

**MEMORANDUM FOR THE RECORD**  
**APPLICATION# 23 IWC 14**  
**REGULAR MEETING – THURSDAY, OCTOBER 19, 2023**

*Prepared by Stacy Radford, Zoning & Wetlands Officer*

**Applicant/Property Owner:** Sunmar/RAF Builders - Richard Franklin  
**Engineering Info:** Advanced Surveys, LLC, Richard Deschamps, L.S.  
**Address:** 145 Moxley Road (Parcel ID: 009-022-000)  
**Submitted:** September 29, 2023  
**Date Received by IWC:** October 19, 2023 (*Decision Required Date – December 23, 2023*)

**Applicant Request:** The applicant is requesting a favorable recommendation/report from the Commission to the Planning & Zoning Commission for a 2-Lot subdivision with no regulated activities in accordance with CT General Statutes (CGS) Section 8-26 (Applications involving an inland wetland or watercourse) and as required by Section 3.4.2 of the Montville Subdivision regulations.

**Activity Description:**

<b>Wetland Disturbance Area</b>	<b>0 SF</b>
<b>Watercourse/Waterbody Disturbance Area</b>	<b>0 SF</b>
<b>Upland Review Area Disturbance</b>	<b>0 SF</b>

**STAFF COMMENTS:**

The site consists of approximately 2.25 (+/-) acres (98,010 +/- SF) located in the R-40 zoning district with about 403 feet of frontage on Moxley Road. This site contains approximately 0.27 acres of wetlands and is currently undeveloped.

The applicant proposes to divide the existing lot to create two (2) new single-family residential lots with on-site septic systems and wells; and associated site improvements. One of the proposed lots will be 1.31 (+/-) acres (57,064 +/- SF) and the second lot will be 0.92 (+/-) acres (40,075 +/- SF). Each lot will be accessed from Moxley Road via private driveways.

There is no regulated upland or wetlands activity proposed as part of this development however, the limits of grading and silt fence on proposed Lot #22 are close to the 50' URA. Subsequently, this lot may require an IWC permit based on the site plan submitted with the zoning permit application.

The property to be subdivided is shown on a plan entitled "Subdivision Plan prepared for SUNMAR/RAF Builders, LLC #145 Moxley Road, Montville, Connecticut Boundary – Topography – Lot Layout, dated June 22, 2023, Advanced Surveys, LLC., revised October 16, 2023."

Wetlands on this property were delineated by Joseph R. Theroux, Certified Soil Scientist on April 19, 2023. A copy of Mr. Theroux's report is included with the Application. The wetland system on the property is primarily to the West of the proposed single-family residence, more particularly described as "Proposed Lot #22" on the above mentioned plan.

All applicable Town Departments will be providing comments to the Planning and Zoning Commission in regards to this Subdivision Application, which the Commission will hear at their October 24, 2023 meeting.

### **CONSIDERATIONS FOR ACTION:**

If the Commission is inclined to send a favorable report for this 2-Lot Subdivision Application to the PZC, the following language for a motion of approval is suggested:

#### **M O T I O N #1 (A Motion to Approve)**

After giving due consideration to all relevant factors, including those in the CT General Statutes (CGS) Section 8-26 (Applications involving an inland wetland or watercourse), Montville Subdivision Regulations Section 3.4.2 (Wetlands Agency Referral), and CGS Chapter 440, Sections 22a-28 to 22a-45d (Wetlands and Watercourses), I move that the Commission forward a favorable recommendation/report to the Montville Planning and Zoning Commission for Application #23 IWC 14, submitted by Applicant/Owner: SUNMAR/RAF Builders, LLC for a 2-lot subdivision of 145 Moxley Road (Parcel ID: 009-022-000), Uncasville, CT, as more fully described in the application and supporting documents dated September 29, 2023 and a plan entitled, "Subdivision Plan prepared for SUNMAR/RAF Builders, LLC #145 Moxley Road, Montville, Connecticut Boundary – Topography – Lot Layout, dated June 22, 2023, Advanced Surveys, LLC, revised October 16, 2023" due to no regulated activities.