

Town of Montville
DEPARTMENT OF LAND USE & DEVELOPMENT
310 Norwich New London Turnpike, Uncasville, CT. 06382
Telephone: (860) 848-6779
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VIA CERTIFIED MAIL

August 23, 2023

Harry Heller, Esquire
Heller, Heller & McCoy
736 Norwich-New London Tpke.
Uncasville, Connecticut 06382

RE: 23 SITE 5 – 2040 Route 32, Uncasville, CT – Applicant/Owner: Hassan Hussain LLC for the development of a convenience store facility with associated sale of gas/diesel products and associated site improvements.

Dear Attorney Heller:

The Montville Planning and Zoning Commission, at its regular meeting on August 22, 2023, APPROVED WITH CONDITIONS the above-referenced application (#23SITE5) for site plan approval for the development of a convenience store facility with associated sale of gas/diesel products. Enclosed is the Certificate of Notice of Decision.

Please contact me with any questions. Thank you.

Sincerely,
Liz Burdick, Director
Department of Land Use & Development

C. Hassan Hussain LLC
Gregg Fedus, Fedus Engineering, LLC
Nathaniel Fleming, Fedus Engineering, LLC
Meredith Badalucca, Asst. Planner
Doug Colter, C.F.M., Building Official
Paul Barnes, Fire Marshal
Derek Alberton, WPCA
Lucy Beit, Assessor
John Carlson, Public Works Director
Mike Kirby, Uncas Health District
Ronald K. McDaniel, Mayor

Certified Mail # 7012 3460 0002 3844 4648

**TOWN OF MONTVILLE
PLANNING & ZONING COMMISSION**

CERTIFICATE OF NOTICE OF DECISION

APPLICATION: PZ #23 SITE 5
LOCATION: 2040 Route 32 (Parcel ID 103-001-01A), Uncasville CT
APPLICANT/OWNER: Hassan Hussain, LLC
REPRESENTATIVE(S): Attorney Harry Heller, Heller, Heller, & McCoy
PROJECT: Development of a convenience store facility with associated sale of gas/diesel products and associated site improvements
DATE OF APPROVAL: August 22, 2023
EXPIRATION DATE: August 22, 2028

COMMISSION ACTION: APPROVE WITH CONDITIONS as follows:

APPROVE 23 SITE 5 – 2040 Route 32 (Parcel ID 103/001/01A), Uncasville, CT – Applicant/Owner: Hassan/Hussain, LLC for commercial development of proposed gasoline/convenience store facility and associated site improvements. in that the application, supporting documents and a plan entitled “Planning & Zoning Submission, 2040 Route 32, Proposed Convenience Store/Gas Station, 2040 Route 32, Uncasville, CT, Applicant: Amer Choudrey, Prepare by Fedus Engineering, LLC, Dated February 27, 2023, revised to 07/20/2023” comply with all applicable sections of the Montville Zoning Regulations, with the following conditions:

1. Any substantive changes to the proposed site improvements may require additional review/approval by the Montville Inland Wetlands & Watercourses Commission and/or the Director of Land Use & Development or the PZC.
2. Applicant shall meet all of the requirements of the State of CT DOT, Montville WPCA, Building Department & Office of the Fire Marshal and the Uncas Health District for required permitting and inspections prior to issuance of a Certificate of Zoning Compliance/Certificate of Occupancy.
3. The 2/22/23 SWPPP & 3/28/23 SWPPP Petroleum Addendum shall be strictly followed.
4. State of Connecticut Dept. of Transportation (CTDOT) review & approval is required for any proposed work in the CT Route 32 State Right of Way. Preliminary approval shall be submitted prior to issuance of a zoning permit to start work.
5. A suitably landscaped and screened area a minimum of 10-feet wide or a six-foot high, stockade type, wooden fence with the finished side facing the residential district to be maintained between the site and adjacent residential lot shall be installed as approved by the Director of Land Use & Development and/or the PZC prior to issuance of a Certificate of Zoning Compliance.
6. All drainage structures proposed for the project shall be constructed and maintained post construction in accordance with the application, the approved Plan Set & “Stormwater Summary” prepared by Fedus Engineering, dated July 6, 2023.
7. Installation of all drainage structures in accordance with the approved plan shall be certified in writing by Applicant’s P.E. prior to issuance of a Certificate of Zoning Compliance.

8. Prior to issuance of a zoning permit to start work, a soil erosion & sediment control bond shall be posted in the amount of \$31,800 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.

9. 17.3.1 (GIS) Digital data in accordance with this section shall be submitted to the Zoning Officer prior to issuance of a zoning permit to start work.

10. There will be no propane filling stations located at the site without approval from the Fire Marshal and/or Building Official.

11. Future outside retail storage or display areas shall be located as shown on the plan.

12. All site signage shall require an approved zoning permit prior to installation. Signage locations shall be identified in the field by a Licensed Land Surveyor prior to installation.

13. Final revised plan sets, along with a digital copy of the final plan, shall be submitted to the Land Use Dept. & shall be signed and sealed with original signatures by P.E., L.S. and Soil Scientist as needed.

14. The Zoning Officer must be contacted and a pre-construction meeting shall be held at least 24-hours prior to start of any work. 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.

15. A final As-Built plan, including finished grades, shall be submitted to the Zoning Officer for review and approval prior to issuance of a certificate of zoning compliance.

Each and every condition is an integral part of the Commission decision. Should any of the conditions, on appeal from this decision, be found to be void or of no legal effect then this conditional approval is likewise void. Should any of the conditions not be implemented by the applicant or his successors within the specified permit time period, then this conditional approval is void.

Elizabeth Burdick, Director
Department of Land Use & Development