

**TOWN OF MONTVILLE  
INLAND WETLANDS COMMISSION  
REGULAR MEETING MINUTES  
THURSDAY OCTOBER 15, 2020 – 7:00 P.M.  
MONTVILLE TOWN HALL  
MONTVILLE, CT**

Due to the Corona 19 pandemic and per State of Connecticut, Governor Lamont Executive order 7B, the Town of Montville will be following the suspension of in-person open meeting requirements. The Montville Inlands Wetlands Commission conducted the October 15, 2020 in person and by remotely utilizing GoToWebinar. The public and applicants could make comments at the appropriate time by registering with GoToWebinar.

**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, Commissioners, Sandra Berardy, Jessica LeClair (remote) (7:03), Joseph Berardy, Alt.

**Absent:** Anthony Tufares Matthew Emilyta, Alt. Vacancy

**Attending:** T. Williams, IT person

**3. MINUTES: Approval of Minutes from the September 17, 2020 Regular Meeting.**

**MOTION (S. Berardy/J. Berardy) to approve the minutes of the September 17, 2020 regular meeting as presented. Vote: APPROVED unanimously**

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

**5. OLD BUSINESS:**

**A. 220 IWC 13 – 55 A Laurel Point Drive (Map 105 Lot 19) Owner/Applicant**

**Kevin Brouillard, An application for activity in a regulated area for the repair and extension of retaining wall**

D. Brush mentioned that most of the commissioners’ present had visited the site.

K. Brouillard informed the commission the trees to be cut down are at the top part of the lawn and the stumps and roots will be left. The trees will be felled onto the yard side. He said the 20-30’ to the water will be ground cover and there will not be much disturbance on the steep slope.

K. Brouillard asked if he could clean the garbage, debris and rocks from the waters edge while the lake was at a low point. D. Brush acknowledged there were old tires and other items and he is not opposed to cleaning it up.

**MOTION: (S. Berardy/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 as long as the applicant completes section 7 to the satisfaction of town staff for 220 IWC 13 Kevin Brouillard: An application for**

**activity in a regulated area for the repair and extension of a retaining wall and creation of beach/path area on bottom tier of wall that abuts the lake on the property located at 55A Laurel Point Drive shown on Assessor's Map 105 Lot 19 as depicted in the Exhibits B-G**

**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.**

#### **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. 220 IWC 14 – 55 B Laurel Point Drive (Map 105 Lot 20) Owner/Applicant James Fountain, An application for activity in a regulated area for the repair of a retaining wall**

J. Fountain informed the members that in order to prevent further damage to the existing wall a new one will be constructed in front of it. It will be the same construction as the previous application of his neighbor and both the walls will tie into each other.

There are no trees that will be taken down on his property.

D. Brush said the water level is down approximately 20-30' leaving plenty of room to work. The applicant can clean up the debris that is exposed due to the lake levels being lowered.

**MOTION: (O'Bday/S. 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 220 IWC 14 James Fountain: An application for**

**activity in a regulated area for the repair and extension of a retaining wall on the property located at 55B Laurel Point Drive shown on Assessor's Map 105 Lot 20 as depicted in pictures A-E**

**Standard Reasons for approval apply**

- 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. 220 IWC 15 – 90 Maple Avenue (Map 17 Lot 15) Owner/Applicant Lindo Construction, LLC,** An application for activity in upland review area in conjunction with 87 unit multi-family residential

The property is located across from the Pequot Rd entrance on Maple Ave. The property is 20 +/- acres with two wetland systems and an intermittent watercourse.

The proposed project is for the development of 87 multifamily units, associated parking and drainage.

Attorney H. Heller, 736 RT. 32 Uncasville representing the applicant gave the location and background on the proposed development. He said it is across from the Polish Club and there are 87 multi-family residential apartment units proposed. They have been approved for town water and sewer.

There are three (3) wetlands systems on the site:

- wetland 1 –no activity proposed
- wetland 2-no activity proposed
- wetland 3-activity in the Upland Review Area (URA)

H. Heller identified wetland 3 as an intermittent watercourse that does not drain from a wetland nor does it feed into a wetland. The wetland starts as ground water breakout and ends in a highly permeable soil.

An access road, storm water basin and retention basin grading will create disturbances in the URA. There will be no direct impacts to the wetlands. There will be minor grading to the periphery of the URA of wetland three (3).

There is a natural berm along wetland 3 which has a rocky bottom.

The utilities will be situated under the road.

Wes Wentworth, soil scientist informed the members that the water runoff from the property and buildings closest to the URA will go into a constructed swale, next to the natural berm of the wetland/URA and then southerly around the buildings and continue along their natural path into the drainage system.

**MOTION: (O'Bday/S. Berardy) to schedule a site walk of 90 Maple Avenue (Map 17 Lot 15) Owner/Applicant Lindo Construction, LLC for November 14, 2020 at 9:30. Vote: APPROVED unanimously.**

- 7. PUBLIC HEARING-none**
- 8. SHOW CAUSE HEARING-none**
- 9. CORRESPONDENCE-none**
- 10. OTHER BUSINESS- none**
- 11. EXECUTIVE SESSION-none**
- 12. ADJOURNMENT**  
**MOTION: (O'Bday/S. Berardy) to adjourn at 7:49.**

Respectfully Submitted  
Sue Spang  
Recording Secretary