

**COVENTRY INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
WEDNESDAY, MARCH 26, 2025**

**1. CALL TO ORDER/ROLL CALL:**

By: Glenney	Time: 6:58 p.m.	Place: Town Hall Annex/Zoom	
		PRESENT	ABSENT
REGULAR MEMBERS:	Lori Mathieu, Vice-Chair	X	
	William Glenney, Chairperson	X	
	William Johnson	X	
	Richard Pearson		X
	Stefanie Wierszchalek	X	
ALTERNATE MEMBERS:	David Epstein	X	
	Vacant		
STAFF:	Todd Penney, Town Engineer/Wetlands Agent	X	
STAFF:	Lindsay Beutler, Wetlands Agent	X	
STAFF:	Jana Roberson, AICP, Director of Planning & Development	X	
STAFF:	Natalia Yeschick, Recording Clerk	X	

**1. Call to Order / Roll Call**

Epstein is seated for Pearson

## **2. Audience of Citizens (2-minute time limit)**

None

## **3. Additions/ Changes to Agenda**

A) Glenney moved item 9a to after item 3

## **4. Old Business**

**A. #25-2 – Swamp Road and South Street – Owner: Town of Coventry; Applicant: James Drumm; Agents: Town of Coventry Engineer, Todd Penney, P.E. and Town’s Consultant Engineer of Record, VBH, Inc. – Alignment, sightline, and stormwater improvements to Swamp Road and South Street. The 65-day deadline to act on this application is 3/28/2025**

Penney stated they are going to ask for an extension. Comments were received from North Central Conservation District last Thursday; Penney’s consultant was on vacation until Monday. They will be back for the next meeting on April 23.

**B. #25-3 – R30061, Brigham Tavern Road – Owner: Town of Coventry; Applicant/Agent: Charlie Harakaly, Coventry Public Works. – Emergency repairs to 60” culvert due to downstream headwall failure. Located in Town of Coventry’s Right of Way, across from 329 Brigham Tavern Rd. The 65-day deadline to act on this application is 5/02/2025**

Penney explained at the last meeting, the Agency received the application for what they are deeming emergency headwall repairs. Penney explained that the road is still in good shape. Penney made a site visit today to come up with more accurate informational plans for the agency to review. Penney stated Town of Coventry is the owner of Brigham Tavern Road and they are one of the cross culverts that conveys an unnamed brook. Penney showed the 2016 base mapping aerial photo and explained the location, which is midway between Boston Turnpike and Jones Crossing, and is about 500 feet away from the town line.

Penney explained he used survey mapping to provide better elevations, and stated they think it is about a 4-foot drop. Penney explained there is a 5-foot RCP pipe and an existing stone headwall that has collapsed. Penney explained that as you make your way down the water course there is a scour hole that has been formed from the lack of proper erosion control outlet protection.

Penney explained Public Works is asking for an extension of the pipe by 8 feet. Penney showed a picture which visualized where the 8 feet mark is. Penney also showed a sketch based on field observations on the site walk this morning as well as a cross-section sketch. Penney explained that the construction sequencing that was presented at the last meeting remains the same; it is just a more detailed plan. Penney explained that they have not lost the road yet and do not believe we will lose the road until July or August when we do this project. Penney expressed there is an immediate need for DPW to move the big rock out of the flow of the pipe, but that will be easy enough with the backhoe. Penney stated Public Works will wait for water to not be flowing. Penney explained that the plan is to wait for streambed to dry up, then excavate, put to the side the bigger bones that are there, excavate the stone bed though there is not much to excavate, it is more to shape. Public Works will then install the pipe and then install rip rap.

Penney explained the project will probably be a 2–3-day project and it will be ready for the next rain event.

Epstein asked if once the new section is added on the roadway if it will then be extended to the end of the old pipe. Penney answered they are not doing anything to the roadway, but there will be a shoulder. Penney went on to explain the shoulder will continue and there will be a 2:1 slope coming down. Epstein asked what would be put down for the drop to stabilize. Penney answered we will wrap the 2:1 slope with the intermittent rip rap, and on the 6:1 slope it will be top soiled and seeded. Penney stated that they can probably add a little bit of a soc on top lining the rip rap to make sure there is no sediment discharge.

