

TOWN OF MONTVILLE
INLAND WETLANDS COMMISSION
310 NORWICH NEW LONDON TURNPIKE
UNCASVILLE, CONNECTICUT 06382
PHONE (860) 848-6779 - FAX (860) 848-2354

MEETING MINUTES
Thursday, March 17, 2016 - 7:00 p.m.
LOCATION: MONTVILLE TOWN HALL, *Council Chambers*

- a. **Call to order.** Chairman Douglas Brush called the meeting to order at 7:03 p.m.
- b. **Roll call.** Members Present: Chairman Douglas K. Brush, Secretary Philip Houk, Jeffrey Greiner, Charles O'Bday, Sandra Berardy and Scott C. Deranleau. Members Absent: Howard V. Riske, Jr. Staff Present: Liz Burdick, Zoning & Wetlands Officer.
- c. **Minutes.** Approve the Minutes of the February 18, 2016 Regular Meeting.

Upon MOTION by Philip Houk, Seconded by Sandra Berardy, it was voted to APPROVE the minutes of the February 18, 2016 Regular Meeting. In Favor: Brush, Houk, O'Bday, Berardy & Deranleau. Opposed: None. Abstained: Greiner.
- d. **Public Hearings.** None.
- e. **Show Cause Hearings.** None.
- f. **Remarks from the public relating to items on the agenda.** None.
- g. **Old Business:**
 - a. **20 Connecticut Blvd** (Map 97 Lot 128), Montville, CT - Marion Stanavage – Update ongoing enforcement action - Cease and Desist Order for the clearing of trees in regulated areas. (*Cont. from 02-18-2016*).

Wetlands Enforcement Officer, Liz Burdick addressed the Commission stating she conducted an inspection of the site on 03-10-2016, that she has some concerns about the drainage swales being obstructed and that the matter has been referred to the Town Engineer for inspection and comment.

Charles O'Bday stated he visited the site and he has some concerns a portion of the road may be collapsing. Burdick stated she would contact the Dept. of Public Works to investigate.

- b. **216-IWC-2** –Various Locations – Town of Montville Water Pollution Control Authority - General permit to conduct routine maintenance and emergency repairs with respect to all municipal water and sewer lines. (*Cont. from 02-18-2016 - Dec. Req. Date 04-22-2016*).

Attorney Harry Heller of Heller, Heller & McCoy addressed the Commission on behalf of the Montville WPCA. He stated the Applicant has submitted a revised narrative defining "Maintenance", "Repairs" and "Capital Improvements" as the terms relate to the work proposed to be performed in this

general permit application and stated approval of this permit is for repairs and maintenance, but that future capital improvements require additional individual permits.

Chairman Douglas Brush stated he was concerned with language in Narrative Paragraph 1 of General Procedures regarding notification of the Wetlands Enforcement Officer (WEO) prior to any work due to the potential need for emergency repairs and suggested in the event of said repairs the WEO should be notified as soon as possible after the repairs.

Upon MOTION made by Commissioner O'Bday, Seconded by Commissioner Berardy, it was voted to APPROVE WITH CONDITIONS Application#216-IWC-2 as follows:

After giving due consideration to all relevant factors, including those in Section 10 of the Montville Inland Wetland Regulations and Section 22a-41 of the Connecticut General Statutes, I move to approve Application# 216IWC2, submitted by the Town of Montville Water Pollution Control Authority for a General Permit to conduct routine maintenance and emergency repairs with respect to all municipal water and sewer lines, as submitted and as more fully described in a narrative entitled "Narrative to Accompany Application of Town of Montville Water Pollution Control Authority to Town of Montville Inland Wetlands and Watercourses Commission for Licenses to Conduct Regulated Activities in Conjunction with Periodic Maintenance and Repair of Utility Mains Including Water and Sewer Mains, Dated February 10, 2016, Revised to February 19, 2016".

This is a conditional approval. Each and every condition is an integral part of the Commission decision. Should any of the conditions, on appeal from this decision, be found to be void or of no legal effect then this conditional approval is likewise void. Should any of the conditions not be implemented by the applicant or his successors within the specified permit time period, then this conditional approval is void.

Condition(s) of approval are:

- 1. Authorizations granted pursuant to the General Permit issued by the Town of Montville Inland Wetlands and Watercourses Commission (IWWC) to Montville Water Pollution Control Authority (WPCA) to conduct Maintenance and Repairs shall not grant authority to the Town of Montville WPCA to engage in Capital Improvements, as hereinafter defined, it being the intent of this General Permit that the Town of Montville Water Pollution Control Authority shall be required to apply to the Montville IWWC for an individual permit with respect to the future conduct of any Capital Improvements to the Montville municipal utility systems within the geographical limits of the Town of Montville.***
- 2. Narrative Paragraph 1 of General Procedures shall be revised to state "in the event of an emergency repairs, the Wetlands Enforcement Officer shall be notified of said repairs by 12 p.m. the following business day".***

In Favor: Brush, Houk, O'Bday, Berardy & Deranleau. Opposed: None. Abstained: Greiner.

h. New Business: None.

i. Correspondence. WEO distributed the Winter 2016 ECCD Outlook.

j. Other Business:

WEO Burdick advised the Commission the Planning Dept. had received a complaint this week regarding tree clearing in wetlands at 42 & 47 Hunters Run. She stated the Planning Dept. investigated the complaint and found no clearing in wetlands. Attorney Harry Heller stated the properties are his and that he allowed a person to cut trees for firewood, which would assist him in clearing the lots. He stated there is no activity in the wetlands or any regulated areas. Burdick stated that although there has been no violations found, the complainant had voiced her displeasure regarding the tree clearing on social media and so the Dept. wanted the Commission to be aware of the situation.

k. Executive Session: None.

l. Adjourn.

Upon MOTION by Charles O'Bday, Seconded by Scott Deranleau, it was voted unanimously to ADJOURN the meeting at 7:50 p.m.

Respectfully submitted,

Liz Burdick
Wetlands Enforcement Officer

AN AUDIO RECORD OF THIS MEETING IS ON FILE IN THE MONTVILLE TOWN CLERK'S OFFICE.