

**TOWN OF MONTVILLE
INLAND WETLANDS COMMISSION
REGULAR MEETING MINUTES
THURSDAY FEBRUARY 18, 2021 – 7:00 P.M.
MONTVILLE TOWN HALL
MONTVILLE, CT**

Due to the Corona 19 pandemic and per State of Connecticut, Governor Lamont Executive order 7B, the Town of Montville will be following the suspension of in-person open meeting requirements. The Montville Inlands Wetlands Commission conducted the February 18, 2021 in person and by remotely utilizing GoToMeeting. The public and applicants could make comments at the appropriate time by registering with GoToMeeting.

1. CALL TO ORDER

Chairman Brush called the meeting to order at 7:00.

2. ROLL CALL

Present: Chairman-Doug Brush, Commissioners, Jessica LeClair, Sandra Berardy, Joseph Berardy, Alt.

Absent: Vice-Chairman Charles O’Bday III, Anthony Tufares, Vacancy, Vacancy Alt.

Attending: T. Williams

3. MINUTES

a. Approval of minutes for the January 21, 2021 Regular Meeting

Motion:(S. Berardy/LeClair) to APPROVE the minutes of January 21, 2021 as presented. Vote: Approved unanimously

4. REMARKS FROM the PUBLIC *NOT* RELATING to ITEMS on the AGENDA-none

5. OLD BUSINESS:

a. 220 IWC 17 – 280 (035-001-016), 284 (035-001-015), 288 (035-001-014), 292 (035-001-013), 296 (035-001-012), 300 (035-001-011), 304 (035/001-010), 308 (035-001-009) and 316 Chapel Hill Rd (035-001-000)-(Robert Sachs Subdivision)-

Owner/Applicant Robert Sachs An application for activity in upland review area in conjunction with construction of a 32 lot cluster subdivision

T. Williams reviewed the site and said there were new wetlands delineated on lot 10 and the plan was updated as of February 10, 2021. She read the following report into the record:

The activities now being proposed are:

1. Just west of Lot #17 there is a proposed level spreader for a stormwater management basin located just within 50’ URA. The closest flag numbers are WF88I and WF89I. This work will require minor grading to install rip rap and is expecting to yield less than 25 cubic yards of filling from existing grades within a 1,818 square foot plan area within the regulated area. This includes the area required for construction

purposes on a temporary basis. The final disturbed area will be less. All fill material will be clean granular fill.

2. Along the rear or western lot lines of proposed Lots #7 & #8 the access drive to lot #18 will require grading of the URA to allow vehicle access. The area is between flag numbers WF5S & WF10S. The disturbed area within the URA including the area needed to construct the access is 4,150 square feet. This area contains minor fill (less than a foot) and Minor cuts (less than a foot). This area should be considered balanced as far as the surface grades are concerned. This access will be converted to either a paved or gravel way 12feet wide for the majority of the disturbed URA All fill will be clean granular fill.
3. To provide a driveway for Lot #9 a fill approximately one-half foot deep within the URA is required. The plan area of the fill is 1,170 square feet and comprises of 25 cubic yards of clean granular fill material. The finished surface within the URA will be lawn and seeded.
4. To provide a driveway for Lot #12 a fill of less than one half foot deep within the URA is required and a culvert crossing will be required for drainage. The area of the fill is 2,894 square feet and comprises less than 20 cubic yard of clean granular fill material. The finished surface within URA will be lawn and seeded except for 872 square feet of paved residential driveway.
5. To provide a driveway for Lot #13 a fill of less than one half foot deep within the URA area is required. The area of the fill is 2,893 square feet and comprises less than 10 cubic yards of material. The finished surface within the URA will be lawn and seeded except for 1,162 square feet of paved residential driveway.
6. The grade for the proposed roadway west of Lot #4 and between flags WFJ7 and WFJ9 a fill area of 957 square feet consisting of approximately 30 cubic yards is required to construct roadway. All fill within the URA will be granular fill. The surface will be loamed and seeded.
7. Wetland impact area number 7 has been reduced to 0 SF and in no longer impacting URA.
8. Wetland impact area number 8 has been reduced to 0 SF and in no longer impacting the URA.
9. Riprap protection has been provided to protect against erosion & scour from stormwater discharge from the existing storm drain into the area near Lot #9's driveway entrance to Chapel Hill Rd. The total disturbance within URA Buffer is 971 square feet, including placement OF 57 linear feet of riprap stabilization at the watercourse.
10. Towards the rear of Lot #10, there is some minor grading being proposed within URA. This work includes a minor cut around one half to two feet of depth within area of 781 square feet.
11. Towards the rear of Lot #10, there is a small 160 square foot disturbance with in the URA. This disturbance accounts for some tree clearing and placement of a 6" tight pipe footing drain.

There will be no wetland filing or excavation. There will be 15,794+/- square feet of URA disturbance consisting of minor fill for a total of 220 +/- cubic yards of fill, and 57 linear feet channel stabilization of a watercourse. There are no adverse impacts

anticipated.

Lot #10 will have to come back to the Commission for review if the reserve system is ever constructed since it is in the upland review area.

Before permit can be issued the applicant must pay all Extended Engineering Review Fees as stated in Town Ordinance 2007-002

All comments of Soil Scientist have been met.

