

**Montville Planning & Zoning Commission**  
**REGULAR MEETING**  
**August 22, 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, Chuck Longton, Bruce Duchesneau and John Estelle. Also Present: Director of Land Use & Development Liz Burdick and Assistant Planner/Interim Zoning Officer Meredith Badaluca
4. **Additions or Changes to the Agenda.** Director Liz Burdick requested that Old Business item 8C, 23SITE8 and New Business item 9A, C.G.S. § 8-24 Review, both related to 669 Route 163 be discussed together. They will require separate actions by the Commission, but discussing both together should address its questions for both applications. All Commissioners were in favor.
5. **Minutes:** Minutes of the July 25, 2023 Meeting. **MOTION: (Pike/Poole) to APPROVE the minutes of the July 25, 2023 regular meeting. All in favor (6-0-2). APPROVED.**
6. **Remarks from the public not relating to items on the agenda.** None.
7. **Public Hearings/Applications:**

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

Chairperson Lundy opened the Public Hearing at 6:03 p.m. Director of Land Use & Development, Liz Burdick read the Public Hearing Exhibits 1-10 into the record. She summarized her staff report and included that all the legal requirements for the Application had been met.

Director Burdick advised that the purpose of this Application was to draft wording to add a new section to our Regulations to be 21B.1-2 (Prohibition) and Section 21B2.1A-B (Prohibit Retail Cannabis Establishments) and read the language of both into the record. She advised that this language was reviewed by the Town Attorney and by the Commission at its last meeting, prior to being set for a Public Hearing. Director Burdick reminded the Commission that there is currently a Moratorium that will still be in place on other establishments until November. She read her staff report into the record and indicated that she did not have a recommendation at this time pending the close of the public hearing and discussion on the application.

Chairperson Lundy called three times for comments from the Public in favor of the Application.

Attorney Harry Heller of 736 Route 32, Uncasville, CT spoke and indicated that he was neither in favor or opposed to the amendment, but wanted to clarify the discussion which was made at the June meeting whereas at that time, the Commission was discussing prohibiting all cannabis facilities; including growth and cultivating facilities and there was discussion about the economic growth and benefits to the Town, including taxes.

Chairperson Lundy asked three times for comments from the Public opposed to the Application.

There were none.

**MOTION (Poole/Longton) to close the public hearing at 6:13 p.m. All in favor (8-0-0). APPROVED.**

**b. Discussion & Decision: 23 ZC 2 – Zoning Regulation Text Amendment to Add Section 21B.1-2 (Prohibition) and Section 21B2.1A-B (Prohibit Retail Cannabis Establishments)** - Applicant: Town of Montville Planning & Zoning Commission. *(Date of Receipt 7/25/23 – DRD N/A).*

Following the close of the public hearing, Commission discussion was held.

Director Burdick advised the Commission that, to date, she has no knowledge of any applications submitted to the Department of Consumer Protection for retailer licenses in the Town of Montville. She opined the reason for no new applications in Town is that additional retailer licenses have been issued for stores in the region since the Botanist was granted a hybrid retail license in January 2023 and there is increased availability of adult use cannabis.

Chairperson Lundy discussed that taxes that are being collected by the Town for sale of adult-use cannabis in Montville and outlined and how the funds can be utilized. Director Burdick added that from January to June 2023, the Town has collected or has billed The Botanist \$130,931. Commissioner Pike advised that earlier in the year, the Town earmarked to the Board of Education \$200,000 of the monies collected for Project Courage. Chairperson Lundy advised that Old Lyme is the only other Town in the Region that she is aware of that has put a prohibition in place so if the Commission voted in favor of this amendment, the Town would become one of the few to do so.

Commissioner Wills Pike said he thought the town was fine with one retailer, but he said he liked the idea of another marijuana business, like a grower or manufacturer, that would bring in revenue for the town. Commissioner John Desjardins said a manufacturer would have a lot of equipment that would be subject to property tax, which would benefit the town. Commissioner Poole stated the discussion of collection and expenditure of monies shouldn't factor into the decision to approve the application in that the purpose of the proposed amendment is if the Commissions wanted to allow more establishments, not how the money the Town collects from the taxes it generates is spent.

