

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. November 8, 2012
LOCATION: MONTVILLE TOWN HALL, *Council Chambers*

1. Call to order: Chairman Brush called the November 8th, 2012 Special Meeting to order at 7:00 p.m.

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

3. Minutes

- a. Approve minutes of October 18, 2012 meeting.

Motion made by Commissioner O'Bday, seconded by Commissioner Bartholomew to approve minutes of the October 8th, 2012 meeting.

Discussion, None, voice vote, 5-0, all in favor, motioned carried.

- b. Revise minutes from September 20, 2012 meeting

Motion made by Commissioner Riske, seconded by Commissioner O'Bday to amend the September 20th, 2012 minutes and change the first line, which read May 17, 2012 to read September 20, 2012

Discussion, None, voice vote, 5-0, all in favor, motioned carried.

4. Public Hearings: None

5. Show Cause Hearings: None

6. Remarks from the public relating to items on the agenda:

Commissioner Brush asked three times if there were any remarks from the public relating to items on the agenda. There were none.

7. Old Business

- a. **Marriot Plaza, LLC:** An application for a mixed use development consisting of first floor retail with 36 apartments above having work within a review area on the property located at 1360 Route 32, Montville, C t. As shown on Assessor's Map 88 Lot 22.

Colleen Bezanson stated that the revised application, narrative and Soil Scientist report were in the Commissioner's packets. She indicated that project revisions were still being worked on and the applicant was asking for an additional extension until the December meeting.

Attorney Harry Heller addressed the Commission on behalf of the applicant. He stated that they had received all of the Staff review comments and were continuing to analyze the resources and the impact on them. He stated they had commissioned the Wetland Ecologist to do that. Attorney Heller stated that the Soil Scientist report had revealed a pond on the property that they had not been aware of before. Attorney Heller stated that the Wetland Ecologist had concerns on the impact of the pond and the fish in it. He stated that there could be no negative impact on the property and they were working to avoid any adverse impact. He stated that revised plans had been reviewed by the Town Engineer and Staff and a new report would be given to them next week.

He requested an extension to the December meeting, stating if all issues had not been resolved by then the application must be withdrawn. He stated that this was due to the complexity of the site. A discussion was held.

Motion made by Commissioner Taylor, seconded by Commissioner O'Bday to grant the extension and continue at the December 13, 2012 Inland Wetland meeting.

Discussion, None, voice vote, 5-0, all in favor, motioned carried.

b. **Sarah Bronson:** An application for a subdivision on the property located at 1499 Old Colchester Rd and Laurel Point Dr, Montville, Ct. As shown on Assessor's Map 105 Lot 38.

Colleen Bezanson stated that Commissioners Taylor, O'Bday and Brush had walked the site and all comments had been addressed from the Staff's point. Commissioner Brush stated that there was an existing crossing that would be widened a bit and the traffic pattern was debatable. Commissioner Taylor stated that even though the driveway exit on Old Colchester Rd was feasible it was not as prudent as Laurel Pt. Rd. Commissioner O'Bday concurred. A discussion was held.

Motion made by Commissioner Taylor, seconded by Commissioner Riske as follows, After giving due consideration to all relevant factors including those in Section 10 and or Section 4 of the Montville Inland Wetland Regulation and Section 22a-41 of the Connecticut General Statutes, I move to approve application 212WC 17 **Sarah Bronson:** An application for a subdivision on the property located at 1499 Old Colchester Rd and Laurel Point Dr, Montville, Ct. As shown on Assessor's Map 105 Lot 38 as depicted on the plan titled "Official Boundary and Wetlands Map Property of Sarah Bronson Laurel Point Drive & Old Colchester Rd Montville, Ct. Prepared for Jason Bronson Laurel Point Rd Montville, Ct Tax Map No. 105 Lot No. 38 Prepared by McMimm Associates Paul Stowell Reg L.S. Milford, Ct. dated August 1, 2012" revised to 10/15/12 and the application and narrative revised to 10/18/12.

