

**AMENDED**  
**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**  
**November 21, 2024**

**1. Call To Order:**

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

**2. Roll Call:**

**Present:** Chairperson Douglas Brush, Vice-Chair Charles O’Bday, Commissioners Sandra Berardy, Joseph Berardy, Jessica LeClair, Raymond Occhialini and Robert Roshto.

Also in attendance was ZWO Stacy Radford.

**3. Minutes:**

**a.** Approval of Minutes of the October 17, 2024, Regular Meeting.

**MOTION:** To approve the October 17, 2024, Regular Meeting Minutes. **(LeClair/O’Bday).**

**Vote: (6-0-1). Chairperson Brush abstained. APPROVED.**

**b.** Approval of Minutes of the November 9, 2024 Site Walk – Special Meeting.

**MOTION:** To approve the November 9, 2024, Site Walk – Special Meeting. **(Occhialini/Roshto).**

**Vote: (6-0-1). Chairperson Brush, Vice-Chair O’Bday, and Commissioner LeClair abstained. APPROVED.**

**4. Public Hearing/Application:**

**a. Public Hearing: 24 IWC 9 – 2268-2284 Route 32, (Parcel ID(s): 106-034-000, 106-036-000, 106-035-000)), Uncasville, CT Owner: Samuels Montville, LLC Applicant: Honeycomb Real Estate Partners, LLC, for regulated activities associated with the development of these parcels for a 57-unit multi-family residential project with parking and stormwater management features. (Submitted 9/27/2024, Date of Receipt 10/17/2024, Public Hearing scheduled for 11/21/2024. PH must close by 12/21/2024).**

**MOTION:** To open Public Hearing 24I WC 9 at 6:05 p.m. **(O’Bday/LeClair). Vote: (7-0-0). APPROVED.**

**STAFF COMMENTS:**

- This Application is for regulated activities associated with the development of three parcels of land located on Route 32 and better known as 2268, 2280, and 2284 Route 32; for the construction of a 57-unit multi-family residential project with paved parking and stormwater management features.
- The Applicant is seeking approval for 432 square feet of temporary and 636 square feet of permanent disturbance to an isolated inland wetland area associated with a stormwater outfall, along with 9,770 square feet of permanent disturbance in the associated upland review area.

- The Applicant states that the wetland areas within 100 feet and streams within 200 feet of the study area were located and flagged by Environmental Consultant/Soil Scientist Thomas Liddy of Lucas Environmental on July 19, 2024.
- The study area consists of 3 parcels totaling approximately 3.4 acres of land, broken down as follows:
  - 1.43 acres, which makes up the southern half of the study area and now known as 2268 Route 32 (Parcel ID: 106-034-000)
  - 1.72 acres, which makes up the northern half of the study area and now known as 2284 Route 32 (Parcel ID: 106-035-000)
  - 0.21 acres, which makes up the area between both of the aforementioned parcels and now known as 2280 Route 32 (Parcel ID: 106-036-000)
- The Applicant's Soil Scientist states that the wetlands located on site are at the bottom of a rocky hillside and were likely formed as a collection of surface outfall flows originating from an upgradient stormwater outfall located on Cedar Lane, to the North of the proposed parcels.
- The Applicant is proposing 432 square feet of temporary impacts to the wetlands relating to minor regrading to allow for off-site stormwater to enter a proposed drainage pipe; 636 square feet of permanent impacts of the wetlands resulting from the proposed construction of a retaining wall and a paved parking lot; and 9,770 square feet of disturbance in the upland review area for grading and additional drainage and paving associated with the proposed site improvements.
- The Applicant's Soil Scientist states that it is his professional opinion that all of the proposed improvements to this site will correct a long-term drainage issue in this immediate neighborhood.
- This application and supporting documents have been referred to the Town Soil Scientist. See attached comments dated October 17, 2024, November 14, 2024 and November 19, 2024. All comments have been addressed.
- In 2007 the IWC approved Application 207 IWC 42 for the filling of 1500 square feet of wetlands located along the northern property line in conjunction with a proposal to construct at 14,700 square foot pharmacy and (2) 3100 square foot restaurant/retail buildings. Certified Soil Scientist Richard Snarski concluded in his narrative of the 2007 Application that he believed that the wetland originated from road drainage from Cedar Lane.
- A site walk was conducted on November 9, 2024 by myself and members of the IWC, as well as Attorney William Sweeney, Tom Liddy Wetland Scientist of Lucas Environmental, Lewis Brown and Steve Caprio from Honeycomb Realty, on behalf of the Applicant.

