

MEMORANDUM FOR THE RECORD
APPLICATION# 26 IWC 3
REGULAR MEETING – THURSDAY, APRIL 16, 2026

Prepared by Stacy Radford, Zoning & Wetlands Officer

Owner/Applicant: Mark Desrosier
Address: 428 Fire Street (014-003-000), Oakdale
Date of Receipt: February 20, 2026
Date Received by IWC: March 19, 2026 (*DRD – May 23, 2026*)

Applicant Request: Regulated activities within the wetlands and upland review area for repairs to an existing driveway due to flooding.

Activity Description:

Wetland Disturbance Area	0 sq ft (per Applicant)
Watercourse/Waterbody Disturbance Area	0 LF (per Applicant)
Upland Review Disturbance Area	0 sq ft (per Applicant)

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 Badalucca 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 Badalucca met with the property owner. 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 under Application #25 IWC 25. During the review process of this Application, additional information was required and the date to render a decision was expiring so the Applicant chose to Withdraw that Application and re-apply.
- On February 20, 2026 the Applicant submitted a new Application and supporting documents. These documents were referred to the Town Soil Scientist on February 25, 2026 and comments were received back on March 3, 2026 (copy attached). Town Soil Scientist Bob Russo indicates in his comments that “The materials submitted to date do not constitute an adequate mitigation plan or stream crossing design. A survey plan showing the wetlands boundary, topography, and other relevant features needs to be prepared to

serve as a base plan upon which the engineer and soil scientist can lay out the wetland restoration plan in full detail. Section 7 of the Montville IWC regulations provides guidance as to what constitutes a complete applicant.”

- On March 5, 2026 the Town Soil Scientist’s comments were forwarded to the Applicant and no response has been received to date.

PROPERTY HISTORY:

- 6/20/1998 – Zoning Permit for the construction of SFR
- 10/19/1998 – Zoning Permit for a “root cellar”
- 1/20/1999 – Variance for a front yard setback
- 8/12/1999 – Notice of possible wetlands violation
 - Notes obtained from the file reveal the following: A large dirt pile has been pushed into the existing waterway. Extensive excavation in a possible wetland area has occurred. A soil map, by a Certified Soil Scientist must be submitted to determine the necessity of a wetlands permit.
- 3/21/2000 – Notice of possible wetlands violation
 - Notes obtained from the file reveal the following: Continued work within the URA and wetland area.
- 4/26/2000 – IWC Application for construction of SFR
- 7/30/2000 – IWC Application for construction of driveway & fill
- 8/17/2000 – IWC Permit issued for construction of SFR and driveway in the URA
- 9/8/2004 – Notice of zoning violation
- 2/6/2006 – Notice of zoning violation
- 3/1/2006 – Notice of possible wetlands violation
 - Notes obtained from the file reveal the following: A structure is being built within the wetlands without permits.
- 7/13/2007 – IWC Application for construction of SFR (previously issued permit expired)
- 8/16/2007 – IWC Permit (after-the-fact) issued for construction of SFR with same activity as previously permitted.
- 8/17/2007 – Zoning Permit for construction of SFR

AGENCY COMMENTS:

- Town Soil Scientist – The referral for comments was forwarded on February 25, 2026 and comments were received on March 3, 2026 (a copy is attached).

NEW STAFF COMMENTS:

- At the last meeting of March 19, 2026 this Commission found the submitted Application and supporting documents to be incomplete. The Applicant indicated that he would have Boundaries complete a new Plan for submission. To date, no new documents have been submitted.

- On April 2, 2026 Staff spoke with John Faulise from Boundaries and he confirmed that he has been retained by the property owner to prepare a submittal but could not provide me with an estimated date of expected submission.

STAFF RECOMMENDATION:

Staff recommends the IWC continue Application 26 IWC 3 to the next regularly scheduled meeting of May 21, 2026.

If the Commission is inclined to move forward with Staff's recommendations, the following language for a motion to continue is suggested:

MOTION "A" (to continue to the next meeting)

I make a Motion to continue Application #26 IWC 3 – 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 May 21, 2026.