

TOWN OF MONTVILLE
INLAND WETLANDS COMMISSION
SPECIAL MEETING MINUTES
THURSDAY, NOVEMBER 1, 2018 – 7:00 P.M.
LOCATION: MONTVILLE TOWN HALL, Council Chamber
310 NORWICH-NEW LONDON TURNPIKE
UNCASVILLE, CONNECTICUT 06382

1. CALL TO ORDER

Chairman Brush called the meeting to order at 7:00.

2. ROLL CALL

Present: Chairman-Doug Brush, Vice-Chairman Charles O’Bday III, Secretary Philip Houk, Commissioner Sandra Berardy

Absent: Commissioners Anthony Tufares, Jessica LeClair, Full Vacancy, Alt. Vacancy, Alt. Vacancy

Attending: Attorney Mark Willis

3. SHOW CAUSE HEARING:

A. Holly Lombardi Land Holdings, LLC/John Lombardi-18 Sachatello Industrial Dr. M5L27-10: A Cease and Restore Order for work within a wetland/wetland buffer area on the property.

B. Russo, Green Site Design LLC, representing J. Lombardi gave a brief history of the complaint. He stated that he, Demian Sorrentino, CSS, representing the town and N. Woodlock, Montville WEO, conducted a site inspection of the area.

R. Russo informed the members that he reflagged the wetlands on the property. He described area # 1 consisting of a swale and areas where sediments have entered the wetlands. He stated there was vigorous growth in one of the areas and instead of digging the sediments and vegetation out, they are proposing over-seeding the area with a wetland seed mix.

In the upland review area swales and stockpiles of materials are being stored. The stockpiles will be pulled back out of the regulated areas. The vegetation will be restored and a storm water management system will be installed which will include swales and basins to manage the runoff for the site.

Also in Area #1 there are significant wetlands impacts of:

- approximately 386 ft. of wetlands fill
- farther along is approximately 39 sq. ft. of wetlands fill
- on the southern edge is 89 sq. ft. of wetlands fill
- and the largest single area of wetlands intrusion is 3585 sq. ft. of fill.

The plan is to remove the fill from the top of the wetlands. He stated that as far as he could tell there are still good wetlands topsoil underneath the fill. There will be 12 inches of organic top soil placed over the areas where needed and

over-seeded with a New England Wetlands Plants (NEWP) mix will be applied. There will also be native plants installed.

In the upland review area there will be a sediment basin to catch the sheet flow off the site. The sediments will settle out in the basin and there will be a rip rap basin with a stone and wood berm which will filter out additional sediments.

In the northwest corner there will a swale installed and a rip rap basin with stone and wood berm for filtration. B. Russo stated there will be ongoing maintenance of the sediment basins.

Along the upland review zone there will be a row of boulders to ensure there will be no activity beyond that point.

B. Russo described what is being proposed on sheet 3 of the plan. He stated the wetlands will be restored with 12" of topsoil where need and red maples, woody shrubs and herbaceous plants as well as NEWP mix.

The same will be done with other smaller wetlands impacts.

Sheet #4 of the plan includes the area which was the subject of a complaint.

There were a number of issues in this area. There was an access road which had jersey barriers and other stored materials in the upland review area. Those materials and barriers will be removed and replaced with topsoil and plantings.

Another area was a small sedimentation area which is proposed to be cleaned and enlarged with stone and woodchip filtration added.

There is an existing permitted basin which needs to be cleaned and repaired with an addition of stone and woodchip filtration.

B. Russo stated the chicken manure will be removed from the site which had created the nutrient overload.

B. Russo stated that he will be overseeing all the work of restoration.

Chairman Brush asked Mark Willis, attorney for the town if the Town can get reimbursed for the professional fees associated with the project. The attorney stated that if allowed by ordinance they could recoup their costs.

D. Sorrentino, soil scientist for the town stated that B. Russo accurately portrayed the conditions and restoration plan as submitted. He stated the history of the complaint and the actions in response to the complaint. Holly Lombardi Land Holdings LLC has responded to all comments to the satisfaction of the Town.

D. Sorrentino detailed the following photos and areas:

#1 – Impact Area#4 – Wetland/URA Impact - Construct sediment basin in this area

#2 – Impact Area#4 - Same as above

#3 – South of Impact Area#4 – Earthen berm and wood chips along this portion of the site.

