

**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 20, 2025**

**1. Call To Order:**

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

**2. Roll Call:**

**Present:** Chairperson Douglas Brush, Commissioners Eric Majewski, Raymond Occhialini, Robert Roshto and Anthony Vellucci. Absent was Commissioner Jessica LeClair.

Also present was ZWO Stacy Radford.

**3. Minutes:**

a. Approval of Minutes of the September 18, 2025 Regular Meeting.

**MOTION:** To approve the Commission October 20, 2025 Regular Meeting Minutes. **(Roshto/Occhialini).**

**Vote: (5-0-0). 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. **Noble Hill Road** (Parcel ID: 061-002-000) Oakdale, CT – Owner: Jeffrey Phillips and Jennifer Michaels – update ongoing enforcement action – Cease & Correct Order – Unpermitted activities within the wetland and 50’ upland review areas. *(Tabled from 05/15/2025 meeting.)*

**SUMMARY OF EVENTS:**

- On or about February 20, 2025, the Town of Montville Planning & Zoning Commission received notice from the Town of Bozrah, of a Public Hearing for a Special Exception and Site Plan Application for a potential event venue at 410 Salem Turnpike. Said Notice was forwarded to the Planning & Zoning Commission in accordance with Connecticut General Statutes pertaining to the requirement of a referral to any abutting municipality. During the review of the properties located within the immediate vicinity of the proposed event venue via the Town of Montville GIS (Geographic Information System); Assistant Planner Meredith Badalucca; noticed a large area of disturbance on the property (Parcel ID: 061002-000) which is the subject of this Show Cause Hearing.
- An inspection of the property file was conducted to determine if there were any Permits applied for or issued for any such disturbance. None were found.
- Additional research of the property was conducted utilizing the GIS to view aerial photos of the property. Copies of the following photos are attached to this Report.
  - Aerial Photo of 2023\*
  - Aerial Photo of 2023 specifically of the area of disturbance\*
  - Aerial Photo of 2023 with State of CT Wetland Layers\*
  - Aerial Photo of 2019\*
  - Aerial Photo of 2018\*
  - Aerial Photo of 2016\*
  - Aerial Photo of 2014\*

- Aerial Photo of 2012\*
- Aerial Photo of 2010\*

\*These photos are not attached to the minutes.

- Further research showed that the current property owners, Jeffrey Phillips and Jennifer Michaels purchased the property, 62.21 acres in January of 2018. I would like to note that during the time before and after Mr. Phillips and Ms. Michaels purchased the property, there has been excavation ongoing. I would also like to note that a Timber Harvest was conducted in September of 2014, and the previous property owner did obtain an As of Right Permit from this Commission.
- On February 24, 2025, a Notice of Apparent Violation / Request for Voluntary Compliance was forwarded to the property owners. A copy of the Notice is attached; however, I would like to read the same into the record. The Notice was mailed via Regular and Certified Mail and signed for by Jeffrey Phillips, confirmed on the green return receipt card which I have also attached hereto and will be entering into the record. (A copy of the Notice and green card receipt card are included in these minutes as Attachment A and B, respectively.
- On March 5, 2025, the property owner, Jeffrey Phillips called and left a message confirming receipt of the Notice of Apparent Violation / Request for Voluntary Compliance.
- On March 6, 2025, I returned a call to Jeffrey Phillips and arranged a site visit on March 14, 2025 at 11:00 a.m. Due to the potential size of disturbance, the Town Engineer and Town Soil Scientist were requested to attend said site visit.
- On March 14, 2025 myself; Assistant Planner Meredith Badalucca; Town Engineer Kyle Haubert of CLA and Soil Scientist Robert “Bob” Russo of CLA met with property owner Jeffrey Phillips. Mr. Phillips agreed to walk the entire property with us.
- Photographs were taken during the site visit, and a complete Inspection Report is attached to this Report. Bob Russo will take some time to explain what was observed in the field, as well as explain some of the photographs of the Inspection Report, at the conclusion of this Summary of Events.
- After the site visit and the determination that there was a confirmed wetlands violation, I prepared an additional Notice of Violation / Request for Compliance, dated March 14, 2025 and forwarded a copy to the property owners via Regular and Certified Mail, as well as email. A copy of the Notice is attached; however, I would like to read it into the record. Receipt of this letter is also confirmed on the green return receipt card which was signed for, but the signature is illegible, and I have attached a copy and would like to enter it into the record.
- The Notice was also forwarded via email to the State of Connecticut DEEP and the Army Corp of Engineers.
- Notice of Show Cause Hearing was prepared and posted on the Town of Montville website and forwarded to The Day newspaper.
- On March 18, 2025, the property owner, Jeffrey Phillips forwarded an email, along with a photograph of the woodchips that he spread over an area which Bob Russo had requested be done during our site visit.
- On March 19, 2025, a letter was forwarded to the Town Clerk of the Town of Bozrah advising them of the Public Hearing regarding this violation, in accordance with Connecticut General Statutes.
- On March 19, 2025, I received a call from James Sipperly, a Soil Scientist, who indicated that he had been retained by the property owners regarding the current wetland violation. Mr. Sipperly indicated that he has delineated the wetlands on the property, however, has not prepared a Report or a Remediation Plan to be presented to the Commission. He asked if the Commission would continue the Hearing until next month for him to present on behalf of his clients.

