

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

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

By: Glenney		Time: 6:56 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:	Natalia Yeschick, Recording Clerk	X			

**2. AUDIENCE OF CITIZENS (2-minute time limit): None**

**3. ADDITIONS/CHANGES TO AGENDA:**

- A. Shift item 9B Department of Public Works ...immediately after item 5a
- B. Add new item 9C - Correspondence

- C. After Item 5A and before 6 - Suggest placing Department of Public Works General Wetlands Permit Proposal (e)

#### **4. OLD BUSINESS:**

- A. #25-1 - Gerald Park, Avery Shores - Owner: Gerald Park Association; Applicant: Charlie Harakaly, Coventry Public Works; Agent: Todd Penney, P.E. - Re-establish the outfall of an existing 24" RCP with modified rip rap. (e) The 65-day deadline to take action on this application is 3/28/2025**

Also in attendance is Bill Watkins, Coventry Public Works Director and Charlie Harakaly, Coventry Public Works Road Foreman

Penney reviewed the plans in greater detail, and explained the goal of this project which is to reestablish the existing outfall. A compilation plan has been put together using 2016 aerial topography. A field investigation was completed to determine the existing elevation of the lake at the gate on 2/5/25, was roughly 40' between the outfall and water elevation of the lake. The elevation is important because we want to try to get this work done before bringing the lake back up.

What we need to do is define a disturbance, come down with equipment, excavate, clear and grub. Total area of disturbance is 565 sq. ft. Of that we have a regulatory disturbance of 270 sq ft. and 295 sq. ft. of upland review area. Plan is to excavate the area out, redefine a plunge pool with modified and intermediate rip rap anywhere from 8-12" in size to help dissipate that flow and allow that to discharge into the lake. We have a drainage easement when the town did the work, and an email from Eric Miller who is the association president (this is their beach property). Will not be working in the water so as to not make more of a mess than is needed. Should be two days of work. Will add in silt fence to be sure we don't have discharge into the lake.

Epstein confirmed there is an easement on this property and asked if the original pipe is what the Town put down? Penney responded that we received a grant in 2000 to do all of the infrastructure and confirmed the Town installed the pipe.

Wierszchalek asked about materials that are going to be pulled out and disposed of offsite, how will they be disposed of? It was answered that a truck would be backed in and a mini excavator would be used. Wierszchalek asked if the position of the excavator would be at the south end of the pool and reaching at the end of the pipe and Penney confirmed.

Penney stated we would wait until the ground gets more firm so as to not create a disturbance.

Johnson suggested working that close to the lake, to have a spill kit on hand. Also is in favor of using a silt bag for dewatering over hay bales Penney mentioned previously. It would be a better application closer to the lake.

Discussed a third option potentially using drainage vortechnic chambers that are 150' away.

Mathieu asked if there is sedimentation caused by the outfall. Penney responded that there are sandy deposits as there are beaches on both sides, not a lot of sediment from the road. We have the vortechnic chamber that has been in there since 2001. The issue is there has been a lack of brush maintenance.

Mathieu asked where the existing pipe outlet is and if it will be moved. Penney pointed it out on the plans and stated it will not be moved. Mathieu made a suggestion the pipe be moved back from the edge of the lake. Penney responded this is the plan to just do out the outfall, but if you want us to now remove the pipe it is more than a half a days worth of work. Same amount of product but more operation.

Mathieu asked if they have calculated the flow. Penney responded that it is a 30" pipe, couldn't tell you definitively the amount of flow, the only plan is to clean up vegetation and reestablish the plunge pool. Just seeing lack of maintenance of the outfall.

Mathieu responded to put the pipe that close is a bit risky and it should be pushed back so it has less of an impact to the water body. Penney doesn't know why it ended up where it is, it was 2001 when this was built.

Mathieu made a point that we are here to protect the water body and we are supposed to be doing improvements and should be pushing things back from the waterline.

Glenney stated the agent is going to tell you to go back to the town and see about moving everything back to the 516/517 line and go back to Lindsay with the cost and timeframe. Turn it over to Lindsay Beutler (wetlands agent). Move it inland and away from the water.

