

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

Meeting Minutes of
Tuesday, January 26, 2021 Hybrid Regular Meeting

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, Pike, Siragusa, Desjardins, Longton, Estelle, Dushesneau, Lundy and Kobyluck. Also present were Town Planner Marcia Vlaun, Zoning Enforcement Officer Tiffany Williams and Assistant Planner Colleen Bezanson.
4. Executive Session: None
5. Public Hearing /Application:
 - a. 221 SUB 1 – Owner/Applicant Robert Sachs Trustee, 280 (035-001-016), 284 (035-001-015), 288 (035-001-014), 292 (035-001-013), 296 (035-001-012), 300 (035-001-011), 304 (035/001-010), 308 (035-001-009) and 316 Chapel Hill Rd (035-001-000) An application for a 32 lot cluster subdivision.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER DESJARDINS to move to 7c.

ALL in FAVOR 9-0-0 Motion Carried

6. Old Business:
 - a. 220 SITE 10 Owner: Melissa Lawler Trustee Applicant: John Dempsey, 1384 Route 85 (006-021-000) A site plan review for a 2,405 sq. ft. building with loading dock

The Town Planner read the staff report and explained that the proposed building received a variance to allow the building to be built 5 feet from the side property line but meets all other Light Industrial Setbacks. Discussion was held.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER DESJARDINS that commission finds the site plan meets the requirements of Section 12 and Section 17 of the Zoning Regulations with the variance of 5 feet for the side setback granted by the Zoning Board of Appeals and approves the application of John Dempsey and the plan titled “Plan Showing Proposed Building of Melissa Lawler, As Trustee 1384 Route 85 Montville, CT. Prepared by Dieter and Gardner dated November 2020 and revised to January 22, 2021 Sheets 1 thru 2”

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. A Bond in the amount of \$2,000.00 must be posted prior to the issuance of a Zoning Permit for Erosion and Sediment Control.
3. Prior to the signature of the Chairman the applicant shall submit digital data to the office as required by Section 17.3 of the Zoning Regulations and a signed and sealed copy of the plans
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.

Roll Call Vote ALL in FAVOR 9-0-0 Motion Carried

7. New Business:

- a. Owner: John Gifford Applicant: Kevin Costello 242C Maple Ave (077-035-000) Zoning Permit for a 33' x 36' (1,188 Sq. Ft) garage.

The Town Planner read the staff report and explained how the property is pre-existing non-conforming and that the expansion of the garage will not further infringe on the current pre-existing side yard setback. Discussion was held.

A MOTION was made by COMMISSIONER DESJARDINS and seconded by COMMISSIONER SIRAGUSA to authorize the approval for the zoning permit of Kevin Costello for the construction of a 33' x 36' (1,188 sq. ft.) garage on the property located at 242C Maple Ave (Map 77 Lot 35).

ALL in FAVOR 9-0-0 Motion Carried

- b. Owner/Applicant: Kelley Orbe 1459 Route 163 (058-029-000) Zoning Permit for a 50' x 136' (6,800 Sq. Ft.) Compost Bedded Park Barn

The Town Planner read the staff report and explained that the property has been used as farm and is currently being used as a farm and described the use of the composting barn. Discussion was held.

A MOTION was made by COMMISSIONER DESJARDINS and seconded by COMMISSIONER SIRAGUSA to authorize the approval for the zoning permit of Kelly Orbe for the construction of a 50' x 136' (6,800 Sq. Ft.) Compost Bedded Park Barn on the property located at 1459 Route 163 (Map 58 Lot 29).

ALL in FAVOR 9-0-0 Motion Carried

- c. 221 SUB 1 – Owner/Applicant Robert Sachs Trustee, 280 (035-001-016), 284 (035-001-015), 288 (035-001-014), 292 (035-001-013), 296 (035-001-012), 300 (035-001-011), 304 (035/001-010), 308 (035-001-009) and 316 Chapel Hill Rd (035-001-000) An application for a 32 lot cluster subdivision.

A MOTION was made by COMMISSIONER LONGTON and seconded by COMMISSIONER DESJARDIN to set Public Hearing for February 23, 2021.

ALL in FAVOR 9-0-0 Motion Carried

8. Zoning Matters:

- a. The Zoning Officer read her December inspection/permit report to the Commission.
 - b. Discussion of Conex boxes was held. The Commission clarified for staff that under the accessory definition conex boxes are not a customary use in Residential Zones. They are customary in Light Industrial, Industrial, Commercial Zones and on Farms. Conex boxes that are proven to be used for moving purposes and/or construction projects with a permit are allowed.
9. Town Planner: The Town Planner gave an update on the Governor extending the Executive Orders until April and STEAP Grant for Community Center.

10. Other Business:

- a. Assignment of Zoning Designation on the property located at 89 Fort Shantok Rd (Map 104 Lot 25)

The Town Planner read the staff report and explained that the old toll station and roadway property had never been a Town parcel. In order to sell the property, the State created a non-conforming lot. This newly created lot that contains the old tower does not have a Zoning designation. Discussion was held.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER DESJARDIN to designate the newly created property removed from the State of CT road system located at 89 Fort Shantok Rd (Map 104 Lot 25) as Light Industrial. The Light Industrial Zoning will allow for the use of the existing Tower.

Roll Call Vote ALL in FAVOR 9-0-0 Motion Carried

11. Minutes:

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER LONGTON to accept the meeting minutes of the December 8, 2020 meeting.

Eight (8) in FAVOR One (1) Abstention (Commissioner Kobyluck) 8-0-1 **Motion Carried**

12. Adjourn: 7:04 p.m.

Respectfully submitted,

Meredith Badalucca, Recording Secretary