

## Lindsay Beutler

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**From:** Lindsay Beutler  
**Sent:** Friday, June 6, 2025 12:23 PM  
**To:** David Frechette  
**Cc:** Todd Penney; George Logan; James Drumm; Reiser, Dory; Jana Roberson; Kenneth R. Slater, Jr.  
**Subject:** Certified Mail Progress Letter  
**Attachments:** 2025 - 0606 - 77 Tall Oak Drive - Certified Mail Letters and Minutes Packet.pdf

Mr. Frechette,

Attached is a Progress letter dated today, June 6, 2025.

Also included in this attachment is:

1. Wetlands Notice dated June 20, 2024
2. Cease and Desist Letter dated August 1, 2024
3. Cease and Desist Status Letter dated November 07, 2024 (When this document was mailed to you, it included the Cease and Desist letter dated August 1, 2024)
4. Cease and Desist Status Letter dated January 27, 2025 (When this document was mailed to you, it included the Cease and Desist letter dated August 1, 2024 and the Wetlands Violation Timeline from dates June 17, 2024 through January 24, 2025)
5. Inland Wetlands Agency Meeting Minutes from July 24, 2024 to April 23, 2025

The purpose of this email is to provide this packet to those CC'd on today's Progress Letter. This packet has been mailed to you Certified Mail.

Best,  
Lindsay Beutler  
Environmental Planner/ Wetlands Agent  
Town of Coventry  
P: 860.742.4062



# Town of Coventry

Land Use Office – Wetlands

1712 Main Street • Coventry, CT 06238

Lindsay Beutler • Environmental Planner/Wetlands Agent

Phone: 860-531-2886 • Fax: 860 742-4059 • Email: lbeutler@coventry-ct.gov



Certified Mail #: 7022 0410 0001 6327 4960

June 6, 2025

David Frechette  
77 Tall Oak Dr  
Coventry, CT 06238

Re: Material Deposition in Regulated Area – Cease and Desist  
77 Tall Oak Dr  
Inadequate Progress of the Cease and Desist Requirements.

Dear Mr. Frechette,

At its May 28 2025 meeting, the Inland Wetlands Agency (IWA) expressed its concern with the inadequate progress you have made in response to the action items outlined in the August 1, 2024 Cease and Desist notice, and your subsequent meetings with the IWA. This letter formally notifies you of the said concern given your absence from the May 28 meeting.

While you engaged the soil scientist as early as August 28, 2024, neither the overall site plan nor the basis of the required restoration evaluation have been provided despite repeated requests by the IWA for these documents. This site plan requirement identified in said August 1, 2024 Cease and Desist is critical to evaluation of the damages to and corrective action for wetland restoration on your property. The site plan should have been completed by now.

In addition, the IWA heard testimony, at its May 28<sup>th</sup> meeting, from its own expert outlining the potential consequences to the wood frog and salamander species' populations known to be present in the former vernal pool area. The adverse impact on these and other species introduces a sense of urgency the longer a restored viable vernal pool habitat remains incomplete. The IWA's expert also testified that impacted species need to be absent from the work area when the restoration is conducted.

To ensure timely restoration of the affected area and your response to the existing cease and desist order, the IWA directs you to complete the following actions:

- Attend the June 25, 2025 IWA meeting to present the status of your actions and plans. You may bring any experts or agents to support the discussion.
- Not later than July 16, 2025, submit 1) 10 hard copies of the overall site plan including wetland and watercourse areas existing before the actions of the cease and desist notice and wetland and watercourse areas existing and planned following area restoration, and 2) 10 hard copies of vernal pool restoration and post-restoration monitoring plans and detailed supporting report.
- Attend the July 23, 2025 IWA meeting to present the restoration plan. You may bring any experts or agents to support the presentation and discussion.

Mr. David Frechette  
June 6, 2025

The IWA has reviewed and corresponded with you on numerous occasions since the initial contact letter on June 20, 2024, regarding this issue. These letters and meeting minutes are included for your reference.

Now is the time to complete the site plan and finalize the restoration plan.

Please feel free to contact me at 860-531-2886 if you or your team have any questions in advance of June's meeting.

Sincerely,



Lindsay Beutler  
Environmental Planner/ Wetlands Agent

Enclosures

CC    Todd M. Penney, P.E., Town Engineer  
      George Logan, Rema Environmental  
      James Drumm, Town Manager  
      Dorian Reiser, KKC Law  
      Jana Roberson, Director of Planning and Development  
      Inland Wetlands Agency  
      Kenneth R. Slater, Jr, Halloran Sage Attorney, retained by Town of Coventry



# Town of Coventry

Land Use Office – Wetlands

1712 Main Street • Coventry, CT 06238

Lindsay Beutler • Wetlands Agent and Erosion Control Officer

Phone: 860-531-2886 • Fax: 860 742-4059 • Email: lbeutler@coventry-ct.gov



Certified Mail: 7022 0410 0001 6327

June 20, 2024

David Frechette  
77 Tall Oak Dr  
Coventry, CT 06238

Re: Material Deposition in Regulated Area – Wetlands Notice  
77 Tall Oak Dr

Dear Mr. Frechette,

The Town received an anonymous complaint concerning the construction of a pickleball court at the above referenced parcel. The activities described truckloads of fill being brought on site and depositing it in the wetlands or in close proximity to the wetland complex at this location.

We have provided a cursory review of the existing mapping available to our office and believe there could be validity to said complaint. Be advised that soil disturbance/deposition of material within 75 feet of and/or within a wetlands/watercourse requires a regulatory review and wetlands permitting.

Please call me when you receive this letter at 860-531-2886 so we can schedule a site visit to see what activities are in progress and/or have been completed. Any regulated activity done without the appropriate permitting shall be considered a violation and shall require action by the Inland Wetlands Agency. Thank you in advance for your cooperation in this matter.

Sincerely,

*Lindsay Beutler*

Lindsay Beutler  
Wetlands Agent & Erosion Control Officer

CC Todd M. Penney, P.E., Town Engineer  
Inland Wetlands Agency



# Town of Coventry

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Phone: 860-531-2886 • Fax: 860 742-4059 • Email: lbeutler@coventry-ct.gov



Certified Mail # 7022 0410 0001 6327 4076

August 01, 2024

David Frechette  
77 Tall Oak Dr  
Coventry, CT 06238

Re: Material Deposition in Regulated Area – Notice of Violation & Cease and Desist  
77 Tall Oak Dr

Dear Mr. Frechette,

The Inland Wetlands Agency, at its July 24, 2024 meeting, reviewed the claim that fill was deposited in a wetland at 77 Tall Oak Drive. Section 2.1.bb of the Coventry Inland Wetlands Regulations defines “... depositing or removing material and discharging of storm water on the land within the upland review area is a regulated activity.” It is noted here that the regulations define the upland review area to be 75 feet from wetlands and watercourses. The activities conducted at the property referenced above have disturbed the natural and indigenous character of the wetlands or watercourse. The IWA has thereby found you in violation and you must cease and desist any further unpermitted regulated activities within the Upland Review Area of your parcel.

The IWA has requested the following actions:

- A. Provide documentation as to the characteristics of fill deposited and its quantity. Said documentation should include its certification as “clean fill” as defined by Sec. 22a-209-1 of the Regulations of Connecticut State Agencies (RCSA).
- B. Develop a post-development site plan, by a CT Licensed Land Surveyor, of the entire parcel(s) in question depicting all the activities and features including but not limited to:
  - a. Pre-development conditions based on best available mapping data including but not limited to:
    - i. topographic contour information
    - ii. treeline locations
    - iii. wetlands delineation
    - iv. property boundaries
    - v. building structures, well and septic information
    - vi. driveway and access drives
  - b. Post-fill topographic contour information (utilize the same vertical datum for pre-development conditions)
  - c. Treeline location, include location of tree debris and stump piles in the activity area
  - d. Remaining wetland locations
  - e. Limits of fill area
- C. Engage in the services of a Professional Soil Scientist licensed in Connecticut to report the impacts and loss of the existing wetlands and the remaining wetlands soils on site. Said soil scientist shall delineate all the remaining wetlands soils on the parcel(s). Evaluation shall be put in report

format. Provide temporary erosion control measures at the top of slope edge to prevent potential erosion down the fill slope into neighboring properties and wetland areas. Said measures can include installation of silt fencing or other equal measures.

The Inland Wetlands Agency has requested your presence at the IWA's next regularly scheduled meeting on Wednesday, August 28, 2024 at 7:00 p.m. for a Show-Cause Hearing. However, by Statute, you may choose to have the hearing within 10 days of receipt of this notice. If you would like to have your hearing within 10 days, please call our office. You should be prepared to discuss your activities and willingness to remedy the violation. Failure to attend (or have representation) at the meeting may require the IWA to initiate a more formal proceeding as allowed by the Regulations and State Statutes.

If you or your representatives have any questions, please contact me at 860-531-2886.

Sincerely,

A handwritten signature in cursive script that reads "Lindsay Beutler".

Lindsay Beutler  
Wetlands Agent & Erosion Control Officer

CC Todd M. Penney, P.E., Town Engineer  
Inland Wetlands Agency



# Town of Coventry

Land Use Office – Wetlands

1712 Main Street • Coventry, CT 06238

Lindsay Beutler • Wetlands Agent and Erosion Control Officer

Phone: 860-531-2886 • Fax: 860 742-4059 • Email: lbeutler@coventry-ct.gov



Certified Mail # 7006 2150 0001 8821 7017

November 07, 2024

David Frechette  
77 Tall Oak Dr  
Coventry, CT 06238

Re: Material Deposition in Regulated Area – Cease and Desist -Status Letter  
77 Tall Oak Dr

Dear Mr. Frechette,

The Inland Wetlands Agency (IWA), at its October 23, 2024 meeting, discussed your progress to remediate the wetlands violation at 77 Tall Oak Drive and the cease and desist issued on 8/1/2024 (enclosed for your reference). The purpose of this letter is to acknowledge the evidence produced to address the Cease and Desist action items.

During the IWA's September 25, 2024 meeting, yourself and your experts presented page 26 of the Environmental Site Assessment document, which indicated the fill used for the violation did not contain hazardous materials. The fill's origin from the excess earth excavation from the project site at 1717, 1733, & 1753 Storrs Road, Mansfield, CT.

Mr. George Logan, your wetland expert, provided data collection plan depicting his tracked path while walking the property; provided maps from the CTECO website depicting the approximant location of the watercourse that was filled in; and lastly provided documentation of a project when he recreated vernal pool on another site that he suggested could replicate what was lost in the violation activities.

The IWA's next meeting is scheduled for November 20<sup>th</sup> and they are anticipating you and your experts to make a presentation on the preliminary remediation plan.

Please feel free to contact me at 860-531-2886 if you or your experts have any questions in advance of November's meeting.

Sincerely,

Lindsay Beutler  
Wetlands Agent & Erosion Control Officer

CC Todd M. Penney, P.E., Town Engineer  
Inland Wetlands Agency  
George Logan, Rema Environmental  
Dorian Famiglietti, KKC Law

"L:\0000 STREETS FILE\Tall Oak Drive\77\2024 - Complaint - Pickleball Court\wetlands\Notices - timelines\77 Tall Oak Drive - Cease and Desist - Status Letter.docx"



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Certified Mail # 7022 0410 0001 6327 4076

August 01, 2024

David Frechette  
77 Tall Oak Dr  
Coventry, CT 06238

Re: Material Deposition in Regulated Area – Notice of Violation & Cease and Desist  
77 Tall Oak Dr

Dear Mr. Frechette,

The Inland Wetlands Agency, at its July 24, 2024 meeting, reviewed the claim that fill was deposited in a wetland at 77 Tall Oak Drive. Section 2.1.bb of the Coventry Inland Wetlands Regulations defines “... depositing or removing material and discharging of storm water on the land within the upland review area is a regulated activity.” It is noted here that the regulations define the upland review area to be 75 feet from wetlands and watercourses. The activities conducted at the property referenced above have disturbed the natural and indigenous character of the wetlands or watercourse. The IWA has thereby found you in violation and you must cease and desist any further unpermitted regulated activities within the Upland Review Area of your parcel.

The IWA has requested the following actions:

- A. Provide documentation as to the characteristics of fill deposited and its quantity. Said documentation should include its certification as “clean fill” as defined by Sec. 22a-209-1 of the Regulations of Connecticut State Agencies (RCSA).
- B. Develop a post-development site plan, by a CT Licensed Land Surveyor, of the entire parcel(s) in question depicting all the activities and features including but not limited to:
  - a. Pre-development conditions based on best available mapping data including but not limited to:
    - i. topographic contour information
    - ii. treeline locations
    - iii. wetlands delineation
    - iv. property boundaries
    - v. building structures, well and septic information
    - vi. driveway and access drives
  - b. Post-fill topographic contour information (utilize the same vertical datum for pre-development conditions)
  - c. Treeline location, include location of tree debris and stump piles in the activity area
  - d. Remaining wetland locations
  - e. Limits of fill area
- C. Engage in the services of a Professional Soil Scientist licensed in Connecticut to report the impacts and loss of the existing wetlands and the remaining wetlands soils on site. Said soil scientist shall delineate all the remaining wetlands soils on the parcel(s). Evaluation shall be put in report

format. Provide temporary erosion control measures at the top of slope edge to prevent potential erosion down the fill slope into neighboring properties and wetland areas. Said measures can include installation of silt fencing or other equal measures.

The Inland Wetlands Agency has requested your presence at the IWA's next regularly scheduled meeting on Wednesday, August 28, 2024 at 7:00 p.m. for a Show-Cause Hearing. However, by Statute, you may choose to have the hearing within 10 days of receipt of this notice. If you would like to have your hearing within 10 days, please call our office. You should be prepared to discuss your activities and willingness to remedy the violation. Failure to attend (or have representation) at the meeting may require the IWA to initiate a more formal proceeding as allowed by the Regulations and State Statutes.

If you or your representatives have any questions, please contact me at 860-531-2886.

Sincerely,



Lindsay Beutler  
Wetlands Agent & Erosion Control Officer

CC Todd M. Penney, P.E., Town Engineer  
Inland Wetlands Agency



# Town of Coventry

Land Use Office – Wetlands

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Phone: 860-531-2886 • Fax: 860 742-4059 • Email: lbeutler@coventry-ct.gov



Certified Mail # 7022 0410 0001 6327 4472

January 27, 2025

David Frechette  
77 Tall Oak Dr  
Coventry, CT 06238

Re: Material Deposition in Regulated Area – Cease and Desist -Status Letter  
77 Tall Oak Dr

Dear Mr. Frechette,

The Inland Wetlands Agency (IWA), at its January 22, 2025, meeting, discussed your progress to remediate the wetlands violation at 77 Tall Oak Drive and the existing cease and desist issued on August 1, 2024 (enclosed for your reference). The Violation Timeline has also been enclosed for your reference.

The purpose of this letter is to:

1. Reaffirm that actions directed in the Cease and Desist remain unaddressed;
2. Document that your unresponsiveness prevented Town Staff's access to the property to conduct regular erosion and sediment inspections;
3. Document that you and your team have not regularly attended Inland Wetlands Regular Meetings to discuss your violation; and
4. Notify you of the upcoming Special Meeting to which you and your team are requested to attend.

The Inland Wetlands Agency has scheduled a Special Meeting on February 11, 2025, at 6:30pm. The meeting will be held at the Public Works Conference room at 100 Olsen Farm Road and via Zoom. Your and your team's presence is expected to give a presentation on and to discuss violation remediation including a formal proposal for the creation of a vernal pool and restoration plan for the disturbed area.

Please feel free to contact me at 860-531-2886 if you or your team have any questions in advance of February's Special Meeting.

Sincerely,

Lindsay Beutler  
Wetlands Agent & Erosion Control Officer

CC Todd M. Penney, P.E., Town Engineer  
James Drumm, Town Manager  
Jana Roberson, Director of Planning and Development  
Inland Wetlands Agency  
Kenneth R. Slater, Jr, Halloran Sage Attorney, retained by Town of Coventry

George Logan, Rema Environmental  
Dorian Famiglietti, KKC Law



# Town of Coventry

Land Use Office – Wetlands

1712 Main Street • Coventry, CT 06238

Lindsay Beutler • Wetlands Agent and Erosion Control Officer

Phone: 860-531-2886 • Fax: 860 742-4059 • Email: lbeutler@coventry-ct.gov



Certified Mail # 7022 0410 0001 6327 4076

August 01, 2024

David Frechette  
77 Tall Oak Dr  
Coventry, CT 06238

Re: Material Deposition in Regulated Area – Notice of Violation & Cease and Desist  
77 Tall Oak Dr

Dear Mr. Frechette,

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If you or your representatives have any questions, please contact me at 860-531-2886.

Sincerely,

A handwritten signature in cursive script that reads "Lindsay Beutler".

Lindsay Beutler  
Wetlands Agent & Erosion Control Officer

CC Todd M. Penney, P.E., Town Engineer  
Inland Wetlands Agency



# 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 Famiglietti, KKC Law Land Use Attorney, retained by Frechette

George Logan, Environmental Scientist of Rema Ecological Services LLC

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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.

## Wetlands Violation Timeline – 77 Tall Oak Drive

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

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

## Wetlands Violation Timeline – 77 Tall Oak Drive

corrections to erosion and sediment controls. Logan responded that he will not have a more formalized plan until November 20<sup>th</sup>, Inland Wetlands Agency Regular Meeting.

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.

## Wetlands Violation Timeline – 77 Tall Oak Drive

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 13<sup>th</sup> 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

## Wetlands Violation Timeline – 77 Tall Oak Drive

explained that she has not been permitted to conduct any inspections since 12/19/2024. Beutler proposed 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.

**COVENTRY INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
WEDNESDAY, JULY 24, 2024**

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

By: Wierszchalek

Time: 7:02 p.m.

Place: Town Hall Annex/Zoom

		PRESENT	ABSENT
REGULAR MEMBERS:	Lori Mathieu, Chairperson		X
	William Glenney, Vice-Chair		X
	William Johnson	X	
	Richard Pearson	X	
	Stefanie Wierszchalek	X	
ALTERNATE MEMBERS:	Dave Epstein	X	
	Vacant		
STAFF:	Todd Penney, Town Engineer/Wetlands Agent	X	
STAFF:	Lindsay Beutler, Wetlands Agent	X	
STAFF:	Heidi Leech, Land Use Admin. Substitute Recording Clerk	X	

**2. AUDIENCE OF CITIZENS: NONE**

**3. OLD BUSINESS:**

- A. **#24-28 – 272 Pine Lake Dr** – Owner: Lakefront Lifestyle, LLC; Applicant/Agent: Mark Peterson – Removal of existing house and construction of new house, septic and well.

Mark Peterson, Professional Engineer of Gardner and Peterson was present to discuss the application. He explained that the property abuts Eagleville Lake and sits on just over ¼ of an acre. The proposal is to tear down the existing house and rebuild the house, replace the septic and eventually replace the decaying steps down to the lake. Silt fence will be used as E&S controls as well as hay bales, as necessary. Peterson reviewed the existing conditions and proposed plan for the Agency. He explained the EHHD has approved the proposed 2-bedroom house which will be 9-10 feet closer to the road to accommodate the septic off the rear. There is also a proposed deck off the back and a driveway in a similar location to the existing driveway. The plan also allows for an area for water treatment wastewater if that is necessary after the water is tested. He said page two of the plan covers the Construction Sequence. He said the entire parcel is in the Upland Review Area, but there is no disturbance in the wetlands. Petersons said he believes he has addressed all the previous Staff comments and asked if there were any questions. Penney asked him to review the Construction Sequence. Beutler added that the Land Use Office notified the Town of Mansfield of the pending application, as required, since the property is within 500 feet of the town line but received no comments.

Peterson reviewed the Construction Sequence while the Agency reviewed the plans. He explained that they would be working up from the water. It is a steep site. The new house is 2-1/2 feet lower than the current house. The septic would be installed first then the area stabilized prior to the house. Penney said that's important.

Wierszchalek asked about the stairs to the water. Peterson said they are currently rotten would and would be no ground disturbance to remove. They have not yet decided what material the replacement stairs will be. Penney said this is a very sensitive area – timber stairs in sonotubes would be less disturbance than granite stairs. They will have five years with the permit to install the stairs. That's something to consider. Peterson said he'd like to see them installed with this site development. Epstein asked if they could set a condition to leave the approval of materials up to the discretion of Wetlands Staff. Penney said yes. Pearson said he wasn't at the last meeting. He asked if Staff endorsed this plan. Penney said he was satisfied with the plan.

