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October 21, 2022

Town of Montville

Inland Wetlands and Watercourses Commission

Attention: Ms. Meredith Badalucca, Wetlands Enforcement Officer

310 Norwich-New London Turnpike

Uncasville, Connecticut 06382

Re: Application of Hussan/Hussain LLC for the Development of Property Located at 2040 Norwich-New London Turnpike (Connecticut Route 32), Montville, Connecticut for a Gasoline/Convenience Store Facility

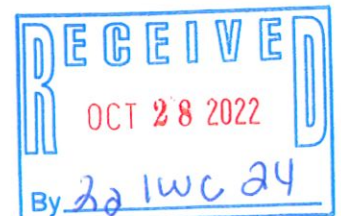
Dear Meredith:

Please be advised that this office represents Hussan/Hussain LLC (Applicant and Owner) with respect to property located at 2040 Norwich-New London Turnpike, Montville, Connecticut. Our client's property is located at the southwesterly intersection of the Norwich-New London Turnpike (Connecticut Route 32) with Podurgiel Lane. Our client proposes to develop this property with a modern 4,960 square foot convenience store facility with the accessory sale of gasoline and diesel fuel products. Due to the extent of the wetland system located both on and adjacent westerly to our client's property, it is necessary for our client to conduct regulated activities in upland review areas in conjunction with the development of the site.

In furtherance thereof, I forward herewith an Application to the Town of Montville Inland Wetlands and Watercourses Commission seeking a permit to conduct regulated activities in upland review areas in conjunction with the commercial development of this property. Submitted herewith and constituting the Application to the Town of Montville Inland Wetlands and Watercourses Commission are the following:

1. Seven (7) copies of the Application form.
2. Seven (7) copies of the Inland Wetlands Application Checklist.
3. Seven (7) copies of the Erosion & Sediment Control Checklist.

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Town of Montville
Inland Wetlands and Watercourses Commission
Attention: Ms. Meredith Badalucca, Wetlands Enforcement Officer
October 21, 2022
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4. Seven (7) copies of the List of Abutting Property Owners and owners of property located immediately across the streets from the application parcel.
5. Seven (7) copies of the Project Narrative including the project overview, soil classification, general procedures, construction sequencing narrative, maintenance schedule and delineation of no feasible and prudent alternatives.
6. Authorization signed by Hussan/Hussain LLC authorizing the law firm of Heller, Heller & McCoy to file the instant permit application on its behalf and further authorizing the law firm of Heller, Heller & McCoy and the engineering firm of Fedus Engineering, LLC to represent its interests in all proceedings before the Town of Montville Inland Wetlands and Watercourses Commission with respect to the permit application.
7. State of Connecticut Department of Energy and Environmental Protection Inland Wetlands and Watercourses Reporting Form.
8. Seven (7) prints of the project plans entitled "Inland Wetland Submission 2040 Route 32 Proposed Convenience Store 2040 Route, Uncasville-Connecticut Applicant: Amer Choudrey October 3, 2022 Drawing Scale: 1"=30' Sheet Nos. 1 of 5 to 5 of 5 Job No. 21-001048 Drawn By: DC Fedus Engineering, LLC Civil Engineers Mailing Address: 70 Essex Street Mystic, Connecticut 06355 Office: (860) 536-7390 Fax: (860) 536-1644".
9. Two (2) copies of the Stormwater Summary for the project entitled "Stormwater Summary 2040 New London Turnpike, Montville, CT Fedus Engineering, LLC Job #001048" prepared by Fedus Engineering, LLC.
10. One (1) print of the prior approved site plan for the development of the property which is the subject of the instant application entitled "Proposed 54 Unit Hotel Prepared For Paul Cipriani, Jr. Norwich-New London Turnpike (Connecticut Route #32) Montville, Connecticut September 1997 Job #2048 Harris & Clark, Inc. Civil Engineers – Land Surveyors – Land Planners – Griswold, Connecticut" consisting of six (6) sheets.
11. One (1) copy of the USGS Quad Map delineating the location of the project site in the context of the greater Route 32 corridor area.
12. A copy of the prior activity permit to conduct regulated activities on this property issued by the United States Army Corps of Engineers dated January 21, 1998. As indicated in the Project Narrative, all activities in conjunction with this permit were completed subsequent

Town of Montville
Inland Wetlands and Watercourses Commission
Attention: Ms. Meredith Badalucca, Wetlands Enforcement Officer
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to the issuance of the permit in the 1998 – 1999 time period.

13. Our check in the amount of Two Hundred Sixty and 00/100 (\$260.00) Dollars representing payment of the application fee for this application, including the State of Connecticut surcharge, calculated as follows:

Commercial/industrial/mixed uses- base fee:	\$200.00
State of Connecticut fee:	\$60.00

Request is hereby made that you place this matter on the Agenda of the Town of Montville Inland Wetlands and Watercourses Commission for its regularly scheduled meeting of November 17, 2022.

Should you have any questions concerning the application, or need any additional information prior to the November 17, 2022 meeting, please feel free to contact me to discuss the same.

Very truly yours,



Harry B. Heller

HBH/rmb
Enclosures

Cc: Hussan/Hussain LLC
Fedus Engineering, LLC

Town of Montville Inland Wetlands Application Permit# 221WC24 Check # \$260 2835

APPLICANT INSTRUCTIONS: All applicants must complete this application form. The Commission will notify the applicant of any additional information that may be required and will schedule a Public Hearing if necessary. In addition to the information required, the applicant may submit other supporting facts or documents which may assist the Commission in its evaluation of this proposal. **PLEASE SUBMIT FOURTEEN (14) COPIES OF THE APPLICATION AND FOURTEEN (14) COPIES OF ANY OTHER DOCUMENTS AT LEAST FIVE BUSINESS DAYS PRIOR TO THE MEETING.**

I. Applicant Information

Name Hassan/Hussain LLC
Address 4 Boston Post Road, Waterford, Connecticut 06385
Tel # (860) 608-9636 Cell # (860) 608-9636
Fax # N/A Email bestway411@yahoo.com

