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Norwich reapproves developer's Ponemah plan

By [Megan Bard](#) Day Staff Writer

Norwich - A proposal to build a 90-unit active-adult community between Hunters Road and Merchants Avenue has been approved, again.

After a lengthy discussion on how a legal opinion from the city's attorney applied to the application for reapproval of the plan by Ponemah Villa Estates LLC, the Commission on the City Plan approved the developer's request in a 4-1 vote, with member Michael Lahan in opposition.

Tuesday night's approval could give the developers, brothers Joseph and Kevin McMahon, up to another one year to comply with regulations to file the site plans and an associated bond with the City Clerk's office before work can begin on the project.

Prior to the vote the commission had considered tabling the issue to get further legal clarification on the city's regulations specific to the site plan approval process and a request for reapproval of a previously approved plan. Members also said the issues involving the delay in printed notification of a decision made by the City Council in Feb. 2009 that repealed zoning regulations allowing for such active adult communities in certain residential areas further confused the issue; that notification was finally made on Feb. 10, 2010.

At that point, Attorney Glenn Carberry, who represents the developer, asked the commission to at least hear his presentation on the plan, which remains the same for the nearly 37-acre parcel except that the first of three phases will be constructed in two segments. The commission eventually obliged after taking a brief recess in order to review the applicable regulations for the site plan process.

Carberry said any action, or lack thereof, by the City Council's notification process did not apply to the Ponemah Villa Estates proposal, because in January 2009 the developers were granted a special permit to build such a project, and that approval never expires, it remains with the land.

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