Wierszchalek asked if the plan is still to reuse the existing stone. Penney responded, yes, we will reuse a lot of the bigger things and then fill it with other rip rap. Wierszchalek asked if the rip rap apron will in theory prevent the scour from occurring 8 feet down. Penney responded they will have a 2 foot scour pad to resist that scour.

Johnson asked how often someone will go to check on the road for deterioration. Penney responded that Colin Dunnack lives on that road right across the street. Johnson asked how prepared DPW would be to make the change without waiting if necessary. Penney responded that it would be a different dewatering operation, and we typically would do a sandbag. Penney went on to explain that their equipment is not up to date, and they are hoping that in the next budget cycle they will get a 3-inch pump that would handle it. Penney stated that if it became a major issue Public Works would have to rent a pump. Penney explained it would be sandbags, pump away from the excavation area, and try to pump into a sediment stilling basin such as hay bales in a semicircle. It should be relatively clean water.

Mathieu asked if there were signs the road is being compromised. Penney responded no, not really. Penney went on to explain there is a minor scour on the side, but it is not in the sag of the road so there isn't concentrated flow. Penney explained there is a good size drop off and water falls off the road, there is a sheet flow, no curbing, so there has not been a lot of concentration flow that he is worried about that would increase the chances of there being more of a failure. Mathieu asked if what the need is for an 8-foot extension, is it being built out for safety reasons. Penney responded yes, it is for safety reasons, and now there will be no need for any guide rail. Penney explained there will be a 6:1 soft shoulder. Mathieu questioned if they are replacing what an informal plunge pool is. Penney corrected that it is not really a plunge pool now, it is a scour hole from exiting velocities. Mathieu responded that the way it is drawn in the cross section, it goes down a bit and there is an informal scouring pool that probably holds the water for a bit; she asked what is being placed there to replace that function. Penney responded that what that apron is doing is not having a scour hole or plunge pool, it is more of an apron. Penney stated what is being proposed is more of an outlet apron. Penney explained that water continues to flow, but it slows down. Penney further explained part of the issue with doing a plunge pool is it conveys a water course and does not convey sediment from the road. Penney stated an apron is more appropriate because there is not a lot of sediment in that water course. Penney stated there is a little bit of a drop on the inlet side and if they were to do a plunge pool they would go another 6-8 feet into that natural watercourse. Penney explained they are doing an apron with larger stones, 2 ft deep, that will withstand the velocity, it will go into that



Famiglietti submitted. Beutler stated that with the application, there is a sheet of paper that says, "plot plan for David Frechette in process will be added to file once completed". Beutler explained that also included was Environmental Scientist, George Logan's, wetland/vernal pool creation plan that has been seen by the agency before.

Mathieu stated that in the application on page two it says, "describe measures" and it is referring to the applicant creating new wetland which is why she brought up who the applicant is. Mathieu went on to state they need to make sure the application is correct and legal, and it should refer to the owner, not the owner's attorney, or the applicant should be the owner. Additionally, Mathieu stated she thought this was a regulated area, not an alleged regulated area. Mathieu pointed out that the application stated the proposed wetland is anticipated to have higher functions than the impacted regulated area, while in the sentence before it is said to be an alleged regulated area. Mathieu stated there are inconsistencies and questioned how you prove there is a higher function than what was there. Mathieu stated there should be proof of the regulated area and there should be proof of how you are improving upon what was there.

Wierszchalek spoke to the confusion of the applicant/owner, and stated they may have intended for the owner to be the applicant. Wierszchalek agrees there is confusion and hoped that is an easy fix. Wierszchalek also asked if the plan was revised at all from the comments made from the last meeting. Frechette responded he is not sure if they have done anything to it or not. Wierszchalek mentioned that procedurally there is a question of how this stems into the whole violation. Wierszchalek asked if the Agency approved this, if it is essentially moving forward with the mitigation plan. Beutler responded the agency would be approving the filling activity as well. Glenney explained that the Agency is only in receipt of the application.

