

Town of Thompson  
Inland Wetlands Commission  
815 Riverside Drive  
North Grosvenordale, CT 06255  
860-923-1852 (Office)

**INLAND WETLANDS COMMISSION**  
**TUESDAY, June 9, 2020 7:00pm**  
**Zoom Virtual Meeting**

A) Call to Order & Roll Call – Call to order was by Chair O’Neil at 7:00pm

Present: Chair and Commissioner George O’Neil, Vice Chair and Commissioner H. Charles Obert, Commissioner Francesca Morano, Treasurer and Commissioner Diane Chapin, Alternate Commissioner Barbara Roach, Wetlands Agent Marla Butts, Recording Secretary Ashley Pomes

Others Present: James Jasmine, Daniel Blanchette, Janet Blanchette, Richard Audet, Richard and Missy Desrochers, Marc Baer and Patrick Wall

B) Appointment of Alternates – Chair O’Neil appoints Alternate Commissioner Roach as a voting member of the Commission.

C) Action on Minutes of Previous Meeting

a) Minutes of May 12, 2020 – Per Chair O’Neil, minutes stand as posted, no objections

D) Citizens Comments on Agenda Items - None

E) Applications

a) Old Applications

1. **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 Town Clerk 2/5/2020 – M. Butts sent a certified letter to Mr. Audet on May 28, 2020 following up on an email she had sent to him back in March that she had not heard back from. She asks for further information regarding the location of the septic and leach field in relation to the piers for the proposed shed as well as how he plans to address roof runoff from the shed. She asked for a response before June 8<sup>th</sup> or the application will need to be denied. Mr. Audet sent M. Butts an email response and he states he does not know the location of the septic system as it was installed before he took ownership of the house 15 years ago, he has been in contact with NDDH who has told him he will need to hire a licensed septic installer with a camera that can scope the current septic system and show the exact location of that septic system. Mr. Audet is present at the meeting; he says he has an appointment with Septicology and they will come out to do the camera

work and then he will submit the information necessary to NDDH and will also keep M. Butts updated with what is going on.

2. **WAA20009** Hallet T. Merrick, 0 Plum Road, Assessor's map 85, block 52, lot 12, construction of single-family home, septic system and portion of home proposed in 100-foot upland review area, stamped received by Town Clerk's Office 4/13/2020 – M. Butts has sent a letter to Mr. Merrick asking for additional information to be submitted by July 1st. She needs a full scale drawing signed and sealed by a professional engineer licensed to practice in Connecticut with erosion and sediment control measures identified to prevent unnecessary siltation of the nearby wetlands during construction as well as a copy of the NDDH's letter approving the design of the septic system that is located within the 100-ft upland review area. M. Butts states the portion of road that Mr. Merrick is proposing to build this house on is an unimproved portion of road and he will also need to seek approval from the town to improve that portion of road that will go to his proposed house.
3. **IWA20011** James Jasmine, 518 Brandy Hill Rd, Assessor's map 143, block 16, lot 37, after-the-fact application for partial demolition of retaining wall and construction of new retaining wall on Quaddick Reservoir, stamped received by Town Clerk 5/6/2020, statutorily received 5/14/2020 – Mr. Jasmine and Daniel Blanchette of J&D Civil Engineers, were both present at the meeting. Mr. Jasmine and Mr. Blanchette have received a letter dated June 7th from Jamie Boucher, President of the Green Acres Association, the owner of the boat launch area just north of Mr. Jasmine's property. The letter states that the wall construction has improved the longevity, safety and appearance of the Green Acres Association's property and that all parties seem pleased with these improvements. Mr. Blanchette has also been in contact with DEEP to try to get a letter concerning the 4-foot encroachment into the lakebed, he spoke with Brian Florek, Director of Surveying and Mapping, who stated he did not believe that DEEP claims ownership of the lakebed. **Commissioner Obert made a motion to request clarification from DEEP regarding the status of the wall and status of the lakebed.** Chair O'Neil then asked M. Butts what the protocol is, she states if the Commission wants the application completed, there needs to be a second to the motion with the request that Mr. Jasmine submits to the best of his ability documentation from DEEP that they have no objection to the wall in its current condition. **Commissioner Chapin seconds Commissioner Obert's motion.** M. Butts also states she was informed by the building office that Mr. Jasmine would like to put a deck on the front of the cottage as well, he states it is on the backside, away from the lake. M. Butts states because it is within 100 feet of the reservoir area, he has two options, he can either amend this application to include the construction of that deck as part of it or he can submit a separate

