

Montville Planning & Zoning Commission
REGULAR MEETING
July 25, 2023 - 6:00 p.m.
Town Council Chambers – Town Hall
310 Norwich-New London Turnpike, Uncasville, CT 06382

MEETING MINUTES

1. **Call to Order.** Chairperson Lundy called the meeting to order at 6:00 p.m.
2. **Pledge of Allegiance.** All rose for the Pledge of Allegiance.
3. **Roll Call.** Present: Chairperson Sara Lundy, Vice Chairman Wills Pike, Secretary John Desjardins and Commissioners John Poole, Joshua Kobyluck, and Chuck Longton. Absent: Commissioners Bruce Duchesneau & John Estelle. Also Present: Director of Land Use & Development Liz Burdick and Assistant Planner/Interim Zoning Officer Meredith Badalucca
4. **Additions or Changes to the Agenda.** None.
5. **Minutes:** Minutes of the June 27, 2023 Meeting. **MOTION: (Longton/Poole) to APPROVE the minutes of the June 27, 2023 regular meeting. All in favor (6-0-0). APPROVED.**
6. **Remarks from the public not relating to items on the agenda.** None.
7. **Public Hearings/Applications:** None.

8. **Old Business:**

- a. **23 SITE 5 – 2040 Route 32 (Parcel ID 103/001/01A), Uncasville, CT –** Applicant/Owner: Hassan/Hussain, LLC for commercial development of proposed gasoline/convenience store facility and associated site improvements. *(Submitted 4/21/23, Date of Receipt 4/25/23, DRD 6/29/23, Postponed from 4/25/2023 meeting, Postponed from 7/25/2023 Regular Meeting with 30 day Extension Granted, Request to Postpone to 8/22/23 Regular Meeting with Extension Granted).*

Director Burdick read an email dated 7/25/23 from Attorney Harry Heller on behalf of the Applicant, requesting the application be postponed to the August meeting. She advised that she is meeting with all of the project principals to work out outstanding issues before the next meeting and recommended the postponement.

MOTION (Desjardins/Longton) to postpone Application #23 SITE 5 to the August 22, 2023 regular meeting. All in favor (6-0-0). APPROVED.

- b. **23 SITE 7 – 69 Fitch Hill Road (Parcel ID 062-036-000), Uncasville, CT –** Applicant/Owner: Andrew Petrowski for site development with multiple warehouse/office spaces. *(Submitted 6/5/2023, Date of Receipt 6/27/2023, DRD 8/30/2023, Request to Postpone to 8/22/2023 Regular Meeting).*

Director Burdick read an email dated 7/25/23 from Ellen Bartlett of Green Site Design on behalf of the Applicant, dated 7/25/23, requesting the application be postponed to the August meeting. She stated she has been working with the Applicant's engineer to work out outstanding issues before the next meeting and recommended the postponement.

MOTION (Desjardins/Poole) to postpone Application #23 SITE 7 to the August 22, 2023 regular meeting. All in favor (6-0-0). APPROVED.

- c. **23 SITE 8 – 669 Route 163 (Parcel ID 038-056-000), Oakdale, CT –** Owner: Town of Montville, Applicant: VCP Montville LF, LLC for the proposed site development of a 600 kw AC ground mounted solar array. *(Submitted 6/7/2023, Date of Receipt 6/27/23, DRD 08/30/23).*

Director of Land Use & Development, Liz Burdick read her staff report, dated 7/25/2023 into the record. She stated that per the application, the project is or “a proposed 600KW AC ground mounted solar array to be installed on the capped town landfill & interconnected to the Eversource grid via a new primary metered service.” She further advised that this solar project needs site plan approval by the Commission as it was not large enough for approval by the CT Siting Council; that the Inland Wetlands Commission approved regulative activities associated with the project on 7/20/23; and that, but for a few, comments from Staff had been addressed.

She advised the Commission that the Town of Montville has executed a lease with Verogy for the area of the property located on top of the existing capped landfill.

James Cerkanowicz of Verogy of West Hartford, CT addressed the Commission on behalf of the Applicant. Mr. Cerkanowicz explained that the solar array will be surface mounted only as it is not permissible to excavate into the landfill cap. He further advised that overgrown vegetation will be removed & a gravel surface will be installed over the landfill cap to place the array and that repairs will be made to the driveway leading to the site. Mr. Cerkanowicz stated the existing gravel piles located above the cap will be reused, if possible or removed.

