

**TOWN OF MONTVILLE
PLANNING & ZONING COMMISSION
310 NORWICH NEW LONDON TPKE.
UNCASVILLE, CT 06382
PHONE (860) 848-6779 - FAX (860) 848-2354
MEETING MINUTES of
April 11, 2017**

1. **Call to order:** **CHAIRMAN PIENIADZ** opened April 11, 2017 Meeting at 7:00 pm.
2. **Pledge of Allegiance:** All rose to pledge the flag.
3. **Roll call and seating of Alternates:** **COMMISSIONERS PRESENT:** Desjardins, Duchesneau, Estelle, Hillsberg, McNally, Pieniadz, Pike (who sat for Bolles), Polhemus, Siragusa, and Toner. **COMMISSIONERS ABSENT:** Bolles. **STAFF PRESENT:** Marcia Vlaun, Town Planner; Colleen Bezanson, Assistant Town Planner, and Elizabeth Burdick, Zoning Officer.
4. **Executive Session:** None
5. **Public Hearing/Applications:**

217SP1 - Matthew Kobyluck - Double Down LLC, 1530 Route 85 (Map 5 Lot 29) Oakdale. Application for construction and operation of an earth materials processing facility. **CHAIRMAN PIENIADZ** opened **PUBLIC HEARING** at 7:01p.m.

Applicant's Representative, Ed Wenke, gave presentation. **CHAIRMAN PIENIADZ** polled **COMMISSIONERS** for questions of the applicant's representative. **COMMISSIONERS PIKE, HILLSBERG, SIRAGUSA** and **TONER** all had questions; which were answered satisfactorily. **CHAIRMAN PIENIADZ** invited comments from public in favor of the application three times; there were none. **CHAIRMAN PIENIADZ** invited comments from the public in opposition of the application. Mr. David Miner of Miner Deer Run, LLC. spoke in opposition of the application. A **MOTION** was made by **COMMISSIONER HILLSBERG** and seconded by **COMMISSIONER DESJARDINS** to continue **PUBLIC HEARING** to the April 25, 2017 Meeting. **VOICE VOTE 9-0-0. MOTION CARRIED.**

6. **Old Business:**

217SITE1 – John Ellis – E.L.K. Ranch, LLC., 226 Butlertown Road (Map 1 Lot 14-4) Oakdale. Application for a 30' x 43' single-story, warehouse/office. Town Planner read staff report into record. **CHAIRMAN PIENIADZ** polled **COMMISSIONERS** for questions of staff. There were none.

CHAIRMAN HILLSBERG made **MOTION**, seconded by **COMMISSIONER DESJARDINS** that the Commission finds the site plan meets the requirements of Section 13 and Section 18 of the Zoning Regulations and approves the plan of John Ellis as depicted on the plans titled “Site Plan Prepared for E.L.K. Ranch, LLC 226 Butlertown Rd-Map 1 Lot 14-4 Montville, Ct. Prepared by Indigo Land Design dated January 30, 2017 and revised to March 6, 2017”.

This is a conditional approval. Each and every condition is an integral part of the Commission decision. Should any of the conditions, on appeal from this decision, be found to be void or of no legal effect then this conditional approval is likewise void. Should any of the conditions not be implemented by the applicant or his successors within the specified permit time period, then this conditional approval is void. The applicant may re-file another application review. The conditions of approval are:

1. The ZEO must be contacted 24 hours prior to start of construction.
2. An E&S Bond in the amount of \$4,360.00 must be posted prior to the issuance of a Zoning Permit.
3. The Comments of the Uncas Health District must be addressed prior to issuance of a Zoning Permit.
4. Post- Construction Requirements note shall be added to the plans that reads as follows:

After construction is completed and accepted by the Owner, it shall be the responsibility of the Owner to maintain all drainage structures. In addition, the following inspection and maintenance guidelines shall be the responsibility of the Owner, beginning the first year period following construction completion and acceptance, and shall be followed each year thereafter:

1. **Drainage and other Paved Areas:** Inspect on a regular basis not to exceed weekly for litter and debris. Sweep at least twice a year, with the first occurring as soon as possible after first snowmelt and the second not less than 90 days following the first.
2. **Catch Basin Sumps:** Inspect semi-annually and cleaned when the sump is one half full of silt and/or debris.
3. **Landscaped Areas:** Inspect semi-annually for erosion or dying vegetation. Repair and stabilize any bare or eroded areas and replace vegetation as soon as possible.

VOICE VOTE 9-0-0. MOTION CARRIED.

7. New Business:

217SITE2 – Gary Winalski – Patterson Brothers Properties, LLC. – 14 Enterprise Lane (Map 2 Lot 5D) Oakdale. Application for a Modified Site Plan. **COMMISSIONER TONER** made **MOTION**, seconded by **COMMISSIONER HILLSBERG** to grant the Applicant’s request for a 35 day extension. **VOICE VOTE 9-0-0. MOTION CARRIED.**

217SITE3 – Thames Valley Alternative Relief – Z&E Property Management, LLC., 887 Route 32 (Map 83 Lot 30) Uncasville. Application for renovations/additions/CAM Review for an existing building; associated site improvements for retail facility w/drive-through window. Town Planner read staff report into record.

