



Town of Coventry

Land Use Office - Wetlands

1712 Main Street • Coventry, CT 06238

Planning • Zoning • Wetlands • Economic Development • Conservation

Phone: 860 742-4062 Fax: 860 742-4059 Web: Coventry-ct.gov



Wetlands Violation Timeline

Property Owner: David Frechette

Address: 77 Tall Oak Drive

Description of violation: Unpermitted material deposition in regulated area.

Town of Coventry Staff:

Lindsay Beutler, Wetlands Agent

Todd Penney, Town Engineer

Jana Roberson, Director of Planning and Development/ Acting Zoning enforcement Officer

Heidi Leech, Zoning Enforcement Officer

Kenneth R. Slater, Jr, Halloran Sage Attorney, retained by Town of Coventry

David Frechette, property owner

Dorian Reiser, formally known as Dorian Famiglietti, KKC Law Land Use Attorney, retained by Frechette

George Logan, Environmental Scientist of Rema Ecological Services LLC

06/17/2024 – Town of Coventry Land Use Office received an anonymous letter from a concerned citizen alleging Mr. Frechette filled in a pond to create a pickleball court.

06/21/2024 – Beutler and Penney drafted a notice and mailed it Certified Mail, requesting Frechette call and set up a site visit to investigate the claims in the anonymous letter.

07/09/2024 – Frechette called Beutler to schedule a site visit but had to leave a voicemail because Beutler was on vacation.

07/15/2024 – Beutler called Frechette to schedule site visit for 7/22/2024.

07/19/2024 – Beutler was notified that Frechette had tracked dirt into the road. Beutler and Frechette spoke about cleaning up the road and Beutler asked that Frechette not bring any more material in.

07/22/2024 – Beutler and Penney met with Frechette on site. It was determined that a substantial amount of fill was brought in. There is no longer a pond onsite. Frechette installed a pickleball court and was in the process of creating a driving range for golfing. Further investigation is necessary to determine where the pond used to be. Beutler and Penney asked that Frechette be present for the Inland Wetlands Agency meeting on 07/24/2024. Penney explained that Frechette needed to hire a land surveyor to field survey the total limit of disturbance on the site. Beutler followed up with Frechette in an email to provide him with the Agenda for the IWA meeting.

7/23/2024 – Frechette called Beutler to discuss hiring a Certified Soil Scientist and a CT Licensed Land Surveyor and confirmed he would attend the Inland Wetlands Agency meeting on 7/24/24.

7/24/2024 – Another anonymous complaint was lodged against Frechette for the same construction activities referenced above.

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7/24/2024 – Frechette attended the Inland Wetlands Agency meeting via zoom.

8/1/2024 – Beutler sent a Cease-and-desist letter by certified mail to Frechette.

8/16/2024 – Frechette Called Beutler to give an update on his progress on meeting the conditions on the Cease and Desist letter. He indicated that he hired Certified Soil Scientist, Rick Zulick, and said Zulick would be at the next IWA meeting with him to discuss the findings. Frechette said an area was identified that silt fencing would be beneficial and he is going to install it. Frechette also said he got the specs on the fill and will be emailing it to Beutler.

8/28/2024 – Frechette and his hired Certified Soil Scientist, Rick Zulick, attended the Inland Wetlands meeting in person. Zulick stated that there is no evidence of wetland soils in the area where fill was deposited. Zulick stated that he dug three deep test pits on the property and gave their general location while pointing at a photograph of the property. No wetlands report was submitted. Wetlands Agency requested Beutler go to the property for an erosion inspection on 8/29. Frechette agreed to Beutler conducting an inspection. Wetlands Agency authorized Frechette to install erosion control measures and spread winter rye seed over disturbed area.

8/29/2024 – Beutler called, texted, and emailed Frechette to schedule an inspection. Beutler was unable to get ahold of Frechette. Beutler and Roberson went to Frechette's house and rang the doorbell. There was no answer. Roberson wrote a note and left it with her business card on the door. No inspection took place.

