

**Town of Montville
Inland Wetlands Commission
310 Norwich-New London Tpke
Uncasville, CT 06382 (860) 848-6779
Town Hall – Town Council Chambers**

Regular Meeting Minutes

January 19, 2023

1. **Call to Order:** Chairman Douglas Brush called meeting to order at 6:00 p.m.
2. **Roll Call: Present:** Chairman Douglas Brush, Commissioners Sandra Berardy, Joseph Berardy, Raymond Occhialini, Robert Roshto and Commissioner Jessica LeClair was present via telephone. **Absent:** Vice-Chairman Charles O’Bday. Also present was Zoning and Wetlands Officer Meredith Badaluca.
3. **Minutes:** Approval of the minutes of the December 15, 2022 Regular Meeting. **Motion:** To approve minutes of December 15, 2022 regular meeting (**S. Berardy/Roshto**) Roll call vote. All in favor (6-0-0)
APPROVED
4. **Public Hearing:** None.
5. **Show Cause Hearing:** None.
6. **Remarks from the Public not relating to items on the Agenda:** None.
7. **Old Business:**
 - a. **22 IWC 24** – 2040 Route 32 (103-001-01A), Uncasville, CT, Owner/Applicant: Hassan/Hussain, LLC for regulated activities in the upland review areas in conjunction with the proposed commercial development of proposed convenience/gasoline sales facility. (*Submitted 10/28/22, Date of Receipt 11/17/22, DRD 1/21/23*) ZEO/WEO Meredith Badaluca reviewed her staff report and stated that she received a letter from Robert C. Russo, CSS of CLA Engineers and he stated that the applicant addressed all of the comments from the November 15, 2022 review letter with the exception of providing a SWPP for operation of the gas station. However, staff clarified that no SWPP (aka, “CT General Permit”) is required since the project site is less than 5 acres and Mr. Russo confirmed. Attorney Harry Heller was in attendance and spoke to commission and clarified that a SWPP aka “Operational Manual” will be provided when the application is submitted. He asked if there was any questions and the commission did not have any. **MOTION:** After giving due consideration to all relevant factors including those in Section 10 and or Section 6 of the Montville Inland Wetland Regulations and Section 22a-41 of the Connecticut General Statutes, I move to approve application **22 IWC 24** for 2040 Route 32 (103-001-01A), Uncasville, CT, Owner/Applicant: Hassan/Hussain, LLC for regulated activities in the upland review areas in conjunction with the proposed commercial development of proposed convenience/gasoline sales facility as depicted in the application and associated documents dated October 21, 2022 and received on October 28, 2022 and as shown on a plan entitled ”Inland Wetlands Submission 2040 Route 32 Proposed Convenience Store/Gas Station 2040 Route 32, Uncasville, Connecticut Applicant: Amer Choudrey October 3, 2022 Drawing Scale: 1”=30’ Sheet Nos. 1 of 5 to 5 of 5 Job No. 21-001048 Drawn By: DC Fedus Engineering, LLC Civil Engineers Mailing Address: 70 Essex Street Mystic, Connecticut 06355, Revised 12/5/2022” *with the following conditions:* Standard conditions of approval apply. (**Occhialini/Roshto**) Roll Call Vote. All in favor (6-0-0). **APPROVED**
 - b. **22 IWC 26** – 207 Doyle Rd (057-030-001), Oakdale, CT Owner: Brian & Brenda Lee McNamara, Applicant: Brian McNamara for regulated activities in conjunction with removal of 133 CY of organic material and sediment to restore depth of dock area. (*Submitted 12/1/22, Date of Receipt 12/15/22, DRD 2/18/23*) ZEO/WEO Meredith Badaluca stated that she had no new comments, however, that the applicant had provided cut sheets on the turbidity curtains. Attorney Harry Heller spoke to commission regarding the supplied cut sheets of the floating turbidity curtains that the commission asked him to provide during the last meeting. Chairman Douglas Brush asked if the

material is going to be taken off site and Attorney Heller stated that no it will be staying on the property. He also asked if the curtain would reach the bottom of the lake and Attorney Heller stated that there are weights that pull the curtain to the bottom of the lake. Attorney Heller also stated that the property owners are going to wait until next December to begin work on the property because the water level has already begun to rise, and it is too high to begin this project. Commissioner Sandra Berardy asked how long the permit is good for and ZEO/WEO Badalucca stated for 5 years. **MOTION:** After giving due consideration to all relevant factors including those in Section 10 and/or Section 6 of the Montville Inland Wetland Regulations and Section 22a-41 of the Connecticut General Statutes, I move to approve application **22 IWC 26** – Owner: Brian & Brenda Lee McNamara, Applicant: Brian McNamara for regulated activities in conjunction with removal of 133 CY of organic material and sediment to restore depth of dock area at 207 Doyle Rd (057-030-001), Oakdale, CT as depicted in the application dated December 1, 2022 and narrative dated November 30, 2022. Standard conditions of approval apply. **(Roshto/Occhialini)** Roll call vote. All in favor (6-0-0). **APPROVED**

Commissioner Robert Roshto recused himself.