Additional Exhibits were reported by ZWO Radford on April 17, 2025 as follows:

11. Notice of Decision letter to property owners, dated April 8, 2025;
12. Email to property owners, including a copy of Notice of Decision letter from March 20, 2025 Show Cause Hearing, dated April 8, 2025;
13. Email to State of CT DEEP; Army Corp of Engineers; Bob Russo, Soil Scientist of CLA; and Kyle Haubert, Engineer of CLA; including a copy of Notice of Decision letter from March 20, 2025 Show Cause Hearing, dated April 8, 2025;

14. Staff Report 2, dated April 17, 2025.

**UPDATED SUMMARY OF EVENTS (1):**

- At the last meeting of March 20, 2025, this Commission voted to UPHOLD the Notice of Violation; continue the Show Cause Hearing to its next scheduled meeting; and keep this item on the Agenda for future Meetings, until such time as the violation has been rectified.
- On April 5, 2025, Chairman Brush, Bob Russo (Town of Montville Soil Scientist) and myself participated in a site walk of the property. Jeffrey Phillips (the property owner) and Jim Sipperly (Mr. Phillips' Soil Scientist) were also present.
- On April 14, 2025, I received a call from Mr. Phillips who confirmed that he has retained the services of both a Soil Scientist (Jim Sipperly) and a Professional Engineer (Mark Reynolds). Mr. Sipperly had undergone a procedure which has rendered it impossible for him to complete the additional delineations for the Wetlands Report and the Remediation Plan. Mr. Phillips requested a continuance until our next regularly scheduled meeting on May 15, 2025.

**UPDATED SUMMARY OF EVENTS (2):**

- At the last meeting of April 17, 2025, this Commission voted to continue the Show Cause Hearing at the request of the property owner due to the fact that his Soil Scientist needed additional time to prepare and present a Report and Remediation Plan, following a recent medical procedure.
- Chairman Brush asked questions of Bob Russo (Town of Montville Soil Scientist) following the site walk on April 5, 2025; specifically, if the recent gravel excavation at the site (west of the unpermitted culvert) caused or has the potential to cause dewatering of the upslope wetland. This question was referred to James Sipperly (Soil Scientist on behalf of the property owner) for response.
- On May 6, 2025, I received an email from Mark Reynolds (Professional Engineer on behalf of the property owner) who advised that he had been retained to provide an existing conditions survey of the interest area, including locating the wetland flags, previously marked by James Sipperly. He also advised that he would be preparing and submitting a Grading/Erosion & Sedimentation Control/Stabilization Plan.
- On May 9, 2025, I received a call from Mr. Phillips inquiring if it is possible that he continue to mow a path through to the back portion of his property for walking of his dog. Previously, had told Mr. Phillips that he should refrain from doing anything further to the property until such time as a Remediation Plan had been presented and approved by the Commission. I instructed Mr. Phillips that he should request this permission directly from the Commission at this meeting.
- On May 13, 2025, I received a Topographical Survey w/Wetlands or an Existing Conditions Survey dated May 12, 2025 from Mark Reynolds, Land Surveyor from Rob Hellstrom Land Surveying, LLC. A copy of same is attached to this Staff Report.
- On May 14, 2025, I received a Wetland Report and Remediation Plan dated May 13, 2025 from James Sipperly, Certified Soil Scientist. A copy of this is also attached to this Staff Report. I would like to mention that the "temporary structure" which Mr. Sipperly mentions in his Report, although the re-location is not a wetland concern, this will need to be addressed during the Zoning Enforcement action, as accessory structures are not allowed in accordance with Section 4.10.4.2 of the Montville Zoning Regulations.
- A copy of the Existing Conditions Survey and the Wetland Report / Remediation Plan was forwarded to the Town Soil Scientist Bob Russo on May 14, 2025. No formal written review has been provided.

