

Montville Planning & Zoning Commission
REGULAR MEETING
May 27, 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 6:00 pm.
2. **Pledge of Allegiance.** All rose for the Pledge of Allegiance.
3. **Roll Call and seating of Alternates.** Present: Chairperson Sara Lundy, Commissioners Chuck Longton, Joseph Summers, William Pieniadz, Lisa Terry, and Joshua Kobyluck. Absent: Vice Chair Wills Pike, Commissioners Mickey Gillette, and Secretary John Desjardins. Also Present: Assistant Planner Meredith Badalucca and Zoning and Wetlands Officer Stacy Radford.

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

Chairperson Lundy requested a motion to move Item 8a (Old Business) to just before Item 14. Executive Session to allow the Applicant time to arrive due to a previous commitment.

Assistant Planner Meredith Badalucca advised the Commission that there was an error on the Agenda following #7. Public Hearing. The word “None” appears and should not be present.

MOTION (Longton/Summers) to APPROVE the Additions and Changes to the Agenda. All in favor (6-0-0). Motion APPROVED.

5. **Minutes:** Approval of the April 22, 2025 Regular Meeting Minutes.

MOTION (Longton/Summers) to APPROVE the minutes of the April 22, 2025 Regular Meeting. All in favor (6-0-0). Motion APPROVED.

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

7. **Public Hearing:**

- a. **25 SUB 3 –Silver Falls Road (001-007-00A) 4 lot resubdivision** – Owner/Applicant: Daniela Gjergjaj (*Submitted 4/10/25, PH scheduled for 5/27/25*)

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

Bob DeLuca from CLA Engineers was present on behalf of the Applicant. The Applicant Daniela Gjergjaj was also present. Mr. DeLuca gave a brief synopsis of the proposed project, to include this is a proposed 4-lot subdivision with shared driveways. There is an Application pending before the Inland Wetlands Commission for a wetlands crossing at Silver Falls Road. Mr. DeLuca also explained the proposed Emergency Access roadway which would allow access from this property onto an undeveloped parcel in the Town of Waterford. The Applicant owns the adjoining parcel in the Town of Waterford as well as Aces High RV Park in East Lyme. The idea is that the emergency access roadway would provide emergency access should it be needed. The roadway would be gated.

Commissioner Longton asked if this Application had been referred to the Town of Waterford. Assistant Planner Badalucca responded that the Application was referred however comments were received by Inland Wetlands only. She further stated that the Application was also referred to SECOG and they have responded that this development will most likely not have a negative

intermunicipal impact.

Assistant Planner Badaluca gave highlights from her staff report. She also indicated that the Applicant has requested that Technical Review comments 1-3 be a condition of approval. The last comment will be addressed by the Applicant once final revisions are completed.

Commissioner Longton, referred to the Inspection Report and asked about the water which appears to be in a gully and if there is water in it all year round. Assistant Planner Badaluca responded that this area had been flagged as wetlands and was one of the reasons the Application is pending before the Inland Wetlands Commission.

Commissioner Summers inquired about the numbers on the 4 individual lots and Assistant Planner Badaluca indicated that would be for comment by the Fire Marshal however, they had no comment at this time.

Chairperson Lundy asked for comments from the Public, three times, for or against the Application and there were none.

MOTION (Pieniadz/Summers) to CONTINUE the Public Hearing. All in favor (6-0-0). Motion APPROVED.

9. New Business:

- a. **25 SITE 4 – 393 Butlertown Road (005-027-004) – Off-Season Equipment Storage Facility** – Owner/Applicant 393 Butlertown, LLC (*submitted 4/24/25 – Date of Receipt 5/27/25, DRD 7/31/25*)

Ellen Bartlett from Green Site Design was present on behalf of the Applicant. Ms. Bartlett advised that there are no wetlands on the parcel and this Commission previously approved a Site Plan. There was a current violation on the site where the prior owner used the site as a landscaping area where they had stockpiles. The current owner is removing all of the stockpiles, working toward correcting the violation. The Applicant is B&W Paving, who is proposing to use this site for off season storage. During the summer months, storage for snowplows and during the winter months, storage for line painting and paving equipment.

