

Montville Planning & Zoning Commission
REGULAR MEETING
March 25, 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 and seating of Alternates.** Present: Chairperson Sara Lundy, Vice Chair Wills Pike, Secretary John Desjardins, and Commissioners Joseph Summers, Joshua Kobyluck, William Pieniadz, Chuck Longton, and Alternate Commissioner Mickey Gillette. Absent: Commissioner Lisa Terry. Also Present: Assistant Planner Meredith Badalucca and Zoning and Wetlands Officer Stacy Radford.

MOTION (Summers/Longton) to seat Alternate Commissioner Mickey Gillette for the meeting. All in favor (7-0-0). Motion APPROVED.

4. **Additions or Changes to the Agenda.**

Chairperson Lundy requested a motion to add Item 7b (Discussion and Decision of 25SUB1), Item 8e (Notice of Lapse/Expiration for 207SP7/207RESUB4), and Item 13c (Referral from the Town of East Lyme) and to move Item 8c to the first order of Old Business.

MOTION (Desjardins/Summers) to APPROVE the Additions and Changes to the Agenda. All in favor (8-0-0). Motion APPROVED.

5. **Minutes:** Approval of the February 25, 2025 Regular Meeting Minutes.

MOTION (Pike/Desjardins) to APPROVE the minutes of the February 25, 2025 Regular Meeting. All in favor (8-0-0). Motion APPROVED.

6. **Remarks from the public not relating to items on the agenda.** None.

7. **Public Hearing:**

- a. **25 SUB 1 – 167 Meetinghouse Ln (046-050-00B)** – Owner/Applicant: Robert A. Tringe and Judith M. Tringe for proposed 2-Lot Resubdivision. (*Date of Receipt 2/25/25 – DRD 65 days from close PH – PH set for 3/25/25*).

Commissioner Pieniadz recused himself from voting on this application due to a conflict of interest.

MOTION (Desjardins/Summers) to OPEN the Public Hearing. All in favor (7-0-0). Motion APPROVED. Public Hearing opened at 6:04pm.

Assistant Planner Badalucca gave highlights from her staff report. She stated all of her technical review comments and all agency comments had been addressed.

Attorney Harry Heller, of Heller, Heller, & McCoy, spoke on behalf of the applicant. He explained the way the current lot was proposed to be divided to create two additional lots. He stated there is no public water or sewer at the property, but on site well and septic has been approved by Uncas Health District. Attorney Heller spoke about two of the proposed conditions of approval. He asked the Commission to clarify that the wetlands placards need to be placed only on lot 050-0B3 that has wetlands. He also stated one condition requires the clearing limits to be staked by a Licensed Land Surveyor, but argued the plan submitted for this application is

purely conceptual to show that the proposed new lots are able to be developed.

Commissioner Kobyluck expressed his concerns of the septic placement on one of the lots due to the presence of ledge on the site. Attorney Heller explained the slopes and contours of that area and explained the flow of any water will work for the placement.

Chairperson Lundy called for public comment in favor and against the application three times each with no response.

MOTION (Desjardins/Longton) to CLOSE the Public Hearing. All in favor (7-0-0). Motion APPROVED. Public Hearing closed at 6:15pm.

- b. **Discussion and Decision: 25 SUB 1 – 167 Meetinghouse Ln (046-050-00B) –**
Owner/Applicant: Robert A. Tringe and Judith M. Tringe for proposed 2-Lot
Resubdivision. *(Date of Receipt 2/25/25 – DRD 65 days from close PH – PH set for 3/25/25).*

MOTION (Desjardins/Longton) to APPROVE with conditions, Application 25 SUB 1 for a 2 lot re-subdivision of 167 Meetinghouse Lane Parcel ID: 046-050-00B in that the application, supporting documents and a plan set entitled “Resubdivision Plan Prepared for Robert A. Tringe & Judith M. Tringe, 167 Meetinghouse Lane, Montville, CT, Prepared by Advanced Surveys, LLC, Dated 10/2/24, Revised 3/6/25.” comply with all applicable sections of the Montville Zoning Regulations and Subdivision Regulations.

CONDITIONS:

Conditions prior to endorsement of final plans:

1. **Licensed Land Surveyor (LS) shall certify proposed iron pins and monuments as set prior to endorsement of final plans.**
2. **Per SR Section 3.9 (GIS): Digital Data shall be provided to the Land Use Department prior to endorsement of the final subdivision plan.**
3. **All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.**
4. **A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.**
5. **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.**

General conditions:

6. **Approved Warranty Deeds shall be filed on the Land Records with the final endorsed mylars.**
7. **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.**
8. **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.**

Conditions prior to issuance of Zoning Permit for individual lot development:

9. Wetland placards shall be placed by LS at 50' URA on lot 050-0B3.

Roll Call Vote. All in favor (7-0-0). Motion APPROVED.

