



Town of Thompson
Inland Wetlands Commission
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Linda Paradise
TOWN CLERK, Assf

**MINUTES – REGULAR MEETING
INLAND WETLANDS COMMISSION
TUESDAY, SEPTEMBER 10 2019, 7:00 PM
MERRILL SENEY COMMUNITY ROOM - TOWN HALL**

A) Call to Order & Roll Call:

Meeting was called to order by Chair George O'Neil at 7:05 PM.

Roll Call: Commissioner & Chair George O'Neil, Commissioner & Vice-Chair Charles Obert, Commissioner Fran Morano, Commissioner Diane Chapin, Commissioner Barbara Roach, Wetlands Agent Marla Butts and Recording Secretary Diane Minarik.

Absent: None

Others Present: Daniel Blanchette, David Gagnon, Amy & Jason St.Onge, Jennifer Burlingame

B) Appointment of Alternates: **Motion to seat Alternate Barbara Roach was made by Commissioner Obert. Seconded by Commissioner Morano. The Motion passed unanimously.**

C) Action on Minutes of Previous Meeting: A copy of the minutes listed below were available for review. Chair George O'Neil asked if there were any corrections and being none:

a) **Minutes of the 08-13-19 regular meeting was accepted as written.**

D) Citizen's Comments Pertaining to Agenda Items: None

E) Applications:

a) Old Applications:

- 1) **IWA19013** David Gagnon, 25 Lakeview St, Assessor's Map 116, Block X, Lot AB, construct new single family home and septic system, stamped received 7/1/19, statutory receipt date 7/9/19; new plans submitted 8/13/19; proposed 1,800 sq. ft. 3-bedroom home w/2-car garage, and replacing wall at shoreline; wetland disturbance during construction will be 1,900 sq. ft.; permanent wetlands filled will be 670 sq. ft.; proposed work to start in fall; removal of some small trees; received NDDH Approval dated 7/25/19; Commissioners Morano and Obert visited the site with Ms. Butts on different days; questions regarding the locations of wetlands were raised; received letter from Margaret Washburn confirming the delineations shown on the drawings is accurate; Ms. Butts explained the videos and photos taken on site visits; the pool of water, wetlands, is for stormwater runoff to settle down before going in to pond; Daniel Blanchette of J&D Engineers was present and corrected his statement of not cutting down certain trees, some are diseased and will need to come down; Mr. Blanchette showed several alternate house design options and came up with this design which is violating setbacks to have minimal fill and preserve as much of the wetlands and as possible and will not disturb the pool; Ms. Butts recommended some erosion control for the wall that will be demolished by the water; contractor will do 6-8 foot sections at a time daily and replace with revetment which is filter fabric then sand/gravel to allow infiltration then bigger stone that can resist wave action.

Motion to approve IWA19013, as read, was made by Commissioner Obert.

Seconded by Commissioner Roach

Discussion: Commissioner Obert wanted to see site because it was a permanent alteration to a wetland.

The Motion passed unanimously.

- 2) **WAA19016** Jacques Lemoine, 38 Breaults Landing Road, Map 141, Block 17, Lot 193, construct new single family home in 100 foot upland review area for Quaddick Reservoir, stamped received 8/12/19; on 8/27/19 Ms. Butts left a voice message regarding some issues with retaining wall details, fill amount, North arrow missing on site plan and no soil stabilization measures; still needs NDDH approval and complete description of the work; application is incomplete and needs it by next meeting. No action taken
 - b) New Applications:
 - 1) **WAA19016 WAA19017** Philip Lajoie, 22 Fabyan-Woodstock Rd, Assessor's Map 5, Block 82, Lot 52, construct 24' x 40' in-ground swimming pool in the 100 foot upland review area, received 8/26/19; approved 8/27/19; legal notice published 9/6/19, end of appeal period 9/20/19; Ms. Butts explained where the house is, pool will be in rear of house; 30' from wetlands w/cat-field marsh; brought to the attention of the building office the plans state no electrical.
 - c) Applications Received After Agenda was Published:
 - 1) **WAA10919** Saywatt Hydroelectric LLC, 12 Old Route 12, Assessor's Map 67, Block 102, Lot 26, construct 220 KW PV solar array in upland review area, stamped received 9/9/19, just received yesterday; wants to expand existing array; above 100 year flood elevation; no impact to wetlands; under review.
 - F) Permit Extensions / Changes: None
 - G) Active Violations & Pending Enforcement Actions:
 - a) Show Cause Hearing on Cease & Restore Order issued 9/5/19: **VIOL19018** Federal Home Loan Mortgage Corporation, 0 & 533 Brandy Hill Rd, Assessor's Map 143, Block 17, Lot 7-7, fill in drainage-way obstructing flow. Chair O'Neil read a statement explaining the process of the Show Cause Hearing. No one present to represent corporation; Ms. Butts read and explained all evidence offered into the record:
 - Exhibit 1 - 4 pages of original Order and placed on Thompson land records
 - Exhibit 2 - Certified Mail receipt to Federal Home Loan Mortgage Corporation
 - Exhibit 3 - USPS tracking of Exhibit 1 arrived 9/9/19
 - Exhibit 4 - 4 photos taken 7/28/16
 - Exhibit 5 - 2 photos taken 5/17/18
 - Exhibit 6 - Letter and Certified Mail receipt to Federal Home Loan Mortgage Corporation and 2 pages of Quit Claim DeedOn 9/3/19 Ms. Butts did a site visit; found a Realtor's card on door and sent a copy of the order to him and the Attorney on the Deed. The Attorney did not respond but the Realtor responded immediately and said he would have the property fixed. Ms. Butts met with contractor on 9/9/19 and explained what work was required and he said it would be done that day. Later that day Ms. Butts went to the property with Commissioner Obert and found work completed however there was a section 3"-5" high. Today there was a voice mail stating the work was all done, seeded and mulch. After Ms. Butts inspects and confirms work is complete a Certificate of Compliance will be filed on the land records.

