

**Montville Planning & Zoning Commission**  
**SPECIAL MEETING MINUTES**  
**July 12, 2022 - 6:00 p.m.**  
**Town Council Chambers – Town Hall**  
**310 Norwich-New London Turnpike, Uncasville, CT 06382**

1. **Call to Order.** Chairperson Lundy called the meeting to order at 6:00 p.m.
2. **Pledge of Allegiance.**
3. **Roll Call.** In attendance: Chairperson Sara Lundy, Vice-Chairman Wills Pike, Secretary John Desjardins and Commissioners Chuck Longton, John Estelle, John Poole & Joshua Kobyluck. Absent: Commissioners Bruce Duchesneau & Anthony Siragusa. Also present: Planning Director Liz Burdick and Zoning Officer Meredith Badalucca.
4. **Old Business:**
  - a. **22 SITE 5** – 125 Depot Rd (M/B/L 071-007-000) & 133 Depot Rd (M/B/L 071-001-000), 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. *(Submitted 5/12/22, Date of Receipt 5/24/22, DRD 7/28/22, Tabled from the 6/28/22 Meeting).*

A **Motion** was made by Desjardins, seconded by Estelle to remove the application from the table. Voice Vote. All in favor 7-0.

Planner Burdick summarized her staff report for the Commission. She indicated that the property with the Assessor M/B/L (071-013-000) was now known as 131 Depot Rd. She reminded the Commission that they were approving the Site Plan as well as the Coastal Site Plan application. The application had been sent to the Land and Water Resource Division (LWRD) and it has received their approval. She indicated that the guard shack that is located within the Town Right of Way is considered a pre-existing use by the Town Attorney and the applicant plans to continue its use and will file any legal documents to do so. Discussion was held regarding the guard shack location and historical significance. The Town Planner indicated that the guard shack is not historical but it has been used for over 60 years and the Town Attorney has indicated that it is pre-existing and that the applicant should be able to use it.

Attorney Harry Heller of Heller, Heller & McCoy addressed the Commission on behalf of the applicant. He thanked the Commission for holding the special meeting. He gave a history of the site and explained how the proposed project is an intermodal facility which is intended for the movement of goods into the region and exporting of goods out of the region. The property has deep water access for barges, access to rail, is close to the highway which help to make the site a perfect location for a intermodal facility. A portion of the parcel that fronts on the Thames River has a 100 year lease with the Town for the boat launch and parking. The plan was modified, after discussion with staff, in order to install a 2 tiered retaining wall beyond the limits of the Town's lease area. This will help to maximize the area for the parking for the boat launch.

He indicated how the area was within a coastal area and how a substantial portion of the property was located below base flood 11. He indicated the project would be in 2 Phases. Phase 1 of the project is the excavation of an area for salt storage for use by regional municipalities during the winter.

The material removed in the creation of the salt storage area will be used to fill a portion of the property below the base flood elevation to raise it so it can be available for future development. He spoke about the flood elevation and tidal influence and how applicant hired Reece Coastal Engineering to perform evaluation of which showed that area was tidally influenced during flooding events. This information allows for a fill of the area to a base level of 12. Excavation of the salt storage area will be approximately 33,000 cubic yards and it will be used in Phase 2 for fill with additional fill required. Additional material will be needed for all other phases. The salt storage area will be lined to protect the ground water and will be covered when not in use. The salt will be brought in by barge and a conveyor system will be used to transport to loading area in phase 2A area. From the loading area the salt will be put onto trucks which will go up Depot Rd and then through access road to deposit the salt in storage area. When the salt is being sold, trucks will enter the site from Depot Rd and back out Depot to Route 32 or I-395. The traffic report done by Scott Hesketh, P.E of F.A. Hesketh & Associates, Inc. indicated that the majority of the truck traffic would be using I-395 (80%) verses Route 32 (10% N/S). Mr. Hesketh then explained how the traffic impacts of the proposed site were researched and the data that was obtained from DOT for traffic volumes on Route 32 and Route 163. The 2017 traffic volumes were used since the COVID volumes were less. No DOT volumes were available for Depot Rd but a traffic counter was used from March 21-25, 2022. Average daily traffic here was 467 vehicles. Turning moving counts onto Route 32, Route 163 and Depot Rd were also looked at. The facility will have between 3-5 employees daily and about 10 trucks entering and existing the site daily. During winter months 50 trucks daily with an increase to 200 a day for storm preparation 2 to 3 days before storm. Normal daily operations 40 trips a day (employees and trucks), normal winter operations is 120 trips a day and storm prep operations 420 trips a day. He discussed the level of service of traffic at the Route 163, Route 32 and Depot Rd intersection and it will only be a 1-2 second delay increase on average. He reiterated that all traffic will be on Depot Rd.

The Commissioners had questions regarding how long it would take a tri-axel to cross the intersection, what provisions in place if there was a spill near the brook, timing of lights and trips per day. Mr. Hesketh indicated that it would be about 6-7 seconds for the tri-axel, which Commissioner Kobyluck agreed with. The Town Planner indicated that CT DEEP had protocols in place for spills and Attorney Heller indicated that the dam had been removed and this has created a bigger upland shelf. Commissioner Kobyluck indicated that the spill would be on the driver's side and that it was not a major concern. Mr. Hesketh indicated that the timing of the lights would not have to be changed because it has variable timing based on volumes. Attorney Heller indicated that traffic analysis were done on peak hours. Evaluation is done on the two peak hours to see if adverse impact. Discussion was held and the peak volume was clarified. Additional questions from the Commission were regarding the 100 year lease, the salt use and storage area and clarification on tidal influence, demolition of the concrete areas and dust control on site. Attorney Heller indicated that Uncasville, LLC owns the site with Gateway Montville as the Lessee. The Town has one lease with Gateway Montville having the other. The remaining time on the lease is unknown for Gateway Montville and the Town Planner explained that the lease has been in place for the Town sometime between 2018 and 2021. David McKay engineer at Boundaries LLC explained by referring to the map where the areas of material would be removed from and where that and additional fill would be used to raise the area to level 12 flood elevation.

The applicant indicated that the salt would be the same salt (sodium chloride) that the Town uses. Attorney Heller explained that if the property not tidally influenced then they would have to provide for equal storage and conveyance. If tidally influenced then do not have to meet this regulation. Mark Augur of Gateway terminal indicated that the salt pile would be very similar to the pile in New London with 100,000 to 120,000 tons and it is replenishing by bringing barges in for the summer and then topping off in the winter. This operation is similar to the one in New Haven. Dave McKay indicated that the concrete can be used as clean fill and the time frame for recycling process will happen with removal. Attorney Heller indicated that a truck would be used for dust control on site.

A **Motion** was made by Commissioner Poole seconded by Commissioner Longton 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.

**Roll Call Vote – All in Favor- Motion Carried (7-0-0)**

**Adjournment.** Motion to adjourn by Commissioner Longton and seconded by Commissioner Desjardins. Voice Vote. All in Favor. Meeting was adjourned at 6:54 pm