

TOWN OF MONTVILLE
INLAND WETLANDS COMMISSION
REGULAR MEETING MINUTES
THURSDAY, JUNE 15, 2017 – 7:00 P.M.
LOCATION: MONTVILLE TOWN HALL, Council Chamber
310 NORWICH-NEW LONDON TURNPIKE
UNCASVILLE, CONNECTICUT 06382

1. CALL TO ORDER

Chairman Brush called the meeting to order at 7:04 pm.

2. ROLL CALL

Present: Chairman Brush (leaves at 7:45), Secretary Philip Houk, Commissioners Jessica LeClair, Sandra Berardy, Anthony Tufares and Howard V. Riske Jr. (arrives 7:10).

Absent: Commissioners Charles O’Bday III.

Attending: Zoning and Wetlands Officer (ZWO) Liz Burdick.

3. MINUTES: Approval of May 18, 2017 Regular Meeting

M/S/C (LeClair/ Houk) to approve the March 16, 2017 Regular Meeting as presented.

Vote: Approved. In favor-Brush, Houk, LeClair, & Tufares . Opposed-none. Abstaining-Berardy and Riske.

4. PUBLIC HEARINGS-none

5. SHOW CAUSE HEARING (s)-none

6. REMARKS FROM THE PUBLIC (not relating to items on the agenda)-none

7. OLD BUSINESS:

A. 314 Route 163 (Map 82, Lot 62)-Donny Jacobowitz-Update ongoing enforcement action- Cease and Desist Order-Unauthorized Activities in a Regulated Area. (Tabled from 05/18/17 meeting)

L. Burdick informed the Commission that she was able to arrange a meeting with Rand Whitney at the site of the disturbance which was created by Mr. Jacobowitz. Subsequently, on June 9, 2017, Rand Whitney provided written permission to D. Jacobowitz to seed the disturbed areas on the portion of the property which Rand Whitney owns.

M/S/C (Berardy/LeClair) I make a Motion that the Applicant/Property Owner commence remediation work, in accordance with the remediation plan approved by the Commission on 5/18/17; that soil erosion & sediment controls be installed and maintained in good working order at all times; and that the Cease & Restore Order shall remain in place until such time as all work is completed and the site is permanently stabilized with vegetative cover.

Vote: Approved Unanimously

**M/S/C (Riske/Houk) to move item Old Business, B (217IWC6 – 416 Old Colchester Road & Old Colchester Road (Laurel Heights) to New Business, B.
Vote: Approved Unanimously**

8. NEW BUSINESS

A. 217IWC9 – 21 & 23 Pequot Rd (Map 72, Lots 42 & 41) and 17 Pequot Rd & Rte. 163 (Map 74, Lot 54B) – Applicant/Owner: DW Holdings LLC – Regulated Activities for Demolition of Existing Dwelling Units & Site Improvements for Future Stormwater Management Improvements. (DRD 8/18/17).

Application is for a permit for *Regulated Upland Review Activities* in conjunction with Demolition of Existing Dwelling Units and Site Improvements for Future Stormwater Management Improvements.

Michael Healey, PLS informed the Commission that the two properties are part of a subdivision from 1936. He stated the houses, driveways, wells and foundations will be removed. The basement of one house will be filled in. A tracking pad and temporary stockpile will be created. The demolition is in preparation for stormwater management. Water will be brought into a sediment forebay then into the stormwater basin. This will clean up the water being discharged to the brook. M. Healey stated the concept plan is to receive 1-2 inches of runoff. Overflow will go to stone filter and then discharged towards sediment basin. The goal is to treat stormwater but also to recycle stormwater to be used on site for dust control.

Len Rochester from DW Transport informed the members the demolition would take approximately five days. He stated the power and utilities have been disconnected and the lead and asbestos abatement will be taking place in the following week. All materials will be taken off site.

M. Healey stated all the grading will be towards the sediment basin with the top of the basin stabilized, possibly with modified rip rap. They do not expect to be excavating into ground water.

M/S/C (Houk/Riske) to table 217IWC9 until 7/20/2017. Vote: Approved Unanimously

B. 217IWC6 – 416 Old Colchester Road & Old Colchester Road (Laurel Heights) (Map 16, Lot 3 & Map 16, Lot 29) – Applicant/Owner: Jensen’s Inc. – Regulated Activities in Conjunction with Age Restricted Manufactured Home Park Project. (Tabled from the 5/18/17 Meeting – Orig. DRD 6/13/17 – 35-Day Ext. of Time Granted by Applicant to 7/18/17).

L. Burdick stated the project has been revised to address the comments from the town engineer and soil scientist. On June 12, the Planning Department received a second revised application & supporting documentation and second revised plan set, dated June 9, 2017.

