

TOWN OF MONTVILLE
INLAND WETLANDS COMMISSION
310 NORWICH NEW LONDON TURNPIKE
UNCASVILLE, CONNECTICUT 06382
PHONE (860) 848-8549 - FAX (860) 848-2354

SPECIAL MEETING MINUTES

7:00 P.M.

May 3, 2012

LOCATION: MONTVILLE TOWN HALL, *Council Chambers*

1. Call to order: Chairman Brush call the Inland Wetlands Special Meeting to order at 7:04 pm in the Town Council Chambers.

2. Roll call: A quorum was present. In attendance were Commissioners Brush, Taylor, Beauchene, O'Bday and Riske. Commissioner Bartholomew was absent. Staff present was Colleen Bezanson, Inland Wetlands Agent/Planner II.

3. Public Hearings:

a. **Town of Montville Inland Wetlands Commission:** Revisions to the Town of Montville Inland Wetlands Regulations

Commissioner Brush opened the public hearing at 7:04 p.m. Chairman Brush read the following legal notice published in the New London Day into record:

Legal Notice as published in The New London Day- The Montville Inland Wetlands Commission will hold a Public Hearing on May 3, 2012 at 7:00 p.m. at the Montville Town Hall, Town Council Chambers, 310 Norwich New London Tpke, Uncasville, Ct. on the following revisions to the Town of Montville Inland Wetlands Regulations: Section 1.5 Revision; 2.1 additions, revisions and renumbering Add "Feasible", "Management Practice", "Prudent", "Upland Review Area"- Deleted: "Permit"; 3 Delete "Regulated Areas"- Add "Inventory of Inland Wetlands and Watercourses"-Revisions: Add 3.2 Petitions for map changes, 3.3 Inventory of regulated areas, and 3.4 Map amendment hearings; 4 Revisions, Add: 4.1(f) Drainage pipe maintenance, 4.1(g) fire emergency purposes, and 4.2(c) dry hydrant installation; 5 Delete "by the State"-Add "Exclusively by the Commissioner of Energy & Environmental Protection", Revisions, Add: 5.4 Commissioner of Energy & Environmental Protection jurisdiction over discharge of fill or dredged material; 6: Revisions and Renumbering, Delete: 6.1.1 Disturbance area, 6.2 Commission regulations within areas, and 6.2.1 Subsurface disposal system placement; 7 Revisions and Renumbering, Add: 7.2 Simultaneous filing with Planning & Zoning Commission for Subdivision/Resubdivision applications, 7.7 Applicant certification on impact of project, 7.10 Renewals, and 7.11 conservation and preservation restrictions; 8 Revisions and Renumbering, Delete: 8.8 Water company notification; 9 Revisions, Delete: 9.3; 10 Revisions and Renumbering, Add: 10.1(c) Consideration of comments from other agencies, 10.1(d) Non receipt of comments does not delay decision process, 10.1(e) Consideration of public comment and evidence, 10.4 Commission proposed alternatives for denials with prudent and feasible alternatives, 10.5 Section only definitions of "wetlands and watercourses" and "habitats", 10.6 No denials outside regulated areas unless activity will have

impact on physical characteristics of wetland and watercourse, 10.8 violation of restrictions, 10.9 restriction holder appeal process, and 10.10 filing of permits with restrictions; Delete: 10.2(f) Suitability of project and economic factors; 11 Revisions and Renumbering; 12 Add new section "Action by Designated Agent", 12.1 Commission delegates duties/authority to designated agent, and 12.2 Notice of approvals and appeals of activities granted by designated agent; 13 Section renumbered was 12 with revisions; 14 Section renumbered was 13 with revisions; Add: 14.3 Inspections, and 14.5 Permit expiration or revocation; 15 Section renumbered was 14 with revisions; 16 Section renumbered was 15 with revisions; 17 Section renumbered was 16 with revisions; Add: 17.2 Act shall govern over regulations; 18: Section renumbered was 17 with revisions; 19 Delete "Records Retention and Disposition" Add "Effective date of Regulations"; 20 Revisions Add Town Engineer Fees; Add: Appendix A (CGS §1-1(q))

STAFF: Staff entered the following into the record:

Commission exhibits:

1. Legal ads as published in the New London Day on April 20, 2012 and April 27, 2012
2. Copy of the Town Clerk date stamped page of the proposed Inland Wetland Regulations filed with her office on April 17, 2012.
3. Copy of the Agenda for the Public Hearing as filed with the Town Clerk on April 27, 2012 @ 10:43 a.m.
4. Municipal Notifications (proof of mailing and return receipts) sent as follows:
 - a. Bozrah Town Clerk.
 - b. East Lyme Town Clerk.
 - c. Ledyard Town Clerk.
 - d. Norwich City Clerk.
 - e. Preston Town Clerk.
 - f. Salem Town Clerk.
 - g. Waterford Town Clerk.
 - h. Southeastern Connecticut Council of Governments Regional Planning Commission.
 - i. Office of Long Island Sound –OLIS DEEP.
 - j. Department of Energy and Environmental Protection - Commissioner Esty.
 - k. Department of Energy and Environmental Protection – Wetlands Management Section.
5. Response letter from Wetlands Management Section dated April 4, 2012 signed by Darcy Winther
6. Complete copy of the proposed Inland Wetlands Regulations.

Chairman Brush asked three times if any public was in favor. Chairman Brush asked three times in any public was opposed. **No public was present.**

Commissioner Brush stated on record in response to the DEEP comment about the 100 foot regulated upland review area, that the Commissioner did have prior set of regulations that included the 100 foot upland review area. However, due to a tremendous outpouring of opposition they did not make the 100 foot upland review area change to the Inland Wetland regulations.

Motion made by Commissioner O'Bday and seconded by Commissioner Riske to close the public hearing at 7:13 p.m.

Discussion, none, voice vote, 5-0, all in favor, motion carried.

Motion made by Commissioner O'Bday and seconded by Commissioner Taylor to approve the Town of Montville Inland Wetlands Regulations as filed in the Montville Town Clerk's Office on April 17, 2012.

Discussion, none, voice vote, 5-0, all in favor, motion carried.

Motion made by Commissioner O'Bday and seconded by Commissioner Beauchene to set the effective date of the regulations to be May 24, 2012.

Discussion, none, voice vote, 5-0, all in favor, motion carried.

4. Adjourn:

Motion made by Commissioner O'Bday and seconded by Commissioner Beauchene to adjourn the meeting.

Discussion, none, voice vote, 5-0, all in favor, motion carried.

Meeting adjourned at 7:15 pm.

Respectfully submitted by, Heidi-Lee Jacobs, Minutes Clerk for the Town of Montville.

AN AUDIO RECORD OF THIS MEETING IS ON FILE IN THE MONTVILLE TOWN CLERK'S OFFICE.