

MEMORANDUM FOR THE RECORD
APPLICATION# 22 IWC 24
REGULAR MEETING – THURSDAY, JANUARY 19, 2023
Prepared by Meredith Badalucca, Zoning & Wetlands Officer

Applicant: Hassan/Hussain, LLC
Property Owner: Hassan/Hussain, LLC
Address: 2040 Route 32 (M/B/L 103-001-01A), Uncasville, CT
Submitted: October 28, 2022
Date Received by IWC: November 17, 2022 (DRD 1/21/2023)

Applicant Requests: The applicant is requesting a permit to conduct regulated activities in upland review areas in conjunction with the proposed development of a convenience store/gas station.

Activity Description:

| | |
|---|------------------|
| Wetland Disturbance Area | 0 SF |
| Watercourse/Waterbody Disturbance Area | 0 SF |
| Upland Review Disturbance Area | 21,484 SF |

In Review:

- The applicant states a 5,000 square foot convenience store with 20 gasoline and 2 diesel fuel pumping points were originally contemplated. After an evaluation of the location and extent of the wetlands on the property, the proposed development now consists of a 4,960 square foot building with 12 gasoline and 2 diesel fuel pumping points. The applicant has provided a copy of a site plan from previously approved application for a 54 unit hotel dated July 30, 1997 and United States Army Corp of Engineers permit for the same application dated January 21, 1998. The project proposes to develop the site utilizing a similar yet smaller footprint than the previously approved application. The footprint avoids any direct disturbance of the current inland wetlands and watercourses on the property.
- A site walk was conducted by the IWC on Sunday, December 11, 2022.
- The applicant requested the application be tabled from the December 15, 2022 meeting until the January 19, 2023 meeting to allow them additional time to address the soil scientist comments dated November 15, 2022

New Staff Comments:

- The applicant has submitted responses to CLA Engineers, Inc.'s November 15, 2022 comments, Water Quality Volume Calculations, Soil Resource Consultants report, Revised Plans and Fiberglass Storage Tank Installation Instructions & Operating Guidelines. These documents have been reviewed by the Town Soil Scientist, Robert C. Russo, CSS.
- The attached comment letter dated January 17, 2023 from Robert C. Russo, CCS of CLA Engineers states the applicant has properly addressed all of the comments from the November, 15, 2022 review letter with the exception of providing a SWPP for operation of

the gas station. However, staff clarified that no SWPP (aka, "CT General Permit") is required since the project site is less than 5 acres and Mr. Russo confirmed.

Considerations for Action:

If the Commission is inclined to approve the request of the Applicant for a permit for proposed activity, the following language for a motion of approval is suggested:

After giving due consideration to all relevant factors including those in Section 10 and or Section 6 of the Montville Inland Wetland Regulations and Section 22a-41 of the Connecticut General Statutes, I move to approve application **22 IWC 24** for 2040 Route 32 (103-001-01A), Uncasville, CT, Owner/Applicant: Hassan/Hussain, LLC for regulated activities in the upland review areas in conjunction with the proposed commercial development of proposed convenience/gasoline sales facility as depicted in the application and associated documents dated October 21, 2022 and received on October 28, 2022 and as shown on a plan entitled "Inland Wetlands Submission 2040 Route 32 Proposed Convenience Store/Gas Station 2040 Route 32, 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, Revised 12/5/2022" with the following conditions:

Standard Reasons for Approval apply as follows:

1. The environmental impact of the proposed project does not have a significant effect on the inland wetland's and watercourse's capacity to support fish and wildlife, to prevent flooding, to supply and protect surface and groundwater, to control sediment, to facilitate drainage, to control pollution, to support recreational activities, and to promote public health and safety.
2. The Commission has determined that the relationship between the short-term uses of the environment and the maintenance and enhancement of long-term productivity will have no impact on the surrounding wetland system
3. The proposed activity will not have irreversible and irretrievable commitments of resources.
4. The proposed project will not change the character and or add degree of injury to, or interference with, safety, health, or the reasonable use of property, including abutting or downstream property.
5. The proposed activity use is suitable to the area.
6. The applicant has taken all feasible measures to mitigate the impact of any aspect of the proposed regulated activity.



CLA Engineers, Inc.

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January 17, 2023

Meredith Badalucca
Zoning & Wetlands Officer
Town of Montville
310 Norwich New London Tpke
Uncasville, CT 06382

RE: 2040 Route 32 Gas Station/ Convenience Store
CLA-7064X

Dear Ms. Badalucca:

We have reviewed the revised materials submitted to the Montville Inland Wetlands Commission for the referenced application. These materials include:

1. A Wetlands Functions and Values Assessment prepared by Soil Resource Consultants dated 12/18/22
2. A Fiberglass Tank cut sheet from Containment Solutions
3. A supplemental letter from Heller, Heller & McCoy dated January 11, 2023
4. A response letter from Fedus Engineering January 3, 2023.
5. Site plans revised to 12/5/22 prepared by Fedus Engineering.
6. Water Quality Volume calculations prepared by Fedus Engineering dated January 9, 2023.

Based on our review, the applicant has properly addressed all of the comments from CLA's November, 2022 review letter except providing a SWPP for operation of the gas station. This same item will be required by CTDEEP; however, Attorney Heller has indicated to staff via email that this document is currently being prepared. CLA believes that should the Commission desire to act on and approve this application, the applicant could provide the SWPP to staff for review as a condition of approval.

Very truly yours,

Robert C Russo

Robert C. Russo CSS