

IWC Members:  
Martha Dumas  
Maureen O'Doherty  
Brian Anzellotti  
Jeff Flynn  
Nancy Brault  
Margaret Keser  
Jim Sipperly, Inland Wetlands Agent  
Jade Richardson, Clerk

**PORTLAND INLAND WETLANDS COMMISSION**  
**REGULAR MEETING**  
Tuesday, March 5, 2024 7:00 p.m.  
**Portland Library- Mary Floor Room**  
**20 Freestone Ave Portland, CT.**

**Present:** Martha Dumas Chairperson, Maureen O'Doherty,  
Nancy Brault, Margret Keser (Alternate)

**Absent:** Brian Anzellotti, Jeff Flynn

**Other Present:** Jim Sipperly, Inland Wetlands Agent

**1. Call Meeting to Order**

Martha Dumas called the meeting to order at 7:01pm

**2. Introduction of Members and Seating of Alternates**

The Commission members introduced themselves.

**3. Accept Agenda**

Maureen O' Doherty made a motion to accept the agenda, seconded by Nancy Brault, all in favor, motion carried.

**4. Approval of Minutes: 2/6/2024 Regular Meeting**

Nancy Brault made a motion to accept the Meeting minutes for 2/6/2024 seconded by Margaret Keser, all in favor, motion carried.

## Public Meeting

5. Application #23-03: 311 Brownstone Ave. Proposal to construct a spa with associated site grading, drainage, utility, lighting and landscaping improvements within the inland wetland regulated area. Application of Tartan Spa Operations, Inc and property of Dean Soucy and Darlene Rice. Map 28, Lot 54. Zone B-3.
- Jim Sipperly went on record, stating the Applicant did submit an affidavit for Public hearing signs, the public has been made aware of tonight's public hearing. The committee went on a site visit today along with a few people from the public.
  - Isaiah Brown from Langan Engineering spoke on behalf of the applicant. The project will be occurring on a six acres site. The main building will consist of massage rooms, locker rooms, and retail and back of house space. Another building will have a general office and back of house or the spa, in total seven auxiliary buildings. A Bistro building with a cafe will be on the grounds for spa guests. Furthermore, a surface level parking lot that will provide 133 parking spaces will be on the site. Mr. Brown reiterated the drainage plan with a storm water system designed using less impactful methods. In addition, there is an existing drainage channel on the property that will be used to discharge water. Using a swale to redirect the water off the site is being considered. Lastly, the applicant wants to landscape on the property. A lot of replanting will take place on the site. Mr. Brown informed the committee, the sidewalk/ pathways will be heated concrete which will benefit during the Winter season.
  - Nick Cheveldave Director of Project Management of Pomeroy Nordic Spa also attended the meeting via Zoom to answer any questions from the committee and the public. Mr. Cheveldave stated the company will be hiring a local contractor for snow removal during the Winter season. Also, the company will have its own maintenance crew to overlook the property which includes landscape, buildings, pools, water quality, and parking lots.
  - Dean Gustafson, Senior Wetland Scientist from APT, performed a Wetland investigation on the property. Currently there is a lot of Water running through the site due to the rock cut and storm water discharge that intercept on the property. The main Wetland feature is a man-made pond. The project will impact the man-made pond, yet it won't be a significant impact from a resource or a function value perspective, due to the man-made nature of the pond. Therefore, the feature holds very little function value in Wetlands moral watercourse perspective.
  - Public Comment: Bill Wildermouth of 66 Middlesex Ave Ext, addressed his concern to the committee not to Pomeroy Nordic Spa or Langan Engineering (Mr.Brown).His concern is the run-off coming from the Portland properties down to the Quarry in order to get to the

Quarry. Which include, the Middle school, roads, and homes, the matter has been an issue for years.

**RECORDED VOTE**

**DATE: March 5, 2024**

**COMMISSION: PORTLAND INLAND WETLANDS COMMISSION**

**MOTION**

**TO APPROVE IWC Application #23-03: 311 Brownstone Ave. Proposal to construct a spa with associated site grading, drainage, utility, lighting and landscaping improvements within the inland wetland regulated area. Application of Tartan Spa Operations, Inc and property of Dean Soucy and Darlene Rice. Map 28, Lot 54. Zone B-3. Based on site plans and documentation submitted, testimony presented and subject to the following conditions:**

1. That the letter of approval be placed in the file.
2. That this permit shall expire 3 years from the date of this approval unless extended by this Agency;
3. That this permit shall not be assigned or transferred without permission of this Agency;
4. That a bond for E&S controls be submitted in an amount determined by the Town Engineer prior to commencement of any land disturbance activity on the property'
5. That all E&S controls be installed by the applicant and inspected by the Wetlands Officer or other appropriate Town Staff prior to the start of activity;
6. That the Agency has relied in whole or in part on information provided by the applicant and if such information subsequently proves to be false, deceptive, incomplete or inaccurate, the permit may be modified, suspended, or revoked.
7. That all permits issued by the Agency are subject to and do not derogate any present or future rights or powers of the Agency or the Town of Portland, and convey no rights in real estate or material nor any exclusive privileges, and are further subject to any and all public and

private rights and to any federal, state, and municipal laws or regulations pertinent to the subject land or activity.

