

**TOWN OF MONTVILLE  
PLANNING & ZONING COMMISSION  
310 NORWICH NEW LONDON TPKE  
PHONE (860) 848-8549 Fax (860) 848-2354  
MEETING MINUTES  
June 22, 2010**

1. **Call to Order.** Chairman Marcus called the June 22, 2010 meeting of the Montville Planning & Zoning Commission to order at 7:00 p.m. in the Town Council Chambers.
2. **Pledge of Allegiance.** All rose and pledged the flag.
3. **Roll call and seating of Alternates:**  
**COMMISSION MEMBERS PRESENT:** Commissioners Baron, Desjardins, Ferrante\*, Marcus, Mastrandrea Pieniadz, Polhemus, Siragusa and Toner.  
\*Commissioner Ferrante arrived at 7: 03p.m. (9 regular members)  
**COMMISSION MEMBERS ABSENT:** none  
**STAFF PRESENT:** Marcia A. Vlaun, Town Planner.
4. **Executive Session:** none
5. **Public Hearings:**
  - a.) **NDKLP Montville Associates, LLC:** An application for a Zone Change from C-2 to R-20 on the property located on the southerly side of Podurgiel Lane adjacent easterly to property designated on Assessor’s Map 103 Lot 2, Uncasville, CT. As shown on Assessor’s Map 103 and a portion of Lot 1B. The Chairman opened the Public Hearing at 7:04 p.m. **Staff:** Staff Report was distributed to the Commission. Staff entered the following into the record:  
**STAFF EXHIBITS:**
    1. Legal ad as published in the New London Day on June 11 and June 18, 2010
    2. Copy of the Zone Change Application date stamped as received by the Montville Town Clerk.
    3. Proof of mailing notices to property owners within 500’ of the requested Zone Change property.
    4. Staff report: Meeting date 6/22/10 – date received 5/26/10.
    5. Compilation Plan To Accompany Zone Change Request Applicant: NDKLP Montville Associates, LLC Route 32 Uncasville, Connecticut Dated April 29, 2010 As Prepared By James Bernardo Land Surveying, LLC.
    6. Wetlands map.  
Staff provided the Commission with an overview of the property’s past history and reviewed the Zoning Criteria list with the Commission. Easement areas and road ownership was discussed. Discussion was held. Staff entered the following into the record: **STAFF EXHIBIT:**
      7. Letter from Attorney Ochsner of Branse, Willis & Knapp to Joseph Hilliard, Connecticut Department of Transportation dated August 25, 2006.

**Applicant:** Attorney Harry Heller of 736 Route 32, Uncasville, Ct representing the applicant, addressed the Commission. He further discussed the history of the property along with the recent decision by the Zoning Board of Appeals. Discussion was held.

**Public: In favor:** none **Opposed:** none No rebuttal from the Applicant was needed. A **MOTION** was made by **COMMISSIONER DESJARDINS; SECONDED** by **COMMISSIONER POLHEMUS** to **CLOSE** the Public Hearing. Voice vote. 9-0-0 All in favor. **MOTION CARRIED.** The Public Hearing closed at 7:32 p.m.

## 6. New Business:

### 1. Action Items:

- a.) **Hastedt Brothers LLC/Lombardi Business Park, LLC:** A request for a renewal of the Special Permit for a mobile asphalt recycler located on the property at 18 Sachatello Industrial Drive, Oakdale, CT. As shown on Assessor's Map 5 Lots 27-10 and 27-17 and a portion of Lots 18, 11, and 13. Staff provided the Commission with the original Staff Report from 6/09 on the project. Staff advised the Commission that there have been no complaints received since they granted the original permit. Discussion was held. A **MOTION** was made by **COMMISSIONER PIENIADZ; SECONDED** by **COMMISSIONER DESJARDINS** to **APPROVE** the request for a renewal of the Special Permit for a mobile asphalt recycler located on the property at 18 Sachatello Industrial Drive, Oakdale, CT. As shown on Assessor's Map 5 Lots 27-10 and 27-17 and a portion of Lots 18, 11, and 13 for a period of 5 years with the condition that the applicant shall immediately shut down the operation if directed to do so by the Town staff, and Staff shall only order shut down if written complaints regarding acrid odors have been received by the Planning Office. Voice vote. 9-0-0 All in favor. **MOTION CARRIED.**
- b.) **Christian and Hope Case:** An application for a Resubdivision (2 lots) on the property located at 41 Cook Road, Uncasville, CT As shown on Assessor's Map 99 Lot 11. A **MOTION** was made by **COMMISSIONER PIENIADZ; SECONDED** by **COMMISSIONER DESJARDINS** to **SCHEDULE** the PUBLIC HEARING for July 27, 2010. Voice vote. 9-0-0 All in favor. **MOTION CARRIED.**
- c.) **Hillcrest Montville, LLC/Chel & Company, LLC:** An application for a Resubdivision (2 lots) on the property located at 5 Richard Brown Drive, Uncasville, CT As shown on Assessor's Map 55 Lot 33A. A **MOTION** was made by **COMMISSIONER POLHEMUS; SECONDED** by **COMMISSIONER PIENIADZ** to **SCHEDULE** the PUBLIC HEARING for July 27, 2010. Voice vote. 9-0-0 All in favor. **MOTION CARRIED.**
- d.) **Robert and Dixie Meyer:** An application for a Special Permit for an interior lot on the property located at 55 Fellows Road, Oakdale, CT As shown on Assessor's Map 37 Lot 21. A **MOTION** was made by **COMMISSIONER DESJARDINS; SECONDED** by **COMMISSIONER TONER** to **SCHEDULE** the PUBLIC HEARING for July 27, 2010. Voice vote. 9-0-0 All in favor. **MOTION CARRIED.**

