

Town of Montville Planning and Zoning Commission
Public Hearing/Regular Meeting Minutes
June 28, 2022, 6:00 p.m. Town Council Chambers – Town Hall

Town of Montville has lifted the mask mandate effective Monday, February 28, 2022 throughout Town facilities in coordination with our schools. Although the mask mandate has been lifted, Uncas Health strongly recommends that all individuals, both vaccinated and unvaccinated, continue to wear masks indoors. Comments will only be accepted at times designated during public hearings by the Chair of the meeting. The Planning and Zoning Commission Rules of Procedure, decorum, timeliness and suitability shall be followed and enforced.

1. **Call to Order.** Chairperson Lundy called the meeting to order at 6:00 p.m.
2. **Pledge of Allegiance.**
3. **Roll Call.** Present were Chairman Lundy, Vice-Chairman Pike and Commissioners Siragusa, Desjardins, Longton, Poole, Duchesneau, Kobyluck and Estelle. Also present was Planning Director, Liz Burdick.
4. **Public Hearings/Applications:**
 - a. **Public Hearing: 22 PZ 1 – Affordable Housing Plan - Application of Montville Planning & Zoning Commission for adoption of 2022 Proposed Town of Montville Affordable Housing Plan** (*Rec 04/26/22, PH must close by N/A - PZC Application*). Chairperson Lundy opened the Public Hearing at 6:02 p.m. The Planning Director entered the following exhibits into the record:
 1. Application dated 4/20/2022
 2. Draft Copy of Affordable Housing Plan dated April 19, 2022
 3. Comments from Commissioners Poole & Siragusa received May 9, 2022
 4. Memorandum from Amanda Kennedy of SCCOG dated May 20, 2022
 5. Revised Draft Copy of Affordable Housing Plan dated May 20, 2022
 6. Planner Comments dated May 24, 2022
 7. Press Release published in the Day Newspaper on June 4, 2022
 8. Comments from Commissioner Siragusa received June 6, 2022
 9. Tax Relief Proposal received from Commissioner Siragusa on June 6, 2022
 10. Legal ad to be published in the New London Day paper on June 17th and 24th, 2022
 11. Legal ad to be published on the Town Website on June 15, 2022
 12. Certified copy of Town Council Resolution No 2022-67 of June 16, 2022.
Town Planner read the entire resolution into the record.
 13. Letter from Assessor, Lucy Beit, regarding Homeowners Tax Relief Programs dated June 27, 2022. The Town Planner gave a summary to the Commission.
 14. Letter from Amanda Kennedy of SCCOG in response to Commissioner Siragusa comments dated June 28, 2022
 15. Planner comments dated 6/28/2022
 16. Comments of Sara Lundy dated 6/28/2022

Commissioner Siragusa questioned why the Town Council was sent the revised Affordable Housing Plan without a vote being taken by the Commission to do so. Discussion was held on if there was a vote or not to send it to the Town Council and Planning Director Burdick confirmed there was not. Discussion followed. Commissioner Duchesneau asked if Commissioners questions/comments had been addressed in the revised Plan. Planner Burdick indicated that the revised draft of May 20, 2022 addressed questions/comments from Chairman Lundy and Commissioners Siragusa &

Poole, as well as comments from Commissioners at the May 24, 2022 meeting. A memo from SCCOG Deputy Director, Amanda Kennedy indicated what the changes were. In response to a question from Duchesneau, there was discussion about the standards for trailers and manufactured homes. Kennedy reviewed her response to comments of Commissioner Siragusa in her letter dated June 28, 2022, including how the Town of Montville was involved on a regional level regarding housing, and stated municipalities are required to consider and enable housing for residents of the municipality and the planning region in which it is located. Further, Kennedy discussed the reason energy efficiency programs were included in the strategies was to create an information packet for new or existing residents with information about home buying and energy efficiency programs. She stated for those buying a home that have old HVAC systems often find that the available energy efficiency programs can enable them get a new HVAC unit in addition to lowering the ongoing utilities cost. Also, Kennedy indicated that the intention of the strategy to consider using American Rescue Plan Act (ARPA) or DOH Small Cities grant funds to establish an affordable housing fund to encourage diversity in housing supply at the local v. regional level. She indicated that the intention of the strategy for that was to identify two sources of funding available only at the municipal level. Last, she indicated that the Tax Assessor, Lucy Beit addressed tax relief programs in Montville.