- c. **22 IWC 27** – 128 Moxley Rd (010-008-000), Uncasville, CT Owner/Applicant: Connecticut Light and Power Company dba Eversource Energy Service Company for regulated activities in conjunction with the proposed installation of four (4) monitoring wells. (*Submitted 12/6/22, Date of Receipt 12/15/22, DRD 2/18/23*) ZEO/WEO Meredith Badalucca stated that she had no new comments. A brief discussion was held. **MOTION:** After giving due consideration to all relevant factors including those in Section 10 and/or Section 6 of the Montville Inland Wetland Regulations and Section 22a-41 of the Connecticut General Statutes, I move to approve application **22 IWC 27** – Owner/Applicant: Connecticut Light and Power Company dba Eversource Energy Service Company for regulated activities in conjunction with the proposed installation of four (4) monitoring wells at 128 Moxley Rd (010-008-000), Uncasville, CT as depicted in the application and narrative dated December 1, 2022. Standard conditions of approval apply. **(Occhialini/S. Berardy)** Roll call vote (5-0-0) All in favor. **APPROVED**

Commissioner Robert Roshto returned after the vote.

8. New Business:

- a. **23 IWC 1 – 24 Route 82 (060-003-000), Oakdale, CT Owner: Jabez Financial, LLC, Applicant: Hull Forest Products, Inc. for As of Right Determination for Timber Harvest** (*Submitted 1/3/23, Date of Receipt 1/19/23, DRD 3/25/23*). ZEO/WEO Meredith Badalucca read her staff report

- Application is for an As of Right Determination for a Timber Harvest in accordance with Montville Inland Wetlands and Watercourses Regulations Section 4.1.a and C.G.S. Section 22a-40.
- Under the Inland Wetlands and Watercourses Act C.G.S. Section 22a-40 and Montville Inland Wetlands and Watercourses Regulations (“Regulations”) Section 4.1.a, farming is as “Permitted operation and use”. Forestry is defined as farming or agriculture under C.G.S. 1-1q.
- The property is located in the R-120 zone on about 14.24 acres, contains regulated uplands, wetlands and a stream. The property has approximately 753 feet of frontage on Route 82 and is currently undeveloped.
- The Applicant states the operation is “A selection harvest with group selections. Open areas for campsites and other recreational activities. Remove trees of poor health and quality while promoting residual tree health. Remove some of the forest canopy to reveal sunlight on the forest floor and promote natural regeneration.” this will be for his own personal use.
- The site will be accessed from a temporary, eventually permanent, driveway that is being constructed by the landowner.
- There are no wetland, drainage or stream crossings proposed, however, there will be trees removed in the

upland review area.

- The amount of forest products to be harvested is approximately 12 acres total for 26,230 board feet and 74 cords and trees have been marked with blue paint.
- It is estimated that 2 months of good working weather will be required to complete this project. An estimated starting date for the harvesting operation is February 1, 2023.

A brief discussion was held. Commissioner Brush asked if that the property is going to be used for campsites. ZEO/WEO Badalucca stated the property owner has stated he likes to hunt the property and it will be used for personal use only. **MOTION:** After giving due consideration to all relevant factors, including those in Section 4 of the Montville Inland Wetland Regulations and Section 22a-40 of the Connecticut General Statutes, I move that Application# **23 IWC 1**, submitted by Austin Harmon of Hull Forest Products on behalf of property owner, Jabez Financial, Inc. for a Timber Harvest at 24 Route 82 (060-003-000), Oakdale CT, as more fully described in the Notification of Timber Harvest & supporting documents, including a Timber Harvest Map dated December 2022, received 1/3/23, is a Permitted Use As of Right and, therefore, no permit is required. **(Roshto/Occhialini)**. Roll call vote. All in favor (6-0-0) **APPROVED**

- b. **23 IWC 2** – 176 Meetinghouse Lane (046-069-000), Oakdale, CT Owner: Town of Montville, Applicant: Town of Montville Public Works for regulated activities in the upland review areas in conjunction with the removal of fencing and asphalt from tennis court area. *(Submitted 1/17/23, Date of Receipt 1/19/23, DRD 3/25/23)* ZEO/WEO Meredith Badalucca read her staff report.

- The property is on about 79.86 acres in the Open Space (OS) zone and contains regulated upland & wetlands areas. The site is currently developed as Camp Oakdale.
- The applicant is proposing to remove the four rear tennis courts and associated fencing, as well as the basketball court to the rear of the tennis courts.
- As indicated in blue, on the attached plan, is the area of the courts that is located within the URA.
- The applicant states in part, that the excavator will remain on the asphalt and start from the URA area and work towards the parking area. Once the asphalt and fencing are removed, the area will be loamed and seeded.
- The removal the impervious surfaces will assist the Town with meeting the requirements of the Department of Environmental Energy Protection MS4 permit.

Peter Brushway, Director of Montville Parks and Recreation, spoke to the commission about the plans to remove the back tennis courts and fencing. He confirmed that John Carlson, Montville Public Works Director, stated they will be staying on the asphalt and moving backwards. Chairman Douglas Brush asked if a silt fence will be used during the excavation. ZEO/WEO Meredith Badalucca said she would contact John Carlson to confirm. **MOTION:** To table the application to the February 16, 2023 meeting. **(Roshto/Occhialini)** Roll call vote. All in favor (6-0-0). **APPROVED**

9. **Correspondence:** None.
10. **Other Business:** None.
11. **Executive Session:** None.
12. **Adjournment:** 6:32 p.m. **(Occhialini/Roshto)**.

Respectfully Submitted By,

Beth Welles
Recording Secretary