

TOWN OF MONTVILLE
INLAND WETLANDS COMMISSION
REGULAR MEETING MINUTES
THURSDAY, AUGUST 17, 2017 – 7:00 P.M.
LOCATION: MONTVILLE TOWN HALL, Council Chamber
310 NORWICH-NEW LONDON TURNPIKE
UNCASVILLE, CONNECTICUT 06382

1. CALL TO ORDER

Chairman Douglas Brush called the meeting to order at 7:03.

2. ROLL CALL

Present: Chairman Douglas Brush, Secretary Philip Houk, Commissioners Jessica LeClair, and Sandra Berardy

Absent: Commissioners Charles O’Bday III, Anthony Tufares, and Howard V. Riske Jr.

Attending: Zoning and Wetlands Officer (ZWO) Liz Burdick

3. MINUTES: Approve the Minutes of the July 20, 2017 Regular Meeting.

M/S/C (Berardy/Houk) to approve the July 20, 2017 minutes as presented.

Vote: Approved. In favor- Secretary Philip Houk, Commissioners Jessica LeClair, and Sandra Berardy. Opposed-None. Abstaining- Chairman Douglas Brush

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 07/20/17 meeting)

L. Burdick informed the Commission there has been no activity on the property and that the natural vegetation has overgrown the site. Inspection in the fall is required to determine if more work is required to permanently stabilize the site

M/S/C (Berardy/LeClair) I make a Motion that soil erosion and sediment controls be maintained in good working order at all times and that the Cease and 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

B. 217IWC11 - 21 & 23 Pequot Road (Map 72, Lots 42 & 41), 17 Pequot Rd & Rte. 163 (Map 74, Lot 54B) and 33 Pequot Road (Map 72, Lot 37A),

Uncasville – Applicant/Owner: DW Holdings LLC – Regulated Activities for Construction of Stormwater Quality Control Management System from Industrial Operation located at 33 Pequot Road. *(Tabled from the 07/20/17 Meeting -DRD 9/22/17).* **APPLICANT REQUEST TO TABLE TO THE 09/21/2017 MEETING.**

L. Burdick stated that the commission had received this application at their last meeting. She informed them the soil scientist and engineer have reviewed the application but more work needs to be done. The applicant wishes to table the application until the September meeting.

M/S/C (Berardy/LeClair) to table 217IWC11 - 21 & 23 Pequot Road until the September 21, 2017 meeting. Vote: Approved Unanimously

8. NEW BUSINESS

- A. 217IWC12 – 1103 Old Colchester Road (Map 37, Lot 4) & 60 Heritage Way (Map 37, Lot 4-2), Oakdale** – Applicant: Buster Land Management - Property Owners: Old Colchester Road, LLC & Southeastern Connecticut Water Authority for As of Right Determination for Timber Harvest. *(DRD – 10/20/2017).*

L. Burdick gave the commission background on the project. She stated there were two stream crossings installed for the timber harvest. One is a temporary bridge and the other is a corduroy crossing; both are in good condition. The timing is good due to the low flow of the stream. The sites are located in the R-120 zone and contain regulated wetlands & watercourses. 1103 Old Colchester Road contains 77.21 acres and is developed with an existing age-restricted housing development at the front of the site. 60 Heritage Drive contains 16.8 acres, is developed with a pump house for the Southeastern CT Water Authority (SCWA) and is being used as access to the timber harvest at 1103 Old Colchester Road.

The site will be accessed from the existing paved driveway from Old Colchester Road and via a skid trail over SCWA property to the area to be cut on 1103 Old Colchester Road. The landing area is proposed at the northeast corner of the site adjacent to the SCWA site.

The Commission will need to make a finding as to whether or not the proposed activities are “As of Right” and, therefore, do not require a permit.

Blaine Cullen representing Buster Land Management addressed the Commission. He informed them that the project will take approximately 6-8 weeks and about 180,00 board feet will be removed. Trees with a 10” diameter or greater will be harvested. They will not strip the land but conduct a selective cut and everything will be processed on site and then taken off site. Buffers will be left along all the property lines. They will take all species of trees, leaving the big old trees which are good seed trees.

M/S/C (LeClair/Houk) After giving due consideration to all relevant factors, including those in Section 4 of the Montville Inland Wetland Regulations and

Section 22a-40 of the Connecticut General Statutes, I move that Application# 217IWC12, submitted by the Applicant, Buster Land Management on behalf of the property owners, Old Colchester Road, LLC & Southeastern Connecticut Water Authority for a Timber Harvest as more fully described in the Application, Dated August 14, 2017, Notification of Timber Harvest, dated 08/11/17 and associated Timber Harvest Map, dated 8/15/17, both prepared by Mel Harder, Consulting Forester, is a Permitted Use As of Right and, therefore, no permit is required. Vote: Approved Unanimously

8. CORRESPONDENCE-none

The Commission was updated on wetlands enforcement complaints from the previous month.

9. OTHER BUSINESS

A. Application Fee Schedule

L. Burdick informed the Commission that the Town Council approved increases in application fees for Wetland and Planning & Zoning Commission. She stated the fees have not been changed in approximately 20 years and they were raised to cover the costs of legal notices.

The fees have already been set by the Town Council. Because the current fees are included in the Town of Montville Wetlands and Watercourse Regulations the Regulations will have to be amended. There are three possible alternatives:

1. Eliminate the fees Section 20.7 from the Regulations.
2. Amend Section 20.7 referencing the Town Fee Ordinance.
3. Amend the Section to reflect new fees.

L. Burdick stated the the town attorney suggested either option 1 or 2, she prefers option 2. Chairman Brush recollected that there may be a state statute that requires the IWWC to set fees. L. Burdick will research. Chairman Brush stated he liked the second option.

M/S/C (LeClair/Houk) to set a public hearing on September 21, 2017 for the purpose of amending the Montville Inland Wetlands and Watercourse Regulations to reflect the fee changes approved by the Montville Town Council. Vote: Approved Unanimously

10. EXECUTIVE SESSION-None

11. ADJOURNMENT

M/S/C (Leclair/Houk) to adjourn the meeting at 7:42

Respectfully Submitted,
Sue Spang, Recording Secretary