Director Burdick stated piles of gravel were excess materials stored by DPW. She further advised that commencement of construction will be coordinated with DPW Director John Carlson and no work will be done that may disrupt the Transfer Station operation when its open.

Commissioner Kobyluck asked if the existing gravel on the cap would be used to fix the driveway leading to the site. Mr. Cerkanowicz indicated that sample testing has been done by Weston & Sampson and it appears some of the material is acceptable for use.

Commissioner Desjardins asked the total acreage of the project. Director Burdick stated the lease area is 2.4 acres.

Commissioners Longton and Kobyluck shared concerns about the idea that the area below the array may shift and who will be responsible for any repairs. Commissioner Pike questioned the benefit to the Town, such as power to the Transfer Station, who would be responsible to decommission the array at the end of the Lease and who would be responsible to maintain the access driveway.

Director Burdick advised the Commission that the Town Council and Mayor have already entered into the Lease Agreement with Verogy and that it would have been vetted by the Town Attorney. She reminded Commissioners this application is for site plan approval to determine compliance with applicable Regulations and suggested that further research of the Lease should be able to address its concerns.

Chairperson Lundy stated the Commission could make the Motion suggested in the staff report to approve the project with conditions or it could make a Motion to postpone the application to its August meeting so additional information can be provided to address Commissioners question.

MOTION (Poole/Longton) to postpone Application #23 SITE 8 to the August 22, 2023 regular meeting. Roll call vote. All in favor (6-0-0). APPROVED.

9. New Business:

a. 23 ZC 2 – Zoning Regulation Text Amendment to Add Section 21B.1-2 (Prohibition) & 21B2.1A-B (Prohibit Retail Cannabis Establishments) – Applicant: Town of Montville Planning & Zoning Commission. *(Date of Receipt 7/25/2023 – DRD N/A – Set PH for 8/22/2023).*

Director Burdick stated this application was prepared and submitted at the requested of the Commission. She reviewed the language proposed for a text amendment to add a new section to the regulations entitled “Prohibition” and a section that would prohibit retail & hybrid cannabis establishments in Town. She stated the proposed text amendment had been reviewed by the Town Attorney, Matthew Willis. She advised that this is a formal application, and, if the Commission would like to move forward, it needs to set a public hearing and the Land Use Dept. will prepare required referrals, postings and notices.

MOTION (Desjardins/Pike) to set a public hearing for Application #23 ZC 2 – Zoning Regulation Text Amendment to Add Section 21B.1-2 (Prohibition) & 21B2.1A-B (Prohibit Retail Cannabis Establishments) for August 22, 2023. All in Favor (6-0-0). APPROVED. Public Hearing to be held on 8/22/2023.

10. Zoning Matters: ZEO Report. Interim ZEO/WEO Meredith Badalucca reviewed her July 2023 staff report with the Commission.

11. Land Use Director Report: Director Burdick provided the Commission with a project update. She advised that, following a preconstruction meeting, site work has commenced at the Oxoboxo Lofts project at 42 Pink Row. The new fishing pier Grant Agreement has been executed by the Town and the State and the Dept. is preparing to move forward towards construction. She reports she has been busy with inquiries with future developers regarding future projects. The Town has hired a consultant, Robert Santy, who has vast experience in Economic Development and will work with the Town by providing support to the Economic Development Commission and the Land Use Dept. She reports that the East Lyme conceptual proposal for an 8-30g affordable housing project on Holmes Rd within 500’ of the Montville Town line received opposition from residents and the East Lyme PZC denied the project at this stage.

12. Other Business: None.

13. Correspondence: A referral letter was received from the City of Norwich regarding the replacement of an existing golf cart/pedestrian bridge at the Norwich Golf Course. Director Burdick advised the Commission that this did not require any action. It is merely a statutory referral.

14. Executive Session: None.

15. Adjournment. MOTION (Lundy/Poole) to ADJOURN the meeting. All in favor (6-0-0). The meeting was adjourned at 7:05 p.m.

Respectfully Submitted,
Stacy L Radford
Recording Secretary