

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

Meeting Minutes of
Tuesday June 25, 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, Siragusa, Longton, Duchesneau. Commissioners Polhemus and Estelle were absent. 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).

Town Planner Marcia read the staff report and described the proposed construction of the 10,000 sq ft. building that is to be used as a garage, warehouse and office space. Discussion was held.

A MOTION was made by COMMISSIONER TONER and seconded by COMMISSIONER DESJARDINS that the Commission finds that the site plan meets the requirements of Section 12 and Section 17 of the Zoning Regulations and approves the site plan “Improvement Location Survey Site Plan Prepared for Advanced Improvements, LLC 393 Butlertown Rd Montville, Ct. Prepared by Killingly Engineering Associates sheets 1-4 dated 1/24/19 and revised to 5/24/19”

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. The existing waterline in Butlertown Rd must be shown on the plans.
4. The proposed 200 ft contour must be shown on the easterly side of the driveway.
5. Spot grades must be added.

6. The temporary sedimentation basin (during construction) must be extended across the lot to the proposed drive access. It must be sized per CT Guidelines for E&S Control Chapter 5-11.
7. The grading of the driveway at Butlertown Rd must be clearly defined to show that gutterline flow is maintained.
8. 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.

Roll call vote ALL in Favor 6-0-0 **Motion Carried**

7. New Business:

- a. **(219 SITE 13) Owners: WERN, LLC, Norwich Roman Catholic Diocesan Corporation and Mohegan Hill Montville, LLC /Applicant: Mohegan Hill Montville, LLC:** Site plan application for Phase 1-C of Verde Hills for Data Storage Buildings and Power Pad on the property located at 1741 & 1751 Route 32 (Map 94 Lots 36&35), Portion of 1593 Route 32 (Map 41 Lot 3), Derry Hill Rd (Map 34 Lot 40) and Massapeag Side Road (Map 42 Lot 12).

Town Planner Marcia Vlaun read the staff report and described the addition of two data buildings and the location of the power pad that will be used as power for the buildings. She also stated that all the dilapidated houses were demolished as was part of the conditional approval. Discussion was held.

A MOTION was made by COMMISSIONER TONER and seconded by COMMISSIONER DESJARDINS that the Commission 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 buildings and power pad 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; Map 34 Lot 40 – Derry Hill Rd and Map 42 Lot 12- Massapeag Side Road as shown on the plan titled “Proposed Phase 1- Section C Site Improvements for Verde Hills; Route 32 Town of

Montville, Connecticut, Prepared for Mohegan Hill Montville, LLC, Prepared By Stadia Engineering Associates dated June 11, 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. Lighting shall comply with Section 18.4 of the Zoning Regulations
10. Fire Marshal shall have final location approval for Hydrants and fire lanes
11. The applicant shall post a \$5000.00 erosion and sediment control bond prior to the start of construction
12. 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+/-)

ALL if Favor 6-0-0 **Motion carried**

- b. **§8-24 review:** For the release of old portion of Black Ash Rd and the acceptance of the new portion of Black Ash Rd

Town Planner Marcia Vlaun distributed map with description of portions of road to be accepted and released

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER LONGTON to send a favorable review to the Town Council to Release a portion of the old Black Ash Road and to accept the new portion of Black Ash Road as described in Attachment A. (at end of minutes)

ALL if Favor 6-0-0 **Motion carried**

7. Zoning Matters:

- a. Zoning Enforcement Officer Nancy Woodlock's report was distributed.

8. Town Planner:

- a. Discussion of use of the property located at 505 Old Colchester Rd (Map 16 Lot 8)

Town Planner, Marcia Vlaun, stated that someone was interested in purchasing the property. The history of the property was discussed to determine possible uses for the property.

9. Communications: None

11. Other Business:

- a. Councilor Pike told the Commission that the Council had moved forward with all the §8-24 reviews and they were looking to sell those properties on Route 163.

12. Minutes:

- a. Commissioner Pieniadz asked for a motion to accept the minutes from the May 28, 2019 regular meeting.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER LONGTON to accept the minutes.

ALL in Favor 6-0-0 Motion carried

13. Adjourn: Meeting adjourned 6:57 pm.

Respectfully submitted,

Tiffany Williams, Recording Secretary

Description of right of ways to to be relocated
for Black Ash Road, Montville Connecticut.

