

TOWN OF MONTVILLE
INLAND WETLANDS COMMISSION
310 NORWICH NEW LONDON TURNPIKE
UNCASVILLE, CONNECTICUT 06382
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MEETING MINUTES
Thursday, February 19, 2015 7:00 p.m.
LOCATION: MONTVILLE TOWN HALL, *Council Chambers*

1. **Call to order:** Chairman Brush called the February 19, 2015 Inland Wetland Commission to order at 7:00 pm.
2. **Roll call:** In attendance were Commissioners Brush, O’Bday, Riske, Houk, Berardy and Deranleau. Staff present: Colleen Bezanson.
3. **Minutes**
 - a. Approve the minutes of the January 15th meeting.

A MOTION was made by COMMISSIONER Houk seconded by COMMISSIONER O’Bday to approve the minutes from the January 15th meeting.

Voice Vote 5-1-0. Commissioner Beardy abstained. MOTION CARRIED.

4. **Public Hearings: None**
5. **Show Cause Hearings: None**
6. **Remarks from the public relating to items on the agenda:**

Chairman Brush asked if there were any remarks relating to items on the agenda three times. There were none.
7. **Old Business:**
 - a. **Doreen Mrowka:** An application for the construction of a 1,856 sq. ft. automotive repair facility with parking on the property located at 96 Route 163, Uncasville, Ct. As shown on Assessor’s Map 73 Lot 55A.

Colleen Bezanson stated that the application pertained to B&D Auto on Route 163. Ms. Bezanson gave a breakdown of the application. She stated that there was no evidence that the applicant had authority to work on the adjacent property and that the current application was for their property only. A discussion was held.

Attorney for the Town of Montville, Matt Willis addressed the Commission and made the following points:

- The applicant had placed fill on both properties and to date there was no permission.
- This was all one disturbance.
- The project relies on the fill as a whole.
- Mr. Mrowka filled without permission.
- There was possible reason for a Cease and Desist order.
- The fill was place in the flood plain.

A discussion was held.

Attorney Harry Heller addressed the Commission on behalf of the applicant and made the following points:

- All work was in the upland review area.
- The plan can be completed without the fill in the adjacent property.
- The application and violation issue at hand were two separate ones.
- A breakdown of the history of the property and the past owners.
- A genealogist had been hired to identify an heir to the property.

A discussion was held.

Robert Shook Professional Engineer for the Applicant addressed the Commission. He gave a breakdown of the property, water quality issues and pollution prevention plan. A discussion was held.

A MOTION was made by COMMISSIONER O'Bday and seconded by COMMISSIONER Houk to continue this item until next month per the extension provided by Attorney Heller.

Voice Vote 5-1-0. Commissioner Beardy abstained. MOTION CARRIED.

- b. **Donny Jacobowitz:** An application for remediation for work without a permit on the property located at 314 Route 163, Uncasville, Ct. As shown on Assessor's Map 82 Lot 62.

COMMISSIONER Riske recused himself at 7:58 p.m.

Colleen Bezanson stated that the property was on Route 163. Fill had been moved without a permit. She asked if the Commission had done a drive by. They had. Commissioner Brush stated that as of before the snow, no bales of hay had been placed. Ms. Bezanson said that to her knowledge nothing substantially damaging had been done. The Town Engineer had not seen the application as of yet. Ms. Bezanson stated that there was a need to ask for an extension, but the Applicant was not present. Commissioner Brush was concerned with stability. A discussion was held.

A MOTION was made by COMMISSIONER Houk seconded by COMMISSIONER O'Bday to continue this item until the next meeting.

Voice Vote 4-2-0. Commissioner Beardy abstained. MOTION CARRIED.

COMMISSIONER Riske returned to the meeting at 8:03 p.m.

- c. **Hull Forest Products/Boltz:** An application for a timber harvest on the property located at 376 Raymond Hill Rd, Uncasville, Ct. As shown on Assessor's Map 32 Lot 7.

Ms. Bezanson stated that there were three crossings needed for the project. The crossings would be corduroy bridges. Ms. Bezanson stated that this was nothing out of the ordinary. She said the Commission may want to go on a site walk. A discussion was held.

A MOTION was made by COMMISSIONER O'Bday and 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 214 IWC 23 **Hull Forest Products/Boltz:** An application for a timber harvest on the property located at 376 Raymond Hill Rd, Uncasville, Ct. As shown on Assessor's Map 32 Lot 7 as depicted on the plan titled Timber Harvest Map Boltz property 376 Raymond Hill Rd, Uncasville, Ct. prepared by Chris Cassedei, Hull Forest Products and the application and narrative dated 12/23/14.