Commissioner Longton asked where the oil separator basin was in comparison to the on site well. Ms. Bartlett indicated that it was approximately 120' apart.

Assistant Planner Badaluca gave highlights from her staff report. She brought attention to the fact that this property had a long history of zoning violations. Ms. Badaluca indicated that the Applicant has provided only 16 parking spaces which has been reviewed by Boundaries, LLC as the acting Town Engineer and they have agreed that this would be sufficient being that there will only be employees on site during the transitioning of equipment. The Applicant is aware that any change of use, in the future, would require a site plan with the appropriate number of parking spaces for that use.

MOTION (Longton/Terry) to APPROVE with conditions, application number 25 SITE 4 for the construction of an off-season equipment storage facility and site improvements at 393 Butlertown Road (005-027-004) in accordance with the Montville Zoning Regulations and the application, supporting documentation and a plan set entitled “Off-Season Equipment Storage, 393 Butlertown Road, Oakdale, CT, Prepared by Green Site Design, LLC, Dated March 2025, Revised May 13, 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. Building location shall be staked out by Licensed Land Surveyor.
12. Silt fence in close proximity of property lines shall be staked out by Licensed Land Surveyor.

Conditions to be met prior to signing of plans:

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. 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.

19. A soil erosion & sediment control bond shall be posted in the amount of \$36,503.50 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.

20. 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:

21. 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.

22. 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 (6-0-0). Motion CARRIED.

- b. **24 SITE 3 - 1492 Route 85 (005-027-000) – Site plan renewal per ZR Section 4.11.11.3.2.c** - Owner/Applicant: Jeff Daniels (*submitted 5/2/25 – Date of Receipt 5/27/25, DRD 7/31/25*)

Ellen Bartlett from Green Site Design was present on behalf of the Applicant. Ms. Bartlett reminded the Commission that this Application previously had Site Plan approval however the permit for excavation and processing operations was set to expire on July 9, 2025. The Applicant was requesting a 5-year renewal.

Ms. Bartlett also added that the Applicant was also requesting an extension of time for the removal of the temporary access which the Commission required as part of the original approval. She added that the Applicant is still working between the (2) properties and allowing him continued access would be appropriate. Ms. Bartlett inquired if the Commission would be willing to remove the temporary access as they have allowed other adjoining parcels access, such as 2 & 8 Enterprise Lane.

Assistant Planner Badalucca advised the Commission that there is an Inspection Report from May 2, 2025, in their packet, showing progress on site.

Commissioner Longton indicated that he would like to make a Motion to hold a discussion to remove the permanent barrier between the properties, as he had always felt it to be unfair and would be interested to see what other Commissioners had to say.

MOTION (Longton/Terry) to DISCUSS the removal of the temporary barrier.

Brief discussion followed.

MOTION (Longton/Terry) to APPROVE the removal of the permanent barrier between the properties, providing Easement documents are provided as a Condition of Approval.

Roll call vote. All in favor (6-0-0). Motion CARRIED.

MOTION (Pieniadz/Terry) to APPROVE the renewal of application number 24SITE3 for 1492 Route 85, for 5 years in accordance with Zoning Regulation Section 4.11.11.3 2. C. to expire on July 9, 2030. All previously approved conditions and modifications of 24SITE3 shall remain in effect and shall be met.

Roll call vote. All in favor (6-0-0). Motion CARRIED.

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.

ZEO Radford discussed the property located at 245 Route 32 and the As-Built inspection for the issuance of a Certificate of Zoning Compliance. The Commission agreed that the Applicant needed a modification of the original site plan approval for the items that changed from the original approval. The Commission agreed to have the Applicant apply for a modification of Phase II and show the changes that did not go against the Regulations during this modification. The Applicant would be required to make all repairs within (2) weeks, of items which go against the Regulations. The Commission also is requiring the renewal of the original Surety Bond for the E&S, as well as the issuance of a CASH Bond, in an amount submitted by the Engineer and approved by the Town Engineer, for all items which cannot be completed within (2) weeks. The Commission requested that should all of this be completed, ZEO could issue a “substantial” Certificate of Zoning Compliance; with the understanding that no further Zoning Permits will be issued until a modification is approved by this Commission for all remaining Phases.

