

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

***Attorneys at Law***

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

***Uncasville, Connecticut 06382***

*Sidney F. Heller (1903-1986)*  
*Harry B. Heller (hheller@hellermccoy.com)*  
*William E. McCoy (bmccoy@hellermccoy.com)*

---

*Mary Gagne O'Donal (mgodonal@hellermccoy.com)*  
*Andrew J. McCoy (amccoy@hellermccoy.com)*

Telephone: (860) 848-1248  
Facsimile: (860) 848-4003

September 11, 2023

Town of Montville Planning and Zoning Commission  
Attention: Ms. Elizabeth Burdick, Director of Planning  
310 Norwich-New London Turnpike  
Uncasville, Connecticut 06382

Re: Site Plan Review Application (for Phase 3C) for the use of the Gateway Terminal property located at 125 Depot Road, Montville, Connecticut for the receiving, amendment and transport of dredged materials

Dear Ms. Burdick:

Enclosed herewith please find an application submitted to the Town of Montville Planning and Zoning Commission for site plan approval for proposed Phase 3C for the redevelopment of the former RockTenn site located at 125 Depot Road, Montville, Connecticut by Gateway Montville, LLC (Lessee) and its sublessee, KKSH2 LLC on behalf of Marine Materials Management Limited Liability Company. On November 8, 2022, the Town of Montville Planning and Zoning Commission granted site plan approval for Phases 3A and 3B of the redevelopment of the Gateway Montville property located at 125 Depot Road. Phase 3A of that approval authorized the storage of materials on the existing concrete pad to the east of the railroad tracks, and parking for five (5) employees. Phase 3B authorized material/cargo stockpiling subsequent to the completion of Phase 2 site improvements approved in Application 22 Site 5. The Phase 3C application is a modification of the prior approval granted with respect to activities authorized on the concrete pad located in the northeasterly portion of the project site.

The instant application contemplates importing dredged material by vessel to the project site, the off-loading of the dredged material and the amendment thereof to render the same suitable for both over the highway transport and subsequent use in either environmental projects or construction projects for which the amended material satisfies the structural requirements for the particular use.

Because the project site is located in the Coastal Management Area, we are also submitting herewith an application to the Town of Montville Planning and Zoning Commission for coastal

Z:\Gateway Montville LLC\Site Plan - Bulk Material Operations\ltr.Town re Submission.docx

Town of Montville Planning and Zoning Commission  
Attention: Ms. Elizabeth Burdick, Director of Planning  
September 11, 2023  
Page 2 of 4

site plan review.

Submitted herewith for consideration by the Montville Planning and Zoning Commission 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. Original and nine (9) copies of the Narrative prepared to accompany the site plan application.
4. Authorization signed by Uncasville, LLC (Property Owner) authorizing the filing of the instant applications and further authorizing the law firm of Heller, Heller & McCoy and the professional consultants referenced therein to represent its interests in all proceedings before the Town of Montville Planning and Zoning Commission with respect to the site plan and coastal site plan applications.
5. Authorization signed by Gateway Montville LLC authorizing the filing of the instant site plan and coastal site plan applications and further authorizing the law firm of Heller, Heller & McCoy and the professional consultants referenced therein to represent its interests, as lessee, in all proceedings before the Town of Montville Planning and Zoning Commission with respect to said applications.
6. Authorization signed by KKSH2 LLC on behalf of Marine Materials Management Limited Liability Company authorizing the filing of the instant applications and further authorizing the law firm of Heller, Heller & McCoy and the professional consultants referenced therein to represent its interests in all proceedings before the Town of Montville Planning and Zoning Commission with respect to said applications.
7. Ten (10) copies of the site plan for the site plan and coastal site plan applications entitled "Gateway Uncasville Marine Materials Transloading Site 125 Depot Road Uncasville, Connecticut Prepared For Town Of Montville Planning and Zoning Commission Date: 07 September 2023 Version 1.2 Gateway Uncasville Marine Materials Transloading Site" prepared by Marine Materials Management (Alfred N. Kovalik PE, LEP, LLED AP) consisting of Sheets 1 through 7" with Sheets 3 of 24, 4 of 24 and 5 of 24 of that certain plan entitled "Site Operations/Development Plan 'Improvement Location & Topographic Survey – North' Prepared For Gateway Montville, LLC 125 Depot Rd (M/B/L 071-007-000), 131 Depot Rd (M/B/L 071-013-000), 133 Depot Rd (M/B/L 071-001-000) and 55 Dock Rd (M/B/L 071-008-000) –