Interest in Property ☒ Owner ☐ Option Holder ☐ Developer ☐ Harvester ☐ Other
☒ **Attach a Written Consent to the proposed activity from the owner if applicant is not the owner** ☐ Required ☒ Not Required

II. Owner Information

Name Hassan/Hussain LLC Address 4 Boston Post Road, Waterford, Connecticut 06385
Tel # (860) 608-9636 Cell # (860) 608-9636
Fax # N/A Email bestway411@yahoo.com

III. Engineer Information

Contact Gregg T. Fedus
Firm Fedus Engineering, LLC Address 70 Essex Street, Mystic, Connecticut 06355
Tel # (860) 536-7390 Cell # N/A
Fax # (860) 536-1644 Email gfedus@fedusengineering.com

IV. Attorney Information

Contact Harry B. Heller
Firm Heller, Heller & McCoy Address 736 Norwich-New London Turnpike
Tel # (860) 848-1248 Cell # (860) 961-6073
Fax # (860) 848-4003 Email hheller@hellermccoy.com

V. Property Information

Address of Proposed Activity 2040 Norwich-New London Turnpike (Connecticut Route 32)
Assessor's Map and Lot Number Map 103, Lot 001-01A
Land Records /Deed Volume: 663 Page: 612 Acreage of Property 2.68
Zoning C-2 and Overlay Zone

Provide a List of the Names and Mailing Addresses of Adjacent Property Owners (Attach Sheet)

See Attached List

Inland Wetlands Application
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Total Acreage of Wetlands on the site .50 acres
Wetland Disturbance Area 0 sq ft
Upland Review Disturbance Area 21,484 sq ft
Have the Wetlands Been Flagged ☒ Yes ☐ No Year 2022
Name of Soil Scientist David Lord *wetland area remote from disturbance area delineated by Michael G. Schaefer on August 26, 1997
Linear Feet of Watercourse Disturbance 0 ft
Creation of New Wetlands 0 sq ft

☐ Subdivision ☐ Review No Regulated Activity ☐ Permit Modification
☒ Regulated Activity ☐ Permitted Use as of Right ☐ Permit Renewal

☐ Alteration ☒ Construction ☐ Pollution ☒ Stormwater Discharge
☒ Deposition of Material 1,000 cubic yards
☒ Removal of Material 5,000 cubic yards

A) Attach a Detailed Plan of the Proposal and indicate Plan Title and Date.

B) Provide Brief Description of the Proposed Project on separate piece of paper. Instructions attached. See Project Narrative submitted herewith

C) List Titles and dates of all documentation which will be included and submitted with this application and attach to application. Documents should include, but are not limited to; Project Proposal, Soil Scientist Reports, and Drainage Calculations.

Engineering, LLC Job #001048* dated as of October 6, 2022 (4) Statewide Reporting Form

☐ Yes ☒ No

2. Is the property located within a Flood Hazard Area? ☐ Yes ☒ No

-If YES, then please provide additional material showing the location of the area.

3. Is the regulated activity within a Public Water Supply Aquifer or Watershed? ☐ Yes ☒ No

- If YES, then a copy of the application and all material is to be submitted to the State Department of Health as well as the appropriate Water Company. See attached instructions for the Notification Process for the State Health Department. A copy of the transmittal forms shall be provided to the Commission.

4. Does the application require approval from Uncas Health District? ☐ Yes ☒ No
- If YES, then a copy of the approval is to be provided to the Commission.

5. Does the application require approval from the Public Works Dept? ☐ Yes ☒ No
- If YES, then a copy of the approval is to be provided to the Commission.

6. Does the application require approval from the Town of Montville WPCA? ☒ Yes ☐ No
- If YES, then a copy of the approval is to be provided to the Commission.

7. Does the application require permits from the following agencies?

			Submission Info
Army Corps of Engineers	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date	_____
Department of Environmental Protection	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Date	_____
Department of Transportation	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Date	_____

- If YES, then a copy of the application and all material is to be submitted to said Agency and a copy of the transmittal form is to be provided to the Commission.

8. Does this permit require a State Water Diversion Permit? ☐ Yes ☒ No

9. Does this permit require a State Dam Permit? ☐ Yes ☒ No

10. Is this property subject to a Conservation Restriction and/or a Preservation Restriction?

-If YES, attach a copy of certified notice. ☐ Yes ☒ No

11. If the application is a renewal or modification of an existing permit, is a copy of the original approval included in the documentation package? ☐ Yes ☒ No **

****A previously issued permit for the development of the site for a 54 unit hotel pursuant to application dated July 30, 1997. In conjunction therewith, the USACOE issued a permit dated January 21, 1998 for the filling of wetlands required for the development of the 54 unit hotel project. All filling in accordance with those permits has previously occurred.**

The undersigned applicant hereby consents to necessary and proper inspections of the above mentioned property by agents of the Montville Inland Wetlands Commission at reasonable times, both before and after the permit in question has been granted by the Commission.

Name Harry B. Heller Date October 20, 2022
By: Harry B. Heller, Its Authorized Agent HASSAN/HUSSAIN LLC
Property Owner if other than Applicant Harry B. Heller Date October 20, 2022
By: Harry B. Heller, Its Authorized Agent

Inland Wetlands Application

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TOWN OF MONTVILLE
INLAND WETLANDS APPLICATION CHECKLIST
Gasoline/Convenience Store Facility at 2040 Norwich-New London Turnpike