11. Land Use Director Report. None.

12. Other Business: None.

13. Correspondence:

- a. **CT Siting Council Petition No. 1613** Request for Temporary Extended Work Hours at Hunts Brook Junction Reliability Project

Brief discussion held.

- b. **Town of Preston CGS Referral** dated May 1, 2025 regarding Zoning Text Amendment #2025-01 Accessory Apartment, #2025-02 Garage, Yard and Cellar Sales, #2025-03 Home Occupations, and #2025-04 As-Built Requirements and Renewal Timeline.

Brief discussion held.

- c. **Notice of Exemption Modification** for 71 Moxley Road to add three antennas and equipment as described in letter from SBA dated May 2, 2025.

Brief discussion held.

d. **Email from Board of Examiners for PE & LS** dated 5/9/25 regarding boundary information.
Brief discussion held.

- e. **Notice of Proposed 1.0 MW AC Solar Photovoltaic Array** at 95 Old Colchester Road, Salem, CT

Brief discussion held.

8. Old Business:

- a. **25 SUB 2 – Modification of 22 SUB 3 East Lake Road (007-035-000) 8 lot subdivision** - Owner/Applicant: Sunmar/RAF Builders, LLC (*Submitted 3/28/25 – Date of Receipt 4/22/25 – DRD 6/26/25*)

Seamus Moran from H&H Engineering Associates was present on behalf of the Applicant. Mr. Moran explained to the Commission that this subdivision was previously approved by this Commission as an 8-lot subdivision with drainage improvements. The Applicant is proposing to re-located the drainage from the east to the west side of the property because of unexpected ledge on Lot #7.

Assistant Planner Badalucca gave highlights from her staff report. Ms. Badalucca advised the Commission that the Applicant was made aware that the drainage work and issuance of the Bond would need to be completed prior to the issuance of a Zoning Permit. Additionally, all previously issued Easements would be extinguished by the filing of the new Quit Claim Deed on the Land Records.

MOTION (Pieniadz/Summers) to APPROVE with conditions, application number 25 SUB 2 for a modification to approved 8-lot subdivision, application number 22 SUB 3, approved on July 26, 2022 for East Lake Road Parcel ID: 007-0035-000 in that the application, supporting documents and a plan set entitled “Subdivision Modification, Property Address: East Lake Road & Fire Street, Montville, CT 06370, Prepared for SUNMAR/RAF Builders, LLC, 285 Old Colchester Road, Uncasville, CT 06382, Dated 3/28/25, Revised 4/22/2025.” comply with all applicable sections of the Montville Zoning Regulations and Subdivision Regulations.

CONDITIONS:

Conditions prior to endorsement of final plans:

- 1. Per SR Section 3.9 (GIS): Digital Data shall be provided to the Land Use Department prior to endorsement of the final subdivision plan.**
- 2. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.**
- 3. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.**
- 4. 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.**
- 5. Bond in the amount of \$39,209.50 shall be posted.**

General conditions:

- 6. Approved Perpetual Drainage Easement and Right to Drain and the approved Quit Claim Deed 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.
9. The Montville Dept. of Public Works shall be notified prior to any work within the Town right of way.

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

10. Prior to the issuance of a zoning permit for lot 7, all drainage work shall be completed and as-built plans certified to Class A-2 accuracy shall be submitted. 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 plan. Any deviations or omissions must be noted.

Roll call vote. All in favor (6-0-0). Motion APPROVED.

14. Executive Session: None

15. Adjournment. MOTION (Longton/Terry) to ADJOURN the meeting.

All in favor (6-0-0). Meeting ADJOURNED at 7:26 pm.

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.

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