



TOWN OF THOMPSON Inland Wetlands Commission

Town of Thompson, Inland Wetlands Commission Via ZOOM Online Meeting Portal MEETING MINUTES - September 14, 2021 7:00 PM

A) Call to Order by Chairman George O'Neil at 7:03 PM.

Present: George O'Neil (Chair), H. Charles Obert (Vice Chair), Diane Chapin (Treasurer), Fran Morano (Commissioner), Marla Butts (Wetlands Agent), Amy St. Onge (First Selectman), members of the public, and Dan Malo (Recording Secretary)

B) Appointment of Alternates – n/a

C) Minutes of Previous Meeting, August 10, 2021 were ACCEPTED with modification, concerning typos: IWA21018 should refer to '59 Wrightson Drive'; Chairman O'Neil's name was misspelled.

D) Citizens Comments on Agenda Items

Peter Nalewajk, regarding **Notice of Violation VIOL21023** and the action that the Commission is taking or can take to address the violation. Chairman O'Neil stated that the item will be discussed during the meeting and a course of action will be considered after more information is presented.

E) Applications

a) Old Applications

1. **WAA21021**, Jodie Arpin, 0 New Rd. (Assessor's map 154, block 3, lot 2G), construction of a driveway and footing drain in the upland review area for a new single-family home, stamped received 8/9/21. Marla Butts monitored the area and observed no vernal pools in an area where one had been hypothesized. She had a concern about the proximity of the proposed driveway to a neighboring driveway and runoff which may result; after receiving modified plans from J&D Civil Engineers, she approved the application as the Agent. Notice of this approval will be published on the 9/24/21, with the appeal period ending on 10/8/21.

b) New Applications

1. **WAA21022**, Andrew & Kathleen Ells, 28 Breaults Landing Rd. (Assessor's map 141, block 17, lot 197), replacement of retaining walls and the construction of new retaining wall in the upland review area for Quaddick Reservoir, stamped received 8/16/21. Marla Butts commented that the old wooden retaining wall located by the dock at the southwest portion of the property is staying in place. No work is to be done in the water. Prior to work, the property boundaries need to be staked by a Licensed Surveyor and maintained throughout the project. No modification of the wooden retaining wall is authorized. Marla recommended that a survey should occur before the drawdown of the Reservoir. With these conditions, she approved the application as the Agent. Notice of this approval will be published on the 9/24/21, with the appeal period ending on 10/8/21.

2. **DEC21024**, Blair & Karen Cole, 172 County Home Rd (Assessor's map 107, block 36, lots 16 & 16B, timber harvest, received by Town Clerk 8/26/21. Blair Cole spoke to his application, hoping to improve the health of the forest stand and understory. Invasives have already been removed and typical corduroy roads will be used at two stream crossings. Commissioner Morano made a motion approve this use as a right. Commissioner Chapin seconded and the motion carried unanimously.
3. **WAA21025**, RT193, LLC, 49 Thompson Rd (Assessor's map 87, block 53, lot 8), to construct an event barn with associated parking and drainage, stamped received by Town Clerk 8/26/21, stamped received by Wetlands Office 8/30/21. Marla Butts is in the process of reviewing the plans submitted from J&D Civil Engineers. Janet Blanchette of J&D described the project, which involves the construction of an open-air event barn, a driveway off of an existing driveway, and parking area with over-flow gravel parking. The project is on hold until 2022. No vote is required at this time.
4. **DEC21026**, Amanda & Christopher White, 246 Ravenelle Rd. (Assessor's map 44, block 105, lot 31B), request ruling of use permitted as of right for a chicken coop, pole barn and swimming pool, stamped received 8/30/21. Work to be done within the upland review area. Because of the site's proximity to wetlands, a declaratory ruling is required by the Commission. A Variance will also be required through Zoning Board of Appeals, related to the farm animals intended to use the proposed structures within required setbacks. Chairman O'Neil asked there was any danger to the wetlands with this proposal; Charles Obert asked similarly, regarding grading and digging. Marla Butts suggested that the wetlands have protection because of the topography of the site. Commissioner Morano had procedural questions. A motion to approve by Commissioner Obert was seconded by Commissioner Morano. The Commission determined by unanimous vote that the use is allowed as a right for maintenance and enjoyment of the home.
5. **SUB21027**, Inn Acquisition Associates, LLC, 286 Thompson Hill Rd (Assessor's map 102, block 40, lot 2), 2 lot subdivision for conceptual approval, stamped received 9/7/ 21. Janet Blanchette of J&D Civil Engineers described a conceptual plan to subdivide the property for the construction of a single-family home. Driveway access is proposed off of an existing driveway which runs through wetlands. Chairman O'Neil had questions about site grading. Marla Butts stated that beyond minor grading for septic, there will be no other incursions into the wetlands. Commissioner Obert mentioned that most of the wetlands are located on the other side of the existing driveway. Marla discussed procedural steps and that no work is authorized with conceptual approval. Commissioner Chapin made a motion to approve the conceptual subdivision. Commissioner Obert seconded and the motion carried unanimously.
6. **IWA21028**, Wojciech Sudyka, 1574 Riverside Dr. (Assessor's map 55, block 65, lot 14), fill 3,500 sq. ft. of wetlands and 100-foot upland review area for construction of a commercial building and associated parking, stamped received 9/7/21, statutorily received 9/14/21. The applicant intends to construct a commercial building with garage bays built upon a slab. A soil scientist has delineated the site. Commissioner Obert asked if this property was located at the state line, which was confirmed by the presentation. Commissioner Morano asked that since this property was located at the state line, if any other notifications might be required. Marla stated that notifications to the abutting Massachusetts town would be necessary. She suggested that Commissioners may benefit from a sitewalk. No vote was made.

