

**TOWN OF MONTVILLE**  
**OFFICE OF THE ASSISTANT PLANNER**  
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**MEMORANDUM FOR THE RECORD**

January 23, 2024 PZC Meeting

Prepared by *Meredith Badalauca*, Asst. Planner on 1/5/2024

**Application:** PZ #23ZC4 – Amendment to Add Section 4.11.14, Amend Sections 1.3, 5.2.7, 6.2.6, 7.2.5, 8.2.8, 9.2.6, 9B.2.4, 10.2.6, 11.2.5, 12.2.15, Delete Sections 5.3.3, 6.3.3, 7.3.3, 8.3.1, 9.3.1 and add “This section left intentionally blank.” regarding Family and Group Child Care Home and Child Care Center

**Applicant(s):** Montville Planning & Zoning Commission

**Attorney:** Matthew Willis, Esq., Halloran & Sage

**Legal:** Date of Receipt by PZC: 12/12/23. Public Hearing Scheduled for 1/23/24. Decision Required Date (DRD): N/A Commission Application.

**PROPOSAL:** Amend Zoning Regulations pursuant to Public Act No. 23-142 An Act Concerning Certain Protections for Group and Family Child Care Homes.

**STAFF COMMENTS:**

Public Act No. 23-142 became effective on October 1, 2023 and states that; No zoning regulations shall treat any family child care home or group child care home, located in a residence and licensed by the Office of Early Childhood pursuant to section 17b-733, chapter 368a, in a manner different from single or multifamily dwellings.

It further states, in part, zoning regulations shall not prohibit the operation in a residential zone of any family child care home or group child care home located in a residence or require any special zoning permit or special zoning exception for such operation.

Section 19a-77 “Child care services” defined, further defines a child care center, group child care home and family child care home which our definition references. It defines a “child care center” as follows: A “child care center” which offers or provides a program of supplementary care to more than twelve related or unrelated children outside their own home on a regular basis.

PA 23-142 provides that no later than December 1, 2023, and annually thereafter, each municipality shall submit to the Office of Policy and Management a sworn statement from the chief executive officer of the municipality stating that the municipality’s zoning regulations are in compliance, or the specific timeframe within which the municipality will bring its zoning ordinances into compliance.

On November 14, 2023, Mayor Bunnell provided said letter stating the Town of Montville's zoning ordinances and regulations are not in compliance and he anticipates that they will be brought into compliance with these requirements by April 1, 2024.

The proposed text amendment has been reviewed by Town Attorney Matt Willis.

The application was referred to the Southeastern CT Council of Governments (SECCOG) on December 6, 2023 and the revised draft on December 14, 2023 as required. The application was also referred to adjacent Towns as a courtesy. No responses were received.

The application was posted in the office of the Town Clerk on December 6, 2023 and the revised draft on December 14, 2023 as required. The public hearing was noticed in The Day on January 12 & 19, 2024 as required.

**STAFF RECOMMENDATION:** Approve with an Effective Date of January 29, 2024.

The following MOTION is suggested for any favorable approval:

**“I make a MOTION to APPROVE Application 23ZC4 to Add Section 4.11.14, Amend Sections 1.3, 5.2.7, 6.2.6, 7.2.5, 8.2.8, 9.2.6, 9B.2.4, 10.2.6, 11.2.5, 12.2.15, Delete Sections 5.3.3, 6.3.3, 7.3.3, 8.3.1, 9.3.1 and add “This section left intentionally blank.” regarding Family and Group Child Care Home and Child Care Center. The Effective date of this amendment is January 29, 2024.**

Should the Commission vote to deny the application, it shall state its reasons for the record.