

Town of Thompson
Inland Wetlands Commission

815 Riverside Drive North
Grosvenordale, CT 06255
860-923-1852 (Office)

INLAND WETLANDS COMMISSION

TUESDAY, March 9, 2021 7:00PM

ZOOM Virtual Meeting <<see bottom of minutes for ZOOM meeting video link>>

- A) Call to Order & Roll Call – The call to order was by Chair George O’Neil at 7:01pm.
Present: George O’Neil (Chairman), Marla Butts (Wetlands Agent), Amy St. Onge (First Selectman), Diane Chapin (Treasurer and Commissioner), H. Charles Obert (Vice Chairman and Commissioner), Francesca Morano (Commissioner), Daniel Blanchette (J&D Civil Engineers), Michelle Wood, Nathan Chappell
- B) Appointment of Alternates - None
- C) Action on Minutes of Previous Meeting
a) Minutes of February 9, 2021 – The minutes will stand as recorded and posted.
- D) Citizens Comments on Agenda Items - None
- E) Applications
a) Old Applications
1. **WAA20033**, Madison Avenue Investments, LLC, 0 Madison Ave. (Assessor's map 103, block 31, lot 6R, subdivision lot 18), septic system for new single- family home stamped received 8/12/2020, revised drainage easement filed 3/1/21 (page 983 page280), approval issued 3/8/21, legal notice to be published 3/19/21 – No further action is required.
 2. **WAA20046**, Fred & Josee Rogers, 0 New Road (Assessor’s map 154, block 3, lot 2C), construction of a septic system in the upland review area for a new single-family home, stamped received 11/12/2020, approval issued 3/8/21, legal notice to be published 3/19/21 – No further action is required.
- b) New Applications
1. **IWA21004**, Keith & Karolyn Champagne, 1321 Thompson Rd w/access from Becola Rd (Assessor’s map 114, block 24, lot 54), filling of about 150 square feet of wetlands to provide pedestrian access to Little Pond associated with the construction of single-family home located in the 200-foot upland review area review area in Little Pond, stamped received 2/11/2021, to be statutorily received 3/9/2021 - Daniel Blanchette of J&D Civil Engineers is here to speak on behalf of the applicant, he states this is a ten acre site located at northwest corner of Little Pond. There is an existing house on the lot, the applicants are proposing to construct a new single-family home and detached garage on the center of the property. He is hoping to use the wetland delineation he has from 2005. Mr. Blanchette shows where the proposed house and driveway would be located, he said there is already

a clear lot so there would not need to be much clearing, also the entire site is within the upland review area and the wetlands on the east side require a 200 ft buffer. They are proposing to fill in a very small amount of swamp on the south east corner of the site so that there is access to the water on Little Pond. They would like to cut out 6 inches of topsoil and put in fabric and crushed stone and gravel for the wetland crossing. Most of the work would be done with small machinery to minimize wetland impact. They are also proposing to construct a small turn around with an easement in favor of the Town of Thompson to be able to plow snow. There is discussion between M. Butts and Mr. Blanchette about the wetland delineation from 2005 and the beaver issue on the pond changing the delineation since 2005. She suggests since it is 15 years old it would be appropriate to at least have a soil scientist check the plans from 2005. There is a discussion about the geotextile that will be put in place for the fill. M. Butts says they must specify the geotextile if that is what they want to do. She also asks if there was an alternative access of the water ever considered such as dredging the wetlands? Mr. Blanchette says no he did not ever consider dredging the wetlands. She asks did the applicant consider wetlands restoration for the old access road to the orchard that had been there to make up for the wetlands fill for the water access? Mr. Blanchette says he did not consider that, but he thinks the applicants would be willing to do that. He states they are still waiting on the response from NDDb and the Health Dept for approval. He says there are no intentions of cutting down trees for the gravel path, it is just a walking trail, maybe just trimming branches but no tree removal. Mr. Blanchette says since they are creating a fair amount of impervious area, they are proposing on either side of house, infiltration chambers where all the gutter runoff will be directed to capture that. C. Obert mentions a history of complaints about the water level rising on Little Pond and something needs to be done about the beaver population, it has been problematic, and he is a little concerned about this. Mr. Blanchette says if the Commission feels that there needs to be a new delineation, he will try to get that done as soon as the ground is thawed enough. M. Butts will send Mr. Blanchette an email in the next week or so with all of the areas she feels should be inquired into.