**UPDATED SUMMARY OF EVENTS (3):**

- At the last meeting of May 15, 2025, this Commission voted to continue the Show Cause Hearing until the next meeting of June 12, 2025. The Commission advised the Applicant and his Engineer that an Application must be submitted for the next meeting, along with an explanation of remediation; including the culvert which was placed without permits.
- The Commission also inquired about the additionally excavated area, closer to the site entrance, and if wetlands were located in this area.
- The Commission agreed to allow the property owner to continue to mow a pathway to walk his dog along his property.

- On May 21, 2025, review comments were received from Robert Russo, Certified Soil Scientist on behalf of the Town of Montville and listed as Exhibit #21. A copy is attached to this Staff Report.
- On May 23, 2025, Staff met with Mark Reynolds (Professional Engineer on behalf of the property owner). Mr. Reynolds was provided with a copy of the May 21, 2025 review comments received by Robert Russo. Mr. Reynolds provided to Staff a copy of a letter dated April 23, 2025 received by Mr. Phillips from the Army Corps of Engineers, listed as Exhibit #22. A copy is attached to this Staff Report.
- On May 27, 2025, Staff forwarded an email to Mark Reynolds, James Sipperly and Jeffrey Phillips confirming the meeting of May 23, 2025 with Mark Reynolds and including a brief explanation of what should be submitted prior to the June 12, 2025 meeting.
- On May 29, 2025, Mark Reynolds advised Staff that it was his understanding that Attorney McCoy of Heller, Heller & McCoy would be representing Mr. Phillips.
- On June 4, 2025, Staff received a call from Attorney William McCoy indicating that he would be representing Mr. Phillips in this matter and would forward a copy of an Authorization of same. Staff provided to Attorney McCoy a copy of the May 21, 2025 review comments of Robert Russo, as well as a copy of Staff's email of May 27, 2025 to Mark Reynolds, James Sipperly, and Mr. Phillips.
- On June 6, 2025, Staff received "Additional Inland Wetland Soils and Watercourses Investigation and Delineation, Noble Hill Road (Parcel ID: 061-002-000) Owner: Jeffrey Phillips & Jennifer Michaels" from James Sipperly, Certified Soil Scientist on behalf of the property owners, listed as Exhibit #23. A copy is attached to this Staff Report.
- On June 6, 2025, Staff referred a copy of the Wetlands Report dated June 6, 2025 to Robert Russo for his review and comment. Comments were received back from Mr. Russo dated June 9, 2025 and listed as Exhibit #24. A copy is attached to this Staff Report.
- On June 11, 2025, Staff received an Authorization form from the property owners, Jeffrey Phillips and Jennifer Michaels, authorizing the law offices of Heller, Heller & McCoy to act as an agent on their behalf, listed as Exhibit #25. A copy is attached to this Staff Report.

**UPDATED SUMMARY OF EVENTS (4):**

- At the last meeting of June 12, 2025, Attorney William McCoy presented to this Commission that he would be preparing an after-the-fact Application to be submitted at the next meeting of July 17, 2025.
- On July 8, 2025, Staff received an Application, Narrative, a copy of Wetland Reports dated June 6, 2025 and May 13, 2025, a list of property abutter's and a Plan entitled "Topographic Survey w/Wetlands dated May 12, 2025 revised June 25, 2025."

