



Town of Montville, Connecticut

Department of Land Use & Development

Planning & Zoning
Inland Wetlands & Watercourses
Economic & Community Development



TOWN OF MONTVILLE ZONING BOARD OF APPEALS STAFF REPORT

DATE: June 3, 2026
TO: Montville Zoning Board of Appeals
FROM: Stacy Radford, Zoning Enforcement Officer
RE: **Application# 26 ZBA 2** – 1080 Route 32 (Parcel ID: 086-004-000), Uncasville, CT – Location Approval for CT DMV Recycler License

APPLICANT: Sammy P Inc.
OWNER: Drive-In LLC
SITE ADDRESS: 1080 Route 32 (Parcel ID: 086-004-000), Uncasville, CT
ZONING DISTRICT: C-2 / OZ Overlay Zone
PROPOSAL: Request for location approval for CT DMV Recycler License K-91

STAFF COMMENTS:

The Zoning Board of Appeals is acting in its capacity as an Agent for the State of Connecticut in reviewing this Application for a Certificate of Location Approval for a Motor Vehicle Recycler License K-91 per CT General Statutes Section 14-67g and 14-67i (copies attached). A Public Hearing is being held for this Application, but there is no requirement for a hearing in either the CGS or the Montville Zoning Regulations.

This property is located at 1080 Route 32, which operated as a drive-in theater for a number of years. In September 2025 the Planning & Zoning Commission approved a change of use to an auction facility, with conditions of approval. All conditions of approval were met and a Zoning Permit was subsequently issued. In April 2026 a Certificate of Zoning Compliance was issued and the Applicant held its first auction in conformance with the PZC approval. The Applicant is now applying for the above referenced location approval to allow "salvage" vehicles to be auctioned off, not dismantled. Pursuant to the Application and Plan submitted, the Applicant has not provided a timeline that these "salvage" vehicles will be allowed to remain on the property and the Plan submitted does not depict an area on the property where said vehicles would be stored.

Although the Applicant has stated that he only intends to "auction off salvaged vehicles", the K-91 form from the State of Connecticut for a Motor Vehicle Recycler License and more specifically CT General Statutes Section 14-67g, defines "Motor vehicle recycler's business" or "motor vehicle recycler's yard" as "shall include any business and any place of storage or deposit, whether in connection with another business or not, which has stored or deposited two or more unregistered motor vehicles which are no longer intended or in condition for legal use on

the public highways, or used parts of motor vehicles or old iron, metal, glass, paper, cordage or other waste or discarded or secondhand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles. Said terms shall also include any place of business or storage or deposit of motor vehicles purchased for the purpose of dismantling the vehicles for parts or for use of the metal for scrap and where it is intended to cut up the parts thereof.” Thus not allowing for conditioning a Permit for one specific use, such as the use which the Applicant has intended, “auction off salvaged vehicles”.

CT General Statutes Section 14-67i states:

“(a) No person, firm or corporation shall establish, operate or maintain a motor vehicle recycler’s yard or motor vehicle recycler’s business unless a certificate of approval of the location to be used therefor has been procured from the board or authority designated by local charter, regulation or ordinance in the town, city or borough wherein such yard or business is located or is proposed to be located, except that in any town or city having a zoning commission, combined planning and zoning commission and a board of appeals, such certificate shall be obtained from the board of appeals.”

This property is located in the Commercial-2 (C-2) Zoning District. Permitted uses allowed in this Zone are clearly defined in the Zoning Regulations.

This property is also located in the Overlay Zone (OZ) Zoning District. To utilize the OZ, an Applicant must refer back to the underlying Zone for bulk standards. Commercial uses allowed in the OZ Zoning District are any “commercial uses and structures” that are allowed in the C-1 and C-2 Zone. Copies of the permitted uses allowed in these Zones are attached for your reference.

Further review of the Zoning Regulations shows the “Automobile and heavy equipment dealers” as a permitted use under Section 12: Light Industrial (LI) District and not in either Commercial Zoning District. Therefore Staff does not believe that this intended additional use would be in conformance with the Montville Zoning Regulations.

