

Montville Planning & Zoning Commission
REGULAR MEETING
September 23, 2025 - 6:00 p.m.
Town Council Chambers – Town Hall
310 Norwich-New London Turnpike, Uncasville, CT 06382
MINUTES

1. **Call to Order.** Chairman Pieniadz called the meeting to order at 06:00 p.m.
2. **Pledge of Allegiance.** All rose for the Pledge of Allegiance.
3. **Roll Call and seating of Alternates: Present:** Chairman William Pieniadz, Vice Chair Wills Pike, Secretary John Desjardins, Commissioners Mickey Gillette, Joshua Kobyluck, Chuck Longton, Sara Lundy, and Lisa Terry. **Absent** was Commissioner Joseph Summers. **No alternates. Also Present:** Assistant Planner Meredith Badaluca, Zoning and Wetlands Officer Stacy Radford, and Administrative Assistant Lisa Scovish.
4. **Additions or Changes to the Agenda.** None.
5. **Minutes:** Approval of the August 26, 2025 Regular Meeting Minutes

MOTION (Lundy/Terry) to APPROVE the minutes of the August 26, 2025 Regular Meeting. Vote: (7-0-1). Chuck Longton Abstained. Motion CARRIED

6. **Remarks from the public not relating to items on the agenda.** None.
7. **Public Hearing:**
 - a. **25 SUB 4 – 257 Chesterfield Road (029-066-000) 4 lot Re-subdivision** – Owner: Zachary Cash Applicant: Michael Desautels (Submitted 6/23/25, Public Hearing opened on 7/22/25, Ext. Granted to 9/23/25)

TOWN STAFF: Assistant Town Planner Meredith Badaluca presented the new comments for the record which included that they are working with the applicant on the following items:

Per SR 4.7.4, the applicant needs to provide a revised drainage easement which the Town Attorney will need to review and approve. The Town Attorney has requested a Certificate of Title for review and approval.

Per ZR 4.11 .4.1 the applicant has provided a shared driveway agreement for review and approval by the Town Attorney. Staff is waiting on the approval from the Town Attorney.

At the request of the applicant, a meeting was held on September 5, 2025 at 9 am in Room 203 of the Town Hall to discuss outstanding comments from the Town Engineer and Public Works

Director. The following individuals were present at this meeting: Michael Desautels, applicant; Brian Florek, Land Surveyor; Joe Wren, PE; Kyle Haubert, PE, Town Engineer; John Carlson, Public Works Director; Stacy Radford, ZEO and Meredith Badalucca, Assistant Town Planner. This meeting was recorded and the audio can be found on the town website at <https://www.townofmontville.org/resources/meeting-recordings/>. (Per the Town Attorney since it is part of the Public Hearing).

The applicant's engineer, Joe Wren, indicated in an email dated September 12, 2025 "the drainage report says a 12x14 preformed scour hole but Kyle and I agreed that is way oversized intended more for interstate highway infrastructure so we agreed that an 8x8 preformed scour hole would be more than appropriate for this circumstance." Kyle Haubert of CLA confirmed in an email dated September 12, 2025 that they did have that discussion. The emails are part of this record.

The two outstanding staff review comments are the drainage easement, the Certificate of Title, and the driveway agreement.

The Town Engineer, CLA, provided comments on 9/15/25 with recommended conditions of approval.

The Applicant has asked that instead of it saying any lot that it be the one lot that the drainage easement is on. If the commission agrees then the conditions of approval in the staff report will need to be updated. The applicant feels that he should be able to convey the other three lots before he does the Public Improvements on that one lot. The applicant was advised that typically in a subdivision it is that you cannot convey any lots, but he still asked that his request be brought to the commission.

APPLICANT: The Applicant, Mike Desautels was present and did not have any comments.

The commission had a brief discussion, then Chairman Pieniadz asked for comments from the Public, three times, for or against the Application and there were none.

MOTION (Longton/Desjardins) to CLOSE the Public Hearing. All in favor. (8-0-0). Motion APPROVED. Public Hearing closed at 06:11 p.m.

b. Discussion & Decision 25 SUB 4 – 257 Chesterfield Road (029-066-000) 4 lot Re-subdivision – Owner: Zachary Cash Applicant: Michael Desautels (Decision required within 65 days of the close of PH)

APPLICANT: The Applicant, Mike Desautels was present and did not have any comments.

