

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

**MEETING MINUTES**  
**7:00 p.m. January 17 2013**  
**LOCATION: MONTVILLE TOWN HALL, *Council Chambers***

1. **Call to order:** Chairman Brush called the January 17, 2013 Inland Wetlands Meeting to order at 7:01 p.m.
2. **Roll call:** In attendance were Commissioners Brush, Taylor, Bartholomew, O'Bday, and Beauchene. Absent was Commissioner Riske. Staff present was Colleen Bezanson, Inland Wetland Agent/Planner II

3. **Minutes**

- a. Approve minutes of December 13, 2012 meeting.

**Motion** made by Commissioner Taylor seconded by Commissioner Bartholomew to approve minutes of the December 13, 2012 meeting.

**Discussion, None, voice vote, 5-0, all in favor, motioned carried.**

- b. Approve of the site walk minutes from January 13, 2013

**Site walk was cancelled.**

4. **Public Hearings:** None

5. **Show Cause Hearings:** None

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

Commissioner 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. **Town of East Lyme:** An application for the water main interconnection project with regulated activities on the property located at 375 Butlertown Rd, as shown on Assessor's Map 5 Lot 27-5 and within the roadways of Route 161, Route 85, Sachatello Industrial Dr and Butlertown Rd.

Ms. Bezanson stated that Commissioners Bartholomew, Brush and Taylor, had walked the site on December 13<sup>th</sup> and that in the Commissioner's packets were the Town Engineer's Comments dated January 15<sup>th</sup>, 2013. She stated that one of the things the Commission must and one the reasons for the site walk was to deem whether the project was a significant activity or not. She stated that there is 12500 sq ft and a 16 inch pipe, which will be installed in trenches six feet wide by six feet deep. The pipe will cross multiple areas including Latimer Brook. Ms. Bezanson gave a brief description of the project. She reiterated that the Commission needed to make a decision whether it was significant activity or not and that Staff had not received a petition from anybody.

Paul Melrose officer of the Project addressed the Commission. He stated the reason for the project was East Lyme's water shortage for the past 23 years. Due to the DEP making East Lyme shut down two wells in 2008 to maintain water flow, they had lost about one million gallons of water a day. He stated that East Lyme is in desperate need of a water supply, especially during the weekends in the summer when they have

a lot of tourists in the area. The plan is in the winter to pump water to New London and bank the water in the New London reservoir. In the summer when stream flows are critical then they would bring water back to meet their water demands. He stated that the project consisted of about 3.6 miles of water main from New London to East Lyme. Of that about 2.4 miles of pipe is in Montville. The representative gave a description of the project. A discussion was held.

Matt Davidson Senior Soil Scientist for the project addressed the Commission. Mr. Davidson stated that they were able to avoid wetland impacts for this project. He stated that there were approximately 41,000 sq ft of upland review impacts. The vast majority approximately 40,000 sq ft were temporary. He stated that these impacts would not affect the functions of the adjacent wetland areas. He stated that 1000 sq ft of permanent impacts were due to the riprap installation. Mr. Davidson gave a breakdown of the project, issues and why the project was placed where it is. A discussion was held.

Ms. Bezanson posed the following significant activity criteria questions.

**"Significant Activity"** means any activity, including, but not limited to, the following activities which may have a major effect or significant impact on the area for which the application has been filed or on another part of the inland wetland or watercourse system:

1. Any activity involving a deposition or removal of material which will or may have a major effect or significant impact on the regulated area or on another part of the inland wetland or watercourse system; or

**Voice Vote, 5-0. All Commissioners voted "no."**

2. Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system; or

**Voice Vote, 5-0. All Commissioners voted "no."**

3. Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to support desirable fisheries, wildlife, or other biological life, prevent flooding, supply water, assimilate waste, facilitate drainage, provide recreation or open space or other functions; or

**Voice Vote, 5-0. All Commissioners voted "no."**

4. Any activity which causes substantial turbidity, siltation or sedimentation in a wetland or watercourse; or

**Voice Vote, 5-1. Commissioner Taylor voted "yes."**

5. Any activity which causes a substantial diminution of flow of a natural watercourse, or ground water levels of the regulated area; or

**Voice Vote, 5-0. All Commissioners voted "no."**

6. Any activity which causes or has the potential to cause pollution of a wetland or watercourse; or

**Voice Vote, 5-1. Commissioner Taylor voted "yes."**

7. Any activity which destroys unique wetland or watercourse areas having demonstrable scientific or educational value.

**Voice Vote, 5-0. All Commissioners voted "no."**

*A discussion was held.*

**Motion** made by Commissioner Taylor and seconded by Commissioner Bartholomew, to hold a Public Hearing on February 21, 2013 on the **Town of East Lyme**: An application for the water main interconnection project, based on the Commission believes it will be in the public interest.