Epstein agrees with Mathieu on her points of the owner/applicant, that should be straightened out. Additionally, Epstein stated it should be called a vernal pool as that is what it was determined it was.

Glenney explained that without the overall plan and coupled with additional comments, he would be inclined to deny without prejudice. Glenney stated Frechette and his team have not done what we have asked them to do, despite having two months of lead time to get to this point. If we accept it tonight and do not deny it, we are on the hook for the 65-day deadline. Wierszchalek agrees, and mentioned the site plan is a key part.

Mathieu explained that with typical applications, you have the technical expert that would present on all the details, so we have time with the person who wrote this. Beutler responded that Logan presented this in February. Mathieu does not see his name or signature, only the name of the company on the bottom. What Mathieu would expect is a site plan, the application to be corrected to who is the applicant, a formal report with a formal presentation on a report with the technical expert, like we always do on these applications. Mathieu asked Beutler what actions they would be approving if they approved this permit. Beutler responded we would be approving the filling activity as well as the creation of wetland/vernal pool for remediation. Mathieu followed up asking how we approve that filling when there is no description or documentation of that. Beutler responded that is part of what the agency is requiring. Beutler stated the site plan will include the area of disturbance and the limits of that area, and



Against: None  
Abstain: None

### **Motion Unanimously Approved**

#### **6. Enforcement**

**A. 77 Tall Oak Drive – Owner: David Frechette - Material Deposition in Regulated Area. Letter requesting site visit sent 6/21/24. Site visit to be conducted 7/22/2024. Cease and Desist verbally issued by IWA 7/29/24, mailed Certified Mail 8/1/2024. (e)**

Beutler explained she has been to the property every week since the last meeting and referenced the violation timeline in front of the Agency. During one of her inspections, Beutler explained that Frechette had contractors on site to fix the silt fence. Beutler stated she made sure the contractor knew where it had to go and by the time the inspection was complete all the corrections had been made.

Beutler let Frechette know the agency had concerns about machines tracking across the disturbed area. Beutler stated Frechette explained he was gathering wood. Beutler stated she went out again today (March 26, 2025) and there were more track marks due to moving tiles or pavers from one side of the property to the other side because they were stored the neighbor's property. Glenney asked about the depth of the track marks. Beutler showed photos from the inspection and asked Frechette to speak to it. Frechette stated he did not know moving the pallets was going to be a problem. Beutler acknowledged she told Frechette he would have to move the pallets, but she did not know it was going to happen right away. Johnson asked if we knew the pallets were there in the beginning? Beutler responded, yes.

Beutler showed the pile of wood where Frechette was originally tracked to get firewood. Epstein explained that going forward given we have a cease and desist, and there will be no more driving across the property. Frechette agreed not to track any more equipment through the disturbed area.

Glenney asked to let the record show that part of the cease and desist is to not have any more tracking of equipment across the disturbed area. Beutler did explain that some of the tracks are from when they were fixing the silt fencing because they needed machinery to get back there to dig and put the silt fence in the appropriate way.

Wierszchalek asked that with the cease and desist still in place, are there ways we could stabilize the surface. Beutler responded they tried that in the fall. It is mostly rocky. Penney explained there is not enough organic matter in the soil to be able to germinate. Wierszchalek responded when we see the site plan that the plan to stabilize that area should be included as part of the mitigation plan. Wierszchalek further emphasized that if the Agency is going to eventually approve a mitigation plan, she would hope it would also include mitigation for that area which should be shown on the site plan.

Mathieu stated the Agency should think about doing a site visit for the entire group as a special

meeting. It would have to be recorded and posted as a special meeting, it might be worth going out there and taking a look. Glenney suggested this be done after we have a site plan.

## **7. Adoption of Minutes**

**A. January 22, 2025 - Regular Meeting Minutes (e)**

**B. February 11, 2025 - Special Meeting Minutes (e)**

**C. February 26, 2025 - Regular Meeting Minutes (e)**

Glenney explained that notes will be handed to Yeschick to make the corrections and come back with them at the next meeting. Holding off on minutes approval for January 22, February 11, and February 26.