Commissioner Chuck Longton stated the point of the moratorium was for careful consideration of a complex issue and to take time in writing regulations, which might include banning additional marijuana retailers. Longton urged the Commission to reject a ban, and to return to discussions regarding regulating establishments while the moratorium is in place. He stated that the Commission may well vote to say no, but at least then we'll have had the benefit of the time and the knowledge that we gained looking at all the details.

Director Burdick stated there was suggested Motion to Approve in her staff report and reminded the Commission that any Motion to Deny would need to be followed by reasons.

**MOTION (Poole/no second) to APPROVE Application 23ZC2 to add New Section 21B.1-2 “PROHIBITION” and New Section 21B.2.1. A-B “Prohibit Retail Cannabis Establishments”, with an Effective date of August 28, 2023. Motion FAILED.**

**MOTION (Longton/Desjardins) to DENY Application 23ZC2 to add New Section 21B.1-2 – “PROHIBITION” and New Section 21B.2.1. A-B – “Prohibit Retail Cannabis**

**Establishments” for the following reasons: The Commission has not yet reviewed the pros and cons that are necessary to make such a decision.**

Commissioner Pike asked who would be responsible to getting together action items and the Commission will go review them. Director Burdick advised that she would send out her previously drafted regulations to all Commissioners and would the review to the agenda of the September 26, 2023 regular meeting.

**Roll call vote (6-1-1). In Favor: Kobyluck, Desjardins, Lundy, Pike, Estelle, Longton. Opposed: Poole. Abstain: Duchesneau. MOTION PASSED.**

**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 staff report, dated August 22, 2023 into the record. She stated that per the application, the project is for “Development of a 4,960SF (“Bestway”) convenience store facility with associated sale of gas and diesel motor fuel products on the westerly side of the Norwich-New London Turnpike (Connecticut Route 32) adjacent to the northerly access to Montville Commons.” She further stated that this application has received location approval from the Zoning Board of Appeals & Inland Wetlands Commission approval for regulated activities.

Attorney Harry Heller of Heller, Heller and McCoy of 732 Norwich-New London Tpke., Uncasville spoke on behalf of the Owner/Applicant Hassan/Hussain. He advised that the property is heavily encumbered by inland wetlands and is a difficult piece of property to develop and provided some background about the property. He advised that this facility would be very similar to the facility on Route 85, near the intersection of 161. There has been extensive interplay with the Land Use Department and multiple other agencies of the Town and some re-design of the site was necessary. Attorney Heller spoke in detail about the storm water discharge designed in compliance with the 100 to 200-year flood requirements. He stated the application is for site plan approval under the Zoning Regulations and it is compliant with same.

Commissioner Longton asked if a traffic study was done and Attorney Heller answered that a certified traffic study had been completed & has been submitted to the CT DOT as the project is under the jurisdiction of CT DOT for work in the State road. He stated an application for said work has been submitted to the State, but that the permit can’t be issued until after local site plan approval. Attorney Heller further indicated that re-striping in this area is required to accommodate the left hand turn into the property.

Commissioner Longton asked if the stormwater runoff will be directed off site and not into the WPCA system and Attorney Heller responded that was correct.

**MOTION (Desjardins/Longton) to APPROVE Application #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. *in that the application, supporting documents and a plan entitled “Planning & Zoning Submission, 2040 Route 32, Proposed Convenience Store/Gas Station, 2040 Route 32, Uncasville, CT, Applicant: Amer Choudrey, Prepare by Fedus Engineering, LLC, Dated February 27, 2023, revised to 07/20/2023” comply with all applicable sections of the Montville Zoning Regulations, with the following conditions:***

