

Town of Montville
Planning and Zoning Commission
310 Norwich New London Turnpike
Uncasville, Ct 06382

Meeting Minutes of
Tuesday May 28, 2019

1. Call to Order: Commissioner Pieniadz called the meeting to order at 6:00 p.m.
2. Pledge of Allegiance: All rose to salute the flag
3. Roll Call: Present were Commissioners Pieniadz, Desjardins, Toner, Estelle, Polhemus, Siragusa, Longton and Duchesneau. Also present were Town Planner Marcia Vlaun and Assistant Planner Colleen Bezanson.
4. Executive Session: None
5. Public / Application: None
6. Old Business:
 - a. **(219 SITE 6) Owner/Applicant Advanced Improvements, LLC:** Site Plan for commercial building and infrastructure on the property located at 393 Butlertown Rd (Map 5 Lot 27-4)

A MOTION was made by COMMISSIONER DESJARDINS and seconded by COMMISSIONER TONER to continue until the June 5, 2019 meeting

ALL in Favor 8-0-0 Motion Carried

7. New Business:
 - a. **(219 SITE 11) Owners: WERN, LLC, Norwich Roman Catholic Diocesan Corporation and Mohegan Hill Montville, LLC /Applicant: Mohegan Hill Montville, LLC:** Site plan application for Phase 1B of Verde Hills for Data Storage Buildings on the properties located at 1741 & 1751 Route 32 (Map 94 Lots 36&35), Portion of 1593 Route 32 (Map 41 Lot 3) and Massapeag Side Road (Map 42 Lot 12)

The Town Planner read the staff report and stated that the new plan was for Phase 1B of project for the addition of 2 new data buildings. Discussion was held.

A MOTION was made by COMMISSIONER TONER and seconded by COMMISSIONER DESJARDINS and finds that the site plan meets the requirements of Section 11, Section 14A and Section 17 of the Zoning Regulations and approves the site plan and application for Mohegan Hill Montville LLC for data storage building on the properties located at Map 094-035-000- 1751 Route 32; Map 094-036-000 -1741 Route 32; 041-003-000 (partial)- 1593 Route 32 and Map 42 Lot 12- Massapeag Side Road as shown on the plan titled "Phase 1B Improvements for Verde Hills; Route 32 Town of Montville, Connecticut, Prepared for Mohegan Hill Montville, LLC, Prepared By Stadia Engineering Associates dated May 13, 2019" with the following conditions:

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. All parcels in the OZ shall be consolidated as one parcel- Attachment A
2. WPCA capacity letter shall be provided prior to the issuance of a Zoning Permit
3. OSTA, DEEP Stormwater; and District 2 permits shall be provided prior to the issuance of a Zoning Permit
4. The retaining wall design calculations and details, including manhole drops, shall be submitted for review prior to the start of construction and the applicants' structural engineer shall be involved throughout the construction to evaluate field conditions, and shall provide a final certification that the wall is constructed in accordance with the approved design.
5. A final drainage report shall be submitted prior to the issuance of a Zoning Permit when the building sizes are determined.
6. Test holes shall be performed in the areas of the proposed infiltration system prior to the issuance of a Zoning Permit.
7. There shall be no increase in peak flow amounts following development.
8. Handicap access and spaces will require final approval from the Building Inspector.
9. Show the location of the Birchwood Commons SCWA well.
10. Lighting shall comply with Section 18.4 of the Zoning Regulations
11. Fire Marshal shall have final location approval for Hydrants and fire lanes
12. The applicant shall post a \$5000.00 erosion and sediment control bond prior to the start of construction.
13. Addresses with * designation are sites where dilapidated houses shall be removed- Attachment A. 62.3+/- acres are to be conveyed from the Norwich Catholic Diocesan Corporation and 2.41 acres are to be conveyed from Wern LLC (frontage parcels).

Attachment 'A'

Map/Lot	Address
034-039-000	190 Derry Hill Road
034-040-000	Derry Hill Road
034-088-000*	162 Derry Hill Road
042-003-000*	174 Massapeag Side Road
042-004-000	Massapeag Side Road
042-004-00A*	226 Massapeag Side Road
042-004-0A1	Massapeag Side Road
042-005-000	Massapeag Side Road
042-007-000	238 Massapeag Side Road
042-008-000*	266 Massapeag Side Road
042-008-00A*	260 Massapeag Side Road
042-008-00B*	252 Massapeag Side Road
042-008-00C*	246 Massapeag Side Road

042-009-000*	272 Massapeag Side Road
042-011-000	43R Driscoll Drive
042-011-00A*	47 Driscoll Drive
042-011-00B*	43 Driscoll Drive
042-012-000	Massapeag Side Road
094-035-000	1751 Route 32
094-036-000	1741 Route 32
041-003-000	1593 Route 32 (62.3 acres+/-)

Roll call vote ALL in Favor 8-0-0 **Motion Carried**

- b. **(219 SITE 10) Owner / Applicant Holly Lombardi Holdings, LLC:** Site Plan Modification for Lombardi Business Park for the following lots: 10, 18, 26, 34, 42 Sachatello Industrial Dr, 325, 335 Butlertown Rd (Map 5 Lots 27-7, 8, 9, 10, 11, 12, 13)

The Town Planner read the staff report and stated that Lot 8 would be added to the existing processing operations. Discussion was held.

