

**TOWN OF MONTVILLE**  
**INLAND WETLANDS COMMISSION**  
310 NORWICH NEW LONDON TURNPIKE  
UNCASVILLE, CONNECTICUT 06382  
PHONE (860) 848-8549 - FAX (860) 848-2354

**Amended Meeting Minutes**  
**7:00 p.m. September 20, 2012**  
**LOCATION: MONTVILLE TOWN HALL, *Council Chambers***

1. **Call to order:** Chairman Brush called the September 17, 2012 meeting of the Montville Inland Wetlands Commission to order at 7:00 p.m. in the Town Council Chambers.

2. **Roll call:** In attendance were Commissioners Brush, Riske, O’Bday and Bartholomew. Staff present was Colleen Bezanson, Inland Wetland Agent/Planner II. Absent were Commissioners Taylor and Beauchene.

3. **Minutes**

a. Approve minutes of July 19, 2012 meeting.

**Motion** made by Commissioner O’Bday and seconded by Commissioner Bartholomew to approve the minutes of the July 19, 2012 meeting.

**Discussion, None, voice vote, 4-0, all in favor, motioned carried.**

4. **Public Hearings:** None

5. **Show Cause Hearings:** None

6. **Remarks from the public relating to items on the agenda:**

Chairman Brush asked three times if there were any remarks from the public relating to items on the agenda. There were none.

7. **Old Business**

a. **Hendel’s Inc, c/o John Hendel:** An application for a building addition and pump island modification on the properties located at 2210 & 2200 Route 32, Montville, Ct. As shown on Assessor’s Map 103 Lots 30 & 31.

Ms. Bezanson explained the applicant would like to expand. The expansion would include that of the existing pump station island with new canopy to accommodate new pump, new drive thru lane, and associated new drainage structures and the existing lot next door. She stated that all of the Town Engineer’s concerns had been addressed by the applicant and that there would be no wetland disturbance. She affirmed that the Commission had gone on a site walk on August 9, 2012. Commissioner O’Bday had attended the site walk. His recommendation was that other Commissioners should go on a site walk, based on his thought that the wetland was too close to the area. Ms. Bezanson explained that the majority of the work on the property would be the retaining wall and the drainage system, which would actually protect the wetland.

Attorney Timothy Bates and Engineer Paul Biscuti addressed the Commission for the applicant. James Cowen wetlands scientist who looked at the wetlands on the property was also present. Attorney Bates stated that they were trying to protect the wetlands. Mr. Biscuti explained that there would be no work done in the adjacent parcel where there were wetlands present. He stated the current house on the property would be removed and the Dunkin Donuts would be placed on

the property. He stated there will be 2200 sq ft additions for the Dunkin Donuts drive through with no fill in the wetland. Mr. Biscuti stated that the retaining wall would be placed on the property immediately. This wall was a type of landscaping wall, 4 feet in height. The wall would be within 15 feet of the upland review zone. He stated drainage improvements would be made.

Ms. Bezanson explained that the adjacent property was used as a residential area in the past. She stated that there would be no impact on the Wetlands. A discussion was held.

**Motion** made by Commissioner O’Bday and seconded by Commission Riske as follows;  
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

212 IWC 11 **Hendel’s Inc, c/o John Hendel:** An application for a building addition and pump island modification on the properties located at 2210 &2200 Route 32, Montville, Ct. As shown on Assessor’s Map 103 Lots 30 & 31as depicted on the plan titled “Site Development Plan Building Addition Pump Island Modification 220 & 2210 Norwich New London Tpke Montville, Ct Property Owners Hendel’s Investors Company 35 Great Neck Rd Waterford, Ct and Mary Petrowsky 195 Church Rd Lebanon, Ct. Prepared By DiCesare-Bently Engineers Inc, 100 Fort Hill Rd Groton, Ct. dated June 12, 2012 revised to September 11, 2012 and the application and narrative dated 6/21/12.

There are no Conditions to this approval.

**Standard Reasons for Approval are attached.**

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.