**MOTION: I move to approve application #24-28 – 272 Pine Lake Drive, with the following conditions:**

- 1. The construction materials of the stairs and the process of construction of the stairs be approved by the Wetlands Agent.**
- 2. Hold a preconstruction meeting with the applicant and any other subcontractors prior to the start of activities to review construction sequencing.**
- 3. Additional erosion and sedimentation controls may be required as site conditions/weather warrant by the Wetlands Agent staff.**
- 4. Final Plans be reviewed and approved by Town staff prior to the start of construction activities, as it relates to the future stairs**

5. **No other improvements are to be incorporated into the plan, without permission from the Wetlands Agency.**
6. **All activities involving work at the lake edge will require staff oversight. All coordination for staff time on site will be scheduled at least a week in advance. Failure to coordinate staff's presence will be considered a violation of the permit and be subject to a cease-and-desist order.**

By: Epstein

Seconded: Johnson

Voting:

For: Epstein, Johnson, Pearson, Wierszchalek

Against: None

Abstain: None

**Motion unanimously approved**

- B. **#24-30 – Waterfront Heights Association Beach on Main St.** – Owner: Waterfront Heights Association; Applicant/Agent: Donald Badstuebner - Deposition of beach sand, erosion control corrective measures and stormwater management at Association Beach property.

Donald Badstuebner and Lindsay Silcox were present to discuss the application. Badstuebner explained the changes to the proposed plan since the last meeting. Instead of berms they changed to two berms to shallow swales to keep the water flowing and prevent erosion. The pollinator garden has been relocated. They also plan to reclaim sand during winter low water levels using back-blading.

Johnson asked if sand reclaiming is something that is commonly done. Penney said yes, during the lower water levels. DPW did it at Patriot's Park during the dam project.

Penney said that the berms were just acting as detention basins in the parking lot. They now have a plan to direct the water away from the beach area to the "inlet" area. Penney said he supports this plan. The berm was a pedestrian barrier.

Silcox said that if it isn't clear from the plan, the reason the swales are placed where they are is based on the natural curves and visual evidence of how the water travels on the site to avoid erosion. They want to make a shelf to discourage the water.

Epstein asked, regarding the beach sand reclaiming, if it is necessary to do any maintenance to remove accumulated sticks and leaves before pulling out the sand. Penney said they might need to rake or do basic maintenance as a first step to avoid incorporating organic material into the sand. Badstuebner said the leaves tend to stay around the high water mark. He said they will also need to add topsoil and seed on the western side of the beach due to heavy washout.

Silcox believes they will not need to bring in any topsoil since they will be able to use what's being removed for the raingarden.

Epstein said he likes the plan. It's much improved from the original plan. Johnson asked Penney if he was alright with the size of the swale. Penney said it's not even really a swale as much as it is a removal of accumulated organic material preventing drainage. This will give a better slope to the catch basin. Johnson asked the applicant that their timeline is for the project.

Badstuebner said they are trying to use Association Members to do the work but if not, they have to get quotes which could take some time. They likely won't start until mid-August. They would like to fill in the scour areas as soon as possible as they are a safety hazard. It will likely take about three weeks. Penney mentioned possibly installing straw waddles for temporary erosion protection.

**MOTION: I move to approve application #24-30 – Waterfront Heights Association Beach on Main St., with the following conditions:**

- 1. Hold a preconstruction meeting with the applicant and any other subcontractors prior to the start of activities to review construction sequencing.**
- 2. Additional erosion and sedimentation controls may be required as site conditions/weather warrant by the Wetlands Agent staff.**
- 3. Inspect erosion and sedimentation controls prior to soil disturbances, except for what is necessary to install said measures.**
- 4. Final Plans be reviewed and approved by Town staff prior to the start of construction activities.**
- 5. No other improvements are to be incorporated into the plan, without permission from the Wetlands Agency.**
- 6. All activities involving work at the lake edge will require staff oversight. All coordination for staff time on site will be scheduled at least a week in advance. Failure to coordinate staff's presence will be considered a violation of the permit and be subject to a cease-and-desist order.**

By: Epstein

Seconded: Pearson

Voting:

For: Epstein, Johnson, Pearson, Wierszchalek

Against: None

Abstain: None

**Motion unanimously approved**

- C. **#24-31 – 51 Kensington Rd** – Owner: Alyssa Sexton; Applicant: Roderick Cary – Addition of garage with rec room above in upland review area. (e) The 65-day deadline to take action on this application is 8/30/2024.

Beutler said that the applicant was not ready for this meeting, so this application is postponed to the August meeting.

- D. **#24-18 – 260 Mark Dr** – Owner/Applicant: Brian Bolduc – 780sqft garage in upland review area. Application was received by IWA on 4/24/24; the 65-day deadline to take action on this application was 6/28/2024. Extension granted for an additional 65-days. The new deadline to take action is 9/1/24. POSTPONED until August Meeting

Beutler said that this application is also postponed to the August meeting.

**Wierszchalek added the following Applications to the Agenda under New Business: 4B. - #24-33 Lisicke Beach – Main Street, 4C. #24-34 78 Cheney Lane and 4D. #24-35 4 Avery Shores.**

#### 4. NEW BUSINESS:

- A. **#24-32 – 375 Brewster St.** – Owner/Applicant: Roland Johnson, Agent: Gerald Hardisty P.E. – Construction of driveway with wetlands crossing for future single-family home.

Roland Johnson and Scott Person were present to discuss the application. Johnson said he is hoping to put in a driveway through the wetlands to put one house in on the property he recently purchased. Wierszchalek asked if it would be gravel or paved. Johnson said gravel. He wants to have the least impact possible.

Penney said that since the Engineer and Soil Scientist for the applicant were not in attendance at the meeting, he would briefly review the application for the Agency. Penney said he has been in touch with them, and this is basically a “you can’t get there from here” situation. The applicant has chosen the location that will most limit the loss of wetlands but there will be loss of wetlands. There is some detail work on the plan to be done with Zoning Regulations and Site Lines. The Agency can determine if this is of significant impact and should require a public hearing or not. This is the least amount of impact to the loss of the wetlands. We will be looking at ideas to mitigate the loss with Gerry Hardisty and Rick Zulick. One idea they might want to look at would be a Conservation Easement on the Ash Brook side of the property to mitigate the loss of the wetlands and preserve. Person said they would be happy to agree to that. Penney said we don’t yet have Rick Zulick’s report so don’t know if this is of significant impact. This is at the very northerly limit of the wetlands which is again a nest case scenario. He would suggest that they ask that Ash Brook be depicted on the site plan.

Epstein asked if there was actual water flowing where the driveway is proposed. Penney said not. It is identified wetlands soil. Connecticut is unique in how it identifies wetlands. Wierszchalek asked what the area of wetlands being disturbed is. Beutler said 2400 square feet. Penney said there will be a nominal amount of Upland Review Area as well which has not been listed. That number is needed.

The application is received and continued to the next meeting. Staff will prepare a memo and send it to the Owners and Agent.

Person said they are hoping to get this done this summer. Penney said it is very prudent that Zulick and Hardisty attend the next meeting to present to the Agency to show this is the most feasible and prudent location.

**B. #24-33 – Lisicke Beach – Main St.** – Owner: Town of Coventry, Applicant James Drumm, Agents: Todd M. Penney, P.E., Town Engineer, Lesley Munshower, Director of Parks and Rec, William Watkins, Director of Public Works – Replacement of retaining wall and stairs.

Todd Penney, P.E., Town Engineer was present to discuss the application. The proposal is to remove and replace the existing block retaining wall and remove the existing timber steps and replace them with granite steps. The project will go out to bid. The wall is currently bowed out 6-8 inches. The stairs are a tripping hazard. They are rotting wood with grass growing up between them. The project will also involve removing vegetation that is causing the retaining wall to fail. Silt fence will be installed for E&S control. Verselock Gravity Stone "Fat Face" wall and Granite steps will be installed. Penney reviewed aerial photos and the proposed materials with the Agency.

The application is just being received. Though it could possibly be remanded to the Agent for approval, since it needs to go out to bid anyway, there is no urgency to review the application. Beutler said Munshower told her October would be the earliest start date, but it would likely be a winter project. Wierszchalek asked if the second set of stairs was also being replaced. Beutler said she would check with Munshower.

The application is continued to the next meeting.

**C. #24-34 – 78 Cheney Ln.** – Owner Scott Sheldon, Applicant Lauren Sheldon – Tear down and rebuild of existing house and garage in Upland Review Area of Coventry Lake

Owner Scott Sheldon and buyer Applicant, Lauren Brinsko were present to discuss the application. Sheldon is Brinsko's father. Brinsko has been living at the property, but the house has many issues. Sheldon built a temporary roof over the existing roof to give it a couple of years, but it is reaching the end now. It also had a cinder block foundation. The garage has a

Mottes crumbling foundation. Wierszchalek asked if they would be doing any work at the lake edge. Sheldon said no, they are actually moving the house back five feet to be more compliant. The septic is between the house and the lake. Penney said it also looks like a slight lot coverage reduction. Sheldon said yes, they are limited by the septic field. They are not doing any septic work. It was redone in recent years.

Penney said he looked at the plans quickly but asked if the driveway was being moved. Sheldon said yes. Penney asked if they were keeping the gravel from the previous driveway as parking. Sheldon said yes. Penney thinks the plan is great but will focus on some comments for Andrew Bushnell for the next meeting. He said the house is in roughly the same footprint and lot coverage is being reduced. He will prepare a formal memo.

Wierszchalek asked if the water line is being moved. Sheldon said yes, so it doesn't run under the garage. Wierszchalek asked that Bushnell reflect that on the plan. Penney will have a memo next week.

This application is continued to the next meeting.

**D. #24-35 – 4 Avery Shores** – Owner/Applicant: Laura Smith; Applicant: Robert Smith; Agent: Seth Arzt. – Proposed redecking existing deck and construction of new deck facing Coventry Lake

Robert and Phillip Smith were present to discuss the application. They want to build a deck for the 91-year-old mother/mother-in-law/grandmother who lives at 4 Avery Shores for safety reasons. She fell recently and broke her hip. The lawn gets muddy and slopes to the rocky edge of the lake. There are also small children in the family. The deck would give a level, secure area with railings and gates for everyone's safety. It would be done in two phases. The existing deck would be redecked to match the new deck and a new deck would be matched at the walk out elevation in place of the grass. They could use helical piles instead of piers to limit ground disturbance, if preferred.

Penney said the Agency might want more accurate mapping. He said he might be able to help with mapping. They might need to rethink the geometry of the deck to get it back away from the lake edge. Robert Smith asked if the Agency would prefer that they move the deck back to the edge of the rock wall. Johnson said that was a thought. Penney said toe of the slope as the limit.

Penney said he would do some homework and possibly schedule a meeting onsite. The application is continued to the next meeting.

## 5. ENFORCEMENT:

A. **77 Tall Oak Drive** – Pond filled in to create pickleball court. Letter requesting site visit sent 6/21/24. Site visit conducted on 7/22/24.

Property owner, David Frechette, was present via Zoom.

Beutler distributed a Wetlands Violation Timeline. She reviewed the timeline.

In summary:

- 6/17/24 – an anonymous complaint letter from a concerned citizen was received in the Land Use Office alleging Mr. Frechette filled in a pond to create a pickleball court
- 6/21/24 – Beutler and Penney drafted a notice and mailed it Certified Mail requesting Frechette call and set up a site visit
- 7/9/24 – Frechette called Beutler to schedule a visit but had to leave a voicemail because she was on vacation
- 7/15/24 – Beutler called Frechette back to schedule a site visit on 7/22/24
- 7/19/24 – Beutler was notified that Frechette had tracked dirt into the road. Beutler and Frechette spoke about cleaning up the road and Beutler asked Frechette not to bring in any more material.
- 7/22/24 – Beutler and Penney met with Frechette on site. It was determined substantial fill was brought in. There is no longer a pond on site. Frechette installed a pickleball court and was in the process of creating a golf driving range. Further investigation is necessary to determine where the pond used to be. Beutler and Penney asked Frechette to attend the next IWA meeting on 7/24/24. Penney explained that Frechette needed to hire a land surveyor to field survey the limit of disturbance. Beutler followed up with an email to Frechette to provide him with the Agenda for the IWA meeting.
- 7/23/24 – Frechette called Beutler to discuss hiring a Certified Soil Scientist and a CT Licensed Land Surveyor and confirmed he would attend the IWA meeting on 7/24/24.
- 7/24/24 – Another anonymous complaint was received against Frechette for the same activities

The construction activities were not restricted just to the pickleball court, but the most concerning activity was the substantial amount of fill brought in to fill the pond and surrounding area. Beutler said she discussed with Frechette the need to quantify the limit of disturbance and the material that has been brought in. She said Frechette indicated he very quickly reached out to Land Surveyors and to Soil Scientist, Rick Zulick but he's away on vacation. Frechette indicated that he met with Erik Peterson of Gardner and Peterson on Monday for surveying and that Rick Zulick is going to reach out to him when he gets back from vacation.

Wierszchalek asked if there was a plot plan. Beutler said no but we do have a compilation of aerial photos dating back to 2012. Penney pointed out the wetland area coming off Tall Oak

Drive. He said back in 2009 Mr. Frechette built a gravel driveway without permitting which encroached in the wetlands. Frechette came before the Agency then. This issue was resolved. Penney said he hasn't had a lot of time to research the files to determine if he was given any permission at that time to modify the wetlands into a pond. Penney reviewed the aerial photos with the Agency. You see as you scroll through the aerials that the pond would fill and empty seasonally with water table level changes. The geometry of the pond changed over the years. Penney said he needs to do some research to see if there is any record of permitting to modify the wetlands or not.

Penney saw records in Land Use files of a 2021 meeting with Eric Trott about a proposed resubdivision of the property. This was prior to Frechette buying the additional piece. Penney said we will need more information. Frechette said this was not his proposal. It must have been the previous owner. Penney said this mapping does show the approximate limit of the wetlands and was prepared by Gardner and Peterson.

Epstein said he knows they we are calling this a pond or seasonal pond. Epstein asked Frechette what, in his recollection, was there. Frechette said it was a pond. It would hold water, but it was a mosquito breeding ground. It would go up and down. Epstein asked Frechette if he had any idea where the water would go now that it's covered. Frechette said he really doesn't know. He was planning to plant grass. He's thinking back into the ground. Penney said that they need to know what that original wetland was. What permission was given to modify that wetland? What permission was given to eliminate that seasonal pond? Penney said he can say right now that no permission was given for those last two activities. What was there? What was lost? What are the long-term impacts? We can't answer those questions right now. We may never know. We just got onto the property. We have some evidentiary proof that there is a seasonal pond or vernal pool on the property. We can provide Gardner and Peterson with what information we have.

Wierszchalek said to Frechette that, given the previous interaction in 2009, he was aware that there were wetlands on his property. Was he aware of the wetland feature (pond or possible vernal pool)? Penney said back at that time Frechette didn't own that additional parcel. Frechette said he bought it 2-3 years ago. Penney explained that the wetlands violation was on another wetland area on the other property, so he isn't sure if Frechette was aware of it or not. Wierszchalek asked if Frechette used that area for any sort of recreation before doing this work. He said no. He was hoping to use it for hitting golf balls or disc golf once grass was established.

Epstein asked if the pickleball court is asphalt. Frechette said yes. He asked if a Building Permit would have been needed for construction. Penney said he didn't believe a Building Permit was needed but he was not sure about a Zoning Permit for the pickleball court specifically. He said that a Zoning Permit would definitely be needed for the ground disturbance/fill since it is greater than half an acre.

Wierszchalek said she would be interested in seeing a plan showing the greater wetlands complex as a whole on the property.

Wierszchalek asked Frechette where he got the fill that was brought in and if it was tested and certified to be clean fill. Frechette said it came from outside UConn, an apartment complex construction project. He said it was clean fill, but he doesn't have documentation of that. He said he could work with Zulick on that. Penney and Wierszchalek said he should be working with the supplier of the fill material to get that certification as they could be in trouble themselves if the fill is not clean.

Wierszchalek asked Frechette if he had an estimate of how much fill was brought in. He said he started to look at his Ring camera, but he didn't have time to go back that far to figure it out.

Johnson asked if there was a formal Cease and Desist order in the works. Penney said not yet but Frechette was told verbally not to bring in any more material or do any work. Wierszchalek said she's also concerned about erosion and further degradation of the surrounding wetlands. She'd like to see erosion control in the interim. Penney said all the trees that were taken down were pushed over to the side of the hill at the southerly limits of disturbance so he's not sure silt fence could go in there. On top of the slope a silt fence could be installed. Wierszchalek said until we know what was impacted, we need to protect what is there. Penney said that a formal Cease and Desist will be drafted with conditions as discussed. Penney said he will probably start to overlay things to compare what was and what is there now to gather information.

Penney thanked Frechette for attending the meeting. Wierszchalek said they would be in touch. Frechette thanked the Agency in return.

## **6. ADOPTION OF MINUTES:**

### **A. June 26, 2024, Regular Meeting**

**MOTION: I move to approve the June 26, 2024, Regular Meeting Minutes:**

By: Johnson

Seconded: Epstein

Discussion: None

Voting:

For: Epstein, Johnson

Against: None

Abstain: Pearson, Wierszchalek

**Motion approved**

**7. CORRESPONDENCE:**

**A. Algonquin Gas Transmission, LLC - E-1 System Regulator Installation Project Courtesy Notification**

Beutler explained that Enbridge came in several months ago to talk about this system regulator expansion project. They don't need to get a wetlands permit, they are exempt as a public utility, but they came in as a courtesy since they are working in the Upland Review Area. This has Federal oversight from the Federal Energy Regulatory Commission (FERC). Penney said that they still need a Road Cut Permit from Engineering. They are not exempt from that. Wierszchalek asked if the Town could give feedback even if they had no oversight power. Penney said yes. He said he and Beutler met with them earlier this year and Penney gave them his review and feedback before realizing it was under FERC.

**8. DISCUSSION:**

**A. Pick a date for Special Meeting in Sept/Oct with Ken Slater**

This meeting will not take the place of a regularly scheduled meeting. Beutler took a quick poll of those present to determine their availability but given there are several absent, she will follow-up with an email.

**B. Permit Threshold Document**

Beutler explained that Staff made some administrative changes to this document to be consistent with the wording in the Wetlands Regulations such as changing buffers and setbacks to Upland Review Area. New copies were distributed. This came about when Penney was applying for an application for the Town and noticed the inconsistencies in wording.

**9. ADJOURNMENT: Special Meeting adjourned by Wierszchalek at 9:20.**

Respectfully Submitted,

*Heidi A. Leech*

Heidi A. Leech, Land Use Administrative Assistant  
Substitute 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.*

**COVENTRY INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
WEDNESDAY, August 28, 2024**

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

By: Mathieu

Time: 7:00 p.m.

Place: Town Hall Annex/Zoom

		PRESENT	ABSENT
REGULAR MEMBERS:	Lori Mathieu, Chairperson	X	
	William Glenney, Vice-Chair	X	
	William Johnson	X	
	Richard Pearson	X	
	Stefanie Wierszchalek	X	
ALTERNATE MEMBERS:	Dave Epstein	X	
	VACANT		
STAFF:	Todd Penney, Town Engineer/Wetlands Agent	X	
STAFF:	Lindsay Beutler, Wetlands Agent	X	
STAFF:	Melissa Sicard, Recording Clerk	X	

**2. AUDIENCE OF CITIZENS: NONE**

**3. OLD BUSINESS:**

**3A. #24-31 – 51 Kensington Rd – Owner: Alyssa Sexton; Applicant: Roderick Cary – Addition of garage with rec room above in upland review area. The 65-day deadline to take action on this application is 8/30/2024.**

Dustin Wade was at the IWA meeting on behalf of Alyssa Sexton (Owner), and Roderick Cary (Applicant) of CTC Creations, LLC for the addition of garage and rec room at 51 Kensington Rd. Wade gave brief explanation of what the project is; they are looking to excavate, add drainage and a stonewall. The IWA asked how close to the watercourse the garage is being built. Wade said 53', and they do not plan on altering the watercourse at all.

Mathieu said the area of work sits within the regulated area and wanted to know the idea for the layout. Wade said that Andrew Bushnell was hired to put the plan together, and that the architect, hired by Sexton, had already put their stamp on the layout so the layout was already in place when CTC had been awarded the bid.

Mathieu wanted to know if the wetlands area were identified. Wade said wetlands were identified when permits were being pulled. Mathieu asked if any other location alternatives were considered. Rick Zulick, Certified Soil Scientist did the wetland delineation for this parcel. Zulick said that there is a manmade drainage ditch designed to prevent water at the foundation, which meets the definition of a watercourse; also, that there only other place for the garage would have been on the other side, making it so the septic would have to be repeatedly driven over.

Mathieu asked Zulick if he identified wetlands on the other side, Zulick said yes but that did not affect where they were putting the garage.

Wierszchalek asked about the erosion and sediment control measures being used. Wade said that it was all flagged and detailed out on what they are to do. IWA asked if trees were being removed, they are not removing any. Wade was asked about the drainage being put it, if it was going to the watercourse, it is not, but rather away from it.