**UPDATED SUMMARY OF EVENTS (5):**

- At the last meeting of July 17, 2025, Attorney William McCoy presented to this Commission that he had submitted an after-the-fact Application for consideration. Attorney McCoy indicated that he would make a full presentation at the next meeting of August 21, 2025.
- At the May 15, 2025 meeting, Staff discussed the reimbursement to the Town of Montville for fees expended for the services of the Town Soil Scientist and Professional Engineer. According to the Inland Wetland & Watercourses Regulations Section 20.6 Summary of Ordinance No. 2007-002, a copy of which is attached and highlighted, refers to additional expenses which can be charged to an Applicant. Currently a total of \$3,025.00 has been expended as part of the violation:
  - Invoice #1 - \$1,525.00
  - Invoice #2 --- \$750.00
  - Invoice #3 ----\$600.00
  - Invoice #4 ----\$150.00
- Additional invoices may continue to accrue depending on future inspections which may be required for this violation. Accordingly, the reimbursement of same is something that this Commission will need to vote on. All invoices received pertaining to the review of Application #: 25 IWC 14 (after-the-fact Permit) will be kept separate.

**UPDATED SUMMARY OF EVENTS (6):**

- At the last meeting of August 21, 2025 this Commission issued an after-the-fact Permit for excavation and the removal of earth products within regulated areas, pursuant to Application #: 25 IWC 14. Part of this approval was the submittal of an E&S Control Bond in the amount of \$8,342.00. On September 8, 2025, the property owner delivered the cash Bond, however, no submission of an Application to the Planning & Zoning Commission for the stabilization of the (2) large holes on the property has been received to date.
- At the August 21, 2025 meeting, this Commission made a Motion for the Applicant to reimburse the Town of Montville, in the amount of \$3,025.00, as fees for services performed by the Town Soil Scientist and the Town Engineer. The Applicant requested, through his attorney, a breakdown of each of the bills, which was provided on September 2, 2025 and on September 8, 2025, the property owner paid these fees in full.

**UPDATED SUMMARY OF EVENTS (7):**

- On September 23, 2025, I received a call from Mr. Phillips who advised me that the boat structure has been removed, top soil had been added to the area shown on the mitigation plan, rip-rap had been added to the scouring hole in the area of the wetland crossing/culvert and he was in the process of spreading the wetland seed mix and haying the disturbed area.
- On September 24, 2025, I met with Mr. Phillips on his property to conduct a follow-up inspection (see Inspection Report dated 09/24/2025 attached).
- Mr. Phillips is working diligently to get his Application submitted to the Planning & Zoning Commission for their October 28, 2025 meeting.

**STAFF RECOMMENDATIONS (1):**

- The Commission continue the Show Cause Hearing to the next regularly scheduled meeting on June 12, 2025, to allow the following:
- Preparation and submission of a formal Remediation Plan shown on a Survey.
- The submission of an E&S Control and Restoration Bond Estimate by the property owner's Engineer to be reviewed and approved by CLA.
- The discussion and approval of the reimbursement to the Town of Montville of expended fees in accordance with Section 20 of the Inland Wetland & Watercourses Regulations by the property owner. Currently bills total \$2,275.00, broken down as \$1,525 for the period of March 3, 2025--March 30, 2025 and \$750 for the period of March 31, 2025--April 27, 2025; copies of the bills are attached to this Staff Report. Fees will continue to accrue until such time as this matter has been rectified to the satisfaction of this Commission. The reimbursement of same is something that the Commission will need to vote on.
- The setting of a deadline for the commencement of remediation with the requirement of post-construction inspections by the property owner's Soil Scientist for a period of (2) years after completion of remediation.

**STAFF RECOMMENDATIONS (2):**

That the Commission continue this matter to the next regularly scheduled meeting on July 17, 2025, to allow Attorney William McCoy time to familiarize himself with the file and prepare/submit an Application and supporting documentation on behalf of the property owners.

**STAFF RECOMMENDATIONS (3):**

- At the last meeting of June 12, 2025, Attorney William McCoy presented to this Commission that he would be preparing an after-the-fact Application to be submitted at the next meeting of July 17, 2025.
- On July 8, 2025, Staff received an Application, Narrative, a copy of Wetland Reports dated June 6, 2025 and May 13, 2025, a list of property abutter's and a Plan entitled "Topographic Survey w/Wetlands dated May 12, 2025 revised June 25, 2025."

**STAFF RECOMMENDATIONS(4):**

- The Commission continues this matter to the next regularly scheduled meeting on September 18, 2025 and continue to do so until a Remediation Plan has been agreed to by this Commission.
- ZWO Radford read the revised Updated Summary of Events into the record and reported having mistakenly mixed up the staff report with the after-the-fact application on which the reimbursable expenses were added. The revision was discussed with Applicant's Attorney McCoy.