CHAIRMAN PIENIADZ polled **COMMISSIONERS** for questions of staff; there were none. **COMMISSIONER DESJARDINS** made **MOTION**, seconded by **COMMISSIONER HILLSBERG** that the Commission finds the site plan and CAM application meet the requirements of Section 10.A, Section 16.5 and Section 18 of the Zoning Regulations and approves the plan of Thames Valley Alternative Relief titled “Existing Conditions Plan Prepared for Thames Valley Alternative Relief Property of Z&E Property Management LLC 887 Norwich New London Tpke Montville, Ct dated February 28, 2017 and revised to March 31, 2017.”

This is a conditional approval. Each and every condition is an integral part of the Commission decision. Should any of the conditions, on appeal from this decision, be found to be void or of no legal effect then this conditional approval is likewise void. Should any of the conditions not be implemented by the applicant or his successors within the specified permit time period, then this conditional approval is void. The applicant may re-file another application review. The conditions of approval are:

1. The ZEO must be contacted 24 hours prior to start of construction.
2. An E&S Bond in the amount of \$3,600.00 must be posted prior to the issuance of a Zoning Permit.
3. Post- Construction Requirements note shall be added to the plans that reads as follows:

After construction is completed and accepted by the Owner, it shall be the responsibility of the Owner to maintain all drainage structures. In addition, the following inspection and maintenance guidelines shall be the responsibility of the Owner, beginning the first year period following construction completion and acceptance, and shall be followed each year thereafter:

1. **Drainage and other Paved Areas:** Inspect on a regular basis not to exceed weekly for litter and debris. Sweep at least twice a year, with the first occurring as soon as possible after first snowmelt and the second not less than 90 days following the first.
2. **Catch Basin Sumps:** Inspect semi-annually and cleaned when the sump is one half full of silt and/or debris.
3. **Landscaped Areas:** Inspect semi-annually for erosion or dying vegetation. Repair and stabilize any bare or eroded areas and replace vegetation as soon as possible.

VOICE VOTE 9-0-0. MOTION CARRIED.

217ZC1 – Shawn Meaie – 45 Oakland Drive (Map 51 Lot 11) Oakdale.
Application for Zone Change from R-120 to R-80.

COMMISSIONER DESJARDINS made **MOTION**, seconded by **COMMISSIONER TONER**, to set **Public Hearing** for May 9, 2017. **VOICE VOTE 9-0-0. MOTION CARRIED.**

217ZC2 – Elizabeth Occhionero – 1 Richard Brown & Fitch Hill Road (Map 44 Lots 33B &36) Oakdale. Application for Zone Change from C3 to R-20-M.

COMMISSIONER MCNALLY made **MOTION**, seconded by **COMMISSIONER TONER**, to set **Public Hearing** for May 9, 2017. **VOICE VOTE 9-0-0. MOTION CARRIED.**

8. Zoning Matters

- a. Liz Burdick – February 2017 and March 2017 Zoning Reports.

9. Town Planner:

- a. Town Of Montville Proposed 2018-2022 Capital Improvement Plan.
- b. RSA–Montville Norwich-New London Turnpike (Route 32) Road Safety Audit.

10. Communications: None

11. Minutes:

- a. **COMMISSIONER DESJARDINS** made **MOTION**, seconded by **COMMISSIONER TONER** to accept the February 14, 2017 regular meeting minutes. **VOICE VOTE 9-0-0. MOTION CARRIED.**

- b. **COMMISSIONER TONER** made **MOTION**, seconded by **COMMISSIONER DESJARDINS** to accept the February 28, 2017 regular meeting minutes. **VOICE VOTE 9-0-0. MOTION CARRIED.**
- c. **COMMISSIONER DESJARDINS** made **MOTION**, seconded by **COMMISSIONER TONER** to accept the March 28, 2017 regular meeting minutes. **VOICE VOTE 8-0-1. COMMISSIONER PLOHEMUS** abstained. **MOTION CARRIED.**

12. Other Business:

CHAIRMAN PIENIADZ asked **COMMISSION** to add Item 12a to the Agenda.

- a. **COMMISSIONER DESJARDINS** made **MOTION**, seconded by **COMMISSIONER MCNALLY** for the Release of the \$34,122.67 Maintenance Bond for David Drive and Rebecca Court. **VOICE VOTE 9-0-0.** Item 12 added to Agenda.

COMMISSIONER HILLSBERG made **MOTION**, seconded by **COMMISSIONER DESJARDINS** to release the \$34,122.67 Maintenance Bond for David Drive and Rebecca Court. **VOICE VOTE 9-0-0 MOTION CARRIED.**

13. Adjourn:

CHARIMAN PIENAIIDZ adjourned meeting at 8:25 pm.

Respectfully submitted,
Michelle M. Giroux
Recording Secretary