1. Any substantive changes to the proposed site improvements may require additional review/approval by the Montville Inland Wetlands & Watercourses Commission and/or the Director of Land Use & Development or the PZC.
2. Applicant shall meet all of the requirements of the State of CT DOT, Montville WPCA, Building Department & Office of the Fire Marshal and the Uncas Health District for required permitting and inspections prior to issuance of a Certificate of Zoning Compliance/Certificate of Occupancy.
3. The 2/22/23 SWPPP & 3/28/23 SWPPP Petroleum Addendum shall be strictly followed.
4. State of Connecticut Dept. of Transportation (CTDOT) review & approval is required for any proposed work in the CT Route 32 State Right of Way. Preliminary approval shall be submitted prior to issuance of a zoning permit to start work.
5. A suitably landscaped and screened area a minimum of 10-foot wide or a six-foot high, stockade type, wooden fence with the finished side facing the residential district to be maintained between the site and adjacent residential lot shall be installed as approved by the Director of Land Use & Development and/or the PZC prior to issuance of a Certificate of Zoning Compliance.
6. All drainage structures proposed for the project shall be constructed and maintained post construction in accordance with the application, the approved Plan Set & "Stormwater Summary" prepared by Fedus Engineering, dated July 6, 2023.
7. Installation of all drainage structures in accordance with the approved plan shall be certified in writing by Applicant's P.E. prior to issuance of a Certificate of Zoning Compliance.
8. Prior to issuance of a zoning permit to start work, a soil erosion & sediment control bond shall be posted in the amount of \$31,800 in a form acceptable to the Finance Director. No bond, or portion thereof, shall be released without prior approval of the Zoning Officer and/or Director of Land Use & Development.
9. 17.3.1 (GIS) Digital data in accordance with this section shall be submitted to the Zoning Officer prior to issuance of a zoning permit to start work.
10. There will be no propane filling stations located at the site without approval from the Fire Marshal and/or Building Official.
11. Future outside retail storage or display areas shall be located as shown on the plan.
12. All site signage shall require an approved zoning permit prior to installation. Signage locations shall be identified in the field by a Licensed Land Surveyor prior to installation.
13. Final revised plan sets, along with a digital copy of the final plan, shall be submitted to the Land Use Dept. & shall be signed and sealed with original signatures by P.E., L.S. and Soil Scientist as needed.
14. The Zoning Officer 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 in accordance with the approved plan set and inspected by the Zoning Officer prior to the start of any work.
15. A final As-Built plan, including finished grades, shall be submitted to the Zoning Officer for review and approval prior to issuance of a certificate of zoning compliance.

**Roll call vote. All in favor (8-0-0). APPROVED with conditions.**

**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 staff report, dated August 22, 2023 into the record. She stated that per the

application, the project is for “multiple warehouse/office space buildings and associated site improvements”. She further stated that this application has received approvals from the Inland Wetlands Commission for regulated activities associated with the project.

Ellen Bartlett, P.E. of Green Site Design spoke on behalf of the Applicant/Owner, Andrew Petrowski. Ms. Bartlett explained that this project is for development in phases and reviewed each Phase of the project. She stated that Phase 1A will be a 6,000 square-foot industrial building to be utilized by the property owner for his business, A&B Excavation and he will store equipment & materials inside the warehouse, as well as in a fenced outside storage area. Phase 1B proposes an about 4500 square-foot building with office and warehouse space available for rent. Phase 1C will be for two additional 20,000 square foot industrial buildings that will be developed as “flex space” to be utilized by contractors whereas they can choose the size of the area they actually want to rent. All 3 industrial buildings will have on-site septic, which Uncas Health District has granted preliminary approval, except for the office building at the front of the site that will be tied into municipal sewer on Fitch Hill Road. A water line, belonging to Norwich Public Utilities, will extend all through the property that can not only provide domestic flow and water pressure for sprinkler systems, but will be able to provide enough water pressure for sufficient fire protection for all 3 industrial buildings should they all be on fire at once. Ms. Bartlett stated that all stormwater measures will be installed as part of Phase 1A and that the project requires a State of CT DEEP “General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities” that has been submitted and is awaiting final approval. She further stated that as part of the DEEP “General Permit”, inspections shall be conducted within 24-hours for storms with a ½” of rainfall and that Green Site Design staff would be responsible for doing these inspections and maintaining the reports in the event that DEEP would like to review them.

Director Burdick explained the decision to break this application down into phases so that the Applicant could start using phase 1A while working on the additional phases.

Commissioner Kobyluck asked what type of buildings are these and Ms. Bartlett responded steel.

Commissioner Longton asked for confirmation that the water is being supplied by Norwich Public Utilities and on-site septic systems. Bartlett stated that water is being supplied by Norwich Public Utilities; that the Phase 1B front building will be tied into existing sewer in Fitch Hill Road & the on-site septic for that building will be abandoned and the that other 3 buildings will have on-site septic systems.