MOTION (Longton/Terry) to change the condition in the staff report to “any lot requires the public improvement be completed prior to the sale of any lot” to “the other lots to be sold without the improvement being performed on the one lot that will have a bond in place.” All in favor. (8-0-0). Motion APPROVED.

Assistant Planner Meredith Badalucca will change the conditions of the staff report. Items 1-17 will remain as listed and the next heading “Conditions prior to conveyance of any lot and

issuance of Zoning Permit for individual lot development” to “Conditions prior to conveyance of lot 1 and issuance of Zoning Permit for individual lot development.”

**MOTION (Longton/Terry) to APPROVE with conditions number 1-20 as indicated in the staff report dated September 19, 2025, Application 25 SUB 4 for a 4 lot re-subdivision of 257 Chesterfield Road Parcel ID: 029-066-000 in that the application, supporting documents and a plan set entitled “Desautel’s Re-subdivision, 257 Chesterfield Road, Montville, Connecticut, Parcel ID: 029066000, Dated June 10, 2024, Revised September 10, 2025” comply with all applicable sections of the Montville Zoning Regulations and Subdivision conditions and under the conditions as are in the package and change “Conditions prior to conveyance of any lot and issuance of Zoning Permit for individual lot development” to “Conditions prior to conveyance of lot 1 and issuance of Zoning Permit for individual lot development.”. All other items in the suggestion motion remain as stated.
Roll call vote. All in favor (8-0-0) Motion CARRIED**

CONDITIONS:

Conditions prior to endorsement of final plans:

1. Drainage Easement shall be reviewed and approved by the Town Attorney. Any required changes to the plans may require a plan modification from the Planning and Zoning Commission.
2. Certificate of Title shall be reviewed and approved by the Town Attorney.
3. Shared driveway agreement shall be reviewed and approved by the Town Attorney. Any required changes to the plans may require a plan modification from the Planning and Zoning Commission.
4. Drainage Easement granted to the Town of Montville shall be accepted by the Town Council.
5. Drainage Improvement Bond in the amount of \$9,500 shall be posted.
6. Licensed Land Surveyor (LS) shall certify proposed iron pins and monuments as set prior to endorsement of final plans.
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.
9. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
10. A list outlining any 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.
11. All Town Engineer referral invoices shall be paid pursuant to the Town of Montville Ordinance No. 2007-002.

General conditions:

12. Approved Easement Documents, approved Shared Driveway Agreements and Conditions of Approval shall be filed on the Land Records with the final endorsed mylars.

13. 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.
14. No work shall commence until mylars signed by the Planning and Zoning Commission have been filed on the Town of Montville Land Records.
15. The Montville Dept. of Public Works shall be notified prior to any work within the Town right of way.
16. The Montville Dept. of Public Works shall be contacted prior to the drainage construction to verify the layout and inspect the work.
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.

Conditions prior to conveyance of lot 1 and issuance of Zoning Permit for individual lot development:

18. All public improvements shall be completed. Public Works shall inspect and accept said work prior to completion of an as-built plan.
19. Once public improvements have been accepted by Public Works, an as-built plan 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.
20. Wetland placards shall be placed by LS at 50' URA on lot 1 and lot 4.

c. 25 SUB 6 – 71 Moxley Road (017-012-000) 2-lot Re-subdivision - Owner: Walter Wainwright Jr. Applicant: Walter Wainwright Jr.) (Submitted 7/30/25, Date of Receipt 8/26/25, PH set for 9/23/25, PH must close within 35 days of opening)

The Public Hearing opened at 06:21 p.m.

TOWN STAFF: Assistant Town Planner Meredith Badalucca reviewed the Staff Comments and Technical Review Report dated September 23, 2025 as submitted into the record. She noted the application is for a proposed 2 lot re-subdivision of property located at 71 Moxley Road. The background on the property is as follows:

- This property was originally subdivided as part of the Oakland Park Subdivision in 1978.
- May 24, 1983 Zoning and Planning Commission approved a sawmill and wholesale/retail outlet.
- January 13, 1998 the Planning and Zoning Commission approved to construct a 190' radio tower and antenna for wireless communication purposes with appropriate guide wires and chain link fence with small utility sheds and driveway.
- March 26, 2002 the Planning and Zoning Commission approved a 35' x 50' steel storage building.