## **8. Correspondence - None**

## **9. Discussion**

### **A. Jana Roberson, Director of Planning and Development - update on 89 Flanders Road violation**

Roberson explained she will give an update on 89 Flanders Road, however, any further discussion on any active litigation needs to be handled during an executive session, which was not scheduled on the agenda tonight. Roberson suggests the agency put an item of executive session on the next meeting agenda and she will be back to discuss it in further detail. Roberson goes on to confirm, and this was vetted with the Town Attorney, that a motion for contempt has been drafted and will be filed this week. Roberson believes the agency is aware that a judgment lien has been recorded on the land records and noted this is all public information. Roberson reiterated that any further discussion should be held under executive session. Roberson explained to the Agency what an Executive Session is and why it would be needed in this case. Roberson reassured the Agency that an Executive Session would be included on next month's agenda.

As an aside, Roberson also explained there was a Connecticut Bar Association training last Saturday. Roberson provided the Agency with copies of the Inlands Wetlands Commission section. Roberson explained that the handout is a synopsis about case law and can be a good referral tool. Additionally, Roberson handed out two copies of the latest edition *What's Legally Required* which is more of a guidebook and is easier to follow. Roberson pointed out that there was a step-by-step procedure guide the Agency may refer to in appendix A to follow proper procedures.

Epstein wanted to confirm that 89 Flanders Road is a Tardiff Farms property. Roberson replied that it is.

### **B. Rick Zulick's burn weeding plan for Wetlands Permit #24-32 - 375 Brewster Street**

Beutler explained that back when the application was approved, one of the conditions was for Zulick to provide a weed burning plan. Beutler said Zulick incorporated hers and Penney's feedback and revised the plan. Beutler showed the most recent iteration of the burn weeding plan. Beutler went on to explain that it satisfied her concerns and addressed what she felt was necessary. Beutler pointed out the site plan which shows the burn weeding area. Beutler said

they wanted him to produce a plan that was clear to the applicant and property owner what he was going to do as mitigation for the permanent loss from putting in that driveway. Beutler also wanted this to be something the Agency can look back to the next time someone asks for burning weeding as mitigation.

Mathieu asked to show the site plan and where it is going to take place. Beutler pointed out the area that is along the north boundary of the property. Mathieu thought we were talking about the roadway. Penney thought it was a whole wetland, but the minutes state it is within 100 feet of the activity.

Glenney suggested we put this on the agenda for the next meeting.

Penney responded this is thorough enough to be a guide going forward and a guide for the owner/applicant. Glenney agreed with Beutler about having a template for the next time someone comes in if they want to do burn weeding.

Mathieu mentioned it looks good but questioned whether details regarding the long-term maintenance requirements should have been included. Johnson explained we already told them what we expected, on the next permit we talk about long term maintenance with a 5 year burn plan. Glenney explained we cannot solve the invasive species problem in Coventry. Giving the landowner the chance to clean out a chunk of the invasives and letting them decide what to do long term is fair. Mathieu felt that IWA could ask for more details because you would want to make sure it's successful for the homeowner.

Wierszchalek likes the idea of having something for a reference for having mitigation plans in general. Wierszchalek also stated that if the plan indicates the property owner or representative is conducting the work, they should be advised on what species are what and they should be coached on what they are looking for and how to do it properly so they do not take out something that may be more sensitive.

### **C. IWA - Low Impact Development Working Group Update**

Mathieu has a meeting planned for April 29, 2025, and expressed there is a very good team. Mathieu sent a shorter version of the work plan to Beutler today for a final look. Mathieu explained if Beutler is okay with it, Mathieu will send it out. Mathieu stated she would like input from the Agency on the work plan before the first meeting. Glenney suggested Beutler can include the document in the package with a short timeline for the next meeting.

Mathieu mentioned comments are not needed until the end of April/beginning of May. Mathieu stated she wants to get the wording right to ensure people understand why they are creating the working group. Mathieu has heard from Dr. Kortmann, and he is very excited about being involved and he wanted a copy of all the land use regulations which were given to him. Mathieu will get the work plan to the agency and welcomes any input.

Mathieu named those involved, which included Mathieu and Pearson from IWA, Brandon Shaw

from the Conservation Commission, William Jobaggy who is the chair for Planning and Zoning, Beutler, and Dr. Kortmann. Mathieu has asked some other subject matter experts as well.