Glenney asked about annual inspections/maintenance. Penney responded we can add a note to the plan saying it will be inspected on an annual basis.

Johnson asked how often do the chambers get pumped out. Bill responded at least every other year they will get pumped out.

**MOTION: Motion to approve #25-1 Gerald Park, Avery Shores with all standard permit conditions as revised 12/11/24 with additional conditions to attempt to relocate the pipe outlet back to 516 or 517 elevation line and conduct annual inspection on the outfall.**

By: Wierszchalek

Seconded: Mathieu

Discussion: Discussed verbiage on the motion.

Voting:

For: Johnson, Glenney, Mathieu, Wierszchalek, Pearson

Against: None

Abstain: None

**Motion Unanimously Approved**

**B. #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, CBH, Inc. - Alignment, sightline, and stormwater improvements to Swamp Road and South Street.** The 65 Day deadline to take action on this application is 3/28/2025 "Continued to March Meeting\*."

Glenney asked if we're waiting on Northeastern Connecticut Conservation District. Penney confirmed and mentioned we have to meet with them out in the field. This has been continued to the March meeting.

## **5. NEW BUSINESS:**

**A. #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. (e)**

Penney explained the proposal for emergency repairs for an existing headwall immediately adjacent to the road that has fallen/collapsed, and that has exposed some pipe. The proposal is to abandon that headwall instead of rebuilding, and stick a 4' section of pipe in the end at the existing outfall with a bed so we can have a better shoulder, backfill around it, and establish a new plunge pool downstream.

Charlie is here to also discuss. He mentioned there won't be much excavation. Will have to remove the headwall that fell into the stream bed and incorporate the stones and the rip rap into the plunge pool. No excavation in the stream bed so there shouldn't be much sediment. Will be going with a concrete pipe. Not a lot of impact, will work in the flow and pump through the pipe.

Penney said the pipe extension will give us shoulder and this will provide safer transportation, as opposed to just rebuilding the headwall.

Beutler requested to see pictures that Charlie took and had him show.

Epstein asked that assuming you go with a 4' or 5' pipe extension, it looks like it will be more like 7' or 8' on the shoulder? Charlie responded looking at going with an 8' pipe that will be cut in half and still be in our ROW. Epstein confirmed it will be more like a 10' or 11'. Shoulder.

Wierszchalek asked if the only fill being brought in is ¾" stone to support the extra length. This was confirmed, and there will also be rip rap for the slope. Wierszchalek asked how long will the entire project take? The answer is 2-3 days. Wierszchalek agrees the project has to get done.

Johnson asked if they looked at precast headwalls. They have not looked at precast headwalls for this project, but they have for others. Penney mentioned the precast headwall would be \$10,000-\$20,000. Money is not the end all be all, a lot of it is trying to come up with the most

economical solution that can be done in a timely fashion to move on to the other projects that need to get done.

Glenney mentioned we are accepting this tonight and will expect them to come back to the March meeting with a more detailed plan.

## **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.

Beutler updated that she and George Logan (soil scientist) did a site visit on 2/26. There were machinery tracks through disturbed area. Walked the areas that Beutler identified as areas of concern and pointed them out to Logan, areas the silt fence needed to be maintained, repaired, or extended, Logan agreed those measures should be taken. Beutler gave them a summary of inspection from 12/19, the same day that inspection was done she provided photos and marked on those photos the areas that needed to be addressed, none of the corrections have been made as of 2/26. Discussed the area where he is proposing the vernal pool, and what to do with the area that has been disturbed and how to restore it. Beutler mentioned it felt like it was progress that was made, and she followed up with an email to Frechette's team, it outlined the inspection and pointing out the areas that still need to be addressed. Beutler stated in the email they need to start doing weekly inspections and provided four dates for March, and asked Logan to confirm availability. Logan confirmed his availability and it's on the calendar, but have yet to hear from the attorney or Frechette that Beutler can come do the inspections.

Mathieu concerned there is water collecting in this area shown, what is the plan for this area? Glenney stated they need to come back in with a plan and updated pictures showing the area.