N/A

- ☐ ☒ Completed application signed by the property owner. If you are acting on behalf of the property owner than a letter must also be submitted by the property owner stating that you are acting as his/her agent.
- ☐ ☒ Application must have the disturbance area in square feet and acres to include the buffer area, as well as, the wetland area and what type of activity it will be in tabular format.
- ☐ ☒ A narrative describing the activities to take place on the property. This is to include but not limited to:
- ☐ N/A Alternatives considered.
 - ☒ Description of the activity including location and square footage of Disturbance.
 - ☒ What type of erosion and sediment control will be used.
 - ☒ If machinery will be used or if work will be done by hand.
 - ☒ Identify the sub-drainage basin where the proposed activity will occur.
- ☐ ☒ List of abutting property owners and names indicated on plan.
- ☒ ☐ Location of all wells and septic systems of abutting property owners, as well as, any located onsite.
- ☐ ☒ Existing and proposed contours at 5 ft contours.
- ☐ ☒ Location of all designated wetland and watercourse areas by a Certified Soil Scientist. A soils report from the soil scientist shall also be provided along with a live signature and stamp on the plans.
- ☒ ☐ Location of all Flood Zones per Federal Flood Insurance Rate Maps.
- ☐ ☒ Location of all existing and proposed buildings and their uses.
- ☐ ☒ Location of all crossings and storm water drainage systems and their drainage calculations based on ten (10) and Twenty-five (25) year storms. In addition all points of ground water discharge will also be shown.
- ☐ ☒ Location of all Erosion and Sediment control devices and an Erosion and Sediment control plan.
- ☐ ☒ North arrow and location key at 1"= 1000".
- ☐ ☒ DEEP Report Form.

Inland Wetlands Checklist
Page 1 of 2



- ☒ ☐ The requirements of Section 7.5 shall apply if the proposed activity has been determined significant.
- ☐ Site plans for the proposed use or operation and the property which will be affected, which show existing and proposed conditions, wetland and watercourse boundaries, land contours, boundaries of land ownership, proposed alterations and use of wetlands and watercourses, and other pertinent features of the development drawn by a licensed surveyor, professional engineer or landscape architect registered in the State of Connecticut or by such other qualified person;
- ☐ Engineering reports and analyses and additional drawing to fully describe the proposed project and any filling, excavation, drainage or hydraulic modifications to watercourses and the proposed erosion and sedimentation control plan;
- ☐ Mapping of soil types consistent with the categories established by the National Cooperative Soil Survey of the U. S. Soil Conservation Service (the Commission may require the applicant to have the wetlands delineated in the field by a soil scientist and that the field delineation be incorporated onto the site plan);
- ☐ Description of how the ecological communities and functions of the wetlands or watercourses involved with the application and the effects of the proposed regulated activities on these communities and wetlands functions;
- ☐ Description of how the applicant will change, diminish, or enhance the ecological communities and functions of the wetlands or watercourses involved in the application, and with each alternative, and a description of why each alternative considered was deemed neither feasible nor prudent;
- ☐ Analysis of chemical or physical characteristics of any fill material;
- ☐ Measures which mitigate the impact of the proposed activity. Such measures include, but are not limited to, plans or actions which avoid destruction or diminution of wetland or watercourse functions, recreational uses and natural habitats, which prevent flooding or degradation of water quality.

Inland Wetlands Checklist
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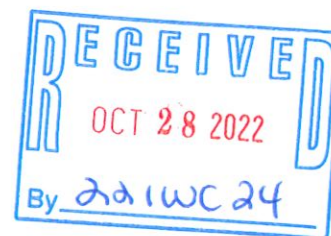
EROSION & SEDIMENT CONTROL CHECKLIST

Monitoring and Maintenance: The E&S plan and any revisions, shall identify an agent or agents who have the responsibility and authority for the implementation, operation, monitoring and maintenance of E&S measures. Such agent(s) shall be familiar with each control measure used including its limitations, installation, inspection and maintenance. When control measures fail, or are found to be otherwise ineffective, such agent(s) shall coordinate plan revisions with a professional experienced in erosion and sediment control and any approving agency when that agency's approval is required. Such agent(s) shall have the additional responsibility for ensuring all erosion and sediment controls are properly installed and maintained the construction site before predicted major storms. A major storm is defined as a storm predicted by the National Office of Atmospheric Administration (NOAA) Weather Service with warnings of flooding, severe thunderstorms or similarly severe weather conditions or effects.

Each measure has inspection requirements included in the measure's section entitled "Maintenance". Many of the measures require inspections at least once a week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inch or greater; some others require daily inspection. Only the permanent measures have less frequent inspections. More frequent inspections than those identified in the measure may be necessary for sites that are heavily traveled and before major storms.

NARRATIVE

- ☒ Purpose and description of project.
- ☒ Estimates of the total area of the project site and the total area of the site that is expected to be disturbed by construction activities.
- ☒ Identification of site-specific erosion or sediment control concerns and issues.
- N/A ☐ The phases of development if more than one phase is planned.
- ☒ The planned start and completion dates for each phase of the project.
- ☒ *Either provide or identify where in the E&S plan the following information is found:*
 - ☒ The design criteria, construction details and maintenance program for the erosion and sediment control measures to be used.
 - ☒ The sequence of major operations within each phase, such as installation of erosion control measures, clearing, grubbing, excavation, grading, drainage and utility installation, temporary stabilization, road base, paving for roadways and parking areas, building construction, permanent stabilization, removal of temporary erosion control measures.
 - ☒ The time (in days) required for the major operations identified in the sequence.
- ☒ Identify other possible local, state and federal permits required.
- ☒ Identify the conservation practices to be used.
- ☒ A listing of all other documents to be considered part of the E&S plan (e.g. reports of hydraulic and hydrologic computations, boring logs, test pit logs, soils reports, etc.).



SUPPORT DOCUMENTS

☒ *Hydraulic Calculations:*

- ☒ Size and locations of existing and planned channels or waterways with design calculations and construction details.
- ☒ Existing peak flows with calculations.
- ☒ Planned peak flows with calculations.
- ☒ Changes in peak flows.
- ☒ Off-site effects of increased peak flows or volumes.
- ☒ Design calculations and construction details for engineered measures used to control off-site erosion caused by the project.
- ☒ Design calculations and construction details for engineered measures used to control erosion below culverts and storm sewer outlets.
- ☒ Design calculations and construction details for engineered measures used to control groundwater, i.e. seeps, high water table, etc.

☐ N/A *Boring logs, test pits logs, soils reports, etc.*

SITE DRAWING(S) CHECKLIST

☒ *Jurisdictional features Required on All Maps or Drawings:*

- ☒ North Arrow.
- ☒ Scale (including graphical scale).
- ☒ A title block containing the name of the project, the author of the map or drawing, the owner of record for the project, date of drawing creation and any revision dates.
- ☒ Property lines.
- ☒ For plans containing E&S measures which require an engineered design, the signature and seal of a professional engineer licensed to practice in Connecticut.

