



## TOWN OF THOMPSON

### Inland Wetlands Commission

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## MEETING Minutes: Tuesday, November 8, 2022, 7:00PM

*Via ZOOM Online Meeting Portal*

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- A) The meeting was called to order at 7:00PM 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), Fran Morano (Commissioner), Diane Chapin (Commissioner) Marla Butts (Wetlands Agent), Gloria Harvey (Recording Secretary), and Amy St. Onge (First Selectman).

Members of the public: Kevin Calabro, Roberta Gray and others.

- B) Appointment of Alternates - None
- C) Action on Minutes of Previous Meetings
- a) Minutes of September 13, 2022

The September 13, 2022 Minutes were unanimously accepted as presented.

- D) Citizens Comments on Agenda Items – None
- E) Applications

- a) Old Applications

1. **WAA22027**, Hany Youssef, 0 Lapiere Rd (Assessor's map 79, block 62, lot 47A), construct a 570-foot-long driveway within the 100-foot upland review area for a new single-family home, stamped received 9/8/22, issued 9/14/22, legal notice published 9/23/22, appeal period ended 10/8/22. Marla Butts reported there was no appeal to legal notice. She added a special condition stating prior to construction the applicant shall submit to the Wetlands Office a full-size plan signed and sealed by a professional engineer. No action is required by the Commission at this time.

- b) New Applications

1. **DEC22028**, Michael O'Brien, 61 Lakeside Drive (Assessor's map 143, block 16, lot 57A) construct a 12' X 8' porch on residential home in 100-foot upland review area for Quaddick Reservoir, stamped received 10/31/22. Marla previously issued Agent Approval for the addition of a porch on Mr. O'Brien's existing home to Jessica Gervais, Girls with Tools. Marla noted this request qualifies as a Use Permitted as of Right that requires approval by the Commission. She noted that there is no impact to the Reservoir and no other work is proposed. Construction will be on sonar tubes. Charlie Obert made a motion that Application DEC22028 to build a 12' X 8' porch at 61 Lakeside Drive be approved as a Use Permitted as of Right. Fran Morano seconded the motion. **The Motion was unanimously APPROVED.**

- c) Applications Received After Agenda was Published - None

- F) Permit Extensions / Changes – None

## G) Violations &amp; Pending Enforcement Actions

- a) **Complaint 22-08**, Drainage problems at 117 New Rd (Calabro, Assessor's map 154, block 3, lot 2H), 119 (Kennett, Assessor's map 154, block 3, lot 2I & 2J) & 0 New Road (Gray, (Assessor's map 154, block 3, lot 2J, manmade watercourse beginning on 117 New Road affecting abutting properties, determine course of action. Marla explained the water flow pattern and drainage conditions and concerns affecting the parties. She made several site visits with Charlie Obert, consulted with engineers and the Zoning Enforcement Officer. She read correspondence that she received from Douglas and Roberta Gray (see posted ZOOM document pages 31-33). Commissioners discussed several courses of action regarding the drainage, discharge, and horse manure contamination issues which included establishing a new flow line along the rear boundary of 119 New Rd to discharge into the existing channel on the Gray property (0 New Rd), reengineering, trenching flows through a pipe along Mr. Calabro's driveway to the culvert under New Road, order the removal of material from the Gray's property to allow the water to flow as it originally did. Kevin Calabro of 117 New Road stated he sent pictures to the Wetlands Office showing the existing intermittent water course already located at his driveway. He expressed his willingness to work with everyone to resolve the water flow issues. Roberta Gray of 131 New Road mentioned not knowing about a pipe built intentionally under Mr. Calabro's driveway directing the artesian well discharge to the manmade pond in the front of his property, which is surrounded with fresh manure, causing the contaminated water to flow toward their newly acquired abutting property. Marla commented that these issues need to be resolved before ground freezing sets in to avoid serious issues during spring thaw. Marla suggested another alternative to channel the water between the Arpin and Calabro driveways. Chairman O'Neil requested the Wetlands Agent seek other expertise and resources and by the next meeting submit alternative actions and recommendations for the Commission's consideration to address the drainage concerns.
- 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 - status. Marla spoke to Mr. Baer and he's in the process of finding a builder for his house and at this time no action by the Commission is required. This violation is on hold until construction on the house begins.
- c) **Notice of Violation VOIL22008**, 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 - status. Marla reported that now the leaves are off the trees she and Dan Malo will before snow fall take a site walk from the neighboring property to see if there is anything to be concerned about.