8. That if the activity authorized by the Agency's permit also involves an activity which requires zoning or subdivision approval, special permit, variance or special exception under sections 8.3(g), 8-3c, or 8-26 of the Connecticut General Statutes, no work pursuant to the wetland permit may begin until such approval is obtained.
9. That in constructing the authorized activities, the permittee shall implement such management practices consistent with the terms and conditions of the permit as needed to control storm water discharges and to prevent erosion and sedimentation and to otherwise prevent pollution of wetlands and watercourses.
10. That disturbed soil is stabilized with grass or other suitable method in accordance with the 2002 E&S Guidelines.
11. Any chemicals, gas, or oil used on the site, shall be stored in a secondary container. To ensure protection of spills or possible leaks, for Protection prevention.
12. Liquid Calcium Chloride pretreatment to be used in the event of Winter snowstorms.

REASONS:

---

---

---

Made by: \_\_\_\_\_

Seconded by: \_\_\_\_\_

IN FAVOR

---

---

---

IN OPPOSITION

---

---

---

IN ABSTENTION

---

---

Recorded By: Jade Richardson

- MOTION: Nancy Brualt Moved to approve IWC application #23-03: 311 Brownstone Ave. Proposal to construct a Spa with additional items #11 and #12 as part of the Motion, seconded by Margaret Keser, all in favor, Motion carried.

**Regular Meeting**

**6. New Business:**

Receive application(s) and determine whether to hold  
a public hearing (significant activity or in the public's interest) None

**7. Old Business:**

- Complaint regarding discharge of Muddy water into Great Hill Pond
- Jim Sipperly updated everyone regarding Mr. Sokoloff property. Mr. Sipperly informed the committee, he has not been on the property lately. Due to bad weather for the last few weeks, Mr. Sokoloff had to postpone all work on his property which included placing Mulch Hay and Geotextile fabric on his land. Mr.Sokoloff still intends to honor the order, yet at the moment everything is still status quo. His recommendation is to give Mr.Sokoloff a few more weeks in order to implement the changes that were discussed due to better weather.
- Michael St.Peter, of 59 Lake Rd., informed the committee that he has three breaches entering his property. He requested the Sod Mr.Sokoloff will be using, should to be tested, due to chemical compounds which makes it an Inland Wetland concern. Martha the Chairperson, asked Jim Sipperly, prior to April's Inland/Wetlands next meeting to inquire who could test the Sod Mr. Sokoloff will be using on his property. Mr.St. Peter reminded the committee the Buffer on Mr.Sokoloff property is a Inland/Wetlands concern being it's an erosion control matter.
- Jim Steffman of 60 Lake Rd., read into record a Buffer Easement from 2008 from the Land Records which was filed, prior to Mr.Sokoloff purchasing his current property. He emphasized on section "One Easement" #2. There shall be no removal of soil, #3. Nor shall activities be conducted on the buffer Area which could cause erosion of the

buffer area. #5. The Town of Portland enforces this casement if necessary, in any court of competent jurisdiction and shall be entitled to reimbursement of all reasonable costs including reasonable attorney fees, in the prosecution of any such action provided the town shall prevail in such action. Mr.Steffman proposes to file an action against Mr.Sokoloff. He also reiterated the problems his property and other residents have been faced with since the Buffer has been removed from Mr.Sokoloff property among other concerns. Lastly, he is requesting the swale and berm to be reinstated on Mr.Sokoloff property.

- Norm Ward of 54 Lake Rd., suggested to the commission the Buffer Mr. Sokoloff removed should be restored on his property, no matter the cost. Yet, the Chairperson reiterated to Mr. Ward that the Buffer matter is not an Inland Wetland matter, it's a Planning & Zoning concern.

#### **8. Reports of Officers, Staff, and Committees:**

- Updates and Discussion Regarding Wetlands Violations and Agent Approvals:
- Jim Sipperly received an email from Nancy Brault, Jim agreed to schedule a visit with Dan Bourret to visit Nancy's property. Jim stated he will look at the soil in the back of her property. Nancy has concerns where the groundwater is coming from the Town's property.

#### **9. Public Comment and General Questions**

The Commission will hear brief comments at this time from anyone wishing to speak. Comments may not be made regarding any pending application. The Committee heard from Norman Ward, Michael St. Peter, Jim Steffman, and Leslie Steffman (Please refer to section 7 "Old Business"for complete dialogue)

#### **10. Correspondence: None**

#### **11. Adjourn**

Maureen O' Doherty made a motion to adjourn, seconded by Margaret Kesser, All voted Unanimously. Meeting was adjourned at 8:54pm

Respectfully submitted by

*Jade Richardson*