

**TOWN OF POMFRET
INLAND WETLAND & WATERCOURSES COMMISSION
MEETING MINUTES (AMENDED)
NOVEMBER 3, 2021**

- 1. OPEN REGULAR MEETING:** Meeting opened at 7:02 pm
- 2. ROLL CALL - Present:** P. Safin, D. St. Martin, J. Rowley, J. Folsom, J. Stoddard, N. McMerriman, J. Bergendahl A. Howe, J. Rabbitt, and R. Brais. **Absent:** W. Gould (w/n), and L. Shaw (w/n).
- 3. SEAT ALTERNATE(S) AS NEEDED:** Seat J. Bergendahl for W. Gould
- 4. ITEMS TO BE ADDED TO THE AGENDA: - none**
- 5. PENDING APPLICATIONS:**
 - A. Rectory School, 528 Pomfret Street,** construction of new 2-story, 10,249 sf dormitory including 4 faculty apartments. Work will include clearing and grading around the proposed building as well as 7 new parking spaces and minor changes to the interior access road. This is in the upland review area. John Everett from NE Design spoke for the applicant. He submitted the NDDH approval letter for the commission. There was a discussion regarding spill kits. J. Folsom asked Jamie if he had reviewed the site. Jamie said he had earlier in the year and has no primary concerns. J. Folsom asked Jamie if he drafted a motion. Jamie said he did, and it has 4 conditions of approval. J. Folsom asked if another condition could be added, and Jamie said it could be done easily. D. St. Martin made a motion to approve the application. J. Bergendahl seconded. All in favor.
 - B. Donna Grant, 106 Modock Road,** 28' x 36' 2-car garage with ADA compliant entry ramp. R. Brais said there are two sets of plans in the folder for 2 different sized buildings. Ryan submitted a letter to the commission regarding a site visit he did on this property on October 30, 2021. He stated that the area around the proposed addition is relatively flat. He sees no issues with sediment transportation. Spoils should be placed in front of the house until removal from the site. He has marked up the site plan showing silt fence along the edge of the lawn. The fence must be properly trenched in and backfilled. The applicant has also requested to fill in a low spot in the lawn that ponds during heavy rains, which he has shown on the mark-up in orange. He sees no issue with this proposal. The area is to be seeded and the silt fence left in place until the site is stabilized. Jamie agrees with Ryan. The addition is 120' from the pond and 75' from the wetlands. J. Folsom made a motion to approve the application with the two conditions of approval Jamie mentioned: 1) E&S installed and inspected prior to any construction activity and/or grading/filling; and, 2) BMPs followed for grading and/or filling.

6. **CITIZEN'S COMMENTS:** B. Woodis had some questions for the commission regarding and upcoming application. He wanted to know if he would be required to redo the wetlands delineation, or could he use the prior plans from 2008? He said they will be doing new soil tests and using the existing driveway. Jamie said the area is heavily forested and we don't know where the development will be. P. Safin also mentioned that if a well is found, it must be closed properly.

7. **NEW APPLICATION(S):**

A. Serge & Cherie Riabtsev, 104 Gary School Road, new single-family home, well, septic, pool, and driveway. B. Woodis was present for the applicant. He said the property is right next to Longmeadow Automotive, where the pond is. The purchase will not be complete until permits are approved. They wish to build a 4-bedroom house, concrete pad for an RV, and a pool in the back of the house. NDDH application has been submitted. Everything is in the upland review area, with discussion regarding the septic area (nitrogen load on pond). Application was received tonight and will continue to our December 1, 2021, meeting.

8. **NO-FEE APPLICATIONS: none**

9. **NOTICES OF VIOLATION/CEASE AND DESIST ORDERS:**

A. Outstanding NOV (Notice of Violation)

1. **Deborah/Paul Simpson, 64 Hampton Road,** - follow-up on 3/2020 on the restoration plan from 1/26/15 NOV. Jamie spoke with P. Simpson and he will come to the December meeting. A decision was made to have the applicant attend monthly meetings until the issue is settled (12/02/2020). Commission members requested that Jamie meet with the Simpsons to see what they're doing in the spring/summer and have Mr. Simpson come to the May/June meeting. It was mentioned that we need to put something in the regulations (i.e., caveat on land records) for applications that don't get completed in a timely manner (5/5/2021). Jamie spoke with Mr. Simpson who couldn't attend the meeting. He explained to the commission his feelings regarding the applicant taking 5+ years to do this reclamation work. We need to push to caveat or speak with the Town Attorney. P. Simpson said that his equipment is still down and being fixed. He would commit to finishing the project this year. He has done some work, but the site had been inactive for the last 12-18 months. P. Safin asked Jamie to photograph the site because it's been too long. Discussion of putting a time frame in place. D. St. Martin made a motion to place a caveat on the land record. J. Folsom seconded. All in favor. (J. Rabbitt said there should be a note on the caveat that a NOV was sent, a permit was granted, but the work was not done). There is nothing new, but the backhoe is gone (10/6/21). Nothing new (11/3/21).
2. **Zachary Leighton (owner) and Barry Peloquin (occupant), 59 Longmeadow Drive,** Show Cause Hearing on 8/4/2021 for obstruction of a watercourse behind

59 Longmeadow Drive that is causing flooding to upstream properties. After discussion and testimony from Mr. Gadoury, the following action was taken: a Cease & Desist for 59 Longmeadow Drive is valid and was issued for cause and shall remain in effect until the corrective action is reviewed and approved by commission staff. Commission members voted to enforce the action (8/4/2021). Ryan showed the before and after pictures of the stream. P. Safin asked that Ryan check the stream every few weeks. Also, he would like Ryan to call Mr. Gadoury (10/6/21). Nothing new (11/3/21).

10. JURISDICTIONAL RULINGS: none

11. AGRICULTURAL ACTIVITIES: none

12. PRIOR APPLICATIONS WITH CONDITIONS: construction being done on Babbitt Hill Road across from the Carters

13. SUBDIVISIONS APPROVE BY PLANNING AND ZONING: - none

14. COMPLAINTS/CONCERNS RECEIVED BY COMMISSION: Placement of a new bridge just North of the Mashamoquet Brook. Ryan said he'd contact the owner at 28 Wrights Crossing Road. Nothing new (11/3/21).

15. NEW COMPLAINTS: it was mentioned that the 1st house on Paine Road is building a garage; have this checked out. New house lot on 169, two lots before B. Purcell's; have it checked out.

16. CITIZEN'S COMMENTS: none

17. EXTENSIONS REQUESTED: none

18. COMMISSION BUSINESS:

- A.** Updates and report from WEO and Commission Members. Jamie stated that the P&Z Commission adopted new regulations for Accessory Dwelling Units (ADUs).
- B.** Approval of the October 6, 2021, meeting minutes. N. McMerriman made a motion to approve the minutes as amended. J. Folsom seconded. All in favor with 2 abstentions.
- C.** Report of billing and bond releases – in progress; Paul & Lynn will meet to make sure everything is covered.
- D.** Correspondence – distributed CT Wildlife September/October 2021 issue
- E.** Draft and possible approval of the 2022 meeting schedule. J. Rowley made a motion to approve the 2022 meeting schedule as submitted. D. St. Martin seconded. All in favor.
- F.** Reminder – Elections of Officers in December (have clerk send the IWWC by-laws via e-mail to the commission members)

19. **ADJOURNMENT:** D. St. Martin made a motion to adjourn. J. Folsom seconded. All in favor. Meeting adjourned at 8:20 pm.

Respectfully submitted,

Lynn L. Krajewski
Land Use Clerk

Dated: _____