The project no longer includes discharge of storm water associated with the project to land across the Town Road located at Map 16, Lot 29 Old Colchester Road.

The project no longer includes the filling of 780SF of the “wet meadow” wetlands located at the southwesterly portion of the site, only activities within its upland review area.

Attorney H. Heller stated there was some concern about flooding on the property across the road from the project as well as the “wet meadow” area. The designers have taken another look and have revised the plan to avoid filling of the wet meadow and have eliminated all activity from the east side of Old Colchester Road.

H. Heller informed the members that the the plan proposes to eliminate the stormwater detention basin and instead the designers have elevated Millwood Road and eliminated the curbing so the water will sheet flow off the road and will provide surface flow to recharge the wet area. A stormwater quality basin will be installed to hold the water quality volume for a sufficient time to meet the standards of the stormwater quality manual recommendations. Therefore, they are no longer asking for permitting for disturbance of the wet meadow, it will be preserved. There will still be grading and construction in the regulated upland review area.

H. Heller stated that due to the isolated nature of the intermittent watercourse in Regulated Area 2, and the fact that the watercourse does not provide hydrology to a downgradient wetland system, this watercourse provides little functional utility for the purposes which have been identified as the reason for preserving and protecting wetlands and watercourses in the State of Connecticut. The relocation of this resource and the avoidance of the more valuable system to the west represents the most feasible and prudent alternative for accommodating reasonable development on the application parcel while protecting the resources on and adjacent to the property.

Wetland area 3 is the most significant wetland on the property. There is approximately 10 acres of good upland area to the west that will be maintained in its natural state. There are two water quality detention basins proposed which will require grading in the upland review. The basins will be stabilized and planted with wet mixes specified on the plan. The basins will discharge into the wetlands system. There are sediment forebays for both basins.

(D. Brush leaves meeting and Secretary Houk takes over as chairman)

The revised plan has been reviewed by the town and they are satisfied that the resources are preserved on the site. The applicant believes the environmental impacts have been balanced with the development and economic impacts.

H. Heller stated approximately 85% of the discharge going to the basins will be going into the wetlands.

L. Burdick read the memo dated June 12, 2017 from R. Russo, CSS stating all his previous comments have been addressed. She stated the applicant has made significant changes to satisfy wetlands concerns and she recommends approval.

Jim McNally, L.S. from Boundaries explained the grading and stated the project is designed to sheet flow and work as it always has. He expects the basins will develop into a quality habitat with significant native plantings.

M/S/C (Tufares/Riske) I move that the Commission find that the proposed activities as presented by the Applicant in its application (#217IWC6), supporting documentation & plans and the presentation made to the Commission at its May 18, 2017 & June 15, 2017 regular meetings *does not* meet the criteria of a significant impact activity as outlined in Section 2 (Definitions – Significant Impact Activity) of the Town of Montville’s Inland Wetlands & Watercourses Regulations. Vote: Approved Unanimously

M/S/C (Tufares/Berardy) With due regard for the matters enumerated in Section 22a-41 of the Connecticut General Statutes and in accordance with Section 10 of the Regulations for the Protection and Preservation of Inland Wetlands and Watercourses of the Town of Montville, CT, I move to approve the Application #217IWC6 submitted by the Applicant, Jensen’s, Inc. for a Permit for regulated activities at 416 Old Colchester Road (Map 16, Lot 3) in conjunction with an age-restricted manufactured home park as described in the Application & Project Narrative, Revised to June 9, 2017; Inland Wetland & Watercourse Report Prepared by Demian Sorrentino, AICP & C.S.S., dated May 10, 2017; and the plan set entitled “Site Development Plan, Millwood at Old Colchester Road, Prepared for Jensen’s, Inc., 416 Old Colchester Road, Uncasville, Connecticut, Prepared by Boundaries, LLC, Dated November 2016, Revised to June 9, 2017”. The standard reasons for approval apply.

8. CORRESPONDENCE-none

9. OTHER BUSINESS

A. Application Fee Schedule

L. Burdick informed the Commission that the Town Council approved increases in application fees for Wetland and Zoning. She stated that because the current fees are included in the Town of Montville Wetlands Regulations it will need to be addressed due to the changes. There are three possible alternatives:

- Eliminate the section regarding fees from the regulations
- Add a new language Section 20.7 referencing the Ordinance.
- Add new language with a list of the new fees.

L. Burdick stated the fees and alternatives will be discussed at the next meeting.

10. EXECUTIVE SESSION-None

11. ADJOURNMENT

M/S/C (Tufares/Riske) to adjourn the meeting at 8:47

Respectfully Submitted, Sue Spang, Recording Secretary