

**TOWN OF MONTVILLE**  
**Department of Land Use & Development**  
**Staff Review Comments**  
**Prepared September 22, 2025 by Meredith Badaluca**

**Property Address:** 1080 Route 32 Parcel ID: 086-004-000  
**Application:** 25 SITE 7  
**Property Owner:** Drive-In LLC  
**Applicant:** Sammy P Inc., Principal Sammy Piotrkowski  
**LS:** Boundaries LLC, John Faulise Jr., LS  
**Lot Size:** 1,012,051 SF - 23.23 acres.  
**Zoning District:** C-2 (Commercial) and Route 32 Overlay Zone (OZ).  
**Public Water/Sewer:** This proposed development will not be connecting to public water or sewer and will use existing on-site well and septic. This application has been referred to both Uncas Health and the WPCA for review and comments.  
**Flood Hazard Zone:** Yes. A portion of the property is in Zone A. The work associated with this application is not proposed within this area.  
**CAM Zone:** Yes. A portion of the property is located within the Coastal Area Management Zone however, there are only minor changes in the limit of the new driveway and the planting of five Sugar Maples.  
**Public Water Supply Watershed:** No.  
**Proposed Public Improvements:** Applicant is proposing a minor change to the existing curb cut that served the previous drive-in theater use. An application was submitted to CT DOT District II on September 9, 2025, for a change of use for an existing curb cut.  
**Legal:** Submitted to Land Use Dept. on 9/9/25. Date of Receipt by PZC 9/23/25, Decision Required Date – 11/27/25.  
**Site Inspection:** Staff has done several inspections of the site as part of previous applications. ZEO Radford and myself most recently visited the site on September 18, 2025 as part of this application review. Pictures from that site visit are attached for the commission to review.  
**Bond:** Currently there is a bond of \$20,000 for zoning permit number 24 ZP 24 and a \$10,000 bond for zoning permit number 24 ZP 167. Staff has spoke to the town engineer who feels that the \$20,000 bond is sufficient for this application. Should this application be approved a new zoning permit will be required and the previous zoning permits will be closed. The bond can be transferred to the new zoning permit.

**Proposal:** The applicant is proposing to change the use of the existing building to an auction/sales space and use the site for an auction facility. Activities will include the gathering of equipment, vehicles and people for auctions including timed, live and private treaty sales as well as, marketing, advertising and promotion.

**Background:** The prior use of this property was a drive-in theater with two screens, two ticket booths and a building that housed the concessions and projector. The current owner, Drive-In LLC, purchased the property in February of 2024. On February 9, 2024 a zoning permit number 24ZP24 was issued for site clean up per “Schedule A”. A request

was made on August 22, 2024 for a revision to said zoning permit to include processed stone. This request was granted by the ZEO on August 23, 2024. On June 14, 2024 zoning permit number 24ZP98 was issued for the temporary stockpiling of millings with conditions per attached schedule A. These millings were proposed to be used as part of the 24 SITE 6 application for the proposed parking area. This commission approved 24 SITE 6 on August 27, 2024. This site plan approval was for an administrative office and accessory dry storage area for records and office materials/equipment. Therefore, zoning permit number 24ZP98 was closed on September 9, 2024 and zoning permit number 24ZP167 was issued for the implementation of 24 SITE 6.

**Staff Comments/Review:**

The property is located in the C2 zoning district and is included within the Route 32 Overlay Zone. The C2 zoning district ZR Section 11.2.1 allows for “activities involving the sale of goods or services carried out for a profit.”

The applicant is proposing a 12’ x 48’ temporary office trailer for use during construction of building improvements. Per ZR section 4.11.9.2, the trailer shall be removed within thirty days of project completion. The applicant has noted this on the site plan.

Per ZR section 18.14 (in part) “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.” Therefore, staff inquired if the auction patron parking area will be used at night. The applicant stated in their response letter dated September 19, 2025 “No auctions are intended to be scheduled at night.”

Per ZR section 18.16.1.1, the applicant has provided 101,472 +/- SF of landscaping as part of the proposed plan. This represents more than the required 10% of the 1,012,051 SF lot area. The landscaping schedule is provided on sheet 4 of the plans and the location of the plantings can be found on sheet 3.