Standard Reasons for Approval

1. The environmental impact of the proposed project does not have a significant effect on the inland wetland's and watercourse's capacity to support fish and wildlife, to prevent flooding, to supply and protect surface and groundwater, to control sediment, to facilitate drainage, to control pollution, to support recreational activities, and to promote public health and safety.
2. The Commission has determined that the relationship between the short-term uses of the environment and the maintenance and enhancement of long-term productivity will have no impact on the surrounding wetland system
3. The proposed activity will not have irreversible and irretrievable commitments of resources.
4. The proposed project will not change the character and or add degree of injury to, or interference with, safety, health, or the reasonable use of property, including abutting or downstream property.
5. The proposed activity use is suitable to the area.
6. The applicant has taken all feasible measures to mitigate the impact of any aspect of the proposed regulated activity.

Discussion, None, voice vote, 5-0, all in favor, motioned carried.

c. **Keith Miller:** An application for a driveway crossing on the property located at 85 Oakland Dr, Montville, Ct. As shown on Assessor's Map 51 Lot 14A.

Colleen Bezanson stated Commissioners Taylor, O'Bday and Brush went on the site walk. She stated that the Town Engineer had new comments including, the new driveway needs to be indicated on the plan. She stated that there would be 1100 sq ft of wetland disturbance, 1400 sq ft of Upland review disturbance and 86 sq ft of watercourse. Commissioner Taylor agreed with the Town Engineer's comments that there was not enough information on the area around the site on the plan. Commissioner Brush commented on the drain on site, stating that the site clearly did get steep when you go away from the late. Commissioner Brush asked how the utilities would be provided.

John Paul Mereen of Mereen Civil Engineering, Waterford addressed the Commission on behalf of the applicant. He stated that the utilities were on the ground and a drainage study had been completed for a large part of the site to make sure there weren't problems; this was why there was such a large culvert.

Commissioner O'Bday commented although there was a lot of water, he had no concerns. Commissioner Brush questioned as to whether the clearing was just what was shown on the plans and asked for assurance that the applicant had no intent on clearing other areas of the property, such as down to the shore. Mr. Mereen stated that they did not have any plans of that and the house would be approximately 65 ft from the shore. A discussion was held.

Motion made by Commissioner Taylor, seconded by Commissioner O'Bday as follows, After giving due consideration to all relevant factors including those in Section 10 and or Section 4 of the Montville Inland Wetland Regulation and Section 22a-41 of the Connecticut General Statutes, I move to approve application 212 IWC 19 **Keith Miller:** An application for a driveway crossing on the property located at 85 Oakland Dr, Montville, Ct. As shown on Assessor's Map 51 Lot 14A as depicted on the plan titled "Proposed Improvement Location Site Plan Prepared for Keith Miller on property of Karen M. Pilvelis 85 Oakland Dr, Oakdale, Ct. Prepared by Gerwick-Mereen LLC Waterford, Ct. dated October 13, 2012 and the application and narrative dated 10/8/12 and the plans revised 11/7/2012.

This is a conditional approval. Each and every condition is an integral part of the Commission decision. Should any of the conditions, on appeal from this decision, be found to be void or of no legal effect then this conditional approval is likewise void. Should any of the conditions not be implemented by the applicant or his successors within the specified permit time period, then this conditional approval is void.

Conditions of approval are:

1. That the Town Engineer agrees that his comments on the letter dated November 6, 2012 are addressed and met.
2. There are no additional comments made by the Town Engineer.

Standard Reasons for Approval

1. The environmental impact of the proposed project does not have a significant effect on the inland wetland's and watercourse's capacity to support fish and wildlife, to prevent flooding, to supply and protect surface and groundwater, to control sediment, to facilitate drainage, to control pollution, to support recreational activities, and to promote public health and safety.
2. The Commission has determined that the relationship between the short-term uses of the environment and the maintenance and enhancement of long-term productivity will have no impact on the surrounding wetland system
3. The proposed activity will not have irreversible and irretrievable commitments of resources.
4. The proposed project will not change the character and or add degree of injury to, or interference with, safety, health, or the reasonable use of property, including abutting or downstream property.
5. The proposed activity use is suitable to the area.
6. The applicant has taken all feasible measures to mitigate the impact of any aspect of the proposed regulated activity.

