

Draft

Approved by Commission on \_\_\_\_\_

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

**MINUTES OF MEETING  
7:00PM**

**September 17, 2009**

LOCATION: MONTVILLE TOWN HALL, *Council Chambers*

1. **Call to order:** Commissioner Brush called the meeting to order at 7:00pm.
2. **Roll Call:** A quorum was present. In attendance were Commissioners Bartholomew, Beauchene, O'Bday, Johnson, Brush, Taylor and Riske. Staff present was Colleen Bezanson, Wetland Agent/Planner II. Absent Commissioner Whittaker.
3. **Minutes:**
  - a. Approve minutes of August 20, 2009 meeting. **Motion** to approve by Commissioner O'Bday, seconded by Commissioner Bartholomew. **4-0-3 favor, Motion carried.** Commissioners Beauchene, Taylor and Riske abstained.
4. **Public Hearings:** none
5. **Show Cause Hearings:**
  - a. **John Diamantini:** Violation of Permit 207 IWC 23 on the property located at 1399 Old Colchester Rd, Montville CT. As shown on Assessor's Map 44 Lot 4-3.  
Ms. Bezanson reviewed the staff report stating tonight's meeting was to give Mr. Diamantini a chance to be heard and for the Commission to close the hearing. She showed pictures that had been shown at previous meeting. Discussion was held. Ms. Bezanson also noted the Mr. Diamantini nor any representative for him was present for the meeting. She also stated that a letter had been sent in the mail to him as well as via certified mail. Discussion was held.  
Commissioner Taylor made **Motion** that the Commission finds Mr. Diamantini in violation of Permit 207 IWC 23 based on the fact that the applicant has not complied with the terms, conditions or limitations set forth in the application including the applications plans. Specifically he is continuing to maintain areas in the 50ft buffer, which was to be allowed to grow back, and he has been using motorized vehicles in the regulated areas, including recreational vehicles and pick up trucks. Seconded by Commissioner Riske. **7-0 favor, Motion carried.**

Commissioner Johnson made **Motion** to refer this matter to the Town Attorney for further action. Seconded by Commissioner Beuchene. **7-0 favor, Motion carried.**

Commissioner Johnson made **Motion** to close the Show Cause Hearing for John Diamantini for violation of Permit 207 IWC 23 on property located at 1399 Old Colchester Rd, Montville CT. As shown on Assessor's Map 44 Lot 4-3, because the applicant has not come before the Commission as requested and Commission has referred this to Town Attorney for further action. Seconded by Commissioner O'Bday. **7-0 favor, Motion carried.**

- 6. Remarks from the public relating to items on the agenda:** Ray Chester asked if there was any way he could follow the case of John Diamantini now that it had been referred to the Town Attorney. Commissioner Brush responded that he wasn't sure if it was public.
- 7. Old Business:** none.
- 8. New Business:** none.
- 9. Commissioner's Comments:** none.
- 10. Correspondence:** none.
- 11. Other Business:** none.

**Motion** to adjourn at 7:20pm by Commissioner O'Bday, Seconded by Commissioner Bartholomew. **7-0 favor, Motion carried.**

*\*For complete record, refer to audio*

*Respectfully submitted,*  
Pamela Church, recording secretary