

TOWN OF MONTVILLE
PLANNING & ZONING COMMISSION
310 NORWICH NEW LONDON TPKE.
UNCASVILLE, CT. 06382
PHONE (860) 848-8549 x379 Fax (860) 848-2354
MEETING MINUTES
Tuesday, June 10 , 2014 7:00 p.m.
LOCATION: TOWN HALL – Council Chambers

1. **Call to order.** Chairman Pieniadz called the June 10, 2014 meeting of the Montville Planning and 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 Siragusa, Polhemus, Ferrante, Pieniadz, Desjardins, Toner, Hillsberg, and alternate Bolles. **COMMISSION MEMBERS ABSENT:** Yeitz. Commissioner Bolles was seated for Commissioner Yeitz. **STAFF PRESENT:** Marcia Vlaun, Town Planner and Colleen Bezanson, Planner II.

A MOTION was made by COMMISSIONER SIRAGUSA and SECONDED by COMMISSIONER TONER to add an 8-24 review to the agenda for the Montville Road Bridge and Sidewalk Replacement on Chesterfield Road after the Public Hearing. Voice Vote 8-0-0. All in Favor. MOTION CARRIED

4. Public Hearings:

- a. **Doreen M. Mrowka:** An application for a Zone change from R20 to C2 on the property located at 96 Route 163, Montville, Ct. As shown on Assessor's Map 73 Lot 55A. Chairman Pieniadz opened the Public Hearing at 7:03 pm. Staff entered the following exhibits into the record.
 1. Legal ad as published in the New London Day on May 30 and June 6, 2014
 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 dated 6/10/14
 5. Compilation Plan To Accompany Zone Change Request: Zone Change Map Prepared for B&D Auto #96 Route 163 Prepared By Starr Surveying
 6. Zoning map certified by the Town Clerk.

The Town Planner explained that this was a narrow piece of property that was surrounded by an electric substation and rail road property. The property is currently Zoned Residential with Commercial property across the street as well as abutting the property. The applicant intends to put a commercial building in the same footprint as the former house. The Zone Change Evaluation Criteria was read to the Commission and each discussed. Town Planner indicated that this was the highest and best use of the property because it was contiguous to other Commercial property and it would put it back on the tax roll. Commissioner Siragusa asked if the abutting electrical substation should be changed to Commercial as well. The Town Planner indicated that this could be looked at when and if Town Wide Zone changes were made. Attorney Harry Heller of Heller, Heller & McCoy spoke on behalf of the applicant and indicated that the railroad did not own the abutting property instead it was a right of way through his clients property. He also indicated that since the property was located at the entrance to the interchange no residential would ever want to be built there again, instead his client was proposing an accessory use to the existing B&D auto across the street. He stated that the project met the criteria for a Zone Change. Chairman Pieniadz asked three times if there was any public in favor and then again if there was any public against. There was no public present at the meeting. A MOTION was made by COMMISSIONER SIRAGUSA and SECONDED by COMMISSIONER DESJARDNS to CLOSE the Public Hearing. Voice Vote 8-0-0 . **MOTION CARRIED.** Public Hearing was closed at 7:14 p.m.

A MOTION was made by COMMISSIONER SIRAGUSA and SECONDED by COMMISSIONER DESJARDINS to move Item 5 Executive Session to the end of the agenda. Voice Vote. 8-0-0. All in Favor. **MOTION CARRIED**

5. Executive Session:

- a. **Montville Planning & Zoning Commission v. Wood (Docket No. KNL-CV-10-6004551.** See Item 6D

6. New Business:

- a. **8-24 Review Montville Road Bridge.** The Town Planner indicated that the road had washed out many years ago and the rebuilding has gone through a long permitting process. She indicated that the rebuilding of the bridge is consistent with the Plan of Conservation and Development. A MOTION was made by COMMISSIONER DESJARDINS and SECONDED by COMMISSIONER SIRAGUSA to send a positive recommendation for the 8-24 review of the Montville Road Bridge. Voice Vote 8-0-0 All in Favor. **MOTION CARRIED**

- b. **8-24 Review For Sidewalk Replacement on Chesterfield Rd.** The Town Planner indicated that the Town has received a STEAP grant for the reconstruction of the sidewalk that runs parallel to the schools on Chesterfield Rd. The existing sidewalks have been a safety concern for many years. The project is consistent with the Plan of Conservation and Development.

A MOTION was made by COMMISSIONER DESJARDINS and SECONDED by COMMISSIONER TONER to recommend a positive 8-24 review for the Sidewalk replacement for the Chesterfield Road Sidewalk. Voice Vote 8-0-0. All in Favor. **MOTION CARRIED**

A MOTION was made by COMMISSIONER TONER and SECONDED by COMMISSIONER YEITZ to add **Doreen M. Mrowka:** An application for a Zone change from R20 to C2 on the property located at 96 Route 163, Montville, Ct. As shown on Assessor's Map 73 Lot 55A to New Business 6(c).

- c. **Doreen M. Mrowka:** An application for a Zone change from R20 to C2 on the property located at 96 Route 163, Montville, Ct. As shown on Assessor's Map 73 Lot 55A to New Business 6(c). A MOTION was made by COMMISSIONER TONER and SECONDED by COMMISSIONER DESJARDINS that the Commission finds that the proposed zone change located at 96 Route 163 as shown on Assessor's Map 73 Lot 55A is in conformance with the Zone Change Evaluation Criteria. Voice Vote 8-0-0 .All in Favor. **MOTION CARRIED**
- d. **Discussion and Possible Settlement of pending lawsuit - Montville Planning & Zoning Commission v. Wood (Docket No. KNL-CV-10-6004551.** A MOTION was made by COMMISSIONER DESJARDINS and SECONDED by COMMISSIONER SIRAGUSA to continue both the Executive Session and the Discussion and Possible Settlement of pending lawsuit - Montville Planning & Zoning Commission v. Wood (Docket No. KNL-CV-10-6004551. Voice Vote 8-0-0. All in Favor. **MOTION CARRIED**

7. Old Business: None

8. Zoning Matters/Report: Chairman Pieniadz read the Zoning Officers Report

9. Communications: The Town Planner indicated that the office had received a complaint from the property owner on David Drive indicating that the road was in disrepair. The original owner of the subdivision no longer has control of the property and it was recently bought by FIL Montville LLC. A letter was sent to the new owner stating that a new bond would have to be put in place and that it was their responsibility to maintain the road until accepted into the Town road system. No permits will be issued until the bond has been posted. The office received copies of a magazine from the National Association of Realtors that was passed out to the Commission.

10. Minutes:

- a. Acceptance of the minutes from the meeting of May 27, 2014. A MOTION was made by COMMISSIONER SIRAGUSA and SECONDED by COMMISSIONER DESJARDINS to approve the minutes of the May 27, 2014 meeting. Voice Vote. 8-0-0. All in Favor. **MOTION CARRIED**

11. Other business to come before the Commission: Commissioner Siragusa stated that it used to be the policy of the Town Council to appoint current alternates to sit as full members before they appointed any new members.

1. Adjourn: Adjourned at 7:30 pm