

Town of Montville Inland Wetlands Commission
310 Norwich-New London Turnpike
Uncasville, CT 06382
(860) 848-6779
Town Hall – Town Council Chambers

Regular Meeting Minutes
July 18, 2024

1. Call To Order:

Chairman Douglas Brush called the meeting to order at 6:00 p.m.

2. Roll Call:

Present: Chairman Douglas Brush, Vice-Chair Charles O'Bday, Commissioners Jessica LeClair (6:03 p.m.), Raymond Occhialini and Robert Roshto. Commissioners Sandra Berardy and Joseph Berardy were absent from the meeting.

Also in attendance was ZWO Stacy Radford.

3. Minutes:

a. Approval of Minutes of the June 20 2024, Regular Meeting.

MOTION: To approve the June 20, 2024, Regular Meeting Minutes. **(O'Bday/Occhialini). Vote: (7-0-0). APPROVED.**

4. Public Hearing/Application: None.

5. Show Cause Hearing: None

6. Remarks from the Public not relating to items on the agenda: None

7. Old Business:

a. **24 IWC 5** – 121B Kitemaug Road, (Parcel ID: 084-134-000), Uncasville, CT. Owners: Paul & Catherine Humphrey, Applicant: Paul Humphrey, for regulated activities within the URA to loam and seed lawn, construct a patio, cut trees, install a retaining wall, and clean up trash around the wetlands. *(Submitted 06/04/2024, Date of Receipt 06/20/2024, DRD 08/24/2024)*

NEW STAFF COMMENTS

ZWO Radford reported that a site walk was conducted by IWC on Saturday, July 13, 2024 at 4:00 p.m. There were no meeting minutes as we did not have a quorum. Staff has no new comments. ZWO Radford also noted for the record pictures received from the Owner/Applicant Humphrey who was present to discuss them. The Owner/Applicant Humphrey noted for the record that his pictures were from the last king (high) tide that occurred.

MOTION: 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 number 24 IWC 5 – Applicant Paul Humphrey, Owners: Paul & Catherine Humphrey, for regulated activities within the URA in conjunction with the regrading, loaming, and seeding of the yard; cutting of trees; planting of trees; installation of a patio and retaining wall; and overall cleanup of the area in and around the wetlands, per the application and associated documents dated June 4, 2024. Standard reasons for approval

and standard conditions of approval apply. (Occhialini/O'Bday). Vote: (6-0-1). APPROVED. Commissioner LeClair abstained.

8. New Business:

- a. 24 IWC 7 – 339 Chesterfield Road, (Parcel ID: 021-001-00A), Oakdale, CT Owner/Applicant:** Jill Moonheron, for regulated activities within the wetlands and URA to demo an existing single-family residence and construct a new single-family residence. *(Submitted 6/21/2024, Date of Receipt 7/18/2024, DRD 9/21/2024)*

STAFF COMMENTS:

- This Application is for regulated activities in the upland review area and in the wetlands in conjunction with the proposed demolition of an existing house and shed, including proper abandonment of an existing well & septic system; the construction of a water crossing; and the construction of a new single-family residence, including a new well & septic system.
- The Applicant purchased 339 & 311 Chesterfield Road on or about April 11, 2024 and thereafter merged both lots into one for a combined total of 55.01 acres. The site is located in the R-80 zoning district with approximately 245 feet of frontage on Chesterfield Road and contains approximately 2.63 acres of delineated wetlands within the proposed project area.
- The Applicant states the wetlands were flagged by Soil Scientist Martin Brogie on March 14, 2024.
- The site has a pre-existing, non-conforming 675 square foot house, built in 1848; according to the Town of Montville Assessor Records.
- The Applicant proposes to demolish the existing house, as well as abandon the existing well and septic system; all of which is within the 50' upland review area. The amount of expected disturbance is approximately 855 square feet.
- The Applicant proposes to demo an existing shed in the area proposed for the construct a new single-family residence and septic system, which will be greater than 50' from any wetlands on the property and entirely outside of the upland review area. The installation of a new well will be within the URA.
- The Applicant has proposed approximately 4579 square feet of disturbance within the wetlands and upland review area to widen a paved driveway, construct a water crossing, and cut back vegetation to provide an unobstructed pathway to the proposed new single-family residence.
- The site also has an existing 50' long paved driveway off of Chesterfield Road, which becomes a rutted driveway that crosses over a 2' diameter corrugated metal pipe culvert and a concrete slab through an existing wetland area and then continues for approximately 200' to the northern side of the wetlands and a pond, within the 50' upland review area. Beyond this is a clearing that overlooks a pond and has an existing shed.
- The Applicant proposes to replace the 2' corrugated metal pipe culvert with an engineered water crossing which will increase the capacity of water flow through the structure and the structural capacity of the driveway to accommodate the length and weight restrictions of fire apparatus. The emplacement of the culverts for the proposed water crossing will be by hand and stone will be with an excavator.
- The Applicant indicates that earthwork to be performed will be by using typical construction vehicles such as excavators, backhoes, loaders, and dozers. It is anticipated that 21

cubic yards of earth will be excavated and 108 cubic yards of fill will be required, for a net of 87 cubic yards of fill within the upland review area.

