

**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
January 15, 2026**

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 Raymond Occhialini, Commissioners Jessica LeClair, Eric Majewski, Robert Roshto and Anthony Vellucci. A quorum was present.

Also present was ZWO Stacy Radford.

3. Minutes:

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

MOTION: To approve the Commission December 18, 2025 Regular Meeting Minutes. **(Vellucci/LeClair).**

Vote: (6-0-0). 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.

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.

UPDATED SUMMARY OF EVENTS (9):

- On November 21, 2025, I received a call from Jeff Phillips who indicated that he spoke with his Engineer who expects to have all Plans prepared and submitted to our Office for presentation at the Planning & Zoning Commission on December 9, 2025.
- No Plans have been received by our office to date.

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.

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.

STAFF RECOMMENDATIONS (8):

- The Commission continue this matter to the next regularly scheduled meeting on January 15, 2026 and continue to do so until this matter has been resolved to the satisfaction of this Commission.

ZWO Radford read into the record the Updated Summary of Events and Staff Recommendations.

UPDATED SUMMARY OF EVENTS (10):

- On December 29, 2025, I contacted Jeff Phillips who advised that he has not heard anything from his Engineer to date. He would follow-up with him and his Attorney for an update.
- To date no Application or Plan has been received by our office.

STAFF RECOMMENDATIONS (9):

- That the Commission continue this matter to the next regularly scheduled meeting on February 19, 2026 and continue to do so until this matter has been resolved to the satisfaction of the Commission.

ZWO Radford read an Updated Summary of Events and Staff Recommendations into the record. Per a Commission question, the ZWO reported having been told by the Applicant that the field work for the project is complete but is waiting for the information to be put on the site plan by the Applicant's Engineer. The ZWO commented having spoken with Applicant's Attorney McCoy who has spoken with the Applicant's Engineer about the timeliness of the information. The Commission noted that at some point it would need to be decided about the Applicant's responsiveness.

MOTION: To continue this matter to the next regularly scheduled meeting on February 19, 2026 and continue to do so until this matter has been resolved to the satisfaction of this Commission. **(Occhialini/LeClair). Vote: (6-0-0). 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 Badaluca, 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 Badaluca conducted a site visit, and I have prepared the attached Inspection Report showing the areas which Mr. Snarski delineated.
- A site walk was conducted on Saturday, November 15, 2025 at 3:00 p.m. Vice-Chair Occhialini, Commissioners Majewski and Vellucci were in attendance on behalf of the IWC, the property owner, Mark Desrosier was present as the Applicant, and I was present as Staff.

NEW STAFF COMMENTS:

- On December 2, 2025, I received a call from John Martucci, a PE who has been retained by the Applicant. He inquired what the Commission was looking for, and I referred him to the Town Soil Scientist comments of October 8, 2025. I informed him that an Existing Conditions Survey, including local boundary data, topo, and wetlands delineation/flagging; as well as a Restoration Plan which should include a plan to restore the wetlands; including grading, removal of fill from the wetlands, erosion and sedimentation controls, plantings, etc. would be required.
- On December 8, 2025, the Applicant provided copies of (2) Maps from July of 2000 from Boundaries LLC (copies attached).
- Applicant was made aware that these Plans would need to be updated because wetlands must be re-delineated every (5) years.

STAFF RECOMMENDATION:

Staff recommends the IWC continue the application to the next regularly scheduled meeting on January 15, 2026; giving the Applicant sufficient time to prepare and submit an Existing Conditions Survey and a Wetland Restoration Plan, in accordance with the Town’s Soil Scientist, Robert Russo’s recommendation of October 7, 2025.

NEW STAFF COMMENTS (2):

- Discussion with the Applicant on January 12, 2026 confirms that his PE, John Martucci was away on vacation through the holidays and has plans to commence work after the new year.

