

**Town of Montville Inland Wetlands Commission**  
**310 Norwich-New London Tpke - Uncasville, CT 06382**  
**Town Hall – Town Council Chambers**  
**Regular Meeting Minutes**  
**August 17, 2023**

**1. Call To Order:**

Chairman Douglas Brush called the meeting to order at 6:00 p.m.

**2. Roll Call:**

**Present:** Chairman Douglas Brush, Commissioners, Sandra Berardy, Joseph Berardy, Jessica LeClair, Vice-Chairman Charles O’Bday, Raymond Occhialini, and Robert Roshto. Also in attendance was Assistant Planner/Interim ZEO/WEO Meredith Badalucca.

**3. Minutes:**

a. Approval of Minutes of the July 20, 2023, Regular Meeting.

**Motion:** To approve the July 20, 2023, Regular Meeting Minutes. **(Roshto/Occhialini).**  
**Vote:** (7-0-0), **APPROVED.**

**4. Public Hearing/Application:** None.

**5. Show Cause Hearing:** None.

**6. Remarks from the Public not relating to items on the agenda:** None.

**7. Old Business:** None

**8. New Business:**

a. **23 IWC 10** – 958 Route 163, Parcel ID: 046-008-000, Oakdale, CT Owner/Applicant: The Nevar Company, for review/report to the Montville Planning & Zoning Commission for proposed 2-lot re-subdivision – no regulated activities. *(Submitted 7/26/23, Date of Receipt 8/17/23, DRD 10/20/23)*

Assistant Planner/Interim ZEO/WEO Meredith Badalucca read the staff report into record. The Applicant is requesting a favorable recommendation/report from the Commission to the Planning & Zoning Commission for a 2-Lot re-subdivision with no regulated activities in accordance with CT General Statutes (CGS) Section 8-26 (Applications involving an inland wetland or watercourse) and as required by Section 3.4.2 of the Montville Subdivision regulations. The Applicant proposes to divide the existing lot to create an additional single-family residential lot with on-site well and septic; and associated site improvements. The proposed lot 1 will be 9.803 acres (427,021 sf) and proposed lot 2 will be 20.853 acres (908,376 sf). Each lot will be accessed from Route 163 via private driveways. The wetlands on this project were delineated by James M. McManus, MS, CPSS on January 26, 2023. There is no regulated upland or wetlands activity proposed as part of this development. Comments from the WEO Staff Report dated July 26, 2023, have been addressed and an updated application was received on August 15, 2023. A chain of title prepared by DGT Associates; Inc. was also received which indicates this is a re-subdivision. Professional Engineer Casey Burch of Solli Engineering, LLC, spoke on behalf of the Applicant and responded to a question of the Commission concerning the

potential for a future subdivision of the site that would effect the wetland. PE Burch remarked that the client had no plan for the same and a notation would be added to the existing map. WEO Badalucca confirmed the notation on the map and noted it would be memorialized in the minutes and the meeting recording.

**MOTION:** After giving due consideration to all relevant factors, including those in the CT General Statutes (CGS) Section 8-26 (Applications involving an inland wetland or watercourse), Montville Subdivision Regulations Section 3.4.2 (Wetlands Agency Referral), and CGS Chapter 440, Sections 22a-28 to 22a-45d (Wetlands and Watercourses), I move that the Commission forward a favorable recommendation/report to the Montville Planning & Zoning Commission for Application # 23 IWC 10, submitted by Applicant/Owner: The Nevar Company for a two (2)-lot re-subdivision of 958 Route 163 (046-008-000), Oakdale, CT, as more fully described in the application & supporting documents dated 7/24/23 and revised 8/1/2023 and a plan entitled “Proposed 1-Lot Re-subdivision of 958 Route 163 (Parcel ID: 046-008-000), Oakdale, Connecticut, Prepared for: The Nevar Company, 677 S. Main Street, Cheshire, Connecticut, Prepared by Solli Engineering, 501 Main Street, Monroe, Connecticut 06468, 11 Vanderbilt Avenue, Norwood, Massachusetts 02062, Dated 7/17/23” due to no regulated activities. **(Roshto/O’Bday) Vote: 7-0-0. APPROVED.**

**b. 23 IWC 11** – Old Colchester Rd, Parcel ID: 037-006-000, Oakdale, CT  
Owner/Applicant: Watch Hill Builders, LLC, for review/report to the Montville Planning & Zoning Commission for proposed 6-lot subdivision – no regulated activities. *(Submitted 8/4/23, Date of Receipt 8/17/23, DRD 10/20/23)*

