

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

Meeting Minutes of
Tuesday, August 24, 2021 Regular Meeting

1. Call to Order: Chairman Pieniadz called the meeting to order at 6:00 p.m.
2. Pledge of Allegiance
3. Roll Call: Present were Commissioners Pieniadz, Pike, Siragusa, Desjardins, Longton, Lundy, Kobyluck and Dushesneau. Also present were Assistant Planner Colleen Bezanson and Zoning Enforcement Officer Tiffany Williams. Absent was Commissioner Estelle.
4. Executive Session: None
5. Public Hearing/Application: None
6. Old Business:
 - a. Discussion and Decision : 221 ZC 2 – Town of Montville: Proposed Zoning Regulation Text Amendments- Section 1.3- Revise- Farm Animals and Junkyard, Add Pet; Section 4.2.2- Revise; Section 4.10.4- Add Section 4.10.4.3: Conex type storage boxes; Section 4.11.8: Delete Hens and Add “Chickens (Hens)”; Section 4.11.8.1: Delete “hens” and Add “chicken (hens)”; Section 4.11.8.2 Delete hens and poultry and Add “chicken (hens)”; Section 8.6.1, 8.6.2, 8.6.3 R40 Minimum Setbacks: Add Multifamily setbacks; Section 9B.3(b): Delete

Assistant Planner read the staff report which addressed questions that the Commission had at the previous meeting and explained the responses provided by the town attorney. Discussion was held and the Commission made modifications to all of the proposed changes except 8.6.1, 8.6.2, 8.6.3, and 9B.3(b). A copy of the additions/amendments and deletions is attached to these minutes.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER DESJARDINS that The Commission amend the Town of Montville Zoning Regulations to add the additions/amendments and deletions as listed in the proposed changes list (Exhibit #1) and the following additions/amendments and deletions will be added to such changes :

1. The junkyard definition will not be amended as proposed. The current language will remain unchanged.
2. The Farm Animal definition as shown in Exhibit #1 will add the wording “(includes mini-horses) after the word “horses”, change “ox” to “oxen” and add the word “only after the word “kept”
3. The New Pet definition will be amended to add the word “fish,” after the word “aquarium kept” and add A Farm Animal is not a Pet.
4. Section 4.2.2 shall be amended to “Applications for permitted single-family dwellings, two-family dwellings, accessory buildings not to exceed one thousand two hundred sq. ft. (1,200 sq. ft.), inground swimming pools, additions or reductions to such buildings not to exceed one thousand two hundred sq. ft (1,200 sq. ft.) on any residential lots and accessory buildings or expansions of; or additions to other existing conforming commercial and industrial uses provided that such building or expansions do not exceed one thousand square feet (1,000sqft), and such other uses as herein prescribed by these Regulations, may be approved by the Enforcement Officer provided they meet the requirements of these Regulations and do not affect the number of parking spaces, stormwater flow or stormwater quality.”
5. Section 9B.11 Military Personnel/Veteran Status shall be DELETED

The Commission has considered the Plan of Conservation and Development and the Comprehensive Plan of Zoning. The effective date of the Zoning Regulation text amendments will be September 13, 2021.

Roll Call Vote ALL in FAVOR 8-0-0 Motion Carried

7. New Business:

- a. 221 ZC 3 – Applicant: Old Colchester Road, LLC Proposed Zoning Regulation Text Amendment to Section 16.10.6 to amend text to add after the word zone “however, that lots in the R-40 zone may be developed in accordance with the following bulk requirements if served by public sewer and water: Lot frontage: 80 feet, Front yard setback: 30 feet, Rear yard setback: 30 feet, Side yard setback: 10 feet”

A MOTION was made by COMMISSIONER DESJARDINS and seconded by COMMISSIONER SIRAGUSA to set a Public Hearing date of September 28, 2021.

ALL in FAVOR 8-0-0 Motion Carried

- b. 221 SITE 3 – 10, 18, 26, 34, 42 Sachatello Industrial; 325, 335 Butlertown Rd (27-007, 008, 009, 010, 011, 012, 013) Applicant: Holly Lombardi Land Holdings, LLC Modification to Existing Rock Crusher Plan to include the Installation of a Yard hydrant from the waterline system on Butlertown Road.