**STAFF RECOMMENDATIONS (5):**

- The Commission continue this matter to the next regularly scheduled meeting on October 16, 2025 and continue to do so until this matter has been resolved to the satisfaction of this Commission.

**STAFF RECOMMENDATIONS (6):**

- The Commission continue this matter to the next regularly scheduled meeting on November 20, 2025 and continue to do so until this matter has been resolved to the satisfaction of this Commission.

**UPDATED SUMMARY OF EVENTS (8):**

- On October 30, 2025 I received a call from Attorney William McCoy on behalf of the property owners and he indicated that the Application for the Planning & Zoning Commission is about ready for submission.
- On November 17, 2025 I spoke with Jeff Phillips who indicated that he really needs to get the stockpile of fill, which he is currently holding on his property, spread before the pile freezes. I explained to him that we are still waiting for submission to the Planning & Zoning Commission.
- Additional telephone messages left for Jeff Phillips and Attorney McCoy have gone unanswered.

**STAFF RECOMMENDATIONS (7):**

- The Commission continue this matter to the next regularly scheduled meeting on December 18, 2025 and continue to do so until this matter has been resolved to the satisfaction of this Commission.

ZWO Stacy Radford read into the record the Updated Summary of Events and Staff Recommendations. The Applicant responded to a question from the Commission as to whether there is adequate fill for the two (2) large holes.

**MOTION:** To continue this matter to the next regularly scheduled meeting on December 18, 2025 and continue to do so until this matter has been resolved to the satisfaction of this Commission. **(Roshto/Occhialini). Vote: (5-0-0). APPROVED.**

- b. 25 IWC 25 – 428 Fire Street (Parcel ID: 014-003-000) Oakdale, CT; Owner/Applicant: Mark Desrosier; for regulated activities to make repairs to driveway in wetlands and URA; (Submitted 9/19/25, Date of Receipt 10/16/25, DRD 12/20/25)**

**STAFF COMMENTS IN REVIEW:**

- This Application is for an after-the-fact permit for regulated activities in conjunction repairs that the property owner made to an existing driveway due to flooding.
- On September 2, 2025 I received a potential complaint for someone working within wetlands and/or the upland review area on this property. Myself and Assistant Planner Meredith Badaluca conducted an inspection which revealed an excavator parked in what appeared to be the upland review area and obvious soil disturbance (see Inspection Report 9-2-2025 attached).
- A Notice of Apparent Violation was forwarded to the property owner on September 4, 2025 with a request for compliance within 7 days.
- The property owner contacted me on September 9, 2025. I explained what was observed during my September 2, 2025 inspection and the property owner advised that he “expanded the driveway and I did disturb soil”. I advised the property owner to immediately cease all activity other than to install silt fence to protect the wetlands.
- The property owner advised that all work had been completed and agreed to an onsite meeting where he could explain what he had done.
- On September 18, 2025 myself and Assistant Planner Meredith Badaluca met with the property owner (see Inspection Report 9-18-2025 attached). In light of what we observed on site, we advised the property owner that an after-the-fact permit would be required by this Commission.
- On September 19, 2025 the property owner submitted an Application and a hand-drawn site plan, both of which are in your packets.
- On September 23, 2025 I referred this Application and supporting documents out to the Town Soil Scientist, Robert Russo for his comments. It was agreed that a site inspection would be necessary for a better understanding of what had actually occurred on site.

- On October 7, 2025 myself, Assistant Planner Meredith Badalucca, the property owner and Town Soil Scientist Robert Russo met at the property. The property owner explained to Mr. Russo what activities had occurred and on October 8, 2025 I received comments from the Town Soil Scientist, explaining his findings and recommendations, a copy of which is attached.
- On October 14, 2025 the property owner contacted me and advised that he has hired Certified Soil Scientist Richard Snarski to delineate the wetlands on his property. On October 15, 2025 myself and Assistant Planner Meredith Badalucca conducted a site visit, and I have prepared the attached Inspection Report showing the areas which Mr. Snarski delineated.

**AGENCY COMMENTS:**

Town Soil Scientist – The referral for comments was forwarded on September 23, 2025 and comments were received on October 8, 2025 (a copy is attached).

