

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

Regular Meeting Minutes
April 18, 2024

1. Call To Order:

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

2. Roll Call:

Present: Chairman Douglas Brush, Vice-Chair Charles O’Bday, Commissioners Sandra Berardy, Joseph Berardy, Jessica LeClair, Raymond Occhialini and Robert Roshto. Also in attendance was ZWO Stacy Radford.

3. Minutes:

a. Approval of Minutes of the March 21 2024, Regular Meeting.

MOTION: To approve the March 21, 2024, Regular Meeting Minutes. **(Occhialini/LeClair). Vote: (6-0-1).** Vice-Chair O’Bday abstained. **APPROVED.**

4. Public Hearing/Application: None.

5. Show Cause Hearing: None

6. Remarks from the Public not relating to items on the agenda:

Attorney Jon Chase remarked that he had no comments for the record, but was presenting copies of correspondence to staff to determine the course of action by the Commission.

7. Old Business: None.

8. New Business:

a. **24 IWC 2** -- 970 Old Colchester Road, (Parcel ID: 037-001-000), Oakdale, CT
Owner/Applicant: Pachaug Capital, LLC, for review/report to the Montville Planning & Zoning Commission for a proposed 13-lot re-subdivision – no regulated activities.
(Submitted 3/29/2024, Date of Receipt 4/18/2024, DRD 6/22/2024) – **WITHDRAWN**
ZWO Radford reported to the Commission that a letter of withdrawal was received from the Applicant just prior to the posting of the meeting Agenda.

b. **24 IWC 3** – 970 Old Colchester Road, (Parcel ID: 037-001-000), Oakdale, CT
Owner/Applicant: Pachaug Capital, LLC, for transfer of IWC Permit # 208IWC18.
(Submitted 4/9/2024, Date of Receipt 4/18/2024, DRD 6/22/2024)

STAFF COMMENTS:

The site consists of approximately 31.516 (+/-) acres located in the R-40 zoning district with frontage on Old Colchester Road and Black Ash Road. This site contains approximately 11.1 acres of wetlands and is currently undeveloped.

On December 18, 2008 this Commission had an Application before it for work within the upland review area in conjunction with the construction of a 13-lot subdivision. Said Application was Granted, with conditions. A copy of the Inland Wetlands Permit is attached, as well as a copy of the Assignment between Andersen Builders, LLC to Pachaug Capital, LLC, dated April 8, 2024.

The applicant is requesting a Transfer of this Permit, in accordance with Section 11.7 of the Montville Inland Wetlands and Watercourses Regulations.

ZWO Radford read the Staff Report into the record and introduced Attorneys Harry Heller, and Andrew McCoy, counsel for the Applicant, to respond to questions of the Commission. Attorney Heller informed the Commission of the conditions concerning the transfer and assignment of the property from the former owner Andersen Builders to Pachaug Capital, LLC and action taken by the Commission in 2008 on the prior application. The Commission posed questions concerning to the Applicant's attorney on why the permit had not expired, the comprehensive information pertaining to the application, whether the permit is unchanged from what was originally approved by the Commission and the process for this application will not require a public hearing, only a change of name with conditions remaining the same.

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 hereby move that the Commission TRANSFER Inland Wetland Permit #208IWC18, Subdivision review with regulated activities on the property located at 970 Old Colchester Road, (Parcel ID: 037-001-000), Oakdale, CT, as shown on the plan entitled, "Black Ash Estates Subdivision Land Now or Formerly Stanley Dombrowski Black Ash Road & Old Colchester Road Montville, CT Dated May 1, 2008 Revised October 3, 2008 Agent Harry B. Heller, Esq. Heller, Heller & McCoy 736 Norwich-New London Turnpike Uncasville, CT 06382 Property Owner: Stanley Dombrowski 950 Old Colchester Road Oakdale, CT 06370 Property Applicant: Andersen Builders, LLC C/O Robert Andersen 39 Edgewood Avenue Westerly, RI 02891 Bennett & Smilas Engineering, Inc. 415 Killingworth Road, P.O. Box 241 Higganum, Connecticut 06441 Phone: (860) 345-4553 Fax (860) 345-3858" to the Applicant, Pachaug Capital, LLC in accordance with the Assignment of Inland Wetlands Permit and Favorable Subdivision Review Report signed by John C. D'Amato, Jr. on behalf of Andersen Builders, LLC dated April 8, 2024. **(LeClair/Occhialini). Vote: (7-0-0). APPROVED.**

9. Correspondence:

ZWO Radford introduced into the record correspondence submitted this evening by Attorney Chase dated April 18, 2024. The same was read individually by the Commissioners.

10. Other Business: None

11. Executive Session: None

12. Adjournment.

MOTION: To adjourn the meeting at 6:33 p.m. (O'Bday/Roshto). **Vote: (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.**