

TOWN OF MONTVILLE
Department of Land Use & Development
Prepared by Meredith Badalucca on November 1, 2024

Property Address: 1758 Route 32 Parcel ID: 094-029-000
1790 Route 32 Parcel ID: 094-029-001
Application: 24SITE9
Property Owner: Vizion Enterprises, c/o Dr. V. Coric
Applicant: Same as Property Owner
PE: George F. Andrews, Jr., PE; Loureiro Engineering Associates, Inc.
Lot Size: Total combined 12.19 acres
Lot Frontage: Greater than 600 feet on Route 32.
Zoning District: R-20-M and Route 32 Overlay Zone (OZ).
Public Water/Sewer: Yes
Flood Hazard Zone: No
CAM Zone: No
Public Water Supply Watershed: No.
Proposed Public Improvements: Yes, CT DOT encroachment permit required as well as, Office of the State Traffic Administration (OSTA) approval.
Site Restoration Bond: \$574,212 to cover the costs of specified erosion control measures and site stabilization. To be reviewed and approved by Town Engineer.
Legal: Submitted to Land Use Dept. on 10/29/24. Date of Receipt by PZC 11/12/24, Decision Required Date – 1/16/25.
Site Inspection: Completed on November 1, 2024 by ZEO Radford and myself.

Proposal: Applicant is proposing to construct five (5) 4-story apartment buildings with 200 units total. The proposed development includes a 3,500 sf community building as well as, associated parking, access drive and related infrastructure and improvements.

Background:

- 10/9/2007 PZC approval to create Housing Opportunity Development (HOD) Zone effective 11/1/2007
- 1/8/2008 PZC approved zone change from C3 to HOD
- 7/24/2012 PZC approved 8-30g conceptual and final site plan for 120 units and community center.
- 5/27/2014 PZC approved a one lot subdivision of 1758 Route 32 to address a financing requirement for the 2012 approval. Phase I & Phase II needed to be on separate parcels.
- 3/12/16 Zoning Map shows parcels to be in the R-20-M zoning district. Prior zoning map dated 2/5/2015 indicated HOD zone.

Staff Comments/Review:

This property is located in the R-20-M zoning district (Zoning Regulation (ZR) section 9B) and is included in the Route 32 Overlay Zone (ZR section 14A). Both sections are attached for your review. ZR section 9B.2.2 allows for Multi-family dwellings, including both attached single-family dwellings and attached single-family dwelling flats. Our

regulations do not define dwelling flats, therefore staff referred to “Law Insider” definition which states “Flat dwelling means a building arranged in separate units, each unit containing a kitchen and a bathroom, designed to house several families living independently of one another.” The applicant meets the density requirements per ZR section 9B.3 with 40 units per building. ZR section 9B.4 a. allows for community buildings as an accessory use and structure. ZR section 9B.6 maximum density and minimum open space requirements have been met. Per the regulation 219 units would be allowed, calculated as follows: 18 units per acre times 12.19 acres. The applicant has provided 37% open space and the minimum requirement is 15%. The setback and height requirements have been met. Landscaping requirements per ZR section 9B.12 have been met as indicated on the Landscaping Plan, Sheet L-1. Landscaping of parking lots, ZR section 18.16.1 requires landscaped areas of at least 10% of total lot area. The proposed parking lot is 119,700 sf requiring a minimum area of 11,970 sf. The plan shows 118,314 sf area of landscaping of which 7,331sf is new. ZR sections 9B.13, 4.10.1A and 4.11.5.5 state the commission **may** require sidewalks if certain conditions apply. (Section 9B.13 is attached and all three sections read the same.) The applicant has provided sidewalks as part of the proposed plan. All utilities will be located underground per ZR section 9B.15.

Multi Family Dwellings ZR section 4.11.5 (attached) was also reviewed by staff for compliance with this application. The proposed plan and narrative provided by the applicant address all requirements of this section.

ZR section 18.3.2 applies to less than twenty-five (25) units therefore the applicant has calculated their parking requirements based on ZR section 14A.3 (OZ) which states “All living units shall require two (2) parking spaces except as otherwise approved by the Commission pursuant to Section 18.2.2 of these Regulations.”. The proposed plan calls for 408 parking spaces which is 8 more than required.