ZWO Radford read the Staff Comments into the record and noted Attorney William Sweeney as present on behalf of the Owner. Chairperson Brush noted for the record that a decision by the Commission can only be considered regarding the Public Hearing. Attorney Sweeney, Tom Liddy, Soil Scientist, and Roy Smith Engineer reintroduced the Owner's application for limited regulated activities to be located on three (3) parcels of

land at this hearing provided by the Commission regarding public interest. New information regarding responses to the Town Engineer that were reviewed and signed off were also introduced. Soil Scientist Roy Smith cited an additional exhibit, "Exhibit A" per his review of the three (3) general properties, drainage introduced offsite of the property, and response and comments to the Town Engineer by Engineer Roy Smith. Responses were given to questions by the Commission concerning the plan for the sediment condition; guidelines for runways; the condition of the water offsite versus onsite; and the quality/quantity of the water infiltration. Resident Michael Yost was assured that there would be no runoff to his property. Chairperson Brush questioned whether there are additional remarks or remarks about the site walk.

**MOTION:** To close Public Hearing 24I WC 9 at 6:49 p.m. **(Roshto/O'Bday). Vote: (7-0-0). APPROVED.**

**b. Discussion & Decision: 24 IWC 9 – 2268-2284 Route 32, (Parcel ID(s): 106-034-000, 106-036000, 106-035-000)), Uncasville, CT Owner: Samuels Montville, LLC Applicant: Honeycomb Real Estate Partners, LLC, for regulated activities associated with the development of these parcels for a 57-unit multi-family residential project with parking and stormwater management features. (DRD 65 days from close of public hearing)**

**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 9 – Owner: Samuels Montville, LLC Applicant: Honeycomb Real Estate Partners, LLC, for regulated activities associated with the development of these parcels for a 57-unit multi-family residential project with parking and stormwater management features, per the Application and associated documents dated September 25, 2024. Standard reasons for approval and standard conditions of approval apply. **(Occhialini/O'Bday). Vote: (7-0-0). APPROVED.**

**5. Show Cause Hearing:** None

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

**7. Old Business:** -- None

**8. New Business:**

**a. 24 IWC 10 – 958 Route 163, (Parcel ID: 046-008-000), Montville, CT Owner: TACT Holdings, LLC Applicant: The Nevar Company/Dean Fiske, for no regulated activities associated a proposed 1lot Resubdivision. (Submitted 10/23/2024, Date of Receipt 11/21/2024, DRD 1/25/2025)**

**STAFF REPORT**

- The site consists of approximately 30.66 acres located in the R-120 zoning district with about 969 feet of frontage on Route 163. The Applicant states that the site contains approximately 1.62 acres of wetlands, delineated on January 26, 2023 in a site visit by James M. McManus of JMM Wetland Consulting Services, LLC. This property is currently developed with a single-family residence, detached garage and associated site improvements including an on-site well and septic.