8. Old Business:

- c. **25 SITE 3 – 1645 Route 85 & 879 Chesterfield Rd (012-009-000/005-015-00C) –** Owner/Applicant: Cricket's Corner, LLC for proposed Childcare center with two 2nd floor apartments. *(Submitted 2/11/25 – Date of Receipt 2/25/25 – DRD 5/1/25).*

Attorney Harry Heller, of Heller, Heller, & McCoy, spoke on behalf of the applicant. He stated all staff and agency comments had been address and approved. He also stated the waiver that Commissioner Summers inquired about sprinklers at the previous meeting had been looked into and it was determined that the waiver was not necessary as the project is not receiving state funding. Attorney Heller did also state that all proposed classrooms do have at grade means of ingress and egress.

Commissioner Pike inquired further about the code discussed regarding the sprinkler system waiver. Assistant Planner Badalucca and Attorney Heller both stated it is a building code and they could not comment further.

MOTION (Summers/Desjardins) to APPROVE with conditions, application number 25 SITE 3 for the construction of a 51 student child care center with two residential 3 bedroom apartments on the second level along with associated parking, playground and site improvements at 1645 Route 85 (012-009-000) and 879 Chesterfield Road (005-015-00C) in accordance with the Montville Zoning Regulations and the application, supporting documentation and a plan set titled "Site Development Plans, Prepared for Cricket's Corner, LLC, 1645 Route 85, Montville, CT, Applicant/Owner, Cricket's Corner, LLC, Prepared by Boundaries, LLC and H+H Engineering Associates, Dated February 2025, Revised 3-5-2025".

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 proposed for the project shall be constructed and maintained post construction in accordance with the approved Plan Set.
8. All landscaping shall be maintained post construction.
9. 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.
10. Site signage not shown on plan shall require an approved zoning permit prior to installation.
11. Clearing limits and silt fence in close proximity of the URA and property lines shall be staked out by Licensed Land Surveyor.

Conditions to be met prior to signing of plans:

12. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
13. The applicant shall also submit final plans as approved by the Commission in a digital format per ZR section 17.3.
14. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
15. 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:

16. Four (4) sets of paper plans with any required revisions incorporated, shall be submitted to the Land Use Department for signature of the Commission.
17. 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.
18. A soil erosion & sediment control bond shall be posted in the amount of \$49,094.53 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.
19. 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:

20. 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.
21. 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.

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

- a. **25 SITE 1 – 2 & 8 Enterprise Ln (002-005-00B/002-005-00C)** – Owners Homes R Us, LLC and 8 Enterprise Lane, LLC, Applicant: John Depmsey-Homes R US for proposed Site Plan Modification to include access driveways and loading docks. *(Submitted 1/31/25 – Date of Receipt 2/25/25 – DRD 5/1/25).*

Assistant Planner Badalucca gave highlights from her staff report. She stated all of her previous technical review comments had been addressed. She also stated all agency comments had been either addressed or made conditional.

Jack McCartney, of Green Site Designs, spoke on behalf of the applicant. He explained the current business (PVC Direct) at 8 Enterprise Lane and stated the owner of that property bought the abutting property, 2 Enterprise Lane, to expand the operations of the business. He explained the current application is for a modification to two previously approved site plans. Mr. McCartney explained the modifications to 8 Enterprise Lane include renovating the existing building, adding two additional access drives, and changes to the front parking area. He explained the modifications to 2 Enterprise Lane as well which will include raising the entire grade of the site which will reduce the need for the number of previously approved retaining walls. He stated the comments that are conditional are already in progress.

Commissioner Desjardins inquired if the lots were being combined. Assistant Planner Badalucca stated the lots will be kept separate, but will have easements to allow access between them.

MOTION (Kobyluck/Desjardins) to APPROVE with conditions, application number 25 SITE I for site plan modification for the approved site plan for 2 Enterprise Lane to include access driveways and loading dock located at 2 (002-005-00B) and 8 Enterprise Lane (002-005-00C) in accordance with the Montville Zoning Regulations and the application, supporting documentation and a plan set titled "PVC Direct Revised Site Plan, 2 & 8 Enterprise Lane, Oakdale, CT Map/Block/Lot: 002-005-00B & 002-005-00C, Dated January 30, 2025, Revised, 3/21/25 Prepared by Green Site Design, 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 proposed for the project shall be constructed and maintained post construction in accordance with the approved Plan Set.
8. All landscaping shall be maintained post construction.
9. 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.
10. Site signage not shown on plan shall require an approved zoning permit prior to installation.