Chairperson Lundy stated the ground rules for public comment. Nick Gauthier, Waterford RTM (Representative Town Meeting) member of 38 Norman Street, Waterford, CT addressed the Commission and stated the plan has good details of the current affordable housing situation and the current state of the town, but not a plan to get to significant amounts of affordable housing stock or how to get people to move here. He suggested that the Commission look at including more details and plans of action moving forward to get to where the Town wants to be. Chairperson Lundy asked three more times if anyone would like to speak in favor or opposed. There was no further comments from the public and she closed the hearing at 6:25 pm.

- b. **Discussion & Decision: 22 PZ 1 – Affordable Housing Plan Application of Montville Planning & Zoning Commission for 2022 Proposed Town of Montville Affordable Housing Plan** (*Rec 04/26/22, Tabled from 5/24/22 meeting, DRD – N/A PZC Application*). **Motion** (Pike/Desjardins) to APPROVE and ADOPT the 2022 Montville Affordable Housing Plan, as amended to May 20, 2022, Effective June 28, 2022, with the following conditions:

1. **Page 3, 1st paragraph. A “1” exists in the middle of the sentence.**
The 1 is a reference to the footnote at the bottom of page. It should be corrected to be displayed in superscript.
2. **Page 21 Additional Strategies. Policies in the 2022 POCD should be defined.**
 - The first three items in the right column were intended to be formatted as a single item. It should be edited to read:
 - Evaluate progress of units built under the Town’s existing Affordable Housing Regulations.
 - Designate areas within sewer district boundary for higher

density development, i.e., lots less than 20,000 square feet.

Discussion followed. Commissioner Longton said in looking at past minutes, there was no vote to send the Town's Draft Affordable Housing Plan to the Town Council, that the Town Council voted out of order and that the vote should be struck down. He also questioned the State's position that the Town cannot count mobile homes [as affordable housing]. Planner Burdick said that was correct unless they were deeded affordable. Commissioner Longton expressed the Town had to tell the hundreds of people whose homes are technically mobile homes that their homes do not count as affordable housing and Planner Burdick confirmed same. Chairperson Lundy asked if this was per the State's definition and Kennedy indicated that on Page 5 of the Plan, she'd added the language from State legislation on what types of mobile homes do count towards affordable housing and the specific criteria.

Commissioner Siragusa indicated that this agenda item had been tabled and never took it off the table to act on it and felt the Commission was doing things out of order. **Motion** (Siragusa/Desjardins) to take this agenda item off the table. Discussion was held about tabling agenda items. **VOICE VOTE- All in FAVOR- Motion Carried.** Chairperson Lundy indicated that the motion was back on the table.

Commissioner Siragusa stated requiring one parking space is not fair to people without money & it makes their life difficult; that the suggestion for tax relief for seniors to draw people into the community was a good idea; that there is no reason why the Town cannot implement tax relief for seniors that would draw in seniors. He also suggested that if the Town wanted it could say that 30% of all new development would be for low income housing.

Vice-Chairman Pike indicated that they need to clarify today low income versus affordable housing. Planner Burdick said that Page 2 of the plan addressed the difference.

Commissioner Poole indicated that he agreed with the comment from Mr. Gauthier in that there is a lot of detail of how we got here but little or no plan for the setting of goals and who specifically was responsible for achieving those goals. He asked Planner Burdick if the senior housing that is owned and overseen by the Town is affordable housing. Planner Burdick indicated that some of them may be subsidized so then yes. He then asked if there was a plan to increase the number of units. Planner Burdick said it was a goal. Chairman Lundy indicated that we can look into this and see what the inventory and need is. Commissioner Pike indicated that the Housing Authority does not work for the Town. Mayor McDaniel clarified that they were independent. The units had been built with HUD money. Planner Burdick indicated that there are zoning regulations for Senior Housing and the Housing Opportunity Zone; and that an Affordable Housing Committee could address the need for public housing. Last, Poole was in support of the two parking spaces per bedroom unit for residents.

Commissioner Kobyluck questioned where the Town would put the affordable housing and asked the definition of affordable housing. He indicated that the increasing cost of building would make it hard to keep the houses affordable.

Chairperson Lundy said that the definition of affordable housing is included in the Plan. Planner Burdick indicated that the Commission has already approved two projects, Oxoboxo Lofts and Village Apts., which will most likely have units that area deeded affordable housing in some way.

Commissioner Duchesneau expressed concern that the definition of affordable was missing out with the manufactured homes and he stated he did not remember voting to send the Plan to the Town Council.

Commissioner Siragusa questioned the Village Apts. affordable units and Planner Burdick explained that discussion with the developer after it's site plan was approved revealed some of the units may be affordable in some way.