- The Applicant has presented (2) alternative proposals on page #5 of the Development Report dated June 20, 2024, however they are not part of the proposed project presented with this Application. The alternative proposals would entail a slightly different alignment of the driveway with the demolition of the existing house and construction of a new single-family residence or remodeling of the existing house, which may include less disturbance of the wetlands. To re-iterate, these alternatives are not part of this Application.
- The applicant has provided a Soil Characteristic Map on page #14 of the Development Report dated June 20, 2024 and a Wetlands Delineation Report which is part of the Application.
- Staff requested revisions to the proposed Plan to include the following:
 - Clearing limits, both existing conditions and proposed limits of clearing need to be called out separately. Existing conditions to be shown lighter and the proposed clearing limits to be shown darker.
 - A note pertaining to the existing well, which is within the wetlands, needs to be added to show that same will be properly abandoned. This has been addressed on the revised Plan dated July 13, 2024.

STAFF COMMENTS:

Uncas Health – No comment at this time.

Fire Marshal – No comment at this time.

Town Engineer & Soil Scientist – Please see the attached letter from Kyle Haubert, P.E. and Robert Russo, C.S.S. dated July 11, 2024. These comments were sent to the Applicant on July 12, 2024 to address. A response from the Applicant was received on July 15, 2024 and forwarded to the Town Engineer and Soil Scientist for further review. No additional comments have been received as the Town Engineer has been out of the office.

ZWO Radford read the staff report into the record and identified Ryan Thomas as being present on behalf of Owner/Applicant Moonheron. Engineer and Land Surveyor Thomas referred to topographical maps to explain the intent of the Owner/Applicant. He responded to questions from the Commission concerning cleaning of the stone diaphragm, areas of erosion and remedies for it, the turnaround area for the driveway, diaphragms on the driveway and proper disposal of salt from snow.

MOTION: To table Application 24 IWC 7 to the August 15, 2024, Commission meeting pending a site walk scheduled for August 12, 2024 at 6:00 p.m. **(O'Bday/LeClair).** **Vote: (7-0-0).**
APPROVED.

- b. 24 IWC 824 IWC 8 – 40 Saltbox Lane, (Parcel ID: 015-007-0CC), Uncasville, CT**
Owner/Applicant: Jeffrey Graves, for regulated activities within the URA to construct a boulder retaining wall. *(Submitted 6/25/2024, Date of Receipt 7/18/2024, DRD 9/21/2024)*

STAFF COMMENTS

- This Application is for regulated activities within the upland review area in conjunction with the building of a boulder retaining wall.
- The property is located on 3.29 acres in the R-40 zoning district with approximately 201 feet of frontage onto Saltbox Lane. The property is currently developed with a single-family residence.

- On or about June 1, 2024 the Applicant contacted our office in order to obtain a final Certificate of Zoning Compliance for the construction of the single-family residence and were desperate to get into the house by July 1, 2024. I advised him that I would require an As-Built prepared by a Licensed Land Surveyor in order to conduct my final inspection, as this was a condition of Zoning Permit # 221 ZP 173.

- On or about June 16, 2024, I received the As-Built from Applicant's Licensed Land Surveyor and conducted my final inspection. At the time of inspection, I noticed that there was a boulder retaining wall that had been constructed within the 50' upland review area. I spoke with the Applicant and he was unaware that the wall had been constructed in the URA, as he had hired a contractor to build the single-family residence and do all necessary site work; while utilizing the required property survey.

- During the initial permitting process, it was determined that there were wetlands on the property, as delineated by Joseph Theroux, a Certified Soil Scientist. An Inland Wetland application was obtained in order to construct a driveway crossing only, on November 21, 2021 (Application #: 221 IWC 15).

- The Applicant is requesting that the boulder retaining wall remain as constructed; as removal of said wall may cause more of a disturbance in the URA.

ZWO Radford read the staff report into the record and noted the presence of Owner/Applicant Graves to the Commission should they questions and photos for their review of the single-family residence. The Owner/Applicant responded to Commission as to the height of the retaining wall. No site walk was scheduled.

MOTION: To table Application 24 IWC 8 to the August 15, 2024, Commission meeting. **(Roshto/Occhialini). Vote: (7-0-0). APPROVED.**

9. Correspondence: None

10. Other Business: None

11. Executive Session: None

12. Adjournment.

MOTION: To adjourn the meeting at 6:43 p.m. **(O'Bday/Roshto). Vote: (7-0-0). MEETING ADJOURNED.**

Respectfully submitted by,

Gloria J. Gathers
Recording Secretary, Town of Montville

AN AUDIO RECORDING OF THE MEETING IS AVAILABLE ON THE TOWN OF MONTVILLE WEBSITE.