

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

**Meeting Minutes of
Tuesday, September 28, 2021 Public Hearing/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: Commissioners Pieniadz, Pike, Siragusa, Desjardins, Longton, Lundy, Estelle and Dushesneau. Also present were Assistant Planner Colleen Bezanson and Zoning Enforcement Officer Tiffany Williams. Absent was Commissioner Kobyluck.
4. Executive Session: None
5. Public Hearing/Application:
 - 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”

Chairman Pieniadz opened the Public Hearing at 6:01 p.m.

The Assistant Planner entered the following exhibits into the record:

Staff Exhibits:

1. Copy of the Proposed Amendment to Zoning Regulations
2. Proposed Amendment to Zoning Regulations posted in the Town Clerks office on 8/31/2021
3. Copy of legal ad published on the Town Website on September 17, 2021
4. Copy of legal ad published in The Day on September 17, 2021 & September 24, 2021
5. Certified Mail Receipts and Letters to Municipalities mailed on 8/25/2021
 - a. Town Clerk, Town of Bozrah
 - b. Town Clerk, Town of East Lyme
 - c. Town Clerk, Town of Ledyard
 - d. New London Public Utilities
 - e. Norwich Public Utilities
 - f. City Clerk, City of Norwich
 - g. Norwich Water Department
 - h. Town Clerk, Town of Preston
 - i. Dept. of Public Health
 - j. Town Clerk, Town of Salem
 - k. Uncas Health District
 - l. Town Clerk, Town of Waterford
 - m. Montville Water Pollution Control Authority
6. Certified Mail Receipt and Letter to New London Public Utilities mailed on 9/13/2021
7. Emails to:
 - a. Office of Long Island Sound Land and Water Resources Division (OLIS) dated August 23, 2021
 - b. Southeastern Connecticut Council of Government (SCCOG) dated August 24, 2021

8. Comments Letters:
 - a. Letter from Samuel Alexander of Southeastern Council of Governments dated September 27, 2021
 - b. Letter from Eimy Quispe of Connecticut Department of Energy & Environmental Protection dated September 28, 2021
9. Staff Report dated September 28, 2021
10. The entire project folder.

Public Exhibits:

1. Letter from Jon Chase dated September 27, 2021

The Assistant Planner read the staff report (exhibit 9) into the record. She explained the proposed text amendment and how the current R40 25% reduction and the proposed changed compared to the other zones. She also stated that currently the lots being developed in town are frontage lots since the cost of building new roads are costly to the developer. This change would allow for the construction of shorter roads, therefore, reducing the cost, making the lots more affordable which the State has been encouraging. Location of sewer was discussed. Attorney Harry Heller spoke on behalf of the applicant. Chairman Pieniadz asked three times if there was anyone from the public who would like to speak in favor of or opposition to this application. There were none in favor. Richard George of 974 Old Colchester Rd spoke in opposition. In addition, staff read the letter from Jon Chase which was in opposition. Discussion was held.

A MOTION was made by COMMISSIONER LONGTON and seconded by COMMISSIONER LUNDY to close the public hearing.

Roll Call Vote Four (4) in FAVOR Four (4) OPPOSED (Commissioners Siragusa, Estelle, Pike, Desjardins) 4-4-0 **Motion Does Not Carry therefore it will be continued to the next meeting**

- b. Discussion and Decision: 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 ESTELLE and seconded by COMMISSIONER SIRAGUSA to continue the public hearing to the next meeting.

ALL in FAVOR 8-0-0 Motion Carried

- c. 221 ZC 4 - Applicant: Town of Montville Proposed amendments to the Zoning Regulations:
 1. Preamble - Amend
 2. Route 32 Overlay Zone Section 14A.3(d) Add “for 2 bedroom units and one space for an efficiency or 1 bedroom” after “spaces”
 3. 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”

4. 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”

Chairman Pieniadz Opened the Public Hearing at 7:20 p.m.

