



## TOWN OF THOMPSON

### Inland Wetlands Commission

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## MEETING MINUTES: Tuesday, April 4, 2023, 7:00PM

*Via ZOOM Online Meeting Portal*

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- A) The meeting was called to order at 7:00 PM by Chairman George O'Neil who announced the protocols for conducting the online meeting.

Members and staff present: George O'Neil (Chairman), Charlie Obert (Vice Chairman), Diane Chapin (Treasurer) Fran Morano (Commissioner), Marla Butts (Wetlands Agent), Gloria Harvey (Recording Secretary)

Members of the public: Janet Blanchette, J & D Civil Engineers, Bernard Mayo, Roberta Gray, Jason Lavallee, Deb LeBlanc and others.

- B) Appointment of Alternates - None

- C) Action on Minutes of Previous Meetings

- a) The Minutes of March 14, 2023 were unanimously accepted as presented.

- D) Citizens Comments on Agenda Items - None

- E) Applications

- a) Old Applications

1. **WAA22029**, Gary Rawson, 46 Logee Road (Assessor's map 141, block 17, lot 184R), construct a new single-family home in a 100-foot upland review area for Quaddick Reservoir, stamped received 11/16/22, awaiting NDDH approval. Originally this application was 0 Logee Road but because the applicant applied for a Building Permit for the home, the address is now 46 Logee Road. No action is required by the Commission at this time.
2. **WAA23001**, Hany Youssef, 274 Riverside Drive, (Assessor's map 87, block 95, lot 39), construct a 13' x 50' concrete pad for a refrigeration/freezer unit, stamped received 1/19/23, revised 2/1/2023 to include construction of 2 second floor decks. One 50' x 13' over proposed concrete slab and one 18' x 36' along entire width of the south side of the building. Application is on hold pending receipt of revised drawings to match what he has indicated in writing. Marla spoke with the Building Office who advised her they received from Norm Thibeault a deck layout but not an architectural certification for structural stability for which it is designed. The Building Office has contacted Hany Youssef to inform him he needs to have plans, signed off by a professional engineer, that can attest to the integrity of the structure for which it is intended, including a footprint of the supports for the deck ensuring they are not in the 100-year floodplain. Charlie Obert questioned the storm drain placement, and the placement of the footings. Marla responded that the plan is not to touch the drain at all but to leave it as is. There will be no concrete work for a patio under the deck.

**IWA23002**, Jason Lavalley, 0 Azud Road, (Assessor's Map 67, block 53, lots 1H and 1G), construct multifamily dwellings in 5 phases within upland review area with drainage discharging to wetlands/watercourses, stamped received 2/7/2023, statutory receipt date 2/14/2023. Marla stated that the 65-day extension granted by Jason Lavalley was received via email. A chart showing the timelines for this project was discussed. Janet Blanchette of J& D Civil Engineers provided a summary of changes revised to address comments from the Commissioners and the Wetlands Agent. She stated that Margaret Washburn confirmed the ponds are functioning as vernal ponds. J & D Surveyors surveyed the edges of the ponds and added those limits to the plan. Building "F" has been removed from this project due to concerns regarding construction and long term impact to the wetlands. There will be no disturbance to the steep slope uphill of the wetlands, reduced disturbance in upland review area, drainage pipe relocated and proposed impervious reduced. The third well, which is an alternate well, was moved outside of the 100' upland review area, and the two remaining wells will be sufficient to provide domestic water. The stormwater discharge system has been designed with no direct discharges to the wetlands or ponds. The basins and stormwater system have sufficient capacity that runoff from the site will not adversely affect the Riverside Drive drainage system. Jason Lavalley set aside 5.35 acres or 45% of the 12 acres for conservation land to be maintained in a natural condition significant for vernal pools and protecting habitat. Janet Blanchette stated the applicant is not asking for any action by the Commission this evening. Charlie Obert commented that manmade wetlands, though not pristine, are a nice resource and he was glad to see expansion of the runoff area. Marla commented on the hydraulics that were done and stated that this is not within her expertise to review. She asked the Commission to consider hiring another engineer to take a look at the hydraulics given the complexity of this project. Charlie Obert questioned if the property can support these wells and not impact in unexpected ways and suggested hiring someone more capable and knowledgeable to review the hydraulics. Diane Chapin stated she was not opposed to another set of eyes reviewing the hydraulics and Fran Morano suggested having Marla investigate which engineering firm would be available to review the hydraulics and the cost. Diane Chapin suggested Marla explore cost and check into additional resources to perform this review which the Commission will discuss in May. George O'Neil agreed and asked Marla to proceed with this request.

