

**TOWN OF MONTVILLE
PLANNING & ZONING COMMISSION
310 NORWICH NEW LONDON TPKE
PHONE (860) 848-8549 Fax (860) 848-2354
MEETING MINUTES
June 23, 2009**

1. **Call to Order.** Chairman Marcus called the June 23, 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 Desjardins, Ferrante Marcus, Mastrandrea, Polhemus, Siragusa, and Toner. (7 regular members)
COMMISSION MEMBERS ABSENT: Commissioners Baron and Pieniadz. (2 regular members)
STAFF PRESENT: Zoning Enforcement Officer, Thomas Sanders and Marcia A. Vlaun, Town Planner
4. **Executive Session:** none
5. **Public Hearings:**
 - a.) **Hastedt Brothers LLC/Lombardi Business Park, LLC:** An application for a Special Permit for a mobile asphalt recycler located on the property at 18 Sachatello Industrial Drive, Oakdale, CT. As shown on Assessor's Map 5 Lots 27-10 and 27-17 and a portion of Lots 18, 11, and 13. The Chairman opened the Public Hearing at 7:02 p.m. **STAFF:** Staff entered the following into the record: Exhibit 1. Certified Mailing Receipts. Exhibit 2. Copy of the legal ad as published in the New London Day. Exhibit 3. Staff Report. Exhibit 4. The entire application including maps/plans. Staff report was distributed to the Commission and read. **APPLICANT:** Ellen Bartlett, 317 Main Street, Norwich Staff explained the re-configuration of the property that previously took place. Attorney Londregan of Conway, Londregan, et al of New London, Ct., applicant's attorney addressed the Commission and entered the following into the record as Exhibit 5.; recycling asphalt info, DEP General Report dated 3/13/09, DEP Inspection report dated 6-2-09, §22a-174-3a of the Regulations of Connecticut State Agencies. Attorney Londregan provided the Commission with an explanation of how the machinery works. Maps of the area showing the proposed location were shown to the Commission and entered into the record as Exhibit 7. Overall Plan, Exhibit 8. Lot Layout and Exhibit 9. Aerial showing surrounding area. John Lombardi was present

to address the Commission's concerns. Andy Hastedt addressed the Commission's concerns regarding dust and cleaning of the machinery and told them that the machinery is self-cleaning. Discussion was held. **PUBLIC:** In favor: Howard R. Beetham, Jr. of 60 Riverview Road spoke in favor of the application. Opposed: none. **APPLICANT:** Attorney Londregan reminded the Commission that they are not making bituminous concrete, they are recycling and this is simply a machine on a trailer. A **MOTION** was made by **COMMISSIONER TONER; SECONDED** by **COMMISSIONER POLHEMUS** to **CLOSE** the Public Hearing. Voice vote. 7-0 All in favor. **MOTION CARRIED.** The Public Hearing closed at 7:38 p.m.

6. New Business:

1. **Action items:** none

7. Zoning Issues:

1. **Action items:** none

8. Old Business:

1. **Action Items:** Discussion was held.
2. **Not Ready For Action:** none

9. Communications: Staff: Staff distributed a copy a recent Connecticut Supreme Court case; Buttermilk Farms v. P&Z Town of Plymouth, with the decision which will greatly affect the actions of the Commission regarding subdivisions. The main item that was addressed by the Court is that we, as a Commission, while approving subdivisions, no longer have the authority to require improvements outside of the lot boundaries. Discussion was held. Chairman Marcus informed the Commission that he had received a letter from the Mayor's Office informing the Commission that their Annual Report is due.

10. Minutes:

- a.) Acceptance of the minutes from the Regular meeting of June 9, 2009. A **MOTION** was made by **COMMISSIONER POLHEMUS; SECONDED** by **COMMISSIONER DESJARDINS** to **ACCEPT** the minutes as submitted. Voice vote. 6-0-1 with Commissioner Siragusa abstaining. **MOTION CARRIED.**

11. New Business:

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

12. Zoning Issues:

2. **Non-Action Items:** none
3. **Zoning Officer's Report.** Report was distributed to the Commission. ZEO informed the Commission that two items are now scheduled with the Courts and should hopefully be resolved by the end of August.

The Commission decided to wait until the next meeting to vote on the Hastedt matter. Discussion was held.

13. Other business to come before the Commission:

a.) Plan of Conservation and Development. Discussion was held.

14. Adjourn: The meeting adjourned at 8:00 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