Conditions to be met prior to signing of plans:

11. Boundaries LLC comment letter dated March 21, 2025 shall be addressed by applicant and reviewed and approved by Boundaries LLC.
12. Plans and easement documents shall be reviewed and approved by the Town Attorney.
13. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
14. The applicant shall also submit final plans as approved by the Commission in a digital format per ZR section 17.3.
15. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
16. 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:

17. Four (4) sets of paper plans with any required revisions incorporated, shall be submitted to the Land Use Department for signature of the Commission.
18. Approved easements shall be filed on the Town of Montville Land Records.
19. 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.
20. A soil erosion & sediment control bond shall be posted in the amount of \$18,662.50 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.
22. 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:

22. 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.

23. 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.

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

- b. **25 SITE 2 – 145 Route 32 & 18 Powerhouse Rd (070-030-000/070-034-000) –**
Owner/Applicant: JNE Holdings, LLC for proposed 11-unit Multi-family Development.
(Submitted 2/11/25 – Date of Receipt 2/25/25 – DRD 5/1/25).

Assistant Planner Badalucca stated that the revised plans were received on Friday, March 21, 2025 and were forwarded for review the same day. She explained that comments from the Town Engineer were received at 4:15pm on March 24, 2025, which included fifteen comments that needed to be addressed. She also stated there were four other agency comments that needed to still be addressed.

MOTION (Desjardins/Summers) to CONTINUE application to the April Regular Meeting. All in favor (8-0-0). Motion APPROVED.

- c. **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. (Approved with conditions 01/28/2025). REQUEST FOR 90 DAY EXTENSION OF TIME TO FILE MYLAR PLANS.**

Assistant Planner Badalucca stated the current approval expires on May 16, 2025 and the additional 90 days will extend the approval until August 14, 2025.

MOTION (Longton/Desjardins) to GRANT 90-day extension of time to file the resubdivision mylar plans. All in favor (8-0-0). Motion APPROVED.

- d. **207 SP 7 / 207 RESUB 4 - Williams Rd/Old Colchester Rd - Notice of Lapse/Expiration**

Assistant Planner Badalucca stated the subdivision had been previously approved, in 2007, to be done in phases. She stated the first phase had been completed, but the second phase was not completed. The approval expired in 2016, and should have come before the Commission to expire the second phase, but never did. She stated the notice needs to be signed so the second phase of the subdivision can be expired to allow any future proposals.

MOTION (Desjardins/Longton) to state The Chairman of this Montville PZC is authorized to state on the maps on record in the Town Clerk's office for the Montville Estates Resubdivision/Cluster Subdivision that Phase 2 of the approval for that project has expired because the road and other infrastructure required for Phase 2 has not been constructed within the time allowed by law. All in favor (8-0-0). Motion APPROVED.

9. **New Business:** None.

10. **Zoning Matters:** ZEO Report was read into the record by Zoning and Wetlands Officer Radford. She also highlighted a few properties that had prior Commission involvement.

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

12. **Other Business:**

- a. Rules and Procedures

Assistant Planner Badalucca stated this item was added to the agenda as a refresher on procedures regarding seating alternates.

b. Affordable Housing Appeals List

Assistant Planner Badalucca stated this list comes out yearly, and stated some of the recently approved housing developments will increase the data for the next year.

13. Correspondence:

- a. Receipt of an Appeal on 2/13/25 of this Commission's action on 1/28/25 regarding the approval of 24SUB4
- b. Email from Attorney Jon Chase regarding the appeal of 24SUB4

Assistant Planner explained both items 13a and 13b together stating the appeal from the Mostowy family was received in February, but we had received notice from Attorney Chase, representing the Mostowy's, on March 18th that the appeal will not be returned to the court.

- c. CGS Referral dated February 20, 2025 regarding Town of East Lyme Zoning Regulation, Zone Change & Text Amendment Proposal

Assistant Planner Badalucca explained the referral stating it would have no intermunicipal impact and stated no action is required.

15. Adjournment. MOTION (Desjardins/Longton) to ADJOURN the meeting. All in favor (8-0-0). Meeting ADJOURNED at 7:13pm.

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.