**Discussion, None, voice vote, 4-0, all in favor, motioned carried.**

## **8. New Business:**

**a. Marriot Plaza, LLC:** An application for a mixed use development consisting of first floor retail with 36 apartments above having work within a review area on the property located at 1360 Route 32, Montville, C t. As shown on Assessor's Map 88 Lot 22.

Colleen Bezanson stated that an application on this site for a hotel was reviewed by the Commission and was withdrawn. The application was for a mixed use building with 4 retail uses on the bottom level and 36 apartments on top. Ms. Bezanson recommended a site walk.

Attorney Heller representing the applicant addressed the Commission. He stated that the application was to conduct activities in the upland review areas. He explained that unlike the previous application this would be closer to route 32, with 4000 sq ft of upland review disturbance. Attorney Heller explained that the retaining wall would be put in place as the site is being constructed. The retaining wall would act as erosion control to prevent sedimentation from getting down to the wetlands associated with Mohegan Brook. He stated that the entire site would have a closed drainage system with catch basins throughout the sites. Attorney Heller explained that revisions to the plan were still being made. He had just received the report from Staff and the Town Engineer and had not had the opportunity to have a team meeting. Ms. Bezanson stated that there were pages of comments from both staff and the Town Engineer. A discussion was held.

**Motion** made by Commissioner Riske and seconded by Commissioner O'Bday to continue the discussion at next month's meeting.

**Discussion, None, voice vote, 4-0, all in favor, motioned carried.**

**b. Bruce Duchesneau:** An application for Subdivision review without regulated activities on the property located at 47 Sharp Hill Rd, Montville, Ct. As shown on Assessor's Map 23 Lot 63.

Colleen Bezanson stated that this was a one lot subdivision, with a small portion taken from Carol Dr with no wetland disturbance. There was no activity proposed on the adjacent lot. Ms. Bezanson asked that the Commission send a favorable approval to the Planning and Zoning Commission. The plan had been revised on September 18, 2012. A discussion was held.

**Motion** made by Commissioner Riske and seconded by Commissioner Bartholomew as follows;  
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 send a favorable approval to the Planning and Zoning Commissioner for the following:

Bruce Duchesneau: An application for Subdivision review without regulated activities on the property located at 47 Sharp Hill Rd, Montville, CT. As shown on Assessor's Map 23 Lot 63 as depicted on the plan titled "Map-23 Lot-63 Subdivision Prepared for Bruce R. Duchesneau 47 Sharp Hill Rd Montville, CT. Prepared by Eric Seitz Land Surveying, Inc P.O. Box 156 Jewitt City, CT dated September 18, 2012" and that the Commission has determined that there is no impact to wetlands on the property.

There are no Conditions to this approval.

**Discussion, None, voice vote, 4-0, all in favor, motioned carried.**

**c. Castle Realty, LLC:** An application for vegetation removal and work within the review area at Red Mill Pond located on Route 163, Montville, Ct. As shown on Assessor's Map82 Lot 61.

Colleen Bezanson stated that the property mentioned was on Rte 163 before Rand and Whitney, which had been brought up on a number of occasions. She said there was a site walk done by what was known as the DEP ( now DEEP) on all the Dams in Connecticut and priorities and problem areas. There were two proposed State required activities. Ms. Bezanson stated that there were species that needed to be removed and a small area of retaining wall rocks that need to be replaced. Ms. Bezanson stated from a staff stand point if the species were not removed they would choke the drain and possibly cause a health

and safety issue if we have a large storm. Commissioner Brush inquired as to whether the DEEP were overseeing the project. She stated the DEEP would not be overseeing the project.

A representative for Castle realty addressed the Commission. He stated that a reliable local company completed a site walk on the property. He stated that small vegetation would be removed by hand with a minimal invasive procedure. He also confirmed that the waste would be properly disposed of. A discussion was held.