- No decision has been rendered by this Commission regarding this Application and the 65 days required to render a decision was overlooked and has since lapsed.
- Staff has been in contact with the Town Attorney who advises that this Commission can grant an extension of time for an additional 65 days, retroactively from December 20, 2025 to February 23, 2026; providing that the Applicant provides a request for an extension of time.
- Staff requested same from the Applicant and an email requesting an extension of time was received on January 13, 2026 (copy attached).

STAFF RECOMMENDATION (2):

Staff recommends the IWC grant the extension of time for an additional 65 days, retroactively, from December 20, 2025 to February 23, 2026 and continue this Application to the next scheduled meeting of February 19, 2026.

ZWO Radford read into the record New Staff Comments and the Staff Recommendation. The ZWO noted that should the Applicant fail to submit the revised application and wetlands delineation and the Town Soil Scientist is unable review and submit his report, the Commission would again be faced with the 65-day window of time upon the February 19, 2026 meeting. Conversation was had with the Town Attorney about the same who advised that the Commission could deny the application without prejudice or the Applicant can withdraw its application and resubmit it. The Commission confirmed this action noting that another cease and desist order would be warranted.

MOTION: To grant a 65-day extension of time, retroactively from December 20, 2025 to February 23, 2026 and 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 February 19, 2026. **(Roshto/Vellucci). Vote: (6-0-0). APPROVED.**

- c. **25 IWC 29** – New London Turnpike (Parcel ID: N/A) Uncasville, CT: Owner/Applicant: City of Norwich, Department of Public Works; for regulated activities within the upland review area in conjunction with the installation of sidewalks; *(Submitted 12/11/2025, Date of Receipt 12/18/2025, DRD 02/21/2026)*

TECHNICAL REVIEW COMMENTS:

- Plan Set - Sheet 5 of 5 (upper left corner) Erosion & Sediment Control Notes #1-7. Please remove the duplicate language in each of the (7) lines.
- Plan Set – Sheet 5 of 5 (upper right corner) Erosion and Sediment Control Narrative. Section II. Narrative. A. Description of Development. Please correct the spelling of Montville.
- Plan Set – Sheet 5 of 5 (upper right corner) Erosion and Sediment Control Narrative. Please add Montville WEO to be present for any inspection of the silt fence in each of the stages, prior to the commencement of any construction.

STAFF COMMENTS IN REVIEW:

- This Application is for regulated activities within the upland review area in conjunction with the installation of sidewalks in accordance with the New London Turnpike Sidewalks and Road Rehabilitation.
- This entire scope of the overall project involves the installation of a 0.75 mile sidewalk to complete pedestrian access between Route 82 and Route 32, enhancing safety and roadway conditions along the corridor.
- The work will include approximately 1,130 LF of work within the roadway which is within the upland review area. The work will include the installation of approximately 240 linear feet of 5' wide concrete sidewalks, milling and replacement with 2.5 inches of bituminous pavement in two lifts, and construction of approximately 68 linear feet of new embankment wall. Additional work includes the removal and resetting of approximately 43 linear feet of metal beam rails, replacement of six catch basin tops with ADA-compliant grates, removal of two utility poles, and minor grading and site adjustments, as required. The project includes the resurfacing of the bridge surface only over the brook, with no cut, fill or removal activities planned within the actual watercourse or wetland area.

- Erosion and sediment controls will be implemented within the project area to protect drainage inlets and adjacent vegetated areas outside of the project limits. Erosion controls will include silt sacks for catch basins and double-row silt fencing along downslope areas to protect the wetlands. All practices will be in accordance with the 2023 Connecticut Guidelines for Soil Erosion and Sediment Control.
- This project provides improvements to pedestrian connectivity and roadway safety while minimizing impacts to upland and wetland areas. The project work will be limited to within the roadway for repaving and minor work for the installation of the sidewalk. All bridge work will be contained to the road surface with no impacts to the bridge structure.

AGENCY COMMENTS:

- Town Soil Scientist – The referral for comments was forwarded on December 12, 2025 and comments were received on January 8, 2025 and a revised Plan. These comments were forwarded to the Applicant for response, which was received on January 15, 2026. Responses were forwarded to the Town Soil Scientist and additional comments are pending.