application with wetlands approval for the deck, she recommends he amends this application to include the drawings for the deck on the drawings for the wall. Mr. Jasmine states he will do that.

4. **WAA20012** Richard T. Desrochers DBA J + J Construction LLC, 484 & 486 Quaddick Town Farm Rd, Assessor's map 158, block 20, lots 8I & 8J, earth excavation & grading for future residential development, stamped received by Town Clerk 5/6/2020 – M. Butts spoke with Janet Blanchette regarding her review of the application. The drawings that are on file for viewing during the meeting have green lines drawn outlining the areas of the 100-ft upland review area that are going to be disturbed as a result of grading or stabilization with grass cover. An issue arose that one of the areas in green outline shows stockpile was going on to the neighboring property of Tim Rice, M. Butts has a letter from Mr. Rice giving permission to enter onto his property to remove stockpiled materials just north of their common property line. Janet Blanchette is present at the Zoom meeting; she explains while showing the drawings which areas are going to be affected with grading and stabilization. M. Butts shows where there is going to be some disturbance for improving a driveway, Janet Blanchette states it is going to be upgraded with gravel to make it an all-season driveway. M. Butts states all of her questions regarding this application have been answered, however, following last month's meeting there was a petition that was received by Jennifer Burlingame and Robert Lemieux Jr, requesting a public hearing on the wetland's agent approval application. M. Butts contacted the attorney's office for the Town of Thompson regarding this petition and what needed to be done. Richard Roberts of Halloran Sage responded to her, stating, after doing some additional research and discussing with some of his colleagues, he suggests to appeal the issuance of the permit to the commission instead of a public hearing in advance. Giving interest that there was in the application, M. Butts feels it appropriate to offer the petitioners and those who signed it, an opportunity to way in before she renders a decision on the application. **Motion to reject the petition was made by Commissioner Roach seconded by Commissioner Chapin.** No further discussion, all in favor, motion carries. M. Butts will send correspondence to the petitioners and give them a week's time to respond to her regarding their concerns about the wetlands and watercourse issues. She will not make a decision on this for at least a week to give them opportunity.

b) New Applications

1. **WAA20014**, Madison Avenue Investments, LLC, 0 Madison Ave. (Assessor's Map 103, Block 31, Lot 6I, subdivision lot 9), construct septic system and footing drain in 100-foot upland review area for a new single family home, stamped received 5/11/2020, approval issued 5/24/2020, legal notice to be published 6/12/2020 – M. Butts says this

is part of the Madison Avenue subdivision that was approved a number of years ago and this is one of the lots that was required to come back for review, there is no work in wetlands and watercourses. The drawings that were provided showed only a portion of the septic system and footing drain in the 100-ft upland review area. Waiting to see if the appeal period expires, no further action required at this time.

