

**APPLICATION FOR APPEAL OR VARIANCE
MONTVILLE ZONING BOARD OF APPEALS**

Name of Owner(s) Hassan/Hussain LLC Application # 22 ZBA 1
Name of Applicant(s) Hassan/Hussain LLC Date Submitted _____
Mailing Address 4 Boston Post Road, Waterford, CT 06385
Tel # (860) 608-9636 Cell # (860) 608-9636 Business # _____ Zone C-2
Street Address of Property 2040 Norwich-New London Turnpike, Montville, Connecticut
Assessor's Map # 103 Lot # 001-01A Email Address bestway411@yahoo.com
Is Property in question within 500 feet of the Town Line? Yes ☐ No ☒

Please List The **Names And Addresses** of the Adjacent, Abutting, etc. Property Owners below (attach an additional sheet if needed):
See Attached List

The Applicant's Reason for Submitting This Application (Check One):

- ☐ (1) There is an Error in an Order, Requirement, or Decision made by the Zoning Enforcement Officer.
☐ (2) The Applicant seeks a Variance in the Application of the Zoning Regulations.
☒ (3) Other, Describe Application for a certificate of location approval for a motor vehicle fueling facility pursuant to the requirements of Section 14-321 of the Connecticut General Statutes

The Decision which is being Appealed, or the Section(s) of the Zoning Regulations from which a Variance is Requested:

Application for a certificate of location approval for a motor vehicle fueling facility pursuant to the requirements of Section 14-321 of the Connecticut General Statutes with respect to which the Zoning Board of Appeals is acting as special agent of the State of Connecticut Department of Motor Vehicles.

The Applicant Requests the Board to take the following action:

Grant a Certificate of Location Approval for a motor vehicle fueling facility on the property located at 2040 Norwich-New London Turnpike, Montville, CT containing 2.68 acres, +/-

The Nature of the Unusual Hardship or Exceptional Difficulty existing with regard to the property is N/A

Has any previous Appeal been filed in connection with these premises? No If so, when? _____

If the Applicant has Designated an Agent:

Name of Agent: Harry B. Heller, Heller, Heller & McCoy Relationship: Attorney

Address: 736 Norwich-New London Turnpike, Uncasville, CT 06382 Phone No.: (860) 848-1248

I Certify that the information contained in this Application is true and correct and hereby authorize the Montville Zoning Board of Appeals and/or Zoning Enforcement Officer to enter upon the property in question for the purpose of inspecting the conditions described in this Application.

Date April 25, 2022

Applicant(s)

HASSAN/HUSSAIN LLC

By: Sultan Ali Javed, its Member

This Space Reserved For the Board

Date Officially Received _____ Date of Public Hearing _____

Action by Board _____ Date _____

LIST OF ADJACENT PROPERTY OWNERS

CERTIFICATE OF LOCATION APPROVAL APPLICATION OF HASSAN/HUSSAIN, LLC TO THE TOWN OF MONTVILLE PLANNING AND ZONING COMMISSION

Map /Lot	Property Address	Name and Address of Owner
103-001-00A	2040 Route 32	Hassan/Hussain, LLC P.O. Box 126 Norwich, CT 06360
099-049-000	2030 Route 32	Home Depot USA, Inc. P.O. Box 105842 Atlanta, GA 30348-5842
103-001-00B	16 Podurgiel Lane	Ms. Beth Sciarroni 16 Podurgiel Lane Uncasville, CT 06382
104-041-000	2029 Route 32	Mohegan Fire Co. Inc. 2029 Route 32 Uncasville, CT 06382
104-040-000	2035 Route 32	P J & A LLC P.O. Box 325 Uncasville, CT 06382
104-039-000	2049 Route 32	Hitalk Hotels LLC 2049 Route 32 Uncasville, CT 06382
104-039-001	2057 Route 32	JCM Montville Acquisitions LLC 50 Resnik Road Plymouth, MA 02360
103-101-000	Route 32	State of Connecticut Department of Transportation 2800 Berlin Turnpike Newington, CT 06111
104-037-000	22 Avery Road	Uncasville Properties LLC P.O. Box 38 Uncasville, CT 06382
104-032-001	61 Fort Shantok Road	Mr. Dennis Vitro 74 Church Street Old Saybrook, CT 06475
104-030-000	73 Fort Shantok Road	Mr. Robert P. Furlong Mrs. Patricia A. Furlong 73 Fort Shantok Road Uncasville, CT 06382

HELLER, HELLER & McCOY

Attorneys at Law

736 Norwich-New London Turnpike

Uncasville, Connecticut 06382

Sidney F. Heller (1903-1986)

Harry B. Heller (hheller@hellermccoy.com)

William E. McCoy (bmccoy@hellermccoy.com)

Mary Gagne O'Donal (mgodonai@hellermccoy.com)

Andrew J. McCoy (amccoy@hellermccoy.com)

Telephone: (860) 848-1248

Facsimile: (860) 848-4003

April 25, 2022

Town of Montville Zoning Board of Appeals
Attention: Mrs. Tiffany Williams, Zoning Official
310 Norwich-New London Turnpike
Uncasville, Connecticut 06382

Re: Application of Hassan/Hussain LLC for a Certificate of Location Approval for a
Motor Vehicle Fueling Facility- 2040 Norwich-New London Turnpike, Montville,
Connecticut

Dear Tiffany:

On behalf of our client, Hassan/Hussain LLC, we hereby submit an application to the Town of Montville Zoning Board of Appeals for a certificate of location approval (pursuant to the requirements of Section 14-321 of the Connecticut General Statutes) for approval of the location of a proposed motor vehicle fueling facility with an associated convenience store use on property located at 2040 Norwich-New London Turnpike, Montville, Connecticut. The subject property is located at the southwesterly intersection of Connecticut Route 32 and Podurgiel Lane and is located in the C-2 Zoning District. Submitted herewith and constituting the application for a certificate of location approval for a motor vehicle fueling facility are the following:

