

**TOWN OF MONTVILLE
INLAND WETLANDS COMMISSION
REGULAR MEETING MINUTES
THURSDAY APRIL 15, 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 April 15, 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 7:02.

2. ROLL CALL

Present: Chairman-Doug Brush, Vice-Chairman Charles O’Bday III, Commissioners, Jessica LeClair, Sandra Berardy, Joseph Berardy,
Absent: Anthony Tufares, Vacancy, Vacancy Alt.
Attending: T. Williams

3. MINUTES

A. Approval of minutes for the February 18, 2021 Regular Meeting

Motion:(S. Berardy/J. Berardy) to APPROVE the minutes of March 18, 2021 as presented. D. Brush noted for the record that the time on the agenda for the previous site walk was incorrect. No change to the minutes
Vote: Approved unanimously

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

5. OLD BUSINESS:

MOTION: (O’Bday/S. Berardy) to move item 5A after New Business. Vote: Approved Unanimously.

A. 221 IWC 4-87E Cottage Rd. (063-005-000) Owner: Deborah Morrison Applicant: Matthew Basch, an application within the upland review area for wall repair, tree removal and creation of patio with steps and retaining wall.

Members who attended the site walk did not see any issues with the proposed work.

D. Morrison, owner, stated there would be some dirt dug out and boulders brought in to reinforce the existing wall.

D. Brush said the site for the proposed work was a prudent and reasonable choice.

MOTION: (S. Berardy/O’Bday) 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 221 IWC 4 Applicant: Matthew Basch Owner: Deborah Morrison An application for the construction of a new retaining wall , patio, steps to lake and repair of old retaining wall within the review area on the property located at 87 E Cottage Rd, Oakdale, CT. As shown on Assessor's Map 63 Lot 5 as depicted in the application and narrative dated 2-19-2021. Narrative and Sketch revised 4-2-2021.

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. Sediment fence must be placed behind existing stone wall prior to work starting on patio and walkway

(Standard Reasons for Approval Apply)

Vote: APPROVED unanimously.

6. NEW BUSINESS

A. 221 IWC 5 (216 IWC 10) Renewal-42 Pink Row (074-038-000) Owner: Ox Owner, LLC. Applicant: Dakota Partners, Inc. A RENEWAL of an application for regulated activities in conjunction with adaptive reuse of mill buildings for multi-family residential.

T. Williams gave a review of the property and history. The activity proposed will be 2600 sq. ft of wetlands disturbance, 60 linear ft. of watercourse disturbance and 33,100 sq. ft. of URA disturbance.

T. Williams gave the following information:

- The Montville Inland Wetlands Commission approved this application on September 15, 2016, and the permit will expire on September 15, 2021
- Since the plan was approved the property was sold from Faria Beede Instruments, Inc. to Ox Owners, LLC. However, Dakota Partners Inc. is still the applicant. An application has been submitted to indicate the transfer of ownership.
- Site plan has been revised to reflect DEEP comments and these revisions are incorporated into the renewal (see DEEP Letter dated March 20, 2021)
- There are no changes to the proposed regulated activities for the project (see attached 2016 disturbance activity chart)
- The applicant is asking for an extension for five (5) years

H. Heller, 736 Rt. 32, Uncasville, for the applicant, Ox Owner LLC, an affiliate of Dakota Partners, Inc., stated that the renewal is exactly the same as the one submitted in 2016. He said the Army Corp of Engineers and DEEP have required a change to a grouting under the foundation for better stabilization.

He informed the Commission that most of the disturbance in the wetlands is the removal of invasive species. D. Brush stated that for a renewal the application needs to be unchanged. H. Heller said the methodology of stabilization has changed but nothing having to do with any regulated area has changed. DEEP would not approve the project unless the dam was removed. The work is not complete yet because some stream bed work has to be done and bank stabilization will need to be completed. He said the project is slated to start in 4-6 weeks.

MOTION: (O’Bday/S. 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 221 IWC 5 Applicant: Dakota Partners, Inc. Owner: Ox Owner, LLC. An application for regulated activities in conjunction with adaptive reuse of mill buildings for multi-family residential within the review area on the property located at 42 Pink Row, Uncasville, CT. As shown on Assessor’s Map 74 Lot 38 as depicted in the application dated April 2, 2021. Site Development Plans Oxoboxo Lofts prepared by Malone & MacBroom, Inc. dated December 10, 2020 revised September 29, 2020, Flood Management Control Plans Oxoboxo Lofts, Prepared by Malone & MacBroom, Inc. dated December 10, 2020, Oxoboxo Lofts Building J Stabilizations Plan prepared by Yantic River Consulting, LLC. Dated December 17, 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.

