

# ***HELLER, HELLER & McCOY***

***Attorneys at Law***

***736 Norwich-New London Turnpike***

***Uncasville, Connecticut 06382***

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April 21, 2023

Town of Montville Planning and Zoning Commission

Attention: Ms. Elizabeth Burdick, Director of Planning

310 Norwich-New London Turnpike

Uncasville, Connecticut 06382

Dear Liz:

As you are aware, this office represents Hussan/Hussain LLC, the owner of property located at 2040 Norwich-New London Turnpike (Connecticut Route 32), Montville, Connecticut. On January 19, 2023, our client received approval from the Town of Montville Inland Wetlands and Watercourses Commission to conduct regulated activities in conjunction with the development of this parcel for a gasoline/convenience store facility. I therefore submit herewith an application for site plan approval for a 4,960 square foot convenience store with the associated sale of gasoline and diesel petroleum products. This use is a use permitted by right pursuant to the provisions of Sections 11.2.11 and 4.11.10 of the Town of Montville Zoning Regulations.

Submitted herewith and constituting the Application to the Town of Montville Planning and Zoning Commission for site plan approval are the following:

1. Original and nine (9) copies of the Site Plan Application.
2. Original and nine (9) copies of the Site Plan Checklist.
3. Authorization signed by Hussan/Hussain LLC authorizing the law firm of Heller, Heller & McCoy to submit the site plan application on its behalf and further authorizing the law firm of Heller, Heller & McCoy, the engineering firm of Fedus Engineering, LLC and the engineering firm of CMG Engineering Services Environmental Services to represent its interests in all proceedings before the Town of Montville Planning and Zoning Commission with respect to the site plan application.
4. Ten (10) copies of the List of Abutting Property Owners and owners of property located immediately across the streets from the application parcel.

5. Ten (10) prints of the project plans entitled "Site Plan Submission 2040 Route 32 Proposed Convenience Store/Gas Station 2040 Route 32, Uncasville, Connecticut Applicant: Amer Choudrey" dated February 7, 2023" prepared by Fedus Engineering, LLC.
6. Ten (10) prints of the property survey entitled "Property Survey Map Depicting Existing Conditions of 2040 New London Turnpike (AKA CT RT 32) Uncasville, Connecticut Prepared For: Amer Choudrey April 18, 2023" prepared by Fedus Engineering, LLC.
7. Ten (10) prints of the design plans for the handling of petroleum products on the property entitled "Project: Underground Storage Tank Plan #2040 Norwich-New London Tpke (Rte 32) Uncasville, CT 06382 Prepared For Ahmed Choudhry Bestway Co. P.O. Box 126 Norwich, CT 06360 Issue Date: 1/17/2023 Revisions No. 1 2/9/23 Rotate Tank 90, Relcl Fill Ports By JAB CK'd JAB Drawn By: MM Checked By: JAB Scale: As Noted Project No.: 2022-305 CMG Engineering Services Environmental Services 67 Hall Road Sturbridge, MA 01560 Phone: 774-241-0901 Fax: 774-241-0906" consisting of three (3) sheets.
8. Ten (10) prints of the floor plan and elevation design for the proposed convenience store facility entitled "The Proposed New Best Way Convenience Store 2040 Rt. 32 Uncasville, CT. Project Details New Best Way Convenience Store 2040 Rt. 32 Uncasville, CT 06382 Prepared For: Jannat LLC P.O. Box 126 Norwich, CT 06360 File Ref: National – N.C. T-5-B-M-U-NS BW-CS-2040-RT-32-UNCSVL-CT Design #06382-6089636-1 Code Ref: 2022CT. State Drawn By WWC Design Date 01-20-23 [www.craven&sons,inc.](http://www.craven&sons,inc.) Commercial, Residential, Design, Planning Construction P.O. Box 353 Gales Ferry, CT. 06335 860-460-6388" consisting of four (4) sheets.
9. Three (3) copies of the Stormwater Report for the project dated October 6, 2022 as supplemented by a Supplemental Stormwater Letter Report prepared by Fedus Engineering, LLC dated March 15, 2023.
10. Three (3) copies of the Stormwater Pollution Prevention Plan for the project prepared by Fedus Engineering, LLC dated February 22, 2023.
11. Three (3) copies of the Stormwater Pollution Prevention Plan Petroleum Addendum prepared by Fedus Engineering, LLC dated March 28, 2023.
12. Three (3) copies of the traffic study for the project prepared by SLR International Corporation dated July 6, 2022.
13. Ten (10) copies of the rendering of the proposed free standing sign at the project.

