

**TOWN OF MONTVILLE**  
**Department of Land Use & Development**  
Staff Report  
Prepared by Meredith Badalucca on May 21, 2025

**Property Address:** 393 Butlertown Road (005-027-004)  
**Application:** 25 SITE 4  
**Property Owner:** 393 Butlertown, LLC  
**Applicant:** Same  
**PE:** Ellen Bartlett, P.E., Green Site Design, LLC  
**Lot Size:** 2.175 +/- Acres  
**Lot Frontage:** 197 +/- feet  
**Zoning District:** LI (Light Industrial)  
**Public Water/Sewer:** No  
**Flood Hazard Zone:** No  
**CAM Zone:** No  
**Public Water Supply Watershed:** No.  
**Erosion & Sediment Control Bond:** \$36,503.50  
**Legal:** Submitted to Land Use Dept. on 4/24/25. Date of Receipt by PZC 5/27/25, Decision Required Date – 7/31/25.  
**Site Inspection:** Site visit completed on 3/28/25 and 5/2/25 by ZEO Radford and myself.

**Proposal:** To construct a 100' x 160' building for off-season equipment storage and associated site improvements.

**Background:**

2004 – Lombardi Business Park Subdivision  
3/6/17 – Undeveloped parcel purchased by Advanced Improvements, LLC  
8/15/18 – ZEO Woodlock observed site activity without required permits and called owner who stated they would be in for permits.  
9/16/18 – Notice of Violation Letter sent  
11/8/18 – Cease & Desist order issued, site plan with E&S control plan required within 10 days  
4/23/19 – Site Plan application on PZC agenda  
6/25/19 – 219 SITE 6 for 10,000 sf building and associated parking approved by PZC, C&D order will not be lifted until bond is received.  
10/2021 – ZEO Williams received complaint regarding activity, no permits issued, bond not received  
12/6/21 - \$2,000 bond received  
12/8/21 – 221 ZP 183 issued in accordance with approved site plan application 219 SITE 6  
10/18/24 – ZEO Radford did inspection and discovered a landscaping business operating without proper permits and a considerable change in the site since previous inspection, no CZC issued for site plan approval, email sent to owner  
12/4/24 – Notice of Apparent Violation issued  
1/6/25 – Site inspection revealed landscaping business has relocated however, other violations still exist  
2/26/25 – Property purchased by 393 Butlertown LLC  
3/28/25 – Inspection shows current owner is working on addressing violations by removing debris

4/24/25 – Site plan application number 25 SITE 4 for off-season equipment storage facility received. Will be placed on the 5/27/25 PZC agenda.

5/2/25 – Inspection shows almost all of the piles of debris have been removed.

**Staff Comments/Review:**

The property is located in the Light Industrial Zoning District. The proposed use of off-season equipment storage is allowed per ZR 12.2.5 (Warehousing, wholesale businesses, interior or exterior storage).

ZR Section 4.11.5.5 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 sidewalks interconnect 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.” There are currently no sidewalks on the adjacent street in the area of this parcel. Therefore, staff feels this section is not applicable.

The parking lot area for the proposed project is under 80,000 sf. Our ZR do not require any landscaping for parking lots less than 80,000 sf. The applicant has provided a landscaping schedule as shown on the plan on sheet 2 even though they are not required to do so. This will provide screening for the adjacent lot that is zoned light industrial which currently has a residential use.

The applicant does not propose any signage at this time. Should they require signage in the future, a zoning permit will be required.

Staff inquired about the proposed use of the approximately 19' x 20' area shown on the floor plans, as well as, the 19' x 35' 6" mezzanine area. The applicant has indicated the lower level area will be used as an entrance and equipment record storage. The mezzanine area will be used for storage of small equipment.