The property is located in the LI zoning district (Zoning Regulation Section (ZR) 12). The applicant is proposing an interior lot which requires a lot area and front yard setback equal to at

least 1.5 times the minimum for the Zoning District. Interior lots also shall have a 25' wide access strip and be accessed via a shared driveway as indicated in ZR 4.11.4. It was discussed with Attorney Chase about the shared driveway agreement and he will be providing that for review and approval by the Town's Attorney. Both proposed lots meet the minimum lot size, minimum frontage and setback requirements of ZR 12 and ZR 4.11.4, as shown on the Zoning Compliance Table of the plan entitled "Re-subdivision Plan Prepared for Walter N. Wainwright, Jr., 71 Moxley Road, Montville, CT, Prepared by Advanced Surveys, LLC, dated 5/2/25, Revised 8/7/25."

As stated above in the background information, this property is currently developed with a sawmill and telecommunication tower. There is no new development proposed on the property, at this time. The applicant is seeking to create two lots, one for the sawmill operation and one for the telecommunication tower.

This parcel contains wetlands therefore, the applicant submitted an application to the Inland Wetlands Commission (IWC) per Subdivision Regulation Section (SR) 3.4.2. The IWC voted to forward a favorable report to the PZC on August 21, 2025. A copy of the letter dated August 22, 2025 is part of the record.

The Fire Marshal's comment stated that "The driveway must be able to handle the weight and 10-foot width of our ladder truck." The applicant's surveyor pointed out this parcel has been used as a sawmill since 1983 and the driveway is used by logging trucks and the driveway supports the weight of those.

APPLICANT: The Applicant, Walter Wainwright, Jr. was not present.

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

The Applicant's Attorney Jonathan Chase spoke in favor of the application. Attorney Chase emphasized that there are no physical changes to the property and that this subdivision allows the telecommunication tower to own the property that it is on rather than to lease it. He and his client agree with the shared driveway agreement and they are pleased to accept the conditions of approval.

MOTION (Longton/Terry) to CLOSE the Public Hearing. All in favor. (8-0-0). Motion APPROVED. Public Hearing closed at 06:33 p.m.

d. Discussion & Decision 25 SUB 6 - 71 Moxley Road (017-012-000) 2-lot Re-Subdivision - (Owner: Walter Wainwright Jr); Applicant: Walter Wainwright Jr.) (Decision required within 65 days of the close of PH)

MOTION (Lundy/Desjardins) to APPROVE with conditions number 1-10 as indicated in the staff report dated September 23, 2025, Application 25 SUB 6 for a 2 lot subdivision of 71 Moxley Road Parcel ID: 017-012-000 in that the application, supporting documents and a plan set entitled "Re-subdivision Plan Prepared for Walter N. Wainwright, Jr., 71 Moxley Road,

Montville, CT, Prepared by Advanced Surveys, LLC, Dated 5/2/25, Revised 8/7/25" comply with all applicable sections of the Montville Zoning Regulations and Subdivision Regulations. Roll call vote. All in favor (8-0-0) Motion CARRIED

CONDITIONS:

Conditions prior to endorsement of final plans:

21. Shared driveway agreement shall be reviewed and approved by the Town Attorney. Any required changes to the plans may require a plan modification from the Planning and Zoning Commission.
22. Licensed Land Surveyor (LS) shall certify proposed iron pins and monuments as set prior to endorsement of final plans.
23. Per SR Section 3.9 (GIS): Digital Data shall be provided to the Land Use Department prior to endorsement of the final subdivision plan.
24. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
25. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
26. A list outlining all changes to the plans, if any, 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:

27. 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.
28. Shared Driveway Agreements shall be filed on the Land Records with the final endorsed mylars.
29. The Montville Dept. of Public Works shall be notified prior to any work within the Town right of way.
30. 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.