The Town Engineer asked that the applicant show the anticipated number of patrons/vehicles for auctions, to show the number of available parking spaces on the gravel surface and how they interact with traffic patterns through the site, and how the traffic and parking will be managed onsite during live auction days. The applicant indicated in the response letter dated September 19, 2025, there are a total of 129 parking spaces, 112 available parking spaces on the gravel surface that will enter and exit via the gated gravel drives through the site. The applicant further indicated that auction staff will be present to direct traffic patterns for patrons on live auction days. Equipment scheduled for auction will be delivered to the site prior to live auction days without interaction with patrons.

The Town Engineer asked for additional clarification on the call outs labeled “future fences”. The applicant stated in part “Future fences will run along or in close proximity to the property boundary line and/or existing tree line to be installed in a convenient location to reduce additional clearing.”

There are several call outs on sheet 2 of the plan "Property Line as Depicted on Reference Map 1" and "Boundary Line Agreement Recommended". There is no proposed work in this area. This will need to be addressed for any work proposed in the future should it include this area.

The applicant is requesting a determination of applicability per ZR Section 17.5 from the Commission for the items listed below. The commission will need to determine if these site plan ingredients are necessary or required to reach a decision on the application.

1. 17.4.5 "Existing and proposed contour lines at five foot (5') intervals. The Town Planner or Town Engineer may require a two foot (2') contour interval in order to clearly show topography and drainage. "

Applicant states: No modifications to site grades are proposed. Minimal fine grading to accommodate ADA Parking is proposed to the rear of the building, see detail sheet 6.

2. 17.4.7 "Location of all existing watercourses, wetlands, public water supply watershed boundaries, bedrock, outcrops, and where appropriate, the mean high water line, flood hazard areas, and channel encroachment lines."

17.4.15 "The stormwater drainage system, including the location and evaluations of all existing and proposed street drainage facilities within one hundred feet (100') of the property. The Town Planner or Town Engineer may require additional information and / or details regarding off-site drainage features affected by, or impacting upon the proposed development. Stormwater management systems shall be designed in accordance with the 2004 Connecticut Stormwater Quality Manual as may be amended from time to time."

Applicant states: No inland wetland or watercourses are in close proximity to the work area, additionally the site maintains a wood chip perimeter berm nearly encompassing the work area. No drainage improvements are proposed the site remains nearly entirely a gravel surface and had previously been paved to accommodate in excess of 1,300 spaces for the previous drive-in theater use.

**Technical Review Comments:** All of my previous technical review comments have been addressed by the applicant.

### **Agency Comments**

Town Engineer: Comments dated 9/22/25 "All of my previous comments have been addressed."

Fire Marshal: Comments dated 9/15/25 "The Fire Marshal's office is requesting interior plans."

Building: See comments dated 9/15/25

WPCA: Comments dated 9/22/25 "WPCA has no comments at this time."

Uncas Health: Comments dated 9/16/25 "The above property meets the requirements of Section 19-13-B100a of the CT Public Health Code. Therefore, the proposed change of use to include office space an accessory storage is permissible."

Staff sent an email to clarify the proposed change of use of the site to an auction facility. The response was: "It is approvable based on that description too. The septic system is extremely oversized for their proposal."

Comments dated 9/22/25 "No further comments from UHD."

Police Dept: Comments dated 9/19/25 "The Montville Police Department doesn't see anything of concern on the plans in general. However, we do require that when there is any "construction", involving connection with or in the area involving Route 32, that all work be brought to the Montville Police Department for mandatory traffic control on Route 32 by a Police Officer(s)."

**SUGGESTED MOTION FOR DETERMINATION OF APPLICABILITY:**

I make a MOTION to find that ZR Sections 17.4.5, 17.4.7 and 17.4.15 for the reasons stated in the application materials and staff report dated September 22, 2025 are not necessary or required to reach a decision on Application 25 SITE 7.

**SUGGESTED MOTION FOR ANY FAVORABLE APPROVAL:**

I make a MOTION to APPROVE with condition numbers 1-20 as indicated in the staff report dated September 22, 2025, Application 25 SITE 7 for a change of use of the existing building to an auction/sales space and use the site for an auction facility at 1080 Route 32 (086/004/000) in accordance with the Montville Zoning Regulations and the application, supporting documentation and a plan set entitled "Site Development Modification Plan, Prepared for Sammy P, Inc., 1080 Norwich – New London Turnpike (CT Route #32) – Montville, Connecticut, Dated September 2025, Revised 9/18/25, Prepared by Boundaries, LLC".