(Standard Reasons for Approval Apply)

Vote: APPROVED unanimously.

B. 221 IWC 7 Renewal – Jerome Rd. (010-004-000) Owner: Scott A. Hess, Applicant: Scott A. Hess a RENEWAL of an application for wetlands crossing with regulated activities in conjunction of a subdivision.

T. Williams gave background and history of the proposed work. There will be 4,100 sq. ft. of wetlands disturbance, 57 linear ft. of watercourse disturbance and 4,455 sq. ft. of URA disturbance.

The Inland Wetlands Commission approved this application (211 IWC 9) on June 16, 2011

The Commission approved existing permit to be transferred to Scott A. Hess on July 18, 2019 (219 IWC 2)

Proposed activity is for the construction of an access drive to a single-family residence as part of a 1 lot subdivision. The property contains an intermittent watercourse that requires a crossing to access the buildable portion of the lot.

There have been no changes with this application and/or the regulated activities.

S. Hess stated he is ready to go once the application is renewed and weather permitting.

The Commission determined the renewal will be good for another five years.

MOTION: 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 221 IWC 7 Owner/Applicant: Scott A. Hess an application for regulated activities in conjunction with a subdivision within the review area on the property located at 95 Jerome Rd, Uncasville, CT. As shown on Assessor's Map 10 Lot 4 as depicted in the application and map Subdivision Plan prepared for Walter Lynick 97 Jerome Road Montville Ct, dated April 2011, rev 8/30/2011

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.

(Standard Reasons for Approval Apply)

VOTE: APPROVED unanimously

- C. 221 IWC 8-157 B Doyle Road (057-010-00B) Owner/Applicant: Elisa B. Pierce & Steven C. Pierce an application for activity within the URA to drill two wells in conjunction with a demolition and rebuild of a Single Family Residence.**

T. Williams gave the following report:

At this point she is putting 10,302 for URA disturbance.

The applicant is requesting permission to drill two (2) wells in the Upland Review Area (URA).

At this time the application is incomplete. The application is missing the following:

- No description of disturbance area (square footage) on application
- No narrative of what is being proposed
- Approval from the Uncas Health Department
- There is a patio in URA not depicted on site plan
- The Commission may want to hold a site walk.

D Brush asked where is the muck from drilling the two wells going. E. Pierce said that based on conversations with the engineer the muck would be taken off site. There would be E&S controls installed to protect the lake. She will clarify with the engineer about the muck from the drilling. Uncas Health District came to the site to review the placement of the well in relation to the septic. They gave verbal approval but she has not received written notice. She stated the house is in disrepair and they are trying to make the situation safer and better.

MOTION: (O'Bday/J. Berardy) to schedule a site walk for 157 B Doyle Road on May 15, 2021 at 10:00 AM. VOTE: APPROVED unanimously.

OLD BUSSINESS (Continued)

A. 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 gave background and details of the application:

The wetlands disturbance is 560 sq. ft, the URA disturbance is 9,700 and the watercourse disturbance is 0.

- Uncas Health comments have been met. (2-19-2021)
- All Town Soil Scientist comments have been met. (4-6-2021)
- The Town Engineer has the following comments:
 - A Drainage Easement shall be provided to the Town by the developer for review.
 - The 20' drainage easement must include the 15" culvert running parallel to Pink Row
 - A bond in the of amount of \$14,000 is to be posted prior to the start of construction

The Commission thought it would be good to get the area cleaned up and it will be an improvement.

MOTION: (Brush/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 221 IWC 2 Owner/Applicant: GL & C Construction, LLC An application for the construction of a drainage and expansion of storage lot within the regulated area on the property located at 75 Pink Row, Uncasville, CT. As shown on Assessor's Map 74 Lot 40 as depicted in the application and narrative dated 2-19-2021. Site development Plan 75 Pink Row prepared for GL & C Construction, LLC Montville CT dated June 15, 2020 rev 3/10/2021.

(Standard Reasons for Approval Apply)

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: (O'Bday/J. Berardy) to adjourn at 7:53

Respectfully Submitted

Sue Spang

Recording Secretary

2021 Meeting Dates:

2021 Meeting Dates:

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