8. Old Business: None.

9. New Business:

a. 25 SUB 7 – 47 Sharp Hill Road (023-063-000) 23 lot Re-subdivision – Owner - R&N Holding Company, LLC. Applicant: Mt. Kineo Builders, LLC (Submitted 9/5/25, Date of Receipt 9/23/25, PH date to be set)

Motion (Desjardins/Longton) to set a Public Hearing for October 28, 2025. Vote: (8-0-0) Motion CARRIED.

b. 25 SP 1 - 47 Sharp Hill Road (023-063-000) 23 lot Cluster Re-subdivision – Owner - R&N Holding Company, LLC. Applicant: Mt. Kineo Builders, LLC (Submitted 9/9/25, Date of Receipt 9/23/25, PH date to be set)

Motion (Longton/Terry) to set a Public Hearing for October 28, 2025. Vote: (8-0-0) Motion CARRIED.

c. 25 SITE 7 – 1080 Route 32 (086-004-000) Change in use to Auction Facility – Owner – Drive-In LLC. Applicant: Sammy P. Inc. (Principal Sammy Piotrkowski). (Submitted 9/9/25, Date of Receipt 9/23/25, DRD 11/27/25)

TOWN STAFF: Assistant Town Planner Meredith Badalucca reviewed the Staff Comments and Technical Review Report dated September 22, 2025. She noted that the applicant is proposing to change the use of the existing building to an auction/sales space and use the site for an auction facility. Activities will include the gathering of equipment, vehicles and people for auctions including timed, live and private treaty sales as well as, marketing, advertising and promotion.

This Commission approved application 24 SITE 6 on August 27, 2024. This site plan approval was for an administrative office and accessory dry storage area for records and office materials/equipment and now they are proposing the auction use of the property. Staff visited the site on September 18, 2025 as part of the application review. Pictures from that site visit were presented to the commission to review.

The property is located in the C-2 zoning district and is included within the Route 32 Overlay Zone. The C2 zoning district allows for “activities involving the sale of goods or services carried out for a profit.” Staff feels an auction facility is included in that definition.

The applicant is proposing a 12' x 48' temporary office trailer for use during construction of building improvements. Per ZR section 4.11.9.2, the trailer shall be removed within thirty days of project completion. The applicant has noted this on the site plan.

Per ZR section 18.14 (in part) "Adequate lighting shall be provided in all lots of more than fifteen (15) spaces except where the Commission may determine that such parking areas will never be used at night." Therefore, staff inquired if the auction patron parking area will be used at night. The applicant stated in their response letter dated September 19, 2025 "No auctions are intended to be scheduled at night."

Per ZR section 18.16.1.1, the applicant has provided 101,472 +/- SF of landscaping as part of the proposed plan. This represents more than the required 10% of the 1,012,051 SF lot area. The landscaping schedule is provided on sheet 4 of the plans and the location of the plantings can be found on sheet 3.

The Town Engineer asked that the applicant show the anticipated number of patrons/vehicles for auctions, to show the number of available parking spaces on the gravel surface and how they interact with traffic patterns through the site, and how the traffic and parking will be managed onsite during live auction days. The applicant indicated in the response letter dated September 19, 2025, there are a total of 129 parking spaces, 112 available parking spaces on the gravel surface that will enter and exit via the gated gravel drives through the site. The applicant further indicated that auction staff will be present to direct traffic patterns for patrons on live auction days. Equipment scheduled for auction will be delivered to the site prior to live auction days without interaction with patrons.

The Town Engineer asked for additional clarification on the call outs labeled "future fences". The applicant stated in part "Future fences will run along or in close proximity to the property boundary line and/or existing tree line to be installed in a convenient location to reduce additional clearing."

The applicant is requesting a determination of applicability per ZR Section 17.5 from the Commission for the items listed below. The commission will need to determine if these site plan ingredients are necessary or required to reach a decision on the application.

1. 17.4.5 "Existing and proposed contour lines at five-foot (5') intervals. The Town Planner or Town Engineer may require a two-foot (2') contour interval in order to clearly show topography and drainage. "

Applicant states: No modifications to site grades are proposed. Minimal fine grading to accommodate ADA Parking is proposed to the rear of the building, see detail sheet 6.

2. 17.4. 7 "Location of all existing watercourses, wetlands, public water supply watershed boundaries, bedrock, outcrops, and where appropriate, the mean high water line, flood hazard areas, and channel encroachment lines."