**Motion** made by Commissioner O’Bday and seconded by Commissioner Bartholomew as follows; 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

2121WC 15 Castle realty, LLC: An application for vegetation removal and work within the review area at Red Mill Pond located on Route 163, Montville, CT. As shown on Assessor’s map 82 Lot 61 as shown on the plan included in the application and described in the narrative dated 8/14/12 as a permitted use as of right, because we are considering consecration of soil, vegetation, shellfish and wildlife because they are removing invasive species.

**Discussion, None, voice vote, 4-0, all in favor, motioned carried.**

**d. Sarah Bronson:** An application for a subdivision on the property located at 1499 Old Colchester Rd and Laurel Point Dr, Montville, Ct. As shown on Assessor’s Map 105 Lot 38.

Colleen Bezanson stated that the property was located at 1499 Old Colchester Rd and the proposed house was on Laurel Pt. Drive. She stated that it was a one lot subdivision. She stated there was some confusion of wetland and upland review areas. The town Engineer commented that the existing pipe be changed from 6 inches to 6 feet. Ms. Bezanson recommended a site walk. She stated that there was an existing house on the lot.

Commissioner Brush raised concerns as why the driveway needed to be placed where it was.

The applicants Engineer, Mark Reynolds addressed Commission. He stated that the applicant wished to place the driveway where it was due to future plans they had for the property. A discussion was held.

**Motion** made by Commissioner O’Bday and seconded by Commissioner Bartholomew to set sitewalk for October 13, 2012 at 10:00 a.m.

**Discussion, None, voice vote, 4-0, all in favor, motioned carried.**

**e. Louis Ziegler:** An application for the extension of a waterline within a regulated area on the properties located at 134 Fort Shantok Rd and Lot 1-10 and 41,45,49,52,56,60,61,65,69 on Sunny Hill Drive, Montville, Ct as shown on Assessor’s Map 49 Lot 11,11A,11B,& 11C.

Ms. Bezanson stated that the waterline in was owned by the Mohegan Tribe, which was on Sunny Hill off Fort Shantok. She stated that the water would pump to the manufactured homes. She suggested that the Commission should go out to the property and decide whether this was a decision that should be made by the Commission or the water company. A discussion was held.

**Motion** made by Commissioner O’Bday and seconded by Commissioner Riske to set sitewalk for October 13, 2012 at 11:00 a.m.

**Discussion, None, voice vote, 4-0, all in favor, motioned carried.**

**Motion made by Commissioner Riske and seconded by Commissioner O’Bday** to move item 11, Commissioner’s comments to after other business.

**Discussion, None, voice vote, 4-0, all in favor, motioned carried.**

**11. Other Business:**

a. Discussion regarding boat launching from beach and permit requirements- 35 & 35A Lenas Rd complaint

Commissioner Brush stated that he had spoken with the Town Attorney and based on what the attorney said there is nothing wrong with launching a boat off of your property, it is incidental to use and enjoyment of the property, except when you have a stipulated agreement with the Town that has been settled by the Superior Court of Connecticut. Colleen Bezanson stated she would send a letter out to the person who made the complaint.

b. TRC letter regarding Algonquin Gas immediate repairs to E-1-6 inch Pipeline system

Ms. Bezanson stated that because of the emergency situation the letter given to the Commission was for informational purposes. She did not have any concerns.

c. Letter from DEEP regarding changes to Inland Wetland Regulations

Colleen Bezanson stated that the State of Connecticut wanted to change the regulations in one area again. A public hearing date would be set next month .

**9. Commissioner’s Comments: None**

**10. Correspondence:**

- **Habitat**
- **Ct Wild Life**

**12. Executive Session: None**

**13. Adjourn**

**Motion** mad by Commissioner O’Bday and seconded by Commissioner Bartholomew to adjourn the meeting at 8:18 p.m.

**Discussion, None, voice vote, 4-0, all in favor, motioned carried.**

Meeting adjourned at 8:18 p.m.

*Respectfully submitted by, Heidi-Lee Jacobs, Minutes Clerk for the Town of Montville.*

AN AUDIO RECORD OF THIS MEETING IS ON FILE IN THE MONTVILLE TOWN CLERK’S OFFICE.