Commissioner Pike questioned any hazardous material storage on site & during construction and asked what the provisions are for same. Bartlett stated that a pollution prevention plan was submitted to DEEP and that there will be portable containment equipment on site to contain any spills.

Commissioner Longton asked when the project might be finished. Bartlett responded that Phase 1A might be done before winter; Phase 1B by next spring and depending on how many people are looking, the owner may the Phase 2 buildings right away.

Commissioner Longton asked how material will be being delivered to the site and Bartlett confirmed it would be from Route 32 to Fitch Hill Road to the site. Additionally, Commissioner Longton asked if the trucks will be able to make the turn into the site and Bartlett responded they would be able to do so. Director Burdick added that a traffic study and truck turning radius drawing was submitted by the Applicant and reviewed by the Town Engineer.

**MOTION (Desjardins/Longton) to MOTION to APPROVE Application PZ #23 SITE 7 – 69**

Fitch Hill Road (Parcel ID 062-036-000), Uncasville, CT – Applicant/Owner: Andrew Petrowski for new Phase IA, IB, II & III for multiple warehouse/office spaces and associated site improvements *in that the application, supporting documents, Elevation and Floor plans entitled “Office Floor Plan”, Sheet A101, Dated 7-19-23”; “Elevation Plan”, Sheet A103, Dated 6/12/23; “Floor Plan 60 x 100”, Sheet A-101, Dated 7/17/23, “Elevation Plan” 60 x 100, Sheet A-100, Dated 6/12/23; “Floor Plan 80 x 248”, Sheet A-101, Dated 7/19/23; & “Elevation Plan 80 x 248, Sheet A-103, Dated 6/16/23 and a plan entitled “A & B Excavation, 69 Fitch Hill Road & Leffingwell Road, Uncasville, CT, Prepared by Green Site Design, Dated February 15, 2023, Revised to July 25, 2023* comply with all applicable sections of the Montville Zoning Regulations, *with the following conditions:*

1. Applicant shall meet all of the requirements of the State of CT DEEP, Norwich Public Utilities, Montville Building Department, Office of the Fire Marshal & Public Works Department and the Uncas Health District for required permitting and inspections prior to issuance of a certificate of zoning compliance.
2. Temporary crushing to recycle existing concrete or other materials to utilize on-site as construction material requires a separate 30-day zoning permit and will be allowed Monday through Friday from 8am to 5 pm and shall be prohibited on holidays.
3. No processing or storage of construction materials shall be permitted except as shown on the approved plan or without the issuance of a zoning permit.
4. An approved Zoning Permit for each construction Phase is required prior to the start of any work. Proposed uses of the site shall not be commenced until such time as a Certificate of Zoning Compliance & Certificate of Occupancy have been issued for each proposed Phase as shown on the approved plan set. Upon completion of each Phase, an As-Built is required prior to issuance of a Certificate of Zoning Compliance.
5. All drainage structures proposed for the project shall be constructed and maintained post construction in accordance with the approved Plan Set & “Drainage Calculations, Hydraulics & Hydrology Report” dated April 2023, revised to July 31, 2023.
6. Installation of all drainage structures in accordance with the approved plan shall be certified by Applicant’s P.E. prior to issuance of a certificate of zoning compliance.
7. Prior to issuance of a zoning permit to start work, a soil erosion & sediment control bond shall be posted in the amount of \$88,495 in a form acceptable to the Finance Director. No bond, or portion thereof, shall be released without prior approval of the Director of Land Use & Development and/or the Planning & Zoning Commission.
8. Prior to issuance of zoning permit to start any work, evidence of approval of State of CT DEEP “General Permit for the Discharge of Stormwater and Dewatering Wastewaters from Construction Activities” shall be submitted to the Zoning Officer.
9. Final revised plan sets, along with a digital copy of the final plan, shall be submitted to the Land Use Dept. & shall be signed and sealed with original signatures by P.E., L.S. and Soil Scientist as needed.
10. The Zoning Officer 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 in accordance with the approved plan set and inspected by the Zoning Officer prior to the start of any work.
11. After work has commenced, any substantive changes to the approved site plan require review and approval by the Land Use Director and/or the Planning & Zoning Commission.
12. A final As-Built plan, including finished grades, shall be submitted to the Zoning Officer for review and approval prior to issuance of a certificate of zoning compliance.

