

**Thomaston Inland Wetlands and Watercourses Commission**  
**Meeting Minutes – May 25, 2016**

**Members Present & Seated:** Joe Fainer, Chairman, Laura Fitch, Sue Pierpont, Tony Samela, Robert Foster,

**Others Present:** Jeremy Leifert, Rachel Primus, Ryan Geddes, Theresa Sherwood- Manager of Mountaindale Condominiums

The meeting convened at 7:02 pm

**Minutes:**

**A motion was made by L. Fitch and seconded by T. Samela to accept the regular meeting minutes of April 27, 2016 as amended to read (Pg. 3 #6) will apply to Thomaston Savings Bank. Motion unanimously passed.**

**Old Business:**

**Agenda Item #1 – Permit Application #2016-04-14-01 to excavate in roadway and front yard to install water line and construction of new set of stairs in front yard within a regulated area at 38 Atwood Rd.**

Agent(s): R. Primus

J. Leifert explained that he issued an emergency permit for the installation of the new water line.

The Commission discussed that the activity occurred within 100' of the watercourse, that it did not have a direct impact to the watercourse, and that the area has been seeded.

R. Primus explained that she hired a contractor to run the new water line, that she found out after the fact that he didn't apply for a wetland permit, and that there hasn't been any issues with runoff.

**A motion was made by T. Samela and seconded by L. Fitch to declare this application not a significant activity. Motion unanimously passed.**

**A motion was made by L. Fitch and seconded by T. Samela to set the standard fee of \$135.00 Motion unanimously passed.**

**A motion was made by L. Fitch and seconded by T. Samela to approve Application #2016-04-14-01 with the standard terms and conditions for 38 Atwood Rd. Motion unanimously passed.**

---

**Agenda Item #2 – Discussion of potential application fee revisions**

J. Leifert distributed the current fee schedule and discussed possibly increasing fees for larger projects and for projects in regulated areas and decreasing fees for projects in upland review areas and for smaller items such as swings and sheds.

The Commission will re-visit the fee schedule in the next few months.

---

**Agenda Item #3 – Action on Cease and Desist Order for 1099 Hickory Hill Rd.**

J. Leifert discussed removing the Cease and Desist Order since there is an active permit on file.

It was the consensus of the Commission that the approved permit addressed all of their concerns.

**A motion was made by L. Fitch and seconded by R. Foster to lift the Cease and Desist Order on 1099 Hickory Hill Rd. since all the items on the order have been approved through a permit. Motion unanimously passed.**

**New Business:**

**Agenda Item #1 – Pre-application discussion of regulation activities, 280 Reynolds Bridge Rd.**

Agent(s): R. Geddes

J. Fainer asked R. Geddes if he had legal representation for the company who owns the property.

R. Geddes responded that it was agreed upon at court, that he would come to the meeting.

J. Fainer asked R. Geddes if he was an officer of the company.

R. Geddes responded that he is the Operations Manager for the company.

J. Fainer told R. Geddes that the Commission can have discussions with him tonight, but he will need to present authorization from the company in order to have discussions with him when the application is submitted.

J. Leifert explained that when he saw the back filling occurring, there were boulders in the watercourse.

R. Geddes explained that a few years ago he had issues that the Town and a neighbor diverting water onto his property, so a pipe was installed and the property was cleaned.

J. Fainer explained that since that time, material was deposited in the wetlands without a permit.

R. Geddes showed on a map and where the pipe and riprap were extended to allow access to the lower level for maintenance.

J. Fainer explained that a detailed application will need to be submitted for engineer review and that it will need to state the exact activity the permit will cover.

---

**A motion was made by L. Fitch and seconded by T. Samela to modify the agenda to hear #3 under New Business next. Motion unanimously passed.**

**Agenda Item #3 – Permit Application #2016-05-19-01 for tree and shrub removal within wetlands and within regulated upland review areas at Mountaindale Condominiums, 143 Pine Hill Rd.**

Agent(s): Theresa Sherwood

T. Sherwood explained that she received bids for the removing and trimming trees and shrubs in the area of the retention pond that is located on the property.

J. Leifert explained that he walked the property with T. Sherwood and suggested that the Commission conduct a site walk to determine if the activity would be considered general maintenance or if a permit will be required.

J. Fainer explained the permit process to T. Sherwood and suggested that she include any future activities that they may want to conduct on the application as well.

A site walk was scheduled for Saturday, May 28<sup>th</sup> at 8:00 am.

