

TOWN OF MONTVILLE
OFFICE OF THE PLANNING DIRECTOR
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MEMORANDUM FOR THE RECORD

July 12, 2022 Special PZC Meeting
Prepared by *Liz Burdick*, Planning Director
on 7/11/2022

Property Address: 125 Depot Rd (M/B/L 071-007-000) & 133 Depot Rd (M/B/L 071-001-000), (New#131) Depot Rd (M/B/L 071-013-000) and 55 Dock Rd (M/B/L 071-008-000), Uncasville, CT

Application: PZ #22SITE5 for Redevelopment of Industrial Properties for Phase I Bulk Material Storage & Handling Facility with Intermodal Capabilities and Phase II Placement of Fill Material for Future Development.

Applicant(s): Gateway Montville, LLC

Property Owner(s): Owner: Uncasville LLC & Gateway Montville LLC (Lessee) -

Attorney: Harry B. Heller, Esq., Heller, Heller & McCoy, Agent

Engineer: David C. McKay, P.E., Boundaries, LLC

Land Surveyor: John U. Faulise, L.S., Boundaries, LLC

Lot Size: 21.86-acres (952,222SF)

Lot Frontage: 133 Depot & 131 Depot Rd - 351-feet; 125 Depot Road - 590-feet; 55 Dock Road - 392-feet.

Zoning District: Industrial (I), Rte. 32 Overlay Zone (OZ).

Public Water/Sewer: Yes.

Wetlands/Watercourses: No.

Flood Hazard Zone: Yes. The site is located in FEMA Flood Hazard Zone AE11 and "X" per the Flood Insurance Rate Map (FIRM), New London County. Panel 09011C0361J and is tidally influenced.

CAM Zone: Yes. See response letter dated June 27, 2022.

Public Water Supply Watershed: No.

Proposed Public Improvements: None shown on plan.

Legal: Submitted to Planning Dept. on 05/12/22. Date of Receipt by PZC: 5/24/22. Decision Required Date: 07/28/22.

EXISTING CONDITIONS: Vacant industrial property.

PROPOSAL: Redevelopment of Industrial Properties for Phase I Bulk Material Storage & Handling Facility with Intermodal Capabilities and Phase II Placement of Fill Material for Future Development.

TOWN ENGINEER: All comments addressed. See correspondence dated 7/12/22.

Fire Marshal: No comments. See email dated 7/6/22.

BUILDING DEPT.: Referred - no comments received.

WPCA: Comments in 7/6/22 email from WPCA have been addressed by the Applicant.

STCT DEEP: Permits required.

BOND: E & S Control Bonds. West of railroad - \$61,323.11. East of railroad - \$126,115.57. Total bond amount \$187,439 approved by the Town Engineer on July 7, 2022.

STAFF COMMENTS:

In review:

- **Phasing Plan:** "The proposed activities will be commenced in stages as follows:

- **Phase 1** - 125 Depot Rd, 133 Depot Rd, & Depot Rd (MBL 071-013-000): Construct new access driveway and salt storage pad. 133 Depot Rd. Improve access to pier and install conveyors for off-loading barge; and stormwater improvements along seawall on 125 Depot Rd.
- **Phase 2A** – 125 Depot Rd: Place 23,700+/- cubic yards of fill for future rail sidings on 4.9+/- acres (213,444SG+/-) of area of 125 Depot Rd. Construct new access driveway on 125 Depot Rd and install stormwater management improvements to collect and treat runoff prior to discharge.
- **Phase 2B** – 125 Depot Rd: Place 6,500 +/- cubic yards of fill for future materials stockpile area on 2.3+/- acres (100,188SF) of area. Construct new access driveway and install stormwater management improvements to collect and treat runoff prior to discharge.
- **Phase 2C** – 125 Depot Rd: Place 36,600+/- Cubic Yards of fill for future materials stockpile area on 4.2+/- (182,952SF) of area on 125 Depot Rd. Construct new access driveway on 125 Depot Road and install stormwater management improvements to collect and treat runoff prior to discharge.

55 Dock Road: Install security fence. Construct retaining wall."

Traffic: The Applicant submitted a Traffic Impact Report for Gateway Terminal/Uncasville, CT, Prepared by Scott F. Hesketh, P.E., Manager of Transportation Engineering, F.A. Hesketh & Associates, Inc., Dated May 6, 2022.

The report concludes "The proposed development is projected to generate fewer than 10 trips an hour during normal operations, with a seasonal high volume of 25 trips per hour. During storm events, a peak hour volume of 65 trips will be experienced over short periods. Based on the low volume of site generated traffic, and the current roadway and traffic volume conditions, it is my professional opinion that the local roadway network has sufficient capacity to accommodate the traffic volumes associated with the proposed development.

The site has been designed to eliminate the use of Dock Road as a means of access. Proposed site access is located such that minimum intersection sight distances for the observed 85% speed will meet current ConnDOT requirements. The driveway is properly designed to accommodate the anticipated driveway volumes."

Coastal Area Management Application: The Coastal Site plan application was referred to CT DEEP Land Water Resource Division (LWRD) for review and comment on 5/26/22. LWRD response, dated June 27, 2022, states *"Based on the application materials received the proposal appears to be consistent with all applicable policies and standards of the Connecticut Coastal Management Act. Please note that given the level of proposed disturbance on-site, we recommend the Commission require the installation and maintenance of adequate sedimentation and erosion controls throughout the completion of the proposed work. We also recommend the applicant coordinate with the DEEP Stormwater group to obtain all necessary permits before the start of the work, if they have not already done so" and "please note that any work*

below the Coastal Jurisdiction Line (CJL), which in Montville is elevation +2.3' NAVD88, or occurring in tidal wetlands is subject to the regulatory jurisdiction of DEEP/LWRD."