Roll call vote. All in favor (8-0-0). APPROVED with conditions.

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).*

Discussion for both agenda item Old Business, Item “c” for #23SITE8 and New Business Item “a” for the C.G.S. 8-24 Review for the solar project was held simultaneously, but each application should be voted on separately.

Director of Land Use & Development, Liz Burdick addressed the Commission regarding the site plan, stating that the Applicant has been working with Town staff to address all outstanding comments. She stated that at the last meeting there were questions such as who is the responsible party for repairs to the capped landfill if needed as a result of the work & the lease of the site for the project and it was determined that the requirement for an 8-24 Review by the Commission had inadvertently been overlooked. She stated that she conferred with the Town Attorney, Matt Willis and he recommended an “after the fact” review that was added to this meeting agenda.

Director Burdick read her staff report, dated 8/22/2023 for the 8-24 Review into the record and stated that she would like to save her recommendation until the end as she had asked the Applicant to bring their Engineer to possibly assist in providing answers to questions that may still exist from the last meeting.

James Cerkanowicz, Manager of Permitting for Verogy, addressed the Commission along with t Brad Parsons, Verogy Director of Design & Permitting and Robert Bukowski, P.E. of Weston & Sampson. Mr. Cerkanowicz advised that this is an application for the development of a 600 KW AC ground mounted solar array to be mounted on top of the capped Landfill and that no part of the array will be embedded into the cap, but merely resting on top of it.

Commissioner Longton asked who would be responsible for maintaining the roadway up to the top of the landfill and James Cerkanowicz responded that they would be responsible because once the system is up and running it is our responsibility to maintain access to keep the system operational. Secondly, Commissioner Longton asked if there was a failure to the cap, and it was proved to be because of this installation, would Verogy be responsible for the repair. James Cerkanowicz said that they are responsible, per the Lease, to make sure that the area is brought back to its previous condition. He also stated that there are provisions in the Lease that indemnify the Town from responsibility.

Commissioner Pike inquired about the reason for not utilizing the utility pole to the North of the exit. Mr. Cerkanowicz replied that due to the angle of the roadway and how the array has to tap to the grid, it would potentially interfere with the requirements of Eversource. Commissioner Pike also asked for further confirmation as to who is responsible if the cap to the landfill fails. Brad Parsons spoke about the part of the Lease which refers to the fact that if the Tenant causes such damage, the Landlord can notify Tenant of a default and if the Tenant fails to comply with making the necessary repairs, the Landlord can make such repairs and the Tenant will be responsible for the repayment of such repairs, as well as reasonable attorney’s fees incurred.

Following discussion, Director Burdick recommended a favorable report for the reasons in her recommended Motion for a favorable report. advised that she suggests a favorable report and believes that this is a good project for the Town.

Director Burdick advised the Commission that she would be adding to her suggested Motion that the Applicant must meet all of the conditions of the State of Connecticut DEEP, the Montville Building Department, Office of the Fire Marshal and the Department of Public Works before any

issuance of a Certificate of Zoning Compliance. And that all work must be coordinated with the Director of Public Works.

**MOTION (Desjardins/Poole) to APPROVE Application #23 SITE 8 – 669 Route 163 (Parcel ID 038-056-000), Oakdale, CT –Applicant: VCP Montville LF, LLC, Owner: Town of Montville, for a 600kw AC ground mounted solar array and associated site improvements *in that the application, supporting documents and a plan* entitled “Town of Montville Landfill Solar PV Development, 669 Route 163, Montville, CT, Prepared by Weston & Sampson Engineers, Inc., Dated June 6, 2023, Revised to 8/4/23”, comply with all applicable sections of the Montville Zoning Regulations, *with the following conditions:***