No further questions, there was a call for a motion.

**MOTION: I motion to approve item #24-31 – 51 Kensington Rd. with the following conditions:**

- **The permittee shall schedule a preconstruction meeting with Wetlands Agent Staff, and any other subcontractors prior to the start of activities to review construction sequencing.**
- **Additional erosion and sedimentation controls maybe required as site conditions/weather warrant by the Wetlands Agent staff.**
- **Inspect erosion and sedimentation controls prior to soil disturbances, except for what is necessary to install said measures.**
- **Final Plans be reviewed and approved by Town staff prior to the start of construction activities.**

By: Glenney

Seconded: Johnson

Voting:

For: Johnson, Mathieu, Glenney, Pearson, Wierszchalek, Epstein

Against: None

Abstain: None

**Motion Unanimously Approved**

**3B. #24-32 – 375 Brewster St. – Owner/Applicant: Roland Johnson, Agent: Gerald Hardisty P.E. – Construction of driveway with wetlands crossing for future single-family home. The 65-day deadline to take action on this application is 9/20/2024.**

Owner/Applicant Roland Johnson attended the IWA meeting in person with Certified Soil Scientist, Rick Zulick, and Engineer: Gerald Hardisty attended via Zoom. Zulick, who did the wetland delineation for the parcel, stated that it is a sizable wetland area. Where the proposed driveway is, is the best option as you cannot get to the building area without possibly crossing more wetlands and it would be a larger crossing than what is currently being proposed.

Mathieu asked about the proposed conservation area that is on the plan. Hardisty said that he was told that Roland Johnson, owner, and someone from the town discussed this area but nothing was set in stone. Zulick did discuss a conservation area in his report, and that Johnson is looking for an area but not an easement. Todd Penney, Town of Coventry Engineer, said that there is a significant loss of wetlands to make the driveway, so a conservation easement seems appropriate. The IWA, Roland and Zulick discussed what an easement means, and what Roland is interested in doing to mitigate the loss of wetlands; weather there is a conservation easement or area; or Roland agrees to remove invasive species in the wetlands area.

The Agency was not ready to decide on this matter and asked Mr. Johnson for an extension to the September 25, 2024 meeting. Johnson granted the extension and will be present at next month's meeting.

**3C. #24-33 – Lisicke Beach – Owner: Town of Coventry; Applicant: James Drumm; Agent: Todd Penney, P.E. – Replacement of retaining wall and steps at Lisicke Beach. The 65-day deadline to take action on this application is 9/20/2024.**

Todd Penney, Town of Coventry Engineer attended IWA meeting, and Lesley Munshower, Director of Parks and Rec for Coventry attended via Zoom.

Penney stated that the town is looking to do maintenance on a failing retaining wall by the bathroom facility at Lisicke Beach, as well as 2 failing stairs made up of timber and turf. The town is looking to do versa lock, the same style that was just put in at Laidlaw.

Penney stated that the town uses a third party to review the project, in this case they used North Central Conservation District Inc. NCCD recommended that straw waddle be used instead of silt fence for erosion and sediment control, this change is noted in the plans for the town. NCCD also gave a suggested plant list to replace the current plants at the beach.

As of right now there is no contract yet, the project is out to bid currently. There is 1 – 2 weeks' worth of work for this project.

Glenney asked Beutler what her thoughts were on the project. Beutler said that it is a small maintenance project, that there is not much opportunity to impact the lake, and she appreciates North Central Conservation District's recommendations.

Wierszchalek ask how they were expected to remove the existing wall, use of equipment, their overall approach. Penney said they might use a mini excavator, he is unsure of all the means, but the thinks they could move a lot of it by hand once they push the wall down. There will be no disturbance to the parking area either.

**MOTION: I motion to approve item #24-33 – Lisicke Beach with the following conditions:**

- **The permittee shall schedule a preconstruction meeting with Wetlands Agent Staff, and any other subcontractors prior to the start of activities to review construction sequencing.**
- **Additional erosion and sedimentation controls maybe required as site conditions/weather warrant by the Wetlands Agent staff.**
- **Inspect erosion and sedimentation controls prior to soil disturbances, except for what is necessary to install said measures.**
- **All activities involving work at the lake edge will require staff oversight. All coordination for staff time on site will be schedule at least a week in advance. Failure to coordinate staff's presence will be considered a violation of the permit and be subject to a cease-and-desist order. (Projects on the Lake edge)**

By: Glenney                      Seconded: Pearson

Voting:

For: Johnson, Mathieu, Glenney, Pearson, Wierszchalek, Epstein

Against: None

Abstain: None

**Motion Unanimously Approved**

**3D. #24-34 – 78 Cheney Ln – Owner: Scott Sheldon; Applicant: Lauren Brinsko; Agent: Andrew Bushnell. – Demo rebuild of house and garage in upland review area. The 65- day deadline to take action on this application is 9/20/2024.**

Scott Sheldon and Lauren Brinsko attended the IWA meeting in person. Beutler stated that Andrew Bushnell (not in attendance) addressed the Town's comments, make it clearer as to where the existing and proposed driveway is to be, as well as the proposed house and porch.

Brinsko gave a brief background on the 1920's cottage and how the foundation is crumbling around the garage. Also, they are proposing a slight decrease in lot coverage.

Mathieu asked about the property being on sewer, it is not, it is septic. Penney stated that the lot coverage is the same, but a little less, the driveway will be a little more established, the septic is a physical barrier, which means the home and garage will not move closer to the lake, and he has no other concerns.

William Johnson asked about the fill material, and where they were planning on bringing it in from. Sheldon stated they will be bringing in clean gravel material.

Pearson wanted to be on record that he is the neighbor of the applicant and wanted to know if he needed to abstain from the conversation. Penney said he did not need to.

End of discussion, there was a call for a motion.

**MOTION: I motion to approve item #24-34 – 78 Cheney Ln. with the following conditions:**

- **The permittee shall schedule a preconstruction meeting with Wetlands Agent Staff, and any other subcontractors prior to the start of activities to review construction sequencing.**
- **Additional erosion and sedimentation controls maybe required as site conditions/weather warrant by the Wetlands Agent staff.**
- **Inspect erosion and sedimentation controls prior to soil disturbances, except for what is necessary to install said measures.**
- **Final Plans be reviewed and approved by Town staff prior to the start of construction activities. (including details on where the owner and applicant intend to bring clean gravel material in from for the fill)**
- **All activities involving work at the lake edge will require staff oversight. All coordination for staff time on site will be schedule at least a week in advance. Failure to coordinate staff's presence will be considered a**

violation of the permit and be subject to a cease-and-desist order.  
(Projects on the Lake edge)

By: Glenney          Seconded: Johnson

Voting:

For: Johnson, Mathieu, Glenney, Wierszchalek, Epstein

Against: None

Abstain: Pearson

**Motion Approved.**

**3E. #24-35 – 4 Avery Shores – Owner: Laura Smith; Applicant: Robert Smith; Agent: Seth Arzt. – Proposed redecking existing deck and construction of new deck facing Coventry Lake. The 65-day deadline to take action on this application is 9/20/2024.**

Robert Smith attended the IWA meeting in person. Beutler opened with comments from the memo, stating that bullet #1 was modified to accommodate recommendations. Smith gave overview to the Agency on the proposed deck plans, stating that he didn't know if there was much of a disturbance to the wetlands. The proposed deck will cover the entire backyard but will not go into the lake.

The IWA was concerned about not having any material underneath the deck, however, Smith said he would talk with his builder to make sure they do not need any and will follow whatever the building code suggests.

No further discussion, there was a call for a motion.

**MOTION: I motion to approve item #24-35 – 4 Avery Shores with the following conditions:**

- **The permittee shall schedule a preconstruction meeting with Wetlands Agent Staff, and any other subcontractors prior to the start of activities to review construction sequencing.**
- **Additional erosion and sedimentation controls maybe required as site conditions/weather warrant by the Wetlands Agent staff.**
- **Inspect erosion and sedimentation controls prior to soil disturbances, except for what is necessary to install said measures.**
- **All activities involving work at the lake edge will require staff oversight. All coordination for staff time on site will be schedule at least a week in advance. Failure to coordinate staff's presence will be considered a violation of the permit and be subject to a cease-and-desist order. (Projects on the Lake edge)**

By: Glenney          Seconded: Johnson

Voting:

For: Johnson, Mathieu, Glenney, Pearson, Wierszchalek, Epstein

Against: None

Abstain: None

**Motion Unanimously Approved**

#### **4. NEW BUSINESS: NONE**

#### **5. ENFORCEMENT:**

- A. 77 Tall Oak Drive – Material Deposition in Regulated Area. Letter requesting site visit sent 6/21/24. Site visit to be conducted 7/22. Cease and Desist issued 7/29/24.**

Owner, David Frechette and Certified Soil Scientist, Rick Zulick attended the IWA meeting in person.

Mathieu asked Frechette to give details as she was not at the last meeting.

Frechette stated that he was doing some landscaping on his property, planting grass, trying to beautify his property, maybe a garden and eventually a blueberry patch, and eventually a golf driving area, and disc golf.

Beutler then brought up aerial photos from Google Earth starting in 2012, in each Spring you see that there was water on the property, and by Fall the water was dried up. This trend continued, and the last photo in 2024 shows the water dried up and a pickleball court added on the property.

Todd Penney, Town of Coventry Engineer, stated that there was a cease-and-desist letter sent with what the IWA wanted to see from Frechette. Including where water body was, was it historical, a site plan, compilation map etc.

Rick Zulick, Certified Soil Scientist, said he didn't know if the water was an intermittent pond, he couldn't say. He stated that there is a storm drain that runs out from the development down that direction, and there seems to be a bowl where the water was. There is lots of ledge and the land was, at one point, excavated to make a pond but it

would fill up, and then drain. He also stated the Frechette was interested in making a skating area for his daughter with that body of water.

Zulick dug three deep test pits beneath the fill, these were his findings.

Test pit #1: there was ledge at 30", 29" were fill and below that was black organic material and rock.

Test pit #2: 79" of fill and the base was black sediment with woody debris, the matrix was bright soil, which does not meet the criteria of wetlands.

Test pit #3: 30" of fill with 6" of mixed debris, black organic material, bright soil, which does not meet the criteria for wetlands.

Zulick stated that the findings were not that of traditional wetland area below the fill. He also said that the evidence is gone, so he cannot say if it was a pond or not.

Mathieu asked Zulick if it could be a vernal pool? Zulick said it could be, but to classify that he would have to check the activity in the Spring, but he cannot do that. Mathieu asked why is that? Zulick stated because it isn't there now, it has 3 feet of fill in it.

Penney asked Zulick if you need wetlands soils to have a vernal pool? Zulick stated that you do not.

Penney went over the history of the property, and described an unpermitted driveway built in 2008 which impacted a wetland. They were required to pull it back out of the wetland. Penney mentioned Certified Soil Scientist, John Ianni, who was supposed to investigate a potential vernal pool on the property spring of 2009. The Town does not have records that support that Ianni went back out there to conduct his investigation of the body of water. Penney explains that in 2021, there was a site plan created by Gardner and Peterson, which does show the approximate location of wetlands for the purpose of preliminary plans to resubdivide the parcel.

Glenney asked Zulick where the water came from to fill the bowl. Zulick stated it's likely overland flow that filled it, but the fissures and cracks in it allowed it to drain.

Zulick said he didn't know how much help he has been as the "evidence is gone".

Penney read the definition of 'watercourses' on page 9, section 2 mm. from the Town of Coventry Inland Wetlands and Watercourses Regulations.

**mm. "Watercourses"** means rivers, streams, brooks, waterways, lakes, ponds, marshes, swamps, bogs, and all other bodies of water, natural or artificial, vernal or intermittent, public or private, which are contained within, flow through or border upon the Town or any portion thereof not regulated pursuant to sections 22a-28 through 22a-35, inclusive, of the Connecticut General Statutes. Intermittent watercourses shall be delineated by a defined permanent channel and bank and the occurrence of two or more of the following characteristics: (a) evidence of scour or deposits of recent alluvium or detritus, (b) the presence of standing or flowing water for a duration longer than a particular storm incident, and (c) the presence of hydrophytic vegetation.

Following Penney reading the definition, he stated that whether it has wetlands soils or not, there is a clear violation based on the definition.

Glennay asked Penney to get the IWA records from 2008-2010, but Penney said there was never a permit granted as it was corrective action due to violation.

Beutler said she has been compiling minutes from previous violation and he (Frechette) knew something was back there, knew there as wetlands.

Penney said that Frechette didn't come into true ownership of the land until 2022. He then asked Frechette if he did any of the work. Frechette said he couldn't recall. Penney said that they may need to get Boggini (previous owner) involved.

Wierszchalek, licensed environmental professional/ IWA member, was reviewing the soil samples that were provided and stated that you usually get an indication of where the sample was pulled from and that is not provided. She said the sample doesn't seem dirty but may not clean for a wetland area. Wierszchalek said that more information would be helpful on where the test pits were taken from and a wider panel of contaminants need to be tested for.

Penney asked Zulick if he was present when the soil samples were taken, he was not.

Wierszchalek asked Frechette if the fill was solely in the depression or spread out, he stated it was spread out.

Note that there are millings down by the fill as well.

Mathieu asked for the number of trees taken down as there are some big brush piles in the photos provided. Frechette said 10-15, but many over the years, some are from the storms we have had.

Mathieu asked if the pickleball court that was added was where the pond was; Frechette stated it was not where the pond was.

Penney said that for the September meeting he would like to see more completed from the list on the Cease-and-desist letter that the Agency sent to Frechette.

Frechette stated that Gardner and Peterson would be some time to be able to get anything done, and quite expensive, which he cannot do.

Mathieu asked Frechette if he would be able to work on the list, Frechette said he would try.

Glenney asked if there was a survey when they built on the land, Frechette said not that the knows of.

Penney said that Frechette should get a Licensed Land Surveyor to come to the next meeting or provide a memo stating that Frechette has hired a Licensed Land Surveyor and provide a timeline on when the survey work will be completed. Frechette maintained that he cannot afford to hire a Licensed Land Surveyor.

Mathieu told Frechette that he should keep coming back to the IWA meetings, month after month and give updates to the Agency.

Wierszchalek asked about the erosion and sediment control measures put in place since there is a cease and desist. Frechette has not done any E&S yet. IWA would like him to put in the silt fence. Frechette asked about putting grass seed down. IWA agreed that he should put winter rye seed down, but that is all, no bringing in additional material like topsoil.

Discussion ended with tasks for Frechette to install the E&S measures, the seed and to keep coming back to the IWA meetings to work with the Agency.

## **6. ADOPTION OF MINUTES:**

### **6A. July 24, 2024– Regular Meeting**

**MOTION: I move to approve the minutes of the July 24, 2024, Regular Meeting.**

By: Johnson            Seconded: Pearson

Discussion – The Agency would like corrections to be made to the minutes and IWA will vote on the amended minutes at the September meeting.

- The following corrections to be made:
  - Page 2, 1<sup>st</sup> Paragraph – change Petersons to Peterson
  - Page 3, Last Paragraph – change water make to water mark
  - Page 4, 2<sup>nd</sup> Paragraph – change that their to what their
  - Page 5, Last Paragraph – change nest case to best-case
  - Page 6, 5<sup>th</sup> Paragraph – change they are to there is
  - Page 9, 3<sup>rd</sup> Paragraph – change they we to why we, the Agency
  - Page 9, Last Paragraph – add content regarding Zoning Regulations definition of a structure and that Heidi confirmed that a Zoning Permit is needed for pickleball court
  - Page 11, Adjournment – Change Special Meeting to Regular Meeting

**Minutes will be voted on at next meeting**

**7. CORRESPONDENCE: NONE**

**8. DISCUSSION:**

- A. Special Meeting with Ken Slater scheduled for October 30<sup>th</sup> – IWA will hold a special meeting at 7 pm on October 30<sup>th</sup>.

**9. ADJOURNMENT:**

**Meeting adjourned at 10:46 p.m. by Mathieu.**

Respectfully Submitted,

*Melissa Sicard*

Melissa Sicard, 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.*

**COVENTRY INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
WEDNESDAY, September 25, 2024**

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

By: Mathieu

Time: 7:00 p.m.

Place: Town Hall Annex/Zoom

		PRESENT	ABSENT
REGULAR MEMBERS:	Lori Mathieu, Chairperson	X	
	William Glenney, Vice-Chair	X	
	William Johnson	X	
	Richard Pearson		X
	Stefanie Wierszchalek		X
ALTERNATE MEMBERS:	Dave Epstein (Seated a voting member)	X	
	VACANT		
STAFF:	Todd Penney, Town Engineer/Wetlands Agent	X	
STAFF:	Lindsay Beutler, Wetlands Agent	X	
STAFF:	Melissa Sicard, Recording Clerk	X	

**2. AUDIENCE OF CITIZENS: NONE**

**3. OLD BUSINESS:**

**3A. #24-32 – 375 Brewster St. – Owner/Applicant: Roland Johnson, Agent: Gerald Hardisty P.E. – Construction of driveway with wetlands crossing for future single-family home. The 65-day**

**deadline to take action on this application is 9/20/2024. Extension granted by applicant, new deadline to take action on this application is 9/25/2024.**

Roland Johnson, homeowner, and Richard Zulick, Soil Scientist/Certified Forester, attended the IWA meeting in person. Zulick gave an overview of the intent to build a driveway on Johnson's property; identifying that there are significant wetlands. Zulick stated that they chose the best area on the property with the least amount of disturbance to the wetlands.

Zulick stated that Johnson will be burn weeding the multiflora rose and Japanese barberry as mitigation, within 200 ft of the property line from the road. Zulick will demonstrate how to properly burn weed and identify the plants. The burn weeding will need to be done for a year or two after the initial year to make sure the invasive plants are taken care of.

IWA members wanted to know what the status of the proposed conservation area is. Some commission members are concerned that proposed mitigation is not enough and are concerned with having an easement as to protect the land from any type of future development. Mr. Johnson is not interested in a conservation easement on his property. He feels, after doing his research, that it would devalue his property, and he does not want the government to control his property.

The IWA commission members and Mr. Johnson discussed what is reasonable for this application regarding mitigation measures. After discussing at length what an easement would mean for Mr. Johnson or not having an easement put in the deed, there was a call for a motion.

**MOTION: I motion to approve item #24-32 – 375 Brewster St. with the following conditions:**

- **The permittee shall schedule a preconstruction meeting with Wetlands Agent Staff, and any other subcontractors prior to the start of activities to review construction sequencing.**
- **Additional erosion and sedimentation controls may be required as site conditions/weather warrant by the Wetlands Agent staff.**
- **Inspect erosion and sedimentation controls prior to soil disturbances, except for what is necessary to install said measures.**
- **The applicant of the permit proposes to preserve the eastern portion of the property (Including Ash Brook – see plan – “Proposed conservation area”) for wildlife habitat, low impact hiking, and general enjoyment of the natural area by the applicant of the permit, family and friends. This area will not be open to the public and will remain in its natural state for the duration of the permit and the continuation and benefit the native flora and fauna. (The site plan will be annotated with this condition.)**

By: Glenney          Seconded: Johnson

Voting:

For: Johnson, Mathieu, Glenney

Against: Epstein

Abstain: None

**Motion Approved**

**4. NEW BUSINESS:**

**A. #24-38 - 1370 North River Road – Owner/Applicant: Greg Kiss, Agent: None. – As-of-right application to grade and deposit fill in upland review area for creation of lawn that abuts a pond.**

Greg Kiss, Owner/Applicant, attended IWA meeting in person. Beutler stated that she was notified by the Town of Coventry's building official of fill at Mr. Kiss's home, which is how this was brought to the IWA's attention. Beutler also stated that Mr. Kiss has been very cooperative and done everything that the Town has asked of him. Beutler read the proposed activity into record: "grading and leveling clean sand/dirt fill in my back yard up to my man-made pond. The area in which I am leveling and grading, was originally dug out by a previous landowner and sold for fill, leaving a berm that raises up to the waterway. I am leveling the area back to the original height, grading properly, and planting grass to prevent any erosion of the material into my pond. Approximately 5 triaxle's worth of clean, sand/dirt fill will be used." Mr. Kiss also installed silt fence, Beutler inspected it, finding it was installed properly.

Mr. Kiss reiterated what Beutler read, also stating that he already had the fill tested as he knew that may be asked of him.

Mathieu clarified that Mr. Kiss was looking to grade an area to bring it back to its original grade.

The IWA Commission discussed whether this was an as of right application or if it was a minimal impact permit. The Commission would like to see the silt fence in place until the establishment of grass, and they appreciate the willingness of Mr. Kiss to take care of things properly.

There was a call for a motion.

