

**Montville Planning & Zoning Commission - REGULAR MEETING**  
**October 22, 2024 - 6:00 p.m.**  
**Town Council Chambers – Town Hall**  
**310 Norwich-New London Turnpike, Uncasville, CT 06382**

**Minutes**

1. **Call to Order.** Chairperson Lundy called the meeting to order at 6:00pm.
2. **Pledge of Allegiance.** All rose for the Pledge of Allegiance.
3. **Roll Call.** Present: Chairperson Sara Lundy, Vice Chair Wills Pike, Secretary John Desjardins, and Commissioners Lisa Terry, John Poole, and Joseph Summers. Absent: Commissioners Chuck Longton, John Estelle, and Joshua Kobyluck. Also Present: Assistant Planner Meredith Badalucca and Zoning and Wetlands Officer Stacy Radford.
4. **Additions or Changes to the Agenda.** None.
5. **Minutes:** Approval of the September 24, 2024 Regular Meeting Minutes.

**MOTION (Summers/Terry) to APPROVE the minutes of the September 24, 2024 Regular Meeting. Chairperson Lundy and Commissioner Poole abstained from voting (4-0-2). Motion APPROVED.**

6. **Remarks from the public not relating to items on the agenda.** None.
7. **Public Hearing:**

- a. **24 ZC 4 – Zoning Regulation Text Amendment to Amend Section 4.11.5.2 -**  
Applicant: 1758 Rte 32, LLC c/o Corey Grossman, Agent: George Andrews. *(Date of Receipt 9/23/2024 – DRD 65 days from close PH – PH to open 10/22/2024)*

**MOTION(Summers/Pike) to OPEN the Public Hearing. All in favor (6-0-0). Public Hearing opened at 6:02pm.**

Assistant Planner Badalucca gave highlights from her staff report to explain to the Commission the purpose of the proposed text amendment.

Commissioner Poole inquired what the benefit of the text amendment would be for the Town. Assistant Planner Badalucca explained that it would give developers the flexibility to develop the parcels that are still vacant.

Commissioner Pike inquired about the potential for less curb appeal if the buildings are no longer required to face the road. Assistant Planner Badalucca gave examples throughout the Town to explain how the amendment would benefit the town. He further inquired for clarification of surrounding town regulations. Assistant Planner Badalucca stated no surrounding towns address the issue at all.

Commissioner Summers made a comment regarding the current language of the regulation creates an issue of non-conformity for many multi-family homes already built.

The applicant's representative, George Andrews of Loureiro Engineering Associates, Inc, spoke on the application. He stated the applicant came in with a conceptual plan and came across the issue of ZR Section 4.11.5.2. Mr. Andrews explained that suitable lots to build on are becoming less available. He stated the amendment of the regulation would open more opportunity for the town to bring in development, and better opportunities for the developers as well. He explained that courtyard style developments are becoming more popular, and the text change would allow for that style within Montville.

Commissioner Summers asked Mr. Andrews if the applicant had any issues with Assistant Planner Badalucca's suggested amendment to the changes the applicant had requested. Mr.

Andrews stated they agree the additional change opens more opportunities and they have no issues with the change.

Commissioner Pike inquired where the courtyard style developments are becoming more popular. Mr. Andrews gave examples of courtyard style developments in West Hartford, multiple in Fairfield, and Groton. Commissioner Pike also asked if they are popular for the aesthetic or if there was a purpose. Mr. Andrews stated the courtyard gives people more of a sense of community.

Chairperson Lundy call for public comment in favor of the application.

Mayor Leonard Bunnell of 5 Little John Drive stated he was in favor of the text amendment. He stated he has seen multiple properties that do not adhere to the regulation as it is now, and he believes the change will bring more development to town and eliminate obstacles for developers.

Assistant Planner Badalucca read into the record a letter from Attorney Harry Heller dated October 21, 2024 showing his support of the text amendment as well as his suggestion for the Commission to include the R-20 zone in a future amendment.

Chairperson Lundy called for public comment against the application with no response.

Chairperson Lundy called for public comment in favor of the application for the second time with no response.