**NEW STAFF COMMENTS:**

- A site walk was conducted on Saturday, November 15, 2025 @ 3 p.m. Vice Chair Occhialini, Commissioners Majewski and Vellucci were in attendance on behalf of the IWC, property owner Mark Desrosier was present as the Applicant, and I was present as Staff.

**STAFF RECOMMENDATION:**

Staff recommends the IWC continue the application to the next regularly scheduled meeting on December 18, 2025; giving the property owner sufficient time to hire a Professional Engineer and Soil Scientist to prepare and submit a Wetland Restoration Plan, in accordance with the Town’s Soil Scientist, Robert Russo’s recommendation of October 7, 2025.

If the Commission is inclined to allow the Application additional time to submit a Wetland Restoration Plan. ZWO Radford read into the record New Staff Comments and Staff Recommendation. Town Soil Scientist was also present. The Owner/Applicant responded to a question of the Commission concerning the diameter of the pipe, a 6-inch overflow pipe that he installed 1-foot below ground. It was proposed by the Commission and confirmed by Soil Scientist Russo who reported on the property violations per his review that a Professional Engineer and Soil Scientist assess the property and provide reports on the same. Per his investigation of the property, the Soil Scientist noted an excavated area and filled and effected wetlands. Unknown is the flows and/or watershed and the capacity of the pipe. Discussion was had concerning a similar issue with the property 20 years ago that according to the Owner/Applicant was permitted to include a raw silk fence but not a culvert. The Commission noted for the record that permits were after the fact of the work being done, this being the third time.

**MOTION:** I make a Motion to continue Application #25 IWC 25 – 428 Fire Street (Parcel ID: 014-003-000), Oakdale, CT – Owner/Applicant: Mark Desrosier for regulated activities within the wetlands and upland review area for repairs to an existing driveway due to flooding, until the next regularly scheduled meeting on December 18, 2025, for additional time to have a Professional Engineer and Soil Scientist prepare and submit a Wetland Restoration Plan to this Commission. **(Roshto/Occhialini) MOTION WITHDRAWN (FOR FURTHER DISCUSSION).**

**MOTION:** I make a Motion to continue Application #25 IWC 25 – 428 Fire Street (Parcel ID: 014-003-000), Oakdale, CT – Owner/Applicant: Mark Desrosier for regulated activities within the wetlands and upland review area for repairs to an existing driveway due to flooding, until the next regularly scheduled meeting on December 18, 2025, for additional time to have a Professional Engineer and Soil Scientist prepare and submit a Wetland Restoration Plan to this Commission. **(Roshto/Velluci) Vote: (5-0-0). APPROVED.**

**8. New Business:**

- 25 IWC 27** – 690 Route 163 (parcel ID: 038-001-000) Montville, CT: Owner: Fox Hill Farm, LLC; Applicant: Donald Dubois; for a timber harvest; *(Submitted 10/30/2025, Date of Receipt 11/20/2025, DRD 01/24/2026)*

**SUMMARY OF EVENTS:**

- This Application is for an As of Right Determination for a Timber Harvest in accordance with Montville Inland Wetlands and Watercourses Regulations Section 4.1.a and C.G.S. Section 22a-40.

- Under the Inland Wetlands and Watercourses Act C.G.S. Section 22a-40 and Montville Inland Wetlands and Watercourses Regulations (“Regulations”) Section 4.1.a, farming is a “Permitted operation and use”. Forestry is defined as farming or agriculture under C.G.S. 1-1q.
- This property is located in the R-120 zone on about 40.34 acres, contains regulated wetlands & watercourses and is currently developed with a single family residence.
- The Applicant states the proposed objective is to “improve forest health by removing trees with disease, die-back and deformity.” “We will be removing mostly beech trees in decline due to beech leaf disease, birch trees with necrotic canker and red maple trees with defect.”
- Additionally, the Applicant states that there are no proposed stream crossing and there will be no harvesting in the wetlands or upland review area. Access to the property will be via the existing gravel driveway.
- The amount of forest products to be harvested is 10 +/- acres, 6,295 board feet, 40 cords and trees to be harvested have been marked with blue paint.
- An estimated start date of the timber harvesting operation is December 1, 2025.
- There is no proposed harvesting within the wetlands or the upland review area and therefore, staff recommends approval of this proposed Application as an “As of Right” activity.