#4 – Impact Area#1 – Wetland/URA Impact - Improve swale with stone check dam, construct sediment basin

- #5 – Impact Area#1 – Same as above
- #6 – Impact Area#2 – URA Impacts - Earthen berm at start of Impact Area#2
- #7 – Impact Area#2 – Remove earthen berm, construct linear swale, site grade to collect storm water runoff & direct towards sediment basin in Impact Area#1
- #8 – Impact Area#3 - Wetland/ URA impact past boulder pile, reconstruct swale in that area, add rip/rap.
- #9 – Impact Area#5 - URA – Minor grading, narrow width of access road, and Re-vegetate.
- #10 – Impact Area#5 – Same as above
- #11 – Impact Area#6 – URA – Cleared stockpile and equipment area, possible encroachment onto abutting property, minor grading, seeding, revegetate.
- #12 – Impact Area#7 – URA – Discussed removal of equipment in this area, on the westerly side of access road, minor grading, seeding, re-vegetate.
- #13 – Impact Area#8 – URA/Possible Wetland – Sediment escaping small sediment basin, construct larger sediment basin here with spread apron outlet.
- #14 – Impact Area#9 – URA/Wetland – Sediment escaping existing linear sedimentation basin, improve basin outlet to stop sediment release.
- #15 – Same as above
- #16 – Orange wetland buffer fencing continuing around site to the west.
- #17 & #18 – Same as above

MOTION: (Brush/Houk)Based on the expert testimony received by the Commission from Demian Sorrentino, Soil Scientist, AICP, C.S.S, the Commission finds that the plan of Holly Lombardi Land Holdings, LLC 18 Sachatello Industrial Drive Prepared by Green Site Design, sheets 1-5 with sheets titled “Existing Conditions/Demolition Plan”, “Grading & E&S Plan”, “Landscape Plan”, “Existing

Rock Crusher Layout” and “Details” dated 9/29/18 and revised to October 31, 2018 has satisfied all requirements for remediation of the property. The Cease and Restore will remain in effect until all remediation as depicted on the above referenced plan is complete to the satisfaction of Mr. Sorrentino and/or the Wetlands Enforcement Officer. Commission will also require an inspection report to ensure maintenance is being performed every two years for 10 years. If allowed by Montville IWC regulations, Holly Lombardi Land Holdings LLC shall also reimburse the Town of Montville for the costs of employing Boundaries LLC. Vote: Approved Unanimously.

4. REMARKS FROM THE PUBLIC (not relating to items on the agenda)-none

5. OLD BUSINESS:

A. 2181IWC15-Leffinwell Road, Noble Hill Rd. Trading Cove Brook. Applicant: Norwich Public Utilities (NPU)-The NPU proposes to extend their existing water transmission main through a portion of Montville to a development in Bozrah near the intersection of Noble Hill Rd. and Rte. 82.

Darren Hayward of CLA Engineers presenting for the applicant informed the Commission of a minor modification of the plan. He stated they took another look at the installation of the water main and decided to modify the plan and put the main underground in the road right of way. The water main will have approximately 6 inches of cover. The pipe will be insulated and jacketed to better protect from freezing weather.

The applicant is requesting the following:

- Install a 24 in. ductile iron water main, connecting to existing water transmission main from Stony Brook Reservoir in Montville to Rte. 82 (Salem Tpke) via Leffingwell Rd., Noble Hill Rd., and crossing Trading Cove Brook.
- The pipe is now proposed to be installed over the culvert within the ground above the culvert roof.
- Install a 2” automatic flushing device, (blow-off), on the Montville side of the pipe, to be used in an emergency situation. A de-chlorination basket device will be used to filter flushing water through before it enters stream. (See hand out for description)
- Existing rip-rap pad will be improved with additional stone
- Remove and replace of existing guardrail

The proposed work does not include any filling or grading within the wetlands, and will not introduce any new water into the wetlands. The majority of the work will take place in the right of way area, in previously disturbed soils with erosion and sediment control measures in place.

MOTION: (O’Bday/Berardy) 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 218 IWC 15 Norwich Public Utilities: An application for work within a regulated area surrounding Trading Cove Brook as depicted on the site plan titled “Norwich Public Utilities - Stony Brook Transmission Main Rehabilitation – Phase I, Erosion 7 Sediment Control Plan at Trading Cove Brook” dated September 5, 2018, and revised October 30, 2018.

