

**TOWN OF MONTVILLE  
PLANNING & ZONING COMMISSION  
310 NORWICH NEW LONDON TURNPIKE  
UNCASVILLE, CONNECTICUT 06382  
PHONE (860) 848-6779 - FAX (860) 848-2354  
LOCATION: MONTVILLE TOWN HALL, Council Chambers**

**MEETING MINUTES**

**Tuesday, January 9, 2018 - 7:00 P.M.**

**1. Call to Order**

Chairman Pieniadz called the meeting to order at 7:00 p.m.

**2. Pledge of Allegiance**

**3. Roll Call**

Present were Commissioners Desjardins, Duchesneau, Estelle, Longton, Pieniadz, Polhemus, Siragusa, and Toner. Absent was Commissioner Hillsberg. Also present were Town Planner Marcia A. Vlaun; Assistant Planner Colleen Bezanson, and; Town Council Liaison Wills Pike. Absent was Zoning/Wetlands Enforcement Officer Elizabeth Burdick.

Chairman Pieniadz welcomed their newest member, Chuck Longton, to the Commission.

**4. Executive Session: *None***

**5. Public Hearing/Application**

- a. 217 SP 4 – 437 Kitemaug Road (Map 34 Lot 1) Uncasville, Kyle Champagne & Joseph Giangrasso.** Application for Special Permit for 2 interior building lots.

Town Planner Vlaun entered the following items into the record: the legal notices published in *The New London Day* on December 29, 2017 and January 5, 2018, copies of the certified mail receipts, the Staff Report, and the entire project folder . The Applicant is requesting a Special Permit for the creation of two (2) interior, rear building lots for a three-lot subdivision. The two lots will include a common driveway. The Inland Wetlands Commission, Uncas Health District, and Building Department had no comments. All of the comments presented by the Zoning Enforcement Officer (ZEO) and Town Engineer have been addressed. The Fire Marshal's office stated that the driveway must be marked in accordance with Town Ordinance O-A-3 and the Planning office recommends that the "Proposed Paved Drive for Demonstration purposes" shown on the plans be removed from the final plan because the curve of the proposed drive would make access to the property by emergency vehicles either difficult and/or impossible.

Attorney Harry Heller, 736 Route 36, Uncasville, representing the Applicants, stated that the Application for a Special Permit for rear lots meets all of the eight (8) provisions, as

required and stated in Section 17-20 of the Zoning Regulations. In response to Commissioner Toner, the proposed common driveway has a width of 36' at the turn and should not pose any issues for emergency vehicles accessing the property.

Chairman Pieniadz asked if there were any members of the public who would like to speak in favor of or in opposition to the application.

Jessica Boggan of 427 Kitemaug Road and Al Ouellette of 401 Kitemaug Road spoke in opposition.

Chairman Pieniadz thanked them for their comments and asked if there were any additional members of the public who would like to speak in favor of or in opposition to the application.

In response to Mr. Ouellette, Atty. Heller stated that the piece of property located on the east side of the railroad tracks is not part of this application and there are no plans for the development of the property at this time.

In response to Commissioner Siragusa, Atty. Heller stated that the Applicant owns part of the property located on the east side of the railroad tracks. The Waterford Land Trust owns the remaining parcel. The area is, by deed, a separate parcel of land from the property in question.

**Motion made by Commissioner Toner, seconded by Commissioner Desjardins, to close the Public Hearing at 7:25 pm for 437 Kitemaug Road (Map 34 Lot 1) Uncasville, Kyle Champagne & Joseph Giangrasso. Application for Special Permit for 2 interior building lots. Discussion: None. Voice vote, 8-0, all in favor. Motion carried.**

- b. **Discussion and Decision: 217 SP 4 – 437 Kitemaug Road (Map 34 Lot 1) Uncasville, Kyle Champagne & Joseph Giangrasso.** Application for Special Permit for 2 interior building lots.