Commissioner Poole stated that there were actions that have been pushed down from the State to the Commission to implement and wondered if SCCOG or Planning Dept. could address its representatives on how to modify laws that have already been implemented to relieve the Commission as he felt that SCCOG or Staff would have a stronger voice than the Commission. Mayor McDaniel indicated the Legislative Committee defines what goals are and that every legislative session SCCOG, as well as the CT Council of Small Towns & the CT Conference of Municipalities (CCM) tries to effect change and relief from legislation.

ROLL CALL VOTE. VOTING IN FAVOR – Commissioners Desjardins, Duchesneau, Estelle, Kobyluck, Pike, Poole and Lundy (7). **VOTING AGAINST** - Commissioners Longton and Siragusa (2). **Motion Carried.**

- c. **Public Hearing: 22 SUB 2 (Resub)** – Monahan Drive (M/B/L 023-003-000) from southerly terminus of Monahan Dr. & easterly side of Swanty Johnson Rd., Uncasville, CT – Applicant/Owner: Cornerstone Ventures LLC for a 29-Lot Resubdivision. *(PH must close by 8/1/2022)*. At 6:45, Chairperson Lundy opened the public hearing for both Applications #22SUB2 and #22SP1 to be discussed together, but that separate Motions are required for each application. The Exhibit list is the same for both Public Hearing applications. Planner Burdick read the Exhibit List into the record, including a letter from the Applicant's new legal representative, Attorney Eugene C. Cushman, dated June 27, 2022, requesting the public hearings for the applications be continued allow him time to get up to speed.:

1. Application and Plans titled "Gay Hill Road Resubdivision Prepared for Cornerstone Ventures LLC #120 Gay Hill Road, Montville, CT Dated 4/8/2022"
2. Planner Comments dated 5/24/22
3. WPCA May 2, 2022 Meeting Minutes
4. Town Engineer Comments dated 6/1/2022
5. Legal ad to be published in the New London Day paper on June 17th and 24th, 2022
6. Legal ad to be published on the Town Website on June 15, 2022
7. Planner comments dated 6/13/2022
8. Email from Derek Albertson, WPCA Director dated 6/15/22

9. Disengagement letter from Attorney Harry Heller of Heller, Heller & McCoy dated June 22, 2022
10. Representation letter via email from Attorney Gene C. Cushman of the Law office of Eugene C. Cushman dated June 27, 2022
11. Request for opening of Public Hearing on June 28, 2022 and continuance of Public Hearing until July 26, 2022 letter via email from Attorney Gene C. Cushman of the law office of Eugene C. Cushman dated June 27, 2022. The entire request was read into the record.

Chairperson Lundy asked three times for Public Comment in favor or opposed. There was no public comments.

MOTION (Estelle/Desjardins) to CONTINUE Applications #22SUB2 and #22SP1-to July 26, 2022. **VOICE VOTE-** All in **FAVOR- Motion carried.**

- d. **Discussion & Decision: 22 SUB 2 (Resub)** – Monahan Drive (M/B/L 023-003-000) from southerly terminus of Monahan Dr. & easterly side of Swanty Johnson Rd., Uncasville, CT – Applicant/Owner: Cornerstone Ventures LLC for a 29-Lot Resubdivision. *(Submitted 5/18/22, Date of Receipt 5/24/22, Tabled from 5/24/22 meeting, DRD 65 days from close PH).* **MOTION** (Desjardins/Longton) to TABLE the Discussion and Decision for 22SUB2 and 22SP1 to July 26, 2022. **VOICE VOTE-** All in **FAVOR- Motion carried.**
- e. **Public Hearing: 22 SP 1 (Cluster Resub)** - Monahan Drive (M/B/L 023-003-000) from southerly terminus of Monahan Dr. & easterly side of Swanty Johnson Rd., Uncasville, CT – Applicant/Owner: Cornerstone Ventures LLC for a Special Permit for a 29-Lot Cluster Resubdivision *(PH must close by 8/1/22).* **See Motion Item “C” above.**
- f. **Discussion & Decision: 22 SP 1 (Cluster Resub)** - Monahan Drive (M/B/L 023-003-000) from southerly terminus of Monahan Dr. & easterly side of Swanty Johnson Rd., Uncasville, CT – Applicant/Owner: Cornerstone Ventures LLC for a Special Permit for a 29-Lot Cluster Resubdivision *(Submitted 5/18/22, Date of Receipt 5/24/22, Tabled from 5/24/22 meeting, DRD 65 days from close PH).* **See Motion Item “D” above.**