7. **DEC21029**, Town of Thompson, 35 Marshall St. (Assessor's map 169, block 92, lot 13), request for ruling on erection of 6 to 8 sculptures in 100- foot upland review area for the French River, stamped received 9/9/21. Charles Obert mentioned that the sculptures were to be constructed from 'nip' bottles that were collected during a recent community cleanup. Chairman O'Neil asked who the actual applicant for the project was. The project is the effort of the Town Planner and a community artist, with preliminary site drawings from J&D Civil Engineers, which were funded by a grant. Commissioner Chapin asked if the sculptures could break away and become debris in a flood. Marla believed that the structures should be designed parallel with possible flow. A motion was made by Commissioner Obert to approve (1) sculpture as a prototype for the Commission; the motion was seconded by Commissioner Morano. Commission voted 2-2, resulting in a tie. Commissioner Morano rescinded her second of the motion. After discussion, the Commission concurred that the application should be presented again with information regarding hydrology and mechanics, and be initially focused on the installation of (1) sculpture instead of the entire set. Matter tabled.

c) Applications Received After Agenda was Published – none

F) Permit Extensions / Changes – None

G) Violations & Pending Enforcement Actions

- a) **Notice of Violation VIOL21019**, LIS Properties, L.L.C., 715 Riverside Dr. (Assessor's map 63, block 58, Lot 23), unauthorized structures diverting watercourse, flooding Thatcher Rd. & Riverside Dr., issued 7/7/21, request remove or response by 7/13/21. Structures are removed but there are still concerns about the stream channel. Marla Butts noted that the Department of Transportation will be cleaning a nearby drainage system. She will correspond with the property owner about restoring the channel. Matter tabled.
- b) **Notice of Violation VIOL21023**, Jamie Piette, 0 & 73 Center Street (Assessor's map 16, block X, lots H & 2), unauthorized construction of retaining wall and associated backfill in or near Little Pond, issued 8/24/21, instructed to cease further work, by 9/8/21, submit A-2 survey and attend the Commission meeting. Joe Patterson offered to follow the Commission's guidance and stated that he performed work prior to approval out of safety concern due to the site's proximity to the public boat launch. Mr. Patterson said he is soliciting a surveyor to determine if the wall is thoroughly on the property or if it exceeds the property boundaries. Marla Butts stated also that the wall should be rated structurally stable per an engineer. Members were in consensus that more information was needed at this time. Mr. Patterson was instructed to contact the office when he has secured the services of a surveyor to conduct an A-2 survey. Matter tabled.

H) Other Business

Temporary appointment of Dan Malo, Thompson Conservation Agent, to act as Wetlands Agent for enforcement actions over the next several months during the absence of Marla Butts. Marla presented documentation from Darcy Winther of DEEP, demonstrating that Mr. Malo had completed DEEP's Inland Wetlands Training Program and has performed similar work for another municipality. Marla is still available for technical questions via email, but anticipates inquiries to go to First Selectman Amy St. Onge and delegated between Mr. Malo, the Zoning Officer, and the Building Official. Commissioners welcomed Dan and offered support and guidance. Commissioner Morano made a motion to Appoint Dan Malo as Temporary Wetlands Agent during Marla's absence and Commissioner Obert

seconded; the motion carried unanimously.

I) Reports

a) Budget & Expenditures – Diane Chapin reported that the Commission had \$22,534.28 available and had encumbered \$90.00 during the past month for advertising.

b) Wetlands Agent Report – Marla Butts updated the Commission on previous matters: No change in the status of Court Appeal on Application **IWA15029**, River Junction Estates, LLC (Case # AC 42644), the **MS4 2019-2020 Annual Report** or **records disposal**.

Complaint 20-14, Philip Leblanc, 295 Linehouse Rd, pond cleaning during drought and side casting spoils onto neighboring property – A letter will be sent to Mr. & Mrs. Leblanc advising them to do no more earth moving or construction work either in the pond or within 100 feet of the pond without first obtaining approval from the Commission.

Complaint 20-19, Bruce & Christina Bonin, 67 Mountain Hill Rd – letter sent advising them to seek approval from the Commission for any future work in or within 100 feet of the water now ponded on the property. Complaint file closed.

Complaint 21-11, 1208 Riverside Drive, Susan Eklund – A photo of a trailer was provided to the Building Office, with course of action pending results of Building Office investigation.

Approval WAA20040, Laura Hauser, 31 Center St – On 8/21/21, an email was received from the Little Pond Improvement Association about concrete blocks in the Pond being moved. Marla exchanged emails with Ms. Hauser and visited the site on 8/26/21. While some submerged blocks were moved to facilitate safe swimming, Ms. Hauser assured that when any modifications to the shore are planned, she will apply for the necessary permits.

Owen Adam Road – On 8/26/21, Marla & Commissioner Morano walked the entire length of Owen Adam Road from Long Branch Brook to the rear of the Woodward's property on Wilsonville Road. The road bed was fairly clear of debris and woody vegetation. It was evident no vehicles have passed this way in a long time. There was no evidence of any overtopping of the road with water but the deadwood swamp and marshes existing on both sides of the road were obviously impacted by beaver activities. Any modification or upgrading of the road could significantly impact these areas and require approval by the Inland Wetlands Commission. Prior to any modifications of the roadbed, there would need to be an evaluation of the ecological value of the area to determine what impact use of the road would cause. This information will be passed along to the Board of Selectmen.

J) Correspondence – None

K) Signing of Mylars – None

L) Comments by Commissioners – None

M) After completion of the agenda items, Commissioner Chapin made a motion to adjourn the meeting. The motion was seconded by Commissioner Morano and carried unanimously at 9:16 PM.

Respectfully submitted, Dan Malo, Recording Secretary



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