

**TOWN OF MONTVILLE  
ZONING BOARD OF APPEALS  
STAFF REPORT**

**DATE:** August 26, 2022  
**TO:** Montville Zoning Board of Appeals  
**FROM:** Meredith Badalucca, Zoning Officer  
**RE:** **Application# 22 ZBA 2 – 50 Cook Drive (M/B/L 099-009-001)**  
**Variances from the required R20 Front, Rear and Side Yard Setbacks**

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**APPLICANT:** Town of Montville WPCA  
**PROPERTY OWNER:** Town of Montville  
**ENGINEER:** Barry A. Parfitt, PE – Wright-Pierce  
**SITE ADDRESS:** 50 Cook Drive (M/L/B 099-009-001), Uncasville, CT  
**ZONING DISTRICT:** R20  
**PROPOSAL:** Variances from the required R20 front, rear and side yard setbacks to construct a water tower and ancillary structures

**STAFF COMMENTS:**

The property is located in the R20 zoning district on about 0.2472 acres (10,768 square feet) and is accessed by means of a town owned easement from Cook Drive. The property is currently developed with a water tank which houses communication equipment and antennas for the Town of Montville Emergency Services. The property was inspected by New England Environmental Services for wetlands or water courses and none were identified. This parcel is not within a FEMA flood hazard zone and is located outside of the Natural Diversity Data Base preliminary screening area.

The applicant states the project will include the construction of a new 531,200 gallon glass-fused-to-steel water storage tank that will be constructed adjacent to the existing 590,000 gallon welded steel tank built in 1999. The existing tank will remain in place pending a future project to demolish the tank and construct a dedicated antenna tower and equipment building on site.

The setback requirements for the R20 zoning district are 40 feet front yard, 10 feet side yard and 40 feet rear yard.

The existing water tank on the property was constructed 15.9 feet from the front property line, 80 feet & 68 feet from the west/east side property lines and 13.7 feet from the rear property line.

The proposed tank will be located on the western side of the property a distance of 17.4 feet from the front property line, 12 feet from the west side property line and 12 feet from the rear property line.

The Applicant states proposed ancillary structures, located along the western side of the property consist of equipment control enclosures, a hydrant, a standby generator and site lighting. The site lighting & hydrant are not structures and therefore do not require variances.

There are five equipment boxes that are located a distance of 15 feet from the front boundary, a distance of 2.2 feet from the west boundary line and 21 feet from the rear property line.

The standby generator will be located a distance of 44 feet from the front property line, 7 feet from the west side boundary line and 6 feet from the rear yard.

All structures comply with the required 10' setback from the east side property line.

The Applicant states the hardship is "Due to the small size of the parcel, needed access for maintenance to the existing and future infrastructure and the connection point to the existing Town of Montville water distribution system."

If the Commission is inclined to grant the variances requested in this application, the following language for a motion of approval is suggested:

**MOTION (A Motion to Approve)**

I make a Motion to GRANT the following variances as requested in Application #22ZBA2 and as shown on a plan entitled "Town of Montville, Connecticut Contract Drawings for Cook Hill Tank Replacement Project, Montville Water Supply, August 2022, Permitting Review" as follows:

1. Tank: A 22.6' variance of the required 40' R20 front yard setback; and a 27' variance of the required 40' R20 rear yard setback.
2. Equipment boxes: A 25' variance of the required 40' front yard setback; a 7.8' variance of the required 10' west side yard setback; and a 19' variance of the required 40' rear yard setback.
3. Standby Generator: A 3' variance of the required 10' side yard setback and 34' variance of the required 40' rear yard setback.

to allow the construction of a required new 531,200 gallon water storage tank and ancillary structures. The hardship is the existing 10,768SF lot utilized for the Town of Montville water distribution system is undersized and limits any location of the structures on the lot that meet R20 required setbacks.

The findings for the granting of the variances are the variance would be in harmony with the general intent & purpose of the Montville Zoning Regulations & would conserve the public health, safety, convenience, welfare.