**MOTION: I motion that the Wetland's Commission treat application #24-38. – 1370 North River Rd as an as of right.**

By: Glenney          Seconded: Johnson

Voting:  
For: Johnson, Mathieu, Glenney, Epstein  
Against: None  
Abstain: None

**Motion Unanimously Approved**

**B. #24-40 – 260 Mark Drive – Owner/Applicant: Brian Bolduc, Agent: None. – 12x20 prefabricated shed on pad approximately 30ft from wetlands.**

Brian and Susan Bolduc attending the IWA meeting in person. Brian stated that they originally wanted to build a bigger garage, however, with the economy they decided to downsize and are looking to put a 12x20 prefabricated barnyard shed on their property instead. They will be putting the shed on gravel pad and building a 22" retaining wall.

The Commission decided that this is low impact and will remand the permit to the Wetland's Agent.

**MOTION: I motion that the IWA remand the application #24-40 – 260 Mark Drive to the Town of Coventry's Wetland's Agent.**

By: Johnson            Seconded: Epstein

Voting:  
For: Johnson, Mathieu, Glenney, Epstein  
Against: None  
Abstain: None

**Motion Unanimously Approved**

**C. #24-43 – 77 Edgewater Drive - Owner: Paul and Sharon Champagne, Applicant/Agent: Eric Peterson. - Construction of house additions, driveway and drainage improvements in Upland Review Area.**

Eric Peterson of Gardner & Peterson Associates attended the IWA meeting via Zoom. Peterson gave an overview of the Champagne's proposing an addition onto their home on Edgewater Drive.

The Commission discussed with Peterson the permeable pavers, as well as the lot coverage. The Commission members would like to see a construction sequence, calculations for the lot coverage, a plan for maintenance of the pervious pavers, details of the specific trees to be taken down, as well as any replanting they intend on doing.

Beutler and Penney will create a memo for the applicant and agent.

**D. #24-45 – Kings Road Subdivision – Owner: Juan Hernandez, Applicant/Agent: William Jackson, Jackson Environmental, LLC. – Proposed 3-lot subdivision on an approx. 10-acre parcel.**

William Jackson of Jackson Environmental and Carmen Juliano attended the IWA meeting in person.

Jackson gave an overview of the 10-acre lot and the plans to build on the 3 parcels. There is only 1 parcel that is in the IWA's regulated area. IWA believes there is a need to have a public hearing regarding the proposed subdivision.

The Town will notify the Town of Columbia as well, as they are within 500 ft of the proposed area. Beutler will also work with applicant for signage for the public hearing.

**MOTION: I motion that a public hearing be set for application#24-45 -Kings Road Subdivision- on October 23, 2024 at 7 p.m.**

By: Johnson            Seconded: Epstein

Voting:

For: Johnson, Mathieu, Glenney, Epstein

Against: None

Abstain: None

**Motion Unanimously Approved**

**E. #24-46 – 90 Avery Shores – Owner/Applicant: David Blakely, Agent: Andrew Bushnell. - Removal of existing house, driveway, well, temporary carport tent, and two trees. Construction of new house, driveway, well, parking area, walkway, and associated grading and underground utilities.**

David Blakely, Owner, and Andrew Bushnell, Engineer, attended the IWA meeting in person. Bushnell gave an overview of the proposal of demoing the existing house and rebuilding a new home. The new home will be 75 ft from the lake versus the 40 ft it is now., the sewer system will be in the same spot, the well will be abandoned and there will be a new one dug. The lot coverage will go from 11.98% to 10.44%. Blakely stated that there were originally 2 tree's that needed to be removed but after speaking with his neighbors there will be a total of 5 removed. The IWA Commission would like to see new vegetation planted. Glenney asked about the note (#5) on the site plan about the endangered species. Bushnell will submit a letter to DEEP

regarding this matter. Mathieu would like to see maintenance instructions for the permeable driveway.

Beutler will work with applicant.

**F. #24-47 – Town of Coventry/Todd Penney, Town of Coventry Engineer – Drainage improvement on Woodland Rd.**

Todd Penney, Town of Coventry Engineer gave an overview of the proposal to improve drainage on Woodland Rd. Penney stated that he still needs to finalize measurements, he hopes to have the details refined by next month's meeting.

**5. ENFORCEMENT:**

**A. 77 Tall Oak Drive – Material Deposition in Regulated Area. Letter requesting site visit sent 6/21/24. Site visit to be conducted 7/22. Cease and Desist issued 7/29/24.**

Dorian Famiglietti, Land Use Attorney and George Logan, Environmental Scientist attended the IWA meeting in person.

Glennay recused himself, as Famiglietti is his attorney as well.

Famiglietti addressed the IWA stating they wanted to discuss the nature of the fill used, the E&S controls (installed) and the wetland's identification.

Mr. Logan stated that he has visited the property at Tall Oak Drive twice. He says it is a seasonally flooded wetland but could not tell if it was a vernal pool because that evidence is gone.

Logan spoke about the fill, and where they believe it came from. He does believe it to be clean fill. As for the E&S measures; Logan went through the plans he has for remediation, using some methods he previously used, a perched wetland. He explained and showed photos of how he has created those before. They will need a permit for the remediation, should it go that route.

Famiglietti said that Frechette knows that IWA Commission is watching closely, they plan on showing the proposed mitigation, as well as consulting with the neighbor that they believe fill went onto their property. They will also look into the permit for the pickleball court that was built.

Penney stated that there has been tremendous progress to date and that they need to get things on a to-scale site plan.

The IWA would like Beutler and Penney to stay in touch with Logan and Famiglietti.

**6. ADOPTION OF MINUTES:**

**6A. July 24, 2024– Regular Meeting**

**MOTION: I move to approve the minutes of the July 24, 2024, Regular Meeting.**

By: Johnson          Seconded: Epstein

Voting:

For: Johnson, Epstein, Glenney, Mathieu

Against: None

Abstain: None

**Motion Unanimously Approved**

**6B. August 28, 2024– Regular Meeting**

**MOTION: I move to approve the minutes of the August 28, 2024, Regular Meeting.**

By: Johnson          Seconded: Epstein

Voting:

For: Johnson, Epstein, Glenney, Mathieu

Against: None

Abstain: None

**Motion Unanimously Approved**

**7. CORRESPONDENCE: NONE**

**8. DISCUSSION:**

- A. Special Meeting with Ken Slater scheduled for October 30<sup>th</sup>? – IWA will hold a special meeting at 7 pm on October 30<sup>th</sup>. – Beutler is still waiting to confirm this.

**9. ADJOURNMENT:**

**Meeting adjourned at 11:23 p.m. by Mathieu.**

Respectfully Submitted,  
Melissa Sicard  
Melissa Sicard, 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.*

**COVENTRY INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
WEDNESDAY, October 23, 2024**

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

By: Mathieu

Time: 7:00 p.m.

Place: Town Hall Annex/Zoom

		PRESENT	ABSENT
REGULAR MEMBERS:	Lori Mathieu, Chairperson	X	
	William Glenney, Vice-Chair	X	
	William Johnson	X	
	Richard Pearson	X	
	Stefanie Wierszchalek	X	
ALTERNATE MEMBERS:	Dave Epstein	X	
	VACANT		
STAFF:	Todd Penney, Town Engineer/Wetlands Agent	X	
STAFF:	Lindsay Beutler, Wetlands Agent	X	
STAFF:	Melissa Sicard, Recording Clerk	X	

**2. AUDIENCE OF CITIZENS: NONE**

**3. ADDITIONS/CHANGES TO AGENDA: Beutler added New Business item 5E: Replacement of Bunker Hill Rd. Bridge; Correspondence 8B: Invitation to Bolton Lakes Watershed meeting and Discussion 9B: IWA meeting calendar for 2025.**

**MOTION: I motion to accept the additions by Lindsay Beutler.**

By: Glenney            Seconded: Johnson

Voting:

For: Johnson, Mathieu, Glenney, Pearson, Wierszchalek

Against: None

Abstain: None

**Motion unanimously approved.**

#### 4. OLD BUSINESS:

- A. #24-45 – Kings Road - List No. R00396. MBL: 59-20 – Owner: Juan Hernandez, Applicant/Agent: William Jackson, Jackson Environmental, LLC. – Proposed 3-lot subdivision on an approx. 10-acre parcel, on the south side of Kings Road abutting the Hop River. PUBLIC HEARING The 35-day deadline to complete public hearing is 11/22/2024, the 65-day deadline to take action on this application follows the closing of the public hearing.

William Jackson, Soil Scientist, and Carmen Giuliano, Land Surveyor attended the hearing in person.

Beutler read the public hearing legal notice. She stated that the abutting neighbors were all notified, as well as The Chronicle (receipts for both were provided, and are on record with the Land Use Office). An Inland Wetlands Agency public hearing procedure document was provided at the meeting where Beutler gave an overview of the procedures and said that the procedures in place are to give the applicants the best hearing they can have.

Mathieu asked for a motion to adopt the procedures.

**MOTION: I motion to adopt the Inland Wetlands Agency public hearing procedures.**

By: Pearson            Seconded: Johnson

Voting:

For: Johnson, Mathieu, Glenney, Pearson, Wierszchalek

Against: None

Abstain: None

**Motion unanimously approved.**

Beutler then gave a brief overview of the revisions made, including the topo maps provided, and grading information. The applicant will be using dry wells, and they

included the flood zone information. Beutler stated that the comments from her and Penney were adequately addressed.

Jackson and Giuliano gave an overview on the proposed 3 lot subdivision, stating that they met with the town planner, as well as the town engineer. They said that there were different surveys done of the land and there were different boundary lines, making it so that the owner would need a property agreement, however they found a solution and have sufficient frontage (55ft) therefore they will not need a boundary agreement. The slope shown on the plans were questioned by Mathieu, which Giuliano said there is a significant slope which is why he stopped his line where he did so they didn't go near the slope towards the river.

Mathieu asked about a conservation easement and open spaces near the subdivision lots. There is none near the building lots, however, Eric Thomas (255 Geraldine Drive) spoke up from the audience, and said that there is town open space adjacent to the Hop River Trail, that is further down Kings Rd. though. Giuliano said that the owner would consider an easement if it didn't jeopardize the buildable lots.

Questions were opened to the public.

Via Zoom, Lashon Moody of 204 Kings Rd., expressed his concern for contamination of the well water with any blasting that may occur. Jackson, Soil Scientist, stated that they conducted soil testing and didn't encounter any bedrock, therefore there would not be any blasting. Todd Penney, Town Engineer, stated that there will not be any roadway construction, so there should be no effect to anyone's well water.

Moody asked how long the construction would take. This is not a simple answer as the permit is for 5 years for the IWA, but there are building permits that will be in place that will last the duration of construction. Some of the lots could be ready to go quickly while others may not, therefore, the construction timeline is open.

Mathieu asked what purpose the drywells serve. Giuliano and Jackson stated that they are there for a drainage system for the whole house water softener.

Moody, abutting neighbor, asked what the reason is for the development on a quiet road. Giuliano explained that the area is well separated, and so are the new homes, he doesn't believe that the development will change the conditions of the road.

Moody stated that he has lived there a long time and is concerned about the property becoming flood land.

Giuliano reiterated all the E&S control measures that will take place during construction and confirmed the distance away from the slopes. Penney asked Jackson if he thought the lot development would impact the slopes. Jackson said it would not.

Epstein asked if after everything has been re-established if any additional runoff will reach the slope of the river. Jackson said it would not as the infiltration level of the soils is incredible, that there is a natural buffer (the wooded land) before you get to it.

**MOTION: I motion to close the public hearing.**

By: Johnson          Seconded: Glenney

Voting:

For: Johnson, Mathieu, Glenney, Pearson, Wierszchalek

Against: None

Abstain: None

**Motion unanimously approved**

**MOTION: I motion to approve item #24-45 – Kings Road - List No. R00396. MBL: 59-20 with the following conditions:**

- **The permittee shall schedule a preconstruction meeting with Wetlands Agent Staff, and any other subcontractors prior to the start of activities to review construction sequencing.**
- **Additional erosion and sedimentation controls maybe required as site conditions/weather warrant by the Wetlands Agent staff.**
- **The permittee shall inspect erosion and sedimentation controls prior to soil disturbance, except for what is necessary to install said measures.**
- **Final Plans be reviewed and approved by Town staff prior to the start of construction activities.**

By: Glenney          Seconded: Johnson

Mathieu did not call for a vote but asked that the IWA recommend the Planning and Zoning Commission to consider work with the applicant to come up with a conservation easement to protect the wetlands and/or the flood plain.

Motion was amended to add this in.

**MOTION: I motion to approve item #24-45 – Kings Road - List No. R00396. MBL: 59-20 with the following conditions:**

- **The permittee shall schedule a preconstruction meeting with Wetlands Agent Staff, and any other subcontractors prior to the start of activities to review construction sequencing.**

- Additional erosion and sedimentation controls maybe required as site conditions/weather warrant by the Wetlands Agent staff.
- The permittee shall inspect erosion and sedimentation controls prior to soil disturbance, except for what is necessary to install said measures.
- Final Plans be reviewed and approved by Town staff prior to the start of construction activities.
- IWA recommends that the Planning and Zoning Commission consider working with the applicant to come up with a conservation easement to protect the wetlands and/or the flood plain.

By: Johnson            Seconded: Glenney

Voting:

For: Johnson, Mathieu, Pearson, Wierszchalek

Against: Glenney

Abstain: None

**Motion approved**

- B. **#24-46 – 90 Avery Shores** – Owner/Applicant: David Blakely, Agent: Andrew Bushnell. - Removal of existing house, driveway, well, temporary carport tent, and two trees. Construction of new house, driveway, well, parking area, walkway, and associated grading and underground utilities. The 65-day deadline to take action on this application is 11/29/2024.

Andy Bushnell attended the IWA meeting in person, while Blakely attended via Zoom. Bushnell gave an overview of where they were with the project. He met with Beutler and Penney to address their staff memo. The update is that the town is now taking over Avery Shores, so it is no longer a private road which changes the specifications for the driveway, which required a redesign. There is a slight increase in the lot coverage, but they are still moving the new home further away from the lake. They are adding permeable pavers under the wooden deck and parking area to the house. The area of disturbance hasn't changed per Bushnell.

Glenney asked about the CTDEEP Natural Diversity Database environmental review report. Bushnell stated they haven't received that yet.

Beutler said that everything has been addressed from their staff memo except for the NDD from DEEP.

**MOTION: I motion to approve item #24-46 – 90 Avery Shores with the following conditions:**

- The permittee shall schedule a preconstruction meeting with Wetlands Agent Staff, and any other subcontractors prior to the start of activities to review construction sequencing.
- The permittee shall inspect erosion and sedimentation controls prior to soil disturbance, except for what is necessary to install said measures.
- Additional erosion and sedimentation controls maybe required as site conditions/weather warrant by the Wetlands Agent staff.
- All activities involving work at the lake edge will require staff oversight. All coordination for staff time on site will be schedule at least a week in advance. Failure to coordinate staff's presence will be considered a violation of the permit and be subject to a cease and desist order.

By: Glenney          Seconded: Johnson

Wierszchalek amended the motion to add that Bushnell will update the IWA when the NDD comes in from the CTDEEP.

Motion was amended to add this in.

**MOTION: I motion to approve item #24-46 – 90 Avery Shores with the following conditions:**

- The permittee shall schedule a preconstruction meeting with Wetlands Agent Staff, and any other subcontractors prior to the start of activities to review construction sequencing.
- Additional erosion and sedimentation controls maybe required as site conditions/weather warrant by the Wetlands Agent staff.
- The permittee shall inspect erosion and sedimentation controls prior to soil disturbance, except for what is necessary to install said measures.
- All activities involving work at the lake edge will require staff oversight. All coordination for staff time on site will be schedule at least a week in advance. Failure to coordinate staff's presence will be considered a violation of the permit and be subject to a cease and desist order.
- Update site plan to include Operations and Maintenance of permeable pavers.
- IWA will be updated when Bushnell receives answer from CTDEEP concerning the Natural Diversity Data Base.

By: Wierszchalek          Seconded: Glenney

Voting:

For: Johnson, Mathieu, Pearson, Wierszchalek, Glenney

Against: None

Abstain: None

**Motion unanimously approved**

**C. #24-43 – 77 Edgewater Drive - Owner: Paul and Sharon Champagne, Applicant/Agent: Eric Peterson. - Construction of house additions, driveway and drainage improvements in Upland Review Area. The 65-day deadline to take action on this application is 11/29/2024. (POSTPONED TO NOVEMBER MEETING PER APPLICANT’S REQUEST)**

**C. #24-47 – Woodland Road – Owner: Town of Coventry, Applicant: James Drumm, Agent: Todd Penney P.E. – Drainage improvement on Woodland Road. (e) The 65-day deadline to take action on this application is 11/29/2024. (POSTPONED TO NOVEMBER MEETING PER APPLICANT’S REQUEST)**

**5. NEW BUSINESS:**

**A. #24-49 – 41 Edgewater Drive – Owner/Applicant: Mark Livingston, Agent: Creative Exteriors. – Lake wall replacement.**

Mark Livingston attended via zoom. Beutler gave an overview of the lake wall replacement, about 10 ft from the lake that will be in the same place as the existing wall, however it will be a new stacked stonewall with granite steps instead of the wood steps there now.

Wetland agent will be in touch with applicant to create a staff memo, and this item will be on next month’s agenda.

**B. #24-50 – 157 Woodland Road – Owner/Applicant: Sandra Larson, Agent: None. – Demolition of existing structure 25ft from Coventry Lake, to be replaced by Kloter Farms structure.**

Sandra Larson attended IWA meeting in person. Beutler gave an overview of what Larson is proposing. Larson will be removing an existing structure that is held up by old stumps. The sewers and water supply will be disconnected and then reconnected with the new Kloter Farms structure.

Glennay asked why she wasn’t moving the structure back from the lake. Larson stated that it’s been there for 80 years, and she didn’t give it much thought, but that it may cause more damage to move it further back.

Wetland agent will be in touch with applicant to create a staff memo, and this item will be on next month’s agenda.

**C. #24-52 – Williams Preserve, Cooper Ln – Owner: Town of Coventry,  
Applicant/Agent: Eric Thomas. – Pedestrian foot bridge/watercourse crossing.**

Eric Thomas attended the IWA meeting in person, representing the Protected Spaces Stewardship Sub-committee. Thomas gave a presentation on putting in a footbridge at Williams Preserve, which is owned by the Town.

Thomas stated that the Committee would do all the work themselves, and no machines would be used. He also said there may be a need to revegetate the stream banks as there is some erosion as someone has taken rocks off the bank and put them in the water to make a path to cross.

Beutler has visited the site and confirmed that all the work to be done would be hand dug.

Glenney asked Thomas if the land is owned by the Town why he, as a citizen, is coming to the IWA board, what authority does he have to do so.

Thomas said yes, he is a citizen, but he is also Chair of the Protected Spaces Stewardship Committee. He further explained that the Town applied for certain funding from the state, that was approved in 2020, to use on open space and trail maintenance and that is how this project will be funded.

Glenney said that that doesn't mean you can act on behalf of the Town just because you are the Chair of that Committee. He said that's like him coming in and saying he represents the Town and proposing work on Town owned land, while being a citizen and nothing else to show that he is allowed to represent the Town.

Penney reiterated that Thomas is the Chair of the PSSC, and that he has been before the IWA before for projects such as this.

Glenney then asked again what authority Thomas has, and Thomas said that he does have the authority, as he was appointed by the Town Council to be the Chair and has been in contact with the Town Manager, as well as the previous Town Manager to use funds and work on projects such as this.

Mathieu suggested getting a memo from the Town manager stating that Thomas speaks on behalf of the town.

Thomas will work on getting a memo from either the Town Manager and/or the Town Council.

- D. #24-53 – 44 Maple Trail – Owner: Mary Morton, Applicant: Eric Trudon, Agent: None. – 24’x28’ detached, two-car garage approximately 40ft from wetlands boundary.**

Kevin Morton and Eric Trudon attended IWA meeting in person. Beutler gave an overview as she had gone out to the field and took photos of the area. Trudon said that where they are proposing the garage it is really the only place to build it as the well is in the way in the other direction. Beutler agreed that where they are proposing it makes the most sense.

Wetland agent will be in touch with applicant to create a staff memo, and this item will be on next month’s agenda.

- E. #24-54 Bunker Hill Rd. Bridge Replacement – Owner: Town of Coventry, Applicant: Town of Coventry/Todd Penney (Town Engineer).**

Penney gave a presentation on the town’s proposal to rebuild the bridge over Rufus Brooke on Bunker Hill Rd. He stated that they will need to reroute traffic during the construction phase. Penney and the town are working with the town of Andover as they are going to be rerouting traffic while they work on a bridge, and neither town wants to reroute traffic at the same time and inconvenience the citizens.

