

**TOWN OF MONTVILLE
PLANNING & ZONING COMMISSION
310 NORWICH NEW LONDON TPKE
PHONE (860) 848-8549 Fax (860) 848-2354
AMENDED MEETING MINUTES
May 12, 2009**

1. **Call to Order.** Vice-Chairman Ferrante called the May 12, 2009 meeting of the Montville Planning & Zoning Commission to order at 7:00 p.m. in the Town Council Chambers.
2. **Pledge of Allegiance.** All rose and pledged the flag.
3. **Roll call and seating of Alternates:**
COMMISSION MEMBERS PRESENT: Commissioners Baron, Desjardins, Ferrante, Mastrandrea, Pieniadz, Polhemus, Siragusa, and Toner. (8 regular members)
COMMISSION MEMBERS ABSENT: Commissioner Marcus (1 regular member)
STAFF PRESENT: Thomas Sanders, Zoning Enforcement Officer.
4. **Executive Session:** none
5. **Public Hearings:**
 - a) **Michael McKay:** An application for a Special Permit for a two-family home located on the property at 1552 Norwich-New London Tpke, (Route 32), Uncasville, CT As shown on Assessor's Map 91 Lot 10. The Public Hearing was opened at 7:03 p.m. **STAFF:** Staff report was distributed to the Commission and read. Staff advised the Commission that all work would be done within the existing footprint. Discussion was held. **APPLICANT:** Attorney Stan Lucas, representing the applicant; Dr. McKay, addressed the Commission and provided them with a history of the property and advised that a small porch would be removed, but the same foundation would be used for the conversion. **PUBLIC:** no comments were received either for or against the proposal. **A MOTION** was made by **COMMISSIONER DESJARDINS; SECONDED** by **COMMISSIONER POLHEMUS** to **CLOSE** the Public Hearing. Voice vote. 8-0 All in favor. **MOTION CARRIED.**
 - b) **Carl Bourne:** An application for a two lot re-subdivision on the property located at 1588 Route 163, Oakdale, CT. As shown on Assessor's Map 57 Lot 22. Commissioner Ferrante advised the Commission that the applicant had requested that the Public Hearing be continued. Discussion was held. **A MOTION** was made by **COMMISSIONER TONER; SECONDED** by **COMMISSIONER POLHEMUS** to

CONTINUE (to reschedule to the May 26, 2009 meeting) Voice vote. 8-0 All in favor.
MOTION CARRIED.

6. New Business:

1. Action items: none

7. Zoning Issues:

a.) Frances Park: An application for a Home Occupation Permit for a Quilting Business to be located at 11 Tory Drive, Uncasville, CT As shown on Assessor's Map 55 lot 33-14. Staff advised that he had no problem with the approval of the permit. The applicant, Frances Park was on hand to address the Commission's concerns. Discussion was held. A **MOTION** was made by **COMMISSIONER SIRAGUSA; SECONDED** by **COMMISSIONER PIENIADZ** to **APPROVE** (The Home Occupation Permit). All in favor. 8-0 **MOTION CARRIED.**

Staff advised that he had one more issue to address under Zoning Issues:

b.) Robert Mrowka: An application for a Zoning Permit for a temporary trailer to be located on the property at 91 Route 163, Uncasville, Ct As shown on Assessor's Map 17 Lot 26. Commissioner Pieniadz provided the Chairman with a Conflict of interest form (attached hereto) and left the room. Staff advised that the application is for a temporary trailer to be utilized by the applicant during construction of an addition to his office area. Six month term was suggested. Discussion was held. A **MOTION** was made by **COMMISSIONER SIRAGUSA; SECONDED** by **COMMISSIONER DESJARDINS** to **APPROVE**, (the temporary trailer) for six months. Voice vote. 6-1-1 with Commissioner Baron voting in opposition. (Commissioner Pieniadz was still out of the room) **MOTION CARRIED.**

Commissioner Pieniadz returned to the meeting room.