Chairperson Lundy called for public comment against the application for the second time with no response.

Chairperson Lundy called for public comments in favor of the application for the final time with no response.

Chairperson Lundy called for public comment against the application for the final time with no response.

**MOTION (Poole/Summers) to CLOSE the Public Hearing. All in favor (6-0-0). Public Hearing CLOSED at 6:35pm.**

- b. **Discussion & Decision: 24 ZC 4 – Zoning Regulation Text Amendment to Amend Section 4.11.5.2** - Applicant: 1758 Rte 32, LLC c/o Corey Grossman, Agent: George Andrews. *(Date of Receipt 9/23/2024 – DRD 65 days from close PH – PH to open 10/22/2024)*

**MOTION (Poole/Summers) to AMEND and APPROVE Application 24ZC4 to Amend Zoning Regulation Section 4.11.5.2 to state: Buildings shall be so grouped that each façade shall face its full dimension upon a street, unless the subject parcel or parcels included in the development are located within the R-20-M zone or the Route 32 Overlay Zone. The effective date of this amendment is October 28, 2024. The proposal is consistent with the Plan of Conservation & Development and the Comprehensive Plan in that the amendments encourage housing investment areas and diverse housing. Roll Call Vote. All in favor (6-0-0). Motion passed.**

8. **Old Business:** None.

9. **New Business:**

- a. **24 SITE 7 – 480 Route 32 (074-002-000)** – Owner/Applicant: KDS Realty, LLC, Principal: Sudesh Kumar for proposed veterinarian office with building addition and 3 apartment units on the 2<sup>nd</sup> & 3<sup>rd</sup> floors. *(Submitted 10/8/24, Date of Receipt 10/22/24, DRD 12/26/24)*

Assistant Planner Badalucca gave highlights from her staff report and went through the rationale of the proposed conditions of approval.

The applicant's engineer, David McKay of Boundaries, LLC, spoke on behalf of the applicant. He explained what the proposed changes would be from the existing conditions. Mr. McKay stated there would be minimal changes to the site plan including no changes to the curb cut, parking modifications to comply with ADA requirements, an enclosure for the dumpster, an addition to connect the main building to the back building and replacement of the existing sign. He explained there would be no increase in impervious surface or stormwater runoff. He also stated the property has had previous use of commercial, medical, and multi-family which aligns with the proposed project. Mr. McKay asked the Commission to determine applicability of zoning regulation 17.4.15. He stated the drainage system is already in place and reiterated there would be no changes to stormwater runoff.

Commissioner Poole inquired if there would be a pet receiving area. Mr. McKay stated yes, in the area of the main entrance. Commissioner Poole also asked if there was an expected number of people that would be allowed in at one time. Mr. McKay stated the plan shows 5-6 chairs in the waiting area. Commissioner Poole inquired why the ADA parking spots are the furthest away from the front entrance. Mr. McKay stated the ADA entrance is located at the back of the building, and their pets would be able to be received there as well.

Commissioner Pike inquired of the requirements of the proposed kennels. Mr. McKay stated he did not have any specific information. Assistant Planner Badalucca stated it was her understanding that municipal kennels and commercial kennels have different requirements.

**MOTION (Poole/Desjardins) to APPROVE Applications 24 SITE7 with conditions.**

Chairperson Lundy requested Commissioner Poole withdraw his motion to approve the application to first vote on the applicability of ZR Section 17.4.15. Commissioner Poole withdrew his motion.

**MOTION (Lundy/Desjardins) to find ZR Section 17.4.15 NOT APPLICABLE. All in favor (6-0-0). Motion passed.**

**MOTION (Poole/Desjardins) to APPROVE with conditions, Application 24 SITE 7 for a veterinarian office with building addition and three apartment units on the second and third floors at 480 Route 32 (074-002-000) in accordance with the Montville Zoning Regulations and the application, supporting documentation and a plan set entitled "Site Development Plan, Prepared for KDS Realty, LLC, 480 Route 32 – Montville, Connecticut, Dated October 2024, Prepared by Boundaries, LLC".**

**CONDITIONS:**

**General Conditions:**

- 1. This approval is for the specific use, site and structure(s) identified in the application. Any change in the nature of use, site or the structure will require new approvals from the Planning and Zoning Commission.**
- 2. This project shall be constructed and maintained in accordance with the referenced plans.**
- 3. 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.**
- 4. An approved Zoning Permit is required prior to the start of any work.**

5. By acceptance of this permit and conditions, the applicant and owner acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.
6. No business/use under this permit/approval shall be initiated until a Certificate of Zoning Compliance is approved by the Zoning Officer.