2. **DEC21005**, Boy Scouts of America, Narragansett Council, 0 Quaddick Town Farm Rd and 0 Silver Brook Rd (Assessor's map 160, block 11, lots 15A, 20 & 21), timber harvest, received 2/16/2021 - Michelle Wood is present to discuss this timber harvest, she says the bulk of it will be taking place in Rhode Island. The portion in Connecticut will include trucks using an existing access road and bridge crossing, they will be reinforcing the bridge prior to the start of the project. A map of the location is shown on the screen and Ms. Wood shows where the approximate location of the bridge crossing is. C. Obert asks if in addition to the bridge are there any other crossings in rivers or streams? Ms. Wood answers not in the state of CT only in RI. She states they will begin work at the end of April or beginning of May, with the work starting in RI and coming into CT more towards the summertime, end of May beginning of June. **A motion is made by C. Obert to approve the request, seconded by F. Morano.** No further discussion, all in favor.
3. **DEC21006**, Nathan Chappell, 0 Sand Dam Rd. (Assessor's map 133, block1, lot 3A), construct 10' X 6' wooden structure over watercourse for viewing wildlife and/or hunting as non-regulated use, received 2/26/2021 – Nathan Chappell is present to discuss this item. M. Butts went out to the site today and took a look at the structure. She states it looks exactly the same as it does in the photograph on the Zoom documents. The request is to maintain the structure, for viewing wildlife and or

hunting, it will contain a roof, a door with a padlock and a chained ladder attached to a tree. The new photographs taken by M. Butts today were shown on the screen, she states she has no objection to the structure. There is a clarification that the applicant would actually be the property owner, Mr. Vernon Butler, as he signed the form as the applicant and property owner. **A motion is made by C. Obert to approve the application, seconded by D. Chapin.** No further discussion, all in favor.

c) Applications Received After Agenda was Published - None

F) Permit Extensions / Changes

- a) **IWA14019**, Patricia Rudzinski, 0 Labby Rd. (Assessor's map 95, block 27, lot 17), requesting a 3 year extension of gravel removal permit to expire 10/14/24, received by Wetlands Office 3/3/2021 – C. Obert states there has been a history of issues out there, now that the former owner has passed away, is there any idea that the new owner will give better cooperation? M. Butts states the concern is that Ms. Rudzinski is not doing the mining operation herself, she is having others complete it, she is also considering selling the property. The roads are not in good enough condition for gravel mining and there is concern that a third party would come in and make modifications that would need wetlands approval. There is a discussion about the permit extension and why and how it was granted back in 2019, now the applicant is asking for the additional 3 years extension. M. Butts suggests she sends the same kind of letter that was sent to Ms. Rudzinski back in 2019 specifying the special requirements for the conditional approval. M. Butts suggests the Commission takes no action on this item this month so that she can go out to this site and view the conditions of the roads out there first. The permit does not expire until October so there is time to continue this until next month. **A motion to table this until next month is made by C. Obert, seconded by D. Chapin.** No further discussion, all in favor.

G) Violations & 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, status of compliance with Cease & Restore Order – There are photographs shown on screen taken at the site by M. Butts today. She explains that when speaking with the soil scientist, he felt there should have been a 6" drop where the stone had been placed and that drop is not there. She is going to contact Mr. Josey and will not sign off on certification that the issue was complied with until she gets the dip in the road.
- 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, status of compliance with Notice of Violation issued 5/14/2020 to remove the slash, pull back the soil along the eastern property boundary - Photographs are shown on the screen that were taken today. M. Butts states the site has no evidence of any erosion or soil movement. Based on the conditions of the site, M. Butts feels there is no reason to keep the violation open any longer. She would like to send a closure letter saying any future work within 100 feet of the property boundary would need to come in for approval.
- c) **VIOL20033**, Jennifer Burlingame & Robert Lemieux, Jr., 480 Quaddick Town Farm Rd., Assessor's map 158, block 20, lot 8K, filling / earthmoving within 100-foot upland review area and possibly within delineated wetlands. Status of Notice of Violation issued 8/6/2020 - M. Butts has not been able to gain access to view this site yet, she is waiting to get approval from the neighbor next door to view the site from that property.

H) Other Business

- a) Actions on Complaint 20-05, Dumping of Debris on Town Property of Arrow Head & Hiawatha Drives – Photographs are shown of what the site looks like before M. Butts contacted DPW. She explains she sent an email to Rich Benoit requesting they install a barrier and post signage, he sent an email back saying they got a barrier. Another photo is shown showing how they have blocked the access; he has also ordered no dumping signs. This problem should be resolved now and eventually the organic matter that was dumped should rot away. C. Obert asks if the organic matter would be something that could be taken to Fort Hill Farm bio digestion, instead of dumping the matter, the residents could take it to the Farm. M. Butts says she will talk to Amy St. Onge about putting something in the next Selectmen's update.
- b) Requirements of Soil Scientist Qualifications - see <https://www.thompsonct.org/inland-wetlands-commission/pages/resources-advice> - Recently M. Butts got an inquiry from a person out of RI that is not a member of The Soil Scientists of Southern New England but wants to be qualified due to an upcoming project on Route 12 near the state line. He sent his transcripts and qualifications for her review. He has been doing soil work for the states of RI and MA for the last 30+ years. M. Butts shares the standards that are used for the qualifications of soil scientists and states RI and MA do not use soils in the same way as the state of CT does.
- c) Expert Testimony – see <https://portal.ct.gov/-/media/DEEP/water/wetlands/2014ExpertTestimonyOutlinepdf.pdf> & <https://portal.ct.gov/-/media/DEEP/water/wetlands/2016LegalWorkshopExpertTestimonySynopsispdf.pdf> - M. Butts says so far there has been no issue of needing a public hearing where an expert witness would need to come in to testify. She just wanted to provide this information to go over what constitutes an expert. She put it on the agenda as a reference so if something happens and the Commission should need to use this as clarification, they will know where to go to get this information. C. Obert asks if there is a folder on the webpage that would have relevant documents like this and the previous agenda item. M. Butts says yes there is a resources and advice tab which typically would be for the public, but she can create a tab for procedural advice for the Commission. D. Chapin asks if this would open the Commission up to potential trouble in the future if the public is able to see procedures and then they are not followed exactly as specified. It is determined trouble can be made any way with or without the information being posted. D. Chapin asks if it went to a public hearing would there be any counsel for the Town on that? M. Butts says there is never guarantee that you would have counsel, that would come out of the selectmen's office.

