

TOWN OF MONTVILLE
Department of Land Use & Development
Prepared by Meredith Badalucca 11/25/24

Property Address: 25 Church Lane Parcel ID: 095-003-001

Application: 24SITE12

Property Owner/Applicant: MTIC Acquisitions, LLC

LS: Steven R. Marien, LS

Lot Size: +/- 1.74 Acres (75,825 square feet)

Lot Frontage: 28.96 +/- feet on Church Lane

Zoning District: R20 and Route 32 Overlay Zone (OZ).

Public Water/Sewer: Yes, existing connection

Flood Hazard Zone: No

CAM Zone: No

Public Water Supply Watershed: No.

Proposed Public Improvements: Applicant is proposing to use the existing curb cut that served the single family residence. This will need to be re-addressed based on staff and agency comments.

Site Restoration Bond: Applicant has indicated a bond is not needed as they are proposing no exterior site work. This will need to be re-addressed when staff receives applicant responses to staff and agency comments.

Site Visit: Completed by ZEO Radford and myself on 11/26/24. Photos attached.

Legal: Submitted to Land Use Dept. on 11/22/24. Date of Receipt by PZC 12/10/24, Decision Required Date – 2/13/25.

Proposal: Change of use from single family residence to business/professional office to be used by the Language Department of the Mohegan Tribe of Indians of Connecticut which may also hold small weekly Mohegan immersion classes for Mohegan families. The applicant states there are currently 5 full-time on-site employees in the department who usually work Monday through Friday from 8:30 to 4:30 with an occasional weeknight or weekend day language class. The classes would likely have five to ten participants.

Background:

The current use of the property is residential and is developed with a single-family residence, garage, deck and inground pool.

- 4/28/1995 – ZBA application number 95ZBA7 for a 71.19 foot frontage variance
- 2001 – Zoning permit 201ZP233 for a single-family residence
- 6/28/2007 – Home Occupation permit 207HOME11 for Debbie's Facials, Etc. This application was approved by the PZC on 6/26/07.
- 3/7/2011 – Building permit for finished basement with half bath

Staff Comments/Review:

This property is located in the R20 zoning district and is included in the Route 32 Overlay Zone. The Route 32 Overlay Zone Zoning Regulation (ZR) section 14A.3 a.

allows for commercial structures which are allowed in any commercial zone in Montville. The C-1 zoning district ZR section 10.2.3 list business and professional offices as a permitted use. Our ZR do not define professional offices. The definition provided by American Legal Publishing is as follows: ““Professional Office” means an office of a practitioner or practitioners of a specific occupation, vocation or calling in which a professed knowledge of some department of science or learning, not purely commercial, mechanical or agricultural, is used in its practical application to the affairs of other, either by advising or by guiding them in serving their interests or welfare. Such uses includes, but are not limited to, office of medical doctors, dentists, engineers, surveyors, city planners, lawyers, real estate brokers, insurance agents, architects, landscape architects, optometrists, and chiropractors, and other like and similar uses.” Law Insider defines professional office as “Professional offices means an office maintained and used as a place of business by individuals in licensed professions and generally recognized professions which utilize training or knowledge in the mental disciplines as distinguished from occupations primarily oriented to manual skills or the handling of commodities.”

C-1 ZR section 10.9 states “Off-street parking, including shared parking, shall be provided for each lot in this district in accordance with the provisions of Section 18 of these Regulations.” Shared parking is not defined in our regulations. Law Insider defines shared parking as “parking spaces used to meet the parking mandates for two or more uses, structures, or parcels of land, to the extent that the owners or operators show the overall demand for parking spaces can be met by the shared parking.”. The applicant shall provide how the parking demands of each site will be met as indicated in the technical review comments.

ZR section 18.3.3 states “For Business or Professional Office or Governmental Office Space: One (1) space for each two hundred fifty square feet (250sqft) of gross floor space.” The applicant states the finished interior space is 3,065 sq ft. Therefore, 13 parking space will be required. See technical review comments.

ZR section 18.5 LOCATION OF REQUIRED PARKING SPACES states “Required parking facilities shall be located on the same lot as the dwelling unit, building, or on the use which they serve except as noted in these Regulations. The applicant must provide the minimum number of parking spaces required by these Regulations. The Commission shall limit the number of spaces to those required by these Regulations for the proposed use except as noted in these Regulations.