Town of Montville Planning and Zoning Commission  
April 21, 2023  
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14. Our check in the amount of Two Hundred Ten and 00/100 (\$210.00) Dollars representing payment of the filing fee for the site plan application.

Request is hereby made that you place this matter on the Agenda of the Town of Montville Planning and Zoning Commission for its regularly scheduled meeting of May 23, 2023.

Should you have any questions concerning the application, or need any additional information prior to the May 23, 2023 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 Planning & Zoning Commission**  
**Site Plan or Special Permit Application**

☒ Site Plan      Number 23 SITE 5      Plan Date \_\_\_\_\_  
☐ Special Permit      Fee paid \$210<sup>00</sup>      Revision \_\_\_\_\_

Assessors Map 103      Lot 001-01A  
Project Address 2040 Norwich-New London Turnpike (Connecticut Route 32)  
Name of Applicant Hassan/Hussain LLC  
Address of Applicant 4 Boston Post Road, Waterford, Connecticut 06385  
Project Name Bestway Gas/Convenience Facility  
Tel # (860) 608-9636      Cell # (860) 608-9636      Email bestway411@yahoo.com  
Name of Property Owner Hassan/Hussain LLC  
Name of Attorney Heller, Heller & McCoy  
Tel # (860) 848-1248      Fax # (860) 848-4003      Email hheller@hellermccoy.com  
Name of Engineer Fedus Engineering, LLC  
Tel # (860) 536-7390      Fax # (860) 536-1644      Email gfedus@fedusengineering.com

Zoning District C-2 and Overlay Zone Lot Size 2.68 acres      Total Acres 2.68

☒ Yes ☐ No Regulated Wetlands      Acreage .50      Permit Date 1/19/2023  
☐ Yes ☒ No Flood Plain      Flood Hazard Area X  
☒ Yes ☐ No A-2 Survey      Name of Surveyor \_\_\_\_\_  
Building size 4,960 s.f.      Building height 26 feet  
Number of acres to be disturbed 1.8  
Applicable Zoning Regulation(s) 11.2.11 and 4.11.10  
Project description Development of a 4,960 square foot convenience store facility with the associated sale of gas and diesel motor fuel products on the westerly side of the Norwich-New London Turnpike (Connecticut Route 32) adjacent northerly to the northerly access to Montville Commons.

Waiver(s) requested ☐ yes ☒ no      Regulation section(s) \_\_\_\_\_

This project will use:

☐ Septic system      ☒ Municipal sewer  
☐ Individual well      ☐ Public water supply well      ☐ SCWA well      ☒ Municipal water

☐ Yes ☒ No This project is located in a **Public Water Supply Watershed**  
☐ Yes ☐ No This project has received approval from the Uncas Health District N/A  
☐ Yes ☐ No This project has received approval from the appropriate Water Authority N/A

**\*\* Attach Copy of All Approvals**

Site Plan /Special Permit Application  
Page 1 of 2

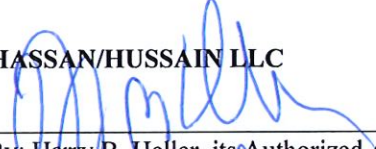
**RECEIVED**

**APR 21 2023**

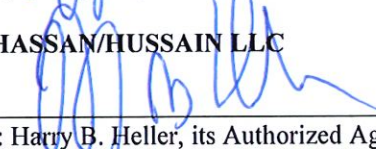
**BY: \_\_\_\_\_**

- ☐ Yes ☒ No This project requires a State General Stormwater Quality Permit.  
Registration # \_\_\_\_\_
- ☐ Yes ☒ No This project requires a permit from the Army Corps of Engineers.
- ☐ Yes ☒ No This project requires a Water Diversion Permit.
- ☐ Yes ☒ No This project requires a Dam Permit.
- ☐ Yes ☒ No This property is subject to a Conservation Restriction and/or a  
Preservation Restriction. If yes, attach a copy of certified notice.
- ☒ Yes ☐ No Drainage calculations submitted:  
Date 10/6/2022 Rev. date \_\_\_\_\_ Rev. date \_\_\_\_\_
- ☐ Yes ☒ No This project requires a State Traffic Commission Permit.
- ☒ Yes ☐ No This project requires a DOT Encroachment Permit.
- ☒ Yes ☐ No The plan has been submitted to the DOT District 2 Office.
- Number of parking spaces provided 30
- Number of vehicle trips per day generated by this project 350
- 