ZR Section 18.8.4 states: “Driveways in commercial and industrial districts shall not be more than thirty feet (30') wide at the right-of-way line and fifty five feet (55') wide at the curb line. Greater widths may be permitted where, in the opinion of the Commission, they are necessary to accommodate traffic volumes or movements, public safety requirements, or larger vehicles. Each parcel within these districts shall be entitled to one (1) driveway where the property has two hundred feet (200') of frontage or less, and additional driveways only when permitted and approved by the Commission on the site plan.”. The plan indicates 35' wide at the right-of-way and 65' wide at the curb line. Staff requested the applicant indicate the need for a wider driveway and they have stated it is needed for the large trucks and equipment to turn into the site from Butlertown Road without swinging out into on coming traffic. Staff has brought this to the attention of the Public Works Director and he does not have an issue with the wider driveway. Staff also believes this is a reasonable request of the Commission.

Per ZR Section 17.4.9 and 18.4.1, the applicant has shown outdoor storage and truck storage areas on the plan. They do intend to use some of the front parking spaces for storage at times, as the only people on site will be employees, transitioning the equipment during the fall and spring.

Per ZR Section 18.3, "A Parking plan may be submitted by a Connecticut Licensed Professional engineer which has been review and approved by the Town Engineer and the Director of Planning in lieu of parking requirements listed in Section 18.3". As shown on the plan the required number of spaces is 16.6 and 16 parking spaces have been provided. As stated above, the employees will only be on site while transitioning the equipment during the fall and spring. The plan has been reviewed by Boundaries, LLC as the acting Town Engineer. Staff feels as though 16 spaces are adequate for this use. Should the use change in the future, a site plan would be required that incorporates the appropriate number of parking spaces for the proposed use.

**Staff Technical Review Comments:**

All of my previous technical review comments have been addressed.

**Agency Comments:**

Town Engineer:	Comments dated 5/19/25 "Responses have been received to all previous comments."
Fire Marshal:	Comments dated 4/25/25 "The Fire Marshal's Office has no comment at this time."
Building:	See comments dated 4/28/25
Uncas Health:	See comments dated 5/21/25
Public Works:	Referred on 4/25/25
Police Department:	Comments dated 4/25/25 "The Montville Police Department has no issues, at this time, with the project."

**SUGGESTED MOTION FOR ANY FAVORABLE APPROVAL:**

I make a MOTION to APPROVE with conditions, application number 25 SITE 4 for the construction of an off-season equipment storage facility and site improvements at 393 Butlertown Road (005-027-004) in accordance with the Montville Zoning Regulations and the application, supporting documentation and a plan set entitled "Off-Season Equipment Storage, 393 Butlertown Road, Oakdale, CT, Prepared by Green Site Design, LLC, Dated March 2025, Revised May 13, 2025".

**CONDITIONS:**

**General Conditions:**

1. This approval is for the specific use, site and structure(s) identified in the application. Any change in the nature of use, site or the structure will require new approvals from the Planning and Zoning Commission.
2. This project shall be constructed and maintained in accordance with the referenced plans.
3. Soil erosion and sediment controls shall be installed in accordance with the approved plan set and inspected by the Zoning Officer prior to the start of any work.
4. An approved Zoning Permit is required prior to the start of any work.
5. By acceptance of this permit and conditions, the applicant and owner acknowledge the right of Town staff to periodically enter upon the subject property for the purpose of determining compliance with the terms of this approval.

6. No business/use under this permit/approval shall be initiated until a Certificate of Zoning Compliance is approved by the Zoning Officer.

Site Specific Conditions:

7. All drainage structures proposed for the project shall be constructed and maintained post construction in accordance with the approved Plan Set.
8. All landscaping shall be maintained post construction.
9. Owner of 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.
10. Site signage not shown on plan shall require an approved zoning permit prior to installation.
11. Building location shall be staked out by Licensed Land Surveyor.
12. Silt fence in close proximity of property lines shall be staked out by Licensed Land Surveyor.

Conditions to be met prior to signing of plans:

13. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
14. The applicant shall also submit final plans as approved by the Commission in a digital format per ZR section 17.3.
15. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
16. A list outlining all changes to the plans shall be submitted along with final plans submitted for signature. The list should cite the sheet number where each change has been made.