2. **WAA20015**, Carol Weiss, 1343 Thompson Rd (Assessor's Map 114, Block 24, Lot 56A), repair a failing septic system in the 100-foot upland review area, stamped received by Town Clerk 5/21/2020, approval issued 5/21/2020, legal notice to be published 6/12/2020 – M. Butts approved this the day the application came in, she states because the septic system was failing she felt it was necessary to get this approved in a timely manner. M. Butts and Commissioner Obert drove by this property today and the system has already been replaced, there is no ground stabilization yet so she will contact Ms. Weiss to get the area seeded and mulched as soon as possible.
3. **WAA20016**, Saywatt Hydroelectric, LLC, 0 West Thompson Rd. & 12 Old Route 12, Assessor's map 67, block 102, lot 26 & 27, construct photovoltaic solar array in 100-upland review area for the French and Quaddick Rivers, stamped received 5/27/2020, under review – This site has been seen twice before for Wetlands Agent Approval for solar panels. When M. Butts received this application, she was unclear when she got the plans what was going to be new verses what was already approved. On June 2<sup>nd</sup> she sent an email to the engineer and asked him to provide a more detailed description of the proposed regulated activity, clarify the size of the proposed solar array and what is the nature of the work to be performed in the 100-ft upland review area. She also asks for identification of prior permits for and the status of previously approved solar arrays and how this proposal relates to those previous approvals. She also asks him to show the FEMA 100-year floodplain and floodways, she is concerned about the potential environmental impacts of where the new array will go. On hold, waiting for requested information.
4. **WAA20017**, Mark Labonte, 0 Thompson Rd, Assessor's map 103, block 31, lot 5A, construct single family home and appurtenances in the 100-foot upland review area, stamped received by Town Clerk 5/20/2020, under review area – No work in wetlands or watercourses, under review, no action required.
5. **WAA20020**, Joshua & Jessica Rhodes, 0 Pompeo Rd, Assessor's map 61, block 59, lot 5A, construct single family home and appurtenances in 100-foot upland review area – M. Butts is yet to receive NDDH approval on the design so no action will be taken until the approval is received.

c) Applications Received After Agenda was Published - None

## F) Permit Extensions / Changes - None

## G) Violations &amp; Pending Enforcement Actions

- a) **Cease & Restore Order 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, issued 3/5/2020, hearing and decision 3/10/2020 soil scientist report submitted 5/10/2020 approved, and to be work completed by 9/15/2020 – Work needs to be completed by 9-15-2020 so no further action is required at this time.
- b) **VIOL20013**, Adrienne Martin and Joseph Fagan, 208 Linehouse Rd, Assessor's map 36, block 70, lot 4, clearcutting of trees and earth moving work in 100-foot upland review area, Notice of Violation issued 5/14/2020 to remove the slash, pull back the soil along the eastern property boundary to a grade no steeper than 3:1 (i.e. 3 feet horizontal to 1 foot vertical) by 6/1/2020 and immediately following the completion of this work, seed and mulch all disturbed soils – M. Butts and Commissioner Obert went by this property today but no adults were home, she left a card with a child. It does not appear any work has been done yet so she will contact the property owners to find out why no work has been done.
- c) **VIOL20018**, Marc Baer, 1227 Thompson Rd, Assessor's map 116, block 24, lot 10, clearcutting trees and earth moving work in 100-foot upland review area for Little Pond, Notice of Violation issued 5/27/2020 to cease tree cutting and earth moving work, install E&S controls and by 6/3/2020 provide written explanation for work done and schedule for submitting application – Marc Baer is present at this Zoom meeting as well as his contractor Patrick Wall. There is a silt fence up now but there appears to be some fencing that is starting to fall down. Mr. Baer states he is trying to build a home for his family, he received approval from the town last November and December and was told he could cut any trees he wanted, he says he hired a contractor and in order for him to cut some of the trees down on the hill, some dirt needed to be moved. He states he is trying to do everything by the book and is not trying to cause problems. He spoke with Daniel Blanchette by email today and the plans will be submitted next week for the wetlands and there is progress on the project. M. Butts states there is also some tree debris in the water and Mr. Wall needs to go out into the water to remove this debris. Mr. Wall states he will take care of the branches in the water. On hold pending the receipt of the application, no further action at this time.
- d) **VIOL20019**, Patrick Wall & Wall Excavation and Home Improvement LLC, 1227 Thompson Rd, Assessor's map 116, block 24, lot 10, clearcutting trees and earth moving work in 100-foot upland review area for Little Pond. Notice of Violation issued 5/28/2020 to cease any further earth moving work until a permit or wetlands agent approval is issued and immediately install E&S controls along Little Pond – This was spoken about at the same time as the above **VIOL20018**, Mr. Wall will remove the tree debris in the water and will also put in some stakes and better support the silt fencing that is falling down.

