

Planning & Zoning Commission
REGULAR MEETING
December 13, 2022 - 6:00 p.m.
Town Council Chambers – Town Hall
310 Norwich-New London Turnpike, Uncasville, CT 06382

Meeting Minutes

1. **Call to Order:** Chairman Sara Lundy called the meeting to order at 6:00 p.m.
2. **Pledge of Allegiance:** All rose for the Pledge of Allegiance.
3. **Roll Call:** Chairperson Sara Lundy, Vice Chairman Wills Pike, Secretary John Desjardins and Commissioners Chuck Longton, Anthony Siragusa, John Poole and Bruce Duchesneau. **Absent:** Commissioners Joshua Kobyluck and John Estelle. **Also Present:** Director of Land Use & Development Liz Burdick and Zoning Officer Meredith Badalucca.
4. **Additions or Changes to the Agenda:** **MOTION to add Item 8.b to New Business as follows: 22 SITE2- 245 Route 32 - Applicant/Owner: Western Group, LLC for proposed Phasing Plan for 22-Unit Multi-Family Dwellings and associated site improvements.**
5. **Minutes: MOTION (Longton/Siragusa) to approve the minutes of the November 8, 2022 meeting. All in Favor (7-0-0).**
6. **Public Hearings/Applications:** None.
7. **Old Business:**
 - a. **22 SUB 4- 1108 Old Colchester Road (M/B/L 036-005-002) - Applicant/Owner: Watch Hill Builders, LLC for a 3-Lot Subdivision. (Submitted 9/9/22, Date of Receipt 9/27/22. Orig. DRD 11/30/22. 35-day extension of time granted on 11/08/22. New DRD 01/04/2023. Tabled from 11/8/22 meeting).**

MOTION to take the application off the table. (Siragusa/Desjardins). All in favor (7-0-0). Motion carried.

Liz Burdick summarized her staff report to the Commission. Attorney Harry Heller of Heller, Heller & McCoy was present on behalf of the applicant with detailed plans for the 3-Lot Subdivision and stated there will be two standard lots and one rear lot. There will be a shared driveway between two of the lots on the West side of the plans. An existing drainage problem on Old Colchester Road will also be addressed by adding super elevation on the North side of the common driveway and single driveway that will shed water off the to the side of the road rather than onto Old Colchester Road and they are enhancing a very primitive swale which is currently in the shoulder of Old Colchester Road that will contain the stormwater runoff and get it to a catch basin that is just North of the driveway to the church. There will also be culverts under both driveways to carry the flow under the driveways.

Commissioner Duchesneau asked how long and wide the shared driveway was? Attorney stated

it was about 80-feet to the first house, about 250-feet to the second house and 15' wide.

Commissioner Pike asked if there was any way this could ever be changed to a town road and he answered no, but stated he will put another paragraph in the joint driveway and easement agreement saying it will never be a town road.

A MOTION was made (Pike/Poole) to APPROVE Application PZ #22 SUB 4 – 1108 Old Colchester Rd (M/B/L 036-005-002) Montville, CT – Applicant/Owner, Watch Hill Builders for a 3 Lot Subdivision in accordance with the application, supporting documentation and plan set entitled: “Property and Topographic Survey, Record Subdivision Map, Site Development Plan, Construction Notes and Details No. 1 & No. 2, Land Now Or Formerly Watch Hill Builders, LLC, 1108 Old Colchester Rd (Map36/Block005/Lot 002) Montville, CT, prepared by Bennett & Smilas Associates, Inc., Dated July 27, 2022, Revised to Dec.1, 2022” with the following conditions:

- 1. Final Plan shall be revised to show address assigned by the Assessor for new lots.**
- 2. Individual site development plans shall be reviewed and approved by Uncas Health District.**
- 3. The Montville Dept. of Public Works shall be notified prior to any work within the Town right of way.**
- 4. Applicant shall comply with all requirements of the Montville WPCA with regard to public sewer and water connections.**
- 5. The entire stonewall and vegetation within the Town Right of Way from the wetland 50-foot buffer line on Lot 1 to the wetland 50-foot buffer line on Lot 3 must be removed.**
- 6. All driveways shall be paved over their entire lengths.**
- 7. Per SR Section 3.9 (GIS): Digital Data shall be provided to the Planning Dept. prior to endorsement of the final subdivision plan.**
- 8. “Declaration of Joint Driveway Easement and Maintenance Agreement, Watch Hill Builders, Lots 2 and 3” shall be filed on the Land Records with the final mylars plans.**
- 9. Final plan shall be signed & sealed by L.S. and P.E.**

