



Town of Thompson
Inland Wetlands Commission
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Linda Paradise
TOWN CLERK Asst

MINUTES – REGULAR MEETING
INLAND WETLANDS COMMISSION
TUESDAY, MARCH 10, 2020 7:00 PM
MERRILL SENEY COMMUNITY ROOM - TOWN HALL

A) Call to Order & Roll Call- Call to order was by Chair George O'Neil at 7:01pm

Present: Commissioner and Chair George O'Neil, Commissioner and Vice-Chair Charles Obert, Commissioner and Treasurer Diane Chapin, Commissioner Fran Morano, Wetlands Agent Marla Butts, First Selectman Amy St. Onge, Recording Secretary Ashley Pomes

Others Present: Richard Desrochers, Scott Josey

Absent: Alternate Commissioner Barbara Roach

B) Action on Minutes of Previous Meetings- Minutes of February 11, 2020 were accepted as written, no objections.

C) Citizen's Comments Pertaining to Agenda Items- none

D) Applications

a) Old Applications

- **WAA20004**, Richard T. Audet, 50 Wrightson Dr. Assessor's map 143, Block 17, Lot 18, construct 20' X 24' shed on piers in the 100-foot upland review area for Quaddick Reservoir, stamped received by Thompson Town Clerk February 5, 2020 –There was an existing 10x16x10 ft shed and Mr. Audet has a variance to build a larger shed for tools with a wood floor on pillars. M. Butts is waiting to hear back from Northeast District Department of Health to see what their position is on the septic and she has asked the building inspector to go out and take a look as well to see if they have any issues. This is on hold pending the feedback from those inspectors.

b) New Applications - none

- c) Applications Received After Agenda was Published – **DEC20008** Ronald and Donna Desrochers, 23 Lapierre Rd and 0 Pompeo Rd. Assessor's map 79, Block 62, Lot 47 and 50, timber harvest – there is no wetlands on this land, there is a small spring that goes through a field, they would access the property from Pompeo Rd and they would need to temporarily cross drainage from that spring. This harvest is listed as a shelter wood cut, they will go in to remove trees of poor health and quality, the intent is to improve the health of the forest. **Motion made by Commissioner Obert seconded by Commissioner Chapin to allow the timber harvest carried unanimously.** No further discussion was made, request was approved.

E) Permit Extensions / Changes - none

F) Active Violations and Pending Enforcement Actions

- a) **VIOL20007**, Richard Desrochers, 484 Quaddick Town Farm Road, Assessor's Map 158, Block 20, Lot 8J, clearing of wetlands and grading in upland review area, notice of violation issued 3/2/2020 – Mr. Desrochers is present at the meeting, M. Butts displayed

photographs for all commissioners to view of the property, they show an area that has been stabilized with woodchips and stone walls. M. Butts asks Mr. Desrochers what his plans are for this property going forward, Mr. Desrochers states he is going to be making a new driveway, but he is aware of the 100ft upland review area and will make sure that he does not do any work in that area without approval from the Commission.

- b) **VIOL20005**, Susan Eklund, 1208 Riverside Drive & 235 Cortis Road, Assessor's references 57/66/11A & 55/66/11, respectively, placement of this woody debris from the tree cutting operation, notice of violation issued 2/7/2020 – this is addressed in the Wetlands Agent report.
- c) Show Cause Hearing on **VIOL20003**, Scott Josey, 637 East Thompson Road, Assessor's Map 154, Block 5, Lot 14, filling of wetlands and work within 100-foot upland review area without prior approval, order issued by Wetlands Agent March 5, 2020 – Chair O'Neil read a statement of the process of the show cause hearing. Mr. Josey has walked into the room during Chair O'Neil's reading of opening statements to represent himself. M. Butts reads and explains all evidence offered into the record:

There were 15 exhibits entered into the hearing record, these exhibits included correspondence sent to Mr. Josey, proof of mailing, photographs taken on various dates of Mr. Josey's property and excerpts of commission minutes.