The Assistant Planner read the staff report into the record and explained that the installation of the yard hydrant would be to replace the existing valve that is very close to the road and that it was not to be used for domestic use. Discussion was held.

A MOTION was made by COMMISSIONER PIKE and seconded by COMMISSIONER SIRAGUSA that The Commission finds that the site plan meets the requirements of Section 4.11.11, Section 12 and Section 17 of the Zoning Regulations and approves the modification to the rock crusher facility application of Holly Lombardi Land Holdings LLC and the plan titled “18 Sachatello Industrial Drive Town of Montville,Ct Holly Lombardi Land Holdings, LLC Lot 3 Combination & Reconfiguration Lombardi Business Park Revised to 7/22/21 to include added Yard Hydrant”

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. The applicant must comply with all operational restrictions as specified in Section 4.11.11 of the Regulations
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. 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.

ALL in FAVOR 8-0-0 Motion Carried

- c. 221 ZC 4- Applicant : Town of Montville Proposed amendments to the Zoning Regulations: Preamble- Amend; Route 32 Overlay Zone Section 14A.3(d) Add “for 2 bedroom units and one space for an efficiency or 1 bedroom” after “spaces”; Parking Requirements Section 18.3.1 Add “containing two (2) bedrooms and one (1) space for each family unit containing one (1) bedroom” after “unit”; Section 18.3.2 For Multi-Family Dwellings Add “Minimum” before “Parking Requirements”; Add “1” Delete “2” before “space for 1 bedroom unit”; Add “2” Delete “2 ½” before “spaces for each unit with 2 bedrooms

A MOTION was made by COMMISSIONER DESJARDINS and seconded by COMMISSIONER LONGTON to set a Public Hearing date of September 28, 2021.

ALL in FAVOR 8-0-0 Motion Carried

8. Zoning Matters:
 - a. The Zoning Officer read her June Zoning Officer Report to the Commission
9. Town Planner: None
10. Other Business:
 - a. POCD update- Staff is working with Commission to set up date for a Special Meeting.
11. Minutes:
 - a. A MOTION was made by COMMISSIONER LONGTON and seconded by COMMISSIONER SIRAGUSA to accept the meeting minutes of the July 27, 2021 meeting.

ALL in FAVOR 8-0-0 Motion Carried

12. Adjourned 7:23 p.m.

Respectfully submitted,
Meredith Badaluca, Recording Secretary

The Town of Montville Planning and Zoning Commission are proposing the following text amendments to the Town of Montville Zoning Regulations: (**Bold** are additions and ~~strikethrough~~ are deletions)

1. Definitions Section 1.3

- **FARM ANIMALS:** Any domestic animal ~~that is owned or raised for the production of maintained primarily for milk, or food production or raw materials for natural fiber products including horses maintained for recreational purposes or is used or housed primarily for work, commerce, recreation or exhibition. This includes but is not limited to cattle, ox, horses, sheep, goats, llama, alpacas, pigs, turkeys, ducks, geese, and guinea fowl. The keeping of over twelve (12) poultry and/or chickens (hens) shall be included in this definition. Farm animals shall be kept on a farm as defined in Section 1.3 (Farm).~~
- **JUNKYARD/DEBRIS:** Any place ~~in or on which old metal, glass, paper, cordage or other waste or — discarded or secondhand material, which has not been a part, or is not intended to be a part, of any motor vehicle, is stored or deposited. It also includes any business and any place of — storage or deposit, whether in connection with another business or not, which has stored or — deposited two or more unregistered motor vehicles which are no longer intended or in — condition for legal use on the public highways, or used parts of motor vehicles or old iron, — metal, — glass, — paper, cordage or other waste or discarded or secondhand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or — material — shall be equal in bulk to two or more motor vehicles. Additionally, it includes any place of business or storage or deposit of motor vehicles purchased for the purpose of — dismantling the vehicles for parts or for use of the metal for scrap and where it is intended — to cut up the parts thereof See Town Ordinance #2018-06 as amended from time to time.~~
- **PET:** A domesticated animal that is customarily kept in a residential dwelling as a companion or for enjoyment and is included in one of the following groups dogs, cats, common cage birds, rodents, rabbit, ferrets, aquarium-kept reptiles or amphibians.