8. Action items: Old Business:

1. Action Items:

a) §8-24 Review: To determine if the Town should sell the property located at **123 Oxoboxo Cross Road**, Oakdale, CT As shown on Assessor's Map 108 Lot 205. (see below, item c)

b) §8-24 Review: To determine if the Town should sell the property located at **125 Oxoboxo Cross Road**, Oakdale, CT As shown on Assessor's Map 108 Lot 206. (see below, item c)

c) §8-24 Review: To determine if the Town should sell the property located at **Cedar Road**, Oakdale, CT As shown on Assessor's Map 108 Lot 204.

A **MOTION** was made to hear all 3 items (8.1.a, b. & c.) at the same time by **COMMISSIONER BARON; SECONDED** by **COMMISSIONER PIENIADZ**. Voice vote 8-0. All in favor. **MOTION CARRIED.** Staff advised that the administrator of the WPCA had provided his comments and he reviewed them with the Commission. Discussion was held. A **MOTION** was made by **COMMISSIONER BARON; SECONDED** by **COMMISSIONER TONER** To forward an

UNFAVORABLE §8-24 Review for the sale of the properties (3) located at Cedar Road Assessor's Map 108 lot 204, 123 Oxoboxo Cross Road which is located on Assessor's Map 108 Lot 205, and 125 Oxoboxo Cross Road Assessor's Map 108 Lot 206 in anticipation of a possible State order to sewer the area, the WPCA will need property to locate a pump station or to use during the project as a staging area. If no pump station is to be located there, then after use as a staging area, the property would be worth more once sewers were installed. Discussion was held. Voice vote. 8-0 All in favor. **MOTION CARRIED.**

2. Not Ready For Action:

- a) **Labossiere Builders LLC:** A request for the release of the Erosion and Sedimentation Bond #S-265649, on the property located at 1985 & 2005 Norwich-New London Turnpike, (Route 32) and 12 Occum Lane, Uncasville, Ct. As shown on Assessor's Map 99 Lots 58,59, & 60 (CVS) in the amount of \$2,000.00. No action taken.

- 9. Communications: Staff:** Staff advised the Commission that the following had been received: 9R Burlake, LLC: appeal of the P&Z decision on the recent request for a Zone Change. Discussion was held.

10. Minutes:

- a) Acceptance of the minutes from the Regular meeting of April 28, 2009. A **MOTION** was made by **COMMISSIONER POLHEMUS; SECONDED** by **COMMISSIONER TONER** to **ACCEPT** (the minutes from the April 28^h meeting) as submitted. Voice vote. 7-0-1 with Commissioner Pieniadz abstaining due to his absence at the 4/28/09 meeting. **MOTION CARRIED.**

11. New Business:

- 1. **Non-Action items:** none

12. Zoning Issues:

- 2. Non-Action Items: none
- 3. Zoning Officer's Report. Zoning Enforcement Officer's report was distributed to the Commission and discussed. Recent complaints were also discussed.

13. Other business to come before the Commission:

- a) Plan of Conservation and Development. No action.
- b) Budget. No action.

A **MOTION** was made to bring down (add) to 13c.), item 5a.) **Michael McKay:** An application for a Special Permit for a two-family home located on the property at 1552 Norwich-New London Tpke, (Route 32), Uncasville, CT As shown on Assessor's Map 91 Lot 10 as item 13c) by **COMMISSIONER FERRANTE; SECONDED** by **COMMISSIONER TONER.** Voice vote. 8-0 All in favor. **MOTION CARRIED.**

- c) **Michael McKay:** An application for a Special Permit for a two-family home located on the property at 1552 Norwich-New London Tpke, (Route 32), Uncasville, CT As shown on Assessor's Map 91 Lot 10. The Commission had concerns with deficiencies in the plan. Discussion was held. Staff reminded the Commission that the property is

pre-existing non-conforming. Discussion was held. A **MOTION** was made to **CONTINUE** by **COMMISSIONER PIENIADZ**; **SECONDED** by **COMMISSIONER TONER**. Voice vote. 8-0. All in favor. **MOTION CARRIED**.

14. Adjourn: The meeting adjourned at 7:50 p.m.

Respectfully submitted,

Judy A. LaRose
Recording Secretary

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