Mathieu asked what the plan is for the space, Beutler mentioned he initially said he wanted to build a driving range.

There was discussion about the vernal pool. Mathieu would like to know why a vernal pool wouldn't work in a place they've destroyed it. Penney said to have Logan reiterate, he was concerned there wasn't enough hydrology to make it viable. Penney mentioned it's all poorly drained soil they've put in.

Mathieu stated we have to talk about the pickleball court, as part of mitigation pull out the pickleball court and restore it to what it was. And they would need a permit to do a pickleball court.

Wierszchalek stated that in August Frechette did state no evidence of wetland soils was identified where fill was deposited. That doesn't mean test pits didn't fit the pond area.

Penney needs the right expert to give it a review. Need a professional second opinion. The Agency will be asked to approve an application to fill in a wetland and bring in fill and have something be in it instead.

Epstein stated that a cease and desist was issued on the property so whether it's a bulldozer or a truck, why are they driving around compacting soil on this area? Why are they doing anything? Penney stated we don't have legal authority over it, all we can do is make observations. Beutler's job is to take note of what it looks like, what's out there. Take several pictures every time you go out there so there is a sense of the activity.

Mathieu asked if we can we send him a letter stating the cease and desist letter still applies? This would be a reminder. Mention he can't even grab logs, or if it's something critical, let us know and we can talk about it.

Glenney stated to Beutler to send a letter and emphasize we need a full site plan, all of the details. Penney suggested at the end of each visit to have a site summary.

- B. B. 276 Woodland Road - Owner: Dana Markie - Work conducted outside of the scope of wetlands permit #23-4. Clearing, grading, installation of retaining walls, and creation of parking area in upland review area. Modification of Wetlands Permit being sought by applicant. Site visit with property owner on 2/7/2025. (e)**

Beutler showed what was approved in 2023 and gave some background. There is a minor modification Beutler granted in 2023 to put in 6 pressure treated piers at the back of the garage for a 16x16 fenced in area, very minimal disturbance. Beutler went to the site, had a discussion about what his plans were and it was deemed to be minimal impact. Qualified for minor modification to existing permit. He has a retaining wall and a 22x22 parking area that has millings on top. Entire area has been regraded with dug out material. Included a detail of the retaining wall that's around the parking area.

Heidi Leech and Beutler visited the site on February 7, 2025. Beutler showed pictures of the site.

Beutler mentioned there is a watercourse that runs along the property that has some filter socks in it right now because there was a heating oil spill at a house up-gradient. Penney chimed in that he got a call someone was smelling oil, when he went out to investigate he noticed the activity and knew Mr. Markie didn't have a permit from when he got the permit for the expansion on the house. Regarding the oil spill, DEEP was called, they're overseeing the cleanup.

Mr. Markie provided background of the property and why it was cleaned out from the trees. 190' long 12' wide. 1in rain storm lets in a lot of water into the storm drain. Property wasn't maintained since the storm drain was put in, a tree came down on the property and took his house out. Less than 18 months later, another tree cut his house in half. Markie wrote out to public works, and ended up clearing out the property himself.

Beutler asked Heidi Leech (Zoning Enforcement Officer) to put together a lot coverage worksheet. She did calculations on how much of this lot is considered impervious now. One thing omitted from this worksheet is the proposed addition, so it's not included in the calculations because it's not built yet. Markie would remove the milling so it would bring lot coverage down, existing lot coverage with upper parking area puts it at 24.8%

Epstein asked if the millings are considered permeable? Penney answered No. Epstein asked about the storm drain, is the storm drain not handling the water? Markie answered the storm drain comes down 4' and out 4' and over time roots have fallen in, the neighbor next door was blowing leaves in the drain clogging up the bottom which changed the course of the water. Markie confirmed the runoff is caused by the storm drain and the property the storm drain comes on is not being maintained.

Wierszchalek confirmed with regards to this permit, what we're looking to do would be another revision for the parking area, redevelopment, retaining wall, regrading the yard/side yard. Beutler showed the house/regrading/parking area/etc.

Wierszchalek has more concerns regarding the remediation of the oil spill. No other questions on this permit.

