

From: [Meredith Badalucca](#)
To: [Katherine Rose](#)
Subject: FW: 26 SUB 1 - 211 Chapel Hill Road
Date: Monday, September 21, 2026 8:55:06 AM
Attachments: [image001.png](#)

From: Richard S. Cody <RCody@sswbagg.com>
Sent: Monday, September 21, 2026 8:32 AM
To: Harry Heller <hheller@hellermccoy.com>; William McCoy <bmccoy@hellermccoy.com>
Cc: Meredith Badalucca <mbadalucca@montville-ct.org>
Subject: RE: 26 SUB 1 - 211 Chapel Hill Road

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Harry:

Thanks.

I don't know that the Town monitors this procedure. On the chance that ordinary municipal inertia or oversight spoils it and leaves a lot owner with a title problem in the future, it seems to me that the easiest and surer way to deal with it is to except out from the warranty deed to the Town access and egress rights over the driveway areas as shown on the referenced plans. If those rights are to be temporary, that is, that they expire upon formal acceptance for highway purposes, the exception can say that. I've seen it done numerous times this way.

Thanks.

Rich Cody
Suisman Shapiro
Attorneys At Law
P.O. Box 1591
New London, CT. 06320
(860) 271-2214 direct
(860) 442-0495 fax
rcody@sswbagg.com

From: Harry Heller <hheller@hellermccoy.com>
Sent: Wednesday, September 16, 2026 5:09 PM
To: William McCoy <bmccoy@hellermccoy.com>
Cc: Richard S. Cody <RCody@sswbagg.com>; Meredith Badalucca <mbadalucca@montville-ct.org>
Subject: Re: 26 SUB 1 - 211 Chapel Hill Road

Rich:

Your comments have been forwarded to me for response. Presumably, the road widening strip will be accepted by the Town and recorded within weeks after the subdivision has been approved and prior to the conveyance of any lot. In this instance, no right of way is required as the road widening strip will be a part of the public right of way at the time of conveyance of the lot.

In the event that a lot is sold and conveyed prior to the recording of the deed to the Town, we grant to the purchaser of the lot a right of way over the road widening strip (since the subdivider will be the record owner of the strip at that time) subject to a condition subsequent that the right of way shall terminate upon the acceptance of the strip as a component of the municipal highway.

This is the procedure that has been followed by this office for the past 50 years and has been endorsed by the following firms acting as Montville town counsel: Gilman, Berberick; Conway Londregan; Suisman Shapiro; Branse, Willis; Shipman Goidwin; and Halloeian, Sage.

Harry

Heller, Heller & McCoy
736 Norwich-New London Turnpike
Uncasville, CT 06382
Telephone: (860) 848-1248
Facsimile: (860) 848-4003

On Wed, Sep 16, 2026, 4:03 PM William McCoy <bmccoy@hellermccoy.com> wrote:

William E. McCoy

Heller, Heller & McCoy
736 Norwich-New London Turnpike
Uncasville, CT 06382
[Telephone: \(860\) 848-1248](tel:(860)848-1248)
[Facsimile: \(860\) 848-4003](tel:(860)848-4003)

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----- Forwarded message -----

From: **Meredith Badalucca** <mbadalucca@montville-ct.org>

Date: Wed, Sep 16, 2026 at 3:19 PM
Subject: 26 SUB 1 - 211 Chapel Hill Road
To: William McCoy <bmccoy@hellermccoy.com>
Cc: Wes Wentworth <Wes@lebanongreen.com>

Good afternoon Attorney McCoy,

Please see Attorney Cody's comments below regarding the proposed Warrantee Deed for the Meyer's subdivision.

Thank you,



Meredith Badalucca, CZE0

Assistant Planner
Town of Montville

[310 Norwich New London Turnpike, Uncasville, CT
06382](https://www.montville-ct.org/310-Norwich-New-London-Turnpike-Uncasville-CT-06382)

mbadalucca@montville-ct.org

[860-848-6779](tel:860-848-6779)

From: Richard S. Cody <RCody@sswbagg.com>
Sent: Wednesday, September 16, 2026 3:11 PM
To: Meredith Badalucca <mbadalucca@montville-ct.org>
Cc: Dennis Goderre <dgoderre@montville-ct.org>; Katherine Rose <krose@montville-ct.org>; Stacy Radford <sradford@montville-ct.org>
Subject: RE: 26 SUB 1 - 211 Chapel Hill Road

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Hi Meredith

I reviewed this deed and the plans. The plans depict the land to be deeded to the Town to be a strip of land running along the roadway and crossing two driveways. What I don't see is exception taken in the proposed deed for the two driveways, meaning that the lots will be essentially landlocked and/or the Town's title subject to implied easements (the latter of which would breach the warranties). This should be straightened out.

Thanks.

Rich Cody
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rcody@sswbogg.com

From: Meredith Badalucca <mbadalucca@montville-ct.org>
Sent: Tuesday, September 15, 2026 4:20 PM
To: Richard S. Cody <RCody@sswbogg.com>
Cc: Dennis Goderre <dgoderre@montville-ct.org>; Katherine Rose <krrose@montville-ct.org>; Stacy Radford <sradford@montville-ct.org>
Subject: 26 SUB [1 - 211 Chapel Hill Road](#)

Good afternoon Rich,

Could you please review the attached Warranty Deed prepared by Attorney Bill McCoy for proposed road widening strips. I will ask the applicant's engineer to relabel the "proposed taking area A and B" to read "Area to be Conveyed to the Town of Montville".

The link to all the file documents is below.

[https://link.edgepilot.com/x/Mh3E2zX30Pm1tHFQrlgPhg?
u=https://www.townofmontville.org/form-repository/2026-application-26-sub-1-211-
chapel-hill-road-2-lot-subdivision/](https://link.edgepilot.com/x/Mh3E2zX30Pm1tHFQrlgPhg?u=https://www.townofmontville.org/form-repository/2026-application-26-sub-1-211-chapel-hill-road-2-lot-subdivision/)

This application is on the agenda for September 22nd. However, the decision required date is October 29th, should you not be able to review prior to Tuesday's meeting.

Thank you,



Meredith Badalucca, CZE0
Assistant Planner
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