2. Revise under Zoning Permits Section 4.2.2: Applications for permitted single-family dwellings, two-family dwellings, accessory buildings, inground swimming pools, additions or reductions to such buildings on residential lots; accessory buildings or expansions of; or additions to other existing conforming commercial and industrial uses provided that such building or expansions do **not affect the number of parking spaces, stormwater flow or stormwater quality.** ~~exceed one thousand square feet (1,000sqft),~~ and such other uses as herein prescribed by these Regulations, may be approved by the Enforcement Officer provided they meet the requirements of these Regulations. The Enforcement Officer may require an appropriate plan prepared, signed and sealed by a licensed land surveyor or registered

professional engineer to insure compliance with these Regulations. The Enforcement Officer may further require that location markers for the building foundation be set by a licensed land surveyor in accordance with the plot plan prior to commencement of construction.

3. **Add Under Accessory Uses Section 4.10.4.3: Conex type storage boxes shall be permitted in Industrial and Commercial areas only and shall comply with Section 4.10.4.1**

4. **Section 4.11.8 Keeping of Hens-Chickens (Hens)**

- 4.11.8.1 Purpose. This regulation provides for the keeping of ~~hens chickens~~ (hens) as an accessory use to an owner occupied, single family residence for non-commercial, private home use with an approved zoning permit. It is not intended to limit the keeping of poultry for agricultural uses where allowed.
- 4.11.8.2 No more than twelve (12) ~~hens chickens~~ (hens) will be kept on a property under 5 acres, but at least .50 acre as shown on the tax assessor's records, and shall be kept in a structure/enclosure at all times. No free range ~~poultry- chickens~~ (hens) are allowed.

5. **Section 8.6 R-40 MINIMUM SETBACKS**

8.6.1	FRONT YARD	40 FEET	MULTI-FAMILY	40 FEET
8.6.2	SIDE YARD	15 FEET	MULTI-FAMILY	20 FEET
8.6.3	REAR YARD	40 FEET	MULTI-FAMILY	40 FEET
8.6.4	No farm building or manure pit may be located within one hundred fifty feet (150')			

6. **Section 9B.3 Density (b)- DELETE**

Proposed Amendments from 7-27-2021 meeting Bolded Black
Additional Amendments from 8-24-2021 meeting Bolded in Red

Definitions Section 1.3

- JUNKYARD- **No Amendment keep as currently written**

- FARM ANIMALS- Amended

Any domestic animal **that is owned or raised for the production of milk, food or is used or housed primarily for work, commerce, recreation or exhibition. This includes but is not limited to cattle, oxen, horses (includes mini-horses), sheep, goats, llama, alpacas, pigs, and poultry.** The keeping of over twelve (12) poultry **and/or chickens (hens)** shall be included in this definition. A **Farm Animal shall be kept only on a Farm as defined in Section 1.3 (Farm).**

- PET- Added and Amended

A domesticated animal that is customarily kept in a residential dwelling as a companion or for enjoyment and is included in one of the following groups: dogs, cats, common cage birds, rodents, rabbits, ferrets, aquarium-kept **fish**, reptiles or amphibians. **A Farm animal is not a Pet**

Section 4.2.2- Amended

Applications for permitted single-family dwellings, two-family dwellings, accessory buildings **(not to exceed 1,200 sq. ft.)**, inground swimming pools, additions or reductions to such buildings **(not to exceed 1,200 sq. ft.)** on any residential lots **and** accessory buildings or expansions of; or additions to other existing conforming commercial and industrial uses provided that such building or expansions do not exceed one thousand square feet (1,000sqft), and such other uses as herein prescribed by these Regulations, may be approved by the Enforcement Officer provided they meet the requirements of these Regulations **and do not effect the number of parking spaces, stormwater flow or stormwater quality.** The Enforcement Officer may require an appropriate plan prepared, signed and sealed by a licensed land surveyor or registered professional engineer to ensure compliance with these Regulations. The Enforcement Officer may further require that location markers for the building foundation be set by a licensed land surveyor in accordance with the plot plan prior to commencement of construction.