**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. This shall include, storage of equipment to be auctioned.

Site Specific Conditions:

7. All landscaping shall be maintained post construction.
8. Site signage not shown on plan shall require an approved zoning permit prior to installation.
9. Accessible parking, the route from the accessible parking, striping, and any signage are regulated by the CT State Building Code.

Conditions to be met prior to signing of plans:

10. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
11. The applicant shall also submit final plans as approved by the Commission in a digital format per ZR section 17.3.
12. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
13. A list outlining any 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:

14. Four (4) sets of paper plans with any required revisions incorporated, shall be submitted to the Land Use Department for signature of the Commission.
15. 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.
16. A soil erosion & sediment control and Site Restoration bond shall be posted in the amount of \$20,000 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. Please see note in staff report dated September 22, 2025.
17. 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:

18. The temporary office trailer shall be removed prior to the issuance of the Certificate of Zoning Compliance and shall not be shown on the as-built plan.
19. 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.

20. 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:** 09-15-2025

**Project Address:** 1080 route 32

**Project Name:** Desautels

**Reviewer:** Doug Colter, Building Official

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

- 1.) Site lighting is regulated by the CT State Building Code
- 2.) Storm water piping systems require a plumbing permit
- 3.) The building renovation project is incomplete and requires a final inspection and issuance of a Certificate of Occupancy for a change of use/occupancy prior to occupying the structure. The owner is aware of the requirements.

*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.*

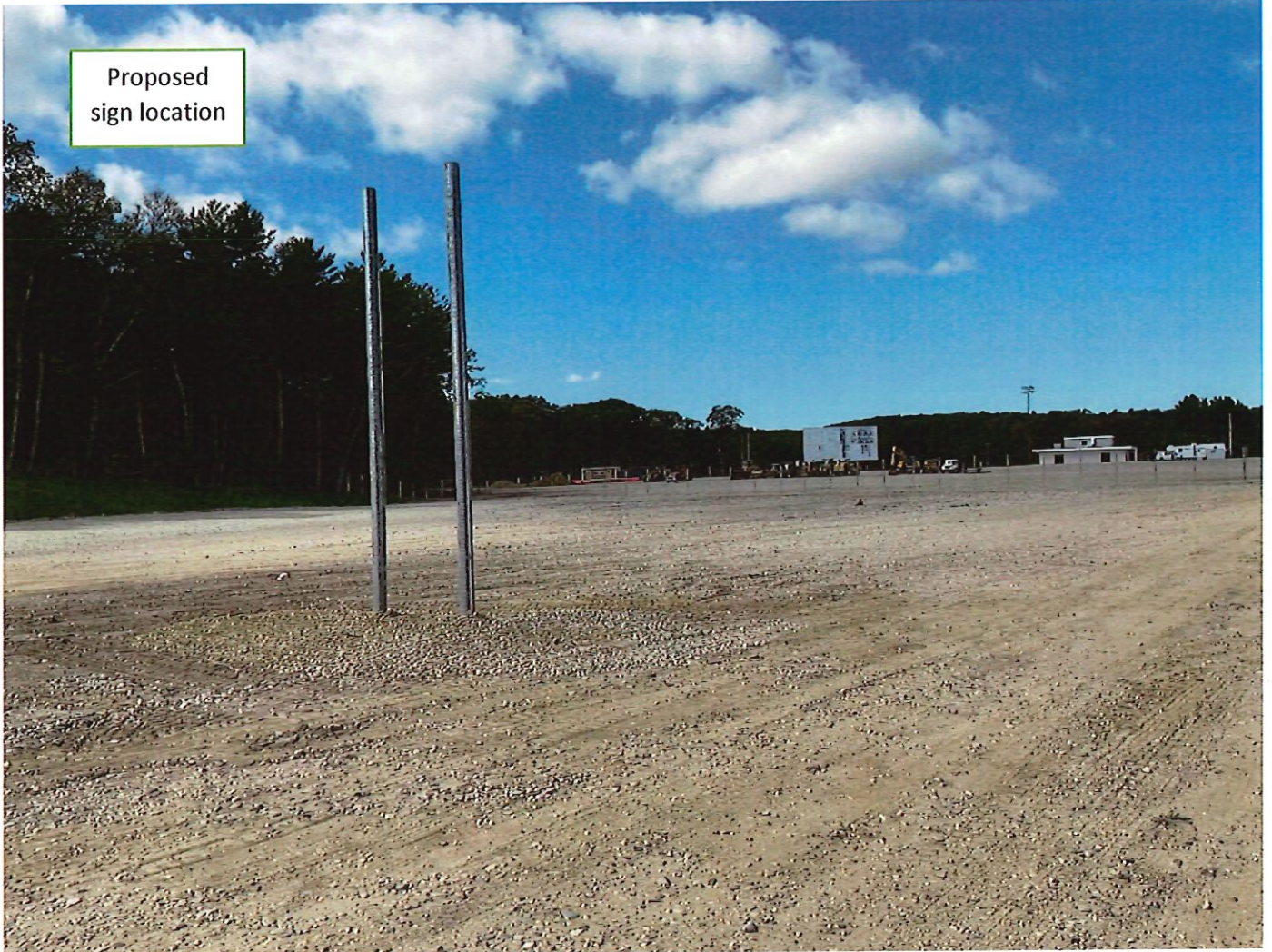
Facing Route 32 from site.