**Site Specific Conditions:**

7. All drainage structures shall be maintained post construction in accordance with the approved Plan Set.
8. All landscaping shall be maintained post construction.
9. Site signage not shown on plan shall require an approved zoning permit prior to installation.

**Conditions to be met prior to signing of plans:**

10. Plans shall be revised as follows:
  - Show/note installation of hood on the last catch basin discharge per CLA comment letter dated October 21, 2024.
  - Sheet 3, Narrative last paragraph, please revise to include. "Construction is scheduled to start upon issuance of zoning permit for site plan approval and will require approximately 2 to 3 months to complete. No business/use under this permit/approval shall be initiated until a Certificate of Zoning Compliance is approved by the Zoning Officer."
  - Sheet 3, Operation & Maintenance of Erosion Controls, first paragraph, please revise to include: "No construction shall proceed until proper sedimentation and erosion control methods have been installed and approved by the Zoning Officer as the sequence of construction necessitates."
11. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
12. The applicant shall also submit final plans as approved by the Commission in a digital format per ZR section 17.3.
13. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
14. A list outlining all changes to the plans shall be submitted along with final plans submitted for signature. The list should cite the sheet number where each change has been made.

**Conditions to be met prior to the issuance of zoning permits:**

15. Four (4) sets of paper plans with any required revisions incorporated, shall be submitted to the Land Use Department for signature of the Commission.
16. Any required certificates and/or approvals from State or Federal agencies (i.e. CT-DOT, DEEP, Army Corps of Engineers) shall be obtained by the applicant and submitted to the Land Use & Development Office. Any changes to the plans required by such entities may require a plan modification from the Planning and Zoning Commission.
17. A soil erosion & sediment control and Site Restoration bond shall be posted in the

**amount of \$9,800.00 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.**

- 18. A pre-construction meeting between the applicant, site contractors, project engineer and Town Staff shall be held.**

**Conditions which must be met prior to Issuance of a Certificate of Zoning Compliance:**

- 19. Complete as-built plans certified to Class A-2 accuracy shall be submitted prior to the issuance of any certificate of zoning compliance. The as-built plan shall also contain a certification by a Professional Engineer that they have inspected the site improvements and that they have been installed in accordance with the approved plans. Any deviations or omissions must be noted.**
- 20. No Certificate of Occupancy or other final approval may be issued until the Zoning Officer has signed off on the final work.**

**Note: The Conditions of Approval do not take the place of other requirements found in the Town Codes, Regulations, and Application Instructions.**

**Chairperson Lundy called for a Roll Call vote to approve the motion. All in favor (6-0-0).  
MOTION APPROVED.**

- b. C.G.S. § 8-24 Review for the construction of an equipment storage garage on the property located at 176 Meeting House Ln (046-069-000).**

Assistant Planner Badalucca gave highlights from her staff report and reminded the Commission of the purpose of an 8-24 Review.