ZWO Radford read the Staff Comments and Agency Comments into the record. Recommendation was made to continue the matter to the next regularly scheduled meeting on December 18, 2025. The ZWO also noted for the record the absence of the Applicant who was unable to attend this meeting and noted that questions can be determined by the Staff Report and Applicant documents.

**MOTION:** After giving due consideration to all relevant factors, including those in Section 4 of the Montville Inland Wetland Regulations and Section 22a-40 of the Connecticut General Statutes, I move that Application# **25 IWC 27**, submitted by Donald Dubois – Dubois Forestry, on behalf of property owner, Fox Hill Farm, LLC for a Timber Harvest and more fully described in the Notification of Timber Harvest, dated October 10, 2025 with associated Timber Harvest Map is a Permitted Use As of Right and, therefore, no permit is required. **(Occhialini/Roshto). Vote: (5-0-0). APPROVED.**

- b. 25 IWC 28** – 129 Simpson Lane (Parcel ID: 038-001-000) Montville, CT: Owners/Applicant: Scott Smilinch; for regulated activities within the upland review area in conjunction with the removal of a 12’ x 12’ shed and relocation of a 14’ x 10’ shed; (*Submitted 11/13/2025, Date of Receipt 11/20/2025, DRD 01/24/2026*)

**STAFF COMMENTS:**

- This Application is for regulated activities within the upland review area in conjunction with the removal of a 12’ x 12’ shed currently located in the URA and re-location of a 14’ x 10’ shed to the URA.
- The property is located on 3.63 acres in the R-40 zoning district with approximately 530 feet +/- of frontage onto Simpson Lane. The property is currently developed with a single-family residence and a 14’ x 10’ shed.
- The Applicant is requesting to relocate an existing 14’ x 10’ newly constructed shed, marked #1 on the Plan attached to the Application, to the area marked #2 on the same Plan. The shed will be moved via a truck with a flatbed & crane to safely pick it up and place it in the new location. The Applicant states that the shed will be placed on crushed stone which will be dumped on top of the existing soil, with no expected digging or disturbance of soil.
- The Applicant is requesting to remove an existing 12’ x 12’ shed currently located in the upland review area. The Applicant states in part that “this shed is in a state of disrepair and so my proposal is to take down and completely remove this shed”. The Applicant states that the dismantling and removal of this shed will be done completely by hand.

ZWO Radford read the Staff Comments into the record and noted the presence of the Owner/Applicant Scott Smilinch. The Owner/Applicant responded to a Commission question concerning the sheds providing clarity on the new shed that is 12’ x 12’; the old shed that is 14’ x 10’ and the proposed locations of each; and the dilapidated shed that will be dismantled, according to the map provided. A site walk was not set by the Commission.

**MOTION:** I make a Motion to continue Application #25 IWC 28 – 129 Simpson Lane (Parcel ID: 038-050-00A), Uncasville, CT – Owner/Applicant: Scott Smilinich for regulated activities within the upland review area in conjunction with the removal of a 12’ x 12’ shed and re-location of a 14’ x 10’ shed, until the next regularly scheduled meeting on December 18, 2025. **(Roshto/Vellucci). Vote: (5-0-0). APPROVED**

**9. Correspondence:** None

**10. Other Business:**

**a. Adoption of 2026 Meeting Schedule**

**MOTION:** To approve the Commission 2026 Meeting Schedule as follows: January 15, 2026, February 19, 2026, March 19, 2026, April 16, 2026, May 21, 2026, June 18, 2026, July 16, 2026, August 20, 2026, September 17, 2026, October 15, 2026, November 19, 2026, December 17 2026, and January 21, 2027. The meetings will be held at 6:00 p.m. in the Town Council Chambers. **(Roshto/Occhialini). Vote: (5-0-0). APPROVED**

**b. Commissioner Training in accordance with Public Act 25-73**

The ZWO Radford reported that the Commissioner Training must be completed by January 2026. The eight (8) training modules were sent via email to the Commissioners that can be done at their own pace and will result in obtaining a new certificate. Commissioners who are waiting on receipt of their certificate should thereafter forward it to the ZWO who will send it to the Town Council.

**11. Executive Session:** None

**12. Adjournment.**

**MOTION:** To adjourn the meeting at 6:28 p.m. **(Vellucci/Roshto). Vote: (5-0-0). MEETING ADJOURNED.**

Gloria J. Gathers  
Recording Secretary, Town of Montville

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