Motion to close Hearing was made by Commissioner Obert. Seconded by Commissioner Morano. The Motion passed unanimously and the Hearing was closed at 7:53pm on 9/10/19.
- Following hearing discussion and decision on Cease & Restore Order VIOL19018.
- Motion to uphold order until Ms. Butts re-inspects the property for compliance. Seconded by Commissioner Obert.**
- The Motion passed unanimously.**

- b) **VIOL17017** Linden O'Leary, President of Quaddick Mountain Resorts Inc., Assessor's Map 143, Block 16, Lots 17, 17AK, 17AL, 17AM & 17AN, violation issued on 5/8/17; no change; since they cannot get a building permit for a cottage, Ms. Butts suggests to close the file and hold the enforcement action in abeyance until such time there is any further construction.
 - c) **2nd NOV on permit IWA17001** Madison Avenue Investments, LLC, 0 Madison Ave and Thompson Rd (a.k.a. Route 193), Assessor's Map 103, Block 31, Lot 6R, failure to install and maintain adequate erosion and sediment controls, see Wetlands Agent Report below.
- H) Other Business:
- a) Thompson Community Day 10/5/19 – Commissioner Roach will be at the event with handouts; advice from Wetlands Office; info on wetlands; IWC job description and application; CT DEEP How are wetlands and watercourses defined in CT; discussion on more ideas.
- I) Reports:
- a) Budget & Expenditures: Wetlands Budget for Fiscal Year 2018–2019 (Results of Fiscal Reporting 7/1/18 – 6/30/19) None
 - b) Wetlands Agent Report:

UPDATES

- Status of Court Appeal on Application IWA15029, River Junction Estates, LLC – Recapping: the Superior Court decision was appealed to the Appellate Court on 2/27/19 and assigned docket # A.C. 42644. Since then requests were made for the transcripts of various witnesses in the superior court proceeding and on 7/15/19 a pre-argument conference judge ordered the time for filing the brief of the appellant was extended to 8/29/19. On the 8/29/19 a brief was filed by attorney Penny and was apparently returned for some deficiency. Stay tuned.
- MS4 Annual Report & Follow Up Actions – Until the town budget passes there will be nothing to report.
- Pre-1990 File Destruction Plan – *Still* no progress since her last report

