

**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**  
**October 19, 2023**  
**REVISED**

**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, Vice-Chairman Charles O’Bday, Commissioners Raymond Occhialini and Robert Roshto. Commissioner Jessica LeClair was absent. Also in attendance was ZEO Stacy Radford and Assistant Planner Meredith Badalucca

**3. Minutes:**

**a.** Approval of Minutes of the August 17, 2023, Regular Meeting.

**MOTION:** To approve the August 17, 2023, Regular Meeting Minutes. **(Roshto/Occhialini).** **MOTION AMENDED** for additions/corrections to the minutes as follows:

**Item 8a. Page #2 (1<sup>st</sup> paragraph)**

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 as follows: Any proposed activity in the rear (westerly portion) of the proposed lot will require further wetlands investigation and review and approval by the Montville Wetlands Enforcement Officer and/or Montville Inland Wetlands & Watercourses Commission.

**Item 8b. Page #3 (1<sup>st</sup> paragraph)**

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 of a zoning permit will include a Licensed Surveyor to stake out clearing limits if in close proximity of wetlands/URA. (Roshto/Occhialini) Amended  
**Vote:** All in favor. (6-0-0), **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 13 – 38 Riched Lane (Parcel ID: 033-027-00) Uncasville, CT**  
**Owner/Applicant: Vincent Slonus and Jackie McGuigan, for URA regulated activities to construct an above ground pool.** (Submitted 9/26/23, Date of Receipt 10/19/23, DRD 12/22/23.)

ZEO Stacy Radford read the staff report into record. This Application is for regulated activities within the upland review area to install a 18' round above-ground pool. The property is located on 0.36 acres in the R-40 zoning district with approximately 84 feet of frontage on Riched Lane. The property is currently developed with a single-family residence, constructed in 1969; with an intermittent stream that runs horizontally with the rear property line. On August 21, 2023 the Applicant applied for a Zoning Permit for the installation of said pool and proposed placement appeared to be within the URA. On September 1, 2023, a site inspection was conducted, a copy of which is attached. The inspection revealed an intermittent stream, sections of which were dry, while another section had standing water. Both of which can be seen in the attached photos. Subsequently the Zoning Permit Application was denied until a Wetlands Permit was obtained. Staff has attached a copy of the GIS overview, dated August 21, 2023, with a red circle indicating where the Applicant proposes to install said pool. The intermittent stream is also depicted on said document. Applicant Vincent Slonus was present and responded to questions by the Commission on the proximity of the edge of the pool to the stream and the elevation down to the stream that was deemed to be pretty flat. Pictures of the site were reviewed by the Commission. ZEO Radford apologized to the Commission for not including the application site pictures and inspection report in the packet. The Commission determined a site walk of the property was not necessary.

**MOTION:** To table Application 23 IWC 13 to the November 16, 2023, Commission meeting. (O'Bday/Roshto). **Vote:** All in favor, 6-0-0. **APPROVED.**

- b. **23 IWC 14 – 145 Moxley Road (Parcel ID: 009-022-000) Uncasville, CT**  
**Owner/Applicant: Sunmar/RAF Builders – Richard Franklin, for report to the Montville Planning & Zoning Commission for proposed 2-Lot Subdivision – no regulated activities.** (Submitted 9/29/2023, Date of Receipt 10/19/2023, DRD 12/22/2023.)

ZEO Radford 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 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 approximately 2.25 (+/-) acres (98,010 +/- SF) located in the R-40 zoning district with about 403 feet of frontage on Moxley Road. This site contains approximately 0.27 acres of wetlands and is currently undeveloped.

The applicant proposes to divide the existing lot to create two (2) new single-family residential lots with on-site septic systems and wells; and associated site improvements. One of the proposed lots will be 1.31 (+/-) acres (57,064 +/- SF) and the second lot will be 0.92 (+/-) acres (40,075 +/- SF). Each lot will be accessed from Moxley Road via private driveways. There is no regulated upland or wetlands activity proposed as part of this development however, the limits of grading and silt fence on proposed Lot #22 are close to the 50' URA. Subsequently, this lot may require an IWC permit based on the site plan submitted with the zoning permit application. The property to be subdivided is shown on a plan entitled "Subdivision Plan prepared for SUNMAR/RAF Builders, LLC #145 Moxley Road, Montville, Connecticut Boundary – Topography – Lot Layout, dated June 22, 2023, Advanced Surveys, LLC., revised October 16, 2023." Wetlands on this property were delineated by Joseph R. Theroux, Certified Soil Scientist on April 19, 2023. A copy of Mr. Theroux's report is included with the Application. The wetland system on the property is primarily to the West of the proposed single-family residence, more particularly described as "Proposed Lot #22" on the above mentioned plan. All applicable Town Departments will be providing comments to the Planning and Zoning Commission in regards to this Subdivision Application, which the Commission will hear at their October 24, 2023 meeting. The Commission posed questions about the Application as to whether there is a currently a house on the property, what kind of wetlands exist on the property, the grading of the lot and the location of the septic. The Asst. Planner stated that comments were provided by Uncas Health regarding the septic. The existing Tree line on the property was also discussed.

**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 and Zoning Commission for Application #23 IWC 14, submitted by Applicant/Owner: SUNMAR/RAF Builders, LLC for a 2-lot subdivision of 145 Moxley Road (Parcel ID: 009-022-000), Uncasville, CT, as more fully described in the application and supporting documents dated September 29, 2023 and a plan entitled, "Subdivision Plan prepared for SUNMAR/RAF Builders, LLC #145 Moxley Road, Montville, Connecticut Boundary – Topography – Lot Layout, dated June 22, 2023, Advanced Surveys, LLC, revised October 16, 2023" due to no regulated activities.

**(Roshto/Occhialini) Vote:** All in favor. 6-0-0. **APPROVED.**

**9. Correspondence:** None

**10. Other Business:** Chairman Brush on an Inland/Wetlands Organization event that will be held in Bristol, CT at which Commissioner LeClair will give a presentation on Saturday, November 11. The organization provides a lot of good information and the event and has three (3) tracks with four (4) sections each. ZEO Radford asked for a link to the event.

**11. Executive Session:** None

**12. Adjournment.**

**MOTION:** To adjourn the meeting at 6:26 p.m. **(O'Bday/Roshto).** **Vote:** All in favor (6-0-0). **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.**