

MEMORANDUM FOR THE RECORD
APPLICATION# 26 IWC 3
REGULAR MEETING – THURSDAY, JUNE 18, 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 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. 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.
- 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.
- On May 18, 2026 Staff spoke with the Applicant, Mark Desrosier who advised that the Boundaries had been out to the property and has completed the survey portion of the Plan and the Civil Engineer is awaiting receipt of the Survey in order to finalize his Plans in accordance with Town Soil Scientist’s comments of March 3, 2026.
- The Applicant sent an email requesting a 65 day Extension of Time to July 27, 2026.

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. Additional documents; including a Topographical Survey showing existing conditions, hand-drawn Wetland Plan with proposed activities, and a hand-drawn Engineer’s Report showing the overflow trench were referred for comments on May 20, 2026. Comments were received on May 26, 2026, a copy of which is attached hereto.

NEW STAFF COMMENTS:

- On May 26, 2026 Staff forwarded a copy of the Town Soil Scientist comments of May 26, 2026 to the Applicant, Mark Desrosier, his Engineer, John Martucci and his Land Surveyor, John Faulise. Mr. Desrosier requested that I only communicate with him directly.
- On June 12, 2026 I sent the Applicant, Mark Desrosier a follow up email requesting the final version of the Wetlands Report and Restoration Plan from his Soil Scientist; including details of the proposed contours, stream channel limits, stream channel restoration, soil specifications, a future inspection schedule and proposed wetland plantings; as requested by the Town Soil Scientist. I additionally requested a final report from the Engineer constituting the final design of the wetland/stream crossing, overlayed with the Mitigation Plan to be supplied by his Soil Scientist; also requested by the Town Soil Scientist. To date, nothing has been received.
- This Commission, at the May 21, 2026 meeting, agreed to a 65 day extension of time to July 27, 2026.

STAFF RECOMMENDATION:

Staff recommends the IWC continue this matter to the next regularly scheduled meeting of July 16, 2026 to allow the Applicant time to submit the required documents and Staff to review and provide comments.

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)

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 July 16, 2026.

CLA Engineers, Inc.

Civil • Structural • Survey

317 MAIN STREET • NORWICH, CT 06360 • (860) 886-1966 • (860) 886-9165 FAX

May 26, 2026

Stacy Radford
Zoning & Wetland Officer – Dept. of Land Use & Development
Town of Montville
310 Norwich-New London Tpke., Uncasville, CT 06382
Via Email: sradford@montville-ct.org

RE: Inland Wetland Application
428 Fire Street
CLA-7873R

Dear Stacy,

CLA has reviewed recently submitted documents as part of an application to remediate a previously documented wetland violation on the 428 Fire Street site. The documents are as follows:

1. Topographic Survey prepared by Boundaries LLC
2. A handwritten wetland sketch
3. A hand drawn overflow trench sketch

To reiterate from CLA's March 3, 2026 letter, based on CLA's site walk of September 29, 2025 with staff and the following items were noted

1. Inland wetlands and a water course were extensively altered on the site.
2. The alteration includes filling, excavation, and installation of a culvert in an approximate +100 foot long stretch of riparian wetland.
3. Soil auger samples revealed that both fill and excavation had occurred on the wetland and upland review zone.
4. There was removal and disturbance of native vegetation.
5. There currently appears to be little chance of erosion as BMPs have been installed per your request.

Based on the previous site walk CLA requested in the March 3, 2026, letter that the following steps should be taken:

1. The owner should hire a Professional Engineer and Soil Scientist to prepare a wetland restoration plan.
2. The consultants should employ forensic means to determine to the extent possible, the original size and condition of the wetland.

3. The restoration plans should be detailed and include proposed contours, stream channel limits, stream channel restoration, soil specifications, ongoing inspection and plantings.

The materials submitted to date do not constitute an adequate mitigation plan or stream crossing design. The survey plan showing the wetlands boundary, topography, and other relevant features can 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.

Thank you for the opportunity to provide these comments. Please feel free to call or me with any questions or comments.

Very truly yours,
CLA Engineers, Inc.

A handwritten signature in blue ink that reads "Robert Russo". The signature is written in a cursive, flowing style.

Robert Russo C.S.S.