**Motion made by Commissioner Toner, seconded by Commissioner Estelle, to find that the special permit meets the requirements of Section 7, and Section 17 of the Zoning Regulations and approves the application and plan of Kyle Champagne and Joseph Giangrasso as depicted on the plan titled “Subdivision Plan “Thames Overlook Subdivision” Prepared for Kyle C. Champagne & Joseph A. Giangrasso 437 Kitemaug Rd Uncasville, Ct Boundary & Lot Layout Prepared by Advances Surveys, LLC” dated 9/15/17 and revised to 12/4/17**

**In doing so the Commission has considered the application, the staff report, the public testimony and the expert testimony and finds that**

- 1. The proposed use is in harmony with the appropriate and orderly development of the neighborhood and will not hinder or discourage the development of adjacent properties nor impair property value.**

2. **The location and size of the proposed use, the nature and intensity of operations involved in connection therewith, its site layout and its relation to access streets will not be such that both pedestrian and vehicular traffic to and from the use and the assembly or persons in connection therewith will not be hazardous or inconvenient, nor incongruous with any residential district or conflict with the normal traffic of the neighborhood.**
3. **The nature and intensity of the operations involved in connection with the proposed use and the site layout and development will not have a negative impact on the environment.**

**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 “Proposed Paved Drive for Demonstration purposes” shown on sheet 2 of 2 of the plans must be removed from the final plan prior to endorsement**
2. **Driveway Easement & Maintenance Agreements and Warranty Deed/Conveyance forms shall be filed on the Land Records with an approved subdivision plan**
3. **The driveway must be marked in accordance with Town Ordinance O-A-3.**
4. **An E&S Bond in the amount of \$2,000.00 must be posted prior to the issuance of a Zoning Permit per individual lot development.**
5. **The ZEO must be contacted 24 hrs. prior to start of construction.**

**Discussion: None. Roll Call vote, 8-0, all in favor. Voting in Favor: Commissioners Desjardins, Duchesneau, Estelle, Longton, Pieniadz, Polhemus, Siragusa, and Toner. Voting in Opposition: None. Motion carried.**

**6. Old Business:** *None*

**7. New Business**

- a. **217 SUB 5 – 437 Kitemaug Road (Map 34 Lot 1) Uncasville, Kyle Champagne & Joseph Giangrosso.** Application for a 3-Lot Subdivision and CAM review.

Town Planner Vlaun entered the staff report into the record, with the addition of the Coastal Area Management (CAM) Review. This particular parcel of land is classified as a shoreland property and, because there are no coastal resources in relation to the property, the Staff has found that the application meets the requirements as stated in Section 16.5 of the Zoning Regulations and does not have any adverse impact on any coastal resources.

Atty. Heller, representing the Applicants, added that the existing home, which was in deplorable condition, has been nicely restored and the subdivision complies with the Regulations.

Chairman Pieniadz asked if the Commissioners have any questions for the Staff or Applicants.

**Motion made by Commissioner Toner, seconded by Commissioner Duchesneau, to find that the subdivision plan meets the requirements of Section 7 and 16.5 of the Zoning Regulations and the Subdivision Regulations and approves the plan of Kyle Champagne and Joseph Giangrosso as depicted on the plan titled “Subdivision Plan “Thames Overlook Subdivision” Prepared for Kyle C. Champagne & Joseph A. Giangrosso 437 Kitemaug Rd Uncasville, Ct Boundary & Lot Layout Prepared by Advances Surveys, LLC” dated 9/15/17 and revised to 12/4/17**

**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 “Proposed Paved Drive for Demonstration purposes” as shown on sheet 2 of 2 of the plan must be removed from the final plan prior to endorsement.**
- 2. Driveway Easement & Maintenance Agreements and Warranty Deed/Conveyance forms shall be filed on the Land Records with an approved subdivision plan**
- 3. The driveway must be marked in accordance with Town Ordinance O-A-3.**
- 4. An E&S Bond in the amount of \$2,000.00 must be posted prior to the issuance of a Zoning Permit.**
- 5. The ZEO must be contacted 24 hrs. prior to start of construction.**

**Discussion: None. Roll Call vote, 8-0, all in favor. Voting in Favor: Commissioners Desjardins, Duchesneau, Estelle, Longton, Pieniadz, Polhemus, Siragusa, and Toner. Voting in Opposition: None. Motion carried.**

- b. §8-24 - A request for an §8-24 Review for sale of 0.19 acres of property in an R20 zone on Gay Hill Rd, Montville, CT (Map 77 Lot 39).**

Town Planner Vlaun presented a request for an §8-24 Review by the Town for the sale of a small piece of property located on Gay Hill Road. She strongly urged the Commission to issue an unfavorable review of the property, which was acquired by the Town in 1932 to house a large underground concrete holding tank to provide water protection and water to

the old Palmertown School. The tank has since been filled in and is no longer in use. The property, which can be accessed via Gay Hill Road, has no frontage and, due to its size, topography, and lack of necessary setbacks, a building would not be approved for construction on the lot. As such, should the property be sold, the likelihood of it resulting in an area on which junk is stored would be high. She recommends that the Commission issue an unfavorable review unless an agreement can be made with the abutting property owner and incorporated into their current property.