NEW STAFF COMMENTS:

- On January 6, 2026 the Applicant provided a response to Staff’s Technical Review comments of December 18, 2025 and a revised Plan. All Staff comments have been addressed.
- This Application was referred to the Town Soil Scientist on December 12, 2025 and comments were received on January 8, 2026 (copy attached). These comments were forwarded to the Applicant for their response which was received on January 15, 2026 (copy attached). The responses were forwarded to the Town Soil Scientist and additional comments are pending.
- One of the comments of the Town Soil Scientist was that the wetlands were not delineated on the Site Plan by a certified Soil Scientist. Staff had discussion with the Town Soil Scientist after receipt of the Applicant’s responses to his comments regarding same and he inquired if the Commission deemed the regulated activities as significant, to which I responded that the Commission did not. Pursuant to Section 7.6 of the Inland Wetlands and Watercourses Regulations for the Town of Montville, should the Commission deem the proposed activities as significant impact, the Commission “shall require the applicant to have the wetlands delineated in the field by a soil scientist and that the field delineation be incorporated onto the site plan”. Bob Russo, Certified Soil Scientist for the Town of Montville gave his verbal recommendation that this activity not be deemed significant activity because the work is not within the wetlands and the work is within an existing developed area.
- The Applicant has submitted a request for waiver of fees with their original Application, which this Commission will need to make a determination on. At this time, Staff would not recommend the approval of a waiver of the Application fees as this Application has been referred out to the Soil Scientist and fees are beginning to accrue, in excess of the \$200 Application fee.

ZWO Radford read New Staff Comments into the record and noted four (4) motions for Commission consideration—(a) To deem non-significant activity; (b) To approve request for waiver of fees; (c) To deny request for waiver of fees and (d) To continue the application to the February 19, 2026 Commission meeting. The ZWO responded to the Commission about the revised site plan that was submitted this morning and has yet to be reviewed by the Town Soil Scientist who deemed that activities at the site are non-significant. Staff also noted time is still available per the 65-day window and also noted the presence of Representative Yawan-Wu of Freeman Company on behalf of the Owner/Applicant.

MOTION: That the regulated activities proposed as part of Application #25 IWC 29 – New London Tpke (Parcel ID: N/A), Uncasville, CT: Owner/Applicant: City of Norwich, Department of Public Works; for regulated activities within the upland review area in conjunction with the installation of sidewalks, per the Application and associated documents dated December 11, 2025 are not considered significant impact activities. **(Roshto/Majewski). Vote: (6-0-0). APPROVED**

MOTION: I make a Motion to Approve the Request for Waiver of fees for Application #25 IWC 29 – New London Tpke (Parcel ID: N/A), Uncasville, CT: Owner/Applicant: City of Norwich, Department of Public Works; for regulated activities within the upland review area in conjunction with the installation of sidewalks, pursuant to the Applicant’s request of December 9, 2025 in accordance with Section 20 of the Montville

Inland Wetlands and Watercourses Regulations. Discussion: The Commission noted that the project would benefit both Norwich and the Town, the project is public domain, consideration given for the project and its value, particularly if it saves a life.. Staff reported that current fees to date total \$1,200—an application fee is \$200. **(Roshto/LeClair). Vote: (6-0-0). APPROVED**

MOTION: To continue Application #25 IWC 29 – New London Tpke (Parcel ID: N/A)., Uncasville, CT – Owner/Applicant: City of Norwich, Department of Public Works for regulated activities within the upland review area in conjunction with the installation of sidewalks, until the next regularly scheduled meeting on February 19, 2026. **(Roshto/LeClair). Vote: (6-0-0). APPROVED.**

8. New Business:

- a. 26 IWC 1** – 260 Chesterfield Road (029-127-000) Montville, CT – Owner: KGM Enterprises, LLC; Applicant: Ferrucci & Walicki, LLC – Eric Hansen; for a timer harvest (*Submitted 01/05/2026, Date of Receipt 01/15/2026, DRD 03/21/2026*)

