

*Draft

Approved by Commission on _____

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

Minutes of Meeting

7:00 P.M.

March 18, 2010

LOCATION: MONTVILLE TOWN HALL, *Council Chambers*

1. **Call to order:** Chairman Brush called the meeting to order at 7:00pm.
2. **Roll call:** A quorum was present. In attendance were Commissioners Bartholomew, O'Bday, Johnson, Brush, Taylor and Riske. Staff present was Colleen Bezanson, Inland Wetland Agent/Planner II. Absent were Commissioners Beauchene and Whittaker.
3. **Minutes**
 - a. Approve minutes of February 18, 2010 meeting. **Motion to Approve** as amended to include date of meeting from item 10 by Commissioner Bartholomew, seconded by Commissioner Riske. **6-0 favor, Motion carried.**
 - b. Approve minutes of March 11, 2010 meeting. **Motion to Approve** by Commissioner O'Bday, seconded by Commissioner Taylor. **6-0 favor, Motion carried.**
4. **Public Hearings:** none.
5. **Show Cause Hearings:**
 - a. **May Realty/Dave Yoselevsky:** Work within a regulated area without a permit on the property located at 711 Route 163, Oakdale, Ct. As shown on Assessor's Map 38 Lot 53. Ms. Bezanson reviewed what was requested by the Commission at last month's meeting. Commission was given a map showing the additional information requested and also provided pictures that staff had taken of area today. Staff pointed out that when the application was done, Mr. Yoselevsky put there was going to be wetland disturbance of 1875 sq. ft, it should have read 1875 sq.ft. of review area and 125 sq.ft. of watercourse disturbance. Correction will be made. Discussion was held.
Motion to approve by Commissioner Taylor: After giving due consideration to all relevant factors including those in Section 10 and or Section 4 of the Montville Inland Wetland Regulation and Section 22a-41 of the Connecticut General Statutes, I move to approve application 210 IWC 5 **May Realty/David Yoselevsky:** An application for remediation for work completed within a regulated area on the property located at 711 Route 163, Oakdale CT. As shown on Assessor's Map 38 Lot 53 as depicted on the plan titled "Plan of Proposed Parking Lot Oakdale Post Office Isadore Yoselevsky 7 Meetinghouse Lane

Oakdale CT, dated December 1995 with hand drawn modifications shown in color by D. Yoselevsky/May Realty LLC on March 10, 2010.” This plan shows areas that are to be remediated and reference points are made to monitoring stakes. The application is dated 1/14/10 and the narrative including monitoring plan dated 2/18/10, revised on 3/18/10. 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. Conditions of approval are: 1. The applicant will submit the actual locations of the monitoring stakes within 30 days of completion. 2. Reports will be submitted on the following schedule to the Commission: Bi-Weekly for the first 3 months after completion, and quarterly for the remainder of the first year, and annually for the next 2 years unless commission requires additional submissions. Seconded by Commissioner O’Bday. **6-0 favor, Motion carried.**

Motion to Amend the Motion to Approve to include Standard Reasons of approval by Commissioner Taylor, Seconded by Commissioner O’Bday. **6-0 favor, Motion carried.**

Motion to lift Cease & Desist by Commissioner O’Bday, Seconded by Commissioner Bartholomew. **6-0 favor, Motion carried.**

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

7. Old Business:

- a. **John & Nancy Allen:** An application for the remediation of fill that has already been deposited within a regulated area on the property located at 88 Pires Drive, Oakdale, Ct. As shown on Assessor’s Map 39 Lot 87. Ms. Bezanson stated that the Commission went on site walk on the 11th. Discussion was held regarding what Commission saw. John Allen spoke explaining the area and what he had done to stabilize it. Discussion was held. Commission took 5 min recess to allow staff to retrieve a staff report submitted years prior. Discussion was held.

Motion to Approve by Commissioner Taylor: After giving due consideration to all relevant factors including those in Section 10 and or Section 4 of the Montville Inland Wetland Regulations and Section 22a-41 of the Connecticut General Statutes, I move to approve application 210 IWC 6

John & Nancy Allen: An application for the remediation of fill that has already been deposited within a regulated area on the property located at 88 Pires Drive, Oakdale CT. As shown on Assessor’s Map 39 Lot 87 As depicted on the plan titled “Plot plan Lot 28 Perez subdivision Section 2 Pires Dr Montville CT” with a hand drawn location of area that will be remediated and the plan titled “88 Perez Dr Oakdale approximate hill slope” the application and narrative dated 2/9/10. 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. The conditions are that the slopes be planted with grass by June 1, 2010. Standard reasons for approval apply. Seconded by Commissioner O’Bday. **6-0 favor, Motion carried.**

8. New Business:

- a. **Algonquin Gas Transmission, LLC/Nikki Labella:** An application for the installation of a launcher and receiver on a portion of existing pipeline on the property located at 303 Fitch Hill Rd, Uncasville, Ct. As shown on Assessor’s Map 55 Lot 1. Ms. Bezanson reviewed staff report. Carl Smith, Wetland Scientist with TRC Environmental and Nicki LaBella with Spectra Energy Algonquin Gas both spoke explaining

the project details and reviewed maps. Discussion was held. Commission decided more time was needed to review material and also requested a plan and location for the stockpile be added to application.

- b. **Jones Landscape, LLC:** An application for work within a regulated area in conjunction with the construction of a commercial building on the property located at 318 Butlertown Rd, Oakdale, Ct. As shown on Assessor's Map 1 Lot 15. Ms. Bezanson reviewed staff report. She provided Commission with a map with the plans. Discussion was held.

Site walk set for Tuesday, April 6, 2010 at 6:00pm.

9. Commissioner' Comments: none.

Motion to move item 10 to after item 11 by Commissioner Riske, Seconded by Commissioner Taylor. **6-0 favor, Motion carried.**

10. Correspondence: Ms. Bezanson handed out the following:

- Eastern Connecticut Resource Conservation & Development brochure.
- Foresters Connecticut Farming Bureau brochure.
- ECCO Outlook
- brochures regarding certification classes.
- she stated that there will be an hour long presentation by the Niantic River Watershed on repairing buffers at the Inland Wetlands Commissions meeting.
- she stated that she had mailed out to Commission, the 2009 legislation revisions.

11. Other Business:

- a. Determination if permit is required for the extension of a fence and the removal of trees to increase pasture area on the property located at 185 Fitch Hill Rd, Uncasville, Ct. As shown on Assessor's Map 55 Lot 17A. Nancy Booth spoke explaining what was desired to do. Discussion was held. **Motion to Grant License** by Commissioner Johnson: After giving due consideration to all relevant factors including those in Section 10 and or Section 4 of the Montville Inland Wetland Regulations and Section 22a-41 of the Connecticut General Statutes, I make motion to grant license to Nancy Boothe for the clearing of pasture land and placement of a fence on property located at 185 Fitch Hill Rd Uncasville CT. As shown on Assessor's Map 55 Lot 17 as a permitted use as of right. The reason for approval is this activity proposed is in conjunction with farming related activities and Mrs. Boothe has stated that it will not involve clear cutting of the trees. Seconded by Commissioner Riske. **6-0 favor, Motion carried.**

Motion to adjourn by Commissioner Taylor, Seconded by Commissioner O'Bday. **6-0 favor, Motion carried.**

**for complete record, refer to audio recording.*

*Respectfully submitted,
Pamela Church, recording secretary*