To re-iterate CT General Statutes Section 14-67g and the definition of “Motor vehicle recycler’s business” or “motor vehicle recycler’s yard” is as follows:

““Motor vehicle recycler’s business” or “motor vehicle recycler’s yard” shall include any business and any place of storage or deposit, whether in connection with another business or not, which has stored or deposited two or more unregistered motor vehicles which are no longer intended or in condition for legal use on the public highways, or used parts of motor vehicles or old iron, metal, glass, paper, cordage or other waste or discarded or secondhand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles. Said terms shall also include any place of business or storage or deposit of motor vehicles purchased for the purpose of dismantling the vehicles for parts or for use of the metal for scrap and where it is intended to cut up the parts thereof.”

By the above described definition, if this Board were to approve this location approval, this property, by way of a Permit issued by the State of Connecticut, would allow for this property to

become a junk yard, which is NOT allowed in any Commercial Zoning District under the current Zoning Regulations.

Staff has consulted with the Town Attorney who has advised that the ZBA should consider the following when considering a location approval under CT General Statutes Section 14-67i:

- Is there an Ordinance or Regulation specifically prohibiting motor vehicle recycler's in the proposed Zoning District? If there is, the analysis stops and the location may not be approved.
 - Staff has reviewed the Town of Montville Ordinances and current Zoning Regulations and there is no prohibition.
- Is the property in a Zoning District where the proposed use is permitted by right or Special Permit? If the proposed use is not permitted, the location may not be approved.
 - As Staff mentioned previously, automobile and heavy equipment dealers is a permitted use under Section 12: Light Industrial District, not under the Commerical-1 or Commerical-2 Zoning Districts.
 - It is Staff's opinion that this proposed use is not listed as a Permitted Use under the Zoning District the property is in, nor specifically listed in the Overlay Zone, which would revert back to the underlying zone.
 - The proposed use is not specifically listed as a use by Special Permit.
 - Therefore this location approval cannot be approved.

Staff further recommends and the State of Connecticut requires the following be considered, pursuant to Part B – Certificate of Approval for Proposed Location. The form states the following:

"In issuing the certification, the following was considered, and no basis or sufficient reason was found for disapproval of this application. The board has taken into consideration:" Staff has added comments on each of the following:

1. That the location is not in an established district restricted against such use as provided in Section 14-67s, C.G.S.
Staff: The Town of Montville has not enacted an ordinance creating restricted districts within which any motor vehicle recycler's yard or motor vehicle recycler's business shall not be permitted to be established. The Town of Montville, through Zoning Regulations, have designated Zoning Districts with separate "permitted uses". This use would not be permitted in the underlying or Route 32 Overlay Zone.
2. The nature and development of surrounding property.
Staff: Route 32 is primarily a Commercial District whereas the zones are intended for businesses that provide day-to-day convenience goods and services to nearby residents.
3. The proximity of churches, schools, hospitals, public buildings or other places of public gatherings.
Staff: There are no churches or hospitals, however the following schools and public buildings are in close proximity this property:
 - **St. Bernard High School is a private, high school located within approximately 1.5 miles of the property. Education is offered to students**

from all faiths in grades 6-12 from New London, Middlesex and Windham Counties.

- The Bradley School is located within approximately 1.8 miles of the property and serves students with behavioral health challenges.
 - Mohegan Elementary School part of the Montville Board of Education, serving local students from grades K-5 and is located approximately 2 miles from the property.
 - The Palmer Academy is the Montville Alternative High School serving students from grades 9-12 and is located within 3 miles of the property.
 - The Montville Public Safety Complex is less than ½ mile from this property. The Public Safety Complex allows for the rental of a Community Room for trainings and seminars for other municipalities. These non-residents visit any number of businesses operating along the Route 32 corridor.
4. The sufficiency in number of other such dismantlers or businesses in the vicinity.
Staff: Pursuant to review of the State of Connecticut Website, there are currently (2) “recycler” businesses licensed to operate within the Town of Montville. One is Ski’s Garage which is located at 996 Route 32; literally next door to the Applicant’s property and the other is Yales, Inc. DBA Three Mad Men which operates at 430 Maple Avenue, approximately 3 miles from the Applicant’s property.
5. The health, safety, and general welfare of the public.
Staff: The operation of a “recycler” business can directly undermine the public health, safety and general welfare of the public causing environmental contamination of leakage of motor oil, antifreeze and/or gas or diesel from salvaged vehicles. Salvaged vehicles can become safety hazards by having rusted, sharp metal; if they have been involved in an accident and these vehicles can be a cause for a breeding ground of disease carrying mosquitoes, rats and snakes because of stagnant water which might accumulate in or around the damaged vehicles. The Applicant has not shown where he intends to store these “salvaged vehicles”, nor has he shown any type of screening or fencing which would prevent blight or distraction from the neighboring public.