#### **D. Department of Public Works General Wetlands Permit Proposal**

Beutler met with Public Works employees, Bill Watkins who is the department head, Colin Dunnack, Mark St. Germain, Charlie Harakaly. Penney explained there were some good comments and questions from Wierszchalek, Mathieu, and Glenney. Penney explained the larger questions was whether they legally issue this permit. Penney had a conversation with Ken Slater, attorney for the Town of Coventry, and Slater stated it may not be overly defensible in a court of law. Penney recounted his conversation with Slater and stated he asked Slater if DPW were to locate, on a site plan, all the outfalls in the Town of Coventry and submitted a permit application, if that was something Slater could defend. Penney confirmed that Slater stated he can defend this in a court of law. Penney explained to the Agency that he and DPW are going to come up with a general maintenance plan for every outfall and cross culvert in the Town of Coventry and submit a permit application to do maintenance. Penney explained that the permit would be good for 5 years and DPW would probably ask for an extension. Penney explained that the wetlands agent will report to the Agency regarding which outfalls and culverts were worked on each quarter. Penney explained that the permit application will exclude anything around Coventry Lake and stated anything around the Lake will be an individual permit. Penney explained the permit would likely be for culverts of 30 inch or less so it is more of a standard operating procedure. Penney stated he had an intern that did an evaluation of all our cross culverts to the tune of about 600. Penney stated the permit application is going to be comprehensive and will have all the data for the Agency to review. Penney stated it will not be a general permit; it is going to be a regular wetlands permit. Penney stated the application may not come for another couple of months.

Glenney suggested if they would like to get the process tried out, to choose 10 spots and come back next meeting to request a permit for minimal activity in those locations and then we can test the process and see what works out.

Johnson asked what Ken Slater would be defending. Penney responded that the statutes do not give the authority to do a general permit. Mathieu clarified that a general permit would give away our authority under a general permit. Mathieu questioned how the Agency could give away authority when there is nothing in the statute to allow that. Mathieu stated that if there was a change the State statute to allow Towns to issue general permits for public works under certain conditions, and then the State would issue a general permit format, and IWA would have to follow that format. It is not in the state statute that allows IWA to issue a general permit. Johnson asked if we have the authority to allow them to do work without a permit under the wetlands agency. Penney responded no, the wetlands agent does not have regulatory authority to grant that permit, only the agency can grant permits within wetlands or a watercourse. The agency can give Beutler authority to grant upland permits.

#### **Discussion:**

Mathieu stated there is a meeting on Monday of Bolton Lake Watershed Conservation Alliance,

and stated they meet once a month. Mathieu explained that she and Beutler are part of the Alliance because there is a portion of the Upper Bolton Lake in our town. Mathieu suggested adding this to the agenda so she and Beutler can go to that meeting they can give an update as to what they are talking about. Mathieu announced a workshop coming Monday at 6:00pm at Bolton library on vernal pools and there will be a talk and a site walk. Penney asked if it is open to the public, Mathieu responded that it is.

Glennay mentioned it sounds like an information sharing session, not an authority to do things. Mathieu explained it is a formal group, and she is a formal member representing the inlands wetlands agency. Mathieu further explained there are 4 towns in the watershed: Vernon, Tolland, Coventry, and Bolton. Mathieu stated they invite people to come in who live in the watershed and are part of the inlands wetlands and conservation commissions; it is good conversation between the four towns. Glennay confirmed with Mathieu they do not issue permits, Mathieu confirmed and said no they do not regulate anything. Mathieu explained the Alliance get together and discuss a lot of things and do a lot of educational events. Lower Bolton Lake had a cyanobacteria issue similar to what Coventry had. Glennay suggested we add this to the agenda for discussion.

## **10. Adjournment**

Meeting adjourned at 8:34 p.m. by Glennay.

Respectfully Submitted,

**Natalia Yeschick**

Natalia Yeschick, Recording Clerk

*PLEASE NOTE: These minutes are not official until approved by the Inland Wetlands Agency at the next meeting. Please see the next meeting minutes for approval or changes.*