

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

Meeting Minutes of
Tuesday January 28, 2020

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, Chairman Pieniadz mentioned the passing of Allen Polhemus and had a moment of silence.
3. Roll Call:
Present were Commissioners Pieniadz, Desjardins, Siragusa, Duchesneau, Estelle, Toner, Pike and Longton. Also present was Town Planner Marcia Vlaun and Assistant Planner Colleen Bezanson.
4. Executive Session: None
5. Public / Application:
 - a. **(220 ZC 1) – 232 Route 32 (Map 69 Lot 61), Uncasville. CT – Applicant/Owner: Village Apartments, LLC. Zone Change from R-20 to R-20-M.** CHAIRMAN PIENIADZ opened the public hearing at 7:02 pm. The Town Planner read the Staff Report, which explained the zone change evaluation criteria, and entered Staff Exhibits into record.

Staff Exhibits:

1. Copy of the legal ad as published in *The New London Day* on January 17th and January 24th 2020.
2. Notice to Town Clerk regarding Proposed Zone Change received in office of Town Clerk on January 13, 2020.
3. Copies of Certified / Return Receipt Requested Mail sent on January 16, 2020 to abutters.
4. Staff Report.
5. Entire project folder.

CHAIRMAN PIENIADZ invited comments from public in favor of application three times. Attorney Heller spoke about how this zone change in conformance with Comprehensive plan and POCD. CHAIRMAN PIENIADZ invited comments from public in opposition of application three times. Comments in Opposition came from Bob Austin of 23 Jerome Ave, Deborah Beebe & Christopher Constantine of 240 Route 32, John Moriarty of 78 Jerome Rd and John Beaty of 7 Jerome Ave. Discussion was held. MOTION was made by COMMISSIONER ESTELLE; seconded by COMMISSIONER LONGTON to **Close** the PUBLIC HEARING.

ALL in Favor 8-0-0.

Public Hearing closed at 6:43 p.m.

- b. **Discussion and Decision - (220 ZC 1) – 232 Route 32 (Map 69 Lot 61), Uncasville. CT – Applicant/Owner: Village Apartments, LLC. Zone Change from R-20 to R-20-M.**

COMMISSIONER TONER made MOTION, seconded by COMMISSIONER LONGTON to approve the proposed zone change application from R20 to R-20-M on the property located at 232 Route 32 (Map 69 Lot 61) Uncasville. The Commission finds that the proposed zone change is in conformance with the Comprehensive Plan and the Plan of Conservation and Development, based on the findings and general discussion of the criteria contained in the staff report. The effective date of the zone change shall be February 17, 2020. CHAIRMAN PIENIADZ requested a Roll Call Vote.

Roll Call Vote: ALL in FAVOR 8-0-0.

Motion carried.

6. Old Business:

- a. **(219 SUB 1) Owner Walter N. Wainwright, Jr. / Applicant Sunmar / RAF Builders, LLC:** Application for a 9 Lot Subdivision located at 1100 East Lake Road (Map 7 Lot 32-10)

The Town Planner read staff report describing the 9 lot subdivision. Discussion was held.

A MOTION was made by COMMISSIONER TONER and seconded by COMMISSIONER DESJARDINS to waive Section 4.6.3 of the Subdivision regulations as it is not required by the Health District.

ALL if Favor 8-0-0 Motion carried

A MOTION was made by COMMISSIONER TONER and seconded by COMMISSIONER LONGTON and finds that the subdivision plan meets the requirements of Section 5 & 18 of the Zoning Regulations and the Subdivision Regulations and approves the application and plan of Sunmar/RAF Builders, LLC as depicted on the plan titled “Subdivision Plan Prepared for Sunmar/RAF Builders, LLC 1100 East Lake Road Montville Ct. Prepared By Advanced Survey LLC, Pages 1-7 dated October 2019 and revised to 12/16/19.”

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 per lot must be posted prior to the issuance of a Zoning Permit.
3. Property to be conveyed to the Audubon Society shall be combined with the property located at Ridge Hill Rd (Map 6 Lot 18).
4. The Inland Wetlands Commission shall review any modifications to the lot development plans for 32-1 and 32-2 which depict activities closer to the wetlands than shown on the subdivision plan.
5. On Page 6 of the plan set, the note regarding stabilization certification shall be changed to read “from the Zoning Enforcement Officer” not the Town of Montville Building Department.
6. Prior to the signature of the Chairman the applicant shall submit digital data to the office as required by Section 3.9 of the Subdivision Regulations
7. This approval is valid for five (5) years from the date of approval. The applicant may request extensions for a period not exceeding ten (10) years from date of approval.

ALL if Favor 8-0-0 Motion carried

7. New Business:

- a. Owner/Applicant Marc Qualich: Application for Home Occupation located at 334 Maple Ave (Map 82 Lot 34) The applicant talked about and described the business to the Commission.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER PIKE and The Commission finds that the application meets the requirements of Section 8 and Section 4.11.2 of the Zoning Regulations and approves the Home Occupation permit of Marc Qualich for a plumbing business on the property located at 334 Maple Avenue as shown on Assessor’s Map 82 Lot 34.

ALL if Favor 8-0-0 Motion carried

8. Zoning Matters:

- a. Discussion of violation on the property located at 555 Fire St (Map 13 Lot 2-B)
- b. Discussion of violation on the property located at 267 Butlertown Rd (Map 2 Lot 2)
- c. ZEO Sept-Nov report

A MOTION was made by COMMISSIONER TONER and seconded by COMMISSIONER SIRAGUSA to continue 8. a., b. and c. until next meeting.

ALL if Favor 8-0-0 Motion carried

9. Town Planner: POCD

Town Planner Marcia Vlaun talked about POCD and some of her findings during her research.

10. Communications: Chairman Pieniadz indicated that the Town Council appointed Wills Pike as a member of Planning and Zoning Commission.

11. Other Business: None

12. Minutes:

a. Approval of December 10, 2019 minutes

A MOTION was made by COMMISSIONER TONER and seconded by COMMISSIONER LONGTON to accept the minutes of the December 10, 2019 meeting.

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

13. Adjourn:

Meeting adjourned 7:22 pm.

Respectfully submitted,

Tiffany Williams, Recording Secretary