



**Notice of Tentative Determination to Approve an Application for  
Dam Safety Permit and Intent to Waive Public Hearing**

**Applicant(s): Town of Thomaston**

**Application No: DS-202101465**

**City/Town: Litchfield**

**Dam Name & DEEP ID No: Nystrom Pond Dam & Dike, Dam ID #7402 & #7439  
B (Significant) Hazard**

The Commissioner of the Department of Energy and Environmental Protection (“DEEP”) hereby gives notice that a tentative determination has been reached to approve the following application. The Commissioner also intends to waive the requirement for public hearing pursuant to Section 22a-403 of the Connecticut General Statutes provided that a hearing may be held if the Commissioner determines that the public interest will best be served thereby, or shall hold a hearing upon receipt of a petition as described below.

Application No.: DS-202101465

Applicant’s Name and Address: Town of Thomaston  
158 Main Street  
Torrington, CT 06787

Contact Name/Phone No/Email: Edmond Mone, First Selectman  
[emone@thomastonct.org](mailto:emone@thomastonct.org), 860-283-4421

Type of Permit: New Permit  
Dam Safety

Relevant Statute(s)/Regulation: 22a-403

Project Description: Repair/Modify an existing dam

Project Location: The Nystrom Pond Dam is located upstream of Moosehorn Road in the Town of Litchfield

Water(s): Turner Brook

**REGULATORY CONDITIONS**

The proposed activities include the following: replace the existing spillway masonry spillway training walls with concrete training walls, replace the existing low-level outlet works, repair the existing concrete portion of the dam and spillway, install rip-rap revetment on the upstream face of the dam, re-grade the low spot to the west of the dam to match the dam crest elevation, raise

the adjacent earthen dike to above the dam crest elevation, and remove trees and stump on and within 25 feet of the dam and dike embankments.

The proposed activities will impact 5,800 square feet of wetlands and 4,600 square feet of watercourse associated with the Nystrom Pond and Turner Brook.

#### INFORMATION REQUESTS/PUBLIC COMMENT

This application has been assigned No. 202101465; please use this number when corresponding with DEEP regarding this application. Interested persons may obtain copies of the application from the applicant at the above address. Due to the ongoing COVID-19 virus pandemic, the Department of Energy and Environmental Protection located at 79 Elm Street, Hartford, CT is closed to the public until further notice. However, electronic copies of the application and supporting documentation can be provided to interested persons via email. Any such requests for electronic documents may be directed to Anna Laskin of the Dam Safety Program at 860-424-3522 or [Anna.Laskin@ct.gov](mailto:Anna.Laskin@ct.gov).

Before making a final decision on this application, the Commissioner shall consider written comments on the application from interested persons. Written comments on the application should be directed to Ivonne Hall, Supervisor of the Dam Safety Program via electronic mail to: [Ivonne.Hall@ct.gov](mailto:Ivonne.Hall@ct.gov) no later than thirty (30) days from the publication date of this notice. Written comments may also be submitted in paper form to the Department of Energy and Environmental Protection located at 79 Elm Street, Bureau of Water Protection and Land Reuse Hartford, CT. In this submittal please identify the name of the staff assigned to the application, the permit application number and your phone number and/or email address to facilitate responses to your comments. Due to the COVID -19 virus Pandemic and social distancing measures implemented by DEEP staff, there could be delays in the response to your comments. You may contact the staff person identified in this notice with any questions you may have.

#### PETITIONS FOR HEARING

Petitions for a hearing shall be submitted within thirty (30) days from the date of publication of this public notice and should include the application number noted above and also identify a contact person to receive notifications. Petitions may also identify a person who is authorized to engage in discussions regarding the application and, if resolution is reached, withdraw the petition. In order to facilitate the filing of requests for hearing during the COVID-19 emergency and be consistent with the Department's Temporary Directive, the Office of Adjudications will accept electronically-filed petitions in addition to petitions submitted by mail. Petitions with required signatures may be filed by email to the Office of Adjudications at [deep.adjudications@ct.gov](mailto:deep.adjudications@ct.gov) or mailed to the DEEP Office of Adjudications, 79 Elm Street, Hartford, CT 06106. Within thirty (30) days, original petitions that were filed electronically must be also mailed to the Office of Adjudications at the above-noted address. If the original petition exists only in electronic format or signatures were produced using a computer or typewriter, the petition must be submitted with a statement bearing the wet-ink signature of the petitioner that the petition is only available in that format and has been submitted to satisfy the requirement that an original petition be filed. Additional information can be found at [www.ct.gov/deep/adjudications](http://www.ct.gov/deep/adjudications).