

**Town of Montville Town Council
Public Hearing Minutes
July 19, 2022 – 6:00 p.m.
Montville Town Hall – Council Chambers**

Town of Montville has lifted the mask mandate effective Monday, February 28, 2022 throughout Town facilities in coordination with our schools. Although the mask mandate has been lifted, Uncas Health strongly recommends that all individuals, both vaccinated and unvaccinated, continue to wear masks indoors.

1. Call to Order
Chairman McNally called the meeting to order at 6:00 p.m.
2. Pledge of Allegiance
3. Roll Call
Present were Councilors Caron, Mandler, May, and McNally. Absent were Councilors Bunnell, Rix, and Yuchniuk. Also present was Mayor Ronald McDaniel.
4. Public Hearing

**TOWN OF MONTVILLE
NOTICE OF PUBLIC HEARING**

The following is a resolution adopted at a regular meeting of the Town Council duly held and convened on the 9th day of May 2022.

Resolution No. 2022-56: THE TOWN OF MONTVILLE HEREBY RESOLVES to hold a Public Hearing, pursuant to Conn. Gen. Stat. Section 13a-49, to consider the discontinuance of Fort Shantok Road (east), Sunny Hill Drive, and a portion of Shantok Heights Road and to Quit Claim said roads to the Mohegan Tribe on July 19, 2022 at 6:00 p.m. in Town Council Chambers, Montville Town Hall.

Dated at Montville, CT this 12th day of July, 2022.
Katie Haring, Town Clerk

5. Remarks from the Public with a three-minute limit
Harry Heller, 736 Route 32, Uncasville, representing the Mohegan Tribe, presented the Application. The Application was reviewed by the Town's Planning & Zoning Commission, which issued a favorable report to the Town Council, per CT General Statutes §8-24. The roads that are being proposed for discontinuance are:

Fort Shantok Road East is an appendage off of Fort Shantok Road and runs easterly towards the Thames River. The road, which previously provided access to the Ash Landfill, is bounded by the south by Route 2a and the west, north, and east exclusively by properties owned by the Tribe. The Town is currently maintaining the road with no benefit to the Town's residents.

Sunny Hill Drive extends northerly from Fort Shantok Road and provides service to properties exclusively owned by the Mohegan Tribe or the United States of America in Trust for the Tribe. An odd configuration, Shantok Heights Road parallels Sunny Hill Drive, extending northerly from Fort Shantok Road to the west, tying into Sunny Hill Drive. Shantok Heights Road serves private property residents of the Town of Montville.

In conjunction with the proposal to discontinue Sunny Hill Drive is a small appendage of Shantok Heights Road where a gate separating the Tribal and Town properties will be installed. The keys to the gate will be provided to the Town of Montville's

emergency personnel to ensure access to Shantok Heights Road in the event of an emergency. An agreement between the Town and the Tribe has been drawn for the Tribe to provide snow plowing services on Shantok Heights Road and Sunny Hill Drive. Should the Tribe fail to provide such services, the Town has the right to provide those services and bill the Tribe. In addition, in the event the roads are conveyed to the United States of America in Trust for the Mohegan Tribe, the snow plowing obligations are severable and those obligations will remain the contractual obligations of the Tribe in perpetuity.

The discontinuance of the roads would benefit both the Tribe and the Town. The latter benefitting from not needing to be responsible for maintaining roads that strictly provide access to the tribal property.

Allison Hoffman, Fort Shantok Road, Uncasville, whose property abuts the properties on Shantok Heights, questioned where/how the children residing in the 64 residences on the tribal property would be receiving their education and if any funding would be provided to the Town should they be educating their children, whether the vehicle property taxes would be paid to the Town or the Tribe, and whether the residents would be eligible to vote in the local elections.

Mayor McDaniel stated that the Town receives a stipend of \$500,000.00/year from the Tribe that is deposited into the Town Funds toward Capital Improvements. The Town is obligated to educate each and every child who lives in the Town, including those who reside on tribal land. Should the number of children reach a certain threshold, a government subsidy is provided. Vehicle property taxes are paid to the Town and voting rights will remain the same. All residents, whether a member of the tribe or otherwise, are eligible to vote in all elections. Atty. Heller clarified that the Public Hearing concerns only the roads. The properties that abut the roads are not part of the proceeding and have been in trust for the tribe for many years. The residents that reside on the road are residents of the Town of Montville and the Town has a statutory obligation to educate the children.

Ed McDonnell, 19 Shantok Heights Road, Uncasville, questioned the Tribe's plan for the area, how the discontinuance of the roads would affect the property values, and a contact number for any issues that might arise regarding the maintenance of the roads.

Mayor McDaniel stated that he is not privy to the Tribe's plans for their property. The Town may be contacted regarding any maintenance issues of Shantok Heights Road. The Tribe's Public Works Department may be contacted for any issues on tribal land.

Frances Hu, 20 Shantok Heights Road, questioned where the road would be closed and expressed her concerns regarding having access to a road she often uses due to a blind spot. She expressed her wish to maintain the road as is.

Mayor McDaniel stated that the north entrance would be closed and drivers would not have access to Sunny Hill Road. Drivers may enter through the southerly entrance off of Fort Shantok Road. He explained that the Town does not own the abutting property and the Mohegan Tribe would like to gain control of the property for any possible future development. Because the road has no value to the Town for any potential future uses or the like, the Planning & Zoning Commission determined that it would be in the best interest of the Town to discontinue the road. Any sight-line issues may be directed to the Tribe.

Ed McDonnell, 19 Shantok Heights Road, Uncasville, questioned the total number of gates. *Atty. Heller stated that only one gate would be installed delineating the property line.*

Allison Hoffman, Fort Shantok Road, Uncasville, questioned who would maintain the sewer and utilities that run under the road and felt that the Tribe should maintain both the

road and the sewer and utilities that run under it.

Chairman McNally stated that the Town would continue to own and maintain the sewer and utilities. Atty. Heller added that the agreement provides the Town with an easement to maintain the sewer service to those properties.

6. Remarks from the Councilors and the Mayor – *none*

7. Adjournment

Motion made by Councilor Caron, seconded by Councilor May, to adjourn the meeting at 6:19 p.m. Discussion: None. Voice vote, 4-0, all in favor. Meeting Adjourned.

Respectfully Submitted by:

Agnes T. Miyuki, Recording Secretary for the Town of Montville

**AN AUDIO RECORD OF THE MEETING CAN BE FOUND ON THE TOWN'S WEBSITE
LOCATED UNDER RESOURCES – MEETING RECORDINGS**