A MOTION was made by COMMISSIONER DESJARDINS and seconded by COMMISSIONER TONER and finds that the site plan meets the requirements of Section 12 and Section 17 of the Zoning Regulations and approves the plan and application of Holly Lombardi Land Holdings, LLC for the properties located at 10,18,26,34, & 42 Sachatello Industrial Dr. (Map 5 Lots 27-11,10,9,8,7) and 325 & 335 Butlertown Rd (Map 5 Lots 27-12,13) as depicted on the plan titled “ 18 Sachatello Industrial Dr. Town of Montville CT, Holly Lombardi Land Holdings, LLC Lot 3 Combination & Reconfiguration Lombardi Business Park Sheets 1-4 Prepared by Green Site Designs LLC dated 4/30/19 and revised to 5/9/19”

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 hrs prior to start of construction and a Zoning Permit must be filed for prior to construction.
2. An E&S Bond in the amount of \$2,000.00 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. Inspect semi-annually to insure boulder non disturbance line is maintained.

ALL in Favor 8-0-0 **Motion Carried**

- c. **(219 SITE 12) Owner: Town of Montville/ Applicant: Ian Diamond, CES Montville Solar, LLC.** Site plan application for Solar Array with fence for the property located at 800 Old Colchester Rd (Map 30 L 2 & 2-1)

The Town Planner read the staff report and explained the solar plan satisfied all erosion and sediment requirements. Discussion was held.

A MOTION was made by COMMISSIONER TONER and seconded by COMMISSIONER DESJARDINS and finds that the site plan and application meets the requirements of Section 14, Section 15.1 and Section 17 of the Zoning Regulations and approves the plan of Ian Diamond, CES Montville Solar, LLC /Town of Montville titled “Montville PV Solar Array 800 Old Colchester Rd Montville, CT Permit Drawings. Prepared for Con Edison Solutions Prepared by Milone & MacBroom pages 1-7 dated 5/19/2019.”

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 hrs prior to start of construction
2. A Zoning Permit shall be filed prior to construction
3. An E&S Bond in the amount of \$5,000.00 must be posted prior to the issuance of a Zoning Permit.
4. Construction sequence numbers 3 and 4 must be reversed
5. It is the applicant’s responsibility to locate all utilities and drainage structures which may be impacted prior to the start of construction.

- d. **§8-24** - A request for an §8-24 Review for sale or abandonment of the following parcels:

	Map/Lot	Address	Acreage	Zoning	Notes
1.	Map 82 Lot 53	Bridge St	.35 Ac	I	Sell
2.	Map 57 Lot 16	30 Church Rd	1.8 Ac	R-40	Sell
3.	Map 108 Lot 57	Oxoboxo Cross Rd	.09 Ac	R-80	Sell
4.	Map 108 Lot 216	47 Oxoboxo Cross Rd	.06 Ac	R-80	Sell
5.	Map 99 Lot 89	87 PTA Ln	13.35 Ac	GOV	Sell
6.	Map 23 Lot 79-1E	309 Route 163	2.25 Ac	C-1	Sell, Adjacent to 323 Route 163
7.	Map 23 Lot 79-1D	323 Route 163	12.25 AC	C-1	Sell, Adjacent to 309 Route 163
8.	Map 100 Lot 14	5 Linda Ave / Lathrop Court		R-20	Abandon
9.	Map 29 Lots 80-83	192-206 Chesterfield Rd		R-120	Abandon

The Town Planner read the staff report. Discussion was held.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER TONER to recommend to the Town Council that properties 1 thru 7 be sold and properties 8 and 9 be abandoned as described in Attachment A.

Attachment A

	Map/Lot	Address	Acreage	Zoning	Notes
1.	Map 82 Lot 53	Bridge St	.35 Ac	I	Sell
2.	Map 57 Lot 16	30 Church Rd	1.8 Ac	R-40	Sell
3.	Map 108 Lot 57	Oxoboxo Cross Rd	.09 Ac	R-80	Sell
4.	Map 108 Lot 216	47 Oxoboxo Cross Rd	.06 Ac	R-80	Sell
5.	Map 99 Lot 89	87 PTA Ln	13.35 Ac	GOV	Sell
6.	Map 23 Lot 79-1E	309 Route 163	2.25 Ac	C-1	Sell, Adjacent to 323 Route 163
7.	Map 23 Lot 79-1D	323 Route 163	12.25 AC	C-1	Sell, Adjacent to 309 Route 163
8.	Map 100 Lot 14	5 Linda Ave / Lathrop Court		R-20	Abandon
9.	Map 29 Lots 80-83	192-206 Chesterfield Rd		R-120	Abandon

ALL in Favor 8-0-0 Motion Carried

8. Zoning Matters:

- a. ZEO Nancy Woodlock's report was distributed to the Commission.

9. Town Planner:

- a. Discussed POCD update. The Commission agreed that a minor technical update would be done now and a more comprehensive update after 2020 Census data is released.

10. Communications: None

11. Other Business: None

12. Minutes:

- a. A MOTION was made by COMMISSIONER LONGTON and seconded by COMMISSIONER DESJARDINS to accept the regular meeting minutes from April 23, 2019

ALL in Favor 8-0-0 **Motion Carried**

13 Adjourn: Chairman Pieniadz adjourned the meeting at 7:07 p.m.

Respectfully submitted,

Tiffany Williams, Recording Secretary