Uncasville, Connecticut Scale: 1" = 40' Date: May 2022 Rev. A – Per Town Staff Review – 6/28/22 Rev. B – Per Town Staff Review – 7/7/22 Rev. C – Per Conditions of Approval – 7/13/22 Rev. D – Modified Grading and Stormwater – 9/28/22 Rev. E – 55 Dock Road Retaining Wall – 10/18/22 Rev. F – Add Curb Ramp Details – 12/2/22 Job I.D. No. 22-3140 Boundaries LLC 179 Pachaug River Drive, Griswold, CT 06351 T 860.376.2006/ [www.boundariesllc.net](http://www.boundariesllc.net)” and Sheets 1 of 3, 2 of 3 and 3 of 3 of a plan entitled “Improvement Location & Topographic Survey Record As-Built Plan – North Prepared For Gateway Montville, LLC 125 Depot Rd (M/B/L 071-007-000), 131 Depot Rd (M/B/L 071-013-000), 133 Depot Rd (M/B/L 071-001-000) and 55 Dock Rd (M/B/L 071-008-000) – Uncasville, Connecticut Scale: 1" = 40' Date: December 2022 Rev 1, Add Phase 2A/2B Area, 4/24/2023 Rev 2, Add Phase 2C/3 Area, 7/25/23 Job I.D. No. 22-3140-4 Boundaries LLC 179 Pachaug River Drive, Griswold, CT 06351 T 860.376.2006/[www.boundariesllc.net](http://www.boundariesllc.net)” imbedded therein.

8. One (1) copy of the USGS Quad Map identifying the location of the project site. This submittal is made in lieu of the incorporation of the area map on Sheet 1 of the site plan submittal.
9. Connecticut Department of Energy and Environmental Protection Natural Diversity Database Determination Letter issued on October 21, 2021 determining that no negative impacts will occur to state listed species of special concern, threatened species or endangered species as a result of the implementation of the project contemplated by the site plan and coastal site plan applications.
10. Approval dated January 5, 2022 issued by the State of Connecticut Department of Energy and Environmental Protection granting Department of Energy and Environmental Protection approval for the transloading and amendment of dredged materials at the project site with the conditions enumerated therein.
11. Ten (10) copies of the Erosion and Sediment Control Bond estimate for the project dated September 1, 2023 prepared by Alfred Kovalik, Registered Professional Engineer, on behalf of Marine Materials Management Limited Liability Company.
12. Ten (10) copies of the completed Coastal Site Plan Review Application for the project.
13. Ten (10) copies of a supplement to the prior Traffic Impact Analysis for the intermodal use of the Gateway Montville site dated December 15, 2022 prepared by F.A. Hesketh & Associates, Inc. thereby evaluating the additional contemplated traffic burden on municipal and state highways resulting from the use contemplated by the instant site plan application.

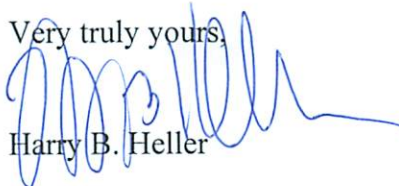
Town of Montville Planning and Zoning Commission  
Attention: Ms. Elizabeth Burdick, Director of Planning  
September 11, 2023  
Page 4 of 4

14. Two (2) checks totaling \$410.00 representing payment of the application fee for the enclosed applications calculated as follows:

Industrial Site Plan Application:	\$150.00
Coastal Site Plan Review Application:	\$200.00
State Fee:	\$60.00
<b>Total:</b>	<b>\$410.00</b>

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 September 26, 2023. Request is further made that you immediately forward the coastal site plan application to DEEP for review and comment with the anticipation that comments will be received sufficiently in advance of the October, 2023 meeting of the Town of Montville Planning and Zoning Commission for the Commission to take action at that meeting.

Should you have any questions at this time, or require any additional information, please feel free to contact the undersigned.

Very truly yours,  
  
Harry B. Heller

HBH/rmb  
Enclosures

Cc: Mr. James Dillman  
Mr. Mark Augur  
Mr. John Reece  
Mr. Al Kovalik