8/29/2024 – Frechette emailed Beutler in the evening stating he had retained land use attorney Dorian Famiglietti and spoke to Environmental Scientist, George Logan.

8/30/2024 – Roberson scheduled a meeting with Frechette and his team for 9/5/2024, in-person at Coventry Town Hall.

9/5/2024 – Roberson, Beutler, Penney, and Attorney Slater met with Frechette and his Attorney, Dorian Famiglietti, and his Environmental Scientist, George Logan. The next steps were discussed, and it was determined that Beutler and Logan would conduct a site visit together to discuss temporary erosion control measures.

9/13/2024 – Beutler, Frechette, and Logan met at 77 Tall Oak Drive. Logan and Beutler walked the property beyond the site of clearing and filling to determine how far the erosion and sediment transport extends. Two areas were identified where E&S controls would be beneficial.

9/25/2024 – Environmental Scientist, George Logan and Attorney Dorian Famiglietti attended the Inland Wetlands Agency Regular Meeting to discuss the items on the cease and desist letter that will need to be addressed. Logan presented some preliminary ideas for remediation by using an example of another successful remediation project he conducted.

9/26/2024 – Beutler, Frechette, and Logan met at 77 Tall Oak Drive. Logan and Beutler inspected the existing erosion and sediment controls and gave Frechette feedback on installation. Some silt fencing needed to be re-installed, as it either wasn't toe-ed in or wasn't toe-ed in sufficiently. Frechette said he would have it corrected.

10/21/2024 – Beutler emailed Logan and Frechette, asking if they would be attending the October 23 Inland Wetlands Agency Regular Meeting. Beutler also asked to schedule a site visit to inspect the corrections to erosion and sediment controls. Logan responded that he will not have a more formalized plan until November 20th, Inland Wetlands Agency Regular Meeting.

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10/22/2024 – Famiglietti responded to Beutler’s email from 10/21/2024, looking for confirmation that the violation item will be continued to November’s meeting. Famiglietti also addressed George with a list of items the Agency will want to see from him at the next meeting.

10/23/2024 – Beutler gave the IWA an update during the Inland Wetlands Agency Regular Meeting. IWA requested Beutler send another formal letter to reaffirm the items on the cease and desist letter that they expect to be addressed. Beutler agreed to send letter.

10/30/2024 – Beutler sent Logan a text message requesting a date/time for the next inspection. Logan stated he would get back to Beutler.

11/4/2024 – Frechette initiated a Freedom of Information Act request.

11/4/2024 – Beutler sent Logan a follow up text message, requesting for an inspection.

11/5/2024 – Beutler received a response from Logan and an inspection is scheduled for 11/5 at 11am.

11/5/2024 – Beutler, Frechette, and Logan met at 77 Tall Oak Drive. Logan and Beutler inspected the existing erosion and sediment controls. Silt fence is in adequate condition. There was no evidence of new sediment transport. There was winter rye seed spread on the soil but there has been no rain for it to germinate. Logan and Frechette discussed putting down more seed right before the next expected rain to improve germination. There was some discussion regarding Logan’s preliminary plan and location for a proposed created wetland Logan will be presenting at the November 20, 2024, Inland Wetlands Agency Regular Meeting.

11/7/2024 – Beutler and Penney drafted a Status Letter that acknowledges progress that has been made to address items on the cease-and-desist action list.

11/8/2024 – Status Letter was mailed certified mail to Frechette. Beutler sent a digital copy of the Status Letter in an email to Frechette, Logan, and Famiglietti.

11/20/2024 – George Logan attended the IWA meeting via zoom. He presented an alternative location to create a new vernal pool as mitigation for the loss of the original watercourse. The Inland Wetlands Agency asked for a plan for the disturbed area as well.

12/12/2024 – George Logan emailed Beutler to state he may be unavailable for the December 18, 2024 IWA Regular Meeting due to scheduling conflicts.

12/17/2024 – Attorney Dorian Famiglietti emailed Beutler to state that Logan and Frechette were unable to attend the Inland Wetlands Regular Meeting on 12/18/2024. Beutler replied that the matter would be continued to January’s Inland Wetlands Meeting.