The Land Use & Development Director, Dennis Goderre has submitted his comments for review and consideration by this Board, a copy of which is attached to this Staff Report.

If the Board is inclined to deny the request in this Application, the following language is suggested:

MOTION (A Motion to Deny)

I move to DENY Application #: 26 ZBA 2 of the Owner: Drive-In LLC; Applicant: Sammy P Inc.; for Location Approval pursuant to §14-67g and 14-67i of the Connecticut General Statutes for a DMV Recycler License at 1080 Route 32 (Parcel ID: 086-004-000), Uncasville, CT based on the following:

(reasons for denial must be stated)

Staff would suggest the following for reasons of denial:

1. The proposed use is not a permitted use in the Commercial-2 (C-2) or Overlay Zone (OZ).
2. The nature and development of surrounding property.
Staff: Route 32 is primarily a Commercial District whereas the zones are intended for businesses that provide day-to-day convenience goods and services to nearby residents.
3. The proximity of churches, schools, hospitals, public buildings or other places of public gatherings.
Staff: There are no churches or hospitals, however the following schools and public buildings are in close proximity this property:
 - St. Bernard High School is a private, high school located within approximately 1.5 miles of the property. Education is offered to students from all faiths in grades 6-12 from New London, Middlesex and Windham Counties.
 - The Bradley School is located within approximately 1.8 miles of the property and serves students with behavioral health challenges.
 - Mohegan Elementary School part of the Montville Board of Education, serving local students from grades K-5 and is located approximately 2 miles from the property.
 - The Palmer Academy is the Montville Alternative High School serving students from grades 9-12 and is located within 3 miles of the property.
 - The Montville Public Safety Complex is less than ½ mile from this property. The Public Safety Complex allows for the rental of a Community Room for trainings and seminars for other municipalities. These non-residents visit any number of businesses operating along the Route 32 corridor.
4. The sufficiency in number of other such dismantlers or businesses in the vicinity.
Staff: Pursuant to review of the State of Connecticut Website, there are currently (2) “recycler” businesses licensed to operate within the Town of Montville. One is Ski’s Garage which is located at 996 Route 32; literally next door to the Applicant’s property and the other is Yales, Inc. DBA Three Mad Men which operates at 430 Maple Avenue, approximately 3 miles from the Applicant’s property.
5. The health, safety, and general welfare of the public.
Staff: The operation of a “recycler” business can directly undermine the public health, safety and general welfare of the public causing environmental contamination of leakage of motor oil, antifreeze and/or gas or diesel from salvaged

vehicles. Salvaged vehicles can become safety hazards by having rusted, sharp metal; if they have been involved in an accident and these vehicles can be a cause for a breeding ground of disease carrying mosquitoes, rats and snakes because of stagnant water which might accumulate in or around the damaged vehicles. The Applicant has not shown where he intends to store these “salvaged vehicles”, nor has he shown any type of screening or fencing which would prevent blight or distraction from the neighboring public.

If the Board is inclined to approve the request in this Application, the following language is suggested:

MOTION (A Motion to Approve)

I move to APPROVE Application #: 26 ZBA 2 of the Owner: Drive-In LLC; Applicant: Sammy P Inc.; for Location Approval pursuant to §14-67g and 14-67i of the Connecticut General Statutes for a DMV Recycler License at 1080 Route 32 (Parcel ID: 086-004-000), Uncasville, CT in accordance with the Plan entitled Zoning Location Survey “Plan to Accompany Application for DMV Location Approval” prepared for Sammy P, Inc. 1080 Norwich-New London Turnpike, Montville, Connecticut, dated April 27, 2026” with the finding that the subject property is suitable for the business/use intended.

Sec. 14-67g. (Formerly Sec. 21-15). Definitions. "Motor vehicle recycler's business" or "motor vehicle recycler's yard" shall include any business and any place of storage or deposit, whether in connection with another business or not, which has stored or deposited two or more unregistered motor vehicles which are no longer intended or in condition for legal use on the public highways, or used parts of motor vehicles or old iron, metal, glass, paper, cordage or other waste or discarded or secondhand material which has been a part, or intended to be a part, of any motor vehicle, the sum of which parts or material shall be equal in bulk to two or more motor vehicles. Said terms shall also include any place of business or storage or deposit of motor vehicles purchased for the purpose of dismantling the vehicles for parts or for use of the metal for scrap and where it is intended to cut up the parts thereof.