The Commission may approve parking on a noncontiguous lot if the Applicant supplies sufficient evidence that the lot is under the control of the Applicant/Owner by way of easement, lease or ownership. It shall be the Applicant/Owner responsibility to maintain easement, lease or ownership to run concurrent with the approved project.”

The proposed 13 off-site parking spaces do not appear to be under the ownership of 25 Church Lane. Six appear to be in the Town right of way and seven appear to be on the property of 18 Church Lane. The applicant shall address.

ZR section 4.10.1.A states “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.”. The adjacent church at 27 Church Lane is on land that is in trust for the Mohegan Tribe of Indians of Connecticut. Sidewalks should be provided from all parking to the building.

Staff Technical Review Comments:

1. Include lot size and total acres on application.
2. Per ZR section 17.2.6, provide an 8 ½” x 11” photocopy of a USGS Quad Map
3. Clarify if any signage is proposed.
4. Clarify the parking needs of 27 Church Lane and hours of operation and indicate how the parking demand for both 25 & 27 Church Lane will be met and not conflict with one another.
5. Clarify how trash removal will be handled as no dumpster is indicated on the site plan.
6. Show any off site parking that requires the use of access drive. See last picture for further explanation.
7. Provide “Location, size, height, lighting, and orientation of all signs.” Per ZR section 17.4.14. If none are proposed, please indicate.
8. Provide interior layout per ZR section 17.4.18 “Building elevations or preliminary architectural drawings showing the general type of building proposed for construction.”.
9. Per ZR section 18.5 as quoted above, parking spaces shall be located on the same lot or a lot under the control of the applicant/owner. They do not appear to be under that control of the applicant/owner. Please clarify.
10. Revise plans to show a minimum of 24’ width access drives and clearly mark entrances and exits per ZR section 18.8.1 “The entrances and exits to all parking areas shall be clearly marked. Access drives for one way traffic shall have minimum width of fourteen feet (14’) where one way traffic is anticipated and a minimum width of twenty-four feet (24’) where two way traffic is anticipated.”.
11. Revise plan to show 5’ extension of dead end parking per ZR section 18.8.2 “All parking spaces in parking areas of more than fifteen (15) cars and all loading spaces shall be so located that vehicles entering or leaving such spaces do not block any entrance drive to the parking facility. In addition, all parking spaces shall be entered and exited along interior drives arranged perpendicular to access drives wherever possible. No parking shall be permitted along access drives within forty feet (40’) of the street line and at greater distances as may be required by the Commission depending on the traffic generation and parking lot size. Dead end parking aisle interior drives shall be extended five feet (5’) further than the last parking space to allow movement of a vehicle in and out of a parking space.”

12. Revise notes to include property maintenance per ZR section 18.10 “The owner of the property used for parking and/or loading shall maintain such area and all required sidewalks and buffer areas in good conditions without holes and free of all dust, trash, and other debris.”
13. Revise plan to show lighting per ZR section 18.14 “Adequate lighting shall be provided in all lots of more than fifteen (15) spaces except where the Commission may determine that such parking areas will never be used at night. Required lighting shall be arranged and installed to minimize glare on adjacent property, and adjacent streets and highways. Full cutoff luminaires shall be installed where commercial or industrial uses abut residential Districts or uses. In this instance all external lights shall be fitted with opaque shilling which shall prevent direct light emission above a horizontal plane through the luminaire’s lowest light emitting part.”
14. Provide detail sheet for signage, lighting, ADA parking requirements and dumpster enclosure.

Agency Comments:

Town Engineer:	See comments dated 11/25/24
Fire Marshal:	See comments dated 11/25/24
Building:	See comments dated 11/25/24
WPCA:	11/25/24 comments “There is water and sewer hooked up. No concerns unless they add bathrooms.”
Uncas Health:	11/25/24 comments: “If they decide to open the pool, it will likely become a Public Pool and will need to go through the State Health Department for approval + registration through the Health District.”
Police Department:	11/25/24 comments “No issues or concerns from the Police Department.”







Dead end parking
requires 5' ext.



Off site parking potentially
in town ROW and on
neighboring property.



Clarify if this parking is
used by 27 Church and
show on site plan.