**A motion was made by T. Samela and seconded by L. Fitch to accept permit application #2016-05-19-01 for tree and shrub removal at Mountaindale Condominiums. Motion unanimously passed.**

---

**Agenda Item #2 – Permit Application #2016-05-10-02 to re-grade and repair lawn area within a regulated upland review area at 801 North Main St.**

Agent(s): None

J. Leifert explained that this application is in response to a violation notice he sent to the owner regarding the yard being graded up to a watercourse, that silt fence was installed, and that a site walk is not necessary as the grading can be seen from the road.

**A motion was made by L. Fitch and seconded by T. Samela to accept Application #2016-05-10-02 to repair the lawn, remove small rocks, grading, and to install silt fence. Motion unanimously passed.**

**Conservation Agenda:**

**Old Business:**

**Agenda Item #1 – New grant opportunities – no update.**

**Agenda Item #2 – Trail improvements for Dug Rd Open Space – no update.**

**Agenda Item #3 – Illegal ATV use/gating Dug Rd. Open Space – Cemetery Commission spoke with the Thomaston Fish and Game Club regarding the installation of a gate where the boundaries meet to keep out ATV's off the properties.**

**Agenda Item #4 – Environmental Assessment of Dug Rd. – the Commission reviewed the ERT request letter that was sent to the CT Environmental Review Team.**

**Agenda Item #5 – Interpretive signage for Turner Rd. wetland – will apply to Thomaston Savings Bank for a grant by June 30<sup>th</sup>.**

**New Business:** None

**Communications and Bills:**

J. Leifert presented and discussed the following;

- 1. Legislative Updates**
- 2. 2016 DEEP Wetlands Training**
- 3. Letter and application for Environmental Review Team for Dug Rd. Open Space**
- 4. DEEP Wetlands Legal and Administrative Updates, Training**
- 5. The Habitat Spring 2016 Issue**

**Reports:**

**Agenda Item #1 – Agent permit issued for 339 Jackson St. – concrete patio installed in the upland review area**

J. Leifert explained that the concrete patio is approximately 80' from the watercourse that runs along Jackson St. and that the contractor did install silt fence while the activity was being conducted.

**A motion was made by L. Fitch and seconded by T. Samela to accept the agent permit #2016-05-04-01 for 339 Jackson St. Motion unanimously passed.**

---

**Agenda Item #2 – Approved permits for Chairman’s signature**

- a. 1099 Hickory Hill Rd.**
- b. 121 Kennedy Dr.**

J. Fainer signed the permits for 1099 Hickory Hill Rd. and 121 Kennedy Dr.

---

**Agenda Item #3 – Enforcement/Violations:**

- a. 297 Old Northfield Road, Equipment & stockpiles in regulated area** – sent violation notice for stockpiles and items waiting to be welded on the embankment, but still within the 30 period to remove the items.
- b. 801 North Main Street, Grading within regulated area** – application was accepted earlier in the meeting.
- c. 1099 Hickory Hill Road, Excavation in regulated area (Open C&D Order)** – C&D Order was lifted earlier in the meeting.
- d. Meadow Brook Drive/Laurel Drive Watercourse Diversion Issues** – waiting for S. Hayden to get back to the owners with suggestion as to how to resolve the issues.
- e. 175 Litchfield Street, Unpermitted deck in regulated area** – owners are still waiting to go before ZBA because their engineer is still working on their drawings.
- f. 381 Cedar Mountain Road, Deposition in a regulated area** – still within the 6<sup>th</sup> month permit period to clean up the property.
- g. 167 Reynolds Bridge Road (Open C&D Order, Court Order)** – discussed in Executive Session.
- h. 280 Reynolds Bridge Road (Open C&D Order)** – discussed in Executive Session.
- i. Leigh Avenue – Standing Cease and Desist Order, W. Chamberlin Property** – no update.

**Executive Session:**

**Agenda Item #1 – Discussion of pending litigation for 280 Reynolds Bridge Rd.**

**Agenda Item #2 – Discussion of pending litigation for 167 Reynolds Bridge Rd.**

**A motion was made by L. Fitch and seconded by T. Samela to move into Executive Session to discuss pending litigation for 167 Reynolds Bridge Rd. and 280 Reynolds Bridge Rd. Motion unanimously passed.**

The Commission moved in Executive Session at 8:45 pm with all members present and J. Leifert.

The Commission moved out of Executive Session at 9:12 pm with no action taken.

**Adjournment:**

The Commission adjourned t 9:13 pm.

Respectfully submitted,

Pat Santa Maria,  
Recording Secretary