☒ *Site Locus Map:*

- ☒ Scale (1:24,000 recommended).
- ☒ Project location (show property boundaries and at least the area that is within 1000 feet of the property boundaries).
- ☒ Roads, streets/buildings.
- ☒ Major drainage ways (at least named watercourses).
- ☒ Identification of any public drinking water supply watershed area.

☒ *Topography, Natural Features and Regulatory Boundaries:*

- ☒ Existing contours (2 foot intervals).
- ☒ Planned grades and elevations.
- ☒ Seeps, springs.
- ☒ Limits of cuts and/or fills.
- ☒ Soils, bedrock.

LIST OF ADJACENT PROPERTY OWNERS

APPLICATION OF HASSAN/HUSSAIN, LLC TO THE TOWN OF MONTVILLE INLAND WETLANDS AND WATERCOURSES COMMISSION

Map /Lot	Property Address	Name and Address of Owner
103-001-00A	2040 Route 32	Hassan/Hussain, LLC P.O. Box 126 Norwich, CT 06360
099-049-000	2030 Route 32	Home Depot USA, Inc. P.O. Box 105842 Atlanta, GA 30348-5842
103-001-00B	16 Podurgiel Lane	Ms. Beth Sciarroni 16 Podurgiel Lane Uncasville, CT 06382
104-041-000	2029 Route 32	Mohegan Fire Co. Inc. 2029 Route 32 Uncasville, CT 06382
104-040-000	2035 Route 32	P J & A LLC P.O. Box 325 Uncasville, CT 06382
104-039-000	2049 Route 32	Hitalk Hotels LLC 2049 Route 32 Uncasville, CT 06382
104-039-001	2057 Route 32	JCM Montville Acquisitions LLC 50 Resnik Road Plymouth, MA 02360
103-101-000	Route 32	State of Connecticut Department of Transportation 2800 Berlin Turnpike Newington, CT 06111

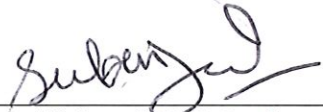


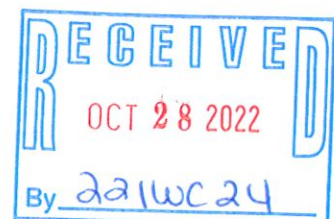
AUTHORIZATION

HASSAN/HUSSAIN LLC, a Connecticut limited liability company hereby authorizes the law firm of Heller, Heller & McCoy, to submit, on its behalf, an application for a permit to conduct regulated activities in upland review areas to the Town of Montville Inland Wetlands and Watercourses Commission and to act as its agent in all proceedings before the Town of Montville Inland Wetlands and Watercourses Commission in conjunction with a permit application for the development of a gasoline/convenience store facility on property located at 2040 Norwich-New London Turnpike in the Town of Montville, County of New London and State of Connecticut in accordance with a plan entitled "Cover Sheet of 2040 New London Turnpike (AKA CT RT 32), Uncasville, Connecticut Prepared For: Amer Choudrey October 3, 2022 Drawing Scale: 1"=30' Sheet Nos. 1 of 5 to 5 of 5 Job No. 21-001048 Drawn By: DC Fedus Engineering, LLC Civil Engineers Mailing Address: 70 Essex Street Mystic, Connecticut 06355 Office: (860) 536-7390 Fax: (860) 536-1644" and does hereby further authorize the engineering firm of Fedus Engineering, LLC to also represent its interests in all proceedings before the Town of Montville Inland Wetlands and Watercourses Commission with respect to said permit application.

Dated at Waterford, Connecticut this 28th day of October, 2022.

HASSAN/HUSSAIN LLC

By 
Sultan Ali Javed, its Member

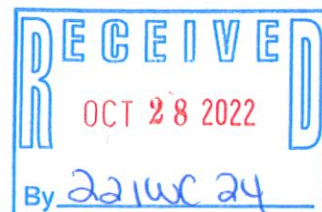


**APPLICATION OF HUSSAN/HUSSAIN LLC TO
THE TOWN OF MONTVILLE INLAND WETLANDS AND
WATERCOURSES COMMISSION**

**NARRATIVE TO ACCOMPANY APPLICATION TO CONDUCT REGULATED
ACTIVITIES IN UPLAND REVIEW AREAS ON PROPERTY LOCATED AT 2040
NORWICH-NEW LONDON TURNPIKE, MONTVILLE, CONNECTICUT IN
CONJUNCTION WITH A PROPOSED 4,960 SQUARE FOOT
GASOLINE/CONVENIENCE STORE FACILITY**

Hassan/Hussain LLC, the owner and applicant, hereby submits an application to the Town of Montville Inland Wetlands and Watercourses Commission for a permit to conduct regulated activities in upland review areas in conjunction with the proposed commercial development of 1.536 acres of a 2.68 acre site located at 2040 Norwich-New London Turnpike in the Town of Montville, County of New London and State of Connecticut in conjunction with the development of a proposed convenience/gasoline sales facility. The subject parcel is delineated as Lot 001-01A on Montville Assessor's Map 103 and is more particularly shown on a certain map or plan entitled "Inland Wetlands Submission 2040 Route 32 Proposed Convenience Store/Gas Station 2040 Route, Uncasville, Connecticut Applicant: Amer Choudrey October 3, 2022 Drawing Scale: 1"=30' Sheet Nos. 1 of 5 to 5 of 5 Job No. 21-001048 Drawn By: DC Fedus Engineering, LLC Civil Engineers Mailing Address: 70 Essex Street Mystic, Connecticut 06355 Office: (860) 536-7390 Fax: (860) 536-1644" (hereinafter, the "Plan"). Regulated activities for the development of this property for a proposed 54 unit hotel facility with a building and development footprint of 1.95 acres was previously approved by the Town of Montville Inland Wetlands and Watercourses Commission in accordance with a site development plan entitled "Site Plan Improvement Location Plan Proposed 54 Unit Hotel Prepared For Paul Cipriani, Jr. Norwich-New London Turnpike (Ct. Rte. 32) Montville, Connecticut Scale: 1"=20' Date: September 1997 Job Number: 2048 Sheets 1 of 5 to 5 of 5 Harris & Clark Inc. Civil Engineers- Land Surveyors- Land Planners Griswold, Connecticut". In conjunction with the prior proposal for the development of the fifty-four (54) unit hotel facility, a permit for the filling of inland wetlands and watercourses for the project was issued by the United States Army Corps of Engineers on January 21, 1998. The filling contemplated by the October, 1997 local permit and the United States Army Corps of Engineers permit was completed by prior owners of the property subsequent to the issuance of the regulatory permits authorizing such activities to be conducted.

