

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
August 15, 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, Commissioners Sandra Berardy, Joseph Berardy Jessica LeClair (6:08 p.m.) and Raymond Occhialini. Vice-Chair Charles O'Bday and Commissioner Roshto were absent from the meeting.

Also in attendance was ZWO Stacy Radford.

3. Minutes:

a. Approval of Minutes of the July 18 2024, Regular Meeting.

MOTION: To approve the July 18, 2024, Regular Meeting Minutes. **(Occhialini/Brush). Vote: (2-0-2).** Commissioners Sandra Berardy and Joseph Berardy abstained. **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 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 IN REVIEW:

- 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.

The application and supporting documents have been referred to the following for further review and comment:

- 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.

NEW STAFF COMMENTS:

- A site walk was conducted on August 12, 2024 by myself and Members of the IWC.
- On August 13, 2024 the Town Engineer & Soil Scientist provided additional comments in response to the Applicant's August 12, 2024 letter, a copy is attached in your packets. These comments were forwarded to the Applicant's Engineer to address and he has responded to some, but not all of the comments.
- Staff would recommend that this Application be tabled until our next meeting to provide time for the Applicant to address the outstanding issues and for Staff to be able to review same.

Chairman Brush commented on whether the applicant was aware that if the Commission could not complete the actions that a letter of extension would be required; inquired if there were any concerns about the site walk and noted concerns about the drainage calculations for time of concentration with notice to the Town Soil Scientist on the same.

MOTION: To table Application 24 IWC 7 to the August 15, 2024, Commission meeting to have the Town Soil Scientist review the drainage calculations for time of concentration. (**Occhialini/S. Berardy**). **Vote: (4-0-0). 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 IN REVIEW:

- 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.

NEW STAFF COMMENTS:

No new comments.

Chairman Brush inquired if Commissioners S. Berardy and J. Berardy required explanation of the Application as it was their first time seeing it.

MOTION: After giving due consideration to all relevant factors including those in Section 10 and/or Section 6 of the Montville Inland Wetlands and Watercourses Regulations and Section 22a-41 of the Connecticut General Statutes, I move to approve application number 24 IWC 8 – Owner/Applicant: Jeffrey Graves, for regulated activities within the URA to construct a boulder retaining wall, per the Application and associated documents dated June 25, 2024. Standard reasons for approval and standard conditions of approval apply. **(Occhialini/S. Berardy). Vote: (4-0-0). APPROVED.**

8. New Business: None

9. Correspondence:

Chairman Brush reported on an email received from the Chair of the Salem Wetlands Commission concerning a representative from DEEP who will address problems of hydrilla at Gardner Lake. The discussion will be an educational presentation that will occur during the Salem Commission meeting on September 3rd or the first Monday of October and the Montville IWC has been invited attend. Email updates on the presentation will be forwarded to the Commission.

10. Other Business: None

11. Executive Session: None

12. Adjournment.

MOTION: To adjourn the meeting at 6:12 p.m. **(Occhialini/LeClair). Vote: (5-0-0). 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.