

**TOWN OF MONTVILLE
PLANNING & ZONING COMMISSION
310 NORWICH NEW LONDON TPKE.
UNCASVILLE, CT 06382
PHONE (860) 848-6779 - FAX (860) 848-2354
MEETING MINUTES of
November 8, 2016**

1. **Call to order:** CHAIRMAN PIENIADZ opened November 8, 2016 Meeting at 7:00 pm.
2. **Pledge of Allegiance:** All rose to pledge the flag.
3. **Roll call and seating of Alternates: COMMISSIONERS PRESENT:** Desjardins, Duchesneau (sat for Ferrante) Hillsberg, Pieniadz, Polhemus. Siragusa, Toner and Yeitz. **COMMISSIONERS ABSENT:** Bolles. **STAFF PRESENT:** Elizabeth Burdick, Zoning Officer.
4. **Executive Session:** None
5. **New Business:**

- a. **216 SITE 03 – 1920 Route 32 (Map 99 Lot 44), Uncasville, CT – Applicant:** Mitchell Strand. **Owner:** Strand Holdings, LLC. Site Plan application to demolish existing building/construct new building 7,092SF within existing footprint with associated parking.

Staff gave presentation regarding the application and read staff report into record. CHAIRMAN PIENIADZ asked COMMISSIONERS for questions of staff. There were questions regarding sidewalks along Route 32 frontage by COMMISSIONER TONER, SIRAGUSA and HILLSBERG. Staff and Applicant's Professional Engineer, Gregg Fedus; addressed the COMMISSION'S sidewalk questions citing safety concerns and not proposing sidewalks along the frontage of the site including change in grade and location of State of CT's drainage system. The COMMISSION discussed the importance of sidewalk construction for future connections on Route 32. COMMISSIONER TONER made MOTION, seconded by COMMISSIONER DESJARDINS to approve the Site Plan of 1920 Route 32 (Map 99 Lot 44) Uncasville, CT. The Commission finds the site plan meets the requirements of Section 10.A and Section 18 of the Zoning Regulations and approves the plan of Mitchell Strand/Strand Holdings LLC for the property located at 1920 Route 32 (Map 99 Lot 24) as shown on the plans titled "Site Plan at 1920 Route 32 Uncasville, Ct Prepared for Strand Holding, LLC Prepared by Fedus Engineering, LLC dated August 8, 2016 and revised to November 4, 2016.

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. Plan shall be revised to show sidewalks along Route 32 frontage of the property as approved by Town Engineer and/or Town Planner.
2. Prior to issuance of Zoning Permit, the retaining wall design shall be reviewed and certified by a Structural Engineer. Prior to issuance of Certificate of Zoning Compliance, the retaining wall construction shall be inspected and an As-Built Plan provided certified by the same Structural Engineer.
3. An E&S Bond in the amount of \$3,000 must be posted prior to the issuance of a Zoning Permit.
4. The ZEO must be contacted 24 hours prior to start of construction.
5. Prior to demolition, the WPCA must be contacted to coordinate water & sewer shutoffs.
6. Post-Construction Requirements 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.

The following COMMISSIONERS voted “in-favor”: DESJARDINS, DUCHESNEAU, PIENIADZ, HILLSBERG, POLHEMUS, SIRAGUSA, TONER and YEITZ. 8-0-0. MOTION carried.

b. §8-24 Review to pursue sale of 289 Route 32 (Map 70 Lot 5) former Youth Service Building. Staff gave report; COMMISSIONER SIRAGUSA made MOTION; seconded by COMMISSIONER TONER to send a FAVORABLE REVIEW to the Town Council. The following COMMISSIONERS voted “in-favor”: DESJARDINS, DUCHESNEAU, PIENIADZ, HILLSBERG, POLHEMUS, SIRAGUSA, TONER and YEITZ. 8-0-0. MOTION carried.

c. §8-24 Review of Old Colchester Road/Black Ash Road Improvement Project. Staff gave report; COMMISSIONER SIRAGUSA made MOTION; seconded by COMMISSIONER TONER to recommend a FAVORABLE REVIEW to the Town Council. The following COMMISSIONERS voted “in-favor”:

DESJARDINS, DUCHESNEAU, PIENIADZ, HILLSBERG, POLHEMUS, SIRAGUSA, TONER and YEITZ. 8-0-0. MOTION carried.

6. Public Hearing:

- a. 216 ZC 003 – 841 Route 32, Uncasville, CT (Map 83 Lot 34) DCO Real Estate, LLC.** Applicant: Tim & Doreen Conroy; Zone Change from C-2 to R-20-M. COMMISSIONER PIENIADZ opened the public hearing at 7:34 pm. Staff gave report and read Staff Exhibits into record:

Staff Exhibits

1. Copy of the legal ad as published in *The New London Day* on October 28, 2016 and November 4, 2016.
2. Notice to Town Clerk regarding Proposed Zoning Map Change received in office of Town Clerk on September 28, 2016.
3. Notice of Proposed Zoning Map Change was sent by Certified, Return Receipt Requested Mail sent on October 13, 2016 to the following:
4. Connecticut Department of Energy and Environmental Protection
5. Office of Long Island Sound Programs.
6. Copy of Response from Carol Szymanski, Office of Long Island Sound Programs
7. Copies of Certified mail receipts for abutters
8. Staff report
9. Entire project folder

Staff read report into record and went through each question of the Zone Change Criteria. CHAIRMAN PIENIADZ polled COMMISSIONERS for questions of staff; there was general discussion regarding future site development and site plan approval process.