The Commission has no questions on the evidence, Mr. Josey has no questions at this time. Commissioner Obert states you could see ATV tire tracks on the road. Mr. Josey states he has a document of the 107-year-old original driveway access, he states fill was just put in to replace what he had eroded when he had driven through there.

Commissioner Obert states that a soil scientist will tell you what work needs to be done if any. M. Butts asks what was the name of the soil scientist that Mr. Josey had contacted, he states he cannot remember his name, but he was out of Massachusetts.

M. Butts asks Mr. Josey why he didn't contact the IWC prior to placing the stone, he states it was because the roadway was existing, and he was only replacing what was eroded. She asks why he didn't contact the Commission prior to the grading that was done, he says he does not have a good reason for that. M. Butts asks to see the survey Mr. Josey spoke about having. Mr. Josey shows the Commission a survey map by J&D Engineers. The Commission reviews the map and it is determined after reviewing land records online that the map is recorded in the Thompson Land Records as Map # 1738.

Motion made by Commissioner Morano seconded by Commissioner Obert to close the hearing at 8:16pm. M. Butts states the Commission now needs to decide if they would like to uphold the order, modify the order or rescind the order. Commissioner Morano and Commissioner Chapin both agree to uphold the order, Commissioner Obert agrees as well. Commissioner Obert begins a motion to uphold the decision and asks for a soil scientist and remediation. M. Butts states the original order does not state that, the order will need to be modified if they want to include additional instructions. The Commission decides they would like a soil scientist to come out and prepare a report identifying the extent of the wetlands filled, actions to be taken to remediate those wetlands to a functional condition and for fill removal to then take place. **Motion made by Commissioner Obert seconded by Commissioner Morano to amend the original order, for a soil scientist report to be submitted for the Commission to review by the next meeting on 4/21/2020 as well as the whatever work to be done to be completed by May 11, 2020, carried unanimously. Motion made by Commissioner Morano seconded by Commissioner Obert to return to the regularly scheduled agenda items carried unanimously.**

- d) **VIOL19018**, Federal Home Loan Corporation, 0 & 533 Brandy Hill Road, Assessor's Map 143, Block 17, Lot 7-7, Cease & Restore Order issued 9/5/2019 – M. Butts presented photos to the Commission of the work that has been done. **Motion by Commissioner Obert seconded by Commissioner Morano to have M. Butts issue a certificate of compliance carried unanimously.**

G) Other Business

- a) Review of Additional Suggested Bylaw Changes for consideration at April meeting – M. Butts presented two typed drafts of the Bylaws, one written as the original Bylaws with the changes she has made to it shown, the other draft is what a final copy would look like if all the changes are made as she presents. After review by the Commission, all members have accepted the changes that M. Butts has presented, she will prepare a final copy for the April meeting.
- b) Discussion of changes in Fee Schedule – M. Butts presented a chart for estimated application costs for 2020 for the IWC for the Commission to review. Upon reviewing the costs there was a discussion that the hourly rate she suggests for the work to be done might not be high enough, it was also suggested possibly starting with low costs for the next few years and then reviewing the fees again with the possibility of increasing the amounts then. This will be looked further into.
- c) Review of Wetlands Agent actions related to Wetlands File **IWA190004** Strategic Commercial Realty, Inc., 363 Quaddick Town Farm Road – M. Butts presented the Commission with email correspondence between herself and Dr. Godzik regarding the gravel mining work being done at this property. Dr. Godzik questioned why there were no wetlands flags present at the site any longer and asked what was being done about it to ensure that the wetlands are not disturbed. M. Butts responded to her letting her know that the original silt fence put up prior to the start of mining is still in place so there is no need for the flags to be put back up again at this moment. Dr. Godzik returned email with concerns that this was not enough, and she believes the flags need to be put back up and asked how members of the public can go on the property to measure the wetlands themselves. M. Butts responded letting her know that it is not legal for any member of the public to go on to private property for any reason without permission and that the silt fence is adequate for now and provided what actions she would take if there were problems in the future. Dr. Godzik accused M. Butts of negligence with failure to perform. Upon the end of presenting these emails to the Commission M. Butts asked the Commission if there were any members who felt her work was not adequate and if so, she asked what she could do better. The Commission was unanimous in responding that the work M. Butts does is more than adequate and they have no issues with her performance.