1. Original and two (2) copies of the Application for Certificate of Location Approval to the Town of Montville Zoning Board of Appeals signed by the Applicant, Hassan/Hussain LLC, with the List of Abutting Property Owners, including property owners located directly across the street from the application parcel attached thereto.
2. Authorization signed by Hassan/Hussain LLC authorizing the law firm of Heller, Heller & McCoy to file the certificate of location approval application with the Town of Montville Zoning Board of Appeals and further authorizing the law firm of Heller, Heller & McCoy and the engineering firm of Fedus Engineering, LLC to represent its interests in all proceedings before the Town of Montville Zoning Board of Appeals with respect to said certificate of location approval application.

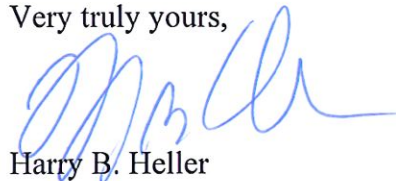
Town of Montville Zoning Board of Appeals
Attention: Mrs. Tiffany Williams, Zoning Official
April 25, 2022
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3. Three (3) prints of the conceptual site development plan for the development of the subject property for a gasoline/convenience store facility entitled "Concept 3 of 2040 New London Turnpike (AKA CT RT 32) Uncasville, Connecticut Prepared For: Amer Choudrey March 7, 2022 Drawing Scale: 1"=30' Sheet No. 1 of 1 Job No. 21-001048 Drawn By: DC Fedus Engineering, LLC Civil Engineers Mailing Address: 70 Essex Street Mystic, Connecticut 06355 Office: (860) 536-7390 Fax: (860) 536-1644".
4. Two (2) prints of the location plan for the certificate of location approval application for a motor vehicle fueling facility entitled "Abutters Within 1000' of 2040 New London Turnpike (AKA CT RT 32) Uncasville, Connecticut Prepared For: Amer Choudrey April 7, 2022 Drawing Scale: 1"=30' Sheet Nos. 1 of 2 and 2 of 2 Job No. 21-001048 Drawn By: NCF Fedus Engineering, LLC Civil Engineers Mailing Address: 70 Essex Street Mystic, Connecticut 06355 Office: (860) 536-7390 Fax: (860) 536-1644".
5. Our check in the amount of One Hundred Twenty and 00/100 (\$120.00) Dollars representing payment of the application fee to the Town of Montville Zoning Board of Appeals for the certificate of location approval application.

Request is hereby made that you place this matter on the Agenda of the Town of Montville Zoning Board of Appeals for public hearing at its regularly scheduled meeting of Wednesday, June 1, 2022. Please inform this office, at your earliest convenience, as to the scheduling of the public hearing, in order to allow us adequate time to provide notice to abutting property owners in accordance with the requirements of the Montville Zoning Board of Appeals Bylaws.

Should you have any questions concerning the application, or need any additional information, please feel free to contact the undersigned.

Very truly yours,



Harry B. Heller

HBH/smr
Enclosures
cc: Fedus Engineering, LLC
Mr. Ahmed Choudhry

AUTHORIZATION

HASSAN/HUSSAIN LLC, a Connecticut limited liability company, hereby authorizes the law firm of Heller, Heller & McCoy to act as its agent in the submission of an application to the Town of Montville Zoning Board of Appeals seeking a certificate of location approval for a motor vehicle fueling facility on property located at 2040 Norwich-New London Turnpike in the Town of Montville, County of New London and State of Connecticut in accordance with a plan entitled "Concept 3 of 2040 New London Turnpike (AKA CT RT 32) Uncasville, Connecticut Prepared For: Amer Choudrey March 7, 2022 Drawing Scale: 1"=30' Sheet No. 1 of 1 Job No. 21-001048 Drawn By: DC Fedus Engineering, LLC Civil Engineers Mailing Address: 70 Essex Street, Mystic, Connecticut 06355 Office: (860) 536-7390 Fax: (860) 536-1644". Hassan/Hussain LLC hereby further authorizes the law firm of Heller, Heller & McCoy and the engineering firm of Fedus Engineering, LLC to represent its interests in all proceedings before the Town of Montville Zoning Board of Appeals with respect to said certificate of location approval application.

Dated at Waterford, Connecticut this 25th day of April, 2022.

HASSAN/HUSSAIN LLC

By: 

Sultan Ali Javed, its Member

HELLER, HELLER & McCOY

Attorneys at Law

736 Norwich-New London Turnpike

Uncasville, Connecticut 06382

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Andrew J. McCoy (amccoy@hellermccoy.com)

Telephone: (860) 848-1248

Facsimile: (860) 848-4003

April 28, 2022

Town of Montville Zoning Board of Appeals
Attention: Mrs. Tiffany Williams, Zoning Official
310 Norwich-New London Turnpike
Uncasville, Connecticut 06382

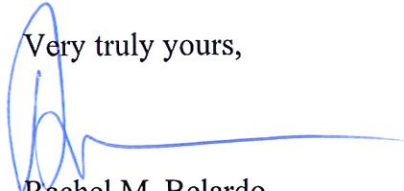
Re: Application of Hassan/Hussain LLC for a Certificate of Location Approval for a
Motor Vehicle Fueling Facility- 2040 Norwich-New London Turnpike, Montville,
Connecticut

Dear Tiffany:

Enclosed herewith please find a check in the amount of \$390.00 representing the balance
of the application fee due with respect to the above referenced application.

Should you have any questions, please feel free to call me.

Very truly yours,



Rachel M. Belardo
Legal Assistant

Enclosure