The subject parcel of real property was created under and pursuant to the terms and provisions of the Last Will and Testament of Edith S. Perrin dated January 30, 1958, pursuant to which Last Will and Testament, Edith S. Perrin devised a parcel of land which is the subject of this Application to her daughter, Christine Hammer. Therefore, the subject parcel of real property was created prior to the enactment of regulations regulating activities in and/or adjacent to inland wetlands and watercourses in the State of Connecticut and the Town of Montville. The Applicant's predecessor in title later acquired an adjoining parcel to the north extending to Podurgiel Lane which has been incorporated into the application parcel.



SITE CHARACTERISTICS

The subject parcel is located on the westerly side of the Norwich-New London Turnpike in the Town of Montville, Connecticut. It enjoys 285 feet of road frontage on the Norwich-New London Turnpike, a short distance southerly of the intersection of the Norwich-New London Turnpike with Connecticut Route 2A. The property is abutted to the north by Podurgiel Lane, a municipal street within the Town of Montville highway system. The property enjoys an average depth of 250 feet extending westerly from the Norwich-New London Turnpike and enjoys approximately 219 feet of road frontage on Podurgiel Lane.

The total site contains 116,639 square feet of total lot area. The Applicant is proposing to develop the site utilizing a footprint consistent with (but smaller than) the footprint which was formulated for the prior development of the 54-unit hotel facility. This footprint avoids any direct disturbance of the current inland wetlands and watercourses on the property. The site plan contemplates two (2) points of ingress/egress to the improved site from the Norwich-New London Turnpike (Connecticut Route #32). A prior site formulation which would have provided a means of ingress and egress from Podurgiel Lane was abandoned during the Certificate of Location approval process before the Town of Montville Zoning Board of Appeals due to significant neighborhood resistance to that means of ingress and egress to and from the site. The site formulation being presented for consideration contemplates a northerly inbound turning lane and a southerly outbound turning lane to and from the Norwich-New London Turnpike as depicted on Sheet 2 of 5 of the site development plan. The site development plan contemplates a closed drainage system pursuant to which stormwater will be collected in catch basins and discharged to a stormwater quality/detention basin located in the northeasterly corner of the improved project site. The stormwater will first be detained in the sediment forebay in order to allow sediments to settle out to satisfy the requirements of the 2004 Stormwater Quality Manual promulgated by the State of Connecticut Department of Energy and Environmental Protection. Stormwater from the detention basin will be metered out by proposed Control Structure 1 as delineated on the Sheet 3 of 5 of the site development plan with orifices in the structure designed to meter out renovated stormwater in accordance with the intensity of the applicable design storm event. Stormwater discharged from the detention basin will be discharged through a 15-inch HDPE culvert to a proposed plunge pool and thereafter through a grass swale to a proposed rip rap pad at an interface with a 42-inch reinforced concrete pipe storm culvert which will thereafter carry stormwater in a northerly direction under Podurgiel Lane.

The stormwater calculations prepared by the project engineer evidence the fact that the peak rate of discharge from the improved site will be reduced from existing conditions in all design storm events from the two-year storm event through and including the 100-year storm event.

It is anticipated that construction of this project will commence during the Spring of 2023 and be completed within a one (1) year construction period.

SOIL CHARACTERISTICS

The predominate upland soil type on the site is Sutton. The Sutton soil consists of moderately well-drained, non-stony to extremely stony soils that formed in loamy glacial till. This

soil is found on upland glacial till plains, hills and ridges. Included with this soil in mapping are small areas of well-drained Canton, Charlton and Narragansett soils; moderately well-drained Woodbridge and Rainbow soils; and poorly drained Leicester soils. The Sutton soil has a seasonal high water table at a depth of about 18 inches. Permeability is moderate or moderately rapid. Runoff is medium. The soil stratification of the Sutton soil is as follows:

0" – 1"	Litter and partially decomposed organic matter.
1" – 9"	Very dark grayish-brown fine sandy loam; weak medium granular structure; friable; few fine and common medium roots; 5 percent rock fragments; strongly acid; clear wavy boundary.
9" – 22"	Yellowish-brown fine sandy loam; few fine faint yellowish-brown mottles; weak medium subangular blocky structure; friable; few medium roots; 5 percent rock fragments; strongly acid; gradual wavy boundary.
22" – 28"	Dark yellowish-brown fine sandy loam; common fine faint grayish-brown and yellowish-brown mottles and common fine distinct strong brown mottles; weak medium subangular blocky structure; friable; few medium roots; 5 percent rock fragments; strongly acid; gradual wavy boundary.
28" – 33"	Dark brown sandy loam; common fine faint grayish-brown and yellowish-brown mottles and common fine distinct strong brown mottles; massive; friable; 5 percent rock fragments; strongly acid; gradual wavy boundary.
33" – 60"	Olive brown sandy loam; common fine distinct grayish-brown and yellowish-brown mottles and common fine distinct strong brown mottles; massive; firm; 5 percent rock fragments; strongly acid.