Included in the application package is a NDDDB (Natural Diversity Database) - New Determination Number 202407756 which may be utilized to fulfill the Endangered and Threatened Species requirements for state-issued permit applications, licenses, registration submissions, and authorizations. The applicant has also provided a Traffic Impact Study Prepared by Kermit Hua, PE, PTOE of KWH Enterprise, LLC in June 2024.

Staff along with applicable town departments met with the applicant and their engineer on August 14, 2024 for a pre-application meeting. During that time staff provided the applicant with several comments which they have provided responses to as part of the application.

Staff Technical Review Comments:

1. Please provide lighting plan per ZR section 9B.14, 17.4.14 and 18.14.
2. Please provide an 8 ½” x 11’ photocopy of a USGS Quad Map with the project site outlined per ZR section 17.2.6.
3. Please include name of property owner on cover sheet per ZR section 17.4.1.

4. Please revise site note 7 to include “A separate zoning permit will be required prior to the installation.”.

Agency Comments:

Town Engineer:	Pending
Fire Marshal:	Pending
Building:	Pending
WPCA:	Pending
Police:	Pending

4.11.5 MULTI-FAMILY DWELLINGS

An applicant proposing to establish this use shall comply with the provisions of these Regulations including the following additional requirements:

- 4.11.5.1 The site shall be served by public water and public sewer systems unless alternate septic is approved by local health district and/or the Connecticut Department of Health, if applicable.
- 4.11.5.2 Buildings shall be so grouped that each façade shall face its full dimension upon a street, unless the subject parcel or parcels included in the development are located within the R-20-M zone or the Route 32 Overlay Zone.
- 4.11.5.3 No outside storage or clothes drying area will be provided unless it is completely screened from view from any adjoining property or street. Refuse containers shall be screened from view and provided in sufficient numbers to accommodate refuse from all residents in a sanitary and odorless manner. All accumulated refuse shall be removed from the premises at least once each week.
- 4.11.5.4 All driveways, access roads, interior circulation roads, and parking areas shall be paved, curbed, and storm drained. Points of intersection with local streets or state highways shall be designed to provide adequate visibility along the street or highway. Any access road, driveway, or interior circulation road which is fifty feet (50') or longer measured from the point of intersection with an existing street shall be a minimum of twenty-two (22') feet in width and shall be constructed according with Town of Montville Road Standard and Improvement Details. All driveways, access roads, and interior circulation roads shall be privately owned and maintained. Overflow parking may be dustless, all weather surface.
- 4.11.5.5 Sidewalks abutting any street, driveway, access or interior circulation road on which the development is located may be required by the Commission if (1) such sidewalks interconnect with existing or proposed sidewalk system on the adjacent street and (2) the project is located within 1,000 feet on an existing commercial center, school or place of public gathering. All sidewalks shall be privately owned and maintained.
- 4.11.5.6 The Commission may require a maximum of ten percent (10%) of the total lot area set aside for permanent open space and recreation area. Active recreation areas shall be located, prepared, and equipped as

determined by the Commission so as to adequately meet the needs of the occupants of the development. Required yard areas and insignificant wetlands may not be counted as open space.

- 4.11.5.7 Utilities shall be placed underground.
- 4.11.5.8 Fire hydrants shall be installed as required by the Fire Marshal.
- 4.11.5.9 The applicant shall submit an architectural rendering of a typical building.

SECTION 9B: R-20-M

9B.1 INTENT AND PURPOSE

This regulation is adopted for the following purposes:

- a. To allow, on a long-term basis, for the development of diverse housing types, to help address identified housing needs, to recognize existing multi-family housing developments and clusters;
- b. To encourage the construction of housing that is consistent with design and construction standards present in the surrounding community;
- c. To promote housing choice and economic diversity;
- d. To efficiently utilize infrastructure and promote neighborhood planning by providing, where infrastructure support is available, a mix of housing types, densities, sizes and prices, while also providing public and private open space and recreational areas;
- e. To guide a proposed development so that it helps accomplish the above purposes while being consistent with soil types, terrain and infrastructure capacity and is consistent with the statutory purpose of protecting the public health, safety, convenience and property values; and
- f. To encourage energy-efficient patterns of development;
- g. To promote housing near public transportation routes.