STAFF COMMENTS:

- 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 216.01 acres, contains regulated wetlands & watercourses and is currently undeveloped.
- The Applicant states the proposed objective is to “regenerate shade intolerant and mid-tolerant trees by removing poorly formed and undesirable individuals and groups. Retain natural heritage of the site by removing mesic species (birch and maple) to favor upland hardwoods.”
- The Applicant proposes a temporary stream/drainage crossing and the removal of trees in the upland review area; as indicated on the Harvest Overview Map attached.
- Additionally, the Applicant states that the “removals in upland review area in elevated upland areas and are well buffered from sensitive resources. Buffers, stream crossing infrastructure, and other harvest areas will be treated in a way that exceeds state BMP standards.”
- The amount of forest products to be harvested is 65 +/- acres, 30,000 board feet, 135 cords and trees to be harvested have been marked at eye level with orange and blue paint.
- An estimated start date of the timber harvesting operation is February 15, 2026.
- There is no proposed harvesting within the wetlands and therefore, staff recommends approval of this proposed Application as an “As of Right” activity.

ZWO Radford read the Staff Comments into the record and noted the presence of the Applicant Eric Hansen. The Applicant responded to questions of the Commission as to a clear cut or clean cut harvest--a definition of clear cut was reported by the Commission per a request of the Applicant. The Applicant explained the two (2) treatments to be utilized; the number of trees that will remain per acre; and species of trees that will be harvested and those remaining. Staff noted for the record that information concerning the timber harvest is included in the Notification of Timber Harvest that was submitted by the Applicant.

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# **26 IWC 1**, submitted by Ferrucci & Walicki, LLC - Eric Hansen, on behalf of property owner, KGIM Enterprises, LLC for a Timber Harvest and more fully described in the Notification of Timber Harvest, dated December 16, 2025 with associated Timber Harvest Map is a Permitted Use As of Right and, therefore, no permit is required. **(Roshto/Majewski). Vote: (6-0-0). APPROVED.**

- b. 26 IWC 2** – 339 Chesterfield Road (021-001-00A) Oakdale, CT – Owner/Applicant: Jill Moonheron; modification of Application 24 IWC 7 for an Inland Wetlands Permit for regulated activities within the

wetlands and URA to demo an existing single-family residence and construct a new single-family residence; (Submitted 01/09/2026, Date of Receipt 01/15/2026, DRD 03/21/2026

STAFF COMMENTS IN REVIEW:

- An Inland Wetland Permit was approved by this Commission on September 19, 2024; a copy of the Permit and approved Plan is attached hereto.
- On December 5, 2025 I conducted a site inspection and noted that the wetland crossing did not appear to have been installed correctly, a copy of the Inspection Report is attached hereto. I immediately forwarded a copy of this Inspection Report to the Town Soil Scientist, Robert “Bob” Russo who responded in part, “this should be double checked.”
- On December 9, 2025 I notified the Applicant that there was an issue on site and I required an updated Site Plan showing the actual house that was being built as opposed to the conceptual one that was on the approved IWC Plan. She had the Engineer reach out to me and I explained the situation to him. The Engineer then forwarded an email to the Applicant and copied me on it whereas he stated as follows: “I do want to note that I will not be placing the walls over the culvert crossing on the site plan, as those were not approved by the wetlands commission.”
- On December 11, 2025 myself, Assistant Planner Meredith Badalucca, Town Soil Scientist Robert “Bob” Russo met on site for an inspection. The builder, Vic Caprio from Caprio Homes and Mike Millano of MJM Builders were present on behalf of the Applicant. A copy of the inspection report is attached hereto.
- On December 12, 2025 Vic Caprio from Caprio Homes inquired on behalf of the Applicant if it would be possible to remove the stone wall over the wetland crossing on one side and install a guardrail on the other. He indicated that the Applicant wanted something on both sides of the crossing for safety purposes.
- On December 16, 2025 the Town Soil Scientist, Robert “Bob” Russo, provided a comment letter with a marked up “As-Built” based on the December 11, 2025 inspection, copies of which are attached hereto. In the letter, Mr. Russo explained the issues noted on site during the December 11, 2025 inspection and then he provided his recommendations for correction.
- Please note that although the width of the driveway does not fall within the purview of this Commission, it is a requirement of the Montville Zoning Regulations and therefore cannot be reduced. I would ask that the Commission keep this in mind when making any determination concerning the walls along the side of the driveway over the culvert.