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

Vote: Approved Unanimously

B. 218IWC16-198 Gallivan Lane, (M55L52) Applicant: Martin M. Rutchik Trustee of the Martin M. Rutchik Revocable Trust dated May 7, 2009. Applicant is proposing to develop a 31,300 sq. ft. self-storage space to accommodate ten buildings as referenced on site plan.

The Applicant is requesting approval to conduct the following activities in the upland review areas adjacent to the grass swale which runs through the development portion of the project site:

- a. Construct portions of the 1,600 square foot and the 2,200 square foot storage building with Office and caretaker apartment above, in the upland review areas adjacent to the grass swale which bisects the property in a northwesterly to southwesterly orientation.
- b. Construct paved maneuvering aisles and install storm water structures within the upland review areas located northeasterly and southwesterly of the grass swale which bisects the property in a northwesterly to southwesterly orientation.
- c. Propose a reserve septic area in the upland review area located southwesterly of the grass swale which bisects the property in a northwesterly to southwesterly orientation.
- d. Construct a segmental concrete block retaining wall within the upland review area adjacent northeasterly to the grass swale which bisects the Property in a northwesterly to southwesterly orientation.

The site is located at 198 Gallivan Lane, Assessors Map 55, and Lot 52 on a 12.5 acre parcel within the light industrial zone. It is encumbered by wetland soils, most of which fall within the 100 year flood plain and by the 250 foot Connecticut Light & Power Co. right-of-way transmission line easement. The remaining portion that can be developed contains a narrow band of wetlands situated in a southeast to northwest position.

Attorney Harry Heller appeared for the applicant. He reminded the Commission that the application is almost identical to a plan submitted in 2001 with upgrades reflecting new requirements for treatment of storm water runoff. H. Heller described how FEMA delineates the 100-year floodplain. He stated that a part of one of the buildings is located within the FEMA 100-year floodplain. After discussing with the engineers for the project it was decided it would be more cost effective to make one of the buildings shorter to get it out of the flood zone. The building will be reduced by approximately 600 sq.

H. Heller showed plans from 2001 and pointed out the similarities of the two plans. The whole development will be curbed and the water will sheet off the site and be directed to a catch basin system. The water will go through a hydro-dynamic separator which will then be discharged to a water quality basin with an underdrain for infiltration back to ground water. The system is designed to treat the first inch of runoff. The system is designed to meet the 2002 water quality regulations.

MOTION: (Houk/O’Bday) 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 218 IWC 16 Martin M. Rutchik, Trustee of the Martin M. Rutchik Revocable Trust: An application for the development of a 31,300 square foot self-storage space consisting of ten (10) buildings as depicted on the site development plan titled “Site Development Plan Prepared for Martin Rutchik 198 Gallivan Lane, Montville, Connecticut Sheets 1-8” dated July 11, 2018, revised to November 1, 2018. 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.

Vote: Approved Unanimously.

6. NEW BUSINESS

A. 218IWC17-105 Cottage Road, (M63L1) Applicant: Steven and Elisa Pierce, Owner: St. Thomas More Endowment and Development Fund, LLC. 3 Lot Subdivision with activity within wetlands areas.

- 3 Lot subdivision with work within wetland and buffer areas
- Lot number 1’s foundation drain will cross through the 50’ wetland review area with the outlet to this drain being outside of the review area.

- Lot number 2's foundation drain will also cross the 50' wetland review area and a small portion of the wetlands themselves. This drain will also outlet outside of the review area.
- Lot 3 will involve minimal grading within the 50' review area and a portion of the proposed path. The house, septic and well will be located outside the review area.

Activity Description

Wetland Disturbance Area	50 sq. ft.
Upland Review Disturbance Area	1250 sq. ft.
Watercourse/ Waterbody Disturbance Area	0

- The site is located on +/- 24.69 acres (107, 5496.4 +/- SF), M63L1.
- The applicant proposes to divide the existing parcel to create two new parcels, with driveway access onto Cottage Road.
- Wetland disturbance will be minimal with the drain pipe being trenched.

Rob Hellstrom presenting for the applicant stated there is a small amount of wetlands activity from a footing drain. There will also be minimal grading around a proposed house. There is an access/path to Gardner Lake which will be redone that will require minimal grading.

MOTION: (Berardy/O'Bday) to conduct a site walk to the property on November 10, 2018 at 10:00 AM. Vote: Approved Unanimously.

7. Adjournment:

MOTION: (O'Bday/Berardy) to adjourn at 8:37

Respectfully Submitted

Sue Spang
Recording Secretary