

**TOWN OF MONTVILLE
LAND USE AND DEVELOPMENT OFFICE
310 Norwich-New London Turnpike, Uncasville, CT 06382**

Prepared by Meredith Badalucca, Asst. Planner on December 5, 2024

Property Address: 1365 Old Colchester Road, Parcel ID: 044-008-000, Oakdale, CT
Application: 24 SITE 13
Applicant: James Thomas
Property Owner: James & Brianna Thomas
Land Surveyor: Richard A. Deschamps, LS
Lot Size: +/-127,595 square feet
Lot Frontage: 265.54 feet on Old Colchester Road
Zoning District: R-120, part of an approved cluster subdivision with 25% reductions as explained below.
Public Water/Sewer: No. On-site well and septic system.
Wetlands/Watercourses: No.
Flood Hazard Zone: No.
CAM Zone: No.
Public Water Supply Watershed: No
Proposed Public Improvements: Yes, curb cut on Old Colchester Rd.
Site Inspection: Performed by myself and ZEO Radford on December 4, 2024. See attached photos.
Legal: Submitted to Land Use Dept. on 11/25/24. Date of Receipt by PZC: 12/10/24.
Decision Required Date: 2/13/25.

Proposal: The applicant is proposing to construct a four bedroom, single-family dwelling unit and detached 34' x 42' (1,428 sq. ft.) three-car garage with a two bedroom accessory dwelling unit (in-law apartment) and storage area on the second floor of the garage. The accessory dwelling unit is approximately 26' x 34' (884 sq. ft.) and the proposed storage area is approximately 16' x 34' (544 sq. ft.).

Background: This is an undeveloped parcel that was created as part of the Oxiby Farms Cluster Subdivision that was approved on August 22, 2000. As this is a cluster subdivision, the requirements for frontage, front yard, side yard and rear yard setbacks are reduced by 25%. These reductions are indicated on the site plan titled "Septic System Design Plan Prepared for James E. & Brianna Thomas, 1365 Old Colchester Road & Oxoboxo Dam Road, Montville, CT, Prepared by Advanced Surveys, LLC, Dated: 7/28/24, Revised 11/21/24."

Staff Comments: The application is for the construction of a 34' x 42' (1,428 sq. ft.) detached three car garage. Above the garage on the second floor, the applicant is proposing an 884 sq. ft. accessory dwelling unit (in-law apartment) and 544 sq. ft. storage area. Per Zoning Regulation Section 4.2, accessory buildings over 1,200 sq. ft. require the approval of the Planning and Zoning Commission. The location and height of garage meet the requirements of the R-120 cluster subdivision as stated above.

Per ZR definition of dwelling, accessory unit (in-law apartment), Units over garages may exceed eight hundred (800sqft), but may not exceed the garage roof line. Therefore, the

applicant has revised the original plan that included a proposed deck off of the second floor accessory dwelling unit as it extended beyond the roof line.

4.2.2 Applications for permitted single-family dwellings, two-family dwellings, accessory buildings (not to exceed 1,200 sq. ft.), inground swimming pools, additions or reductions to such buildings (not to exceed 1,200 sq. ft.) on any residential lots and accessory buildings or expansions of; or additions to other existing conforming commercial and industrial uses provided that such building or expansions do not exceed one thousand square feet (1,000 sq. ft.), and such other uses as herein prescribed by these Regulations, may be approved by the Enforcement Officer provided they meet the requirements of these Regulations and do not affect the number of parking spaces, stormwater flow or stormwater quality. The Enforcement Officer may require an appropriate plan prepared, signed and sealed by a licensed land surveyor or registered professional engineer to ensure compliance with these Regulations. The Enforcement Officer may further require that location markers for the building foundation be set by a licensed land surveyor in accordance with the plot plan prior to commencement of construction.

DWELLING, ACCESSORY UNIT (IN-LAW APARTMENT): A dwelling unit which is interior to a single family house, or an addition to the side or rear of the house, or over a garage, which meets zoning setbacks, has a common utility meter with the single family- house and does not exceed eight hundred (800sqft). Units over garages may exceed eight hundred (800sqft), but may not exceed the garage roof line.

Agency Comments:

Building: See comments dated 11/25/24

Uncas Health: See comments dated 12/5/24

Public Works: See comments dated 12/5/24

Fire Marshal: See comments dated 11/25/24

SUGGESTED MOTION FOR ANY FAVORABLE APPROVAL:

I make a MOTION to APPROVE Application 24 SITE 13 to construct a 34' x 42' (1,428 sq. ft.) detached tree car garage with accessory dwelling unit (in-law apartment) and storage area on the second floor as an accessory structure to the single-family residence in accordance with the Montville Zoning Regulations and the application, supporting documentation and a plan set entitled "Septic System Design Plan Prepared for James E. & Brianna Thomas, 1365 Old Colchester Road & Oxoboxo Dam Road, Montville, CT, Prepared by Advanced Surveys, LLC, Dated: 7/28/24, Revised 11/21/24."