Beutler stated one thing, in order to get approval for addition, they have to put in a rain garden. Markie showed where the rain garden would be.

Glennay stated there is concern for the series of unpermitted activities such as grading of lot for cranes, the installation of a fence, and the installation of parking area. Concern of this pattern of doing wherever he wants to do. Why is there a sequence of permit violations and now we have to modify the original permit. Markie didn't know a permit was needed for the wall.

Mathieu asked about the parking area and what was there before. Markie answered it was gravel. Penney stated there was no wall there. Mathieu asked if there's a restriction with Planning and Zoning for the amount of pervious coverage. Beutler answered 10% without mitigation and it can go up to 15% with stormwater mitigation, and if they want to go above that they have to go to the ZBA. Mathieu asked what the percentage we approved originally was. Penney answered it may be on site plan, don't believe there were millings on the driveway.

Beutler stated doing calculations there were a lot of inconsistencies between original lot coverage worksheet Manuel Medina may have done, and when we used our own program to do these calculations. There is a memo in the first packet the we believe Robin Newton prepared that says for lot coverage worksheet you need to be able to retain just under 11 cubic feet of runoff or 80 gallons. Per the information provided for the rain garden construction, proposing a rain garden 10 x 12 in size not to exceed 1'. In depth.

Glennay asked what the next steps are. Beutler stated the options are to grant the modification and he can have his wall and parking area, or it can be denied and he has to pull it all out. Mathieu also suggested options for pieces and parts of it, was the extension to the house on the original approval? Beutler answered yes. Mathieu would like to know what is in violation specifically. Penney answered the parking area off of spring trail, and ancillary grading. Markie has taken ownership of maintenance. Markie plans to take millings out and add pea stones or something that is pervious and not jeopardize his addition. Needs to be taken out by the end of June.

Wierszchalek likes the idea of removing the millings to cut back on the impervious surfaces. To be clear, the rain garden is going in with master addition and if there are plans. Markie answered yes, and has to recalculate how big it's going to be. Wierszchalek stated with confirmation/regular correspondence that millings come out and implementation of the rain garden, good with that.

Johnson is also good with removal of millings and addition of the rain garden. Mathieu agrees, have Beutler work with him.

Glenney wants to be clear, the addition of the rain garden has nothing to do with what has happened and was required on the initial permit.

**MOTION: Move that we approve a permit modification to Wetland Permit #23-4 276 Woodland Road with all of the standard conditions, special condition to remove all millings from the parking area in the NE corner of the lot. Add the rain garden to the plot plan.**

By: Glenney

Seconded: Mathieu

Discussion: Mathieu asked a clarification question, do we need another application? Beutler answered no because he has an active permit right now.

Voting:

For: Johnson, Pearson, Mathieu, Wierszchalek

Against: None

Abstain: Glenney

**Motion Approved**

## **7. ADOPTION OF MINUTES:**

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

Glenney has several corrections. We will discuss corrections by the next meeting.

Erosion and Sediment Controls = E+S

Mathieu stated most important is to capture motions word for word and do not need a high level of detail.

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

Glenney has several corrections. We will discuss corrections by the next meeting.

## **8. CORRESPONDENCE:**

A. None

## **9. DISCUSSION:**

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

Mathieu on 2/4/25 had a meeting with Beutler, Jana Roberson and Lisa Thomas. Thomas was very supportive of the working group and does not want it to be a formal committee. Should be informal with no appointments. Have a crafted work plan and will have a draft for the March meeting. Setting up a meeting toward the end of April and see where we're headed.

### **B. Department of Public Works General Wetlands Permit Proposal (e)**

Bill Watkins (public works director) - Trying to come up with a strategy to work in conjunction with the agency to get some maintenance work done. It's been discussed to have a general permit and to work close with Lindsay Beutler (Wetlands Agent). A plan has been drafted, and this will hopefully allow us to get some of the maintenance and issues completed in a more timely manner.

Letting you guys know what we're doing out there and trust our quality of our work and do basic maintenance/repairs. It would not be new construction or drainage. Looking to have a good working relationship/earn the trust of the wetlands agency.