CHAIRMAN PIENIADZ invited comments from the public in favor of the application two times; there were none. CHAIRMAN PIENIADZ then invited comments from the public in opposition of the application two times; there were none.

MOTION was made by COMMISSIONER SIRAGUSA; seconded by COMMISSIONER DESJARDINS to close the PUBLIC HEARING. VOICE VOTE 8-0-0. PUBLIC HEARING closed at 7:48 p.m. COMMISSIONER SIRAGUSA left the meeting at 7:48pm.

COMMISSIONER YEITZ made MOTION, seconded by COMMISSIONER DESJARDINS to move under Old Business – Item 7B: 841 Route 32, Uncasville, CT (Map 83 Lot 34) DCO Real Estate, LLC. Applicant: Tim & Doreen Conroy; Zone Change from C-2 to R-20-M. VOICE VOTE 7-0-0. MOTION carried.

7. Old Business:

- a. **216 SITE 02 – 85 Route 163 (Map 17 Lot 28) and Route 163 Rear (Map 24 Lot 10) Montville, CT** Applicant: William J. Pieniadz & John Heller. Site Plan application for 3,150SF commercial building for general commercial use with associated parking. COMMISSIONER DESJARDINS made MOTION, seconded by COMMISSIONER YEITZ to CONTINUE this item to the DECEMBER 13, 2016 meeting. VOICE VOTE 7-0-0. MOTION carried.
- b. **216 ZC 003 – 841 Route 32, Uncasville, CT (Map 83 Lot 34) DCO Real Estate, LLC.** Applicant: Tim & Doreen Conroy; Zone Change from C-2 to R-20-M. COMMISSIONER DESJARDINS made MOTION, seconded by COMMISSIONER YEITZ to approve proposed zone change application from C-2 to R-20-M on the property located at 841 Route 32 (Map 83 Lot 34). The Commission finds that the proposed zone change is in conformance with the Comprehensive Plan and the Plan of Conservation and Development, based on the findings and general discussion of the criteria contained in the staff report. There was no testimony provided by the general public that addressed the Comprehensive Plan or the Plan of Conservation and Development. The effective date of the zone changes shall be November 26, 2016.

CHAIRMAN PIENIADZ requested a ROLL CALL VOTE: The following COMMISSIONERS voted “in-favor”: DESJARDINS, DUCHESNEAU, PIENIADZ, HILLSBERG, POLHEMUS, TONER and YEITZ. VOICE VOTE 7-0-0. MOTION carried.

8. Zoning Matters:

Liz Burdick gave October, 2016 Zoning Report.

9. Town Planner: None

10. Communications:

Letter of resignation was accepted from Bart Ferrante. On behalf of the P&Z Commission, CHAIRMAN PIENIADZ thanked Bart Ferrante for his many years of service.

CHAIRMAN PIENIADZ also mentioned upon adjournment of meeting; it will be COMMISSIONER YEITZ’S last meeting and thanked him for his many years of service as a P&Z COMMISSIONER.

11. Minutes:

COMMISSIONER TONER made MOTION, seconded by COMMISSIONER DESJARDINS to accept the October 11, 2016. VOICE VOTE 7-0-0. MOTION carried.

COMMISSIONER TONER made MOTION, seconded by COMMISSIONER DESJARDINS to accept the October 18, 2016 Special Meeting Minutes. VOICE VOTE 6-0-1. COMMISSIONER POLHEMUS abstained. MOTION carried.

12. Other Business:

CHAIRMAN PIENIADZ read the slate of officers for the Planning and Zoning Commission; MOTION made by COMMISSIONER HILLSBERG, seconded by COMMISSIONER POLHEMUS to nominate Chairman - Bill Pieniadz, Vice Chairman - James Toner and Secretary - John Desjardins. VOICE VOTE 7-0-0.

COMMISSIONER POLHEMUS made MOTION, seconded by COMMISSIONER DESJARDINS to accept the 2017 Planning & Zoning Meeting Dates. VOICE VOTE 7-0-0.

13. Adjourn:

COMMISSIONER TONER made MOTION, seconded by COMMISSIONER YEITZ to Adjourn the meeting. All in FAVOR - Meeting adjourned at 8:05 p.m.

Respectfully submitted,
Michelle M. Giroux
Recording Secretary

AN AUDIO RECORD OF THE MEETING IS ON FILE IN THE MONTVILLE TOWN CLERK'S OFFICE