(1949 Rev., S. 4653; 1953 S. 2332d; 1972, P.A. 37, S. 1; P.A. 96-167, S. 15.)

History: 1972 act deleted reference to place of business where it is intended to burn material forming parts of motor vehicles; Sec. 21-15 transferred to Sec. 14-67g in 1981; P.A. 96-167 substituted "recycler's" for "junk" in the terms defined.

Annotations to former section 21-15:

Former provision authorizing commissioner to determine unfitness and bulk deemed unconstitutional. 116 C. 470. Business of buying, sorting and grading used tires not within definition. 145 C. 490. Plant that manufactures processed scrap autos is not a "motor vehicle junk business." 161 C. 229.

Definition, "motor vehicle junk yard", applies to fenced-in property not open to view from public highway. 12 CS 70. Where defendant did not buy or cut up cars for junk and where he had unrepairable cars or parts removed periodically, held that he was not operating a motor vehicle junk yard. 24 CS 222.

Sec. 14-67i. (Formerly Sec. 21-16). Certificate of approval of location required. Exemption. (a) No person, firm or corporation shall establish, operate or maintain a motor vehicle recycler's yard or motor vehicle recycler's business unless a certificate of approval of the location to be used therefor has been procured from the board or authority designated by local charter, regulation or ordinance in the town, city or borough wherein such yard or business is located or is proposed to be located, except that in any town or city having a zoning commission, combined planning and zoning commission and a board of appeals, such certificate shall be obtained from the board of appeals.

(b) The provisions of this section shall not apply to any public agency, as defined in section 7-339a, which acquires, collects, dismantles or disposes of junk or abandoned motor vehicles pursuant to a program of solid waste disposal, in accordance with the provisions of chapter 446d and the regulations of Connecticut state agencies, concerning the operation of motor vehicle recycler's yards, provided this exemption shall not apply to any public agency which sells or distributes or exchanges for profit motor vehicle parts for reuse as such, and provided further, such public agency shall designate an employee to maintain accurate records of all motor vehicles received and processed. Such records shall include the make, year, serial number and, if available, the name and address of the person from whom each vehicle was received. A list containing the make, year and serial number of each such motor vehicle shall be sent to the Commissioner of Motor Vehicles on or before the last day of the month following the month during which such disposal occurred.

(1949 Rev., S. 4655; 1957, P.A. 438, S. 1; 1967, P.A. 415, S. 1; 1969, P.A. 712; 1971, P.A. 504, S. 1; P.A. 81-347, S. 1, 3; P.A. 90-229, S. 1; P.A. 96-167, S. 16; P.A. 03-184, S. 3; June 30 Sp. Sess. P.A. 03-6, S. 71; P.A. 12-81, S. 10.)

History: 1967 act deleted requirement zoning board of appeals certify location "is not within an established district restricted against such uses"; 1969 act added Subsec. (b) re applicability of provisions to public agencies; 1971 act made provision re public agencies in Subsec. (b) Subdiv. (1), adding provision re required record-keeping and added Subdiv. (2) re intermediate processors; Sec. 21-16 transferred to Sec. 14-67i in 1981; P.A. 81-347 transferred procurement of certificate from zoning board of appeals to zoning commission and deleted reference to town manager's power to grant certificates of approval for business location in Subsec. (a). P.A. 90-229 amended Subsec. (b)(1) to add to exemption for any public agency, which acquires, collects or disposes of junk vehicles pursuant to solid waste disposal program "in accordance with the provisions of chapter 446d and the regulations of Connecticut state agencies, concerning the operation of motor vehicle junk yards"; and Subsec. (b)(2) to limit exemption for intermediate processor to that which operates at a licensed facility; P.A. 96-167 amended Subsec. (a) to substitute motor vehicle recycler's yard or recycler's business for motor vehicle junk yard or junk business and amended Subsec. (b) to make changes consistent with provisions of Subsec. (a) and to substitute motor vehicle recycler's license for motor vehicle junk yard license; P.A. 03-184 amended Subsec. (a) to replace requirement for approval of certificate by chief elected official or zoning commission with requirement that the certificate be obtained from the zoning commission, planning and zoning commission or other board or authority of the municipality;

June 30 Sp. Sess. P.A. 03-6 amended Subsec. (a) by replacing provision authorizing the zoning commission or planning and zoning commission to issue certificate of approval with provision that in any town or city with a zoning commission, combined planning and zoning commission and a board of appeals, such certificate shall be obtained from the board of appeals; P.A. 12-81 amended Subsec. (b) to delete former Subdiv. (2) re exemption for intermediate processor and make a conforming change, effective July 1, 2012.