Penney reiterated this is for existing infrastructure only. Beutler also mentioned that it works for other neighboring municipalities and could work for our town.

Mathieu asked where is the legal authority in our regulations to do this? Beutler responded this would act as a permit. If you like this proposal then we get a permit. Mathieu agrees with doing this but there are some concerns that there needs to be legal authority. There should be a special category in our regulations that in the case of an emergency you should be able to fix anything needed. Mathieu asked if in the case we just discussed regarding the outfall into the lake, would the permit cover it? The answer was yes, and if we had the general permit we wouldn't be here. Mathieu made a point that if they weren't here and the agency didn't get to see it, we wouldn't have been able to tell them to push back the outfall. Glenney mentioned that Beutler reports to the agency quarterly.

Mathieu suggested we can add previously agreed to standards.

Penney added that if the activity is in the regulatory

Mathieu asked about the scale of things. We can better define eligible projects and that we need to add more detail for what is in vs. not in so it is very clear.

Mathieu brought up Johnson's point about having a hazardous materials spill kit, and added a bullet about training the staff on the use of the kits.

Johnson is personally not for capping the pipe size and saying you can't do anything with a 30" pipe, in case of an emergency.

Wierszchalek agrees this is the right way to go, but with some tweaks. Potentially put more definition such as immediate threat to public safety. Additionally include some standard permit conditions that would automatically be adhered to. Penney responded the conditions would be automatically attached to permit. Wierszchalek suggested once this gets off the ground if a monthly update could be provided until we can see the process, then move to a quarterly update, and then a two/three year issuance of the permit.

Epstein is in support of this, in agreement with Johnson, we shouldn't put too many parameters. Comfortable with it being under the purview of the wetlands agent.

Pearson supports the proposal, and has a few wordsmithing comments but will send them along and not discuss here. Pearson asked about the last paragraph, it says this proposal should be good for one year, what does that mean? Penney responded that it means you would issue a blanket general permit for 1 year for those activities to the town.

Glenney agrees with the approach. Come back next month with a revised proposal/additional comments. Get the revised proposal to Beutler by next week. Send it directly to Beutler and copy the agency.

### **C. Recap email regarding meeting between Staff and Joshua Beebe to discuss bringing Beebe into compliance following court order.**

Beutler stated there is an ongoing violation at 89 Flanders Road. The violation went to court and got a judgment that stated Beebe needed to come into compliance within 90 days from that injunction, 9/11/24. We are now outside of that 90 day window. He was just notified of a judgement lien on his property put on his property as a result of his action/inaction and he contacted us. He said he didn't know anything about the judgement or lien. He asked to come in for a meeting to discuss next steps. We discussed what he still needs to produce, which is a land surveyor site plan, and gave requirements of zoning regulations. Nothing is changed of what is required of him. He was informed that if he doesn't make substantial progress then the more he risks being found in contempt. Motion for contempt can happen at any time. Trying to give him a sense of urgency. The records show he was mailed the judgment. What we asked of him is that he get in touch with a surveyor, tell them what is needed. Will not be able to get a site plan for April's meeting, but did ask him to come with the materials he has. Beebe does have a soil scientist letter and a couple of other items and was asked to bring a signed contract with the land surveyor. Committed to the contract and be able to have the survey done.

Glenney asked for March to get the entire storyline so we can familiarize ourselves.

Next step is another monetary penalty or incarceration if he's in contempt.

90 Day Window for compliance closed December 11th. He still has to get zoning permits and need to obtain an as-of-right determination from the Wetlands Agency.

**MOTION: Move to have the Town Attorney file motion for contempt due to Mr. Beebe being outside of the court-ordered 90-day window for compliance and ask the Town Attorney what the next steps are for the Wetlands Agency.**

By: Glenney

Seconded: Pearson

Discussion: None

Voting:

For: Johnson, Pearson, Mathieu, Wierszchalek

Against: None

Abstain: Glenney

**Motion Approved**

## **10. ADJOURNMENT:**

Meeting adjourned at 9:43 p.m. by Glenney.

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.*