5. Old Business:

22 SITE 5 – 125 Depot Rd (M/B/L 071-007-000) & 133 Depot Rd (M/B/L 071-001-000), Depot Rd (M/B/L 071-013-000) and 55 Dock Rd (M/B/L 071-008-000), Uncasville, CT – Applicant: Gateway Montville, LLC Owner: Uncasville LLC & Gateway Montville LLC (Lessee) - Agent: Attorney Harry Heller for Site Plan/Coastal Site Plan for Redevelopment of Industrial Properties for Phase I Bulk Material Storage & Handling Facility with Intermodal Capabilities and Phase II Placement of Fill Material for Future Development. *(Submitted 5/12/22, Date of Receipt 5/24/22, DRD 7/28/22).* **MOTION** (Desjardins/Siragusa) to take item off of the TABLE **VOICE VOTE-** All in **FAVOR- Motion carried.**

The Planner Burdick gave a brief overview of the projects two phases. Revised plans were received on 6/26/22 and Staff is still reviewing. Applicant has asked for a Special Meeting for July 12, 2022.

MOTION (Siragusa/Longton) to TABLE/reschedule the application to a Special Meeting on July 12, 2022 at 6 pm. **VOICE VOTE- All in FAVOR- Motion carried.**

Chairman Lundy indicated that the Monahan Dr. and 125 Depot Rd staff reports have typos and the attorney names need to be switched.

6. New Business:

a. **C.G.S. §8-24 Review** for the sale and conveyance of Town property located at 300 Maple Avenue Unit E (M/B/L 082-028-000), Uncasville, CT. Planner Burdick explained that the Town foreclosed on the property for unpaid taxes in the amount of \$24,349. The sale of the property would put the house back on the tax rolls and there is no reasonable use for the Town.

MOTION (Siragusa/Desjardins) to forward a **Favorable Report** in accordance with C.G.S. Section 8.24 to the Town Council for the sale of Town Property located at 300 E Maple Avenue, Montville, CT as the sale of the property will benefit the Town by returning it to the tax rolls. **VOICE VOTE- All in FAVOR- Motion carried.**

b. **22 SUB 3** – East Lake Rd (M/B/L 007-035-000) Oakdale, CT – Applicant Sunmar/RAF Builders, LLC Owner: Walter N. Wainwright, Jr. for an 8-Lot Subdivision (*Submitted 6/9/22, Date of Receipt 6/28/22, DRD 9/1/22*). Planner Burdick Read her staff report into the record. Demian Sorrentino, AICP, C.S.S. of Boundaries LLC presented the 8-lot subdivision plan to the Commission. The proposed lots front on both Fire St and East Lake Rd and in this case East Lake Rd side has been used as the frontage. The proposed homes will be 4-bedrooms and will be sold at market rate. Commissioner Pike had questions concerning the leaching fields on two of the lots. Mr. Sorrentino explained that the required pitch has been met per Uncas Health. Commissioner Desjardins had a question regarding if the lots were being built and sold by one developer or will the lots be able to be purchased separately and be built on by someone else. Mr. Sorrentino explained that the developer would be building the homes. The plans will need to be revised to meet the comments of Staff. **MOTION** (Estelle/Longton) to **Table** application PZ#221SUB3 to the July 26, 2022 regular meeting. **VOICE VOTE- All in FAVOR- Motion carried.**

7. **Zoning Matters.** ZEO Report. Planner Burdick advised the Commission that Meredith Badalucca was the new Zoning & Wetlands and that Tiffany had gone to work at the WPCA office. She indicated that if the Commission had any questions about the ZEO report that Badalucca would be able to address same. Chairperson Lundy congratulated Badalucca on her new position and stated that the Commission looks forward to working with her.

8. **Town Planner Report.** Planner Burdick addressed the Commission and updated it on two projects, the proposed Town Boat Launch & Fishing Pier and the LOTCIP 2022 proposed Route 32 Sidewalk & Bike Lane project. Discussion followed.

9. **Other Business:** None.

10. **Correspondence.** None.

11. Minutes:

a. Approval of the May 24, 2022 Regular Meeting Minutes. **MOTION** (Siragusa/Pike) to **APPROVE** the Minutes from the May 24, 2022 meeting. Commissioner Longton stated that he believed that the minutes should be more detailed and the Town Planner

agreed. The Minutes of May 24, 2022 will be revised to include a summary of the discussion of the Affordable Housing Plan. Motion was rescinded and the minutes will be revised and the Commission will review at the July 26, 2022 meeting.

12. Executive Session: None.

13. Adjournment. MOTION to ADJOURN (Longton/Siragusa). Voice Vote- All in Favor. Meeting was adjourned at 7:45 pm.