

Montville Planning & Zoning Commission
REGULAR MEETING
January 28, 2025 - 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 Chuck Longton, Lisa Terry, John Estelle, and Joseph Summers. Absent: Commissioners John Poole 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 November 12, 2024 Regular Meeting Minutes.

Chairperson Lundy noted the scrivener's error and explained the minutes to be approved were from the December 10, 2024 Regular Meeting.

MOTION (Longton/Summers) to APPROVE the minutes from the December 10, 2024 Regular Meeting. Commissioner Estelle abstained from voting (6-0-1). Motion APPROVED.

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

- a. **Discussion and Decision: 24 SUB 4 – 958 Route 163 (046-008-000)** – Owner: TA CT Holdings, LLC, Applicant: The Nevar Company/Dean Fiske for proposed 1-Lot resubdivision. *(Date of Receipt 11/12/24 – PH closed 12/10/24 – DRD 2/13/25)*

Assistant Planner Badalucca clarified the concerns that had been brought up during the Public Hearing of the application. She explained how the Zoning and Subdivision Regulations that were referenced during the Public Hearing were either already addressed on the plan, or how they could be made to be a condition of approval should the Commission decide. Assistant Planner Badalucca also clarified that some of the request for changes to the plans or additional easements could not be made a requirement of the application and gave the reasons.

Commissioner Desjardins inquired if all concerns from the Public Hearing had been addressed. Assistant Planner Badalucca stated they had all been addressed to the extent possible since the public hearing had been closed.

Commissioner Pike inquired about the strip of land connecting the front and back sections of proposed lot 1. Assistant Planner Badalucca stated the strip is 20 feet wide, as indicated on the plan, not 25 feet wide as was mentioned during the public hearing. Commissioner Pike further inquired about the drainage issue that had been mentioned. Assistant Planner Badalucca explained there is no current easement, and since the issue is pre-existing an easement cannot be a requirement of approval of the application.

MOTION (Longton/Summers) to APPROVE with conditions, Application 24 SUB 4 for 2 lot re-subdivision of 958 Route 163 Parcel ID: 046-008-000 in that the application,

supporting documents and a plan set entitled “Proposed 1-Lot Resubdivision of 958 Route 163 (Parcel ID: 046-008-000), Oakdale, CT, Prepared for The Nevar Company, Prepared by Solli Engineering, Dated September 30, 2024, Revised 11/17/24” comply with all applicable sections of the Montville Zoning Regulations and Subdivision Regulations.

CONDITIONS:

Conditions prior to endorsement of final plans:

1. Warranty Deeds for Lot 1 and Lot 2 shall be submitted to the Land Use Department for review and approval.
2. A Certificate of Title and statement that there are no prior encumbrances for the Grading Easement, Planting and Maintenance Easement and Sight-Line Easement as to 958 Route 163 shall be provided for review and approval by the Town Attorney.
3. Planting and Maintenance Easement and Sight-Line Easement shall be revised per the Town Attorney’s comments dated December 10, 2024. Revised documents shall be reviewed and approved by the Town Attorney.
4. Plans shall be revised to show location of well and septic on adjacent lots if information is available from public records.
5. Licensed Land Surveyor (LS) shall certify proposed iron pins and monuments as set prior to endorsement of final plans.
6. The existing foundation/concrete slab on Lot 1 shall be removed and disposed of as shown on Sheet 1.12 and Sheet 2.11.
7. Per SR Section 3.9 (GIS): Digital Data shall be provided to the Land Use Department prior to endorsement of the final subdivision plan.
8. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.

General conditions:

9. Approved Warranty Deeds, Grading Easement, Planting and Maintenance Easement and Sight-Line Easement shall be filed on the Land Records with the final endorsed mylars.
10. Three (3) sets of paper plans along with mylars that include any required revisions incorporated, shall be submitted to the Land Use Department for signature of the Commission.
11. 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.

Roll Call Vote. Commissioner Desjardins voted in opposition (6-1-0). Motion APPROVED.

- b. **24 SITE 12 – 25 Church Ln (095-001-000)** – Owner/Applicant: MTIC Acquisitions, LLC for a change of use from residential to commercial. *(Submitted 11/22/24 – Date of Receipt 12/10/24 – DRD 2/13/25)*

Linda Acampora, Attorney for MTIC Acquisitions, gave an overview of the proposed change of

use. She explained the Mohegan Tribe wants to change the property from a single-family residence to a commercial use as office and classroom space for their Language Department. She also stated the site improvements to be done were minimal, including adding a handicap accessible ramp, additional lighting, an emergency walkway, and widening the parking area with dustless surface.

MOTION (Summers/Longton) to APPROVE with conditions, Application 24 SITE 12 for a change of use from residential to business/professional office at 25 Church Lane (095-003-001) in accordance with the Montville Zoning Regulations and the application, supporting documentation and a plan set entitled “Site Plan Prepared for The Mohegan Tribe of Indians of Connecticut, Showing Property of MTIC Acquisitions, LLC, 25 Church Lane, Montville (Uncasville) CT, Prepared by The Mohegan Tribe, Steven R. Marien, LS, Dated 11/18/24, Revised 1/17/25”.

