

**TOWN OF MONTVILLE
PLANNING & ZONING COMMISSION
310 NORWICH NEW LONDON TPKE
PHONE (860) 848-8549 Fax (860) 848-2354
AMENDED MEETING MINUTES
February 24, 2009**

1. **Call to Order.** Chairman Marcus called the February 24, 2009 meeting of the Montville Planning & 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 Marcus, Pieniadz, Polhemus, Desjardins, Baron and Toner. (6 regular members)
COMMISSION MEMBERS ABSENT: Commissioner Mastrandrea, Ferrante and Siragusa. (3 regular members)
STAFF PRESENT: Marcia A. Vlaun, Town Planner.
4. **Executive Session:** none
5. **New Business:**
 1. **Action items:** none
6. **Zoning Issues:**
 - a) **Garhard Leitkowski, Jr./Leitkowski Construction:** 36 Bergman Drive Map 7 Lot 24: Staff advised the Commission complaints received and of issues involving the operation of a business in a residential (R-20) zone and the storage of construction equipment on the property. Staff also informed the Commission that the owner of the property had a Zoning Permit for a garage that he was building on the property, but that the foundation for the same appears to be completed. Discussion was held. A **MOTION** was made by **COMMISSIONER DESJARDINS; SECONDED** by **COMMISSIONER TONER** to **ISSUE** A Cease And Desist Order on 36 Bergman Drive for the removal of construction equipment and the operation of a business in an R-20 zone. Discussion was held. Voice vote. **6-0 MOTION CARRIED.**
 - b) **Dax Bedingfield:** An application for a home occupation permit for a landscaping business. Discussion was held. The Commission addressed their concerns with Dax Bedingfield. A **MOTION** was made by **COMMISSIONER PIENIADZ; SECONDED** by **COMMISSIONER TONER** to issue a Home Occupation Permit for one year for a landscaping/lawn care business at 75 Fort Shantok Road/Dax Bedingfield. Discussion was held. **6-0 MOTION CARRIED.**

7. Public Hearings:

- a) **T&N Financial/Inez Mazzei:** An application for a 14 lot subdivision located on the property at 687 Old Colchester Road, Uncasville, CT As shown on Assessors Map 22 Lot 16. The Public Hearing opened at 7:17 p.m. The Town Engineer, Tom Fenton was on hand to address the Commission. **Staff:** Staff entered the following into the record: Staff report dated 2/24/09, Record Plan: Mazzei – T&N Financial 8/28/08 rev. thru 2/24/09, Drainage Design Report. Tom Fenton went over the drainage report with the Commission. Discussion was held. **Applicant:** Tom Tavella, Landscape Architect of 414 Sycamore, Orange, CT made a presentation to the Commission. James Bernardo, the Applicant's Engineer was also on hand to answer any of their questions and advised the General Permit Registration for the Discharge of Stormwater has been filed with the State and Staff has a copy of the same in the application file. Commission had concerns with the guide wires for the Metrocast Tower and suggested that the plans call them out. Discussion was held. **Public:** no comments were received either for or against. A **MOTION** was made by **COMMISSIONER DESJARDINS; SECONDED** by **COMMISSIONER POLHEMUS** to **CLOSE** the Public Hearing (T&N Financial/Inez Mazzei). Voice vote. 6-0 **MOTION CARRIED.**

8. Old Business:

1. Action Items:

- a) **9R Burlake Road, LLC:** An application for a Zone Change from R-40 to R-20 on the properties located at 76, 90, 94, and 120 Gay Hill Road, Montville, CT As shown on Assessor's Map 23 Lots 1, 2, 3 & 3A. Staff read a letter from Attorney Heller asking that the Commission continue to the 3/24/09 meeting. Discussion was held. **COMMISSIONER BARON** made a **MOTION** to **DENY** and then **WITHDREW** the **MOTION**. Discussion was held. **COMMISSIONER DESJARDINS** made a **MOTION; SECONDED** by **COMMISSIONER PIENIADZ** to **CONTINUE** to the **3/24/09** meeting. Roll call vote as follows: In favor: Marcus, Pieniadz, Polhemus and Desjardins. Opposed: Toner and Baron. 4-2-0 **MOTION CARRIED.**

**The Commission took a break from 7:55 p.m. to 8:05 p.m. when Chairman Marcus called the meeting back to order.

- b) **Town of Montville Planning & Zoning Commission:** Text amendment to the Subdivision Regulations Section 6.11 Maintenance Bond. Public Works Director and the Town Engineer addressed the Commission with the reasons why the changes are necessary. Discussion was held. A **MOTION** was made by **COMMISSIONER PIENIADZ; SECONDED** by **COMMISSIONER TONER** to **SET** the Public Hearing date for the proposed subdivision text amendment regarding the maintenance bonds for 3/24/09. Voice vote. 6-0 **MOTION CARRIED.**

2. Not Ready For Action:

a) **Vizion Enterprises/John Aldi:** An application for HOD Site Plan review for the property located at 1710-1856 Route 32, Uncasville, Ct. As shown on Assessor's Map 94 Lot 29. A **MOTION** was made to **CONTINUE** by **COMMISSIONER PIENIADZ; SECONDED** by **COMMISSIONER DESJARDINS**. Voice vote. 6-0. **MOTION CARRIED.**

9. Communications: Staff: Staff distributed to the Commission an Economy Update that she had prepared.

10. Minutes:

1. Acceptance of the minutes from the Regular meeting of February 10, 2009 with a correction of Commissioner Desjardins name in section 3, Line 3 (add an s to it). A **MOTION** was made by **COMMISSIONER PIENIADZ; SECONDED** by **COMMISSIONER TONER** to **APPROVE** the minutes with the addition of the "s". Voice vote. 6-0. **MOTION CARRIED.**

11. New Business:

2. **Non-Action items:**

12. Zoning Issues:

2. **Non-Action Items:**
3. Zoning Officer's Report. The Zoning Officer's Report was distributed to the Commission.

13. Other business to come before the Commission:

- a) Plan of Development –no action taken.

14. Adjourn: The meeting adjourned at 8:55 p.m.

Respectfully submitted,

Judy A. LaRose
Recording Secretary

AN AUDIO RECORD OF THE MEETING IS ON FILE IN THE MONTVILLE TOWN CLERK'S OFFICE