On hold pending the receipt of the application, no further action at this time. Commissioner Roach spoke up to state as someone who is living on this pond, after the heavy rains on this past Saturday she did not notice any signs of runoff that caused an issue to the pond and the silt fence is in place.

H) Other Business - None

I) Reports

- a) Budget & Expenditures – Per Treasurer Chapin, there has been no expenditures, the budget is \$25,787 with the year to date expenditures at \$20,782.42, the Commission has used 80.6% of the budget with \$5,004.58 remaining.
- b) Wetlands Agent Report – **UPDATES-** Status of Court Appeal on Application IWA15029, River Junction Estates, LLC, is still pending. There has been no further progress on MS4 Annual Report and Follow Up Actions, but M. Butts will be working on it this week. No new progress on pre-1990 file destruction.

### **INSPECTIONS/FOLLOWUP ACTIONS**

- Complaint 20-01, Filling of standing water along Quaddick Town Farm Road, 497 Quaddick Town Farm Road – On 5/28/20 M. Butts drove by the property and noticed some of the fill that was placed along Quaddick Town Farm Rd was removed (but not all of it). The standing water was gone. She spoke to the Thompson Public Works Director and he said he did not do any work there but in order to protect the roadbed sometime in the next construction season he plans to rebuild a portion of the road bed and install a cross culvert where the driveway meets the road. Because there is some evidence of swamp vegetation nearby, he will be applying for a wetlands agent approval to install the cross culvert. As far as establishing a pull off for 497 QTFRd, M. Butts has sent an email to the property owner requesting that before doing any more filling or earth moving work she apply for a wetlands agent approval, that is providing pull off is not going to be located in the area containing skunk cabbage. M. Butts will be returning the property owner's recent voice message to discuss the situation.
- Complaint 20-04 Report of cutting of trees south of Sunset Pond at 21 Marcy Lane. Complainant supplied photograph of cutting area. M. Butts still needs to photo document conditions the next time she perform field work.
- Complaint 20-05 Report of dumping of pony manure in wetlands off of Hiawatha Dr .- M. Butts still needs to conduct a field inspection.

### **BUILDING PERMITS REVIEWED**

- Permit #20-143-B, Madison Invert., 40 Madison Ave (Assessor's reference 103/31/6I), new single-family dwelling, approved under WAA20014.

**MISCELLANEOUS** - None

**PURCHASE REQUESTIONS STATUS**

- Encumbered \$60 (PO 120432), Stonebridge Press, Madison Avenue Investments LLC, WAA20014 and Carol Weiss, WAA20015

J) Correspondence - None

K) Signing of Mylars - None

L) Comments by Commissioners – Commissioner Obert asks M. Butts about the area behind the gazebo on the French River, he says while they were looking at the riprap that was placed along the French River they encountered the people from USGS who were adjusting the monitor they put in the river, M. Butts states it is under investigation. Commissioner Obert also asks about the course being offered by DEEP, M. Butts says they are offering their certification and training program, she sent an email to all Commissioners with the information that was sent to her. Chair O'Neil says it is not limited to municipal office officials and DEEP encourages anyone interested in learning about inland wetlands and watercourse resources to take it. Chair O'Neil also wanted to say well done, a lot of material was covered, and Zoom capabilities have been improved on. He thanks M. Butts for getting all of the documents together and ready for all to view and he thanks First Selectman Amy St. Onge for being the host and moderator. He looks forward to being able to resume normal meetings in the future with the possibility of continuing those meetings with a camera so that more people can attend.

M) Adjournment- **Motion to adjourn was by Commissioner Morano at 8:17pm seconded by Commissioner Chapin**

Respectfully Submitted,

Ashley Pomes; Recording Secretary

Topic: Inlands Wetlands Commission

Date: Jun 9, 2020 06:12 PM Eastern Time (US and Canada)

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