Assistant Planner/Interim ZEO/WEO Meredith Badalucca read the staff report into record. The Applicant is requesting a favorable recommendation/report from the Commission to the Planning & Zoning Commission for a 2-Lot re-subdivision with no regulated activities in accordance with CT General Statutes (CGS) Section 8-26 (Applications involving an inland wetland or watercourse) and as required by Section 3.4.2 of the Montville Subdivision regulations. The site consists of 25.76 (+/-) acres (1,122,105 +/- SF) located in the R-120 zoning district with about 941 feet of frontage on Old Colchester Road and contains about 1.49 acres (64,904 SF) of delineated inland wetlands. The applicant proposes to divide the existing lot to create six (6) new single-family residential lots with on-site wells & on-site subsurface septic systems and associated site improvements. The 6 lots will range in size from 120,112 SF to 385,479 SF. Two (2) of the lots will share a common driveway from Old Colchester Road and the other four (4) lots will be accessed from private driveways from Old Colchester Road. There is no regulated upland or wetlands activity proposed as part of this development. Wetlands on this project were delineated by Certified Soil Scientist Joseph R. Theroux on March 18, 2022, and field located by Bennett & Smilas Associates, Inc. in April 2022. Per the report submitted by Mr. Theroux, there are four (4) separate wetlands systems on the property as shown on the plan and described in the Applicant’s narrative. Attorney Harry Heller was present and

spoke on behalf of the Applicant and responded to questions from the Commission on clearing limits, the existing house on the property, the propensity of the site to the upland review area, and the placement of a notification on record of wetlands on a lot site section. WEO Badalucca remarked zoning conditions will be noted with anything within the vicinity of the wetlands.

**MOTION:** After giving due consideration to all relevant factors, including those in the CT General Statutes (CGS) Section 8-26 (Applications involving an inland wetland or watercourse), Montville Subdivision Regulations Section 3.4.2 (Wetlands Agency Referral), and CGS Chapter 440, Sections 22a-28 to 22a-45d (Wetlands and Watercourses), I move that the Commission forward a favorable recommendation/report to the Montville Planning & Zoning Commission for Application # 23 IWC 11, submitted by Applicant/Owner: Watch Hill Builders, LLC for a six (6)-lot subdivision of Old Colchester Road (036-006-000), Oakdale, CT, as more fully described in the application & supporting documents dated 7/31/23 and a plan entitled “Property and Topographic Survey Pine Grove Subdivision Prepared For D’Amato Brothers Builders, Old Colchester Road, Montville, Connecticut, Date: 07/28/2023, Bennett & Smilas Associates, Inc.” due to no regulated activities. **(Occhialini/Roshto) Vote: 7-0-0. APPROVED.**

c. **23 IWC 12** – 867 Raymond Hill Rd, Parcel ID: 046-038-00A, Oakdale, CT Applicant: Brian Silk, Owner: David Coggeshall for As of Right Determination for Timber Harvest. *(Submitted 8/8/23, Date of Receipt 8/17/23, DRD 10/20/23)*

Assistant Planner/Interim ZEO/WEO Meredith Badalucca read the staff report into record. The Applicant is requesting an As of Right Determination for 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 a “Permitted operation and use”. Forestry is defined as farming or agriculture under C.G.S. 1-1q.
- The property is located in the R-80 zone on about 14.4 acres, contains regulated wetlands & watercourses and is developed with an existing single-family residence.
- The Applicant states the operation is to “remove the poor quality sawlog trees and firewood trees to promote growth to the residual stand.” The applicant further states “There will be one stream/drainage crossing, corduroy will be placed up to the crossing, then bridge mats will be used to cross. Water bars will be installed as needed.”
- The amount of forest products to be harvested is 14 acres, 50,000 board feet, 24 cords and trees have not been marked.
- It is estimated that 2 – 3 weeks will be necessary to complete the project, with an estimated starting date for the harvesting operation of September 15, 2023.

- The site will be accessed from a temporary anti-tracking pad as shown on the Timber Harvest Map.
- The Commission will need to make a finding as to whether or not the proposed activities are “As of Right” activity and, therefore, do not require a permit.
- There is no proposed relocation of watercourses with continual flow or filling or reclamation of wetlands or watercourses with continual flow associated with the proposal associated with the timber harvest and, therefore, staff recommends approval of the proposal as an “As of Right” activity.

Ryan Silk was present on behalf of the Applicant and summarized the intent for the “As of Right” request which is to cut trees to promote new growth. He referenced two (2) spots of wetlands according to the property map but remarked that the one (1) wetland crossing on the map is false. Mr. Silk responded to questions of the Commission on the very rainy weather and seasonal drainage, the use of the existing skid trail; what happens to the corduroys and mats upon harvesting, and the depth of the stream. WEO Badalucca pulled up a view of the property on her cell phone that was reviewed by Chairman Brush and Commissioners O’Bday, Roshto, and LeClair. A site walk of the property was declined by the Commission.

**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 12**, submitted by Brian Silk behalf of property owner, David Coggeshall for a Timber Harvest and more fully described in the Application, dated 8/7/2023 and Notification of Timber Harvest dated 8/7/2023 with associated Timber Harvest Map is a Permitted Use As of Right and, therefore, no permit is required. **(Roshto/Occhialini) Vote: 7-0-0. APPROVED**

**9. Correspondence:** None

**10. Other Business:** None

**11. Executive Session:** None

**12. Adjournment.**

**Motion:** To adjourn the meeting at 6:47 p.m. **(Roshto/O’Bday). Vote:** All in favor (7-0-0). **APPROVED.**

Respectfully submitted by,  
Gloria J. Gathers  
Recording Secretary, Town of Montville

**AN AUDIO RECORDING OF THE MEETING IS AVAILABLE ON THE TOWN OF MONTVILLE WEBSITE.**