



**TOWN OF  
THOMPSON**  
Inland  
Wetlands  
Commission

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**MEETING MINUTES: Tuesday, April 12<sup>th</sup>, 2022 7:00PM**

*Via ZOOM Online Meeting Portal*

- 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), Francesca Morano (Commissioner), Marla Butts (Wetlands Agent), and Dan Malo (Recording Secretary).

Members of the public: Harry Heller, Andrew McCoy, Dave Held, Ray Williams, Dale Harger, Valerie Clark, and others.

- B) Appointment of Alternates – n/a

- C) Minutes of Previous Meetings –

The March 8, 2022 Meeting Minutes were accepted with correction, regarding a wetlands agent approval for Dave Held. The minutes record should read that an agent approval was issued March 3, 2022 and that the appeals period has passed.

The March 12, 2022 Special Meeting Sitewalk Minutes were accepted as presented.

- D) Citizens Comments on Agenda Items – none

- E) Applications

- a) Old Applications

1. **IWA22002**, Strategic Commercial Realty, Inc., 0 West Thompson Rd (Assessor's map 65, block 101, lot 9) earthmoving associated with the mining 1 million cubic yards of earth materials, portions of which are in the 100-foot upland review area, stamped received 1/6/22, statutorily received 1/11/22. A 30-day extension was granted by the applicant. A revised application has been submitted to include 307 Reardon Road.

Wetlands Agent Marla Butts asked the applicant to include 307 Reardon Road on plans, since it is within the project scope. 7200 sf of grading in the upland review area is proposed. Marla mentioned that the applicant is awaiting clarification of the critical habitat on Natural Diversity Database (NDDb) mapping near the project site. Applicant's Attorney Harry Heller stated that he reached out to Dawn McKay of the Department of Energy and Environmental Protection (DEEP) about the designation.

Attorney Heller described an earthen berm and filter fabric system that will be constructed to protect the sensitive area, creating a location where sediment can be captured and removed. No dewatering is anticipated. A chain link fence will be installed at the north and west limits of the property, rather than by project phase. Attorney Heller and Dave Held, Project Engineer for Provost & Rovero, propose to utilize an existing haul road and agreed with Marla Butts that erosion and sediment controls should be installed and monitored along the road. No additional driveway will be constructed. All excavated material will be processed on site.

Dave Held will draft an inspection and reporting program to the Commission's specifications. REMA Ecological Services have been retained to monitor the sensitive area after DEEP's recommendations are provided. Attorney Heller reiterated that the earthen berm would sequester the area and will not alter the hydrological system. Charlie Obert stated that he understands a more polished plan is forthcoming. Attorney Heller requested an extension to the May meeting, and Marla Butts concurred to its prudence, requesting the same.

An additional 30-day extension was granted by the applicant. George O'Neil thanked the applicant for their presentation and Marla Butts for her preliminary review.

- b) New Applications – none
- F) Applications Received After Agenda was Published – none
- G) Permit Extensions / Changes – none
- H) Violations & Pending Enforcement Actions
  - a) **Notice of Violation VIOL21023**, Jamie Piette, 0 & 73 Center Street (Assessor's map16, block X, lots H & 2), unauthorized construction of retaining wall and associated backfill in or near Little Pond, issued 8/24/21. Marla presented letters from Normand Thibeault, PE and Greg Glaude, LS regarding the stability of the retaining wall and location of the property lines.  
  
