



70 Essex Street, Unit 2C, Mystic, CT 06355 ■ Phone: 860-536-7390

September-15, 2026

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

197 Route 32 (070-025-000) – Variance Application

Dear Zoning Board of Appeals:

Below are the Sections we are requesting Variances for at the property located at 197 Route 32, Montville, Connecticut, shown on Site Plan Rev. 1, Dated: 09/15/2026.

#### **4A.2 – Sidewalks**

*“Sidewalks abutting any street, driveway, access or interior circulation road on which the development is located are required to access the main entrance of each building on the property and connect to the public right of way sidewalk. Should a sidewalk not exist along the street, the Applicant shall install a sidewalk along the frontage of the subject property if (1) the Property has frontage on Route 32 right-of-way; (2) an existing sidewalk system exists nearby or a sidewalk system is proposed in the POCD (3) the project is within a commercial zone, or (4) located within 1,000 feet of an existing commercial center, school or place of public gathering. All sidewalks shall be privately maintained even when located in the public-right of-way” (pg. 54).*

**There are no sidewalk systems or proposed sidewalk system on any of the lots nearby for us to connect to. The project is also not located within a commercial zone. We are about 500’ away from the nearest commercial center, on the corner of Starr Road and Route 32, which also has no frontage sidewalks on the property and continues up to and past our property at 197 Route 32. There is also an existing utility pole on the corner of Harrison Street and Route 32, which would need to be relocated to install the frontage sidewalk. We believe adherence to this regulation would cause exceptional difficulty and/or unusual hardship, and humbly request a Variance for Section 4A.2.**

#### **14A.11 – Route 32 Overlay Zone - Sidewalks**

*“Sidewalks shall be provided in conformance with Section 4A.2 Sidewalks.*

*A sidewalk shall be provided from each Building’s main entrance to all public rights of way abutting the Lot and connect to existing sidewalks in said right of way.*

*Developments consisting of multiple buildings shall provide walkway connecting each primary building’s primary entrance and parking areas. When feasible such walkways between buildings shall be in conformance with Section 4A.11” (pg. 125).*

We are requesting a Variance for Section 4A.2, so we must also request a Variance for 14A.11, which references the previous section. There are no existing sidewalks in the right of way for us to connect the main entrance of the building to, and this is not a development consisting of multiple buildings. We believe adherence to this regulation would cause exceptional difficulty and/or unusual hardship, and humbly request a Variance for Section 14A.11.

#### **18.4.4 – Off-Street Parking Standards – Sidewalks**

*“For Business or Professional Office or Governmental Office Space: One (1) space for each two hundred fifty square feet (250sqft) of gross floor space” (pg. 186).*

We are requesting a Variance for Section 18.4.4 because we do not have space on the existing lot to incorporate additional parking while continuing to adhere to the new Zoning Regulations. Since we are unable to meet the required parking on the existing lot without exceptional difficulty/unusual hardship, the site would become unusable. We humbly request a Variance for Section 18.4.4.

#### **18.6.3 – Location of Required Parking Spaces**

*“Front Setback. Parking and drives shall be setback twenty-five (25) feet from Front Property Lines” (pg. 190).*

The existing drive is not set back 25' from the front PL. We believe this section of the zoning regulations would result in exceptional difficulty and/or unusual hardship, since compliance with 18.6.3 would make it impossible for us to comply with Section 18.3 Parking Space Dimensions. Without parking for the commercial use, the site would become unusable and deprive the owner of reasonable use of the land or building. We humbly request a Variance for Section 18.6.3.

#### **18.9.4 – Landscape Islands, Access Drives & Vehicular Circulation**

*“No parking shall be permitted along access drives within forty feet (40') of the street line and at greater distances as may be required by the Decision-Making Authority depending on the traffic generation and parking lot size. Dead end parking aisle interior drives shall be extended ten feet (10') further than the last parking space to allow movement of a vehicle in and out of a parking space” (pg. 191).*

The existing layout of the parking lot currently has parking spaces along the access drive within 40' of the street line. Complying with this part of Section 18.9.4 would completely eliminate parking due to the location of the building and size of the lot, depriving the owner of reasonable use of the land or building. For the 10' extension of the dead end parking aisle interior drive, we would request a Deviation, Section 17.3. If we are to be given a 15% deviation from the 10' extension, allowing us to extend the aisle by 8.5', we would be able to adhere to this part of Section 18.9.4. For the reasons listed above, we humbly request a Variance to Section 18.9.4.

#### **18.9.5 – Landscape Islands, Access Drives & Vehicular Circulation**

*“All exits and entrances shall be so located as to provide the least amount of interference with the movement of pedestrian and vehicular traffic. Each entrance and exit shall be at least twenty feet (20') distance from any residential property or residential district and at least seventy-five feet (75') distance from any street intersection, except entrance and exit onto a collector or arterial street which shall be one hundred fifty feet (150') from any intersection and where traffic circulation would be improved by having entrances and exits directly opposite to existing curb cuts or roads” (pg. 191).*

We are proposing to use the existing drive entrance to the site. Which is less than 20' from the abutting residential property. Since we are at the intersection of Harrison Street and

Route 32, we would also need our site entrance/exit to be 150' away from the intersection. This would make it so we are unable to have an entrance on Route 32, resulting in exceptional difficulty and/or unusual hardship, as well as depriving the owner reasonable use of the land or building. We humbly request a Variance for Section 18.9.5.