12/18/2024 – During the Inland Wetlands Regular Meeting, Penney provided the email from Attorney Famiglietti sent to Beutler on 12/17/2024. The IWA read through the Violation Timeline and requested that Beutler make more frequent inspections of the erosion and sediment controls, specifically after rain events.

12/19/2024 – Due to the rain event overnight, Beutler sent an email to Frechette, Famiglietti, and Logan requesting permission to conduct an inspection. Frechette responded and gave Beutler permission.

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12/19/2024 – Beutler and Town of Coventry’s new Zoning Enforcement Officer, Heidi Leech, conducted an inspection. The majority of disturbed area is stable, there is some germination of the grass seed, and the silt fence is functioning. There is an area that could use an extension of silt fence and another area where the silt fence has built up silt. Beutler received a phone call from Frechette after the inspection and she verbally conveyed the outcome of the inspection summarized above. A summary of the inspection and photographs of the areas that need correction were sent via email to Frechette, Famiglietti, and Logan.

1/2/2025 – Beutler sent an email to Frechette, Famiglietti, and Logan, requesting a site visit to inspect the erosion and sediment controls after two days of rain.

1/3/2025 – Beutler was denied access to conduct an inspection due to Frechette being unavailable until January 13th. Logan sent an email to Beutler stating he would conduct an erosion and sediment control inspection on 1/4/2025. Beutler requested a report from George.

1/6/2025 – Beutler sent a follow-up email to Logan to ask about his inspection on 1/4/25. Logan responded, stating he did not make it out there for the inspection.

1/10/2025 – Beutler sent another follow-up email to Logan to ask if he had conducted the inspection yet. Logan responded, stating he has not conducted the erosion and sediment control inspection. Beutler responding asking when Logan expects to conduct his inspection. Beutler did not receive a response from Logan. Beutler also asked Attorney Famiglietti, via email, about scheduling an inspection on January 13th with Frechette present. Attorney Famiglietti responded asking Frechette to contact Beutler to schedule an inspection.

1/13/2025 – Beutler sent a follow-up email asking when Frechette will be available for an inspection. Frechette did not respond.

1/14/2025 – Penney sent a follow up email stressing the importance of Beutler conducting an erosion and sediment control inspection prior to the Inland Wetlands Agency Regular Meeting on 1/22/2025. Penney asked Logan and Famiglietti if they would be attending the meeting. Logan responded, stating he is unavailable for the IWA meeting on 1/22/2025.

1/16/2025 – Beutler sent an email to Frechette, Logan, and Famiglietti asking for their availability to schedule a Special Meeting to provide the Inland Wetlands Agency with a detailed plan for disturbed area and the creation of the new vernal pool from Logan. Famiglietti responded with her availability.

1/20/2025 – Famiglietti responded to the email again, asking Logan to weigh in on his availability.

1/21/2025 – Beutler sent an email to Frechette, Logan, and Famiglietti with the Agenda for the IWA meeting on 1/22/2025. Beutler requested that Frechette attend the meeting to give an update and asked again for his and Logan’s availability to schedule a Special Meeting.

1/22/2025 – Frechette and Logan responded to the emails referenced above (1/16/2025 – 1/20/2025). Frechette requested that Beutler call him to schedule an inspection. Logan gave his availability to accompany Beutler on the inspection, but asked if we should wait until the snow melts. Beutler responded agreeing that we should wait until the snow melts to conduct the inspection. Beutler asked once again for Frechette and Logan’s availability to schedule a Special Meeting.

1/22/2025 – No one from Frechette’s team attended the Inland Wetlands Agency’s Regular Meeting on January 22, 2025. Beutler gave a brief overview of the newer entries on the Violation Timeline. Beutler explained that she has not been permitted to conduct any inspections since 12/19/2024. Beutler proposed

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scheduling a Special Meeting to best accommodate Frechette’s team, as they have not been regularly attending the IWA regular meetings. The Agency chose 2/11/2025 for the Special Meeting and requested Beutler send another status letter to Frechette’s team to acknowledge Frechette’s lack of progress in remediation, Town Staff’s lack of access for inspections, and notify Frechette of the upcoming Special Meeting.