Roll call vote. All in favor (7-0-0). Motion carried.

b. 22SUB6 – 137 Gay Hill Rd (Parcel ID 023-026-00A) - Applicant/Owner: John M. & Lynette S. Crowley for a 2-Lot Subdivision. (Submitted 11/7/22. Date of Receipt 11/8/22. DRD 1/11/23).

Liz Burdick summarized her staff report to the Commission. She stated that the IWC, at its 11/17/22 regular meeting, forwarded a favorable report to the PZC for a 2-lot subdivision with no proposed regulated activities (#22 IWC 25). Brian Florek, L.S. of Florek Surveying, LLC spoke to commission and gave details on the proposed plans for the 2-lot Subdivision. He stated that the property owner wants to build the second home on the property for their son and daughter-in-law.

Commissioner Siragusa asked if there was going to be 4 properties on this driveway because there are two driveways shown adjacent to the property. Brian Florek stated the gravel drives shown on

the plan are for use by the adjacent property of family members and a right of way is in place for access to the property to harvest timber. Liz Burdick stated there is an existing right of way over 137 Gay Hill Rd in favor of said adjacent properties, 320 Maple Ave. & 95 Gay Hill Road, but the right of way was not defined. The proposed plan incorporates a defined right of way in favor of 137 Gay Hill Rd, 320 Maple Ave and 95 Gay Hill Road over new lot "1A."

Commissioner Duchesneau asked when a developer is required to construct a road v. a shared driveway. Liz Burdick advised there are common driveway regulations in the Town Road Standards that govern shared driveways.

Commissioner Duscheneau questioned how emergency vehicles would access properties on a shared driveway. Liz Burdick, stated the Fire Marshal can require bump outs along the drive to accommodate.

A MOTION was made (Longton/Poole) to APPROVE Application PZ 22SUB6 – 137 Gay Hill Road (Parcel ID 023-026-00A) – Applicant/Owner: John M. & Lynette S. Crowley for a 2-Lot Subdivision in accordance with the application, supporting documentation and plan set entitled: "Crowley Subdivision, 137 Gay Hill Rd, Montville, CT" prepared for John & Lynette Crowley by Florek Surveying & DLC Engineering Services, LLC, Dated Oct. 11, 2022, Revised to Dec. 12, 2022" with the following conditions:

- 1. Individual site development plans shall be reviewed and approved by Uncas Health District and the Montville Zoning & Wetlands Officer.**
- 2. Final Plan shall be revised to show address assigned by the Assessor for new Lot 1A.**
- 3. Final plan shall be revised to show common driveway a minimum of 15-feet wide.**
- 4. A "Declaration of Joint Driveway Easement and Maintenance Agreement" for new Lot 1A, 137 Gay Hill Road, 320 Maple Avenue and 95 Gay Hill Road shall be submitted for review & approval by Town Attorney and filed on the Land Records with the approved subdivision plan set.**
- 5. Per SR Section 3.9 (GIS): Digital Data shall be provided to the Planning Dept. prior to endorsement of the final subdivision plan.**
- 6. Final plan shall be signed & sealed by L.S. and P.E.**

Roll Call Vote. (6-1-0). Commissioner Siragusa opposed. Motion Carried.

8. NEW BUSINESS:

- a. **22 SITE10- 303 Route 32, Uncasville, CT (Parcel ID 070/004/000)- Applicant/Owner: James E. Wray, Lombardi Gravel, LLC for site plan approval for multi-family development & associated site improvements. (Submitted 12/02/22, Date of Receipt 12/13/22, DRD 02/15/23).**

Liz Burdick addressed the commission and stated the applicant is proposing to construct multi-family dwellings in the existing buildings that have historically been used as commercial utilizing the Route 32 Overlay Zone (OZ). The property is directly across the street from Town Hall and the buildings have been vacant for many years. The Applicant submitted a written request to the Commission to table the application to January 24, 2023 regular meeting to address staff comments.