Glennay asked how long it will take. Penney said a construction season, about a year.

IWA and Penney think this should go to a public hearing as it concerns the public.

**MOTION: I motion to hold a public hearing for item #24-54 Bunker Hill Rd bridge replacement on November 20, 2024.**

By: Glennay                      Seconded: Johnson

Voting:

For: Johnson, Mathieu, Pearson, Wierszchalek, Glennay

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.**

Beutler gave a brief overview on where this case stands and provided e-mail correspondence that notifies the Commission that they would not be attending the October meeting. Frechette and his team will be attending the November 2024 meeting with a more formal plan of action.

Glenney noted that the 9/25 meeting needs to be added to the timeline. The IWA also requests that the Town of Coventry send Frechette a notice stating that they are expected at the November 20, 2024 meeting, and be working towards the order that they have been given.

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

### **A. September 25, 2024– Regular Meeting**

**MOTION: I move to approve the minutes of the September 25, 2024, Regular Meeting, with the correction to approval of the July 24, 2024 minutes, Glenney abstained, as he was not present for that meeting.**

By: Johnson            Seconded: Glenney

Voting:

For: Johnson, Glenney, Mathieu

Against: None

Abstain: Pearson, Wierszchalek

**Motion Approved**

## **8. CORRESPONDENCE:**

### **A. CACIWC Annual Conference November 16, 2024**

Pearson will be attending the CACIWC conference, as well as Beutler. The invitation is open to all IWA board members.

### **B. Invitation to the Vernal Pool Conservation in the Bolton Lakes Watershed with special guest Edward Pawlak on Monday, October 28, 2024.**

Beutler gave a handout regarding the meeting and invites all IWA members to attend.

9. DISCUSSION:

- A. Special Meeting with Ken Slater scheduled for October 30<sup>th</sup> – IWA will hold a special meeting at 7 pm on October 30<sup>th</sup>.
- B. IWA to look over dates for meetings in 2025. Proposed twice a month meeting versus starting the meetings earlier in the evening.

10. ADJOURNMENT:

Meeting adjourned at 10:20 p.m. by Mathieu.

Respectfully Submitted,

Melissa Sicard

Melissa Sicard, 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.*

**COVENTRY INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
WEDNESDAY, November 20, 2024**

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

By: Glenney

Time: 7:00 p.m.

Place: Town Hall Annex/Zoom

		PRESENT	ABSENT
REGULAR MEMBERS:	Lori Mathieu, Chairperson		X
	William Glenney, Vice-Chair	X	
	William Johnson	X	
	Richard Pearson	X	
	Stefanie Wierszchalek	X	
ALTERNATE MEMBERS:	Dave Epstein	X	
	VACANT		
STAFF:	Todd Penney, Town Engineer/Wetlands Agent	X	
STAFF:	Lindsay Beutler, Wetlands Agent	X	
STAFF:	Melissa Sicard, Recording Clerk	X	

**\*Alternate Epstein was seated as a voting member\***

**2. AUDIENCE OF CITIZENS: NONE**

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

Beutler requested the addition of Timber Harvest to the agenda under New Business 5C. Glenney moved Old Business 4E: #24-54 – Public Hearing for Bunker Hill Bridge to be the first item under Old Business.

4. OLD BUSINESS:

A. #24-54 – Bunker Hill Road Bridge (41.7448, -72.3244) – Owner: Town of Coventry, Applicant: James Drumm, Agent: Todd Penney. – Replacement of bridge/culvert carrying Bunker Hill Road over Rufus Brook. PUBLIC HEARING The 35-day deadline to complete public hearing is 12/25/2024, the 65-day deadline to take action on this application follows the closing of the public hearing.

Matt Carroll, Nathan L. Jacobson and Associates, and Todd Penney, Town of Coventry Engineer attended the IWA meeting in person.

Carroll gave the Commission an overview of the current conditions of the bridge that was originally built in 1955. He also stated that he put in an application with the CTDOT for the Local Bridge Program, which has committed to funding half of this project.

The Town is proposing the removal of the existing culvert and replacing it; DEEP suggested they use grouted cobble material for the bridge design; the roadway will be going from approximately 23' to 26'. There is about 3,000 square feet of wetlands disturbance per the plans. They looked at other locations for the bridge, but this the most practical location for it.

Penney stated that IPaC has sent a memo, and they do not have a problem with the project. Penney mentioned that there was a wing wall lost from previous storms, and the Town put in a temporary wall. There are E & S measures set in place for the project. The Town of Coventry will add curbs and drainage as well.

Elisabeth Houle of 781 Bunker Hill Rd. attended the Public Hearing and wanted to know when the bridge project would begin. Penney stated 2026, as there is another bridge project on Bunker Hill Road in Andover that the Town is waiting to be completed first. Penney also said that they would need to detour traffic for at least two construction seasons.

Wierszchalek asked about the sumps and catch basic recommendations and if they will be incorporated. Penney stated they would be.

Hearing was closed at 7:21 pm.

**MOTION: I motion to approve item #24-54 Bunker Hill Road Bridge project with the following conditions:**

- Hold a preconstruction meeting with the applicant and any other subcontractors prior to the start of activities to review construction sequencing.
- Additional erosion and sedimentation controls maybe required as site conditions/weather warrant by the Wetlands Agent staff.
- The permittee shall schedule a preconstruction meeting with Wetlands Agent Staff, and any other subcontractors prior to the start of activities to review construction sequencing.
- Additional erosion and sedimentation controls may be required as site conditions/weather warrant by the Wetlands Agent.
- The permittee shall inspect erosion and sedimentation controls prior to soil disturbance, except for what is necessary to install said measures.
- Work beyond this permit requires approval from the Inland Wetland Agency or Wetland Agent Staff (to be determined by IWA).

By: Johnson            Seconded: Wierszchalek

Voting:

For: Johnson, Epstein, Glenney, Pearson, Wierszchalek

Against: None

Abstain: None

**Motion unanimously approved.**

**B. #24-49 – 41 Edgewater Drive – Owner/Applicant: Mark Livingston, Agent: Creative Exteriors. – Lake wall replacement. The 65-day deadline to take action on this application is 12/27/2024.**

Mark Livingston attended the IWA meeting via Zoom. He gave an overview of his intent to replace the lake wall as the current retaining wall is leaning forward from water pressure. Livingston will clean up the river stone that is overflowing as well as debris. Creative Exteriors is contracted to do the wall. The projected will take 2-3 weeks from start to finish.

Beutler stated that not all of her and Penney’s comments on their memo have been addressed.

Wierszchalek asked about the equipment that they will be using. Livingston stated that he doesn’t know for sure but imagines a small Bobcat will be utilized.

The Commission, as well as Penney, feel as though there are details that have not been addressed, and to move forward they are looking for these to be presented at the next meeting in December.

Beutler will connect with Livingston to give him information on what the Commission and Town is looking for in regard to this application.

**C. #24-50 – 157 Woodland Road – Owner/Applicant: Sandra Larson, Agent: None. – Demolition of existing structure 25ft from Coventry Lake, to be replaced by Kloter Farms structure. The 65-day deadline to take action on this application is 12/27/2024.**

Sandra Larson, homeowner, and Andrew Bushnell, Engineer, attended the IWA meeting in person. Bushnell went over the site plan that was prepared with details that were requested by the Commission from the last meeting. He stated that they intend to reinforce the existing deck that is connected to the existing structure, they will then remove the structure and add piers via mini-excavator and hand labor to support the deck and new structure being put in. The sewer, water and electric will also be disconnected from the current structure. A Kloter Farms shed will be put on the new platform via crane.

Beutler stated that all points from the Town's memo have been addressed.

**MOTION: I motion to approve item #24-50 157 Woodland Road with the following conditions:**

- Hold a preconstruction meeting with the applicant and any other subcontractors prior to the start of activities to review construction sequencing.
- Additional erosion and sedimentation controls maybe required as site conditions/weather warrant by the Wetlands Agent staff.
- The permittee shall schedule a preconstruction meeting with Wetlands Agent Staff, and any other subcontractors prior to the start of activities to review construction sequencing.
- Work beyond this permit requires approval from the Inland Wetland Agency or Wetland Agent Staff (to be determined by IWA).
- The applicant/owner shall submit to the Wetlands Agent proof of inspection for each storm water mitigation feature once a year in the spring on a form to be provided by the Town of Coventry. (as applicable)

By: Johnson          Seconded: Wierszchalek

Voting:

For: Johnson, Epstein, Glenney, Pearson, Wierszchalek

Against: None

Abstain: None

**Motion unanimously approved.**

**D. #24-52 – Williams Preserve, Cooper Ln – Owner: Town of Coventry, Applicant/Agent: Eric Thomas. – Pedestrian foot bridge/watercourse crossing. The 65-day deadline to take action on this application is 12/27/2024.**

Eric Thomas attended the IWA meeting via Zoom. Beutler recapped the events of the last meeting and the question of whether Thomas had the authority to represent the Town on this matter. She gave the supporting memo from the Town Manager, James Drumm, in support of Thomas. Penney stated he had no additional concerns with the application.

Moving forward with any Town projects, the Commission would like a Town employee to be the one to apply for Town projects.

**MOTION: I motion to approve item #24-52 Williams Preserve, Cooper Ln. with the following conditions:**

- Hold a preconstruction meeting with the applicant and any other subcontractors prior to the start of activities to review construction sequencing.

By: Johnson            Seconded: Wierszchalek

Voting:

For: Johnson, Epstein, Glenney, Pearson, Wierszchalek

Against: None

Abstain: None

**Motion unanimously approved.**

**E. #24-53 – 44 Maple Trail – Owner: Kevin Morton, Applicant: Eric Trudon, Agent: None. – 24x28’ detached, two-car garage approximately 40ft from wetlands boundary. The 65-day deadline to take action on this application is 12/27/2024.**

**\*\*\*No Show\*\*\***

**F. #24-43 – 77 Edgewater Drive - Owner: Paul and Sharon Champagne, Applicant/Agent: Eric Peterson. - Construction of house additions, driveway and drainage improvements in Upland Review Area. The 65-day deadline to take action on this application is 11/29/2024. 65- DAY EXTENSION GRANTED BY APPLICANT. NEW DEADLINE TO TAKE ACTION ON APPLICATION IS 2/2/2024.**

**\*\*\*Postponed**

- G. **#24-47 – Woodland Road – Owner: Town of Coventry, Applicant: James Drumm, Agent: Todd Penney P.E. – Drainage improvement on Woodland Road.**  
**\*\*Postponed**

5. **NEW BUSINESS:**

- A. **#24-55 – 33 Cooper Lane – Owner: Mark Larson, Applicant/Agent: Mark Reynolds. – Proposed single-family home, re-subdivision.**

Mark and Fran Larson attended via Zoom. Peter Larson attended the IWA meeting in person along with Mark Reynolds, Engineer. Reynolds explained how the Larson family would like to split their 5.5-acre lot into 2 as a family subdivision so their son can build a house.

Beutler told Reynolds she would like to see Ian Cole's (Soil Scientist) impact assessment and wetland delineation reports. She will have a site visit with the Larson Family and have formalized memo with the Commission and Town's concerns.

- B. **#24-56 – 162 Beebe Farms Road – Owner/Applicant: Roland Weston. Agent: None. – Rebuild of stone lake wall and stairs.**

R.J. Weston and Holly Weston attended the IWA meeting in person. R.J. gave an overview of the wall that needs to be replaced. They plan to have 2 tiers of wall and use processed aggregate with clean fill. They are also looking to bring in clean sand.

Beutler will do a site visit with the Weston's and give them a memo addressing any concerns.

- C. **#24-57 – 73 Old Times Farm Rd. – Timber Harvest**

Chris Lemery with Hull Forest Products, Inc. attended the IWA meeting in person. He went over the proposed plan, on behalf of The Justice Education Center Inc. to do a selective Timber Harvest on the property.

IWA and the Town of Coventry see this as an as of right matter.

**MOTION: I move to declare #24-57 Timber Harvest notice at 73 Old Times Farm Rd. as an as of right based on the information provided by Hull Forest Products, Inc.**

By: Wierszchalek                      Seconded: Epstein

Voting:

For: Johnson, Epstein, Glenney, Pearson, Wierszchalek  
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.**

George Logan, wetlands expert of Rema Ecological Services LLC, attended IWA meeting via Zoom. Beutler went through the timeline of Frechette’s violation. Logan and Beutler went to 77 Tall Oak Drive to assess the silt fence conditions; they found them to be in fine condition.

Beutler read status letter dated 11/8/24 into record.

Logan became the host of the meeting to share his screen. Logan reviewed figures he provided with his analysis of where he believes there could be a vernal pool created to help mitigate the wetland that was destroyed.

IWA asked what will become of the piles in the disturbed area. Logan said, long term, the piles will spread, and it will turn into a meadow. The IWA requested a restoration/mitigation plan that addresses the area of disturbance.

Beutler will send memo with the IWA comments to Logan, the attorney and Frechette.

**\*\*At this point, Logan signed off before making Beutler the host again and the zoom meeting ended, Beutler restarted the meeting, but all participants on zoom were kicked off the meeting and did not ask to rejoin\*\***

**7. ADOPTION OF MINUTES:**

**A. October 23, 2024– Regular Meeting**

**MOTION: I move to approve the minutes of the October 23, 2024, Regular Meeting.**

By: Johnson            Seconded: Epstein

Voting:

For: Johnson, Glenney, Wierszchalek, Pearson, Epstein  
Against: None  
Abstain: None

**Motion unanimously approved.**

**8. CORRESPONDENCE: NONE**

**9. DISCUSSION:**

**A. 2025 Meeting Calendar Approval**

**MOTION: I move to approve the proposed 2025 Meeting calendar dates with the inclusion of a 10pm curfew.**

By: Johnson      Seconded: Epstein

Voting:

For: Johnson, Glenney, Wierszchalek, Pearson, Epstein  
Against: None  
Abstain: None

**B. Special Meeting December 11th for the following:**

- 1. Elections**
- 2. Policy Documents Review/Approval**
- 3. Adoption of October 30, 2024 - Special Meeting Minutes**

**10. ADJOURNMENT:**

**Meeting adjourned at 9:40 p.m. by Glenney.**

Respectfully Submitted,  
Melissa Sicard  
Melissa Sicard, 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.*

**COVENTRY INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
WEDNESDAY, December 18, 2024**

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

By: Mathieu

Time: 7:00 p.m.

Place: Town Hall Annex and Zoom

		PRESENT	ABSENT
REGULAR MEMBERS:	Lori Mathieu, Chairperson	X	
	William Glenney, Vice-Chair	X	
	William Johnson		X
	Richard Pearson	X	
	Stefanie Wierszchalek		X
ALTERNATE MEMBERS:	Dave Epstein	X	
	VACANT		
STAFF:	Todd Penney, Town Engineer/Wetlands Agent	X	
STAFF:	Lindsay Beutler, Wetlands Agent		X
STAFF:	Melissa Sicard, Recording Clerk	X	

**2. AUDIENCE OF CITIZENS: NONE**

**3. ADDITIONS/CHANGES TO AGENDA: NONE**

**4. OLD BUSINESS:**

**A. #24-49 – 41 Edgewater Drive** – Owner/Applicant: Mark Livingston, Agent: Creative Exteriors. – Lake wall replacement. The 65-day deadline to take action on this application is 12/27/2024.

Mark Livingston, Owner, and Tim Tomko from Creative Exteriors attended the IWA meeting via Zoom.

Penney recapped for the Commission, stating that information was missing from the 11/15/24 memo from the staff. On December 12, 2024, Tomko addressed all the pertinent information and submitted the new map to the staff.

The Commission asked how long it would take to complete the project, Tomko stated 304 days of good weather, but inside of a week. Tomko elaborated on their plans to incorporate a frost wall, and footing drain for the new wall. He also mentioned that no plantings would be within 3 feet of the wall as to not disturb the integrity of it.

**MOTION: I motion to approve application #24-91 with IWA’s Standard Conditions, and Special Permit Condition that the applicant and agent will avoid the planting of trees or shrubs over minimum of 3 feet of the backside edge of the wall.**

By: Epstein            Seconded: Glenney

Voting:

For: Mathieu, Epstein, Pearson, Glenney

Against: None

Abstain: None

**B. #24-53 – 44 Maple Trail** – Owner: Kevin Morton, Applicant: Eric Trudon, Agent: None. – 24x28’ detached, two-car garage approximately 40ft from wetlands boundary. (e) The 65- day deadline to take action on this application is 12/27/2024.

Eric Trudon, and Kevin Morton, owner, attended the IWA meeting in person. Penney recapped the application information of the 2-car garage in the upland review area. There is no other place to put the garage due to the location of the well. Penney brought up photos to remind the Commission how flat the area is.

Commission was concerned that the site plan had hand written approximate wetland calculations, however, it was confirmed that Beutler met with Trudon on site on 9/26/24 to confirm the wetland area.

Epstein, and Commission members would like the lot coverage sheet to be updated, Penney corrected the sheet.

**MOTION: I motion to approve application #24-53 with IWA's Standard Conditions.**

By: Epstein            Seconded: Pearson

Voting:

For: Mathieu, Epstein, Pearson, Glenney

Against: None

Abstain: None

**C. #24-55 – 33 Cooper Lane** – Owner: Mark Larson, Applicant/Agent: Mark Reynolds. – Proposed single-family home, re-subdivision. The 65-day deadline to take action on this application is 1/24/2025.

Mark Larsen, Owner, and Mark Reynolds, agent, attended the IWA meeting in person. Reynolds gave updated on the developments since the last meeting. He put into record the soil scientist report, he received it on 12/18/24.

Beutler and Penney drafted a memo and are looking for the soil scientist to be available for the IWA meeting in January for questions by the Commission.

There is no action needed on this item, this was an update by the applicant/agent.

**D. #24-56 – 162 Beebe Farms Road** – Owner/Applicant: Roland Weston. Agent: None. – Rebuild of stone lake-wall and stairs. The 65-day deadline to take action on this application is 1/24/2025.

R.J. and Holly Weston attended the IWA meeting in person. Penney gave an overview/recap of the application. Commission asked how long the project would take. The Weston's said 2-3 weeks, depending on the weather.

Penney stated that the staff had no further questions or concerns.

**MOTION: I motion to approve application #24-56 with IWA's Standard Conditions.**

By: Epstein            Seconded: Pearson

Voting:

For: Mathieu, Epstein, Pearson, Glenney

Against: None

Abstain: None

**E. #24-43 – 77 Edgewater Drive** - Owner: Paul and Sharon Champagne, Applicant/Agent: Eric Peterson. - Construction of house additions, driveway and drainage improvements in Upland Review Area. The 65-day deadline to take action on this application is 11/29/2024. 65- DAY EXTENSION GRANTED BY APPLICANT. NEW DEADLINE TO TAKE ACTION ON APPLICATION IS 2/2/2025.

**\*Postponed until next meeting**

**F. #24-47 – Woodland Road** – Owner: Town of Coventry, Applicant: James Drumm, Agent: Todd Penney P.E. – Drainage improvement on Woodland Road. The 65-day deadline to take action on this application is 11/29/2024. 65-DAY EXTENSION GRANTED BY APPLICANT. NEW DEADLINE TO TAKE ACTION ON APPLICATION IS 2/2/2025.

**\*Postponed until next meeting**

#### **5. NEW BUSINESS:**

**A. #24-60** – 369 Stonehouse Road – Owner: Frantz Charles, Applicant/Agent: Mark Reynolds. – Previously approved 2-lot subdivision “The Ledges”, Wetlands Permit #07-04W, permit expired, new permit is being sought.

Mark Reynolds, Professional Engineer/Applicant/Agent, attended IWA meeting in person. Reynolds is looking for a permit for a previously approved subdivision. The only wetland is an intermittent water course – drainage ditch that the DOT handles.

IWA deemed this not to need a public hearing, this will be seen at the next IWA meeting in January.

#### **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.

An updated timeline of the enforcement actions was provided. The soil scientist was unable to attend tonight’s meeting due to conflicts, therefore this item will be pushed to the January 2025 meeting.

#### **7. ELECTIONS OF OFFICERS:**

**A. Recap of bylaws discussed during December 11, 2024 Special Meeting**

Mathieu stated that the bylaws are in desperate need of updating, and the Commission will need to delegate to do so.

**B. Nominations and vote.**

Voting will be put on hold until next meeting so that all Commission members can put their input in if they wish to nominate any person for a position.