The Assistant Planner entered the following exhibits into the record:

Staff Exhibits:

1. Copy of the Proposed Amendment to Zoning Regulations
2. Proposed Amendment to Zoning Regulations posted in the Town Clerks office on 8/31/2021
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 - h. Town Clerk, Town of Preston
 - i. Dept. of Public Health
 - j. Town Clerk, Town of Salem
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8. Comments Letters:
 - a. Letter from Samuel Alexander of Southeastern Council of Governments dated September 27, 2021
 - b. Letter from Eimy Quispe of Connecticut Department of Energy & Environmental Protection dated September 28, 2021
9. Staff Report dated September 28, 2021
10. The entire project folder.

The Assistant Planner read the staff report (exhibit 9) into record. She explained the proposed text amendments are being proposed due to legislation mandating these changes and the option to opt out. Discussion was held. The Commission had concerns over the changes to the parking requirements and want to opt out. Chairman Pieniadz asked three times if there was anyone from the public who would like to speak in favor of or opposition to this application. There were none.

A MOTION was made by COMMISSIONER LONGTON and seconded by COMMISSIONER DESJARDINS to close the public hearing.

ALL in FAVOR 8-0-0 Motion Carried – Public Hearing closed at 7:56 p.m.

d. Discussion and Decision: 221 ZC 4 - Applicant: Town of Montville Proposed amendments to the Zoning Regulations:

1. Preamble – Amend - Discussion was held.

A MOTION was made by COMMISSIONER ESTELLE and seconded by COMMISSIONER SIRAGUSA to amend the Town of Montville Zoning Regulations to add the additions/amendments and deletions as listed in the proposed changes list (Exhibit #1 Preamble) 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 October 18, 2021.

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

2. Route 32 Overlay Zone Section 14A.3(d) Add “for 2 bedroom units and one space for an efficiency or 1 bedroom” after “spaces”

3. 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”;

4. 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”

Discussion was held.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER DESJARDINS to Opt Out of changes for items 5d 2, 3, 4.

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

6. Old Business: None

7. New Business:

- a. Robert Sachs Trustee: A request for an additional ninety day extension of time to file the subdivision Mylars in the Town Clerk’s office relative to the Chapel Hill Road 32 lot Subdivision on the properties located at 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) Brief discussion held.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER DESJARDINS to grant a ninety day extension of the time to file the subdivision Mylars in the Town Clerk’s office from October 7, 2021 – January 5, 2022.

ALL in FAVOR 8-0-0 Motion Carried

- b. Town of Montville: Plan of Conservation and Development 2021Update Assistant Planner explained the process for approval. Brief discussion held.

A MOTION was made by COMMISSIONER SIRAGUSA and seconded by COMMISSIONER LONGTON to set a Public Hearing for December 14, 2021.

ALL in FAVOR 8-0-0 Motion Carried

8. Zoning Matters:
 - a. The Zoning Officer thanked the commission for their support during the time of transition of the Town Planner retiring. She also read her September Zoning Officer Report to the Commission.
9. Town Planner: None
10. Other Business:

- a. Route 32 Overlay Zone Section 14A.3(d) Add “for 2 bedroom units and one space for an efficiency or 1 bedroom” after “spaces”
- b. 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”;
- c. 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 SIRAGUSA and seconded by COMMISSIONER LUNDY to set a Public Hearing for the opt out for October 26, 2021.

ALL in FAVOR 8-0-0 Motion Carried

11. Minutes:
 - a. A MOTION was made by COMMISSIONER LONGTON and seconded by COMMISSIONER SIRAGUSA to accept the meeting minutes of the August 24, 2021 meeting

Seven (7) in FAVOR One (1) Abstention (Commissioners Estelle) 7-0-1 **Motion Carried**

- b. A MOTION was made by COMMISSIONER LONGTON and seconded by COMMISSIONER SIRAGUSA to accept the meeting minutes of the September 14, 2021 special meeting

Six (6) in FAVOR Two (2) Abstention (Commissioners Estelle & Desjardins) 6-0-2
Motion Carried

12. Adjourned 8:12 p.m.