

**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  
April 16, 2026**

**1. Call To Order:**

Vice-Chair Occhialini called the meeting to order at 6:05 p.m.

**2. Roll Call:**

**Present:** Vice-Chair Raymond Occhialini, Commissioners Jessica LeClair, Eric Majewski, Robert Roshto and Anthony Vellucci. Chairperson Douglas Brush was absent. A quorum was present.

Also present was Zoning & Wetlands Officer (ZWO) Stacy Radford.

**3. Minutes:**

a. Approval of Minutes of the March 19, 2026 Regular Meeting.

**MOTION:** To approve the Commission March 19, 2026 Regular Meeting Minutes. **(Roshto/Majewski).**

**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.

**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.

**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.

**UPDATED SUMMARY OF EVENTS (11):**

- On February 9, 2026, I spoke with Jeff Phillips who advised that he spoke with his P.E. and the Plans have been completed and are being forwarded to Attorney Bill McCoy for submission to the Planning & Zoning Commission.
- I spoke with Attorney Bill McCoy and reminded him of the next scheduled Planning & Zoning Commission meetings on February 24<sup>th</sup> and March 24<sup>th</sup>, 2026. Attorney McCoy indicated that he would be submitting an Application as soon as he received the completed Plans is nearly six (6) months delayed
- To date no Application or Plan has been received by our office.

**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.

**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.

**UPDATED SUMMARY OF EVENTS (12):**

- On March 23, 2026, I received a call from Attorney Bill McCoy on behalf of the Applicant and he received the final Plans and is preparing an Application for submission to the PZC at the April meeting.

- On April 2026, and Application was delivered to our office and will be accepted by the PZC on April 28, 2026.

**STAFF RECOMMENDATIONS 10):**

- That the Commission continue this matter to the next regularly scheduled meeting on May 21, 2026 and continue to do so until this matter has been resolved to the satisfaction of this Commission.

ZWO Radford read an Updated Summary of Events and Staff Recommendations into the record. The Commission questioned whether the information would be available and if the matter will get done within the growing season before fall. The ZWO responded that the Application should get approved by the Planning and Zoning Commission at its next meeting and the work at the property will get corrected within two (2) months.

**MOTION:** To continue this matter to the next regularly scheduled meeting on May 21, 2026 and continue to do so until this matter has been resolved to the satisfaction of this Commission. **(Roshto/LeClair). Vote: (5-0-0). APPROVED.**

- b. 26 IWC 3 – 428 Fire Street (Parcel ID: 014-003-000) Oakdale, CT; Owner/Applicant Mark Derosier; for regulated activities to make repairs to driveway in wetlands and URA; (Submitted 02/20/2026, Date of Receipt 03/19/2026, DRD 05/23/2026)**

**STAFF COMMENTS:**

- 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. I 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, I and Assistant Planner Meredith Badaluca 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.

ZWO Radford read New Staff Comments and Agency Comments into the record. The Owner/Applicant Mark Desrosier was present a

**MOTION:** I make a motion to continue Application #26 IWC 3 – 428 Fire Street (Parcel: 014-003-000), Oakdale, CT – Owner/Applicant: Mark Desrosier for regulated activities with the wetlands and upland review area for repairs to an existing driveway due to the flooding, until the next regularly scheduled meeting on May 21, 2026. **(Roshto/LeClair). Vote: (5-0-0). APPROVED.**

- c. **26 IWC 4** –Butlertown Road; (Parcel ID: N.A) Oakdale, CT; Owner/Applicant: Town of Montville; for regulated activities within the URA for a roadway improvement project; *(Submitted 03/10/2026, Date of Receipt 03/19/2026, DRD 05/23/2026)*

**STAFF COMMENTS IN REVIEW:**

- This Application is for regulated activities within the upland review area in conjunction with a roadway improvement project for a portion of Butlertown Road from the Waterford town line in a northerly direction approximately 2,000 ft into the Town of Montville.