Proposed  
sign location





Former ticket booth to remain.



Wood chip berm to remain







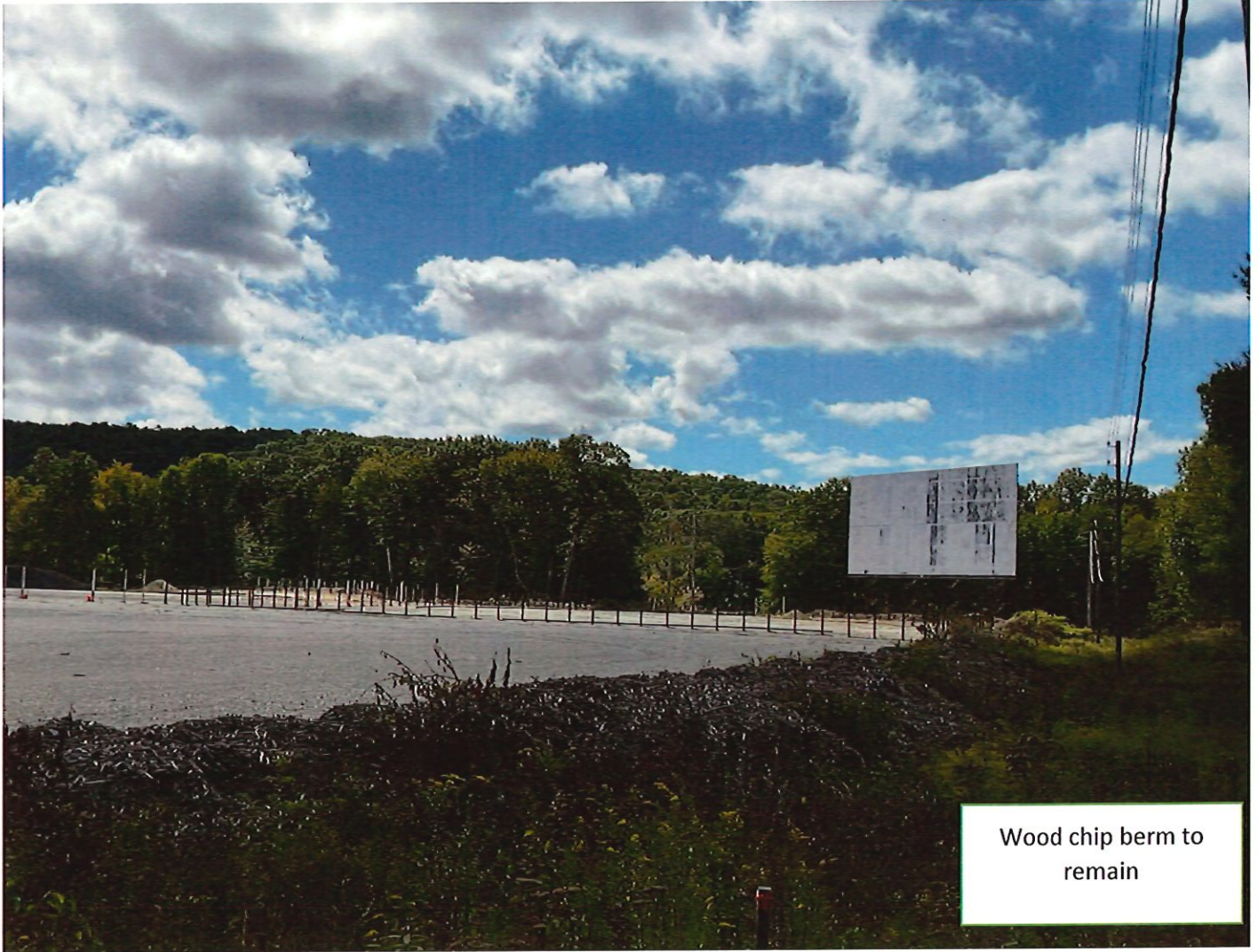