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.

Voice Vote 5-1-0. Commissioner Beardy abstained. MOTION CARRIED.

8. New Business:

- a. **Kevin Gallagher:** An application for a driveway crossing on the property located at 1075 East Lake Road, Oakdale, Ct. As shown on Assessor's Map 7 Lot 38A.

Colleen Bezanson gave a breakdown of the proposed plan. She stated that the applicant wanted to access the rear portion of his property. She stated that there were to be installing two 18 inch pipes and creating a new driveway. The location of the crossings will be at the nearest points of the wetlands. She stated that the Town Engineer already reviewed the drainage calculations and approved them. Ms. Bezanson stated that the Commission may want to take a walk. The work was to be done in the buffer and wetland area. A discussion was held.

Jim Bernardo Professional Land Surveyor representing the applicant addressed the Commission. He gave a breakdown of the plans. A discussion was held.

A MOTION was made by COMMISSIONER O'Bday seconded by COMMISSIONER Houk to continue this item until the next meeting.

Voice Vote 6-0. MOTION CARRIED.

- b. **John LoMonte:** An application for the installation of a small retaining wall on the property located at 4 Birch Point Trail, Oakdale, Ct. As shown on Assessor's Map 50 Lot 49.

Colleen Bezanson stated Mr. LoMonte had an erosion problem on his property. He wanted to install two feet walls using railroad ties to resolve the problem. A discussion was held.

John LoMonte addressed the Commission. He stated that the snow and rain has caused erosion problems. He stated that he thought the best way to handle the problem was with the installation of the railroad ties. Mr. LoMonte stated that the existing retaining wall was working, but there needs to be an additional retaining wall installed, which he and his son in law would like to do. A discussion was held.

A MOTION was made by COMMISSIONER Houk and seconded by COMMISSIONER O'Bday to set a sitewalk for March 13, 2015 at 10:00 a.m. and continue this item until the next meeting.

Voice Vote 6-0. MOTION CARRIED.

- c. **Thomas Trowbridge:** An application for a timber harvest on the property located at Route 163 and 261 Oxoboxo Dam Rd, Oakdale, Ct. As shown on Assessor's Map 51 Lot 1C and Map 45 Lot 5.

Colleen Bezanson stated that this application was for the Quaker Hill Gun Club. The property has been harvested before. There would be two crossings. There would be a temporary portable bridge and corduroy bridges would be placed over the existing ones. 90 cords are to be removed. A discussion was held.

A MOTION was made by COMMISSIONER Houk and seconded by COMMISSIONER O'Bday to approve the application based a permitted used of right and on the fact that no new crossings be created.

Voice Vote 6-0. MOTION CARRIED.

- d. **Norwich Public Utilities:** An application for the Stony Brook Watermain Restoration on the properties located at 260 Cherry Lane- 233, 243,254,255,260,292,332 Leffingwell Rd- Tra-Mart Drive- 224, 290,292 Salem Tpke & 25 Montville Rd, Montville, Ct. As shown on Assessor Maps 53 Lot 1A, Map 61 Lots 6A,7,9, 11, 11A, 11B, 12A, Map 55 Lot 5, Map 121 Lots2-26, 2-31, 2-32 & Map 127 Lot 1-2.

Colleen Bezanson stated that there was a 100 year old pipe running through numerous properties from Montville to Big Y in Norwich. In some cases in this area the right of way belonged to Norwich Public Utilities. The water main was on its last leg. Ms. Bezanson gave a breakdown of the plans. Based on section 4.1.8 of the regulations this maybe a permitted use of rights. There is a total of 8 areas of work, four sections to be completed in the Wetland area and four sections in the upland review area. A discussion was held.

Professional Engineer, Robert Schuch addressed the Commission on behalf of the Applicant. He stated that a PIG device would be used to clean the pipe and check for damage. The existing pipe is 24 inches and a 20 inch slip line would be used to excavate material. Pollution control was taken into account. Watering will be discharged to a basin. A discussion was held.

A MOTION was made by COMMISSIONER O'Bday and seconded by COMMISSIONER Houk to approve the application based a permitted used of right.

Voice Vote 6-0. MOTION CARRIED.

9. Correspondence:

- a. **Algonquin Gas Final EIS**
- b. **Habitat**
- c. **Letter from Eastern Connecticut conservation District requesting funding**

10. Other Business: None

11. Executive Session: None

12. Adjourn: A MOTION was made to adjourn the meeting at 8:48 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.