The wetlands soils on the project site consist primarily of Leicester and Whitman soils. The Leicester soils consist of poorly-drained, extremely stony soils that formed in loamy glacial till. Leicester soils are found in drainageways and depressions of upland hills, ridges and glacial till plains. Slopes range from 0 to 3 percent. Leicester soils are found in the drainage sequence on the landscape with well-drained Charlton soils and moderately well-drained Sutton soils. They are near somewhat excessively drained Hollis soils, well-drained Canton and Narragansett soils, poorly-drained Ridgebury soils and very poorly-drained Whitman soils. The soil stratification of the Leicester soil is as follows:

0" – 2"	Decomposed leaves.
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2" – 6"	Very dark gray fine sandy loam, weak fine granular structure; very friable; few fine and medium roots; 5 percent rock fragments; very strongly acid; abrupt smooth boundary.
6" – 12"	Dark grayish-brown, fine sandy loam; few fine faint yellowish-brown mottles and many medium distinct light brownish-gray mottles; weak medium subangular blocky structure; very friable; few medium roots; 5 percent rock fragments; strongly acid; clear wavy boundary.
12" – 24"	Grayish-brown, fine sandy loam; few medium distinct yellowish-brown and dark grayish-brown mottles; weak medium subangular blocky structure; friable; 10 percent rock fragments; strongly acid; gradual wavy boundary.
24" – 32"	Pale olive fine sandy loam; many coarse distinct yellowish-brown mottles; weak medium subangular blocky structure; friable; 15 percent rock fragments; strongly acid; gradual wavy boundary.
32" – 60"	Light olive gray gravelly fine sandy loam; many medium distinct yellowish-brown mottles; massive; friable; 25 percent rock fragment; strongly acid.

The most westerly portion of the project site, abutting easterly on land now or formerly of Home Depot USA Inc. is comprised of Whitman Soils. The Whitman soils consist of very poorly-drained, extremely stony soils that formed in compact, loamy glacial till. Whitman soils are found on the landscape on drumloidal upland landforms. Slopes range from 0 to 3 percent. The Whitman soils are found in the drainage sequence on the landscape with well-drained Paxton soils, moderately well-drained Woodbridge soils and poorly-drained Ridgebury soils. They are found near somewhat excessively drained Hollis soils, well-drained Montauk, Canton, Charlton, Narragansett and Broadbrook soils, moderately well-drained Rainbow soils and poorly-drained Leicester soils. The soil stratification for the Whitman soil is as follows:

0" – 1"	Decomposed leaf litter.
1" – 9"	Black fine sandy loam; weak medium granular structure; friable; common fine and medium roots; strongly acid; abrupt wavy boundary.
9" – 16"	Dark grayish-brown fine sandy loam; few fine faint yellowish-brown mottles; weak medium subangular blocky structure; friable; few fine roots; 5 percent rock fragments; medium acid; clear wavy boundary.
16" – 22"	Grayish-brown, fine sandy loam; common medium distinct strong brown mottles and few medium faint light brownish-gray mottles; moderate medium platy structure; very firm; brittle; 5 percent rock fragments; slightly acid; gradual wavy boundary.

22" – 60" Grayish-brown fine sandy loam; common medium distinct strong brown mottles and few medium faint light brownish-gray mottles; massive; firm, brittle; 5 percent rock fragments; slightly acid.

GENERAL PROCEDURES:

1. Prior to the commencement of any construction on the project site, the Applicant's designated agent and his contractor shall meet with the Montville Wetlands Enforcement Officer and the Montville Zoning Enforcement Officer to discuss and agree upon the method of installation of erosion and sediment control measures for the development of the proposed gasoline/convenience store facility as depicted on a plan entitled "Soil & Erosion Control Plan of 2040 New London Turnpike (AKA CT RT 32) Uncasville, Connecticut Prepared For: Amer Choudrey October 3, 2022 Drawing Scale: 1"=30' Sheet No. 4 of 5 Job No. 21-001048 Drawn By: DC Fedus Engineering, LLC Civil Engineers Mailing Address: 70 Essex Street Mystic, Connecticut 06355 Office: (860) 536-7390 Fax: (860) 536-1644" (the "Erosion Control Plan") (the "Preconstruction Meeting").
2. Subsequent to the Preconstruction Meeting, the Applicant's engineer shall delineate in the field the limits within which regulated activities shall occur and the location for the installation of erosion and sediment control measures as depicted on the Erosion Control Plan.
3. Upon agreement with the Wetlands Enforcement Officer and Zoning Enforcement Officer of the Town of Montville, the Applicant's contractor shall install all erosion and sediment control measures as depicted on the Erosion Control Plan.
4. All construction activities shall be conducted by the Applicant and its contractor in accordance with the Plan, this Narrative, the Erosion Control Plan and any conditions which shall be imposed by the Montville Wetlands Enforcement Officer and the Montville Zoning Enforcement Officer, as enunciated at the Preconstruction Meeting. The Plan, the Erosion Control Plan and this Narrative shall be incorporated into any permit granted by the Montville Inland Wetlands and Watercourses Commission for the development of the project site.
5. During construction, all erosion and sediment control measures shall be inspected on a weekly basis and after every storm event resulting in a discharge and repaired and maintained as necessary.
6. During construction, silt fence, hay bale check dams, diversion berms and temporary sedimentation basins, each as delineated on the Erosion Control Plan, and any additional erosion and sediment control measures required by the Montville Wetlands Enforcement and/or the Montville Zoning Enforcement Officer shall be maintained in accordance with the Soil Erosion and Sediment Control Guidelines promulgated by the State of Connecticut Department of Energy and Environmental Protection.