INSPECTIONS/FOLLOWUP ACTIONS

- IWA14019 Rudzinski Labby Rd (mining) – Site inspected on 8/19/19 following a complaint of tree cutting in the neighborhood. There has been no recent activity at the site (photos were taken). Some tree cutting on property south of Owen Adams Rd (0 Owens Adam Rd Assessor's reference 95/44/3) was observed but was not regulated by the IWC.
- IWA17001 Madison Ave Investments 0 Madison Ave – Site inspected 9/3/19. Ms. Butts found the rip rapped ditch on the north side of the road was being rebuilt as well as French drains were being installed for the driveways for Lot 1, 2 & 3. Mr. Mehan explained that the French drains were to address seepages he observed this spring and will be connected to the stormdrain system that discharges to the stormwater management basin on Lot 18. He was advised that the seeding dates start on 8/15/19 and continue to 10/1/19.
- IWA19002 Town of Thompson Sand Dam Rd 5 Mile River crossing – Inspected 8/22/19 & Photos were taken - construction complete but disturbed soils did not appear to be seeded; mulch was limited to erosion control blankets placed at the culvert inlets & outlet; Public Works staff was notified. Inspected 9/3/19. Photos taken – grass beginning to grow, no new mulch applied, rilling noted at various shoulder locations. Inspected 9/9/19, drive by, no significant change from 9/3/2019.
- Permit IWA17037, Lavallee Construction LLC, Donovan Drive 31 lot subdivision – Inspected 9/3/19; photos taken of stormwater management basin. While Ms. Butts was not able to attend a construction meeting between Mr. Lavallee, J&D Engineers and the Public Works Director, she is receiving compaction reports for the roadway and intends to inspect the site as time allows.
- IWA19004 Strategic Commercial Realty Inc 363 QTFR – Inspected 8/22/19 - construction entrance installed along with some silt fence. Inspected on 8/29/19 - construction entrance

tree removal was occurring. Inspected site on 9/63/19 – talked to onsite operator about installing silt fencing, fueling pad construction and removal of tree processing equipment (to occur later in the day). Inspected site on 9/9/19 – topsoil stockpiling and some earth moving work occurring. No problems observed. On 9/3/19 the Wetlands Office received a letter from Strategic Commercial Realty, Inc stating water for dust control would be coming from sources outside of Thompson.

- WAA19014 Gray 131 New Rd (sub lot 11) – Inspected 9/3/19 - house under construction, spoke to Mr. Gray, he hand delivered a request to modify approval to allow for relocating the well to within 100 feet of the on-site pond because he wants to avoid ledge that has been found between a former location and the new home. Ms. Butts is awaiting approval from NDDH for the new well location before processing his request. She noted he was in the process of installing underground utilities from the street along the border with Subdivision Lot 10, portions of which are in the 100 foot upland review area on the west side of the driveway. He expected to be completed by 9/9/19. Reinspected site 9/9/19 - underground utilities were not complete. Spoke to Mr. Gray, he expected to have the grading work done shortly. Ms. Butts will reinspect shortly.
- 637 East Thompson Rd Investigation of Wetlands Filling – After leaving Gray on 9/3/19 Ms. Butts passed the Scott Josey property (see prior file VIOL18017) and found fresh fill place on the old road bed that goes from New Road to Mr. Josey's home off of East Thompson Rd. Spoke to a worker on site regarding work. Mr. Josey contacted Ms. Butts later in the day and was told he had no driveway permit for New Road and the fill was in wetlands. He agreed to the submission of an application. Need to send new NOV setting timelines for either removal of material or submission of application.

BUILDING PERMITS REVIEWED: There were 5 building permits reviewed:

- 1) 22 Fabyan-Woodstock Rd
- 2) 179 Quinebaug Rd.
- 3) 206 Thompson Rd
- 4) 89 Stawicki Rd
- 5) 116 Porter Plain Rd

MISCELLANEOUS : None

PURCHASE REQUISITIONS STATUS – Paid \$44.10 Encumbered \$30.00 to Stonebridge Press for legal notices.

J) Correspondence:

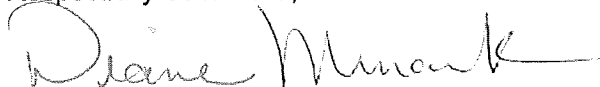
- a) Email of Jennifer Burlingame and Robert Lemieux of 9/4/19 regarding 484 Quaddick Town Farm Road, Richard Desrochers. Jennifer was present, sent in photos and explained what she has seen - bush hogging on 8/14/19 close to wetlands; 9/2/19 digging further back; 9/3/19 w/excavator close to her property line until about 8:00pm. Ms. Butts and Commissioner Obert inspected the property and took photos and videos on 9/9/19 and explained what they saw; wetlands flags were knocked over; Mr. Desrochers was sent a letter in July 2019, advising him not to do any grading or earthmoving activities within 100 feet of the delineated wetlands until he applied for and obtaining a new wetland approval; Ms. Butts will send him a NOV and ask him to come to the next IWC meeting to explain to the Commission why he was doing work within 100 feet of a wetland or watercourse;
- b) Other correspondence received: None

K) Signing of Mylars: None

L) Comments by Commissioners: None

M) Adjournment: **Motion to adjourn was made by Commissioner Morano. Seconded by Commissioner Obert. The Motion passed unanimously.**
Chair George O'Neil called to adjourn the meeting at 9:02 PM.

Respectfully Submitted,



Recording Secretary
09-10-19 Minutes IWC Regular Meeting