**8. ADOPTION OF MINUTES:**

**A. October 30, 2024 – Special Meeting Minutes**

**MOTION: I motion to approve the Special Meeting Minutes of October 30, 2024, with no changes.**

By: Glenney      Seconded: Pearson

Voting:

For: Mathieu, Glenney

Against: None

Abstain: Epstein, Pearson

**Motion passes.**

**B. November 20, 2024 - Regular Meeting Minutes**

**MOTION: I motion to approve the Regular Meeting Minutes of November 20, 2024, with no changes.**

By: Glenney      Seconded: Epstein

Voting:

For: Epstein, Glenney, Pearson

Against: None

Abstain: Mathieu

**Motion passes.**

**C. December 11, 2024 - Special Meeting Minutes**

**MOTION: I motion to approve the Special Meeting Minutes of December 11, 2024, with changes to the motions, adding Mathieu to the voting members.**

By: Epstein          Seconded: Pearson

Voting:

For: Epstein, Mathieu, Pearson

Against: None

Abstain: Glenney

**Motion passes.**

**8. CORRESPONDENCE: NONE**

**9. DISCUSSION:**

A. Connecticut General Statute Sec. 23-65k. - Municipal regulation of forest practices

Commission discussed the possibility of creating regulations/statues for forest practices, however, according to Sec.23-65k of the Connecticut General Statute, they cannot. This section only gives specific towns the ability to do so.

Staff is creating whitepaper for lake wall applications.

**10. ADJOURNMENT:**

**Meeting adjourned at 9:50 p.m. by Mathieu.**

\*note that Pearson had to leave at 9:39 pm\*

Respectfully Submitted,

Melissa Sicard

Melissa Sicard, 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.*

**COVENTRY INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
WEDNESDAY, JANUARY 22, 2025**

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

By: Mathieu		Time: 7:00 p.m.		Place: Town Hall Annex/Zoom	
		PRESENT	ABSENT		
REGULAR MEMBERS:	Lori Mathieu, Chairperson	X			
	William Glenney, Vice-Chair	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: None**

**3. ADDITIONS/CHANGES TO AGENDA: None**

**4. OLD BUSINESS:**

- A. 24-43 - 77 Edgewater Drive** - Owner: Paul and Sharon Champagne; Applicant/Agent: Eric Peterson. - Construction of house additions, driveway and drainage improvements in the Upland Review Area. The 65-day deadline to take action on this application is 11/29/2024. 65-DAY EXTENSION GRANTED BY APPLICANT. NEW DEADLINE TO TAKE ACTION ON APPLICATION IS 2/2/2025.

Mark Stinson (General Contractor) present in place of owners.

Seeking wetland permit application for activities located within 150' of Coventry Lake, and 75' within a wetland.

Phase 1: Raingarden. Small northwest corner of the house we will remove the sunroom that is on piers and build in the same footprint a bedroom. Addition to the front with an entryway next to it. Removing and replacing back deck.

Phase 2: One car garage and driveway. Northeast corner with another deck being added.

Intention is to keep impervious coverage of the lot at 14.9% (15% is the maximum). Picking up water from the roof and piping into the existing septic system at the lake side of the house. Checked the existing septic system for water build up, there was none. It was suggested to remove the concrete existing distribution box and replace it with a new one. Provided a lot coverage worksheet with calculations so we know how much water to store, there is adequate storage space. Septic appears to be in good shape and is functioning. There is an overflow trench that has never had a need to be used because the original is working fine.

Trying to get water that comes onto site from the road away from the house. Allow water to come onto property and get caught in a rain garden to filter. At the bottom of that rain garden an underdrain is proposed as well to tie into the system.

Gave homeowner information on rain gardens that would be attractive to them.

Driveway is graded to have a hump so water isn't collected to run down the hill to the garage. Plan to have impervious pavers, and trench drain at the bottom of the pavers that will also go to the existing drainage system. The driveway is steeper, but the slope meets town requirements.

Initially reported there was 5500 square feet of disturbance within the Upland Review area, now 5800 square feet. There will be no disturbance in wetlands or lake. Erosion and sediment control downhill on the lake side, and stockpiling material on the roadside keeps sedimentation from going downhill towards the lake to protect it.

Time between phases comes down to affordability. Permit approval is initially 5 years, but an extension can be requested if needed.

Silt fence and erosion control would come down between phases to ensure the site is stabilized.

Beutler would visit the site routinely.

No activity around the walls/wallfront/stairs closest to the water.

**MOTION: I move to approve item #24-43 – 77 Edgewater Drive with the following**

**conditions:**

- **Standard conditions.**
- **Special condition regarding maintenance of the rain garden.**

By: Glenney  
Seconded: Johnson

Discussion: None

**Voting:**

For: Johnson, Glenney, Mathieu, Wierszchalek  
Against: None  
Abstain: Pearson

**Motion Approved**

- B. #24-55 - 33 Cooper Lane - Owner: Mark Larson; Applicant/Agent: Mark Reynolds - Proposed single-family home, re-subdivision.** The 65 Day deadline to take action on this application is 1/24/2025.

Mark Reynolds (professional engineer). Number of revisions and refinements.

-Row of winterberry plantings along the edge of the silt fence/limit of clearing/limit of disturbance.

-Detailed rain garden, downgradient from the house will collect roof water and lawn area between the house. Has an overflow and would expect this to be dry most of the time. Gradings shown and added onto plan.

-House footprint changed, it is now a longer shape and is consistent with the lawn.

-55-60' long driveway is in a good location at the street.

After looking at the site and the neighbors site, we were able to find a location up front for the well that works with the health code. The well will be moved from the back to the front. The well will be geothermal. Still falls within clearing distance from the original plan.

Ian Cole (professional soil scientist/wetlands scientist - via Zoom) - There is a hillside seepage wetland downgradient of the proposed development. Not a named stream. Good drainage area, all three times the site was visited, the stream was flowing. Stream is well buffered being 75 ft. embedded into the wetlands. Provided commission with a report in December with photos of wetlands. Positioning of the home is dictated by zoning regulations. Proposal has no direct wetland impact.

Email from Mark Reynolds answers questions. One comment in the revised plans regarding flag placement was unclear, Beutler confirmed with Cole the flags are where they're supposed to be. Everything is draining away from the site northwest to the stream. From the last flag, there wouldn't be any wetlands further toward Root Road. The flags are the most upper limits of the wetland. Additional questions answered include pavers to be used on the proposed driveway, stockpiled material, limits of clearing, and disturbance. Determined silt fence is the limit of

clearing. Zoning compliance table added to sheet 2. Proposed contours were added.

Not proposing turnouts for the driveway. What's proposed on plan is a standard width driveway that goes straight out to the street.

Reynolds will be submitting a site plan for the health department for detailed permitting.

Beautler has a letter from the sanitarian for feasibility of the site stating the site is suitable.

**MOTION: I move to approve item #24-55 – 33 Cooper Lane with the following conditions:**

- **Standard conditions**
- **Special condition regarding maintenance of the rain garden.**

By: Glenney  
Seconded: Wierszchalek

Discussion: None

Voting:

For: Johnson, Pearson, Glenney, Mathieu, Wierszchalek

Against: None

Abstain: None

**Motion Unanimously Approved**

- C. #24-60 - 369 Stonehouse Road - Owner: Frantz Charles; Applicant/Agent: Mark Reynolds.** - Previously approved 2-lot subdivision "The Ledges", Wetlands Permit #07-04W, permit expired, new permit is being sought. The 65 day deadline to take action on this application is 2/22/2025.

Permit expired for a previously approved subdivision. There may now be a change.

Lots 1 and 3 of ledges subdivision were merged, the owner now would like to go back to the original subdivision of lots 1 and 3. Reynolds evaluated the plan to see if the removal of the small section of land from parcel 1 would have impact, and it would not. No impact to driveway design, no impact to zoning compliance of lots 1 and 3.

Applications are the same except removal of that small part of land.

There are two areas of wetlands near the front of lots, there is a watercourse along the side of the road. All activity of the wetlands are in front of lot 1. Proposed driveway culvert. Two lots on the original plan has same configuration aside from the small carve out to the west. Everything to the east and north on lot 3 has no proposal for

development. All development is focused on the western portion of lot 3 and the common driveway coming down. The stormwater features, retention base, cross culvert were all included in the original plans.

ENS plan and planting plans are extensive/detailed and shown on the plans.

Phasing plan is included.

Regarding Native American History, there is an open space dedication made in favor of the Town to the North made during the subdivision process.

All driveways were reviewed for compliance with site lines, all have been approved.

Reason why this location was chosen is because it was the least impact and comes further off the road.

Beutler and Penney reviewed previously approved plan sets and current plan sets; they were consistent. No concerns as it was previously approved. No concerns based on what was provided.

Discussion of who is responsible for maintaining the shared basin. Lots 1 and 3 would have 50% responsibility of driveway and infrastructure.

**MOTION: I move to approve item #24-60 – 369 Stonehouse Road with the following conditions:**

- **Standard permit conditions**
- **Special condition: Maintenance of the detention pond on lot 1 is shared equally between the owners of lot 1 and lot 3.**

By: Glenney  
Seconded: Johnson

Discussion: None

Voting:  
For: Johnson, Pearson, Glenney, Mathieu, Wierszchalek  
Against: None  
Abstain: None

**Motion Unanimously Approved**

D. **#24-47 - Woodland Road** - Owner: Town of Coventry; Applicant: James Drumm; Agent: Todd Penney P.E. - Drainage improvement on Woodland Road. The 65-day deadline to take action on this application is 11/29/2024. 65 DAY EXTENSION GRANTED BY APPLICANT, NEW DEADLINE TO

TAKE ACTION ON APPLICATION IS 2/2/2025. \*Postponed\*

Discussion on legal responsibility for drainage on property. Will probably re-apply.

**5. NEW 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.**

Todd Penney, Professional Engineer - Public works looking to do a maintenance of an existing outfall at the Gerald Park Beach off of Avery Shores.

There is an existing infrastructure, a series of catch basins that come down into the parking lot. Significant amount of flow, through a 24 inch concrete pipe. The pipe is in good condition. There has been no maintenance to the outfall, flow at times doesn't go straight out to the water. Need to go in with an excavator and pull existing outfall, sediment debris, weeds, etc. that are in that area and establish a new plunge pool.

Hoping to do this when the lake is lowered so the edge of water is out of activity. The lake comes up in April. Adding ENS controls at the outfall.

Public works came out with a sequencing plan to schedule the work with little to no flow. If there is any flow, there are a couple manhole structures in the parking lot. We would upstream that and block flow. Put a pump into the manhole structure, pump it back upstream and cycle it or pump it on the grass, letting it flow away from the excavation area. Include a silt sack at the end of that pump. Once dewatering is set up, they would go in with a backhoe, remove sediment, restore the plunge pool with new rip rapp or existing stones. Get equipment there the day before, see if dewatering works, if it works come back the next day and come back with excavation. Be done in a day.

Will not be voting on this tonight.

Parking structures will be removed.

Access for equipment will be straight down. Penney will put together a better site plan.

Will probably use the sewer plans and/or will find the original drainage plans that we got the easement on that has that information.

Rip rap will be modified 6-9 inches (intermediate is 9-12 inches, standard is over 12-15 inches). Trying to form a plunge pool to slow down the water before it gets out.

Want outfall to be inspected by Public Works yearly and reported to the wetlands agent.

- 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, VBH, Inc. - Alignment, sightline, and stormwater improvements to Swamp Road and South Street.**

Town applied in 2022 to do roadway improvements on Swamp Rd. in three basic

locations, just south of Love Lane, at intersection of Swamp and South, and at S curve through South Street heading towards route 6. Project qualifies under the Local Transportation Capital Improvement Program.

100% construction funding, we pay for the design, hired VHB for the heavy lift, they will be at February's meeting. Have had two public meetings, neighbors are involved and approve.

Penney showed a map of wetlands and wetland impacts.

See 500 block, existing conditions.

-Heading South from Boston Trnk passing Love lane, significant vertical geometry deficiency. Only about 70' of siteline. Plan is to change it to 250' of siteline

-No drainage on Swamp Rd., it is already in a cut so there is significant gutter flow on both sides of the road. There is a delineated wetland.

-Other wetland is just west of Swamp Road and South Street intersection. There is an existing drainage crossing and discharge that bifurcates a parcel.

On proposed conditions, will be adding catch basins, and would like additional storm drainage. Most work is outside the upland review area. Hoping to do a level spreader as it is more of an elongated discharge which is less impactful. It is a small watershed, but it's uncontrolled. The goal of this project is to control it.

Will be getting a formal drainage easement.

Public hearing is not needed. We have already had two public hearings and any impact on the wetlands would be a positive impact. Additionally, all property owners have been notified.

Plan to raise South Street up a bit to make landing a little bit flatter. That grade is at 16%. Maximum grade should be at 12%.

Todd will put together a letter for a wetlands status for awareness and will put up signs every 200ft.

Hope to have North Central Conservation District review next month.

This project should take two construction seasons (at least 160 days in total). May go into 2026. Could run it concurrently, haven't thought it through yet. DOT would have to sign off. Not sure if there are concerns to do it simultaneously.

## **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. ***This matter will be continued to a Special Meeting. Date TBD.***

Back and forth between Frechette's team and Beutler, there has not been a lot of progress.

However Frechette mentioned an ENS inspection can be scheduled.

Beutler to send a formal letter to Fretchette for a Special hybrid meeting on February 11th.  
6:30pm.

Asked for details of what he's trying to create, and details on restoring the disturbed area.  
Waiting on this information.

## **7. ELECTIONS OF OFFICERS:**

### **A. Nominations and vote**

**MOTION: I move Bill Glenney for Chair of Inlands Wetlands Agency**

By: Mathieu  
Seconded: Pearson

Discussion: None

Voting:

For: Johnson, Pearson, Mathieu, Wierszchalek  
Against: None  
Abstain: Glenney

**Motion Approved**

**MOTION: I move Mathieu for Vice Chair of Inlands Wetlands Agency**

By: Glenney  
Seconded: Pearson

Discussion: None

Voting:

For: Johnson, Pearson, Glenney, Wierszchalek  
Against: None  
Abstain: Mathieu

**Motion Approved**

## **8. ADOPTION OF MINUTES:**

**A December 18, 2024 – Regular Meeting**

**MOTION: I move to approve the minutes of the December 18, 2024, Regular Meeting,  
with the following corrections:**

- On page 2 of 6, change “304” in paragraph 2, line 1 to read “3-4”

By: Pearson  
Seconded: Mathieu

Discussion: None

Voting:  
For: Johnson, Pearson, Glenney, Mathieu  
Against: None  
Abstain: Wierszchalek

**Motion Approved**

## **9. CORRESPONDENCE:**

### **A. Inland Wetlands Agency Quarterly Report (e)**

1. 36 Sam Green Rd. 12x20 Shed in upland review area, permit hasn't been paid for. Will be withdrawn. Letter will be sent.
2. 1717 South Application due to zoning enforcement issue. Last correspondence, they were asked to please provide a letter from a soil scientist that activity is outside of the upland review area. Never heard back. Will be withdrawn. Letter will be sent.

### **B. Connecticut Land Use Law for Municipal Land Use Agencies, Boards, and Commissions Webinar Watch Party (e)**

Webinar watch party! Beutler will find out if this will be recorded for future viewing.  
RSVP Yes: Mathieu, Pearson.

## **10. DISCUSSION:**

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

Lots of action, reviewed the timeline.

Lisa Thomas, Lindsay Beutler, and Lori Mathieu meet and discuss. Will meet on 2/4/25, go over intent, vision, etc. to get Lisa's input. Todd requested to attend the meeting. Beutler will send an invite to Penney.

1/17 Jana Roberson, Director of Planning and Development, noted the low impact development group may be a good topic for the upcoming town land use forum. Chairs are invited to discuss hot topics or topics of interest. Tentative date.

Mathieu outlined what we were up to and reviewed other topics. 2 hot topics, sewer expansion (drives development around the lake). Affordable housing.

Pearson and Mathieu are part of the group, and haven't heard from anyone else wanting to sign up. ZBA to be reached out to. Good opportunity for them to see what they're charged with. More education and outreach for board members.

Beutler will extend email out.

Getting feedback from Lisa Thomas to make sure it's done the right way. Want to be inclusive.

**11. ADJOURNMENT:**

Meeting adjourned at 10:00 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.*

**COVENTRY INLAND WETLANDS AGENCY  
SPECIAL MEETING MINUTES  
TUESDAY, FEBRUARY 11, 2025**

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

By: Glenney

Time: 6:26 p.m.

Place: Zoom

		PRESENT	ABSENT
REGULAR MEMBERS:	William Glenney, Chairperson	X	
	Lori Mathieu, Vice-Chair	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	

Also present were David Frechette (owner), Dorian Reiser (formally known as Dorian Famiglietti) with KKC Law, George Logan with Rema Ecological Services, LLC, and Town of Coventry's Attorney, Kenneth Slater Jr. with Halloran Sage.

Dave Epstein left the meeting at 7:20pm due to technical difficulties.

**2. 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)

Dori Reiser (Famiglietti) with KKC Law speaking on behalf of client Dave Frechette. Reiser is working with Frechette and Logan on the plan. Reiser states if the commission is comfortable with the plan shown, it is what we will work off of to finalize for the after the fact permit, which is what was discussed initially when we were here a couple of months ago about rectifying this violation. Goal is to get a plan in front of the commission, approvals in place, and inspections done when there is better weather in the spring.

Logan presented the plan:

Reviewed aerial photograph of approximate location of wetland boundary that continues up along the driveway to show commission an area that appeared to be conducive for wetland mitigation and for creation of the vernal pool. There is a stable source of groundwater and surface water.

Confident the critters (wood frogs/salamanders) will find the vernal pool, as some species travel very far for the habitat they need.

The middle is the deepest point and the plan is to excavate the deepest point by 3'. They are going to expand the current wetlands, this will be about 3600 square feet of wetland creation next to an existing wetland.

Vernal pool creation, anything 18 inches deep roughly will be a seasonally flooded area. It is isolated so the water can be collected there. Unless there is a big storm there shouldn't be runoff from the existing wetland into the vernal pool, as there is enough of a small channel that comes down through the existing wetland.

Zone A - Planting zone will be seasonally flooded. 800 sq. ft.

Zone B - Other portion of the wetland will be seasonally saturated to temporarily flooded. 2800 sq ft.

Will plant in moist, mildly well drained soil. There will be three trees close to the vernal pool to provide shading over time. There will also be herbaceous species planted in groups of 5-10, but none being planted in that area will be flooded. Hopeful that over time things will spread.

Roughness elements are important. Additional things that create microtopography are good and needed for the vernal pool such as logs/branches on the edge for the critters.

Would be careful not to create a channel that goes from the wetland into the vernal pool, it would need to be a gradual flow laterally into the area.

*Important note shown on the plans: All wetland replication work, shall be supervised by an ecologist (or wetland scientist), including initial grading, planting, marking invasives in adjacent upland buffer areas, and marking any native materials for salvage or retention. A pre-implementation meeting shall take place at least one month prior to plan implementation, between the wetland scientist, the site contractor, and the landscaper, and the town's wetland agent, at the town's discretion.*

The plan has approximate locations of where plantings will go, there may be adjustments as the exact heterological conditions have to be selected for these plants. Plan to plant in late May-June.

There will be monitoring. Inspections will be for three years. The first year of implementation will have additional inspections in the three months following installation. If anything were to go wrong it is likely this is the timeframe it would happen. Two inspections during each of the following two grooming seasons. At the end of the season there will be a report to the commission with photographs to show progression.

We would get in with a mini excavator coming from the North, the edge of the clearing is not far. Top soil is anywhere from 6-10" on average but we want to keep the top soil. If at the time we have invasive species, we would remove the top soil 1,500' away and stockpile it with hay bales and a silt fence along it. We would bring the top soil back in within the week as we don't want to lose microbiology of the top soil. Have to make sure we have a dry period to do this. Would also remove anywhere from 15" to 2.5' of subsoil, that will be stockpiled a little further away. When final sculpting is done, and top soil is put back we want to plant quickly.

Beutler asked about the one benefit listed of this location is stormwater runoff from the cul de sac. Asked Logan to speak on contaminants or sediment that might be carried through that catch basin and to this proposed wetland.

Logan - Vernal pools tend to be tolerant of some pollution, but not at high concentrations. There isn't a direct connection of runoff to this area. There's several hundred feet of wetland entering from the cul de sac to the vernal pool, if there's any contamination it's much further up. The soil tends to absorb contaminants, the wetlands soils several hundred feet up we would see a higher elevation of contaminants, by the time it gets to the vernal pool it would be in very low concentrations.

Mathieu asked if the area they are creating will depend on stormwater.

Logan - Yes, in an indirect way. Stormwater from the road comes down several hundred feet, by the time it gets down there it comes into the flat area. The wetland has a flat area one foot from the top, close to the property boundary. Water comes in and that area becomes saturated but it doesn't pond so the water saturates that area and it overflows. We're in the same soil formation from the existing wetland going East into the wetland he would like to create, that lateral flow will saturate that area, the groundwater table. No direct flow from the road into this, but happy with lateral flow going east.

Mathieu asked how the flow is measured.