Discussion, None, voice vote, 5-0, all in favor, motioned carried.

8. New Business:

a. **Nikki LaBella (Spectra Energy Transmission):** An application for the repair of anomalies in the existing pipeline within regulated areas along the Algonquin Gas ROW in the vicinity of Route 163 and Raymond Hill Rd

Colleen Bezanson stated that the emergency abnormalities on the site had been fixed and now the applicant was looking at the non-emergency abnormalities. There were a total of 26 abnormalities on the site that were being looked at and possibly repaired, subject to regulations. She stated there are six wetlands where anomalies are. There would be temporary disturbance in the wetland and upland review area.

Shawn Donahue from TRC addressed the Commission on behalf of the applicant. He stated that Bruce Reign from Spectra was also present. Mr. Donahue stated that some of the matters were within feet of each other. He stated that plans showed where excavation is proposed. He stated that there may be some temporary impact on in the upland or wetland review area. He state that these would all be temporary and that erosion control would be used. Commissioner Brush questioned whether this would be done in the spring. Mr. Donahue stated that the excavation would be done in the spring when the ground was dry.

Colleen Bezanson stated that in addition to the Inland Wetland Commission other agencies would have their eyes on the project. A discussion was held.

Motion made by Commissioner O'Bday, seconded by Commissioner Bartholomew to continue until next month.

Discussion, None, voice vote, 5-0, all in favor, motioned carried.

9. Commissioner's Comments: None

10. Correspondence: Habitat

11. Other Business:

a. Election of Officers

Motion made by Commissioner Taylor, seconded by Commissioner Bartholomew to nominate Commissioner Brush as Chairman.

Discussion, None, voice vote, 5-0, all in favor, motioned carried.

Motion made by Commissioner Taylor, seconded by Commissioner Bartholomew to nominate Commissioner Beauchene as Secretary.

Discussion, None, voice vote, 5-0, all in favor, motioned carried.

Motion made by Commissioner Bartholomew, seconded by Commissioner Riske to nominate O'Bday as Vice Chairman.

Discussion, None, voice vote, 5-0, all in favor, motioned carried.

b. Approve 2013 Commission meeting dates

Motion made by Commissioner Taylor, seconded by Commissioner Riske to approve the 2013 Commission dates as follows;

Meeting Schedule for 2013

At 7:00 p.m. in the Town Council Chambers

- | | | |
|----------------------|--------------------|-----------------------|
| 1. January 17, 2013 | 5. May 16, 2013 | 9. September 19, 2013 |
| 2. February 21, 2013 | 6. June 20, 2013 | 10. October 17, 2013 |
| 3. March 21, 2013 | 7. July 18, 2013 | 11. November 14, 2013 |
| 4. April 18, 2013 | 8. August 15, 2013 | 12. December 19, 2013 |

Discussion, None, voice vote, 5-0, all in favor, motioned carried.

c. Signing of Mylars

Commissioner Brush stated that he always is concerned when a Mylar does not come before the Commission. He stated that the Inland Wetland Commission allows the Commission to delegate the responsibility to Colleen Bezanson.

Motion made by Commissioner Brush, seconded by Commissioner Bartholomew to allow Colleen to sign Mylars on behalf of the Commission for approved drawings and plans.

Discussion, None, voice vote, 5-0, all in favor, motioned carried.

12. Executive Session: None

13. Adjourn

Motion made by Commissioner Bartholomew, seconded by Commissioner O'Bday to adjourn the meeting at 7:56 p.m.

Meeting adjourned at 7:56 p.m.

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.