3. **IWA23003**, Bernard P Mayo, 73 Laporte Road, (Assessor's Map 55, block 65, lot 7A), filling of wetlands for the construction of new detached garage associated with existing single-family house, stamped received 3/3/23, statutory receipt date 3/14/23. Marla reported an alternative plan with less impact to wetlands and watercourses was received and she has no objection to approving the alternative plan. Charlie Obert made a motion to approve the proposed plan as revised for application IWA23003, Bernard P Mayo, 73 Laporte Road, (Assessor's Map 55, block 65, lot 7A). The motion was seconded by Diane Chapin. Discussion followed. Bernard Mayo expressed concern regarding financial commitments, encountering bedrock, NDDH rerouting of sewer, and turf stabilization issue. Marla stated that approval now would be a simple plan revision for stabilization and moving the building over in the upland review area. Moving the sewer line would require approval from the Board of Health. However, filling wetlands would require a new permit. Mr. Mayo asked what constitutes a hardship? Marla replied the presence of bedrock that has to be blasted and can't be blasted close to the well, and suggested he have the site work done now to determine if the site is buildable or not. If the building should need to be moved to a different location requiring wetlands, a new application for a permit would be required, at

which time options would be discussed. Fran Morano asked if the well was pre-existing and if it was a bedrock well? Mr. Mayo replied it is pre-existing. Fran Morano suggested he contact the NEDH, who should have a well drilling record of the pre-existing well. The motion to approve the revised plan was unanimously **APPROVED**.

b) New Applications

1. **WAA23005**, Matthew Saad, 33 Becola Road, (Assessor's Map 116, block 24, lot 26), repair and replacement of septic system for residential home (reapplication for expired Approval WAA16023, stamped received 3/20/23, issued 3/20/23, legal notice to be published 3/31/23, end of appeal period 4/14/23. No action required by the Commission at this time.
2. **DEC23008**, Philip LeBlanc, 295 Linehouse Road, (Assessor's Map 55, block 69A, lot 3A), earthmoving to remove glass contaminating soil and regrading for garden as use permitted as of right, stamped received 3/27/23. Marla stated this application is in response to a Notice of Violation. Deb LeBlanc stated this site was previously a family dump and their plan was to remove the glass from the soil and plant a garden. She admitted they interpreted the regulations incorrectly and didn't believe gardening needed approval, so they immediately responded and filed a request for a declaratory ruling to address the concern in the notice of violation. Pictures of the site were reviewed and Marla stated she has no objection to the Commission issuing an approval of this application as a use permitted as of right for the maintenance and enjoyment of a residential home. There is no evidence of any sediment leaving their property. Diane Chapin made a motion to approve DEC23008 for Philip LeBlanc, 295 Linehouse Road, (Assessor's Map 55, block 69A, lot 3A), earthmoving to remove glass contaminating soil and regrading for garden as use permitted as of right. Fran Morano seconded the motion. Diane Chapin thanked the LeBlanc's for their prompt action in this matter. The motion was unanimously **APPROVED**.

c) Applications Received After Agenda was Published - None

F) Permit Extensions / Changes - None

G) Violations & Pending Enforcement Actions

- a) **Notice of Permit Violation VIOL21036**, Permit IWA20022, Marc Baer, 1227 Thompson Rd (Assessor's map 116, block 24, lot 10), grades not as authorized in modified plan approved by the Commission on February 9, 2021 – There is no change in this violation. All equipment has been removed from the site. Marla will contact Mr. Baer by the next meeting to see if he has found a new builder and site contractor.
- b) **Notice of Violation VIOL22031**, Douglas and Roberta Gray, 0 New Road, (Assessor's map 154, block 3, lot 2J), watercourse alternation causing flooding, issued 1/23/22 – No report has been received from Mr. Calabro for the flow along his driveway in order to address the concerns that the Gray's had regarding the water going over their property. Marla spoke with Norm Thibeault who informed her that it appears that they will be able to make the flow line go down the driveway and she expects to receive a report within the next two weeks. No further action is required by the Commission at this time.
- c) **Notice of Violation VIO23006**, Philip and Debra Joan Leblanc, 295 Linehouse Road, (Assessor's map 55, block 69A, lot 3A), earthmoving in 100-foot upland review area, Issued 3/20/23 – Declaratory ruling is approved. Philip and Debra Leblanc responded as required, and this Notice of Violation VIO23006 is closed. No further action is required by the Commission.
- d) **Notice of Violation VIOL23007**, Kevin Calabro, 117 New Road, (Assessor's map 154, block 3, lot 3H), earthmoving in 100-foot upland review area, issued 3/24/23 – Grading work has been done

in the upland review area. Marla informed Mr. Calabro that the septic underdrain, grading in the upland review area, and work along the driveway needs to be addressed in one application by the next IWC meeting. Marla spoke with Norm Thibeault who confirmed that the grading work Mr. Calabro just did was in the upland review area. Marla told Norm Thibeault the subsurface drain for the septic system, the grading area he just did, and water flow along the driveway would all have to be included in any site plan.

