

**TOWN OF MONTVILLE
INLAND WETLANDS COMMISSION
310 NORWICH NEW LONDON TPKE
UNCASVILLE CT 06382
PHONE (860)848-8549 FAX (860)848-2354**

**SPECIAL MEETING MINUTES
7:00PM
January 29, 2009
MONTVILLE TOWN HALL, *Council Chambers***

1. **Call to order:** Chairman Brush called the Inland Wetlands Commission meeting to order at 7:00pm.
2. **Roll call:** A quorum was present. Members present were Commissioners Bartholomew, Johnson, O'Bday, Whittaker, Brush, Taylor and Riske. Absent Commissioner Beauchene. Staff present was Colleen Bezanson Wetland Agent/Planner II.
3. **Minutes:**
 - a. Approve minutes of Meeting December 18, 2008. **Motion to approve** by Commissioner Taylor, seconded by Commissioner Johnson. **6-0 favor** Commissioner Whittaker abstained. **Motion carried.**
 - b. Approve minutes of Special Meeting December 22, 2008. **Motion to approve** by Commissioner Riske, seconded by Commissioner Comm Whittaker. **5-0 favor**, Commissioner Taylor and Commissioner Whittaker abstained. **Motion carried.**

Motion to seat Commissioner O'Bday in place of Commissioner Beauchene by Commissioner Bartholomew, seconded by Commissioner Whittaker. **7-0 favor, Motion carried.**

Motion to move item 11 to precede item 5 by Commissioner Whittaker, seconded by Commissioner Riske. **7-0 favor, Motion carried.**

4. Public Hearings - None

11. Other Business:

- a. **Update from Uncas Health on Septic Systems inspections.**

Staff explained that the septic system at Pequot Ledge Campground didn't fall under the jurisdiction of Uncas Health District, that it fell under the states jurisdiction for the amount of gallons that it has.
Discussion was held.

Ms. Bezanson stated she would call the Sewage Disposal Program and see about forms to lodge a complaint and request inspection.

Motion to move back to item 5 by Commissioner Whittaker, seconded by Commissioner Riske. **7-0 favor, Motion carried.**

5. Show Cause Hearings:

- a. **Thomas Sanders:** Application for work within a regulated area on the property located at 87E Cottage Rd, Montville, CT. As shown on Assessor's Map 63 Lot 5.

Commissioner Johnson excused herself.

Staff stated that both Mr. Johnson and Mr. Sanders had heart attacks and that Mr. Johnson was still in the hospital. Staff read a letter from the Johnsons stating such. Discussion was held.

Motion to table to February 19, 2009 meeting and set sitewalk for February 14, 2009 at 10am by Commissioner O'Bday, seconded by Commissioner Whittaker. **6-0 favor, Motion Carried.**

Commissioner Johnson returned.

Motion to the next item up to be New Business Item 8 by Commissioner Taylor, seconded by Commissioner O'Bday. **7-0 favor, Motion carried.**

8. New Business:

- a. **Hull Forest Products, Inc./Eric Johnson:** An application for a timber harvest on the property located at 127 Doyle Rd, Montville CT. Assessor's Map 57 Lot 11-3.

Staff explained that this application was for a timber harvest with no crossings. Commissioner Brush indicated that in "The Habitat" there was a court case stating that timber harvests were Permitted Uses as of Right. Discussion was held regarding the number of trees to be cut and the acreage of the property. Mr. Johnson spoke in regards to application. He stated he wanted to cut 458 trees over 22 or so acres. Discussion was held.

Motion To grant application number 208 IWC 36 as a Permitted Use as of Right. by Commissioner Whittaker, seconded by Commissioner Johnson **7-0 favor, Motion carried.**

Motion to move Item 5b to after 7b by Commissioner Whittaker, seconded by Commissioner Bartholomew **7-0 favor, Motion Carried.**

7. Old Business:

a. **Stonehenge Pillars, LLC:** Review of as-built with work within a regulated area on the property located at 8 Fawns Meadow Rd, Montville CT. As shown on Assessor's Map 31 Lot 28-2C.

Staff reminded the Commission that the site walk that was scheduled was canceled. Staff stated Atty. Heller granted an extension to the February 19, 2009 meeting.

Motion to continue and set site walk for February 14th at 10:30am by Commissioner Taylor, seconded by Commissioner Whittaker. **7-0 favor, Motion Carried.**

Commissioner Taylor excused herself.

b. **Green Falls Associates, LLC:** An application for work within a regulated area on the property located at 300 A Maple Ave, Montville CT. As shown on Assessor's Map 82 Lot 25

Staff explained that the Commission was waiting for the Town Engineer comments. The Town Engineer and the applicant worked together to solve the issues on the property. The comments are minor and have now been addressed on the plans. Atty. Heller explained application. Discussion was held regarding flooding. Commissioner Brush indicated that he had been out to the site and thought this was a reasonable plan for the property.

Motion by Commissioner Whittaker, seconded by Commissioner Riske

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 the following application

208 IWC 32 **Green Falls Associates, LLC:** An application for work within a regulated area in conjunction with the creation of a culvert located at 300 A Maple Avenue, Montville, Ct. As shown on Assessor's Map 82 Lot 25 as depicted on the plan titled "Plan Showing Proposed House, Drive, Sewer Connection and Erosion and Sediment Control on Property of Kathryn Pianta, Joan Records, and John Chapel 300A Maple Avenue Montville Ct October 2008 Prepared by Deiter & Gardner Land Surveyors/Planners 1641 Connecticut Route 12 Gales Ferry, Ct. revised to January 21, 2009 and the application and narrative dated 11-10-08

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.

5-0-1 favor, Commissioner Whittaker abstained, **Motion carried.**

Commissioner Taylor returned.

5. Show Cause Hearings:

- b. **May Realty:** An application for repairs completed on the property located at 711 Route 163, Montville CT. As shown on Assessor's Map 38 Lot 53.

Staff gave summary of the discussion of the last meeting and the applicant's concern of flooding. A Cease and Desist Order was issued because rocks and machinery had been moved into the area. Discussion was held regarding the use of equipment within the stream.

Chairman Brush stated he needs a plan of what was done and what he plans to do and apply for a permit.

Motion to continue to the February meeting by Commissioner Johnson, seconded by Commissioner O'Bday. **7-0 favor, Motion carried.**

9. Commissioner's Comments:

Chairman Brush asked about continuing changes to the regulations. Stated that would be added to the agenda for next month's meeting to schedule a workshop.

10. Correspondence:

Ms. Bezanson handed out registration form for land use class. She also offered a Natural Wildlife magazine issue. Ms. Bezanson read a letter addressed to Chairman Brush from Gina M Rodigou of 28 Swanty Johnson Rd regarding the

Zone Change application for 120 Gay Hill Road that was before the Planning and Zoning Commission and her concerns of the impact on the wetland areas . Discussion was held.

11. Other business:

b. **Niantic River Watershed Guided Summary:** Staff summarized and asked the Commission to complete and submit the survey.

c. **Richard George vs. Town of Montville Inland Wetlands Commission:** Staff informed the commission that Richard George had filed for an appeal of the decision of the Commission for the Andersen Builders application.

Motion to adjourn at 8:10 by Commissioner Whittaker, seconded by Commissioner O'Bday, **7-0 favor, Motion carried.**

FOR A COMPLETE RECORDING, PLEASE REFER TO AUDIO.

Respectfully submitted,

Pamela Church, Recording Secretary

2/3/09