9B.2 PERMITTED USES

9B.2.1 Two-family dwellings

9B.2.2 Multi-family dwellings, including both attached single-family dwellings and attached single-family dwelling flats.

9B.2.3 Government offices, libraries, schools, public safety facilities and public utilities

9B.2.4 Nursery school, family child care home and group child care home facilities

9B.2.5 Senior housing in accordance with Section 16.11 of these Regulations

9B.2.6 Transmission tower

9B.3 DENSITY

- a. Attached Single-family Dwellings consisting of two (2) or more residential units except that there shall be no more than eight (8) units per building; and Attached Single-family Dwelling Flats containing no more than forty (40) Attached Single-family Dwelling Flats per building and Multi-family dwellings.

9B.4 PERMITTED ACCESSORY USES AND STRUCTURES

- a. On-site facilities for active and passive recreation, including community buildings and clubhouses, swimming pools, athletic fields, walking trails, bicycle routes, tennis courts, basketball courts, playgrounds and picnic areas.
- b. Uses or structures accessory to the primary uses to the extent permitted by and subject to the procedures, limitations and conditions of Section 4.10.4 of the Zoning Regulations.
- c. Uses of a residence for personal business purposes to the extent permitted by and subject to the procedures, limitations and conditions of the Zoning Regulations.
- d. Parks and Playgrounds and Community Buildings.
- e. Public utility and infrastructure uses.
- f. Water supply tanks.

9B.5 MINIMUM LOT SIZE

- a. The Minimum Lot Size shall be 20,000 square feet if the lot **IS** served by public sewer.

- b. The Minimum Lot Size shall be 40,000 square feet if the lot **IS NOT** served by public sewer.

9B.6 DENSITY, HEIGHT, AREA AND YARD REQUIREMENTS

- a. Maximum Density:
Eighteen (18) units per acre (1 unit per 2,420 square feet) of land
Total Minimum Open Space: 15%

- b. Setbacks and Height:
Minimum Setback from Existing Public Road Right-of-Way: 50 feet
Minimum Setback from Proposed Public Road Right-of-Way: 25 feet
Minimum Setback from Existing or Proposed Private Road: 20 feet
Minimum Side yard Setback: 15 feet
Minimum Rear yard Setback: 30 feet
Minimum Principal Building Separation: 30 feet
Minimum Accessory Building Separation: 10 feet
Maximum Principal Building Height: 60 feet
Maximum Accessory Building Height: 45 feet (not including utility uses)
Maximum Stories: 5
Minimum Frontage: 80 feet

9B.7 ROAD CONSTRUCTION STANDARD AND ROAD DEDICATION REQUIREMENTS

All roads within a multi-family housing project in the R-20-M Zoning District, which are proposed for dedication to the Town of Montville as municipal streets shall be constructed in conformance with the Town of Montville Road Standard and Improvement Details, as may be amended. All access drives, roads and maneuvering lanes and aisles included in a proposal for a multi-family dwelling project on any lot in the R-20-M Zoning District which are not proposed for dedication as municipal streets shall be constructed of materials required pursuant to the construction specifications and improvement details contained in the Town of Montville Road Standard and Improvement Details. However, the horizontal and vertical layout of such driveways, maneuvering aisles, roads and access ways and drainage specifications shall only be required to comply with good engineering practices and best management practices for stormwater quality and

stormwater runoff management based upon the unique characteristics of each project parcel and development design. Sidewalks maybe required in accordance to Section 4.10.1.A

9B.8 PARKING REQUIREMENTS

Parking shall be provided in accordance with Section 18 of these Zoning Regulations.

9B.9 SIGNAGE

Signage shall comply with Section 19 of these Zoning Regulations.

9B.10 TRASH REMOVAL

The Site Plan shall provide information about the number, location and screening of dumpsters of trash receptacles at community facilities and for servicing dwelling units.