Two tracts or parcels of land situated in the Town of Montville, County of New London, State of Connecticut, depicted as "SHADED AREA IS RELOCATED BLACK ASH ROAD TO BE ACCEPTED" and "AREA OF BLACK ASH ROAD TO BE RELEASED" on a plan entitled "TOWN OF MONTVILLE, OLD COLCHESTER ROAD AND BLACK ASH ROAD INTERSECTION IMPROVEMENTS, RIGHT OF WAY PLAN Scale: 1"=20', Project No. CLA-6182N, Date: March 2019, Sheet No. 1 by CLA Engineers, Inc., Norwich, Connecticut" and being more particularly described as follows:

Area of Black Ash Road To Be Accepted:

Beginning at a point at the easterly intersection of Black Ash and Old Colchester Road, said point being 217', more or less, east of a catch basin on the southerly edge of Old Colchester Road;

Thence with a curve turning to the left with an arc length of 59.09', with a radius of 50.00', with a chord bearing of S 27°23'48" W and with a chord length of 55.71' to a point;

Thence with a reverse curve turning to the right with an arc length of 21.34', with a radius of 191.00', with a chord bearing of S 03°15'24" E, and with a chord length of 21.33' to a point;

Thence with a compound curve turning to the right with an arc length of 70.54', with a radius of 126.76', with a chord bearing of S 16°37'51" W, and with a chord length of 69.64' to a point;

Thence S 32°34'21" W a distance of 33.51' to a point;

Thence with a curve turning to the right with an arc length of 158.45', with a radius of 180.00', with a chord bearing of S 56°59'21" W, and with a chord length of 153.38' to a point;

Thence S 82°12'26" W a distance of 202.27' to a point;

Thence with a curve turning to the left with an arc length of 18.03', with a radius of 120.00', with a chord bearing of S 77°54'13" W, and with a chord length of 18.01';

Thence S 74°46'01" W a distance of 38.18' to a point;

Thence N 00°54'30" W a distance of 64.30' to a point;

Thence N 78°56'08" E a distance of 37.89' to a point;

Thence N 81°59'01" E a distance of 75.16' to a point;

Thence N 82°12'26" E a distance of 137.39' to a point;

Thence with a curve turning to the left with an arc length of 145.51', with a radius of 120.00', with a chord bearing of N 47°28'07" E, with a chord length of 136.76' to a point,;

Thence with a compound curve turning to the left with an arc length of 52.08', with a radius of 27.64', with a chord bearing of N 41°14'48" W, with a chord length of 44.71' to a point,;

Thence with a compound curve turning to the left with an arc length of 52.14', with a radius of 366.38', with a chord bearing of N 71°06'58" E, with a chord length of 52.10' to a point,;

Thence N 59°09'32" E a distance of 91.49' to the point of beginning.

having an area of 31794.61 Square Feet, 0.730 Acres

Area of Black Ash Road To Be Released:

Beginning at a point at the westerly intersection of Black Ash and Old Colchester Road said point being 83', more or less, east of a catch basin on the southerly edge of Old Colchester Road;

Thence with a reverse curve turning to the right with an arc length of 33.28', with a radius of 366.38', with a chord bearing of S 77°47'43" W, with a chord length of 33.26' to a point;

Thence with a curve turning to the right with an arc length of 46.88', with a radius of 812.92', with a chord bearing of S 85°49'24" W, with a chord length of 46.87' to a point;

thence S 46°02'52" W a distance of 52.15' to a point;

Thence with a curve turning to the right with an arc length of 179.86', with a radius of 594.84', with a chord bearing of S 58°11'24" W, with a chord length of 179.18' to a point;

Thence S 66°51'09" W a distance of 54.34' to a point;

Thence N 78°56'08" E a distance of 37.89' to a point;

Thence N 81°59'01" E a distance of 75.16' to a point;

Thence N 82°12'26" E a distance of 137.39' to a point;

Thence with a curve turning to the left with an arc length of 145.51', with a radius of 120.00', with a chord bearing of N 47°28'07" E, with a chord length of 136.76' to a point;

Thence with a compound curve turning to the left with an arc length of 52.08', with a radius of 27.64', with a chord bearing of N 41°14'48" W, with a chord length of 44.71' to a point;

which is the point of beginning,

having an area of 21086.42 Square Feet, 0.484 Acres