TECHNICAL REVIEW COMMENTS:

- The following items from the December 11, 2025 Inspection Report have not been addressed on the submitted Plan:
 - #2: Area of “existing house to be demolished” had grass only planted, not conservation mix per the approved Plan. Corrective measures to this area will need to be addressed in the narrative and on the Plan.
 - #7: Rock/rip rap had been added around each of the HDPE culverts to prevent erosion. This was not addressed in the narrative nor shown on the Plan.
 - #11: Reserve septic (shown on the approved plan) has been removed from the Plan. Area needs to be called out on the submitted Plan.

NEW STAFF COMMENTS:

- This is an Application to modify the original IWC approval of September 19, 2024.
- The Applicant states that “it was been identified that certain site features were installed or modified in closer proximity to regulated wetland areas than originally anticipated.”
- The Applicant states that “no evidence of permanent wetland conversion, dredging, channelization, or hydrologic obstruction was observed. Wetland vegetation remains generally intact outside of the limited disturbed areas identified.”
- The Applicant states that “No additional wetland disturbance beyond what is required for restoration is proposed.”

AGENCY COMMENTS:

- Town Soil Scientist – The referral for comments was forwarded on January 12, 2026 and comments are still pending.

ZWO Radford read New Staff Comments and Agency Comments into the record and also noted that the Technical Review Comments in the Staff Report still need to be addressed per her review. This Application requests a modification of the Commission approval of September 19, 2024. The changes address the two (2) decorative walls, removal of fill in the wetlands and access for a fire truck. The ZWO further identified items that were not part of the original application as outlined in Applicant’s Wetland Conformance and Remediation Narrative included with the Staff Report. The Commission declined to set a site walk.

MOTION: To continue Application #26 IWC 2 – 339 Chesterfield Road (021-001-00A) Oakdale, CT – Owner/Applicant: Jill Moonheron; modification of Application #24 IWC 7 for an Inland Wetlands Permit for regulated activities within the wetlands and URA to demo an existing single-family residence and construct a new single family residence, until the next regularly scheduled meeting on February 19, 2026. **(Roshto/LeClair). Vote: (6-0-0). APPROVED.**

9. Correspondence: None

10. Other Business: Review and discussion of IWC Fee Schedule

ZWO Radford reported that the Land Use and Development Office is reviewing plans to increase Inland Wetlands fees. A worksheet of Town fees includes data from eight (8) nearby municipalities but does not include the \$50 fee payable to the State. The ZWO explained that the Town collects \$200 and notice must be made in the newspaper at a cost of \$150. Planning and Zoning is also reviewing the worksheet for recommendations and/or changes. Upon completion, the worksheet will be forwarded to TARP and then the Town Council. The Town can cover fees to recoup costs. All fees were last increased in 2017. The ZWO proposed preparation of Commission costs for discussion under Old Business at the next meeting.

11. Executive Session: None

12. Adjournment.

MOTION: To adjourn the meeting at 6:52 p.m. **(Roshto/LeClair). Vote: (6-0-0). MEETING ADJOURNED.**

Gloria J. Gathers
Recording Secretary, Town of Montville

AN AUDIO RECORDING OF THE MEETING IS AVAILABLE ON THE TOWN OF MONTVILLE WEBSITE UNDER THE “RESOURCES” LINK.