Logan - We have a fairly large watershed, it's not just the road that brings water. The wetland continues North. There is more of a watershed that's offsite that also brings water into the area. Surplus of surface water and physiography of existing wetland that creates a bathtub of groundwater that will influence our area too. Because we have a good source of water, we are not concerned with water in the existing wetland in order to feed the created wetland.

Mathieu asked if there is concern about dry periods back to back years.

Logan - Yes, however if we had a drought we would irrigate.

Wierszchalek asked about one of the first points made, mentioning evidence of a sustained seasonal high groundwater table (second paragraph, section one), how are you going to

determine the sustained seasonal high from the two test pits? Is that going to be regularly monitored before creation?

Logan - Yes, haven't done test pits yet. The plan may have to be slightly modified and we don't want to have to go deeper. The way it's figured out is based on what modeling you have and where it is. Looking for low chromo models that will give an idea of a more sustained groundwater table. Those are the things I'll be looking for prior to work.

Wierszchalek asked if this plan is the best case scenario. Also, depending on findings as they get further along, could they end up adjusting the plan based on conditions they're encountering. Logan - Correct, if I want to do the excavation in late April/early May, that would be a good time looking at weather conditions. Would like to back up a few weeks and monitor hydrology.

Wierszchalek asked if there is no additional large tree clearing.

Logan - What was shown previously was a slightly smaller footprint. Now that he started looking at contours it appears he has to go more North, but that is necessary for proper grading.

Previously said one tree, now might have another 2-3 trees in the Northern portion. Wierszchalek asked that once a contractor is selected, will those specific details be provided?

Logan - Yes, as mentioned in the important note above, *a pre-implementation meeting shall take place at least one month prior to plan implementation*. At that time test pits will be done. Between a wetland scientist, site contractor, and landscaper (or Frechette if he would like to plant under Logan's supervision) and town's wetlands agent under town's discretion. Will have a meeting, at that point clearing limits will be defined.

Wierszchalek asked if there will be no machinery in the wetland creation area after top soil is put down. Also hoping that no machinery is going into the existing wetland, and they will work from the driveway side in. Also have the boundary clearly marked so there's no disturbance in the existing wetland.

Logan -The first order of business will be a silt fence, and it will go around the South side so we don't have any spillover or downgradient back into the wetland.

Penney - Quality and not quantity when talking about mitigation and loss, this creation is much smaller, but is hopefully a higher function.

Logan - Yes, the idea is to make it as high functioning as possible. One reason this area is being used is due to a juxtaposition of an existing wetland. The synergy will create better function.

Penney - Delineated wetland boundary is a plus or minus location, is the depiction to look at southerly limits of field delineation so no more wetland soils or intermittent water course characteristics that regulated feature doesn't exist in South.

Logan - What's below the soils is a cascade area, lose topography going down the hill. Between one of those things, is it an area that is subject to storm flow or overflow, or is it a water course? Is it more of a surface feature, or does it have a groundwater component to it? Might have to take another look at it to see if there's a developing watercourse. If it's a water course we'll make that determination in the spring.

Penney - Is there hydrology to support topography immediately adjacent to the South? Could the creation regimes in zones try to expand a bit to that South to try and take advantage? Will that

happen naturally, or is there a way for us to try to expand that wetland?

Logan - What I recall from the South of the blue line is that there were some trees there. There was a rise and a fall, don't want to take anymore trees down. Wanted to have an area that is slightly higher from the edge of the created wetland to the surface feature.

Penney - Is the driveway immediately adjacent to the North Frechette's major access to the lower portion of the property?

Logan - This is a 2016 aerial photograph. We wanted to match topography with the aerial photograph. What I recall is that the driveway is also the edge of the current clearing is not a driveway anymore, that area has been filled/flattened out. There are boulders at the edge, those are still there.

Penney - Is the driveway going to be continued use? How does that influence the salamanders/wood frogs access to vernal pool?

Logan - There is plenty of undisturbed, good, moist habitat in several directions so the salamanders and wood frogs will find the area. Will have to keep an eye on the water coming off of the area.

Penney - Regarding sediment from drainage infrastructure, if that's a gravel surface and is not well protected then we might want to provide berm or curving to make sure the material does not wash into the newly created wetland.

Mathieu asked if the water that will go to sustain the vernal pool will come off of the other property to the North.

Logan - Yes and no. Wetland delineation comes along the edge of the existing driveway.

Penney - There has been an expansion of the driveway between 2016-2024. This should have been permitted. It was discussed that we need a topography survey of the area that depicts the true extent of activity relative to the existing limit of the wetland. This would do two things, 1) Tell you where all activity is relative to wetlands. 2) Provide a place in time to show where all activity is in relation to the wetlands so in the future it is clear where the limits are, as opposed to where we are now. It is important to get a base map field locating the wetlands to have something more defined. That's what you would require with any permit activity relative to this kind of proximity.

Mathieu agreed with Todd, we need a larger map with larger activities mapped out to better understand the impact. Seeing this as a bigger picture will help us to understand the full impact. It was clarified that we are not looking for a boundary survey, we are looking for a topographic survey that accurately locates the soil scientists wetlands flags in relation to the activity that has taken place, relative to the activity that will take place and the features that were there.

Glenney stated to Reiser to plan to come to the March meeting with the initial application. If you don't have the topo map, that will become a requirement before we take further action. This will keep things moving for you all and will meet our requirements.

Noted by Glenney that responsiveness has been a concern, and this needs to take priority. We should see a permit application no later than the March regular meeting (March 26, 2025). Additionally, we have had problems with the wetlands agent getting access to the property. Will need a commitment from Frechette that within 2-3 days of Beutler calling that she gets a positive

response and access to the property.

Reiser stated they would do their best to accommodate with advanced notice.

Mathieu has concerns if this plan will work, if it doesn't work and it's three years from now what is the plan?

Logan - Typically what is done at the end of three years if the wetlands scientist is not satisfied the trajectory of the wetland is not achieved, we will add another year until it is on the right path. There are acts of god that cannot be controlled, but typically after three years if we've had proper monitoring and maintenance, and remedial activities that need to happen then at the end of the third season we should be fine.

Mathieu asked if the person directly involved will be Logan or someone else. It will be Logan.

Penney to Ken Slater - As our representative, what protections could this agency require on a permit to see that this was correctly installed and/or if it doesn't what measures does the agency have if it doesn't work?

Slater - With a violation, you always have enforcement action route, where you'd get an injunction that a court would force an order that it be remediated so that it would continue for fear the property owner would disengage Logan and Rema, some sort of financial guarantee together with the strong language in the condition of approval is as good as you will get in context of an application and approval of a mitigation plan.

Glenney - The next step is for Fretchette, Logan, and Reiser to come back with a formal permit application.

### **3. ADJOURNMENT:**

Meeting adjourned at 7:58 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.*

**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; Appliant: 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.*

**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 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 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.

Glenney 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 inland 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 inland wetlands and conservation commissions; it is good conversation between the four towns. Glenney 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. Glenney suggested we add this to the agenda for discussion.

## 10. Adjournment

Meeting adjourned at 8:34 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.*

**COVENTRY INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES  
WEDNESDAY, APRIL 23, 2025**

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

By: Mathieu

Time: 7:01 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 (sat as a voting member)	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	

Ken Slater, Town Attorney was also present.

**2. Audience of Citizens (2-minute time limit) - None**

### 3. Additions/ Changes to Agenda

**MOTION:** Motion to move enforcement, item 6A up to item 4 on the agenda.

By: Pearson

Seconded: Wierszchalek

Discussion:

Voting:

For: Epstein, Mathieu, Wierszchalek, Pearson

Against: None

Abstain: None

**Motion Unanimously Approved**

### 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. 65-day extension granted. The new deadline to act on this application is 6/1/2025.**

Representatives from VBH, Bill Anderson and Eric Nigosanti are in attendance.

Penney explained the Town is looking to do geometric improvements to Swamp Road and to the Swamp Road and South Street intersection as well as the S curve of South street by the heckler corn fields. There has been preliminary base mapping and engineering. There was a public involvement meeting. There is a lot of scrutiny on the S curves and increasing traffic and accidents. Those comments were taken into play. Currently on Swamp Road there is no formal drainage. There is very little formal drainage on South Street. In the process of improving the roads horizontally we want to flatten out the steep drop. The goal is to take the vertical geometry and flatten it out and in the process add some formal drainage. The South Street bridge over Hop River had catch basins put in when they redid the bridge 25-30 years ago. Penney went over a map and showed where there is existing drainage and wetlands. There will be no actual wetland disturbance but will work in the upland review area.

Penney showed the proposed plan for Swamp Road. The road varies in width, they will do a standard 26 feet wide.

Penney showed the existing versus proposed grade of Swamp Road. They will be cutting about 3.5 to 4 feet. Penney explained that when going South on Swamp Road you pass Love Lane and you are not able to see any distance. The goal is to be able to see a good distance and be able to react in time if there is anyone crossing the lane. The plan is to also add in an underdrain 30 inches deep that collects groundwater but no surface water. There will also be a structure added to effectively collect surface flow

from the road and into an outfall into a plunge pool level spreader just upgradient of the wetland line.

Penney reviewed an additional map showing improvements to Swamp going North/South and South Street going East/West. There is an existing drainage outfall we will be reutilizing and will be adding additional drainage structures to effectively collect stormwater. There will be a slight increase in flow because the road is winding and we are changing some characteristics. There are no associated wetlands within 75 feet of the outfall. Based on the North Central Conservation District we are going to be doing a deeper sump in one catch basin and add a hood that will collect the floatables prior to discharge. We will have a plunge pool level spreader that will dissipate the velocities from exiting. Going West we are improving the corridor and widening the road 26 feet. We will reutilize the existing outfall with taking the owners request into consideration. There is a catch basin, headwall, and a scour hole and a channel that runs all the way down to a wetlands complex. The owner does not like that their yard is bifurcated by the channel. Penney explained they are going to pipe the channel and it will eliminate some of the scouring. It will discharge into a plunge pool level spreader at the outfall immediately upgradient of that wetland. Adding a native planting buffer between the complex and the outfall which will be roughly ten feet from the riprap outfall and the wetland. It will help with water quality and water uptake. The amount of water that comes down South Street and into Hecklers Field is uncontrolled and it is creating scour off the road. We are trying to help that flow. It will run down into a catch basin, increase the sump, add the hood at the outlet into the new plunge pool energy dissipator into the outfall. One of the comments North Central had was to add rip rap and that has been put into the plans.

Penney explained that wetland impacts are expected to be minimal. He put together a memo based on North Central's observations and recommendations. Their first bullet is vegetation immediately downgradient the level spreaders on both South and Swamp with native plants that help retain water and filter out pollutants before it hits the wetlands. That is the ten foot wetland buffer of native plantings. There is no formal drainage on Swamp Road at all. By adding formal drainage we need to get a good level spreader plunge pool at the outfall. The next three bullets talk about the swale on South Street and planting the swale with native herbaceous vegetation other than turf grass. Penney asked if we received input for herbaceous vegetation? We want something that is somewhat maintainable and not something we are going to mow down. Incorporating that longer swale we are also incorporating the riprap check dams as was suggested in the last bullet. The second bullet talked about the existing rip rap at the Hop River channel and we are not looking to disturb that.

Penney goes on to say the following two bullets talk about deep sumps and hooded outfalls at the catch basin. We are adding four foot sumps and hoods for those outfalls going into the discharges going into the wetlands and discharges in general. The observations and recommendations talk about considering establishing reducing the salt application zone. That is a function of Public Works and their sanders are calibrated in the shop. They cannot recalibrate on the fly and it is not germane to this project. Mathieu mentioned with the elevation and the turns that reducing salt in that area is not the best practice even with all of the changes that will be made. Closer to where it flattens out it may not be a bad idea near the Hop River however there are private wells in the area and that may be an issue. Penney responded there is no known sodium or chloride contamination in these wells. Mathieu asked if near these new outlets if Penney has looked at the location? Penney responded there is only one new outlet on Swamp Road. Penney goes on to say the last bullet is on invasives. Where we are in our zone on our influence, if there is an invasive species we will clear and grub it. The district recommends managing these invasive species

to allow for native plants to flourish and prevent them from being out competed. Penney does not recall there being a lot of invasive species. We can make a comment or have a note to contractor with certain species that in the zone of influence we are clearing grubbing if we see it we will remove it. Where it is immediately adjacent to the outfall we will incorporate it.

Mathieu asked about the new outfall Penney mentioned and what the nature of the wetlands is? Is that a large wetlands complex they are leaning into? Penney responded there is a wetlands complex and showed on a map where it goes. There is no report from a wetlands scientist. It is flood storage and there is water quality benefits to it. Then it channelizes and dissipates downstream. Mathieu asked if that area is a Town ROW? Penney responded we will have an easement on it and we do not have one right now.

Beutler has no concerns.

Pearson asked if the North Central Conservation District was invited to comment as a courtesy? Penney responded that typically these size Town jobs we ask them for a peer review. Penney does not want to be the one giving the comments since he is initiating the design.

Mathieu's only concern is the piping all the way through and putting it into the wetlands; however she understands what the property owner is saying. Mathieu likes the idea from the district the vegetative outlet and maybe it is something we can deploy with other projects and asked where we are doing it on this project? Penney responded we are doing it on all of the outfalls whether there is a wetland or not because it is still good for stormwater quality. Mathieu asked if in that area what kind of vegetation we are talking about? Beutler responded we are asking for clarification.

**MOTION: Move to approve 25-2 Swamp Road and South Street alignment project with standard conditions.**

By: Wierszchalek

Seconded: Epstein

Discussion: None

Voting:

For: Epstein, Mathieu, Wierszchalek, Pearson

Against: None

Abstain: None

**Motion Unanimously Approved**

## 5. New Business

### A. WP-25-8 - Demolition of 85 Standish Road.

Beutler asked to add an item to the agenda. We had a new application come in on Monday. The applicant is here with us and he would like the opportunity to introduce us to the project. It is a demolition on 85

Standish Road. What is unique about this demolition is he has to do it by hand. The topography and not being able to get machinery down there. He will talk about the project and we will show pictures. Beutler did a site visit and took pictures and measurements.

Troy Langer Jr. is in attendance and is contracted by the homeowner. Langer explained there is no possible way to get a machine down to the house. It was decided it will be demoed by hand with sawzalls piece by piece. The home is 50 feet off the water. The plan is to put up a silt fence. There will be no machinery. Only sawzalls and manpower.

Beutler showed where the silt fence will be put up. Langer stated this is just a precaution if anything does come down but he does not expect anything to. The plan is to gut the inside and go from the top down. Beutler showed the slope and topography as well as the staging area for the dumpsters. Langer mentioned he did not measure the area for the dumpsters but he is assuming about 200 feet off of the lake. The plan is to go inside and tear everything down to the studs and work from the top down. They will cut off small sections and bring it to the dumpsters. He also stated the asbestos has been removed and the report is in the application. The electrical is already taken care of. Neighbors have been notified and are being kept in the loop during the process. Beutler mentioned that on site today they discussed ground disturbance. There is very little anticipated ground disturbance since everything is being done by hand.

Beutler also mentioned the house is on a dirt foundation so when it gets taken apart there will be exposed soil in its place. We had a discussion about what the solution will be because you will need to temporarily stabilize until the homeowner decides what the next phase is going to be. Beutler commented that Langer stated during their discussion they would get tarps and weigh them down with sandbags over the exposed soil and leave the silt fence up so a large rain does not wash the exposed soil down towards the lake.

Langer explained the homeowner will either demo and give the property to his daughter and son in law or sell the property. Langer also spoke with the sewer department about the grinder pump and what is going to keep it safe and not damaged for the next owner.

Wierszchalek does not see the tarp over the soil as a long term fix and would like to know how quickly that will be remedied permanently? Langer responded he will have to get more information for the agency on that.

Penney asked if any of the other neighbors are interested in helping get machinery onto the property for the demo? Langer explained there is no way to get machinery to the area even through the neighbors yard as it is pretty steep.

Epstein asked if the property owner is aware that once the home is demoed that he will need surveys and permits and that will take a couple of years? Penney recommends they get a survey now so they know what their lot coverage is.

Langer spoke with the homeowner in January and they were interviewing builders and he is adamant about getting the house done. Penney asked if the homeowners have had discussions with zoning? Langer does not believe so. Penney recommended telling the homeowner to have those discussions now so you know what the lot coverage is now.

Mathieu asked if we can remand this to Beutler to take care of? Penney responded there is a part of him that says there really is no disturbance. They need to have signed a letter they understand if we do not do a survey now they will start over from scratch.

Penney explained that from a disturbance standpoint there is none. Penney recommends topsoil be wheeled down and seeded until grass is grown and it can be a better temporary fix. From a land use standpoint we need to make sure the owner understands they lose everything without a survey.

Beutler and Leech need to discuss this application because it just came in. They will need to communicate with the owner. Mathieu suggests providing a memo to the property owner. Mathieu is okay with remanding this to Beutler if she is okay with once the demolition gets started she may want to be out there once a week. Mathieu asked if there is a fuel or oil tank? Langer responded there is no fuel or oil. It is only electric.

Wierszchalek asked if logistically for the permit itself Langer is currently listed as the applicant. Would it make sense to have the permit revised to the owner for the future rebuild? Beutler responded it will be related because of the address. Penney responded it will be a brand new permit and they can reference 25-8 as when they did the demo.

Mathieu confirmed the agency agrees moving forward there is minimal impact and remand this to Beutler as long as Beutler puts out a memo to the property owner noting all of the concerns noted here and also seeding that area to get grass growing. Beutler should be out there when this activity starts taking place to make sure it is done right and putting the silt fence wherever it makes the most sense.

Wierszchalek commented for Langer to consider airborne things such as insulation going into the lake and would like them to pay attention and potentially use water usage to spray it down. Mathieu asked if everything has been taken down inside? Langer stated they plan to get everything done inside first before they open up the house so the dust stays inside. Then take it apart carefully from the top down. Wierszchalek also asked to be sure the dumpster is covered in case of wind.

Beutler will be in touch with Langer.

## **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)**

Hank Gruner, Herpetologist, is in attendance. David Frechette is in attendance via Zoom. George Logan, Principal Environmental Scientist/Senior Ecologist is in attendance.

Beutler shared the violation timeline. Beutler made a series of site visits and has no issues with the erosion and sediment controls. During a more recent site visit a puddle was discovered where tadpoles were observed. Beutler contacted Logan and left a message letting him know what was found. Due to the time sensitivity Gruner was also contacted. Gruner attended a site visit the next day with approval from Frechette. Gruner offered to provide a report with recommendations which was handed out to the agency.

Beutler provided photographs taken during the site walks. She noticed she was standing in the spot the vernal pool used to be in. Beutler showed an aerial image of the property and pointed out the pickleball court that was in construction at the time of the image. Penney asked what the date of the aerial image is. The date is unknown. Beutler can find out the date of the aerial image for the record.

Gruner explained he was asked to take a look at what was considered to be a potential vernal pool that was filled on the property. Gruner approached it as if this was a brand new project and assessed it from a mapping standpoint and biological assessment. Gruner reviewed the maps and satellite imagery to get a sense of what occurred. It was clear there was a natural pool based on the imagery that was available that had been altered around 2014 or 2015 and had eventually been filled in. There is a pattern of spring filling with water but in March and April was evident on many images and you can see the drying pattern that was usually by September or October was dry. There was evidence the pool held water into August. This is important because vernal pools are variable in their hydroperiod which is the duration they hold water. This has an enormous influence on the biota and the ecological functioning nutrient cycle and so forth of that pool will depend on the hydroperiod that is there. Longer hydroperiods will support a greater number of species. That evidence is important in thinking about planning and management. The markers were there at least from satellite imagery to determine that it is a temporary wetland; it does not have fish and is likely serving as a vernal pool.

Gruner stated during the site visit with Beutler he counted 79 Wood Frog egg masses. This is an incomplete count as this is late in their breeding season so many of them are hatching. There are also several areas where the masses have degraded. Gruner would estimate 85-90 masses that were there. Gruner counted 12 spotted salamander egg masses. Both of these species are considered obligate vernal pool species which means they require vernal pools or temporary wetlands in their breeding cycle. They live most of their life in the surrounding upland forest. They reproduce in the vernal pools. It is critical to their lifecycle. The Wood Frog can tend to reproduce and survive in pools with a shorter hydroperiod and are dry by July or mid-June. Spotted Salamanders require vernal pools that generally hold water at least until mid-July and more typically into late-July or August as indicated by the presence of egg masses but also the satellite imagery that shows it held water until August. Additional evidence was found of several adult Eastern Newts. Eastern Newts require longer duration periods of water. They can hibernate in the surrounding forest and that is likely the case here with the drying. They spend part of their life cycles in the forest in the F stage before they return. The Newts returning to the pool as well is another indication of biota of a pool that held water for a period of time. That evidence as well as the clear drying cycle over a period of many years visible on the satellite images. The biological evidence of those animals

coming back they have high site fidelity for breeding which means when they breed in a site they tend to return to that site. Only a small percentage of the population will colonize new sites. It is not usually the adults that colonize it is usually a percentage of the young. On that site there is groundwater flow on top and there were ponded areas that were very shallow. A photo was brought up that shows where the vernal pool was and this specific area held roughly ten inches of water. There was a flow coming from that area where the footprint of where the pool was filled. There were shallow puddles that had formed. There were egg masses in all of those areas but the majority of the egg masses were in the deeper areas. There were tadpoles scattered throughout the shallow ponded areas. Unfortunately unless we get a lot of rain those animals will not make it out as it will dry too fast for them to develop and move out. It is a clear indication that adults came back to the site where they typically would breed and they took advantage of any water that was on that site.

