

**Memorandum for the Record**

**Application # 22 IWC 26**

**IWC Regular Meeting – Thursday, January 19, 2023**

*Prepared by Meredith Badalucca, Zoning & Wetlands Enforcement Officer*

**Applicant:** Brian McNamara  
**Owner:** Brian and Brenda McNamara  
**Address:** 207 Doyle Road (MLB 057-030-001)  
**Submitted:** December 1, 2022  
**Date Received by IWC:** December 15, 2022 (DRD – 2/18/2023)

**Applicant Request:** Regulated activities to remove approximately 133 cubic yards of accumulated organic material and sediment from dock area along the lake frontage.

**Activity Description:**

<b>Wetland Disturbance Area</b>	<b>0 sqft</b>
<b>Watercourse/Waterbody Disturbance Area</b>	<b>+/- 133 cubic yards</b>
<b>Upland Review Disturbance Area</b>	<b>0 sqft</b>

**Review of Staff Comments:**

- The property is located on 2.85 acres in the R-120 zoning district and is developed with a single-family residence which is accessed via a shared driveway.
- The property is also improved with a driveway constructed of millings which extends down the slope to the shore of Gardner Lake.
- The applicant is proposing to remove approximately 133 cubic yards of accumulated organic material and sediment from dock area. The applicant states the area of the waterfront has become increasingly compromised by the accumulation of organic material resulting from leaf litter decomposition and from natural erosion and sedimentation of the area.
- The proposed maintenance area is approximately 30 feet wide by 40 feet long (1,200 square feet) with an average depth of 3 feet. The applicant states in part, that this will require approximately ten (10) truckloads and a temporary disturbance of approximately one (1) week.
- The applicant proposes to remove the material with a small excavator and dump truck. Only the reach of the excavator will be introduced into Gardner Lake. The material will be loaded into a dump truck and disposed on the applicant's property in an area exterior to any regulated inland wetland and watercourse or regulated upland review area.
- The applicant proposes to conduct the removal during the winter months when the State of Connecticut Department of Energy and Environmental Protection lowers the level of Gardner Lake.

**Considerations for Action:**

If the Commission is inclined to approve the request of the Applicant for a permit for proposed activity, the following language for a motion of approval is suggested:

After giving due consideration to all relevant factors including those in Section 10 and/or Section 6 of the Montville Inland Wetland Regulations and Section 22a-41 of the Connecticut General Statutes, I move to approve application **22 IWC 26** – Owner: Brian & Brenda Lee McNamara, Applicant: Brian McNamara for regulated activities in conjunction with removal of 133 CY of organic material and sediment to restore depth of dock area at 207 Doyle Rd (057-030-001), Oakdale, CT as depicted in the application dated December 1, 2022 and narrative dated November 30, 2022.

**Standard Reasons for Approval apply as follows:**

1. The environmental impact of the proposed project does not have a significant effect on the inland wetland's and watercourse's capacity to support fish and wildlife, to prevent flooding, to supply and protect surface and groundwater, to control sediment, to facilitate drainage, to control pollution, to support recreational activities, and to promote public health and safety.
2. The Commission has determined that the relationship between the short-term uses of the environment and the maintenance and enhancement of long-term productivity will have no impact on the surrounding wetland system
3. The proposed activity will not have irreversible and irretrievable commitments of resources.
4. The proposed project will not change the character and or add degree of injury to, or interference with, safety, health, or the reasonable use of property, including abutting or downstream property.
5. The proposed activity use is suitable to the area.
6. The applicant has taken all feasible measures to mitigate the impact of any aspect of the proposed regulated activity.