**HASSAN/HUSSAIN LLC**

Signature of Applicant  Date 04/21/2023  
By: Harry B. Heller, its Authorized Agent

**HASSAN/HUSSAIN LLC**

Signature of Owner  Date 04/21/2023  
By: Harry B. Heller, its Authorized Agent






- ☒ Location, size, height, lighting, and orientation of all signs.
- ☒ Location, size, height, and orientation of all outdoor lighting facilities.
- ☒ The stormwater drainage system, including the location and elevations of all existing and proposed street drainage facilities within 100 feet of the property. The Town Planner or Town Engineer may require additional information and/or details regarding off-site drainage features affected by, or impacting upon the proposed development. Stormwater management systems shall be designed in accordance with the 2004 Connecticut Stormwater Quality Manual as may be amended from time to time.
- ☒ Location, size, and type of all water and fire protection facilities.
- ☒ Location, size, and type of all sewerage disposal facilities.
- ☒ Building elevations or preliminary architectural drawings showing the general type of building proposed for construction.
- NA ☐ In cases where the applicant intends to develop in stages, an overall site and staging plan shall be required.
- NA ☐ The Commission may require the applicant to submit an environmental evaluation report for a proposed development located in an environmentally sensitive area. Evaluation reports by independent professionals and other experts such as hydrologists, geologists and soil scientists may be required at the expense of the applicant.
- ☒ All signature and waiver blocks must be located in the lower right corner.
- NA ☐ Certificate of Public Convenience and Necessity in accordance with Section 4.10.8 of the Zoning Regulations.
- ☒ Sanitary Waste Disposal Plan. For any site which is to be served, and is capable of being served, by an operational public sanitary sewer line prior to occupancy, the site plan shall depict the sewer lateral and other engineering information suitable to determine that connection to an operational sanitary sewer line is feasible. In addition, the applicant shall provide evidence from the Montville Water Pollution Control Authority that it is capable of providing sanitary sewer service to the subject site. If the applicant proposes to utilize a community sewerage system, as defined in C.G.S. Section 7-245 as may be amended from time to time, a report from the Montville Water Pollution Control Authority indicating that all requirements of C.G.S. Section 7-246 as may be amended from time to time have been satisfied shall be provided.
- ☒ An Erosion and Sediment Control Plan designed in accordance with Section 15.1 of the Zoning Regulations.
- NA ☐ **Special Requirements for Uses in Public Drinking Water Supply Watersheds** The following special requirements shall apply to all Special Permit uses located within the Lake Konomoc and Stony Brook Reservoir watershed:
1. All septic systems shall be designed by a Sanitary Engineer registered in the State of Connecticut, and shall include a renovation analysis demonstrating compliance with current standards adopted by the DEEP.
  2. No stormwater discharge from parking areas, roadways, rooftops or areas covered with similar impervious surfaces shall be deposited directly into any wetland or watercourse, nor discharged directly into the ground. Suitable surface and/or subsurface measures shall be taken to detain, filter, renovate and otherwise improve the quality of any such waters before discharge to surface or subsurface waters on or off the site. Existing wetlands may be employed for final treatment of stormwaters to the extent of their capacity to do so, but only after initial treatment by new wetlands or structural filtration methods.

## Site Plan Review Checklist

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-  Digital data for Special Permits and Resubdivisions/Subdivisions shall be provided to the Planning Office after the recording of the final mylars on the land records. For Site Plans, the data shall be provided to the office after all signatures have been obtained by the appropriate authorities and prior to the issuance of a Zoning Permit.
- The Digital Data shall include:
    - a. One (1) PDF copy of the project
    - b. Copy of the project in ArcView (GIS) format or AutoCAD
      - Shapefile (.shp)
      - Geodatabase (.mdb)
      - Export file (.e00)
      - AutoCAD.dwg
  - Having all features in a single AutoCAD layer or GIS file will not be accepted. For example, there must be separate layers/files for text, buildings, roads, wetlands, etc
  - All data represented in a digitally submitted AutoCAD or GIS drawing must be registered to the CT State Plane Coordinate System Using NAD 1983 datum.
  - Data can be submitted to the Planning Office via a flash-drive or CD.

## DETERMINATION OF APPLICABILITY

The Commission may determine that one (1) or more of the site plan ingredient requirements of Section 17.4 is not necessary or required to reach a decision on the application. A determination of applicability of the applicable section(s) must be requested in writing by the applicant.