7. During the stabilization period (after construction but prior to certification of approval by the Montville Wetlands Enforcement Officer and the Montville Zoning Enforcement Officer for the removal of erosion and sediment control measures) all erosion and sediment control measures shall be maintained in proper working order. The Applicant's designated agent shall be responsible for checking all erosion and sediment control measures on a weekly basis and after every storm event resulting in a discharge during the stabilization period.
8. During the stabilization period, any erosion which occurs within disturbed areas of the project site shall be immediately repaired, reseeded and restabilized.
9. Once stabilization has been completed and certification thereof obtained in writing from the Zoning Enforcement Officer and Wetlands Enforcement Officer of the Town of Montville, erosion and sediment control measures shall be removed by the Applicant or its contractor.
10. Unless otherwise specified in writing to the Wetlands Enforcement Officer of the Town of Montville and the Zoning Enforcement Officer of the Town of Montville, Ahmed Choudhry, with an office and place of business at 4 Boston Post Road, Waterford, Connecticut 06385 (860) 608-9636 (email: bestway411@yahoo.com) shall be the designated representative of the Applicant for the implementation of all erosion and sediment control measures contained in this Narrative, and as delineated on the Plan and/or the Erosion Control Plan.
11. In the event that the erosion and sediment control measures required by any permit granted by the Montville Inland Wetlands and Watercourses Commission are not installed in accordance with the Erosion Control Plan or in accordance with the requirements of this Narrative or of the Directives of the Montville Wetlands Enforcement Officer or the Montville Zoning Enforcement Officer established at the Preconstruction Meeting; or, in the event that said erosion and sediment control measures are not maintained in accordance with the requirements of the 2002 Soil Erosion and Sediment Control Guidelines, then and in that event the Applicant shall be required to immediately cease and desist all further construction pursuant to the permit granted in accordance with this Narrative until such time as such erosion and sediment control measures are installed or properly maintained and written certification thereof is obtained from the Wetlands Enforcement Officer of the Town of Montville and the Zoning Enforcement Officer of the Town of Montville together with written authorization to resume work.

CONSTRUCTION SEQUENCING:

1. Prior to conducting any site disturbance, the Applicant shall engage in the Preconstruction Meeting.
2. The Applicant's engineer shall stake in the field the location for the installation of all erosion and sediment control measures.

3. The Applicant shall install silt fence backed by staked haybales along the entire westerly periphery of the development site in the location delineated on the Erosion Control Plan prior to any further site disturbance.
4. The Applicant shall install the anti-tracking pad at the interface of the construction site with the Norwich-New London Turnpike (Connecticut Route #32) (northerly entrance) in the location delineated on the Erosion Control Plan. The anti-tracking pad shall be constructed in accordance with the "Anti-Tracking Pad" Detail delineated on the Erosion Control Plan.
5. The Applicant's contractor shall excavate the stormwater detention basin which, during construction, shall act as a sedimentation trap. At such time as said sedimentation trap becomes inundated with sediment to the extent of 50 percent of its capacity, the Applicant's contractor shall remove the accumulated sediment and utilize the same as site fill in order to restore the sedimentation trap to its original design capacity.
6. Surface soil shall be stripped from the construction site and shall be stored in a surface soil stockpile in the location delineated on the Erosion Control Plan. The surface soil stockpile shall be sloped to a slope not to exceed 3:1. The surface soil stockpile shall be vegetated with perennial ryegrass applied at the rate of 1 pound per 1,000 square feet. Mulch shall be applied at the rate of 80 pounds per 1,000 square feet and shall be spread by hand or with a mulch blower. Silt fence or staked haybales shall be installed along the downgradient periphery of the surface soil stockpile.
7. Site drainage shall be installed in accordance with a plan entitled "Grading Plan of 2040 New London Turnpike (AKA CT RT 32) Uncasville, Connecticut Prepared For: Amer Choudrey October 3, 2022 Drawing Scale: 1" = 30' Sheet No. 3 of 5 Job No. 21-001048 Drawn By: DC Fedus Engineering, LLC Civil Engineers Mailing Address: 70 Essex Street Mystic, Connecticut 06355 Office: (860) 536-7390 Fax: (860) 536-1644" (the "Grading Plan"). Upon the installation of catch basins, silt sacks or equal shall be installed in each catch basin in order to prevent the introduction of stormwater into the stormwater system until such time as the construction of the stormwater system has been fully completed and the site has been stabilized.
8. In areas of proposed building construction, the site shall be backfilled with clean bankrun gravel material which will be compacted in lifts as delineated by the Applicant's design engineer. Footings and frost walls for the proposed convenience/gasoline facility shall be installed in accordance with the design developed by the Applicant's architect.
9. Building construction and other site development, including the installation of fueling facilities, fuel storage tanks and other structures shall proceed in accordance with the design plans.
10. The improved portion of the project site shall be graded in accordance with the Plan.

11. Landscaped areas of the project site shall be stabilized by spreading stockpiled surface soil at a thickness of not less than 4 inches. Areas to be seeded will be prepared by spreading ground limestone equivalent to 50 percent calcium plus magnesium oxide applied at a rate of 50 pounds per 1,000 square feet. Fertilizer (10-10-10) is to be applied at a rate of 7.5 pounds per 1,000 square feet. Following the initial application of lime and fertilizer, there are to be no periodic applications of lime and fertilizer.
12. The maneuvering isles and parking areas shall be prepared for bearing coat application by installing not less than 12 inches of compacted bankrun gravel subbase, covered by not less than 6 inches of compacted processed gravel base material and thereafter finished with a two-coat application of 3 inches of compacted Class 2 bituminous concrete placed in 1.5 inch lifts.
12. Bituminous concrete lip curbing shall be installed in the areas depicted on the Plan.
13. All sediment shall be removed from the temporary sedimentation basin in order to recreate the design of the permanent stormwater quality/detention basin as depicted on the Plan.
14. Proposed Control Structure 1 shall be installed in the water quality/detention basin together with the 15 inch HDPE outfall pipe, plunge pool, grass swale and rip rap interconnection area with the 42 inch culvert under Podurgiel Lane. The proposed grass swale as delineated on Sheet 2 of 3 of the Plan shall be formed, loamed with not less than 4 inches of topsoil and stabilized as hereinafter set forth. Orifices in the stormwater detention basin shall remain plugged until such time as the grass swale has been fully vegetated and stabilized.
15. The Applicant shall place not less than 6 inches of topsoil with not less than 7 percent organic content in all areas of the stormwater quality/detention basin. The rip rap stone berm separating the sediment forebay from the detention basin shall be installed in accordance with the Plan. The basin shall be planted by installing New England erosion control/restoration mix or equal. The New England erosion control/restoration mix contains a selection of native grasses and wildflowers designed to colonize generally moist, recently disturbed sites where quick growth of vegetation is desired to stabilize the soil surface. This mix is particularly appropriate for water quality/detention basins which do not normally hold standing water. The plants in this mix can tolerate infrequent inundation but not constant flooding. The New England erosion control/restoration mix contains the following species: switchgrass, Virginia wild rye, creeping red fescue, fox sedge, creeping bent grass, silky wild rye, nodding burr-marigold, soft rush, grass-leaved goldenrod, sensitive fern, jo-pye wheat, boneset, flat-top aster, New York aster and blue vervain. The seed mix shall be applied at a rate of 1 pound per 1,245 square feet of disturbed area.
16. When the site is stabilized, silt sacks and erosion control measures shall be removed.