Commissioner Siragusa asked where the sidewalks and handicap ramps were shown on the plans. Liz Burdick stated they are not shown, but need to be.

Commissioner Pike asked, from a commercial land use standpoint, is this the best use for this property. Liz Burdick stated in her opinion it was as there is a need for rental housing in Montville, a property that has been vacant for at least 10 years will be developed and that having the residential use will hopefully show an increase in revenue for local businesses. She stated the Commission, when it approved "OZ" agreed that residential uses were appropriate along Route 32.

A MOTION was made (Desjardins/Longton) to TABLE Application PZ #22SITE10 to the January 24, 2023 regular meeting of the Commission. All in Favor (7-0-0).

b. 22SITE2- 245 Route 32, Uncasville, CT. Applicant/Owner: Western Group, LLC for proposed Phasing Plan for 22-Unit Multi-Family Dwellings and associated site improvements.

Liz Burdick addressed the Commission stating it had approved the site plan with conditions on March 22, 2022. Applicant now proposes to construct the project in Phases 1-4, which requires Commission approval. She stated that she and The Town Engineer have reviewed the revisions and have approved with recommended conditions the Phasing Plan that will use the existing driveway apron as a construction entrance.

Commissioner Pike asked if there was a timeframe when the 4 phases have to be completed. Liz Burdick stated that they have to follow the regular site plan expiration date.

A MOTION (Duchesneau /Desjardins) to APPROVE Application PZ #22SITE2 for a 22-unit multi-family development and associated site improvements in accordance with the Montville Zoning Regulations and the application, supporting documentation and a plan set entitled "Zoning Improvement Location & Topography Plan, 245 Norwich-New London Turnpike (Rt. 32), Montville, CT, Prepared for Western Group, LLC, Prepared by Fuller Engineering and Land Surveying, dated 7 January 2022, Rev. 10/21/22", including the Phasing Plan, with the following conditions:

- 1. Trash enclosures locations are shown for each phase.**
- 2. All incomplete notes shall be revised to show notes.**
- 3. Advise the reason Unit #10 on sheet C3-1 is shaded apart from other units.**
- 4. Show construction fencing or other barriers between phases.**
- 5. Update Soil Erosion and Sediment Control Plan as needed.**

Roll Call Vote. All in Favor (7-0-0). APPROVED.

8. Zoning Matters: ZEO Report. Zoning & Wetlands Officer reviewed her November 2022 staff report with the Commission.

9. Land Use Director Report: Development projects update. Liz Burdick stated that her office was busy with multiple projects. She advised the Commission that, as of January 10, 2023, the Botanist will now be selling medical marijuana, as well as adult use recreational marijuana.

She stated traffic may be a concern, but that she will be meeting with The Botanist, Mayor McDaniel and LT. Radford to discuss details. Burdick presented the Commission with Draft “1” of proposed regulations regarding Cannabis Establishments in the Town of Montville. She will submit an application on behalf of the Commission at the 1/24/22 regular meeting and asked Commissioners to review and provide her with comments by email so that she may incorporate same into the draft regulations.

10. Other Business:

- a. **Election of Officers:** A **MOTION** (Siragusa/Longton) to re-elect the three officers that now exist, including Sara Lundy, Chairman, Wills Pike, Vice-Chairman and John Desjardins, Secretary. All in favor (7-0-0)
- b. **Approval of 2023 Meeting Dates.** **MOTION** (Siragusa/Longton) to **APPROVE** 2023 meeting dates for January 2023 -January 2024. All in Favor (7-0-0).
- c. **“PZC Learning Series” introduction by Chairwoman Lundy.** Attorney Matt Willis of Halloran & Sage will make a presentation on the roles and responsibilities of the Commission at its regular meeting on January 24, 2023 and it will be approximately one hour. The education will count towards required Commissioner training that starts in January 2023. on basic regulations and that will go towards the new CT Commissioner Training requirement.

11. Correspondence: None.

12. Executive Session: None.

13. Adjournment: **MOTION** (Desjardins/Siragusa) to **ADJOURN** All in Favor (7-0-0). Meeting was adjourned at 7:20 p.m.

Respectfully submitted by

Beth Welles

Recording Secretary