1. Final plan Cover Sheet shall be revised to show “Proposed Solar *Photovoltaic* (PV) Development, Town of Montville Landfill, 669 Route 163, Oakdale, CT.”
2. Final plan shall be revised to comply with outstanding comments of the Asst. Town Planner, dated 8/22/23.
3. Erosion and Sediment Controls & Post Construction Maintenance of Vegetation shall be monitored by Weston & Sampson, or other third party, engineers.
4. Prior to issuance of a zoning permit to start work, a soil erosion & sediment control bond shall be posted by the Applicant in the amount of \$26,500 in a form acceptable to the Finance Director.
5. Final revised plan sets, along with a digital copy of the final plan, shall be submitted to the Land Use Dept. & shall be signed and sealed with original signatures by P.E., LS & Soil Scientist as required.
6. 17.3.1 (GIS) Digital data in accordance with this section shall be submitted to the Zoning Officer prior to issuance of a zoning permit to start work.
7. An approved Zoning Permit is required prior to the start of any work.
8. The Zoning Officer 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 in accordance with the approved plan set and inspected by the Zoning Officer prior to the start of any work.
9. After work has commenced, any substantive changes to the approved site plan require review and approval by the Land Use Director and/or the Planning & Zoning Commission.
10. A final As-Built plan, including finished grades, shall be submitted to the Zoning Officer for review and approval prior to issuance of a certificate of zoning compliance.
11. Applicant shall meet all of the requirements of the State of CT DOT and DEEP, Montville WPCA, Building Department & Office of the Fire Marshal and the Uncas Health District for required permitting and inspections prior to issuance of a Certificate of Zoning Compliance/Certificate of Occupancy.
12. All work will be approved by and coordinated with the Montville Department of Public Works.

Roll call vote. All in favor (8-0-0). APPROVED with Conditions.

9. **New Business:**

- a. C.G.S. § 8-24 Review – 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.

Discussion was held with Old Business Item 8.c. See above.



**MOTION (Desjardins/Estelle) to forward a FAVORABLE REPORT in accordance with C.G.S. § 8-24 to the Town Council for the lease of Town property at 669 Route 163 (Parcel ID 038-056-000) Oakdale, CT (Transfer Station/Capped Landfill Site) for development of a solar array on the existing capped landfill as shown on a plan entitled “Town of Montville Landfill Solar PV Development, 669 Route 163, Montville, CT, Prepared by Weston & Sampson Engineers, Inc., Dated June 6, 2023, Revised to 8/4/23” in that the project provides a financial benefit to the Town of Montville, that the project is an adaptive reuse of an existing capped landfill that will be maintained by the Lessee and that alternative energy sources, such as solar arrays, are sustainable practices encouraged in the Plan of Conservation & Development. Roll call vote. All in favor (8-0-0). Motion PASSED to forward a favorable report.**

**b. 23 SUB 1 – 958 Route 163 (Parcel ID 046-008-000), Oakdale, CT – Owner/Applicant: The Nevar Company / Dean Fiske for a proposed 2-lot sub-division. (Submitted 7/26/23, Date of Receipt 8/22/23, DRD 10/25/23).**

Director Burdick stated the Applicant originally submitted the project as a subdivision, but that it was determined by staff and the Applicant’s attorney that it is a resubdivision that requires a public hearing. She requested the Commission set a public hearing at its next regular meeting.

**MOTION (Pike/Desjardins) to POSTPONE the application and set a public hearing for Application #23 SUB 1 – 958 Route 163 (Parcel ID 046-008-000), Oakdale, CT – Owner/Applicant: The Nevar Company/Dean Fiske for a proposed 2-lot sub-division on September 26, 2023. All in Favor (8-0-0). APPROVED. Public Hearing to be held on 9/26/2023.**

**c. 23 SUB 2 – Old Colchester Road (Parcel ID 037-006-000), Oakdale, CT – Owner/Applicant: Watch Hill Builders, LLC for a proposed 6-lot sub-division. (Submitted 8/4/23, Date of Receipt 8/22/23, DRD 10/25/23).**

Director Burdick staff needs additional time to review & comment and recommended the application be postponed.

**MOTION (Desjardins/Longton) to POSTPONE Application #23 SUB 2 to the 9/26/2023 meeting. All in Favor (8-0-0). APPROVED.**

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

**11. Land Use Director Report:** Director Burdick advised the Commission she has been busy with many development projects, including current and possible future projects and that the Town contracted with SECOG for assistance with drafting new zoning regulations for signs.

**12. Other Business:** None.

**13. Correspondence:** None.

**14. Executive Session:** None.

**15. Adjournment. MOTION (Desjardins/Longton) to ADJOURN the meeting. All in favor (8-0-0). The meeting was adjourned at 8:00 p.m.**

Respectfully Submitted,  
*Stacy L Radford*  
Recording Secretary