1/23/2025 – Frechette emailed Beutler with his availability for a Special Meeting.

1/24/2025 – Beutler sent an email to Frechette and his team to notify them of the scheduled Special Meeting date and time. Famiglietti responded, asking Logan to confirm his availability. Logan responded to give confirmation.

1/27/2025 – Beutler drafted a Cease and Desist Status Letter on behalf of the Inland Wetlands Agency and mailed it Certified Mail to Frechette. Beutler emailed a digital copy of the document to all parties CC’d on the letter.

1/28/2025 – Famigliette responded to Beutler’s email sent on 1/27/2025, confirming that Frechette’s team would be attending the Special Meeting scheduled for 2/11/2025.

2/7/2025 – Due to anticipated inclement weather, the Special Meeting format was changed from “hybrid” to “fully remote.” Beutler notified all parties of this change and supplied the Agenda with the Zoom link via email.

2/10/2025 – Beutler sent an email to Frechette, Logan, and Famigliette requesting a site visit ahead of the February 11, 2025 Special Meeting. Beutler did not get a response.

2/11/2025 – Frechette’s team attended the IWA Special Meeting via Zoom. The Town’s Attorney, Kenneth Slater Jr., was also in attendance. Logan provided a proposal for the creation of a vernal pool/wetland. The IWA reiterated the need for a site plan with topographic features and clearly depicting current conditions and proposed activities. The IWA stated that they expect Frechette’s team to be present during the March 26, 2025 Inland Wetlands Agency regular meeting. In regard to Beutler’s lack of access to the property to conduct erosion and sediment control inspections, Attorney Reiser, formally known as Attorney Famigliette, stated that Frechette’s team will continue to try to coordinate inspections with Beutler.

2/20/2025 – The ground has been covered in ice and snow but was expected to begin thawing out the week of 2/24/2025. Beutler sent an email to Frechette and his team to schedule an erosion and sediment control inspection for Monday the 24th or Tuesday the 25th. Beutler also requested a standing inspection date/time on a weekly basis to maintain a consistent inspection schedule and ensure that Frechette has plenty of notice. Frechette’s attorney, Reiser, responded to Beutler’s email stating that Frechette is unavailable, but Logan will meet Beutler for an inspection on Monday the 24th. There was no response regarding a regular inspection schedule.

2/24/2025 – Beutler sent an email to Frechette’s team to reschedule the site visit due to the lack of snow melt. Logan agreed to meet Beutler on site for an erosion and sediment control inspection Wednesday 2/26/2025 instead.

2/26/2025 – Beutler and Logan met at 77 Tall Oak for an inspection. The ground was still covered in snow and ice. Beutler and Logan checked the areas of concern identified during Beutler’s last site visit on 12/19/2025. The corrections summarized in the inspection email to Frechette’s team on 12/19/2025 had been not addressed. Beutler and Logan discussed meeting back out there the following week once all the snow has melted.

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2/26/2025 – Beutler sent an email to Frechette’s team, summarizing the inspection on 2/26/2025 and provided dates for a weekly inspection schedule for March. Logan confirmed his availability for the proposed dates. Beutler sent calendar appointments to Frechette and Logan for inspections on the following dates: 3/5, 3/12, 3/19, and 3/26.

2/26/2025 – Frechette’s team did not attend the Inland Wetlands Agency Regular meeting. Beutler gave a summary of the inspection that occurred earlier in the day and provided pictures of the inspection. There were newer machinery tracks through the disturbed area. The Agency directed Beutler to reiterate to Frechette that no additional unpermitted work was to be conducted in the disturbed area. The Agency also discussed the site plan requirements and the anticipated restoration plan for the disturbed area. The Agency directed Beutler to remind Frechette and his team of the site plan requirements outlined in the Cease-and-Desist letter and remind Frechette’s team that the Agency is still expecting a restoration plan for the disturbed area from Frechette’s Wetland Scientist.