Annotations to former section 21-16:

Cited. 116 C. 460; 138 C. 613; 151 C. 706. Requires certificate of approval from local authorities before the issuance of licenses by Commissioner of Motor Vehicles. 144 C. 67. Purpose of licensing junk dealer. 145 C. 490. Function of board under section prior to 1967 amendment is twofold: To certify that location is not within a restricted area, and if not within such area, to conduct a public hearing to determine the suitability of the location in view of the factors set out in Sec. 21-17; if location is within restricted area, zoning board of appeals lacks authority to grant a variance or to hold a public hearing. 147 C. 469. Appeal from decision of zoning appeals board allowed where no finding location was unsuitable for any reason specified in Sec. 21-17 had been made by board. 158 C. 244.

Cited. 24 CS 226.

Annotations to present section:

Cited. 233 C. 254; Id., 281.

Cited. 34 CA 402.

Sec. 14-67s. (Formerly Sec. 21-23). Ordinances creating restricted districts. For the purpose of promoting the health, safety and general welfare of municipalities and governmental subdivisions in the state; for the purpose of conserving the value of buildings and encouraging the most appropriate use of land; for the purpose of providing for the public health, comfort and general welfare in living and working conditions; for the purpose of facilitating highway development and transportation and for the purpose of regulating and restricting unsightly and detrimental developments tending to depreciate the value of property and obstruct progressive improvements in such municipalities and governmental subdivisions, the legislative body of any town, city or borough, in addition to powers conferred by the statutes or special acts upon such towns, cities or boroughs or the respective officials thereof, may enact ordinances creating restricted districts within which any motor vehicle recycler's yard or motor vehicle recycler's business shall not be permitted to be established; provided, in any town, city or borough having a zoning commission or town or city planning commission or board, such zoning commission, planning commission or board shall have the authority to create such restricted districts by the adoption of appropriate rules, orders or regulations, and provided any ordinances, bylaws or regulations adopted prior to October 1, 1957, under the provisions of section 4654 of the general statutes, revision of 1949, otherwise valid except that they were not adopted pursuant to the procedure provided in this section, shall remain valid until altered or repealed under the provisions of this section.

(1949 Rev., S. 4654; 1957, P.A. 13, S. 90; P.A. 96-167, S. 24.)

History: Sec. 21-23 transferred to Sec. 14-67s in 1981; P.A. 96-167 substituted “recycler's yard” and “recycler's business” for “junk yard” and “junk business”.

Annotations to former section 21-23:

Cited. 116 C. 462; 145 C. 469. Regulation permissible if a business, by its very nature, is dangerous to the public. Id., 490. Absent adoption of regulation prohibiting junk yards in area plaintiff wished to use for expansion of existing motor vehicle junk yard, zoning board of appeals could not withhold permission. 158 C. 244.

Applies to “motor vehicle junk business” or “motor vehicle junk yard” in a fenced-in area. 12 CS 70. Cited. 24 CS 226.

SECTION 10: COMMERCIAL -1 (C-1) DISTRICT

10.1 PURPOSE

This zone is intended for businesses that provide day-to-day convenience goods and services to nearby residents. Activities would be limited to those sites which are compatible in scale with the intensity of development in the surrounding area. It is the intention of the Commission to require traffic access management within this District.

10.2 PERMITTED USES

The following uses shall be permitted within this district:

- 10.2.1 Activities involving the sale of goods or services carried out for profit.
- 10.2.2 Customer service establishments
- 10.2.3 Business and professional offices
- 10.2.4 Restaurants, including drive-up or drive-thru facilities used for the delivery of food or beverages
- 10.2.5 Government offices, libraries, schools, public safety facilities and public utilities
- 10.2.6 Child care center, twelve (12) or more children
- 10.2.7 Accessory buildings and uses
- 10.2.8 Apartments located in space is not occupied by the primary commercial use on the property provided they are not at ground level
- 10.2.9 Telecommunication tower in accordance with Section 4.11.6 of these Regulations
- 10.2.10 Workforce housing in accordance with Section 4.11.13 of these Regulations

10.3 SPECIAL PERMITS

- 10.3.1 Convenience/gasoline sales establishments in accordance with Section 4.11.10 of these Regulations.
- 10.3.2 Adaptive Reuse Development

10.4 MINIMUM LOT SIZE

The minimum lot size in this district is 10,000 square feet if the lot is served by public sewers. If the lot is not served by public sewers, minimum lot size is 40,000 square feet.