Section 4.10.4.3- Added and Amended

Conex type storage boxes shall be permitted in Industrial and Commercial areas only and shall comply with the standards of Section 4.10.4.1

Section 4.11.8 Keeping of Hens- Amended

Section 4.11.8 Keeping of **Chickens (Hens)**

- 4.11.8.1 Purpose. This regulation provides for the keeping of **chickens (hens)** as an accessory use to an owner occupied, single family residence for non-commercial, private home use with an approved zoning permit. It is not intended to limit the keeping of poultry for agricultural uses where allowed.
- 4.11.8.2 No more than twelve (12) **chickens (hens)** **may** be kept on a property under 5 acres, but at least .50 acre as shown on the tax assessor's records, and shall be kept in a structure/enclosure at all times. No free range **chickens (hens)** are allowed.

Section 8.6 R-40 MINIMUM SETBACKS

8.6.1	FRONT YARD	40 FEET	MULTI-FAMILY	40 FEET
8.6.2	SIDE YARD	15 FEET	MULTI-FAMILY	20 FEET
8.6.3	REAR YARD	40 FEET	MULTI-FAMILY	40 FEET
8.6.4	No farm building or manure pit may be located within one hundred fifty feet (150')			

Section 9B.3 (b)-DELETE SECTION

Section 9B.11- DELETE SECTION

Final Changes- Clean Copy

Definitions Section 1.3

- **JUNKYARD- No Amendment keep as currently written**
- **FARM ANIMALS**: Any domestic animal that is owned or raised for the production of milk, food or is used or housed primarily for work, commerce, recreation or exhibition. This includes but is not limited to cattle, oxen, horses (includes mini-horses), sheep, goats, llama, alpacas, pigs, and poultry. The keeping of over twelve (12) poultry and/or chickens (hens) shall be included in this definition. A Farm Animal shall be kept only on a Farm as defined in Section 1.3 (Farm).
- **PET**: A domesticated animal that is customarily kept in a residential dwelling as a companion or for enjoyment and is included in one of the following groups: dogs, cats, common cage birds, rodents, rabbits, ferrets, aquarium-kept fish, reptiles or amphibians. A Farm animal is not a Pet

Section 4.2.2

Applications for permitted single-family dwellings, two-family dwellings, accessory buildings (not to exceed 1,200 sq. ft.), inground swimming pools, additions or reductions to such buildings (not to exceed 1,200 sq. ft.) on any residential lots and accessory buildings or expansions of; or additions to other existing conforming commercial and industrial uses provided that such building or expansions do not exceed one thousand square feet (1,000sqft), and such other uses as herein prescribed by these Regulations, may be approved by the Enforcement Officer provided they meet the requirements of these Regulations and do not effect the number of parking spaces, stormwater flow or stormwater quality. The Enforcement Officer may require an appropriate plan prepared, signed and sealed by a licensed land surveyor or registered professional engineer to ensure compliance with these Regulations. The Enforcement Officer may further require that location markers for the building foundation be set by a licensed land surveyor in accordance with the plot plan prior to commencement of construction.

Section 4.10.4.3

Conex type storage boxes shall be permitted in Industrial and Commercial areas only and shall comply with the standards of Section 4.10.4.1

Section 4.11.8 Keeping of Chickens (Hens)

- 4.11.8.1 Purpose. This regulation provides for the keeping of chickens (hens) as an accessory use to an owner occupied, single family residence for non-commercial, private home use with an approved zoning permit. It is not intended to limit the keeping of poultry for agricultural uses where allowed.
- 4.11.8.2 No more than twelve (12) chickens (hens) may be kept on a property under 5 acres, but at least .50 acre as shown on the tax assessor’s records, and shall be kept in a structure/enclosure at all times. No free range chickens (hens) are allowed.

Section 8.6 MINNIMUM SETBACKS

8.6.1	FRONT YARD	40 FEET	MULTI-FAMILY	40 FEET
8.6.2	SIDE YARD	15 FEET	MULTI-FAMILY	20 FEET
8.6.3	REAR YARD	40 FEET	MULTI-FAMILY	40 FEET
8.6.4	No farm building or manure pit may be located within one hundred fifty feet (150')			

Section 9B.3 (b)- DELETE SECTION

Section 9B.11- DELETE SECTION