- e.) **Robert and Dixie Meyer:** An application for a Resubdivision (2 lots) on the property located at 55 Fellows Road, Oakdale, CT As shown on Assessor's Map 37 Lot 21. A **MOTION** was made by **COMMISSIONER PIENIADZ; SECONDED** by **COMMISSIONER TONER** to **SCHEDULE** the PUBLIC HEARING for July 27, 2010. Voice vote. 9-0-0 All in favor. **MOTION CARRIED.**

**7. Zoning Issues:**

- 1. **Action items:** none

**8. Old Business:**

- 1. **Action Items:** A **MOTION** was made by **COMMISSIONER DESJARDINS; SECONDED** by **COMMISSIONER TONER** to **Add to the agenda: item**

- 8.1.a **NDKLP Montville Associates, LLC:** An application for a Zone Change from C-2 to R-20 on the property located on the southerly side of Podurgiel Lane adjacent easterly to property designated on Assessor's Map 103 Lot 2, Uncasville, CT. As shown on Assessor's Map 103 and a portion of Lot 1B. Voice vote. 9-0-0 All in favor. Motion carried

- a.) **NDKLP Montville Associates, LLC:** An application for a Zone Change from C-2 to R-20 on the property located on the southerly side of Podurgiel Lane adjacent easterly to property designated on Assessor's Map 103 Lot 2, Uncasville, CT. As shown on Assessor's Map 103 and a portion of Lot 1B. A **MOTION** was made by **COMMISSIONER PIENIADZ; SECONDED** by **COMMISSIONER TONER** as follows: To **APPROVE** NDKLP Montville Associates, LLC: An application for a Zone Change from C-2 to R-20 on the property located on the southerly side of Podurgiel Lane adjacent easterly to property designated on Assessor's Map 103 Lot 2, Uncasville, CT. As shown on Assessor's Map 103 and a portion of Lot 1B. Roll call vote. In favor: Commissioners Desjardins, Ferrante, Marcus, Mastrandrea Pieniadz, Polhemus, Siragusa and Toner. Opposed: none. Abstain: Commissioner Baron. 8-0-1 with Commissioner Baron abstaining. **MOTION CARRIED.** A **MOTION** was made by **COMMISSIONER PIENIADZ SECONDED** by **COMMISSIONER DESJARDINS** to set the **effective date** for 30 days from today (**July 22, 2010**). **Voice vote. 9-0-0 MOTION CARRIED.**

- 2. **Not Ready For Action:**

- a) **The Past, LLC:** An application for a Site Plan Review for museum and retail facilities located on the property at 1630 Route 85, Oakdale, CT As shown on Assessor's Map 5 Lot 35. Staff advised the Commission that even though it is not ready yet, she will be away for the next Commission meeting and wanted the Commission to be aware that she supports this project. A **MOTION** was made by **COMMISSIONER PIENIADZ; SECONDED** by **COMMISSIONER DESJARDINS** to **CONTINUE.** Voice vote. 9-0-0. All in favor. **MOTION CARRIED.**

- 9. **Communications:** Staff advised that she had received two notices from the Town of Ledyard. One for a Zone Change and one for an 8-30g project. She had also received

a note from the Town Attorney relative to the 9R Burlake litigation being withdrawn. Discussion was held.

**10. Minutes:**

- a.) Acceptance of the minutes from the Regular meeting of June 8, 2010. A **MOTION to APPROVE** was made by **COMMISSIONER BARON; SECONDED** by **COMMISSIONER PIENIADZ**. Voice vote. 7-0-2 with Commissioners Siragusa and Toner abstaining. **MOTION CARRIED.**

**11. New Business:**

**2. Non-Action items:**

**12. Zoning Issues:**

**2. Not Ready For Action:** none

**2. Zoning Officer's Report:** Report was distributed to the Commission.

**13. Other business to come before the Commission:** Budget matters were discussed.

**14. Adjourn:** The meeting adjourned at 8:15 p.m.

Respectfully submitted,

Judy A. LaRose  
Recording Secretary

AN AUDIO RECORD OF THE MEETING IS ON FILE IN THE MONTVILLE TOWN CLERK'S OFFICE