Conditions to be met prior to the issuance of zoning permits:

17. Four (4) sets of paper plans with any required revisions incorporated, shall be submitted to the Land Use Department for signature of the Commission.
18. Any required certificates and/or approvals from State or Federal agencies (i.e. CT-DOT, DEEP, Army Corps of Engineers) shall be obtained by the applicant and submitted to the Land Use & Development Office. Any changes to the plans required by such entities may require a plan modification from the Planning and Zoning Commission.
19. A soil erosion & sediment control bond shall be posted in the amount of \$36,503.50 in a form acceptable to the Finance Director. No bond, or portion thereof, shall be released without prior approval of the Zoning Officer and/or Director of Land Use & Development.
20. A pre-construction meeting between the applicant, site contractors, project engineer and Town Staff shall be held.

Conditions which must be met prior to Issuance of a Certificate of Zoning Compliance:

21. Complete as-built plans certified to Class A-2 accuracy shall be submitted prior to the issuance of any certificate of zoning compliance. The as-built plan shall also contain a certification by a Professional Engineer that they have inspected the site

improvements and that they have been installed in accordance with the approved plans. Any deviations or omissions must be noted.

22. No Certificate of Occupancy or other final approval may be issued until the Zoning Officer has signed off on the final work.

Note: The Conditions of Approval do not take the place of other requirements found in the Town Codes, Regulations, and Application Instructions.

Should the Commission vote to **DENY** the application, it shall state its reasons on the record.

## Building Official's Comments

**Date:** 04-28-2025

**Project Address:** Butlertown Rd, 393, 25 site 4

**Project Name:** B and W Paving Storage Facility

**Reviewer:** Doug Colter, Building Official

*Upon review of land use documents submitted to the town planning officials, the Building Official notes the following:*

- 1.) The unit proposed is considered S-1 Storage, Motor Vehicle under the CT State Building Code.
- 2.) Fire suppression Sprinklers are required in this use group where the fire area exceeds 6,000 square feet.
- 3.) Any retaining walls over 3' in height require engineering and a building permit
- 4.) Site storm water drainage infrastructure is governed by the IPC portion of the CT State Building Code, requires a permit and a licensed plumbing contractor
- 5.) Building Code regulation of the sewer and water line infrastructure begins where the WPCA defines their regulatory demarcation, or in the case of Septic, where the Uncas Health District jurisdiction ends.
- 6.) If no floor drains are planned, the floor must pitch to the doorway, and consideration of collection and treatment of water run-off by the site storm water collection system should be considered. (oil water separator, etc.)
- 7.) If there is no sanitary sewer, any planned floor drains are required by the 2022 CSBC to be piped to a holding tank for frequent pump out and trucked to a wastewater treatment facility
- 8.) Site lighting is regulated by the 2022 CSBC for full cut off fixtures, maximum lighting power, and lighting controls. There is insufficient information on the land use plans to determine compliance.

*These comments should be considered a preliminary courtesy review, and not a thorough review under the auspices of the CT State Building Code. These are not exhaustive or limiting comments, do not create an estoppel, and are not an approval. A formal Building Permit application accompanied by Construction Documents per CT State Statutes and the CT State Building Code are required for a formal review, and work is not authorized until a Building Permit is issued by the Building Official. It is the applicant's responsibility to coordinate State and Town requirements at the time of application for approvals.*



May 21, 2025

Subject: 393 Butlertown Road, Montville, CT review of engineered plans for a commercial subsurface sewage disposal system, dated 5/13/25.

To: 393 Butlertown LLC, James Wray (Principal)

From: Alyssa Brochu, REHS/R.S., Environmental Sanitarian

Engineer: Ellen Bartlett, P.E.