10.5 MINIMUM LOT FRONTAGE

Each lot in this district shall have at least eighty feet (80') of frontage on a street. The minimum frontage may be reduced to sixty feet (60') by a vote of the Commission for contiguous commercial developments that combine driveways.

10.6 MINIMUM SETBACKS

10.6.1 FRONT YARD	30 FEET
10.6.2 SIDE YARD	15 FEET
10.6.3 REAR YARD	30 FEET
	15 FEET (Commercial to Commercial or Industrial)

10.7 MAXIMUM BUILDING HEIGHT

There is no height limitation in this zone.

10.8 ENVIRONMENTAL PROTECTION

Any improvements proposed to be located within a regulated area, as set by the Montville Inland Wetlands and Watercourses Commission, or that may have any impact on the regulated wetlands or watercourses, shall require approval by the Montville Inland Wetlands and Watercourses Commission and meet the requirements of the health code of the State of Connecticut.

10.9 OFF-STREET PARKING

Off-street parking, including shared parking, shall be provided for each lot in this district in accordance with the provisions of Section 18 of these Regulations.

10.10 SIGNS

All signs in this district shall conform to the provisions of Section 19 of these Regulations.

SECTION 11: COMMERCIAL-2 (C-2) DISTRICT

11.1 PURPOSE

This zone allows for a full range of commercial uses. It is the intention of the Commission to require traffic access management within this District.

11.2 PERMITTED USES

The following uses shall be permitted within this district:

- 11.2.1 Activities involving the sale of goods or services carried out for profit.
- 11.2.2 Hotels
- 11.2.3 Conference centers
- 11.2.4 Recreation facilities, museums
- 11.2.5 Child care center, twelve (12) or more children
- 11.2.6 Accessory buildings and uses
- 11.2.7 Residential, apartment/condominium units may be on levels above the primary first floor retail/business/office use
- 11.2.8 Micro-Breweries allowing for the manufacture, storage, bottling, sale and distribution of beer with an on premise tasting room, food service and gift shop
- 11.2.9 Micro-Distilleries allowing for the manufacture, storage, bottling, sale and distribution of alcoholic liquor with an on premise tasting room, food service and gift shop.
- 11.2.10 Gasoline filling and repair stations
- 11.2.11 Convenience/gasoline sales establishments in accordance with Section 4.11.10 of these Regulations.
- 11.2.12 Water dependent uses
- 11.2.13 For profit, trade and technical schools and facilities of higher learning.
- 11.2.14 Telecommunication towers in accordance with Section 4.11.6 of these Regulations.

11.3 SPECIAL PERMITS

- 11.3.1 Workforce Housing in accordance with the requirements of Section 4.11.13 and Section 16 of these Regulations.
- 11.3.2 Adaptive Reuse Development

11.4 MINIMUM LOT SIZE

The minimum lot size in this district is 40,000 square feet.

11.5 MINIMUM LOT FRONTAGE

Each lot in this district shall have at least eighty feet (80') of frontage on a street. The minimum frontage may be reduced to sixty feet (60') by vote of the Commission for contiguous commercial developments that combine driveways.

11.6 MINIMUM SETBACKS

11.6.1 FRONT YARD 50 FEET

11.6.2 SIDE YARD 30 FEET

11.6.3 REAR YARD 30 FEET

One side yard may be reduced to zero feet (0') for contiguous commercial developments that combine driveways and share a common property line. The side yard reduction shall be adjacent to the common property line.

11.7 MAXIMUM BUILDING HEIGHT

There is no maximum building height in this zone.

11.8 ENVIRONMENTAL PROTECTION

Any improvements proposed to be located within a regulated area, as set by the Montville Inland Wetlands and Watercourses Commission, or that may have any impact on the regulated wetlands or watercourses, shall require approval by the Montville Inland Wetlands and Watercourses Commission and meet the requirements of the health code of the State of Connecticut.