## H) Other Business

- a) 2023 Meeting Schedule - Marla presented the 2023 meeting schedule. She identified two holiday conflicts, one in April and one in October. Commissioners discussed and unanimously agreed to change the date of the April meeting to April 4<sup>th</sup> and the October meeting date to October 17<sup>th</sup>. Commissioners unanimously agreed to eliminate site walks from the 2023 meeting schedule and schedule a site walk when needed by a Special Meeting and posting an agenda. Marla will post an explanatory note on the IWC website main page stating if a site walk is needed it would likely be held the Saturday before the meeting.
- b) Update on Proposed Revisions to Zoning Regulations - PZC Public Hearing on October 20, 2022 on proposed Zoning Regulations continued to November 17, 2022 due to failure of publication of Legal Notice. The November 17, 2022 Public Hearing was cancelled due to an error by the publishing newspaper. The PZC are holding a Special Meeting on November 10, 2022 to

establish a new date for the Public Hearing. Marla noted that the IWC work on the Zoning Regulations is done.

- c) Update on Proposed Subdivision Regulations - Marla recommended putting the Subdivision Regulations on hold until the Zoning Regulations are resolved. Upon reviewing the Subdivision Regulations draft she found errors involving IWC Regulations where the PZC added a requirement to submit a conceptual subdivision application and a subsequent individual permit. Marla stated her recommendation to the subcommittee will be to replace the wording "conceptual subdivision application" with "an application" and will discuss this with the Commission at a later meeting. The PZC hired J & D Engineering to draft Appendix C for the Subdivision Regulations dealing with road construction.
- d) Dot Bridge DOT Bridge No. 02128 Replacement Route 12 Sunset Brook - Marla informed the Commission about the DOT bridge replacement on Route 12. She placed a call to the Department of Transportation asking when they are planning on doing this, permitting and traffic control. The DEEP is in control of this project.
- I) Citizen's Comments - None
- J) Reports
  - a) Budget & Expenditures - Commissioner Chapin reported available budget from July 1, 2022 to October 28, 2022 is \$21,096.79, Encumbrances total \$225.34 for a storage cabinet and office supplies, and the IWC has expended 23.1% of their budget.
  - b) Wetlands Agent Report:
 

Update - Amy St. Onge transferred all MS4 from the Wetlands Office to Kelly Genest at the Public Works Department. Town hired J&D to do work on MS4 Reporting and the Stormwater Management Plan and the Discharge Management Plan. After Marla reviews the current version of the draft Subdivision Regulations amendments, she plans to finish drafting the IWC regulations amendments. Due to limited remaining file space, Marla will submit a records disposal request and finish the disposal of the pre-1990 permit files.

Inspections/Followup Actions - 81 New Road-At the request of the Public Works staff, Marla participated in a site visit with First Selectman St. Onge, other town staff, and Don Pimental on October 19, 2022 to identify the cause of siltation on New Road from erosion at 81 New Road which resulted from unstable lawn conditions. Owner Envanda DeOliveria and son Cleverson Oliveria were not in attendance. Concerns about ground freezing, spring thaw and possible flooding of home and lawn were raised. Marla contacted Brian Young of Fuller Building Company who filled the rills, installed erosion control blankets and 3 tiers of straw waddles. Siltation on the road has been abated and no wetlands or watercourses are threatened.

Building Permits - Seven building permits were reviewed.

Miscellaneous - Marla will work with the new recording secretary to bring her up to speed with the Wetlands Office procedures and protocols.

Purchase Requisitions - Office supplies and legal notices for Stonebridge Press Newspaper.

Regarding the drafting of regulation amendments the fee schedule (for applications) was discussed. The Commissioners had no objection to have Marla explore a fair and practical fee schedule as well the inclusion of language authorizing the Wetlands Agent the authority to sign off on Uses Permitted as of Right in the upland review area. She will include this language in the regulation amendments she is working on now.
- K) Signing of Mylars-None

L) Comments by Commissioners

Charlie Obert suggested sending a copy of the Gray's letter to the Board of Selectmen and the Planning and Zoning Commission with a cover letter stating that the issues we are facing lack consistencies and should be addressed. Commissioner Chapin and Commissioner Morano did not agree forwarding someone else's letter is not the best way to approach issues. Marla Butts stated that notification to any boards or commissions should come from the Inlands Wetland Commission and by unanimous agreement. The Commission authorized Marla to draft her recommendations and forward them to the Commissioners for review at the next regular meeting.

M) Adjournment

At 9:27PM after completion of the agenda, Fran Morano made a motion to adjourn the meeting. The motion was seconded by Diane Chapin. **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/KKc61cX7sjrxtY5S46bBkLEQ1605TerOckJr6GXu4KLzgMatX5sXnynxD8\\_qF9IN.z8\\_t8QJNdbXEbSP\\_?startTime=1667952009000](https://us02web.zoom.us/rec/share/KKc61cX7sjrxtY5S46bBkLEQ1605TerOckJr6GXu4KLzgMatX5sXnynxD8_qF9IN.z8_t8QJNdbXEbSP_?startTime=1667952009000)

Passcode: yg?4=3@g

Respectfully submitted, Gloria Harvey, Recording Secretary

*Gloria Harvey*