Chris Gagnon, BL Companies, for the applicant said there is a foundation drain on lot 10. He said while coordinating with the town and town staff it was decided they no longer needed the curbing and storm drain system on Chapel Hill.

MOTION: (Brush/LeClair) 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 220 IWC 17 Robert Sachs: An application for Activity in conjunction with the construction of a 32-lot cluster subdivision within the review area on the property located at 316 Chapel Hill Rd, Oakdale, CT. As shown on Assessor's Map 035-001-000 as depicted on the plan titled "Town of Montville Inland Wetlands and Watercourses Commission Submission for Proposed Residential Subdivision 316 Chapel Hill Road Montville, Connecticut prepared for Robert Sachs 51 Ciro Road North Branford, CT 06471" dated November 10, 2020. Revised February 10, 2021

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:

- 1. Lot #10 will have to come back to the Commission for review if the reserve system is ever constructed since it is in the upland review area.**

(D. Brush stated approval #1 should be on the plot plan)

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.

Vote: APPROVED Unanimously

- b. 220 IWC 18 – 612 Route 82 (058-009-00A) Owner: Leemits Petro Inc/Applicant: Shahani Inc an application for grading within a regulated area for the installation of a new septic system.**

The Commission does not have a complete application and staff has not heard from the applicant.

MOTION: (LeClair/J. Berardy) 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 220 IWC 18 Shahani, Inc An application for the construction of a new septic system, within the review area on the property located at 612 Route 82 (058-009-00A) Oakdale, CT and depicted on plan “Property Survey/Resurvey prepared for: Leemit’s Petroleum, Inc. 612 Norwich-Salem Turnpike (Route 82) Oakdale (Montville), Connecticut” dated 2/24/2020 revised pg. S-2 10/23/2020.

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:

1. A plan signed by the original soil scientist who flagged the Wetlands must be provided
2. A letter from the original soil scientist who flagged the wetlands must be provided
3. The Town Engineers comments dated February 1, 2021 must be addressed
4. Payment of Engineering Review Fee of \$55.00 to CLA Engineers

Vote: DENIED unanimously. The reasons for denial are, soil scientist information has not been provided, the plans have not been signed, soil scientist report has not been filed, town staff comments have not been addressed, disturbance and clearing areas have not been defined.

6. NEW BUSINESS

- a. 221 IWC 1-83 Pink Row (074-040-00A) Owner/Applicant: Water Pollution Control Authority, an application for a general permit to conduct routine maintenance and emergency repairs with respect to all municipal water and sewer line.**

Derek Albertson, for the Water Pollution Control Authority explained the request is for clearing along brush and trees along the easements.

Barry Parfitt, P.E., Wright Engineers, Middletown, Ct. stated that there are no repairs needed at this time. He stated the activities are in line with the existing permit.

Included are clearing brush, and trees along the easements of the existing sewer lines. Installation of a bearing base material would allow vehicle access. They are also requesting repairs based on an emergency basis. The Commission did not think the proposed activities would constitute significant activities.

MOTION: (S. Berardy/LeClair) to TABLE application 221 IWC 1-83 Pink Row (074-040-00A) Owner/Applicant: Water Pollution Control Authority, an application for a general permit to conduct routine maintenance and emergency repairs with respect to all municipal water and sewer line until the March 2021 meeting. Vote: APPROVED unanimously.

- b. 221 IWC 2-75 Pink Row (074-040-000) Owner/Applicant: GL&C Construction LLC, an application for activity within the upland review area for expansion of an outside storage lot.**

T. Williams described the property and where the applicant wants to expand the lot, it is an existing storage lot. The area of disturbance in the wetlands will be 560 sq. ft and 9,700 sq. ft in the URA. The site contains a manmade wetland. Improvements will improve the storm water quality basin.

Wes Wentworth, P.E. and S.S. stated the use of the property goes back decades. He said the storage area is just south of the sewage treatment plant. The basin has filled up with sedimentation and covers the pipe that goes into the basin. The applicant is proposing to replace the existing 24" pipe with a 36" pipe. The pipe will be higher in elevation. When they dig up the silt in the drainage basin and put in a rip rap stilling pool, that will be the limit of the wetland's disturbance.

The lot is now gravel and they are proposing to cover with asphalt millings.

A lot of water coming off of Pink Row goes into a catch basin and is untreated. They are proposing to bypass that system and directing it to a vegetive swale and into a new stormwater quality basin which will act as a detention basin and it will be treated for water quality according to DEEP guidelines.

They are trying to improve the discharge area and improving the water coming into the site.

MOTION: (J. Berardy/LeClair) to TABLE application 221 IWC 2-75 Pink Row (074-040-000) Owner/Applicant: GL&C Construction LLC, an application for activity within the upland review area for expansion of an outside storage lot until the March 2021 meeting. Vote: APPROVED unanimously.

7. PUBLIC HEARING-none

8. SHOW CAUSE HEARING-none

9. CORRESPONDENCE-none

10. OTHER BUSINESS-none

11. EXECUTIVE SESSION -none

12. ADJOURNMENT:

MOTION: (S. Berardy/LeClair) to adjourn at 7:50

Respectfully Submitted

Sue Spang

Recording Secretary

2021 Meeting Dates:

February 18, 2021, March 18, 2021, April 15, 2021, May 20, 2021, June 17, 2020, July 15, 2021, August 19, 2021, September 16 2021, October 14, 2021, November 18, 2021 & December 16, 2021