- The section of proposed work encompasses a portion of Butlertown Road consisting of single-family homes, industrial buildings, parking and staging areas.
- The Applicant indicates that the roadway is in poor structural condition and contains very narrow sections. Flat grades cause poor drainage and localized ponding. This project will utilize full-depth reclamation of existing asphalt roadway with localized widening to achieve a standard 22' cross section.
- The Applicant also states that “the longitudinal profile will be improved and cross slopes formalized and driveway aprons will be restored and shoulders re-graded to promote positive drainage from the roadway.”
- The Applicant points out that at the “northern limits of the project, a small portion of the improvements (2,100 sf) lie within the 50-foot upland review area of an inland wetland.”
- The wetlands were delineated by Robert Russo, C.S.S. of CLA in 2024.
- The Applicant states that the “portion of Butlertown Road to be reconstructed has no drainage system. At the northern limit of the project, an unnamed watercourse crosses beneath the road, via a 42 reinforced concrete pipe, and eventually drains to Latimer Brook. The stream is located at a low point in the road profile and receives roadway run-off from the south and approximately 100-feet to the north. Run-off from the roadway drains to the low point, leaves the roadway, flows down the embankment and enters to the watercourse on both sides of the road. Over time, this will lead to erosion of the embankment and undermine the guardrail posts that currently protect traffic from the steep slope.”
- The Applicant proposes to install a “bituminous berm that will contain and channel the run-off to a low point where two catch basins will be installed to collect the run-off and prevent the flow of stormwater over the embankment.” The downstream catch basin will include a “hydrodynamic separator to trap sediment and hydrocarbons that ordinarily would have entered the watercourse.”
- The Applicant then proposes vegetated swales (3' wide by 1' deep), where shoulder grading allows, to receive run-off from the roadway. “The intent of the swales is to capture and infiltrate run-off from smaller storm events, that ordinarily, would run-off onto adjacent property or been conveyed towards the watercourse.”
- The Applicant finally states that “construction stormwater and erosion and sedimentation measures throughout the work area will be managed by implementing erosion control devices including inlet sedimentation controls at new catch basin locations and silt fence and haybales provided and maintained downgradient of disturbed soils to delineate the limits of construction and protect the surrounding area from sedimentation. Provisions for seeding and site stabilization after construction are also included in the plans.”

**AGENCY COMMENTS:**

- Town Soil Scientist – No referral for comment was obtained being that this is a Town Project and all work has been reviewed and approved by the Town Soil Scientist, Robert Russo.

**NEW STAFF COMMENTS:**

- No new comments.

ZWO Radford had no New Staff Comments nor Agency Comments for the record. Per discussion by the Commission the noted that the Applicant did a good, thorough job given a drive-by. The Applicant will install a stormwater separator and regrade the road with catch basins.

**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 #26 IWC 4 – Butlertown Road, Oakdale, CT – Owner/Applicant: Town of Montville for regulated activities within the upland review area in conjunction with a roadway improvement project, per the Application and associated documents submitted on March 10, 2026 and plan entitled, “Butlertown Road Improvement Project dated February 27, 2026”.

Standard reasons for approval and standard conditions of approval apply. **(Roshto/LeClair). Vote: (5-0-0). APPROVED.**

**8. New Business: -- None**

**9. Correspondence:** None (adjustment)

ZWO Radford read into the record an email from Chairperson Brush and asked whether anyone was interested in volunteering as follows:

Good afternoon everyone,

The Planning & Zoning Commission (PZC) is beginning the process of developing an updated Plan of Conservation and Development (POCD) and a comprehensive Housing Plan. To ensure these documents reflect a broad range of community and regulatory perspectives, we are forming a dedicated Advisory Committee to guide the process. We respectfully request that your commission select one representative to serve on this committee. This individual will play a vital role in shaping the town's long-term vision and ensuring that the specific expertise of your board is represented in our planning efforts.

Committee Details and Commitment:

- **Collaboration:** The representative will work alongside the Land Use and Development staff and our selected professional consultants.
- **Meeting Frequency:** Meetings are anticipated to occur quarterly.
- **Project Timeline:** The committee will be active for approximately 12-18 months.
- **Anticipated Kick-off:** June or July 2026.

We would appreciate a reply with the name of your selected representative by May 1, 2026, or shortly thereafter.

Thank you for your cooperation and your commitment to the future of our community.

Sincerely,

Bill Pieniadz

Chairman, Planning & Zoning Commission

**MOTION:** Commissioner Vellucci was approved to act as a representative on the Advisory Committee on behalf of the Commission on the Planning and Zoning Commission updated Plan of Conservation & Development (POCD) and a comprehensive Housing Plan that is scheduled to begin in June or July 2026 for a 12-18 month period. **(Roshto/LeClair). Vote: (5-0-0). APPROVED.**

**10. Other Business:**

**a. 2026-2027 IWC Budget.**

ZWO Radford reported on the proposed FY2026-2027 and stated that the line item budget for the Secretary is based on last year's budget. The Training & Conference line item has been increased to \$250 to accommodate for new legislative requirements and training for the same. The ZWO noted that the proposed budget would be forwarded on to the Finance Committee. **(Roshto/LeClair). Vote: (5-0-0). APPROVED.**

**11. Executive Session:** None

**12. Adjournment.**

**MOTION:** To adjourn the meeting at 6:19 p.m. **(Roshto/Majewski). 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 UNDER THE "RESOURCES" LINK.**