The retaining wall was assessed as structurally sound by Engineer Normand Thibeault. Surveyor Greg Glaude was unable to determine when changes to the shoreline occurred. He noted that the shore should be considered the property boundary, and that it is customary that the boundary line would follow any changes to the shoreline. Marla recommended that a plan provided by Killingly Engineering Associates be considered the 'as-built' and filed on the Town land records. Charlie Obert made a motion instructing Agent Marla Butts to request that Jamie Piette file the as-built on the land records. The motion was seconded by Fran Morano. **The motion was unanimously APPROVED.**
  - b) **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. Marla Butts was informed by Daniel Blanchette of J&D Civil Engineers that he had not yet received notification from Marc Baer to proceed. Marla wants to photo document the site. Violation placed on hold until the next meeting.
  - c) **Notice of Violation VIOL22008**, Rodney Lamay, 0 Quaddick Town Farm Road (Assessor's map 160, block 11, lot 15), unauthorized clearing, cutting & grading in wetlands, issued by Acting Wetland Agent 3/21/2022. Acting Wetlands Agent Dan Malo followed up on complaints of clearing and cutting in wetlands. From the roadway, he observed and photographed tractor tire tracks and clearing. He issued a Violation via Certified Mail instructing Mr. Lamay to attend this Commission meeting. A followup letter will be issued.
- I) Other Business
  - a) Draft Subdivision Regulations – Marla Butts discussed the evolution of Zoning districts to the Commission, related to the issue of Net Buildable Lot, asking "how large must a lot be to provide needs?" She suggested a minimum of 20,000 sf, with concerns about the Downtown Mill Redevelopment and Lake Districts allowing for 4,500 sf lots. Though these lots are intended to be serviced by public sewer and water, she asked the Commission to consider how many of these properties might be nearby significant wetlands, especially along Route 12. She noted that there is no sewer and water availability in the Lake District.

Marla brought up hypothetical scenarios, such as: If the net buildable minimum lot size is merely the minimum required for a septic system, will wetlands be filled to build a house? Charlie Obert asked if a new subdivision is forced to tie into public sewer and water. Marla stated that a subdivision would have to ask to connect to Town services. George O'Neil thanked Marla for her detailed analysis and noted that Zoning Regulations should have environmental concerns, but they don't seem to. George stated that the Planning & Zoning Commission asked for other commissions to provide comment and that Marla is providing direct and informed recommendations. He stated that it is better to be cautious rather than cause irreparable harm. Fran Morano thanked Marla for her efforts. Diane Chapin and Charlie Obert approve of Marla's recommendations to the Planning & Zoning Commission.

- b) George O'Neil asked for the Commission's interest in changing the Bylaws and the need for additional public comment on the agenda. He asked if it was appropriate to add the Pledge of Allegiance to the meeting. Charlie Obert agreed that additional public comment time was needed. He felt that the pledge is appropriate in the Seney Room but difficult to accomplish on ZOOM. Fran Morano and Diane Chapin agreed that additional comment time was needed but were undecided on the recitation of the Pledge of Allegiance. Marla Butts noted that that the Pledge of Allegiance is no longer customary in state and municipal proceedings; nor is it considered the business of a regulatory board. Charlie Obert made a motion to modify the agenda to include public comment after 'Other Business' and the motion was seconded by Fran Morano. **The motion was unanimously APPROVED.**
- c) A motion to amend the agenda was made by Charlie Obert and seconded by Fran Morano, to elect Commission officers. **The motion was unanimously APPROVED.** A motion to reelect the current slate of officers was made by Charlie Obert and seconded by Fran Morano. **The motion was unanimously APPROVED.**

J) Reports

- a) Budget & Expenditures – Diane Chapin reported that \$100 was encumbered for advertising; the Commission has \$6,602.85 available.
- b) Wetlands Agent Report – Marla Butts noted that no progress has been made on MS4.

K) Correspondence – none

L) Signing of Mylars – none

M) Comments by Commissioners –

Charlie Obert looks forward to conducting a thorough review of the proposed mining application. George O'Neil apologized for missing the March meeting.

- N) At 9:15 PM, after completion of the agenda, Charlie Obert made a motion to adjourn the meeting. The motion was seconded by Fran Morano. **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/99zULNBze8lbUiAwS9qTZv41p2YUR6vlARXfgI58hdgtCh0b4efunfx6lvnzCkki.Da4d1-Dji7SWtLWp>  
Access Passcode: #Vi2C^Qk

Respectfully submitted, Dan Malo, Recording Secretary