H) Other Business

a) Election of Officers

Fran Morano nominated the current board stay in place. Diane Chapin seconded the motion. Charlie Obert made a motion to close the nominations. Diane Chapin seconded the motion. The motion was unanimously **APPROVED**.

b) Review of By-laws

Marla stated that the By-laws as presented contain all the amendments and language that were agreed upon at last month's meeting. Charlie Obert made a motion to approve the updated and corrected By-laws. Diane Chapin seconded the motion. The motion was unanimously **APPROVED**.

c) IWC Regulations Revisions

A Special Meeting of the IWC will take place on Thursday, April 6<sup>th</sup> at 6:00PM in the second floor conference room to discuss the IWC Regulations Revisions. Marla stated she has some concerns about conceptual subdivision approvals. She will send the revisions she has so far to all the Commissioners. George O'Neil stated this meeting is a working meeting for the Commissioners with no public comments.

d) Update on Proposed Subdivision Regulations

PZC is moving fast forward on revising the Subdivision Regulations. A Special Meeting is scheduled on their website and Tyra is hoping to get the Subdivision Regulations finalized within a month. Once the Subdivision Regulations are approved, Marla expects to see a significant number of applications coming in for approval.

e) FW23 Budget Update

First Selectman, Amy St. Onge commented on the budget request the IWC made requesting \$31.50 per hour at 20 hours a week with the understanding that she would be leaving within the next fiscal year, with the extra time being used to transition her replacement into the job and finish pending tasks. She was advised by Amy that the Board of Selectmen decided they were only going to give a 3% increase at 15 hours a week. There will be no significant increase in the staffing budget.

I) Citizen's Comments - None

J) Reports

a) Budget & Expenditures

Commissioner Chapin reported available budget from July 1, 2022 to March 30, 2023 is \$8,765.31, and the IWC has expended 68% of the budget.

b) Wetlands Agent Report

Update – Marla is working on drafting revisions to the IWC Regulations. She is also making progress on the destruction of the pre-1990 files with the help of Fran Morano.

Inspections/Followup Actions – **Complaint 23-02**, Report of tree cutting and earthmoving along former railroad bed southwest of Laporte Rd – Notice of Violation VIOL23006 was issued resulting in the submission of Application DEC23008 which has been approved and closed as a use permitted as of right.

Building Permits – 5 Building Permits were reviewed

Miscellaneous – Nothing to report at this time.

Purchase Requisitions – Paid \$29.40 (P.O. 123356), Stonebridge Press, legal notice Marrier, WAA23003. Encumbered \$80.00, Stonebridge Press, legal notices Rawson WAA22030 & Saad WAA23005. Encumbered \$14.99 (P.O. Box 123391) W.B. Mason, box of letter sized manila file folders. Marla commented that in the Professional Services line item in the current budget there is \$300 that hasn't been used and would be available to hire an engineer to review the Azud Road hydraulics shown on the J & D Engineering plans for application IWA23002, Jason Lavallee.

K) Correspondence - None

L) Signing of Mylars-None

M) Comments by Commissioners

George O'Neil thanked everyone for their hard work and said he hopes to see everyone at the Special Meeting on Thursday, April 6, 2023 at 6:00PM.

N) Adjournment

At 8:22 PM after completion of the agenda, Diane Chapin made a motion to adjourn the meeting. The motion was seconded by Commissioner Obert. The motion was unanimously **APPROVED**.

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To see/hear the entire meeting via ZOOM, copy and paste the following link into your search bar:

<https://us02web.zoom.us/rec/share/iSS5owOREsmD2cdqkwsbwlqBUa2pFFVcOQ6fU1V0YzaL3hCcdEfeX8lPB5uExZh.Pm5V7cyRFee1dq02>

Passcode: AiQ@\*35s

Respectfully submitted, Gloria Harvey, Recording Secretary

*Gloria Harvey*