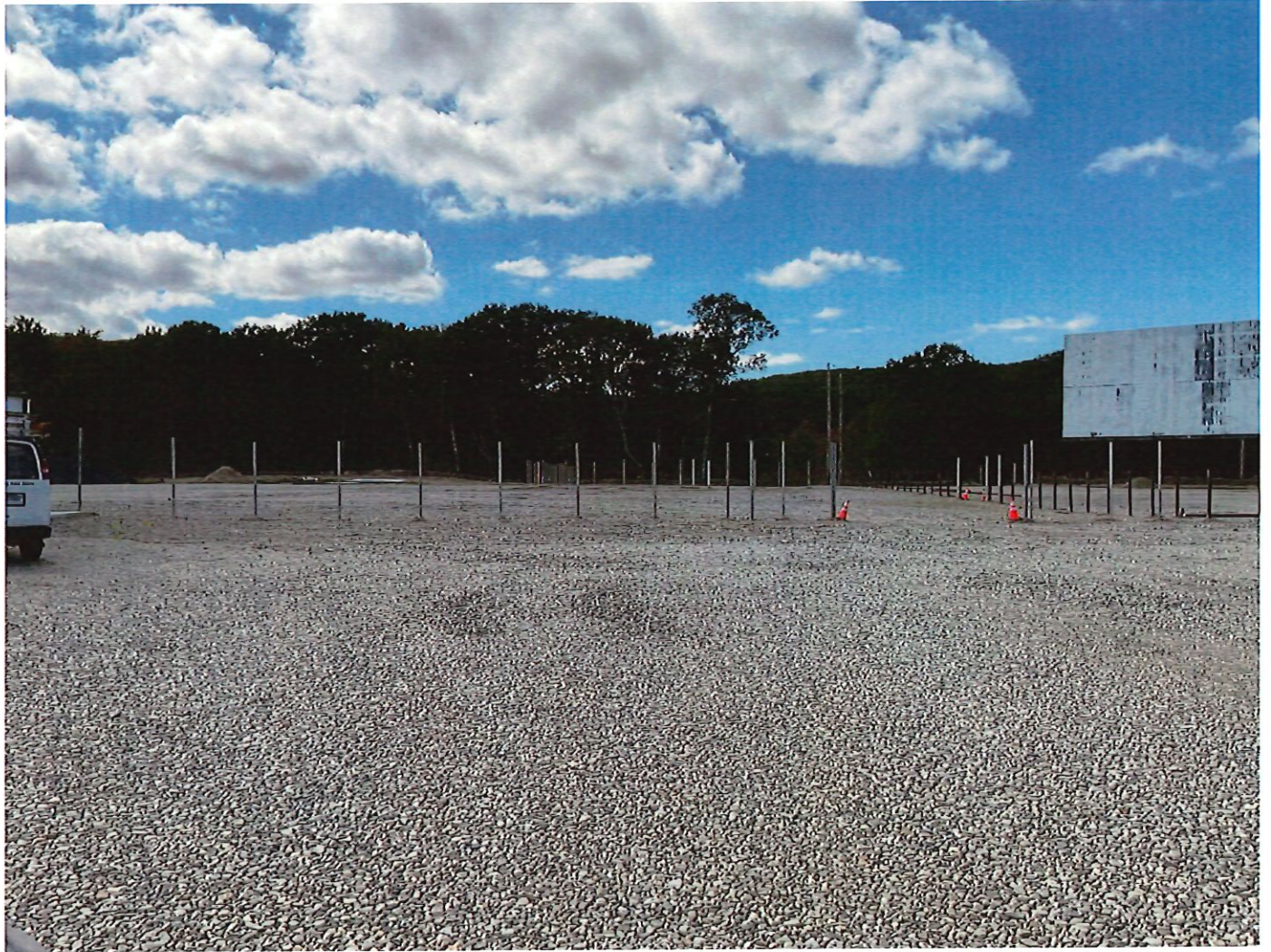




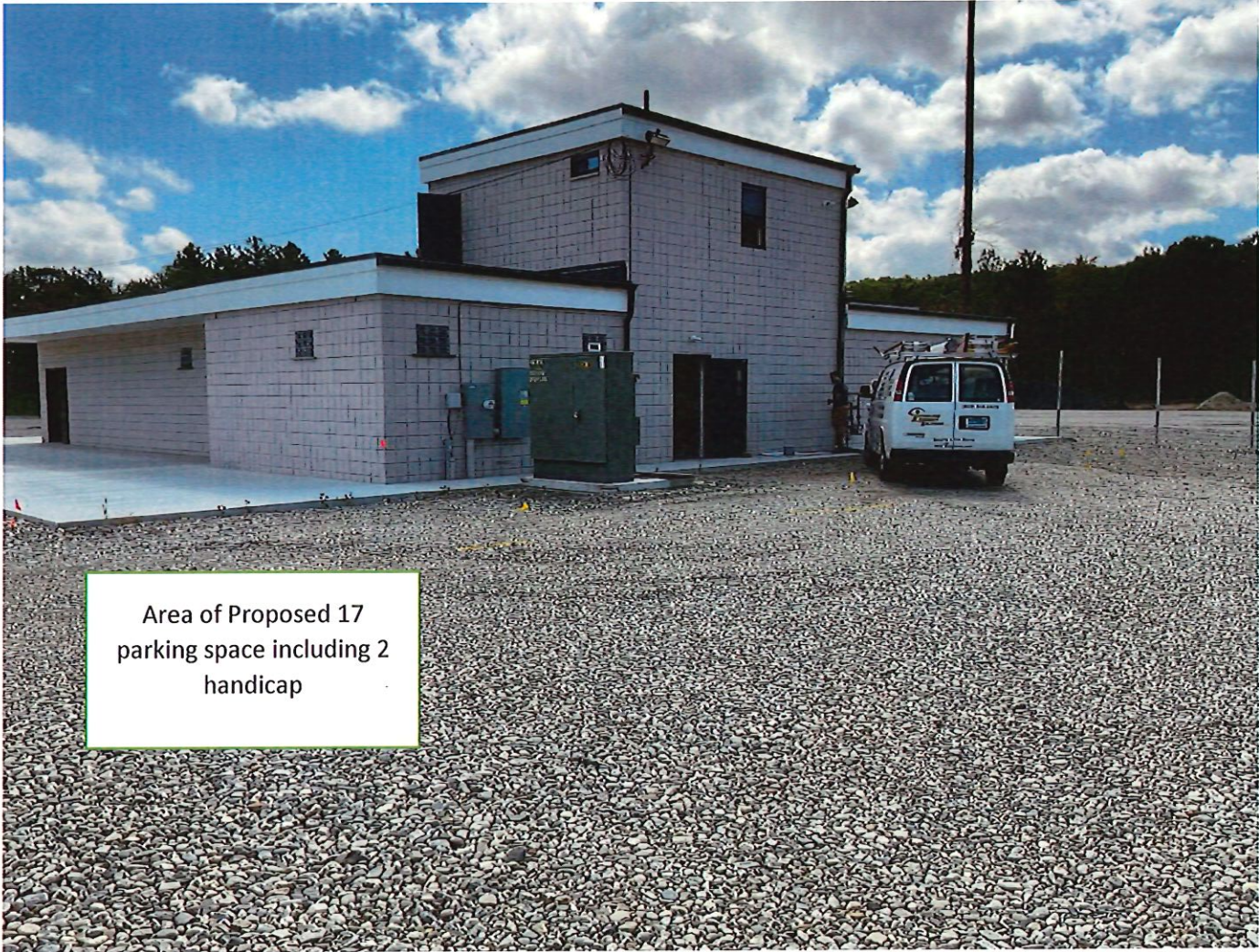




