

TOWN OF MONTVILLE
Land Use & Development Department
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Staff Report Prepared by Meredith Badalucca on 10/14/25

C.G.S § 8-24 Referral: For discontinuance and sale of PTA Lane.

Staff received a request for a C.G.S. §8-24 review and report to the Town Council for the discontinuance and sale of PTA Lane from Mayor Bunnell on October 9, 2025. The Mayor stated in his request “The sale of this road is an essential part of a commercial development.”.

Background:

- 2/3/16 Letter from Town Planner Marcia Vlaun to William Caron indicating that at some point the town paved PTA Lane in its entirety which dead ends at Mohegan School. The surplus property was cut off from the school property and made into its own parcel; a Southern roadway line for PTA Lane had never been established. Marcia further stated in order to separate the road from the surplus land a general location survey which defines PTA Lane was prepared. She requested that this be added to the Public Works Subcommittee agenda. It does not appear that this was added to the agenda, as the following meetings were cancelled: 2/24/16, 3/23/26, 4/27/16. The May 25, 2016 agenda and minutes do not mention PTA Lane.
- 3/15/16 Map number 2546 “Town of Montville, Defining PTA Lane, General Location Survey, Prepared by CLA Engineers, Inc. dated 1/27/16” was filed on the Town of Montville Land Records
- 3/22/16 PZC completed a C.G.S. §8-24 review for acceptance of PTA Lane as a town road. Staff gave history of how it had never been accepted as a town road. PZC recommended to Town Council the acceptance of PTA Lane.
- 4/11/16 PTA Lane 0.3 miles was accepted as a town road.
THE TOWN OF MONTVILLE HEREBY RESOLVES under the provisions of section C304 (4) of the town charter to accept the following roads as public highways: PTA Lane, David Drive and Rebecca Court. (Councilor Rogulski) Motion by Councilor Tanner; seconded by Councilor Caron. Discussion: None. Roll call vote, 7-0, all in favor. Votes in Favor: Councilors Caron, Longton, May, Pollard, Rogulski, Tanner, and Jaskiewicz. Votes in Opposition: None. Motion carried.
- 5/28/19 PZC completed a §8-24 review to recommend to the Town Council the sale of 87 PTA Lane
- 6/10/19 Resolution #2019-41. THE TOWN OF MONTVILLE HEREBY RESOLVES to approve the favorable 8-24 review for the sale of property located at 87 PTA Lane (Map 99 Lot 89), as recommended by the Planning & Zoning Commission. (Councilor McNally) Motion made by Councilor Rogers and seconded by Councilor Pollard. Discussion: None; Roll Call Vote 6-0. Motion Carried
- 5/9/25 87 PTA Lane was sold.

Staff Comments:

Prior to the sale of 87 PTA Lane, staff brought to the Mayor's attention that the original deed included PTA Lane. Staff contacted CLA and had a new deed description written for any potential sale of 87 PTA Lane. This new description was filed on the land records as part of the sale on 5/9/25 as Book 713, Pages 1-5.

When the Mayor requested that this review be completed for the discontinuance and sale of PTA Lane, staff had further inquired about the "commercial development". The Mayor indicated that he did not have any additional information to provide.

Without further information as to which parcel(s) may be involved in the development, staff has provided information on all parcels that have frontage, a curb-cut or potential future frontage on PTA Lane.

- 1865 Route 32 (C1): Bonner Electric Site Plan Application for building additions and parking lot approved on August 10, 1983 by the PZC. The approved plan, revised 8/6/93, indicates frontage on both Route 32 and PTA Lane, as well as, a curb cut on both Route 32 and PTA Lane.
- 1905 Route 32 (C1): Previous use was residential with a single family residence which had a curb cut on both Route 32 & PTA Lane. This parcel is currently vacant.
- 73 PTA Lane (C1): The only frontage is PTA Lane and there currently is a curb cut on PTA Lane to access this parcel.
- 87 PTA Lane has 33' wide access on Route 32 as well as, frontage on PTA Lane. This parcel is currently zoned "Government" which does not have a minimum frontage requirement. This parcel would require a zone change prior to any development. The required frontage would depend on the zone the parcel is designated to. Zones currently abutting this parcel are R20 and C1. The minimum frontage required is 80' for both the R20 and C1 zoning districts. C1 does allow for 60' of frontage by a vote of the Commission for contiguous commercial developments that combine driveways.
- 15 Golden Road (R20): Current use is a pre-existing non-conforming mobile home park on approximately 10.49 acres. Access is obtained by the curb cut on Golden Road. However, approximately 1163' of this parcel abuts PTA Lane according to the GIS.
- 49 Golden Road (GOV): This is the current location of Mohegan Elementary School. It appears that the BOE buses use at least a portion of PTA Lane to access the one way travel pattern to the school. This is shown on the NearMap photo dated April 1, 2025 as well as the GIS aerial views of the parcel.

When staff was tasked with researching this request, a concern was that discontinuing PTA Lane would leave several parcels "landlocked". When brought to the Mayor's attention, he obtained a legal opinion from Attorney Richard Cody.

Attorney Cody stated:

"When a town road (actually a public right of way) is discontinued and the town does not own the land beneath the ROW, the presumption is that the abutting owners own to the centerline. It's not an absolute. If the town owns the land, the abutters have no claim to ownership.

However, the statute provides that the abutters will retain a private ROW, meaning that no lot is “landlocked” by the discontinuance.

So, if the Town discontinues PTA Lane and owns the land “under” the ROW, it can sell that. But its title would be subject to private rights to use the same area for access and egress.”

While there would be a private right of way to the abutters, should the road be abandoned and sold, this would leave 73 PTA Lane without any frontage on a street. This parcel does not have a continuous, contiguous strip of land at a minimum of 25’ wide. Therefore, it does not meet the requirements of Zoning Regulation Section (ZR) 4.11.4 Interior Lots (Rear Lots). Future development of this lot may require a variance through the Zoning Board of Appeals prior to approval by the PZC.

87 PTA Lane may be considered an Interior Lot as it has a 33’ wide continuous, contiguous strip of land. However, it would need to meet all of the requirements of ZR 4.11.4. One of which is a shared driveway with an adjoining lot. It does appear that the current access to the residential uses at 1851 Route 32, 1853 Route 32 and 1855 Route 32 use this 33’ wide strip. ZR Section 4.11.4.1 requires that a shared driveway agreement be approved by the Commission’s attorney and filed on the land records. ZR 4.11.4 also requires that the front yard setback and lot size is at least 1.5 times the minimum required for the zoning district.

As you are aware, the town was awarded a CIF Planning Grant. As a result, BJH Advisors LLC has been contracted and has started to prepare a Route 32 and Route 163 Investment Plan (also known as, Revive and Renew 163 & 32). PTA Lane falls within the study area. BJH Advisors is projecting a preliminary site report in January 2026 and a final report in May 2026.

Agency Referrals:

Public Works:	Referred 10/10/25
Town Engineer:	Referred 10/10/25
WPCA:	Referred 10/10/25
Assessor:	Referred 10/10/25
Fire Marshal:	Referred 10/10/25
Building:	Referred 10/10/25
Police Dept.:	Referred 10/10/25

Suggested Motions:

FAVORABLE:

I make a Motion to forward a Favorable Report in accordance with C.G.S. §8-24 to the Town Council for the discontinuance and sale of PTA Lane for the following reasons: **MUST STATE REASON(S)**

UNFAVORABLE:

I make a Motion to forward an Unfavorable Report in accordance with C.G.S. §8-24 to the Town Council for the discontinuance and sale of PTA Lane for the following reasons: **MUST STATE REASON(S)**