17.4.15 "The stormwater drainage system, including the location and evaluations of all existing and proposed street drainage facilities within one hundred feet (100') of the property. The Town Planner or Town Engineer may require additional information and / or details regarding off-site drainage features affected by, or impacting upon the proposed development. Stormwater management systems shall be designed in accordance with the 2004 Connecticut Stormwater Quality Manual as may be amended from time to time."

Applicant states: No inland wetland or watercourses are in close proximity to the work area, additionally the site maintains a wood chip perimeter berm nearly encompassing the work area. No drainage improvements are proposed the site remains nearly entirely a gravel surface and had previously been paved to accommodate in excess of 1,300 spaces for the previous drive-in theater use.

Assistant Planner Badalucca noted that in the last approval these determinations were asked for as well and they were granted. All of her previous technical review comments have been addressed by the applicant. There currently is a bond of \$20,000 for zoning permit number 24 ZP 24 and a \$10,000 bond for zoning permit number 24 ZP 167. Staff spoke to the town

engineer who feels that the \$20,000 bond is sufficient for this application. Should this application be approved a new zoning permit will be required and the previous zoning permits will be closed. The \$20,000 bond can be transferred to the new zoning permit.

The Police Department stated in their comments dated 9/19/25, "The Montville Police Department doesn't see anything of concern on the plans in general. However, we do require that when there is any "construction", involving connection with or in the area involving Route 32, that all work be brought to the Montville Police Department for mandatory traffic control on Route 32 by a Police Officer(s)."

APPLICANT: The Applicant, Sam Piotrkowski, was present. Mr. Piotrkowski answered questions from the Commission and spoke very highly of the town officials and their willingness to help. He thanked everyone in town.

Assistant Town Planner, Meredith Badalucca, advised that the plan should be revised to reflect the correct size of the construction trailer and its location. Also, a hoop house could be placed with a Zoning Permit.

Zoning and Wetlands Officer Stacy Radford advised that while on site on 9/18/25 it appears that some construction is under way. There will have to be a stop work order if the approval does not go through tonight.

Motion (Terry/Desjardins) to find that ZR Sections 17.4.5, 17.4.7 and 17.4.15 for the reasons stated in the application materials and staff report dated September 22, 2025 are not necessary or required to reach a decision on Application 25 SITE 7. Roll call vote. All in favor (8-0-0) Motion CARRIED

Motion (Pike/Lundy) to APPROVE with condition numbers 1-21 as indicated in the staff report dated September 22, 2025, Application 25 SITE 7 for a change of use of the existing building to an auction/sales space and use the site for an auction facility at 1080 Route 32 (086/004/000) in accordance with the Montville Zoning Regulations and the application, supporting documentation and a plan set entitled "Site Development Modification Plan, Prepared for Sammy P, Inc., 1080 Norwich – New London Turnpike (CT Route #32) – Montville, Connecticut, Dated September 2025, Revised 9/18/25, Prepared by Boundaries, LLC". Roll call vote. All in favor (8-0-0) Motion CARRIED.

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. This shall include, storage of equipment to be auctioned.

Site Specific Conditions:

7. All landscaping shall be maintained post construction.
8. Site signage not shown on plan shall require an approved zoning permit prior to installation.
9. Accessible parking, the route from the accessible parking, striping, and any signage are regulated by the CT State Building Code.

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 any 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.
14. Revise site plan to indicate correct size and location of temporary office trailer.

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 \$20,000 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. Please see note in staff report dated September 22, 2025.
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. The temporary office trailer shall be removed prior to the issuance of the Certificate of Zoning Compliance and shall not be shown on the as-built plan.

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.

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:

a. CT Siting Council - 9/4/25 Decision of TS-T-Mobile-086-250807 –T-Mobile request for an order to approve tower sharing at an existing telecommunications facility located at 1334 Route 85, Montville, Connecticut.

A brief discussion was held among the Commissioners and Assistant Planner Badalucca.

14. Executive Session: None

15. Adjournment.

MOTION (Longton/Terry) to ADJOURN the meeting. All in favor (8-0-0). Meeting ADJOURNED at 07:07 p.m.

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:
Lisa D. Scovish
Recording Secretary

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