- The property to be re-subdivided is shown on a Plan entitled “Proposed 1-lot Resubdivision of 958 Route 163 (Parcel ID: 046-008-000), Oakdale, Connecticut, prepared for The Nevar Company 677 S. Main Street, Cheshire, Connecticut and prepared by Solli Engineering dated September 30, 2024”. There is no regulated upland or wetlands activity proposed as part of this development.
- This Applicant presented a similar Application to this Commission, who forwarded a favorable recommendation to the Planning & Zoning Commission on August 21, 2023. The Applicant withdrew its prior Application to the Planning & Zoning Commission, has since changed the configuration of the Lots and is therefore re-submitting to this Commission for a favorable recommendation with regard to the revised division of land.
- The Applicant proposes to subdivide this property to create (2) lots, to be called out as Lot #1 and Lot #2. Lot #1 will be approximately 12.187 acres (530,872 square feet) and will be comprised of the existing single-family residence, associated driveway, septic system and well service. Lot #2 will be approximately 18.470 acres (804,538 square feet) and currently consists of existing farmland and wooded undeveloped land. The proposed use of this lot is for a 0.999 MW solar photovoltaic array which has been approved by the Connecticut Siting Council under Petition No. 1601. There is a proposed culvert in the State Right of Way and within the 50’ URA, which also received prior approval from the CT Siting Council. The Applicant states in part, “A site visit was conducted on January 26, 2023 by James M. McManus of JMM Wetland Consulting Services, LLC. According to his observations, wetlands were found in the northwestern portion of the property and at the southeastern boundary between the property and Route 163, approximately 900 linear feet from the existing dwelling and 580 linear feet from the existing dwelling, respectively. The site consists of approximately 1.62 acres of on-site wetland area.”
- The Applicant further states “all proposed work will be outside of the existing on-site wetlands and the associated regulated buffers. The proposed solar panels are approximately 310 feet away from the closest on-site wetland, adjacent to Route 163.”

ZWO Comments: Please note: Full site has not been delineated.

1. Revise the Inland Wetlands Application received 10/23/2024 as follows:
  - VIII. Other Information –7. Department of Transportation permit is required as Route 163 is a state road. Details on the Plan indicate that an Encroachment Permit was obtained on September 3, 2024. Application must reflect this as “Yes” required.
2. Final Plan shall be signed and sealed by L.S. and Soil Scientist. Plan has been signed but no seals are present.

ZWO read the Staff Comments into the record and noted the presence of Casey Burch, Project Engineer for the solar project and subdivision who spoke of having went through the Connecticut Siting Council and its prior approval. Responses were given to questions by the Commission regarding the location of the solar panels; drainage work installation; the width of access; drainage work in the area of the solar panels; creation of a watercourse;

and development of Lot #1. Chairperson Brush noted for the record that a stamp was needed i.e., a seal for the plan and a revised application per ZWO Radford.

**MOTION:** After giving due consideration to all relevant factors, including those in the CT General Statutes (CGS) Section 8-26 (Applications involving an inland wetland or watercourse), Montville Subdivision Regulations Section 3.4.2 (Wetlands Agency Referral), and CGS Chapter 440, Sections 22a-28 to 22a-45d (Wetlands and Watercourses), I move that the Commission forward a favorable recommendation/report to the Montville Planning and Zoning Commission for Application #24 IWC 10, submitted by Applicant: The Nevar Company; Owner: TA CT Holdings, LLC for a 1-lot re-subdivision of 958 Route 163 (046-008-000), Oakdale, CT, as more fully described in the application & supporting documents dated 10/23/2024 and a Plan entitled “Proposed 1-lot Resubdivision of 958 Route 163 (Parcel ID: 046-008-000), Oakdale, Connecticut, prepared for The Nevar Company 677 S. Main Street, Cheshire, Connecticut and prepared by Solli Engineering dated September 30, 2024” due to no regulated activities. **(Occhialini/Roshto). Vote: (7-0-0). APPROVED.**

9. **Correspondence:** None

10. **Other Business:**

a. **Adoption of 2025 Meeting Schedule.**

ZWO noted that the third Thursday, June 19<sup>th</sup> is a Town holiday, so the meeting date was changed to June 12. The 2025 meeting dates are as follows: January 16, February 20, March 20, April 17, May 15, June 12, July 17, August 21, September 18, October 16, November 20, December 18, and January 15, 2026. Discussion: none. **(O’Bday/LeClair). Vote: (7-0-0). APPROVED.**

b. **Election of Officers.**

**MOTION:** To approve the current slate of officers for the calendar year 2025—Chairperson Brush, Vice-Chair O’Bday, and Secretary S. Berardy. Discussion: none. **(O’Bday/LeClair). Vote: (7-0-0). APPROVED.**

11. **Executive Session:** None

12. **Adjournment.**

**MOTION:** To adjourn the meeting at 7:14 p.m. **(O’Bday/LeClair). 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.**