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. An approved Zoning Permit is required prior to the start of any work.
4. 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.
5. 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:

6. All drainage structures shall be maintained post construction in accordance with the approved Plan Set.
7. All landscaping shall be maintained post construction.
8. Owner of property used for parking and/or loading shall maintain such area and all required sidewalks and buffer areas in good conditions without holes and free of all dust, trash, and other debris.
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. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
11. The applicant shall also submit final plans as approved by the Commission in a digital format per ZR section 17.3.
12. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.

13. 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:

14. Four (4) sets of paper plans with any required revisions incorporated, shall be submitted to the Land Use Department for signature of the Commission.
15. Any required certificates and/or approvals from State or Federal agencies (i.e. CT-DOT, DEEP, OSTA, 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.
16. 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:

17. 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.
18. 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.

Commissioner Longton inquired about the condition of requiring an as-built plan certified to Class A-2 accuracy. Assistant Planner Badalucca stated this is a standard class of survey.

Commissioner Terry asked for clarification of the off-site parking. Assistant Planner Badalucca stated the Zoning Regulations allow for off-street parking as long as the parking is still under the control of the owner.

Roll call vote. All in favor (7-0-0). Motion APPROVED.

9. New Business:

- a. Discussion and approval of 2025-2026 Budget

Assistant Planner Badalucca explained the rationale for the proposed budget.

Commissioner Summers stated the Commission should keep in mind that there are statutory requirements for Commissioner trainings and there are multiple options that can cost either more or less than the budget is created for.

MOTION (Terry/Longton) to increase Commission Training and Conferences 2025-2026 Budget to \$550.00. All in favor (7-0-0). Motion APPROVED.

MOTION (Desjardins/Longton) to APPROVE amended 2025-2026 Commission Budget. All in favor (7-0-0). Motion APPROVED.

- b. Formation of Sub-Committee for CIF Grant

Chairperson Lundy explained that the Sub-Committee (the Steering Committee) was briefly discussed during the December meeting. She stated Jim Butler has been brought on to manage the grant. She also explained that the Steering Committee will have a purely advisory role for the Planning and Zoning Commission.

MOTION (Lundy/Longton) To create a CIF Planning Grant Steering Committee to consist of up to 12 persons to be appointed by the Town of Montville Planning and Zoning Commission (PZC). The Steering Committee will have a purely advisory role to the PZC in the design, management and implementation of the Plan, and will consist of stakeholder leaders to include, if possible, membership from the targeted communities, the PZC, the Town's Economic Development Commission, a Town Council liaison, the Mohegan Tribe, local utility representatives (i.e. WPCA and Potable Water), public safety and others whose insights the PZC finds will be useful to the Steering Committee. The terms of the members of the Steering Committee shall expire upon the adoption of the Plan by the PZC, and the Steering Committee shall be deemed to have terminated at that time. The Chairman of the PZC shall be the Chairman of the Steering Committee. The Steering Committee shall appoint a Vice Chairman and recording secretary, and shall comply with the Connecticut FOIA. The following are hereby appointed to be members of the Steering Committee:

Sara Lundy, PZC

Ron McDaniel, WPCA

Meracus Hernandez, EDC

Lenny Bunnell, Mayor

Chief Blanchette, PD

Chris Clarke, Mohegan Tribe Utilities

Nick Sabilia, Town Council Liaison

Stacy Radford, Land Use and Development, ZEO/WEO

Meredith Badalucca, Land Use and Development, Asst. Planner

Eric Marsh, Project Management (most recent project Oxoboxo Lofts)

Mario Infante, General Manager, Rand Whitney

Dave Waddington, Owner of DW/CT Scrap & Yale's

Roll call vote. All in favor (7-0-0). Motion APPROVED.

c. Discussion of RFQ/RFP for CIF Grant

Jim Butler explained the RFQ/RFP is a draft and the dates will be updated when the document is made public. He stated it is being brought to the Commission for review. Mr. Butler explained the timeline of the RFQ/RFP is aggressive, and most consultants will be prepared for that. He stated the RFQ/RFP has been sent to the Department of Economic Community Development (DECD) for review as well.

Commissioner Terry asked for confirmation of the amount of the grant, the target area, and the need to hire a consultant.

Jim Butler explained the purpose of the grant is to bring in a consultant to do an Economic Development Study to get recommendations on different areas of improvement within the areas specified within the approved grant. He also stated that future grants can be applied for to implement the recommended improvements.

Mayor Bunnell stated to the Commission that this grant is the initial step for the Town to qualify for future development grants.

Chairperson Lundy stated improvements have been discussed within the Commission for a number of years, and that this study will be an opportunity to gather additional information to find the areas to focus the improvement.

Assistant Planner Badalucca stated this grant will also include an overview of the Zoning Regulations and Plan of Conservation and Development to find anything that might be preventing development from coming to Town.

Jim Butler highlighted the way the grant was written by the former town planner, and the way he showed the importance of public involvement during the whole process.

10. Zoning Matters: ZEO Report was read into the record by Zoning and Wetlands Officer Radford.

11. Land Use Director Report. None.

12. Other Business: None.

13. Correspondence: None.

14. Executive Session: None.

15. Adjournment. MOTION (Summers/Desjardins) to ADJOURN the meeting. All in favor (7-0-0). Meeting ADJOURNED at 6:56pm.

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.