**MOTION (Poole/Desjardins) to forward a Favorable Report in accordance with C.G.S. § 8-24 to the Town Council for the construction of an equipment storage building to be utilized by Public Works for the maintenance of the Camp Oakdale Facility at 176 Meetinghouse Lane, Oakdale, CT as described above and, in the letter, dated October 10, 2024 prepared by the Public Works Director, John Carlson, and as shown on the plan titled “Plan Prepared for: Town of Montville, Connecticut, Camp Oakdale Public Works Equipment Storage Garage, 176 Meeting House Lane, Site Plan, Prepared by CLA Engineers, Inc., Dated 9/30/2024, Revised 10/7/2024.”. This project will benefit the Town of Montville by continuing to be able to properly maintain our recreational area and trails at this facility. All in favor (6-0-0). FAVORABLE REPORT to be issued.**

- c. 24 SITE 8 – 176 Meeting House Ln (046-069-000) – Owner: Town of Montville (Camp Oakdale), Applicant: Town of Montville (Public Works) for proposed public works equipment storage garage. (Submitted 10/8/24, Date of Receipt 10/22/24, DRD 12/26/24)**

Darren Hayward, of CLA Engineers, spoke on behalf of the applicant. He stated that the application is for a garage meant for storage of equipment that is currently being left outside. He explained the purpose of the location of the proposed garage in regards to the topography, ledge, and entrance to the property. Mr. Hayward stated no wetlands, floodplains, or public water supply areas within the property surrounding the proposed project. He also stated no parking or restrooms would be required due to no public access.

Commissioner Pike inquired if the garage would be built on a foundation or a slab. John Carlson, Director of Public Works, stated the project will be put out to bid both ways and the best option will be chosen.

Commissioner Poole inquired if there would be any affect to the current operations on the property. Public Works Director Carlson stated there would be no affect.

Commissioner Summers asked for clarification for if the garage would be strictly for storage and not maintenance. Public Works Director Carlson explained this project is just for storage as there is equipment currently being stored outside that has potential to be damaged or vandalized. He also stated there is another building on the property that is currently being used for maintenance.

Chairperson Lundy read into the record the zoning regulations that the applicant is asking the Commission to determine applicability for as well as the reasons explained in the staff report. These sections include: 17.4.3, 17.4.7, 17.4.6, 17.4.8, 17.4.13, 17.4.14, 17.4.17, 17.4.20, 17.4.22, 17.4.23, and 17.4.25.

**MOTION (Summers/Terry) to find ZR Sections 17.4.3, 17.4.7, 17.4.6, 17.4.8, 17.4.13, 17.4.14, 17.4.17, 17.4.20, 17.4.22, 17.4.23, and 17.4.25 NOT APPLICABLE. All in favor (6-0-0). Motion passed.**

- d. **24 SUB 3 – 958 Route 163 (046-008-000)** – Owner: TA CT Holdings, LLC,  
Applicant: The Nevar Company/Dean Fiske for proposed 1-Lot resubdivision.  
(Submitted 10/9/24, Date of Receipt 10/22/24) **(RECEIPT ONLY)**

Chairperson Lundy stated staff received a withdrawal letter for the application dated October 21, 2024, the applicant plans to resubmit, but there was no action required by the Commission.

**10. Zoning Matters:**

ZEO Report was read into the record by Zoning and Wetlands Officer Radford. Commissioner Poole inquired about a complaint that has been ongoing. Zoning and Wetlands Officer Radford advised that she would reach out to the parties involved. Commissioner Pike inquired about the need for a zoning permit for a compressor. Zoning and Wetlands Officer Radford explained the need for it. Commissioner Terry asked for further clarification. Zoning and Wetlands Officer Radford clarified the situation and need for the permit.

**11. Land Use Director Report.** None.

**12. Other Business:** None.

**13. Correspondence:**

- a. CGS § 8-7d(h) Referral dated October 1, 2024 regarding Town of Preston Zoning Regulation Amendment for title of farm wineries.

Assistant Planner Badalucca stated this referral was received as a statutory requirement and no action was required.

**14. Executive Session:** None.

**15. Adjournment.**

**MOTION (Desjardins/Terry) to ADJOURN the meeting. All in favor (6-0-0). Meeting ADJOURNED at 7:38pm.**

**No new business will be discussed after 10:30 P.M. and all business will cease at 11:00 P.M. Any unfinished business will be continued until the next meeting. Said notice shall appear on all meeting agendas.**

Respectfully Submitted by:  
Megan Egbert  
Recording Secretary

**AN AUDIO RECORDING OF THE MEETING IS AVAILABLE ON THE TOWN WEBSITE.**