**Discussion, None, voice vote, 4-1-0, Commissioner Bartholomew opposed, motioned carried.**

*A discussion was held. Based on the Applicant's request for an earlier date Commissioner Taylor rescinded her Motion.*

**Motion** made by Commissioner Taylor and seconded by Commissioner O'Bday to rescind her motion for the Public Hearing on February 21, 2012.

**Discussion, None, voice vote, 5-0, all in favor, motioned carried.**

**Motion** made by Commissioner Taylor and seconded by Commissioner O'Bday to allow to Ms. Bezanson to schedule the Public Hearing on an earlier date based on room availability on February 7,14 or 21, 2013.

**Discussion, None, voice vote, 5-0, all in favor, motioned carried.**

## **8. New Business:**

- a. **Nikki LaBella (Spectra Energy Transmission):** An application for the repair of leakage in the existing pipeline within regulated areas along the Algonquin Gas ROW in the vicinity of 303 Fitch Hill Rd, Montville, Ct. As shown on Assessor's Map 55 Lot 1.

Colleen Bezanson stated that the Commission stated in the last meeting that the Applicant did not need to attend the meeting as long as they filled out the appropriate paperwork. The application was concerning a gas leak that was repaired. A discussion was held.

**Motion** made by Commissioner Taylor and seconded by Commissioner O'Bday 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 20 **Nikki LaBella (Spectra Energy Transmission):** An application for the repair of leakage in the existing pipeline within regulated areas along the Algonquin Gas ROW in the vicinity of 303 Fitch Hill Rd, Montville, Ct. As shown on Assessor's Map 55 Lot 1 as depicted in the application package titled "Inland Wetlands and Watercourses Permit Application Filing Under the Inland Wetlands and Watercourse Regulations of the Town of Montville Connecticut Algonquin Gas Transmission, LLC E-1 6-inch Natural Gas Pipeline System Leak Repair Montville, Ct. December 2012 Submitted to the Town of Montville Inland Wetlands Commission Prepared by Spectra Energy Transmission and Prepared for TRC Environmental Corporation"

This is a conditional approval. Each and every condition is an integral part of the Commission decision. Should any of the conditions, on appeal from this decision, be found to be void or of no legal effect then this conditional approval is likewise void. Should any of the conditions not be implemented by the applicant or his successors within the specified permit time period, then this conditional approval is void.

Conditions of approval are:

**Standard Reasons for Approval**

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, 5-0, all in favor, motioned carried.**

- b. **Brent Ali:** An application for work within a regulation area in conjunction with the construction of a new single family house on the property located at 67 Kitemaug Rd, Montville, Ct. As shown on Assessor's map 83 Lot 25.

Colleen Bezanson stated that there was already construction on the property, which was not dilapidated. She stated that the applicant was actually purchasing the property which should be completed by next week. She stated that she believed because the application was pertaining to property within 50 ft of the cove it was within the Commission's jurisdiction. A discussion was held.

**Motion** made by Commissioner O'Bday and seconded by Commissioner Bartholomew to schedule a site walk for February 17, 2013 at 1:00 p.m.

**Discussion, None, voice vote, 5-0, all in favor, motioned carried.**

9. **Commissioner's Comments:** Commissioner Brush commented that the Town of East Lyme's applicant should have spoken up about the date before the initial motion for a Public Hearing was made.

**10. Correspondence:**

- **Information on the Town of Salem's change to their Inland Wetland regulations**
- **CT Wildlife**
- **CT Federation of Lakes**

**11. Other Business:** None

**12. Executive Session:** None

**13. Adjourn**

**Motion** made by Commissioner O’Bday, seconded by Commissioner Bartholomew to adjourn the meeting at 8:09 p.m.

**All in favor. Meeting adjourned at 8:09 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.