MAINTENANCE REQUIREMENTS

1. As delineated in the General Procedures section of this Narrative, the Applicant shall, during construction of the project, be responsible for inspecting all erosion control

measures on a weekly basis and after each storm event resulting in a discharge of precipitation.

2. At any time that sediment reaches one-half the height of the silt fence or hay bales the sediment shall be removed and utilized as site fill on the Property.
3. The temporary sedimentation trap shall be inspected in accordance with the inspection schedule required pursuant to the General Procedures section of this Narrative. At such time as the temporary sediment trap is filled to 50% of its capacity, excavation equipment shall be introduced into the temporary sediment trap and all collected sediment shall be excavated and removed from the sediment trap to restore the temporary sediment trap to its design capacity. Removed sediment shall be utilized as structural site fill on the project site.
4. Inlet sediment control devices shall be inspected weekly and after every storm event resulting in a discharge of precipitation and cleaned as necessary. If any inspection discloses any breach in an inlet sediment control device, the inlet sediment control device shall be replaced immediately.

PERMANENT MAINTENANCE SCHEDULE

1. All parking areas, roadways, sidewalks, driveways and other impervious areas (other than rooftops) shall be swept clean of sand, litter and other possible pollutants twice each year, once between November 14 and December 15 (after leaf fall has concluded) and once during the month of April (after the possibility of further sanding has ended). All material accumulated as a result of the sweeping activities shall be disposed of in accordance with law.
2. All catch basin sumps shall be cleaned at least once per year between the period April 15 and May 30. All material cleaned from catch basin sumps shall be disposed of in accordance with law. Catch basins shall be inspected in accordance with the protocol contained in the stormwater management report.
3. Except during the grow-in period, the stormwater quality/detention basin shall be inspected twice annually in April and December. At such time as accumulated sediment attains a depth of 12", accumulated sediment shall be removed and disposed of in accordance with law.
4. The Applicant shall be responsible for compliance with all of the terms and provisions of this Narrative, including adherence to the maintenance requirements contained in this section hereof.

DELINEATION OF NO FEASIBLE AND PRUDENT ALTERNATIVES

As stated above, the Applicant's parcel of real property was created prior to the adoption of Inland Wetland Regulations in the State of Connecticut and the Town of Montville. The site has

existed in its current configuration since the adoption of those regulations.¹ No portion of the site was ever thereafter conveyed thereby reducing the amount of buildable area on the site.

The site is located in a C-2 Commercial Zoning District and in the Route 32 Overlay District pursuant to the Town of Montville Zoning Regulations. Pursuant to the provisions of Section 11.2.11 of the Montville Zoning Regulations, a convenience/gasoline sales establishment is a use permitted as of right in the C-2 Zoning District. A hotel facility is also a use permitted as of right in the C-2 Zoning District.

The footprint on the property contemplated for occupation of the developed site for the proposed gasoline/convenience store facility is similar to but less than that which was approved by the Town of Montville Inland Wetlands and Watercourses Commission for the proposed 54-unit hotel facility.

In formulating a proposal for the development of this site, the Applicant has been cognizant of (i) the prior development initiative which was approved by the Montville Inland Wetlands and Watercourses Commission and (ii) the wetland resources which predominate the site. In order to facilitate potential commercial development on this parcel, the Applicant's predecessor in title applied to and received from the Town of Montville Zoning Board of Appeals a front yard setback variance allowing encroachment of 15 feet into the front yard setback which was then required by the Town of Montville Zoning Regulations. This variance eliminated the need for significant additional filling of inland wetlands on the site.

The Applicant had originally contemplated the development of a 5,000 square foot convenience store facility with 20 gasoline pumping points and 2 diesel fuel pumping points. However, after an evaluation of the location and extent of the wetlands on the property, the development initiative was scaled back to the proposed 4,960 square foot building with 12 proposed gasoline fueling points and 2 proposed diesel fueling points. The design proposal which is hereby submitted to the Town of Montville Inland Wetlands and Watercourses Commission for consideration and approval has been chosen due to the fact that this design accomplishes the following objectives: (a) it concentrates development in the areas of the upland soils located in the easterly portion of the site and the previously filled Leicester soils which were located in the central portion of the site while avoiding any impact to the very poorly drained Whitman soil areas; (b) it alleviates the need for any further filling or disturbance of inland wetlands and watercourses on the Applicant's property; (c) it allows the Applicant to control stormwater runoff from the site in the most comprehensive manner and concentrates stormwater flows to the 42 inch reinforced concrete pipe culvert which extends northerly under Podurgiel Lane while, in every design storm event, reducing the peak runoff discharged from the developed site; and (d) the proposal allows the Applicant a reasonable use of his property without the need to fill additional wetlands and without raising confiscation issues while protecting the more valuable wetland resources located in the westerly portion of the site.

¹ With the exception of the fact that the Applicant's predecessor in title also acquired an adjacent parcel of real property to the north, which parcel of real property is shown as "N/F Rosalind Schuster, Jerrold M. Einhorn and Beatrice Sumner" on the September, 1997 Site Plan prepared by Harris & Clark Inc.

In conclusion, the Applicant has utilized best available management practices, reasonable variances of the Zoning Regulations and a conservative site orientation in order to attain a reasonable development of this site thereby protecting the most valuable wetland resources located in the westerly portion of and to the west of the Applicant's site.