

**TOWN OF MONTVILLE
INLAND WETLANDS COMMISSION
310 NORWICH NEW LONDON TPKE
UNCASVILLE, CT 06382
PHONE (860) 848-8549 – FAX (860) 848-2354**

MEETING MINUTES

June 18, 2009

Location: Montville Town Hall, *Council Chambers*

1. **Call to order:** Chairman Brush called meeting to order at 7:00pm.
2. **Roll call:** A quorum was present. In attendance were Commissioners Bartholomew, Beauchene, O'Bday, Johnson, Brush, Taylor and Riske. Staff present was Colleen Bezanson, Wetland Agent/Planner II.
3. **Minutes:** Commissioner Brush noted a spelling error in item B, *title wetlands* should be corrected to *tidal wetlands*. **Motion to approve** as amended by Commissioner O'Bday, seconded by Commissioner Bartholomew. **6-0-1 favor, Motion carried.** (Commissioner Taylor abstained)
4. **Public Hearings:** none
5. **Show Cause Hearings:**
 - a. **Richard Franklin Jr.:** Activity within a wetland area without a permit on the property located at 295 Old Colchester Rd, Uncasville, CT. As shown on Assessor's Map 9 Lot 19B.
Ms. Bezanson stated that a letter was sent to Mr. Franklin on 5/28/09 via certified mail. The letter was picked up on 6/13. Staff has not received any phone calls in return from Mr. Franklin. **Motion to refer** to attorney regarding Mr. Franklin's violation at 295 Old Colchester Rd for advice on how to proceed by Commissioner Johnson, Seconded by Commissioner Riske. **7-0 favor, Motion carried.**
 - b. **Sherwood & Marilyn Briggs:** Work within a regulated area without a permit on the property located at 515 Fitch Hill Rd, Uncasville CT. As shown on Assessor's Map 47 Lot 8.
Ms. Bezanson reviewed staff report explaining staff had received a letter that work had been done on wetlands without a permit on property. Staff sent letter & Mrs. Briggs called to set appointment to show staff what had been done. She stated she wasn't aware she could not stockpile in that location. Commission reviewed photos taken by staff showing debris and stockpile within regulated area. Commissioner Johnson asked if the stockpile was temporary.
Marilyn Briggs stated stockpile was placed due to a pending graduation party. Also stated not all would be used for backfill.
Discussion was held. Commission expressed concern regarding dirt washing into the brook.
Motion to send letter to lift Cease & Desist with the condition to remove the stockpile within 60 days by Commissioner Beauchene, Seconded by Commissioner Johnson. **7-0 favor, Motion carried.**

6. **Remarks from the public relating to items on the agenda:** none.

7. **Old Business:** none.

8. **New Business:**

- a. **James F. Hanrahan Jr.:** An application for the construction of a beach on the property located at 67 Cottage Rd, Oakdale CT. As shown on Assessor's Map 63 Lot 15A.

Ms. Bezanson explained that property was on Cottage Rd abutting Gardner Lake. Applicant wishes to remove 120 ft. of lawn area and replace with beach sand.

Attorney Heller, representing James & Regina Hanrahan, explained was lot outside St. Thomas Moore campus. 120 ft. section was to be replaced with beach sand. Commissioner Johnson stated area used to be beach.

Discussion was held. **Motion to continue** by Commissioner Riske, Seconded by Commissioner Bartholomew. **7-0 favor, Motion carried.**

- b. **9R Burlake LLC:** An application for a cluster subdivision on the property located at 120 Gay Hill Rd, Uncasville, CT. As shown on Assessor's Map 23 Lot 3.

Ms. Bezanson stated Commission originally approved 29 lot subdivision. Attorney Heller stated the original plan posed a great financial loss, so a new plan was designed with a new engineer. He stated this was not an application for a modification to the old application, this is a completely new application. He then explained the four licenses being requested for drainage. Discussion was held.

Sitewalk was set for July 9, 2009 at 6:00pm.

- c. **Lombardi Business Park LLC:** An application for a crossing for a driveway on the properties located at 279 & 305 Butlertown Rd, Oakdale CT. As shown on Assessor's Map 1 Lot 18 & Map 5 Lot 25-15.

Robert Russo from CLA Engineers in Norwich CT, explained the plans.

The property owner was applying for to put in a crossing between two properties. He explained that property was being used for large equipment repair and vehicles needed to be moved to and from the properties without access to the street.

Discussion was held.

Commissioner Brush expressed concern for oils and other fluids being released from the large vehicles being repaired on property being kept on wetlands.

Discussion was held. **Sitewalk was set** for July 9, 2009 at 7:30pm.

9. **Commissioner's Comments:**

Commissioner O'Bday stated at a training class he attended, that there are a lot of changes coming. Ms Bezanson suggested the DEP website to see information on Wetland changes.

Commissioner Brush commented that on applications that have a lot of conditions, that a bond should be placed, and when the deed is shown to include those conditions, then the bond would be released.

Commissioner Brush also commented that he had spoken with attorney on a comment made by Mr. Diamantini's attorney, that he didn't think the Commission had authority to regulate certain things. If Commission had put it as a condition on the original permit, even if it was something outside the norm, that the fact it was put on the permit entitled the Commission to enforce it.

10. Correspondence:

Ms. Bezanson handed out The Habitat, Spring 2009.

Ms. Bezanson stated she had received a call on 5/29/09 from Bob Lorensen regarding Pequot Ledge Campground. He indicated he sent someone out to campground and was no evidence of anything at this time, but another inspection will be completed around the 4th of July and will call with the report at that time. Bob is also retiring and the new contact is Kim Houdic.

Ms. Bezanson stated in regards to 711 Route 163, she sent the file to Robert Gilmore, and Environmental Analyst for the DEP. He then submitted the file to Marla Butts, who stated on 6/16/09 that there was a violation and a letter was sent to the Yoselevsky's stating such. She is also retiring and the file will be given to Michael Hart.

Ms. Bezanson also stated that she had found out that the Town can't issue any permits in a floodway. Discussion was held.

11. Other Business:

- a. Workshop – Proposed Changes to Inland Wetland Regulations. Will be held after meeting adjourns.

Motion to Adjourn meeting at 8:30pm by Commissioner O'Bday, Seconded by Commissioner Taylor. **7-0 favor, Motion carried.**

Workshop called to order at 8:35

In attendance were Commissioners Bartholomew, Beauchene, O'Bday, Johnson, Brush, Taylor and Riske. Staff present was Colleen Bezanson, Wetland Agent/Planner II.

Ms. Bezanson explained that she didn't feel the 100ft. buffer was necessary. She then proceeded to review statistics on votes from the previous years. Discussion was held with regards to the 100ft buffer. Commission seemed to feel that the 50ft. buffer was all that was needed. Commission discussed giving Ms. Bezanson authority to decide if something outside the 50ft. buffer, but which may impact the wetlands, should be seen by Commission.

No votes were taken

Meeting ended at 9:30pm.

*Respectfully Submitted,
Pamela Church, recording secretary*

**Refer to audio for complete record of meeting. Workshop meeting was not recorded*