#### **18.9.6 – Landscape Islands, Access Drives & Vehicular Circulation**

*"Where a lot has frontage on two (2) or more streets, the access to the lot shall be provided to the lot across the frontage to the street where there is lesser potential for traffic congestion and for hazards to traffic and pedestrians" (pg. 191).*

We are proposing to use the existing access drive and parking on site, the former of which currently connects to Route 32. Having access to the site from Harrison Street instead of Route 32 would have lesser potential for traffic congestion and for hazards to traffic and pedestrians. However, with the amount of parking spaces proposed and lack of frontage sidewalks on our lot or the abutting lots, we anticipate both foot and automobile traffic to the site to be minimal and have little to no impact on the current flow of traffic. If we were to move the access drive onto Harrison Street, we would consider the resulting work of demolishing the old lot and creating a new one to be an exceptional difficulty and/or unusual hardship. Removing parking to the site entirely would deprive the owner of reasonable use of the land or building involved. It is for all these reasons that we humbly request a Variance to Section 18.9.6.

#### **18B.2 – Landscape & Site Design Standards - Applicability**

*The minimum landscaping requirements established in this section apply to:*

- 1. All zoning permits other than Single Family Homes and Duplex when one per Lot, and town of Montville Parks and Recreation, except Parks and recreation facilities shall be subject to Section 18B.5 Parking Area Landscaping;*
- 2. Site plans and special permit applications;*
- 3. When there is a change of use which requires less parking than exists, the number of reduced parking shall be removed and replaced as follows, listed in order of priority:
  - a. End Islands*
  - b. Intermediate Islands*
  - c. Median Areas**
- 4. 4. When there is a change of use with no effect on parking, end islands shall be added at the end of each parking row when the Decision-Making Authority determines there will be no adverse impact from the reduction of parking.*
- 5. Parking areas which undergo pavement reclamation of more than 50% of the Parking Area shall provide at minimum End Islands when the Decision-Making Authority determines there will be no adverse impact from the reduction of parking.*

We are requesting a waiver for Section 18B.2 because of its intended purpose. The area we would be able to provide for a landscaped end island would not reduce heat or provide a habitat for animals in any meaningful way. On top of this, the location of the end island on the site would not be encountered or passed much, if at all, by pedestrians for shade and refuge. We also believe that removing additional area from the parking lot will only make it harder to navigate for both car and foot traffic alike. It is for all of these reasons that we humbly request a Variance for Section 18B.2.

**18B.7(1) – Buffer Requirements – Complete Visual Landscape Buffer**

1. *Complete Visual Landscape Buffer. A full landscape buffer of ten (10) feet shall be provided along any side or rear property line abutting a residential, civic, or institutional district or use. The buffer shall include:*

- a. *One Medium Deciduous Tree, minimum five Small Evergreen Trees, fifteen evergreen shrubs per fifty (50) feet of property line or proportional for increment thereof;*
- b. *In lieu of a continuous evergreen screen, an eight (8) foot high opaque fence with a continuous foundation planting consisting of mixed twenty five (25) evergreen and deciduous shrubs.*

We are able to comply with most of Section 18B.7(1), however, we are unable to make the buffer the full 10' width in all areas. At the entrance to the site from Route 32, along the Southern property line abutting the residential property to the South, the existing coniferous trees are within a 6' wide buffer. We are unable to move the entrance to the site without losing more parking for the site, as well as giving customers less room to maneuver their vehicles through the lot. Per Section 18B.3(13), we plan on using the existing trees and vegetation on site as our side and rear landscape buffers along the South and East Property lines., as well as proposing a fence for areas with insufficient growth or lack of visual buffers. As a result, we humbly request a Variance for Section 18B.7(1).

**18B.7(2) – Buffer Requirements – Partial Visual Landscape Buffer**

2. *Partial Visual Landscape Buffer. A partial landscape buffer of ten (10) feet shall be provided along any side or rear lot line abutting a non-residential district or use. The buffer shall include:*

- a. *One Medium Deciduous Tree, twenty-five (25) evergreen shrubs per fifty (50) feet of property line or proportional for increment thereof;*

We are able to comply with most of Section 18B.7(2), however, we are unable to make the buffer the full 10' width in all areas. Our Northern property line abuts a C-1 (Commercial) district, requiring a Partial Visual Landscape Buffer. Per Section 18B.3(13), we propose to use the existing trees and vegetation on site as our partial visual buffers along the North Property line. Due to some existing obstructions in the area, notably the retaining wall; utility pole(s); and concrete pad, we will be satisfying the planting requirements in proportional increments rather than a uniform planting design. As a result, we humbly request a Variance for Section 18B.7(2).

**18B.8 – Frontage & Streetscape Landscaping**

1. *Street Tree Quantity. There shall be one (1) Street Tree for every forty (40) feet of frontage or fraction thereof.*

2. *Street Tree Location. Street Trees shall be planted within 3' of the front Property Line.*

We are requesting a variance from Section 18B.8 because of the proximity of our front lot line to the curb on the West side of the existing parking lot. Most of the area along the frontage is paved, leaving us insufficient room to plant the minimum of three (3) street trees that would be required per this section. We believe meeting this requirement would create exceptional difficulty and/or unusual hardship, thus, we humbly request a Variance for Section 18B.8.

If you have any questions or require additional information, please contact our office at (860) 536-7390.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Jake Romano', with a long horizontal flourish extending to the right.

Jake Romano