9B.11 DELETED

9B.12 LANDSCAPING

- a. When and where appropriate, the Commission may allow existing vegetation to be used in lieu of new landscaping materials.
- b. Landscaping of buffers and perimeters shall be achieved with native plants and trees and shall achieve an aesthetic neighborhood landscape.
- c. Landscaping and buffering shall comply with the following minimum requirements:
 1. Any lot developed for multi-family residential use shall provide a landscaped buffer area alongside the rear lot lines at least ten feet (10') wide with one shade tree planted at least three inches (3") in caliper for each fifty feet (50') or part thereof of any portion of such side or rear lot line located adjacent to a building in the multi-family housing development.
 2. Shade trees shall be deciduous shade trees planted at least three inches (3") in caliper with a mature height of at least thirty-five feet (35'). In addition to the shade trees, area requiring a landscape buffer pursuant to these Regulations shall be planted with conifers planted at not less than twelve feet (12') apart and six feet (6') in height.
 3. Existing plant materials may be used to meet all or part of the landscaping and buffering requirements.

9B.13 SIDEWALKS

Sidewalks abutting any street, driveway, access or interior circulation road on which the development is located may be required by the Commission if (1) such

sidewalk interconnects with existing or proposed sidewalk system on the adjacent street and (2) the project is located within 1,000 feet of an existing commercial center, school or place of public gathering. All sidewalks shall be privately owned and maintained.

9B.14 LIGHTING

The site shall be illuminated in accordance with this Section. Lighting from the installation of outdoor lights and illuminated signs will be properly shielded so that lighting does not affect abutting property owners, public streets, or dwellings located on the parcel. The application shall include information sufficient for the Commission to make a determination that the standards required herein are satisfied. All lighting shall conform to the Town of Montville Road Standard and Improvement Details.

9B.15 UTILITIES

- a. All utilities lines shall be located underground.
- b. The location and design of the proposed water supply systems shall be provided, including design calculations, materials specifications, hydrostatic testing procedures, and flow testing procedures. In accordance with Section 8-25a of the C.G.S. as may be amended from time to time, any development providing water by means of a “water company” as that term is defined in C.G.S. Section 16-262m(a), as may be amended from time to time, shall provide to the Commission a Certified Copy of a Certificate of Public Convenience and necessity issued for the development by the Connecticut Public Utility Regulatory Authority. The Town shall not be considered the water company for an approval unless it consents.

No application for Site Plan approval involving such a water company shall be deemed complete without said Certificate, unless the applicant shall provide a resolution of the Montville Town Council waiving said Certificate and agreeing to be responsible for the operation of the subject water company in the event that the company is at any time unable or unwilling to provide adequate service to its consumers.

- c. 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 (WPCA) that it is willing to and 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 may be from time to time, a report

from the WPCA indicating that all requirements of C.G.S. Statutes Section 7-246(f), as may be amended from time to time, have been satisfied shall be provided. For sites to be served with individual septic systems, the applicant shall provide a written report from the Town Sanitarian indicating that the site is capable of supporting the proposed development.

SECTION 14A: ROUTE 32 OVERLAY ZONE (OZ)

14A.1 PURPOSE

The intent if this Overlay Zone is to promote economic development.

14A.2 The Route 32 Overlay Zone consists of the following areas: all properties that abut Route 32 in Montville and all those parcels of land East of Route 32 and West of the Thames River, those parcels which have frontage on Route 163 East of I-395 in Montville; and all properties otherwise designed as such on the overlay insert map on the official Town of Montville Zoning Map.

14A.3 A mixture of permitted commercial uses and structures and/or residential dwelling units may be permitted in the Route 32 Overlay Zone provided that:

- a. Multifamily dwellings and apartments may be built and/or commercial structures which are allowed in any commercial zone in Montville. Multiple structures are permitted on any lot.
- b. No residential units shall be allowed in basements.
- c. Dwelling units shall have a minimum floor area of five hundred square feet (500sqft).
- d. All living units shall require two (2) parking spaces except as otherwise approved by the Commission pursuant to Section 18.2.2 of these Regulations.
- e. Plans shall be submitted in accordance with Section 17 of these Regulations.