H) Reports

- a) Budget and Expenditures – Per Treasurer D. Chapin, as of 2/27/2020 the commission has expended 53.7% of the budget, there is an encumbrance of \$230.
- b) Wetlands Agent Report –

UPDATES: Court Appeal on Application IWA15029, River Junction Estates, LLC is still pending; due to illness no work has yet been done on the MS4 Annual Report and Follow up Actions; work is still ongoing with the file destruction for 1988, plan to start on 1989 next week.

INSPECTION/FOLLOWUP ACTIONS:

Complaint 02-01, Filling of standing water along Quaddick Town Farm Road, 497 Quaddick Town Farm Road – On March 9, 2020 a letter was sent to the owners of 497 Quaddick Town Farm Road regarding the filling of an area of standing water located north of their driveway. They were asked to cease any further filling work of this depression and contact M. Butts regarding their responsibilities to seek approvals in advance of any future work. M. Butts has spoken with the Public Works Director, who informed her that the pavement on this portion of Quaddick Town Farm Road is deteriorating due to the hydric conditions and given the lack of any storm water drainage system this area will need to be addressed by Public Works at some time in the future.

Complaint 20-02 – Report of Timber Harvest at 522 Thompson Rd – On February 18, 2020 following a complaint that a logging operation was occurring west of Thompson Road dragging soil onto the state highway, M. Butts conducted an inspection. She observed what appeared to be a logging trail coming from David Duquette's property emptying onto Thompson Road just north of its intersection with Madison Avenue. It appeared that the trail was no longer in use as a portion of it was covered with hay and a large log blocked vehicle access. Mr. Duquette has been sent a letter advising him that if in the future he planned on having timber harvesting on his property it may be subject to regulation by the Inland Wetlands Commission.

NOV VIOL20005, Susan Ecklund, 1208 Riverside Drive. On February 9, 2020 M. Butts received a telephone message from Herb Cortis stating that he wanted the material that was placed on his property in wetlands removed and wanted to talk to her. She has returned his call but have not heard back from him.

BUILDING PERMITS REVIEWED:

- 1) 32 Breaults Landing Rd, 2) #79 Donovan Drive, 3) 65 Azud Road, 4) 522 Quaddick Town Farm Road, 5) Donovan Drive Lot 3, 6) 45 Jezierski Road, 7) 24 Wilsonville Rd, 8) Donovan Drive Lot 5

MISCELLANEOUS: Return of Jacques Lemoine Application Form for 40 Breaults Landing Road – M. Butts has received no response from Mr. Lemoine regarding the return of his application form to him.

- I) Correspondence – M. Butts presented a letter with an attached map from Eversource showing that they will be doing some tree work and herbicide applications associated with the high-tension power lines located in the southeastern portion of town.
- J) Signing of Mylars – none
- K) Comments by Commission – Commissioner Chapin asks if the recording of the meeting is being posted online anywhere? The answer was no the recordings are not being posted online only the typed copy of the minutes is submitted online as of now. Commissioner Obert states he was in contact with a drone operator after discussing this at the last meeting briefly. He states the drone operator, Elliot Webb, is preparing a quote for him. He will bring this information with him to next meeting.
- L) Adjournment – **Motion by Commissioner Obert to adjourn the meeting seconded by Commissioner Morano carried unanimously.** The meeting was adjourned at 9:32 pm.

Respectfully Submitted

Ashley Pomes

Ashley Pomes, Recording Secretary