

TOWN OF MONTVILLE
Department of Land Use & Development
Revised Staff Report
Prepared by Meredith Badalucca on March 20, 2025

Property Address: 1645 Route 85 (012-009-000)
879 Chesterfield Road (005-015-00C)
Application: 25 SITE 3
Property Owner: Cricket's Corner, LLC
Applicant: Same
LS: John U. Faulise, Jr. L.S.
PE: Seamus Moran, P.E.
Lot Size: 5.95 +/- Acres (1645 Route 85)
11.15 +/- Acres 879 Chesterfield Road)
Lot Frontage: 633.51 +/- feet on Route 85
Zoning District: C-2 (Commercial) and WRP-160 (Residential)
Public Water/Sewer: No
Flood Hazard Zone: No
CAM Zone: No
Public Water Supply Watershed: No.

Proposed Public Improvements: Proposed curb cut on Route 85 that will require CT DOT Encroachment Permit. Received comment letter from CTDOT dated February 28, 2025.

Erosion & Sedimentation Control and Site Restoration Bond: \$49,094.53.

Legal: Submitted to Land Use Dept. on 2/11/25. Date of Receipt by PZC 2/25/25, Decision Required Date – 5/1/25.

Site Inspection: Site visit completed on 2/14/25 by ZEO Radford and myself.

Proposal: Combine both lots to create one lot and construct a 51 student childcare center with two residential 3 bedroom apartments on the second level of the development along with associated parking, playground and site improvements. All of the proposed improvements will be located within the C-2 zoning district of said combined parcel.

Background:

1645 Route 85 – Currently undeveloped

- 4/8/2024 Building Permit issued for demolition and removal of house and foundation

879 Chesterfield Road – Currently undeveloped

- Frontage variance from 150' to 113.4' (36.6' variance) effective 7/26/84
- Subdivision Plan (Map 869) filed on the Land Records 9/24/86
- Zone change from WRP-160 to C-2 & WRP-160 effective date 7/15/24

Staff Comments/Review:

The property is located in the C-2 & WRP-160 zoning district however, the proposed development will only be within the C-2 zoning district. The proposed use of a child care center is allowed per Zoning Regulation Section (ZR) 11.2.5 and the proposed residential apartments above the primary first floor business use is allowed per ZR 11.2.7.

The applicant is combining the two parcels to create one lot. Therefore, the lot will be considered a through lot as defined in our Regulations as follows: “A through lot is a lot having frontage on two (2) streets. The front lot line on a through lot shall be designated as the lot line opposite the

front of the structure.” The front of the proposed structure is facing Route 85. Therefore, the front lot line will be Route 85 and the address will be 1645 Route 85.

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 10 of 13 even though they are not required to do so.

Sheet 5 of 13 shows a proposed location of a site facilities sign with a note indicating it will be located a minimum of 10’ from the property line and not to exceed 20’ in height, which complies with ZR 19.3.4 and ZR 19.3.3.

This project is not considered a “major traffic generator” as defined by the Connecticut Department of Transportation as follows: “Any new, expanded, changed, or repurposed (land use change) development with 100,000 square feet or more of gross floor area or 200 or more parking spaces, requires OSTA approval to ensure safe operation on State roads. Residential development of 100 units or less are exempt.” The proposed development is under 100,000 square feet and does not propose 200 or more parking spaces.

Our Regulations do not have parking requirements for child care centers as the previous Regulation 19.3.15.4 was deleted on October 15, 2018. However, the applicant has based the required spaces on the City of Norwich Zoning Regulations which are more restrictive than our previous requirements. The applicant has also provided more spaces than required by our Regulations for the two apartments.

All of my previous technical review comments have been addressed by the applicant.

Agency Comments:

Town Engineer:	Comments dated 3/20/25 “I read through the response & this adequately addresses my last remaining comment. All of the previous comments have addressed.”
Fire Marshal:	Comments dated 2/19/25 “The Fire Marshal’s Office has no further comments on this site.
Building:	See comments dated 2/14/25
Uncas Health:	See comments dated 2/21/25
Public Works:	Comments dated 2/25/25 “No comment for this project.”
Police Department:	Comments dated 2/19/25 “The Montville Police Department only has the following comments, at this time. It appears to be well off the road and not an issue with its proximity to Rte. 85 and traffic. I believe I saw approximately 1,100 feet off the roadway, which poses no risk to the occupants of said structure. Also, with Rte. 85 already equipped to handle moderate traffic, this should not impact anything.”

SUGGESTED MOTION FOR ANY FAVORABLE APPROVAL:

I make a MOTION to APPROVE with conditions, application number 25 SITE 3 for the construction of a 51 student child care center with two residential 3 bedroom apartments on the second level along with associated parking, playground and site improvements at 1645 Route 85 (012-009-000) and 879 Chesterfield Road (005-015-00C) in accordance with the Montville Zoning Regulations and the application, supporting documentation and a plan set titled "Site Development Plans, Prepared for Cricket's Corner, LLC, 1645 Route 85, Montville, CT, Applicant/Owner, Cricket's Corner, LLC, Prepared by Boundaries, LLC and H+H Engineering Associates, Dated February 2025, Revised 3-5-2025".

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. Clearing limits and silt fence in close proximity of the URA and property lines shall be staked out by Licensed Land Surveyor.

Conditions to be met prior to signing of plans:

12. All plans submitted for signature shall bear the seal and live signature of the appropriate professional(s) responsible for the preparation of the plans.
13. The applicant shall also submit final plans as approved by the Commission in a digital format per ZR section 17.3.
14. A list outlining how the conditions of approval have been met shall be submitted along with final plans submitted for signature.
15. 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:

16. Four (4) sets of paper plans with any required revisions incorporated, shall be submitted to the Land Use Department for signature of the Commission.
17. 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.
18. A soil erosion & sediment control bond shall be posted in the amount of \$49,094.53 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.
19. 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:

20. 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.
21. 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.

View from Route 85