Date received: May 13, 2025

**Reason for submission:** ☐ Minimum perc rate faster than 1 min/inch

☐ High maximum ground water level ☐ Shallow ledge rock ☐ Other

☒ New construction ☐ Repair

**Basis of design:** 16,000 sf construction equipment storage, maximum 20 employees  
20 x 20 = 400gpd  
400 gpd / .7 = 571.4sf ELA required  
778.8sf provided

**Design specifications:**

MLSS: ? dependent on slope clarification Ft. required, 132 Ft. provided Design perc rate: 41 Min/Inch

Septic tank: 1,000 Gallons

Fill: ~1 foot

Leaching system: 1 row of 132' of 12" high galleries @ 5.9sf/lf, providing 778.80 sf; 571.4 sf required

Drains: Footing, outlet off the NW corner of the building – drains surrounding entire building (roof drain/oil separator) with various catch basins surrounding

Water supply: Proposed well off the SW corner of the building

**Plan review only, not approval to construct**

☐ Approved

☒ Approved with modifications & provisions noted.

☐ Conditional approval subject to further testing as noted (*additional test holes are required*).

☐ Conditional approval with modifications or provisions noted (*revised plan required*).

☐ Approval denied, revise as noted (*revised plan required*).

☐ Approval denied, insufficient information on plan (*revised plan required*).

☐ Approval denied, further site investigation required.

**Comments:**

1] Clarify slope in the area of the system, from the subdivision plan the slope is 2.9%, however, on the revised plan it states that it is 3.1%. This changes the required MLSS.

2] The septic tank is H2O loaded, will the galleries be H2O loaded? Provide finished grade.

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3] Prior to the start of construction, the building, well, and system are to be staked & a benchmark set in the area of the system by a licensed surveyor.

**C. Engineer + Town of Montville Staff**

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# Town of Montville Inspection Report

Date: 1/6/2025 Inspection Type: Zoning Permit Inspection/CZC

MS4/ Erosion and Sediment Control Inspection Yes No  
☒ ☐

Location: 393 Butlertown Road Map/Lot/Block: 005-027-004

Parties Choose Choose Choose Choose Choose an Stacy Radford  
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Yes No  
CZC Approved ☐ ☒

## Comments/Observations

Did site inspection in accordance with zoning violation on property. Tenant is no longer on site but the site still requires attention to bring it back to the approved condition in accordance with 219 SITE 6 and ZP #: 221 ZP 183.

Zoning Violation remains OPEN.

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# Town of Montville Inspection Report

Date: 3/28/2025 Inspection Type: Zoning Permit Inspection/CZC

MS4/ Erosion and Sediment Control Inspection Yes No  
☒ ☐

Location: 393 Butlertown Road Map/Lot/Block: 005-027-004

Parties Choose Choose Choose Choose Choose an Stacy Radford  
Present an an an an item. Meredith Badalucca  
item. item. item. item.  
Click here to enter text.  
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Yes No  
CZC Approved ☐ ☒

## Comments/Observations

Did site inspection as a follow up of present zoning violation.

# Town of Montville Inspection Report





# Town of Montville Inspection Report





# Town of Montville Inspection Report





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# Town of Montville Inspection Report





# Town of Montville Inspection Report

Date: 5/2/2025 Inspection Type: Zoning Permit Inspection/CZC

MS4/ Erosion and Sediment Control Inspection Yes No  
☒ ☐

Location: 393 Butlertown Road Map/Lot/Block: 005-027-004

Parties Choose Choose Choose Choose Choose an Stacy Radford  
Present an an an an item. Meredith Badalucca  
item. item. item. item. Click here to enter text.  
Click here to enter text.

Yes No  
CZC Approved ☐ ☒

## Comments/Observations

Did site inspection as a follow up of present zoning violation, as well as the pending Site Plan Application.

Almost all of the piles of debris (the purpose of the previous zoning violation) have been removed from the site. Work in progress.

Construction, anti-tracking pad is requested by the proposed Applicant/new property owner through their Engineer. Follow up inspection required.



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