Wood chip berm to remain



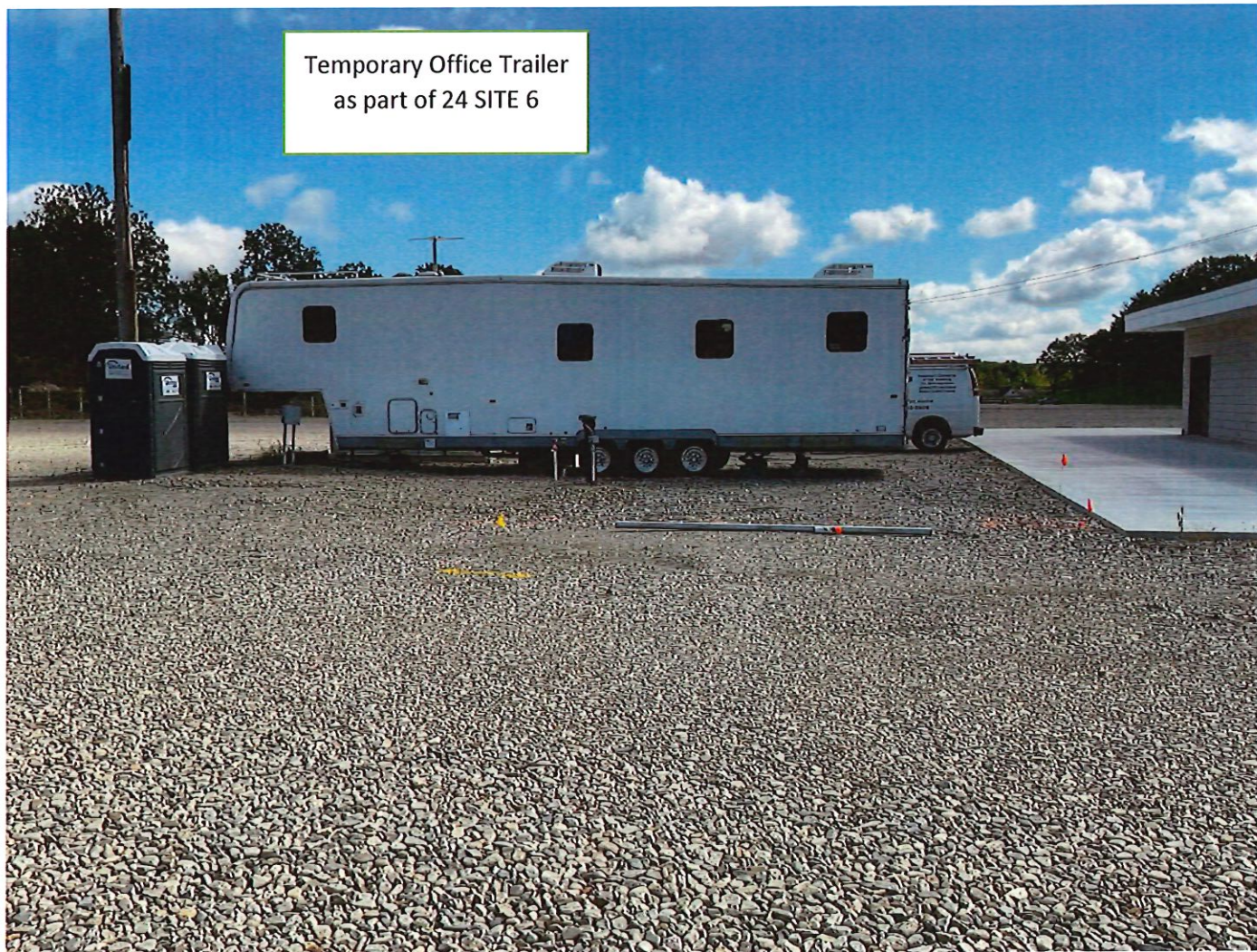






Town Engineer comment regarding gas meter and ADA access has been addressed by applicant.

Temporary Office Trailer  
as part of 24 SITE 6



Proposed auction patron  
parking area

