to discuss same. She has advised the Applicant it will need to scale back the project so that it is a true accessory use.

Commissioner Poole asked that if it was accessory use in the R-40 zone, then why do they need two full time employees? Burdick stated that was one of the issues to be discussed at her meeting with the Applicant.

Commissioner Pike asked if the Eversource building located on Chapel Hill was considered a substation at one time, and would that set a precedence for uses the town has allowed. Burdick stated no, that it would not and that a similar accessory building would be the telephone company building at the end of Maple Ave. Ext.

Commission Duchesneau asked if the site was in the R-40 zone, how much property and the difference between putting up a house versus an office. Liz Burdick stated that the property was in the R-40 zone on 8.3-acres and that houses are permitted in the zone, while offices are not. She stated they have applied for an accessory building, but that the site plan and architectural don't support that use.

**MOTION was made (Desjardins/Longton) to TABLE Application #23SITE1 to the February 28, 2023 regular meeting. All in favor (9-0-0). APPROVED.**

**b. Public Comment:** Chairman Sara Lundy called for public comment limited to three minutes.

Crystal Daigle of 21 Gair Court addressed the Commission with multiple complaints regarding the Gateway Terminal operations. Her complaints include noise, truck traffic, truck stacking on Depot Road during a storm event, including blocking driveways; the effect of truck traffic on funeral processions and funeral services, the concern of people in the area, especially the elderly, fear of walking on the road because of trucks; and the impact of truck traffic on Town Roads. She also read into record a letter that her husband, Richard Daigle wrote stating that “He objects to anything that is going on down there at the Thames River old Mill property because I believe the traffic studies are wrong and like I told you before the numbers which I believe were 65 trucks an hour that had come out in the newspaper last year is way different than we had down there when the Papermill was down there, an average of 35 trucks a day on Depot Road. Most week days Monday through Friday.”

Town Councilor Colleen Rix addressed the Commission as a resident and a Town Councilor. She stated that the Daigles had addressed the Town Council and she spoke in support of the concerns of the Daigles and residents in the area.

Kevin Blacker, of Noank, CT addressed the Commission with concerns about negative impacts on the neighborhood, noise, the uncovered salt pile and Gateway in particular.

Attorney Harry Heller of Uncasville, CT addressed the Commission and discussed the history of the industrial site and zoning in the area. He advised that Gateway has stated it will install bumpers on the tailgates of its dump trucks; replace the backup alarms with OSHA approved ones that don't make the typical beeping noise; and he stated the Gateway Terminal site can accommodate 30 trucks on the property and that trucks will not line-up on Depot Road. Further, he stated that he was not saying there never would be overnight operations, but that its atypical.

Chairman Lundy stated the Commission is taking into consideration all the comments.

Liz Burdick added that she and the Mayor met with Gateway representatives and discussed noise and overnight operations issues. Gateway reported that overnight operations had taken place recently because it started with no salt and needed to offload salt brought in from barges. Also, Burdick stated that Gateway representative James Dillman stated the salt pile will be covered by Wed., 1/25/23.

Commissioner Siragusa asked whether a town picks up salt or does Gateway deliver it? Burdick stated that it was her understanding that Gateway typically delivers salt to Towns.

Commissioner Duchesneau stated that he was on record as having concerns about the traffic, but he didn't remember noise being an issue and feels that it is unfortunate that it is happening.

Liz Burdick stated that she and the Mayor are taking citizen's complaints seriously.

**9. Zoning Matters:** ZEO Report. Zoning & Wetlands Officer reviewed her December 2022 staff report with the commission.

**10. Land Use Director Report:** Liz Burdick stated that on behalf of the Town, her office applied for a Community Investment Fund Grant for the proposed animal shelter project. The cost estimate for the shelter is \$2,300,000. She stated that the \$800,000 estimate that the town council appropriated for the project is not enough and if the Grant does not come through the project will have to be put on hold and the town will have to look into other alternatives. Commissioner Duchesneau why the cost for the new animal shelter is so high and Burdick stated that the \$800,000 estimate was several years old and the concept plan was not designed in accordance with State requirements for animal shelters. She stated that it was her hope that, if built, other towns in the vicinity of Ledyard could use the shelter.

Additionally, she stated her office has finalized the Assistance Agreement for the DECD Brownfields Pass-Through Grant to Dakota Partners, as well as start the review of the Assistance Agreement between DDEP and the Town for fishing pier.

Commissioner Poole asked what SECCOG was doing about regionalization of the animal control facilities because he feels that would be a prime location for them to take that on. Burdick stated that SECCOG does not have a facility at its site and that NECCOG in Dayville, CT does have one.

#### **11. Other Business:**

Commission Discussion of the Initial Draft Regulations regarding Adult Use Cannabis:

Liz Burdick reviewed her staff memo that responded to comments of Commissioners Pike and Siragusa regarding Draft 1 of proposed regulations. briefly went over some of the questions that were submitted by Commissioners Pike and Siragusa submitted and went over proposed regulations.

Commissioner Pike asked about regulation 4.11.14.5 and how is this going to be enforced? Liz Burdick stated that the owner of the establishment is responsible for making sure nobody is using marijuana onsite and that they must leave the premises before using.

Commissioner Siragusa wanted to know how they can enforce it? Attorney Willis stated that is just like a bar there is regulations that must be followed or they can have their state license revoked. Commissioner Siragusa asked that if it is already in the state statute why do we need to have it in the town regulations and Attorney Willis responded that the PZC doesn't have to as is its right.

Chairman Lundy asked if that was a pretty standard regulation in other states like Massachusetts and Attorney Willis responded yes.

Chairman Pike asked if Attorney Willis if it was redundant to put it in the regulation about maintaining security measures since it is already enforced at the state level? Attorney Willis answered saying if you don't think the state will enforce it then you leave it in, because then you can enforce it at a town level.

Chairman Lundy proposed unless someone had a strong objection she would like to not vote on the proposal at this meeting and possibly hold an executive session or a working group where the commission can have a free flow of conversation. Commission decided to hold a special meeting.

b. Commissioner Training. Town Attorney Matthew Willis, Halloran & Sage - Roles & Responsibilities of the Planning & Zoning Commission.

Attorney Matthew Willis provided a power point presentation for 1.5 hours of Commissioner training required in accordance with Public Act 21-29 and answered Commissioner questions.

**12. Correspondence:** An email sent by Kevin Blacker of Noank to the Commission regarding Gateway was received on January 24, 2023 was read aloud by the Chair.

**13. Executive Session:** None.

**14. Adjournment: MOTION (Desjardins/Estelle) to ADJOURN.** All in Favor (9-0-0). Meeting was adjourned at 8:33 p.m.

Respectfully submitted by,

Beth Welles  
Recording Secretary