In response to Commissioner Siragusa, she was unaware as to whether the Water Pollution Control Authority (WPCA) had been approached by the Town regarding their possible interest in utilizing the property for a future pump station.

**Motion made by Commissioner Siragusa, seconded by Commissioner Toner, to send an unfavorable §8-24 Review for the sale of 0.19 acres of property in an R20 zone on Gay Hill Rd, Montville, CT (Map 77 Lot 39). Discussion: None. Voice vote, 8-0, all in favor. Motion carried.**

8. **Zoning Matters**

a. Liz Burdick – December 2017 ZWO Report

9. **Town Planner**

Town Planner Vlaun updated the Commissioners on the following items:

The project taking place at the intersection of Old Colchester and Black Ash Roads has been shut down for the winter season and will restart in early Spring. Along with an additional project, this project is being funded under the LoCIP (Local Capital Improvement Program) Grant; all other LoCIP- funded projects have been rescinded due to the State's fiscal crisis.

Due to the loss of their Administrative Assistant, the progress of the Road Standards, Subdivision Regulations, and Zoning Map have fallen behind schedule. She is planning to present the Road Standards, which was originally written in 1950-1951 and updated in the early 1990s, to the Public Works/Solid Waste Subcommittee this month for review. Should the Subcommittee find the Road Standards acceptable, they will vote to send the item to the Town Council for review and approval. Following the adoption of the Road Standards by the Town Council, a draft of the Zoning Regulations will be presented to the Commission for review and approval. Due to the proposed changes in the Zoning Regulations, the Zoning Map will also be updated. She is hoping to schedule a Public Hearing covering these three related items in the near future.

The Planning & Zoning Department is looking forward to welcoming Tiffany Williams, who has been hired as their new Administrative Assistant; she will be starting next Tuesday, January 16, 2018.

In response to Commissioner Duchesneau, Town Planner Vlaun stated that the Commission was tasked at one time to update the Zoning Regulations, but, due to their lack of progress, it was agreed to allow the Staff to create a draft with the proposed updates to the Commissioners for review and approval. The review and approval of the Road Standards is under the purview of the Town Council, not the Commission. The updates of the Road Standards are primarily related to drainage requirements. Town Planner Vlaun stated the importance of keeping their Regulations current and making efforts to streamline the process by making their Regulations less cumbersome for developers. Doing so would not only help to ensure a smooth process, but would also encourage and raise the likelihood of a developer to develop a piece of property within the Town of Montville.

Also in response to Commissioner Duchesneau, Town Planner Vlaun reported that the closing on the old drive-in property is expected to be filed in the near future.

**10. Communications:** *none*

**11. Other Business**

Commissioner Siragusa recommended that when the Regulations are revised, the sections related to the construction of common driveways be considered for review to ensure the clarity and consistency of the Regulation.

**12. Minutes**

**a. Acceptance of Minutes from December 12, 2017 Regular Meeting.**

Motion made by Commissioner Polhemus, seconded by Commissioner Toner. Voice vote, 6-0-2, all in favor. Voting in Favor: Commissioners Desjardins, Longton, Pieniadz, Polhemus, Siragusa, and Toner. Voting in Opposition: None. Voting in Abstention: Commissioners Estelle and Duchesneau. Motion carried.

**13. Adjournment**

The meeting was adjourned at 8:06 p.m.

Respectfully Submitted by:

Agnes Miyuki, Recording Secretary for the Town of Montville

**AN AUDIO RECORD OF THE MEETING CAN BE FOUND ON THE TOWN'S WEBSITE  
LOCATED UNDER RESOURCES – FORM REPOSITORY – MEETING RECORDINGS**