**Please refer to the Zoning Regulations to insure that you meet all requirements for setbacks, parking, signs, etc.**

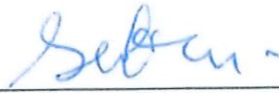


## AUTHORIZATION

**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 site plan approval for a gasoline/convenience store facility at real property known as 2040 Norwich-New London Turnpike, Montville, Connecticut to the Town of Montville Planning and Zoning Commission and to act as its agent in all proceedings before the Town of Montville Planning and Zoning Commission in conjunction with said site plan application, all in accordance with a plan entitled "Planning and Zoning Commission 2040 Route 32 Proposed Convenience Store/Gas Station 2040 Route 32, Uncasville, Connecticut Applicant: Amer Choudrey Cover Sheet of 2040 New London Turnpike (AKA CT RT 32), Uncasville, Connecticut Prepared For: Amer Choudrey February 7, 2023 Drawing Scale: 1"=30' Sheet Nos. 1 of 6 to 6 of 6 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 firms of Fedus Engineering, LLC and CMG Engineering Services Environmental Services to also represent its interests in all proceedings before the Town of Montville Planning and Zoning Commission with respect to said site plan application.

Dated at Waterford, Connecticut this \_\_\_\_ day of April, 2023

**HASSAN/HUSSAIN LLC**

By:   
Sultan Ali Javed, its Member

**LIST OF ADJACENT PROPERTY OWNERS**

**APPLICATION OF HASSAN/HUSSAIN, LLC TO THE TOWN OF MONTVILLE  
PLANNING AND ZONING COMMISSION**

<b>Map /Lot</b>	<b>Property Address</b>	<b>Name and Address of Owner</b>
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

REVISION HISTORY:			
REV	DATE	REVISION BY	REVISION FOR
1	07/07/21	K.A.	ISSUED AT D.D.
2	07/07/21	K.A.	REVISED PRICERS TO 2P/ED & 2P/LED
3	07/07/21	K.A.	ISSUED AT D.D.
4	07/07/21	K.A.	REVISED RENDERING TO 7FT CITGO SYSTEM
5	07/07/21	K.A.	ISSUED AT D.D.
6	07/07/21	K.A.	REVISED TO REMOVE FLASHER AND ADD A DIESEL LINE
7	07/07/21	K.A.	ISSUED AT D.D.
8	07/07/21	K.A.	REVISED TO 12" LED DIGITS
9	07/07/21	K.A.	ISSUED AT D.D.
10	07/07/21	K.A.	REVISED PRICER TYPE: REG UNLD CASH/REG UNLD CREDIT/DIESEL

PARTS LIST:	
ITEM	DESCRIPTION
A	
B	
C	
D	
E	
F	

MATERIAL LIST	
ITEM	
1	
2	
3	
4	
5	

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THE SIGN SHALL BE INSTALLED IN ACCORDANCE WITH THE FOLLOWING: GROUNDING AND BONDING OF THE SIGN

### GENERAL NOTES

1. TOLERANCE (UNLESS NOTED)  
• GRAPHICS: +/- 1/8" • FILE SIZE: +/- 1/16" • 3/16"
2. GROUNDING: 1/8" WIRE CROUCH: +/- 1/8" • 3/16"
3. FINISH: ALL SURFACES SHALL BE FINISHED WITH A FINISH OTHER THAN THE FINISH SHOWN OTHERWISE
4. FINISH COLOR: ALL FINISHES SHALL BE FINISHED WITH A FINISH OTHER THAN THE FINISH SHOWN OTHERWISE
5. ALL ELECTRICAL SIGNS TO COMPLY WITH UL 48

### RENDERING

OWNER	D. DAWSON
CLIENT	CITGO
LOCATION	OXFORD, CONNECTICUT
DATE	1499-1505
REV	09/10/20
REV	1 OF 1

SCALE: NTS

### APPROVAL SIGNATURE

By signing, you are validating the dimensions and graphic provided to SignResource and/or you are handling your own installation.



**PROPOSED**

Please Note: Weights and Measures requirements vary by State, County and Municipality. It is the responsibility of the customer to confirm that these graphics are compliant with all local Regulations, Statutes and Ordinances. Compliance must be confirmed by the party obtaining the permit. SignResource is not liable for misinterpretation of local Weights and Measures requirements or any rule changes that may occur after the order has been placed. If permitting and installation is provided by SignResource, we will make every effort to confirm the signage provided is compliant at the time of installation.