Mathieu asked if all of these creatures are characteristic of a vernal pool? Gruner responded that with the exception of the Eastern Newt which is not an obligate vernal pool species. 95% of vernal pools will have Spotted Salamanders and Wood Frogs.

Gruner explained that based on the present conditions there will be no recruitment which can naturally occur. Vernal pools are variable - Loss of a cohort is not detrimental to a population in a given year. Spotted salamanders can live 7-9 years and wood frogs can live 3-4, so with a restoration opportunity the same animals that are attempting to breed there now will come back the next year and the year after that. As well as if they successfully restore the pool some of the young will come back. In Gruner's professional opinion restoration is preferable to creation of a new vernal pool.

Mathieu asked Gruner to confirm the location where a clear groundwater flow was observed. Gruner responded there is a clear drainage pattern and a wetland off to the left where the driveway is.

Gruner explained the research on creation versus restoration. The first effort is always trying to preserve and not impact pools and the landscape around them. The second tier of preservation is mitigation such as doing project mitigation activities like leaving 100 foot zones. The third tier is restoration. If a pool is altered then you restore. The last tier is creation because creation tends to not work. It is difficult to recreate.

Gruner explained the project not only filled the pool but trees cut around it have impacted the pool. The nutrient cycle starts with organic leaf litter that falls. Gruner was concerned that creation may be better however the animals are telling us where they want to go. You have a site that previously developed naturally as a vernal pool even though it has been altered. That provides the best shot at restoration. The groundwater may require hydrological assessments. This should be looked at as a two phase project. The first phase is to excavate and get a semblance of a pool and get the hydrology. You also want to stabilize the area around it and that can be done cost effectively with leaf litter in the surrounding forest. The second phase is looking at planting some shrubs around the pool to try and get growth there which will stabilize and in the long term have trees and shrubs that contribute to providing coverage for the animals. Gruner outlines in depth the consideration in making his opinion. One is that by restoring the pool you are not disturbing other areas. If you create a new pool you are altering the forest. There is no need to do additional disturbance. Size is a question because the project was altered previously. It looks

like the natural pool originally had a square footage of about 6,500 square feet. The existing pool has been altered. Whether you go with the 6,500 square feet or the 9,000 square feet is up for discussion. This is also the most cost effective. Gruner questions if you were to recreate what happens if it does not work? Looking at what makes the most sense from the landscape and the animals the landscape shows where the pool goes and the animals showing you where they want to go. The other good news is it is a fairly recent disturbance and there is an opportunity for a successful restoration, certainly one where the animals come back.

Mathieu asked if the animals would come back if the vernal pool was dried up? Gruner responded yes and gave some examples of other sites where the animals returned after the pools were gone.

Wierszchalek asked if any of the species are on the DEEP protected species list. Gruner responded that there is an endangered species list. There are three categories of endangered species which are endangered, threatened, and special concern. None of the species are on that list. Every ten years they also put out a comprehensive wildlife plan. In that the spotted salamander, the wood frog, and the newt are in the species of greatest conservation need. The rationale is trying to catch species before their populations decrease.

Slater added there was a case where there was a development and the obligate species were harmed. At one point the CT Supreme Court ultimately said the wetlands are what the commission jurisdiction of work not the species. The legislature changed that and ultimately said if you do physical impact to the wetlands or watercourses then the species themselves are wetlands. The species that use the disturbed area are considered wetlands and any impacts that happen to them because of the activity could be subject to enforcement because not only are you harming the wetland itself but now the species are wetlands and they are being harmed too.

Mathieu asked about the special designation and legally what is required of the wetlands commission? Slater responded that even without the special designation even if it was a mallard duck that was being affected they use a wetland or watercourse and you affect that population the wetlands act is designed to protect healthy wetlands. In this case if it is a species that uses that wetland and it is affected and there were direct impacts then it falls under the wetlands commissions jurisdiction and they are supposed to protect it. If there weren't any species and you are dealing with building something else versus this and this report is credible to you Logan may agree that restoration is the better plan. Part of what you should be considering regulating is doing as best you can to protect those species because they themselves are now considered wetlands.

Wierszchalek mentioned that even if we did a mitigation and created a wetland elsewhere the chances this area is always flooded will confuse species and that will likely be ongoing. Gruner responded that right now it is functioning as what is considered an ecological sink. One of the concerns about creating wetlands is if you do not get the hydrology right. It is attracting them with very little chance of success.

Penney stated we can now say it is a vernal pool. This was up for question up until last week. That changes the dynamic of what we have been going on now that we have proof. What is the best for mitigation?

Mathieu asked where the water is coming from to fill the vernal pool? She believes part of the answer was it is somewhat off of the owners property and somewhat off of someone else's property and what is to guarantee that water is going to stay there and be there to support? Mathieu pointed out there is a cul de sac and there is a storm drain. Penney commented there is a discharge point which feeds into that wetland that Logan located on the plan and pointed out the importance of having a plan and all of the information. It seems to Mathieu the area where the water flow is going including some of the stone and the pickleball court is what was the vernal pool and it is now disturbed.

Epstein asked if we are going to deal with the option of creating a new pool as an alternative? How are we going to process the two choices? Mathieu responded that we have not made a decision on Logan's proposal because we do not have a site plan. We denied the application last month.

Penney asked Beutler if she happened to look at whether the masses were still there and if additional tadpoles hatched? Beutler cannot say for certain if there were more tadpoles or more egg masses. There were egg masses that were still there. There was an area that was the shallowest that was dry enough where the tadpoles had died. Beutler pointed out there are ruts that were just as shallow but they did not dry out because we have groundwater coming in so those tadpoles did not die. There is another pool that looks like the area is deeper today than it was previously.

Wierszchalek confirmed that the erosion and sediment control silt fence is still up? Beutler confirmed it is and showed an area of concern because there is pressure on the silt fence. There is a series of silt fences below that are all functioning. Beutler does a site visit once a week.

Mathieu asked Frechette for an update. Frechette responded he is waiting on the surveyor and for Logan to get everything together. Mathieu asked if Frechette also needs an engineer to put together a site plan? Frechette thought Logan or the surveyor does that? Penney believes Logan's report may need to be supplemented with regards to the supporting hydrology for this area. The question becomes whether we are going to pivot to creation.

George Logan, Principal Environmental Scientist/Senior Ecologist is in attendance. Logan does not have any disagreements to what Gruner spoke on today. There may be a little nuance to what the final plan looks like. Logan would like to remind everyone where we started and where we are going. Where we started even though we did not have the information on salamanders and wood frogs there was never a doubt this was originally a vernal pool. If there was a doubt Logan would not be proposing a vernal pool. What Logan has done is he looked at the 2004 aerial photograph and it shows clearly the configuration of the original vernal pool. Mathieu asked about the evergreens in the photo. Logan responded that what you see underneath is actually the hydrology. That is the water. What you see on top of it is the maples. Mathieu asked even if there are no leaves? Logan responded yes because red maples have a peculiar graphic signature. Logan stated it is clear that it was flooded. Mathieu asked what time of year the picture was taken. Logan responded it was the spring perhaps sometime in March or early April. Logan

showed another picture from 2012 and explained the configurations are different. A third photo was shown from 2022 which shows the signature of the pond where you have the 11,000 square feet. A new photo Logan has is a 2024 March aerial photograph that shows the property boundary from the Town's GIS. It shows the limit of phase one of the pond creation. The first recommendation Logan had made was probably what we are going to end up doing which was to create a vernal pool in that location. He recalled a specific plan was never given for this. We pivoted to plan B which was to create a vernal pool in an area that had well water and surface water coming into it and that is to the side of the wetland that had delineated. Logan asked the surveyor to pick up the major trees so we can see the area that is open. Logan was not exactly sure we could create the hydrology in the vernal pool up top due to a lot of disturbance and he was not sure how much we had to dig to get to the original soils. Logan has no problem going to the original location for the vernal pool. This is a direct impact and we have evidence this was a vernal pool so we are creating the same habitat to preserve ecological services this particular wetland was giving.

Mathieu asked if the road we are looking at was given a permit? Penney responded it was back in 2009 and it was there. Frechette had done some work without a permit and Penney caught the violation. Frechette had to remove some material that went into the watercourse that daylighted from the end of the cul de sac. Penney explained Frechette remedies that by removing the material that was placed in that wetland. Mathieu confirmed with Penney Frechette did not proactively get a permit and the permit was done after the fact.

Mathieu asked Logan about the picture he handed out which says "Limit of Final Pond." Logan responded that is the original 11,000 square foot plus or minus. Mathieu stated that Logan is now mentioning he wants to do a restoration and asked if the blue outline is what he is talking about? Logan responded the blue outline is the pond that was filled which is the secondary resource. Mathieu asked what he wants to restore? Logan responded the vernal pool which is shown on the 2004 map shown previously. Mathieu asked that on the side of the pickleball court which is unpermitted the area they just saw and pointed out the area they just saw that goes up into the driveway are they looking to add that into what they are recreating? Logan responded no because that was not part of the original vernal pool. His fundamental reason for not including that area is because it was not in the location of the original vernal pool. Logan pointed out that Gruner mentioned the animals will find the area. Mathieu is trying to understand where they are going to restore the vernal pool and why they are restoring it in that place and are they trying to avoid the roadway and the pickleball court so he can have a patio next to his pickleball court and not restore the area of what should be a vernal pool. Logan responded it is obvious of Figure E he has provided that the area of the pickleball court that has the explanation is not only on the outside of the original vernal pool but is also outside of the original pond. Mathieu explained there is a reason there is a puddle, because that slope was cut into and there is a source of groundwater that is there. If you do not use that to feed your vernal pool you are restoring that could be a problem. There was a natural flow of groundwater that was significant that is feeding what was discovered. The critters would not be here if this was all filled in because the flow would have been interrupted. To Mathieu that area looks critical to make sure that flow of water is not cut off. Logan responded that is understood, however, as you can see that is created. Someone went in and dug it out and in that area the groundwater is not far. Logan pointed out that Gruner made a point in his report that the hydrology of this pool is critical. The hydrology has changed so we will have to take advantage of some of the changes. The problem is the groundwater in the fill area is probably not anywhere close to the ground. Logan mentioned there are indications of test pits and how they went. Beutler responded we do not have an actual report but it is in the minutes for how deep they excavated. Logan said that would give an indication for how far they fill. Penney responded we can get that information by getting a site plan and the existing topo and match that with the existing 2015 topo and we can get a much better definition. There needs to be action. Mathieu mentioned the water flowing from that area cannot get cut off. Someone will have to look at it

and make sure the water to sustain the restored area is restored as much as possible so you can have water in the area. That area looks critical. Penney stated there is a seasonably high water table and probably filled in what we saw on the 2004 aerials and sustained some longevity so that species survived and thrived. Penney explained there needs to be time to digest the new information and a site plan is critical. Also an understanding of the hydrology that supports the original vernal pool. Penney does not think there has been a lot of change to that area. In Penney's opinion we did not change the watershed dramatically. We did change the cover. Gruner mentioned the cover does have an impact on the hydrology. They no longer have that evapotranspiration. The big issue is the presence of some of that vegetation and once you get leaf out starts to sop up water. The lack of vegetative cover helps for the sense of restoration because you do not have immediate evapotranspiration. You do have evaporation and the balance between that from the literature is the evapotranspiration is a larger chunk of pulling out. What you want to get to minimize algae growth and to provide leaf input you want to get some cover. In an immediate restoration plan it is helpful versus creating in the woods when you have evapotranspiration. Logan commented that being a wetland scientist he knows a lot about hydrology. There are numerous vernal pools that do not have a watershed but they are deep enough and deep in the woods so you do not necessarily have to have a large watershed and a big source of water to create a proper hydroperiod. Logan stated we have to put a lot of thought into this.

Wierszchalek asked about the natural pond predevelopment and the limit of the final pond. Why would there not be a proposal to restore the final pond limits that was present for ten years or so? Logan responded the hydrology has been factored into it. The larger something is, the more evaporation happens. The hydroperiod we might have to go deeper. Logan's thought is we may have to go the original 8 or 9,000 square feet and make sure we nail the hydrology on that and do the perimeter planting.

Logan had a couple of questions for Gruner using Google Earth. The 11,000 square foot pond is probably where the traffic is? Gruner responded the opening of the canopy and the size of the permanence, yes. Logan mentioned Gruner said that there was within 742 feet another vernal pool which comes into the population dynamic and Logan asked Gruner where it is? Gruner responded it is west and pointed it out on the map. Gruner measured out where there are some vernal pools in the vicinity. Gruner also pointed out that there is a lot of forest habitat which is why the restoration has a good shot at being successful.

Mathieu asked that moving forward what do we expect to see next month? Logan responded hopefully we will see the survey plan next month and will start developing a draft restoration plan. Logan would also like to see test pits. Mathieu asked if we expect to have good progress? Logan responded yes that he is hoping the week before the next meeting they will have the information. Mathieu recapped that we will have a site plan and a start of a restoration plan. Mathieu asked to see Logan back at the next meeting so we can continue to see progress.

Penney mentioned the site plan is multiple sheets. It will be the site plan with existing conditions as it is. Then a site plan of the original and some line work of where the 2004 perimeter was. Then come back in May for three test holes so we can get a soil profile to come up with a plan that has the greatest amount of success. Penney asked a rhetorical question of what happens if this does not work? What legal remedy does the Town of Coventry have against Frechette for eliminating a vernal pool? We have one expert for the Town and one expert for the Owner that both say it is a vernal pool and it is affecting species. Mathieu mentioned this is why we want progress.

Roberson added it is prudent at this time to discuss what additional expertise the Town might need to help evaluate this plan. Roberson stated Logan had mentioned he does not want to guess and he is not a hydrogeologist. The Town has an ordinance that allows us when the need is established for professional assistance to hire those individuals at the applicant's expense. This situation leads us to the need for a professional wildlife biologist and also a hydrogeologist to examine the soil profiles and determine what the groundwater flow is. We need to restore the proper hydrological conditions to this vernal pool that has been so negatively impacted over the years. We need both a professional wildlife biologist with experience with those obligate vernal pool species and also a professional hydrogeologist who can look at the changing topography that has occurred. We know the vernal pool got filled in. What we do not know is how much or how much area around the vernal pool has been raised. Roberson strongly recommends the agency utilizes that Town ordinance that authorizes the agency to get quotes for the services and to choose those consultants and include those fees in the application fees in the wetlands permit application that will be forthcoming. Mathieu asked how we go about that? Roberson responded they should discuss that need and determine as an agency if they agree with that approach. Staff will do the work in obtaining quotes for services. Slater asked Roberson if she agrees the best time to do that is at the draft restoration plan so they have something for the commission to discuss and they will need that to get proposals from consultants that the commission might consider to engage. Roberson thinks it can wait until they have something before them but did think it was important to let the applicant and his agents know as soon as possible if that is something they are considering. Penney mentioned we need something for a professional to evaluate to be able to provide input.

Slater stated if the owner gets good information with Logan now and gets good test pits and the town decides to hire they can do less work. It might streamline what a consultant of the Town does. Mathieu asked Roberson if the ordinance allows the commission to revoke the ordinance at any time and is there a permission that needs to be granted to invoke this ordinance? Roberson responded she does not have the ordinance in front of her. She is not sure it provides much procedural detail. In Roberson's experience using the same sort of ordinance in other Towns there was some guidance. The need should be identified as soon as possible for the benefit of everyone. That is a decision the commission should make and the staff will make it happen. The staff will look at the direction of the wetlands agency if they decide that is appropriate for this application. Roberson cautions against waiting until you are too far along in the process. It is important to identify the need early on. Mathieu asked if this can be used on any application. Roberson responded yes this can be used on any application where it is needed. Roberson added that while this is paid for by the applicant they are contracted with the Town but the applicant pays for it.

Penney suggested that Gruner be present at Beutler's weekly site visits over the next month to see if the species will survive. Mathieu responded as long as the property owner is good with it.

Mathieu would like to see a timeline of what is proposed next month.

## **7. Adoption of Minutes**

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

**MOTION: Move to approve minutes as amended:**

- On page 2, change “impervious” to “permeable pavers” in the second paragraph.
- Page 3, add the date of January 17, 2025 to Mark Reynolds Email.
- Top of page 4 Mathieu suggests adding the date of December 3, 2024 to the sanitarians letter.
- Beutler’s name is misspelled on page 4.
- Page 2, “Rain Garden” should have a space.
- On pages 5, 6, and 8 change “ENS” to “E&S”.
- On page 7, change “Todd” to “Penney”.

By: Pearson

Seconded: Epstein

Discussion: None

Voting:

For: Epstein, Mathieu, Wierszchalek, Pearson

Against: None

Abstain: None

**Motion Unanimously Approved**

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

**MOTION: Move to approve minutes as amended:**

- On page 6, add who responded to Mathieu’s question that concerned who will be directly involved in oversight of development of the wetland. Logan responded that it will be himself.
- On page 4, the first full paragraph change “Chromo” to “Chroma.”
- On page 5, change “Todd” to “Penney”.

By: Pearson

Seconded: Wierszchalek

Discussion: None

Voting:

For: Epstein, Mathieu, Wierszchalek, Pearson

Against: None

Abstain: None

**Motion Unanimously Approved**

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

**MOTION: Move to approve minutes as amended:**

- Page 5, change the statement “That does not mean test pits did not fit the pond area” to “That does not mean test pits were advanced in the former pond area.”
- On page 2, the paragraph before the motion, change “Bill” to “Watkins”.
- On page 4, change “Charlie” to “Harakaly”.
- On page 5, specify “Frechette” is “he” in paragraph 3.
- On page 6, change “him” in paragraph 2 to “Frechette”
- On page 6, remove “Mr.” before “Markie” under section B, paragraphs 3 and 4.
- On page 6, under section B, paragraph 4, change “1 in” to “1 inch”
- On page 7, paragraph 5, add a question mark for the sentence “Why is there a sequence of permit violations and now we have to modify the original permit?”
- On pages 8 and 11, Glenney did not abstain from the motions. Add Glenney under “Voting For”.

By: Pearson

Seconded: Epstein

Discussion: None

Voting:

For: Epstein, Mathieu, Wierszchalek, Pearson

Against: None

Abstain: None

**Motion Unanimously Approved**

**D. March 26, 2025 - Regular Meeting Minutes (e)**

**MOTION: Move to approve minutes as amended:**

- Page 4, item 5a in the first full paragraph, add that Glenney stated “it is up to the owner no matter who is speaking”.

By: Epstein

Seconded: Wierszchalek

Discussion: None

Voting:

For: Epstein, Mathieu, Wierszchalek

Against: None

Abstain: Pearson

## Motion Approved

### 8. Correspondence

Beutler mentioned there is a new wetlands agency member who was recently appointed. Beutler will continue to try and get in touch with her and she will be on board for our next meeting. She will be filling an alternate position.

### 9. Discussion - Continuing A-C for next meeting.

- A. Rick Zulick's burn weeding plan for Wetlands Permit #24-32 - 375 Brewster Street (e)
- B. Policy regarding incomplete application submissions & revival of application checklist (e)
- C. Wetlands Quarterly Report Jan-Feb-March 2025 (e)
- D. IWA - Low Impact Development Working Group Update

Pearson and Mathieu generated the draft work plan and sent it out on the 14th to the agency. Mathieu is taking input on the work plan for the next couple of weeks. They welcome any and all comments. Their first meeting is next Tuesday. The agenda is set and was posted last week.

Pearson and Mathieu are going to Uconn on Monday for an impact development demonstration.

Wierszchalek had some comments and suggestions and is clarifying a few things and gave her notes on the work plan to Mathieu.

Wierszchalek asked if the meetings are public? Mathieu responded yes that this is an informal working group and they are not appointed.

Mathieu suggested Wierszchalek attend the meetings. Beutler will ask Slater if that is possible as it might be considered a meeting if three members from IWA are convening.

### 10. Adjournment

Meeting adjourned at 10:15 p.m. by Mathieu.

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.*