Staff Comment: The project as submitted appears to be compliant with Zoning Regulations Section 15.3 (Coastal Area Management) and, per the DEEP LWRD report, consistent with all applicable policies and standards of the Connecticut Coastal Management Act.

Flood Hazard Zone: The project sites are located In Flood Zone AE (Base Flood Elevation of 11') & Zone X per Flood Insurance Rate Map Panel #09011C0361J, Effective August 5, 2013. Applicant states, the base flood elevation of 11' is "tidally influenced", that "compensatory storage volume provided from demolition of factory and power plant below base flood elevation is 27,691CY", but that "per the Town of Montville Zoning Regulations Section 15.2.8- Equal Conveyance of Flood Waters and Compensatory Storage for fill placed in the floodplain is not required" as the base flood elevation is tidally influenced.

Staff Comment: The project as submitted appears to be compliant with Zoning Regulations Section 15.2 (Special Flood Hazard Area Requirements – SFHA). A copy of the report that supports the designation of tidally influenced prepared by Race Costal Engineering dated May 26, 2022 has been submitted for the record.

Railroad: In a letter dated April 29, 2022, John Reece, Sr. Director, Engineering and Development, New England Central Railroad states "We are prepared to collaborate with the developer and their consultants on permitting these improvements serving the site by rail."

Staff Comments Plan Review:

Please be advised the plan entitled: "Site Operations/Development Plan, Prepared for Gateway Montville, LLC, 125 Depot Rd (MBL 071-007-000), 133 Depot Rd (MBL 071-001-000), Depot Rd (MBL 071-013-000), and 55 Dock Rd (MBL 071-008-000), Uncasville, CT, Prepared by Boundaries, LLC, Dated May 2022, Rev. B Revised 7/7/22" has addressed the comments in my memorandum to the PZC dated July 1, 2022.

The small structure known as the "guard shack", which is located in the Town's Right of Way, but has historically been used by the former factories shall continue to be utilized in said manner by the Applicant.

STAFF RECOMMENDATION: APPROVE WITH CONDITIONS. See suggested Motion next page.

The following Motion is suggested for any favorable approval:

I make a MOTION to APPROVE Application #22 SITE 5 – 125 Depot Rd (M/B/L 071-007-000) & 133 Depot Rd (M/B/L 071-001-000), 131 Depot Rd (M/B/L 071-013-000) and 55 Dock Rd (M/B/L 071-008-000), Uncasville, CT – Applicant: Gateway Montville, LLC Owner: Uncasville LLC & Gateway Montville LLC (Lessee) - Agent: Attorney Harry Heller for Site Plan/Coastal Site Plan for Redevelopment of Industrial Properties for Phase I Bulk Material Storage & Handling Facility with Intermodal Capabilities and Phase II Placement of Fill Material for Future Development in accordance with a plan entitled “Site Operations/Development Plan, Prepared for Gateway Montville, LLC, 125 Depot Rd (MBL 071-007-000), 133 Depot Rd (MBL 071-001-000), Depot Rd (MBL 071-013-000), and 55 Dock Rd (MBL 071-008-000), Uncasville, CT, Prepared by Boundaries, LLC, Dated May 2022, Rev. B Revised 7/7/22”, with the following conditions:

1. Final plan shall be revised as follows:
 - a. All sheets as needed - New street number “131” assigned by the Tax Assessor 7/12/22 for Depot Road (MBL 071-013-000).
 - b. Sheet 2 & as needed – proposed retaining wall at 55 Dock Road shall be part of Phase 1 construction.
2. Any future activity at the site shall require new review and approval by the Planning & Zoning Commission.
3. Existing pier to be utilized for marine vessels.
4. Proposed work on New England Central Railroad property (train tracks) shall be part of this approval.
5. Truck traffic for the entire operation shall be limited to Depot Road only. Signage shall be posted on site and in the Town Right of Way as directed by the Montville Local Traffic Authority (LTA), the cost of which signage shall be paid by the Applicant.
6. The use of the “guard shack” by the Applicant shall be at the direction of the Town Attorney & any required documents shall be in place prior to said use.
7. The project shall comply with all required local, state and/or federal agencies permitting requirements.
8. All drainage structures proposed for the project shall be constructed and maintained post construction in accordance with the approved Plan.
9. An approved zoning permit is required prior to the start of any work.
10. Prior to issuance of a zoning permit to start work, the following shall be completed:
 - a. Soil erosion & sediment control bonds shall be posted as approved for each Phase (West of railroad - \$61,323.11. East of railroad - \$126,115.57) in a form acceptable to the Finance Director.
 - b. Final revised plan sets, along with a digital copy of the final plan, shall be submitted to the Planning Dept. & shall be signed and sealed by P.E. & L.S.
11. A separate application shall be submitted for any future site signage not shown on plan.
12. The ZEO must be contacted, a pre-construction meeting shall be held, and soil erosion & sediment controls shall be installed & inspected by the ZEO at least 24- hours prior to start of work.
13. After work has started, any substantive changes to the approved site plan require review and approval by the Planning Director and/or the Planning & Zoning Commission.