I) Reports

- a) Budget & Expenditures – Per D. Chapin, the Commission has expended \$160 for advertising and there is \$10,125.60 available, having used 60.7% of budget. **D. Chapin makes a motion for the expenditure of \$1,000 for the Eastern Connecticut Conservation District for the year 20-21,** (it had been discussed previously, but there was never a motion made) **the motion is seconded by C. Obert.** All in favor.

***M. Butts says an old application was accidentally left off of the agenda. Gary Rawson WAA21003, 3 and 4 Logee Road. It came in on February 8th and it was under review. She has received the report from DEEP, the species of special concern was a sunfish in the pond next to the site. She will be issuing a Wetlands Agent Approval for it tomorrow or Thursday.

- b) Wetlands Agent Report –

UPDATES – No change in the status of Court Appeal on Application IWA15029, River Junction Estates, LLC or pre-1990 file destruction. Documentation for the MS4 Annual Report is still being assembled.

INSPECTIONS/FOLLOWUP ACTIONS - Permit IWA19004, Strategic Commercial Realty, 363 Quaddick Town Farm Rd – M. Butts drove by the site and found the silt fencing and hay bale check dam undamaged and functional. It's too early to know if additional seeding will be needed. There is some activity on the River Junction Estates property and that will need to be addressed before the silt fence / hay bale check dam is removed. M. Butts will reinspect the site in April and discuss with the property owners the follow up stabilization actions that are needed. **DEC20037 (formerly Complaint 20-11)**, Mirash & Alketa Isufi, 4 Fairway Drive – Inspection today revealed the pond cleaning to be complete with some grass showing around pond. There was no evidence of erosion back into the pond. **Complaint 20-14**, Philip Leblanc, 295 Linehouse Rd, pond cleaning during drought and side casting spoils onto neighboring property – From the October 2020 complaint inspection, Mr. Leblanc claimed that when he built his house, he was given cart blanch to do with what he wanted on the property. This is reiterated in a memo from the Zoning Enforcement Office dated October 1, 2020. A check of the IWC files and minutes revealed Permit 88-05-01 was issued in May of 1988 with no such reference. In August 2017 Mr. Leblanc applied for and received a wetlands agent approval for the construction of a 20' X 25' garage addition. The plans for that application contained a delineation of the wetlands and the location of the pond. As part of M. Butts investigation in November, she sent a letter by certified mail to the abutting property owners (Dan and Brenda Faford), who live in Webster MA. She has received no communication from either Mr. Leblanc or the Fafords. It appears wetlands have been altered on both properties. Once the snow is gone further documentation of conditions will be brought to the Commission for its determination as to the next course of action.

There were 3 building permits reviewed and no miscellaneous items.

PURCHASE REQUISITION STATUS - There were 4 payments of \$44.10 made to Stonebridge press for advertising, there was one encumbered payment of \$70.00 for advertising at Stonebridge press and one payment of \$19.54 made for Covid protection equipment.

- J) Correspondence – DEEP License 20201501-IW, Wetlands permit for rehabilitation of I-395 bridge No. 06706 over unnamed brook – M. Butts shared the permit with the Commission so that they are able to see what kinds of conditions DEEP puts on its permits. M. Butts requested Rich Benoit of DPW keeps a copy of this permit for if he happens to have to do any work like this in the future.
- K) Signing of Mylars – None
- L) Comments by Commissioners – C. Obert discusses the fact that the Town of Thompson is not going to make any money off of the timber harvest being done on the Boy Scouts of America property and he also talks about a potential issue he saw on the news that could happen on the Rudzinski property. He is concerned a big water company such as Nestle could come in and purchase the property and pump water out of the aquiphor and no one would be able to stop them. It would potentially destroy one of the Town's aquiphors and the Town would not make any money off of it either. He asks if there is some kind of ordinance that can be put into place or if there is anything that can be done about it. He suggests some in depth consideration be put into this.
- M) Adjournment - **Motion to adjourn made by F. Morano seconded by D. Chapin. The meeting is adjourned at 8:59pm.**

Respectfully Submitted,

Ashley Pomes

Topic: Inlands Wetlands Commission

Date: Mar 9, 2021 05:56 PM Eastern Time (US and Canada)

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