

TOWN OF MONTVILLE
Department of Land Use & Development
310 Norwich-New London Turnpike, Uncasville, CT 06382
Telephone: (860) 848-6779 - Email: lburdick@montville-ct.org

MEMORANDUM FOR THE RECORD

August 22, 2023 PZC Meeting
Prepared by *Liz Burdick*, Director
on 8/22/2023

Property Address: 2040 Route 32 (Parcel ID: 002/005/00B), Uncasville, CT.
Application: PZ #23 SITE 5
Applicant(s): Hassan/Hussain LLC
Property Owner(s): Same as Applicant.
Attorney: Harry Heller, Esq., Heller, Heller & McCoy
LS/PE: Gregg T. Fedus, P.E., Fedus Engineering, LLC
Anthony Hendriks, LS
James Bernadino, P.E., CMG Engineering/Environmental
W.W. Craven & Sons, Inc., Construction
David G. Sullivan, P.E., US Manager of Traffic & Transportation
Planning, SLR International Corporation
Lot Size: 166,741SF (2.68-acres).
Lot Frontage: 479.64-feet on Route 32 (Norwich-New London Turnpike) and
256.12-feet on Podurgiel Lane.
Zoning District: C-2 (Commercial) & OZ (Rte. 32 Overlay Zone).
Public Water/Sewer: Yes.
Wetlands/Watercourses: Yes.
Flood Hazard Zone: No.
CAM Zone: No.
Public Water Supply Watershed: No.
Proposed Public Improvements: Yes. TBD. Work in State of CT right of way.
Legal: Submitted to Land Use Dept. on 4/21/23. Date of Receipt by PZC - 4/28/23.
Decision Required Date 6/29/23. Tabled from the 6/27/23 meeting with 30-day extension
of time granted. New DRD 7/29/23. Tabled from the 7/25/23 meeting to the 8/22/23
meeting with an additional 24-day extension of time. DRD 8/22/23 without further
extension.

PROPOSAL: Applicant requests site plan approval for "Development of a 4,960SF
("Bestway") convenience store facility with associated sale of gas and diesel motor fuel
products on the westerly side of the Norwich-New London Turnpike (Connecticut Route
32) adjacent to the northerly access to Montville Commons."

Zoning Board of Appeals: In accordance with C.G.S. § 14-321, the Montville Zoning Board
of Appeals, at its 7/7/22 regular meeting following a public hearing, approved the
location of the gas station/convenience store with the condition there shall be no
ingress/egress to/from the site from Podurgiel Lane.

INLAND WETLANDS COMMISSION: The Montville Inland Wetlands Commission approved
regulated activities associated with this development on January 19, 2023.

STATE OF CT DEPT. OF HEALTH: N/A.

CITY OF NEW LONDON WATER: N/A.

UNCAS HEALTH DISTRICT: See comments dated 5/4/2023 as follows: "Prior to the issuance of a building permit, detailed plans for the coffee service area and any other food service areas must be reviewed by the District." 8/14/23 No additional comments.

TOWN ENGINEER: See outstanding comments dated August 17, 2023.

FIRE MARSHAL: See comments received 07/20/23 – "No comments at this time."

BUILDING DEPT.: See comments received 7/24/23.

WPCA: See comments received 8/4/23 & 8/15/23. Outstanding comments addressed.

STCT DOT: Encroachment Permit required. Preliminary approval pending.

OFFICE OF THE STATE TRAFFIC ADMINISTRATION (OSTA): N/A.

STCT DEEP: N/A.

BOND: Soil Erosion and Sediment Control (SESC) bond estimate in the amount of \$31,800 reviewed & approved by the Town Engineer on 8/17/23.

PLANNER: Please be advised the revised plan set entitled "Planning & Zoning Submission, 2040 Route 32, Proposed Convenience Store/Gas Station, 2040 Route 32, Uncasville, CT, Applicant: Amer Choudrey, Prepare by Fedus Engineering, LLC, Dated February 27, 2023, revised to 07/20/2023" addresses the comments in my staff report dated 07/19/23:

STAFF RECOMMENDATION: APPROVE WITH CONDITIONS.

The following MOTION is suggested for any favorable approval of this application:

I make a MOTION to APPROVE 23 SITE 5 – 2040 Route 32 (Parcel ID 103/001/01A), Uncasville, CT – Applicant/Owner: Hassan/Hussain, LLC for commercial development of proposed gasoline/convenience store facility and associated site improvements. in that the application, supporting documents and a plan entitled "Planning & Zoning Submission, 2040 Route 32, Proposed Convenience Store/Gas Station, 2040 Route 32, Uncasville, CT, Applicant: Amer Choudrey, Prepare by Fedus Engineering, LLC, Dated February 27, 2023, revised to 07/20/2023" comply with all applicable sections of the Montville Zoning Regulations, with the following conditions:

1. Any substantive changes to the proposed site improvements may require additional review/approval by the Montville Inland Wetlands & Watercourses Commission and/or the Director of Land Use & Development or the PZC.
2. Applicant shall meet all of the requirements of the State of CT DOT, Montville WPCA, Building Department & Office of the Fire Marshal and the Uncas Health District for required permitting and inspections prior to issuance of a Certificate of Zoning Compliance/Certificate of Occupancy.
3. The 2/22/23 SWPPP & 3/28/23 SWPPP Petroleum Addendum shall be strictly followed.
4. State of Connecticut Dept. of Transportation (CTDOT) review & approval is required for any proposed work in the CT Route 32 State Right of Way. Preliminary approval shall be submitted prior to issuance of a zoning permit to start work.
5. A suitably landscaped and screened area a minimum of 10-feet wide or a six-foot high, stockade type, wooden fence with the finished side facing the residential district to be maintained between the site and adjacent residential lot shall be installed as approved by the Director of Land Use & Development and/or the PZC prior to issuance of a Certificate of Zoning Compliance.
6. All drainage structures proposed for the project shall be constructed and maintained post construction in accordance with the application, the approved Plan Set & "Stormwater Summary" prepared by Fedus Engineering, dated July 6, 2023.

- 7.** Installation of all drainage structures in accordance with the approved plan shall be certified in writing by Applicant's P.E. prior to issuance of a Certificate of Zoning compliance.
- 8.** Prior to issuance of a zoning permit to start work, a soil erosion & sediment control bond shall be posted in the amount of \$31,800 in a form acceptable to the Finance Director. No bond, or portion thereof, shall be released without prior approval of the Zoning Officer and/or Director of Land Use & Development.
- 9.** 17.3.1 (GIS) Digital data in accordance with this section shall be submitted to the Zoning Officer prior to issuance of a zoning permit to start work.
- 10.** There will be no propane filling stations located at the site without approval from the Fire Marshal and/or Building Official.
- 11.** Future outside retail storage or display areas shall be located as shown on the plan.
- 12.** All site signage shall require an approved zoning permit prior to installation. Signage locations shall be identified in the field by a Licensed Land Surveyor prior to installation
- 13.** Final revised plan sets, along with a digital copy of the final plan, shall be submitted to the Land Use Dept. & shall be signed and sealed with original signatures by P.E.
- 14.** The Zoning Officer must be contacted and a pre-construction meeting shall be held at least 24-hours prior to start of any work. Soil Erosion and Sediment Controls shall be installed in accordance with the approved plan set and inspected by the Zoning Officer prior to the start of any work.
- 15.** A final As-Built plan, including finished grades, shall be submitted to the Zoning Officer for review and approval prior to issuance of a certificate of zoning compliance.