2/27/2025 – Beutler sent an email to Frechette and his team to convey the Agency’s concerns about the equipment tracks through the disturbed area. Beutler asked Frechette to respond with an explanation for the purpose of moving equipment through the disturbed area. Beutler also reminded Frechette and his team of the site plan requirements in the cease-and-desist letter and stated that the Agency is still expecting a restoration plan for the disturbed area. Beutler reminded Frechette’s team that they are expected to produce the above items at the March 26, 2025, Inland Wetland Agency Regular meeting.

3/3/2025 – Frechette called and left a voicemail for Penney to ask what should be included on the site plan. Penney called him back and explained the items in the cease-and-desist letter. Penney followed the phone call with an email, further explaining the items in the cease-and-desist letter and provided Frechette with contacts for several land surveyors.

3/3/2025 – Frechette emailed Beutler and stated that no activity is occurring in the disturbed area. Frechette explained that the equipment tracks are from retrieving firewood. Frechette confirmed that he would be present for the erosion and sediment control inspection on 3/4/2025.

3/4/2025 – Beutler responded to Frechette’s email, acknowledging his response.

3/5/2025 – Frechette joined Beutler on the erosion and sediment control inspection. Beutler showed Frechette the areas that need additional erosion and sediment controls. Frechette asked if he could use hay bales and Beutler explained the proper way to install staked in haybales if that’s what will be used. Beutler and Frechette discussed restoration options for the disturbed area. Beutler suggested the use of a conservation seed mix to create a meadow with a row of woody plantings to delineate the line between the area to be untouched and the area for Frechette’s uses. Frechette was amenable to this form of restoration for the disturbed area and Beutler advised Frechette to discuss this option with Logan for guidance from an expert. Frechette gave Beutler permission to conduct her next inspection on 3/12/2025 in Frechette’s absence. Beutler asked him to send the authorization for access to his property in the form of an email. Frechette sent it in a text and Beutler saved the text to Frechette’s file.

3/12/2025 – Frechette sent Beutler a text message saying he would be unable to join Beutler on the E&S inspection that morning. Frechette also stated that he did manage to install more silt fencing even though the ground was still frozen. Frechette said with the warmer weather coming, he should be able to finish the silt fence corrections by this weekend (15th-16th).

3/12/2025 – Beutler conducted an erosion and sediment control inspection and there was one major area of concern where concentrated flow undermined the silt fence and there is a gully carrying silt down to the second row of silt fence. Some sediment is being carried around the second row of silt fencing where I

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have asked for more silt fencing or haybales be installed. An email with the summary of this inspection was sent to Frechette's team.

3/18/2025 – Dorian Famigliette (Reiser) submitted a Regulated Activity Wetlands Permit Application on behalf of David Frechette, for an after-the-fact permit for filling the watercourse and the proposed creation of new vernal pool as remediation.

3/18/2025 – Beutler wrote a comment to Famigliette (Reiser) on the OpenGov permitting platform, thanking her for submitting the application and asking if a site plan would be ready in time for the next IWA meeting on March 26, 2025. Famigliette (Reiser) responded, stating that Frechette has been unable to find an available land surveyor to create the site plan. Famigliette (Reiser) then said that Logan may have someone who could create it and Frechette is following up with them.

3/19/2025 – Beutler met with Frechette onsite at 77 Tall Oak for an erosion and sediment control inspection. Frechette had contractors fixing and adding silt fence to areas of concern. By the time the inspection was completed, all areas of concern had been addressed. Frechette reiterated what Famigliette (Reiser) stated about Frechette having difficulties hiring a land surveyor. Frechette stated that he had emails proving that he was trying to get a land surveyor. Beutler asked Frechette to forward the emails to her so she can show them to the IWA at the meeting next week. Frechette forwarded the emails and sent a follow-up text to Beutler stating that Andrew Bushnell of Bushnell Associates LLC, Land Surveyor and Engineer, would be surveying the land that abuts Frechette's and Bushnell would look at Frechette's property while he's there.