11.9 OFF-STREET PARKING

Off street parking, including shared parking lots, shall be provided for each lot in this district in accordance with the provisions of Section 18 of these Regulations.

11.10 SIGNS

All signs in this district shall conform to the provisions of Section 19 of these Regulations. The Commission may approve a larger sign, more signs, than permitted in said Section 19 if, in its opinion, a larger sign, more signs, etc., would be in keeping with the scope of the project and/or would facilitate the flow of traffic by clearly marking the location of the project



Town of Montville, Connecticut

Department of Land Use & Development

Planning & Zoning
Inland Wetlands & Watercourses
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June 2, 2026

Zoning Board of Appeals
Town of Montville
310 Norwich New London Turnpike
Uncasville, CT 06382

RE: Application #26 ZBA 2 (1080 Route 32, Uncasville, CT) / Request for Certificate of Location Approval for CT DMV Recycler License by Sammy P Inc.

Dear Members of the Zoning Board of Appeals,

As the Director of Land Use and Development, I am writing to convey my concurrence with the findings and recommendations detailed in the staff report, 26ZBA2 - Staff Report 1 6-3-2026 DGG.docx, prepared by Zoning Enforcement Officer Stacy Radford. I would like to emphasize two facts.

First, under the current Town of Montville Zoning Regulations, a "junk yard" use is not explicitly defined or specifically listed. Such a situation is common in municipal planning, as an exhaustive list of every conceivable use type cannot be fully anticipated or codified within any zoning regulation. To that end, it is a generally accepted practice in land use administration that when a use is not specifically listed, it is categorized under the most closely aligned use classification, as determined by staff.

In this case, Section 13 (Industrial District), subsection 13.2.1 (Permitted Uses) lists activities such as "...construction, manufacturing..." and "...sanitary services, wholesale trade...". These industrial categories represent the closest alignment to a junk yard within our regulations. Junk yards are inherently wholesale operations not intended for the general retail consumer, as in a Commercial district. Furthermore, by Connecticut statute, a motor vehicle recycler's yard allows for vehicle disassembly—activities closely related to "manufacturing" or "construction" where the physical manipulation of heavy parts occurs. By its very nature, a junk yard contains automotive waste and fluids that require special environmental handling, similar to "sanitary services." The storage of junked, piled, or stacked vehicles presents a distinct risk of environmental contamination and negative visual impacts that could be detrimental to the surrounding properties and the neighborhood. These are activities and characteristics of uses that require separation from commercial and residential uses, and is the basis of why we divide land into zoning districts - to separate incompatible land uses.

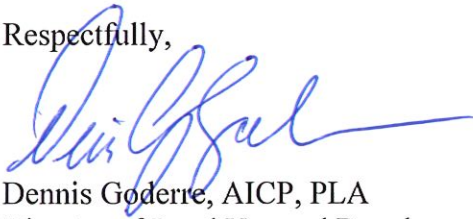
Conversely, commercial districts are intended for the common consumer, characterized by lower-impact operations that provide retail goods and services to the public. Our Commercial

zoning regulations make no mention of the industrial-type uses listed in Section 13. This clear divide between commercial and industrial classifications is a critical distinction because the Route 32 Overlay Zone (OZ) strictly limits utilization to a specific framework: uses that are permitted include "14A.2 A mixture of permitted commercial uses and structures...." Because no similar industrial or recycler use type is permitted within a Commercial district of the Town of Montville, this use is therefore prohibited in the Overlay Zone.

From a broader planning and community development perspective, approving this location would disrupt and undermine the critical work currently being executed under our "Revive and Renew Routes 163 and 32" initiative. Through extensive teamwork and public outreach, the Montville community has articulated a clear, unified vision for these corridors: the cultivation of an inviting, walkable "sense of place" that attracts sustainable investment and enhances public welfare.

An active vehicle salvage and storage operation at this highly visible gateway is entirely incompatible with the good of a vibrant commercial zone, nor is it compatible with an Overlay Zone explicitly designed to promote mixed-use development with residential housing of varying density. In my opinion, approving this application would establish a detrimental precedent, damaging the nature and development of surrounding properties and directly contradicting the community's economic development goals.

Respectfully,

A handwritten signature in blue ink, appearing to read "Dennis Goderre", with a long horizontal flourish extending to the right.

Dennis Goderre, AICP, PLA
Director of Land Use and Development