

**TOWN OF POMFRET
INLAND WETLANDS AND WATERCOURSES COMMISSION
MEETING MINUTES (AMENDED)
NOVEMBER 4, 2020**

1. **OPEN REGULAR MEETING** – The Chairman opened the meeting at 7:00 pm
2. **ROLL CALL** – Present: P. Safin, D. St. Martin, J. Rowley, J. Folsom N. McMerriman, W. Gould, J. Bergendahl, L. Shaw, A. Howe, R. Brais, and J. Rabbitt. Absent: J. Stoddard.
3. **SEAT ALTERNATE(S) AS NEEDED:** A. Howe and L. Shaw were seated.
4. **ITEMS TO BE ADDED TO THE AGENDA:**
 - A. **Nicholas Lehto, 138 Longmeadow Drive**, application for a new home with driveway, septic, etc.
 - B. **Draft of 2021 Meeting Schedule -**

David St. Martin made a motion to move item A to Section 7 under New applications, and item B to Section 18 under Commission Business. N. McMerriman seconded. All in favor.
5. **PENDING APPLICATIONS:**
 - A. **Pond and Boundary Restoration Services for John & Audrey Catanzano, 274 Deerfield Road**, application for approval to construct rip rap retaining wall along south border of property abutting Wappaquoia Brook. Jamie met with the landowners and recommended that they be allowed to remove landscape fabric and stone, excess material in the stream, but no rip rap along the side. A. Howe asked if they would seed with erosion control. Jamie said they wouldn't be seeding until the spring. J. Folsom made a motion to approve with Jamie's list of issues, including substitution for rip rap and no seeding until spring. D. St. Martin seconded the motion. All in favor. J. Rabbitt will send a letter with the conditions of approval to the applicants.
 - B. **Ken Cardinal, 96 Wrights Crossing Road**, application to construct a 2-car garage and breezeway. Ken and Cindy Cardinal were both present at the meeting. K. Cardinal stated that the garage will be built to match the house and there is no wetlands disturbance. Jamie said new plans were submitted tonight. Jamie suggested conditions of E&E installation, \$250 deposit for inspection fees, and NDDH approval. D. St. Martin made a motion to approve with Jamie's conditions. J. Folsom seconded. All in favor.
 - C. **Christopher & Melissa Coyle, 58 Wolf Den Drive**, application for pond restoration. Chris Coyle and Janet Blanchette were both present at the meeting. Jamie said he walked the property and recommends the following: pre-construction meeting before any work is started, E&S is installed and inspected prior to work, and a \$500 inspection surety be deposited. There are no issues with the historic use. J. Blanchette said she was there just to answer any questions the commission members may have. N. McMerriman made a motion to approve the application with the 3 conditions of approval Jamie stated previously. J. Rowley seconded the motion. All in favor with one abstention. C. Coyle then asked about a no fee application. Jamie gave Mr. Coyle an explanation. C. Coyle then said he wanted Jamie to include what he said in the meeting in reference to the motion; promotion of hydrologic stability; non-regulated uses and looking for understanding of the regulations. Mr. Coyle also wants to see in writing how to justify regulating a non-regulated issue. P. Safin said the Mr. Coyle's point was well taken but we will need to look into the issue. Jamie then asked J. Blanchette if she thought this application should be exempt. J. Blanchette

mentioned the Regulations under Section 4. Jamie then requested that all commission members read the regulations, Section A & B. Mr. Coyle then said this isn't an exemption. P. Safin then said again that his point is well-taken, but it will take time to get to Mr. Coyle with answers. We need to make sure that we agree with DEEP regulations. Mr. Coyle said it is to prevent destruction to promote hydrological stability (use by right).

- D. Gregg Aubin, 54 Tyott Road,** application for a single-family home with wetlands disturbance. Mr. Aubin was present to speak for the application. Jamie said the applicant hired a professional to install a culvert. Based on his site visit, there is an option to the proposed plan regarding the driveway and the house, including 10 conditions of approval. Jamie said this is an existing lot. J. Folsom mentioned the surveyor, who clears the land on the side, but does he have a forestry license? D. St. Martin said he would like to see the new design from the original plan. He also felt the COA's should include revisions to the plans. He thought they should stake the property line before any work is done. G. Aubin said there are pins on the corners. P. Safin asked if there were any further questions. J. Folsom said we could approve with a set of revised plans that comply with the list given by Jamie. He then thought we should table this motion until our December meeting. W. Gould felt the commission should have the revised plans in front of them. P. Safin told G. Aubin to talk with CHA for a revision of the plans.

6. CITIZEN'S COMMENTS – none

7. NEW APPLICATION(S):

- A. Nicholas Lehto, 138 Longmeadow Drive,** application for a new home with driveway, septic, etc. N. Lehto was present for the meeting. He said the property lines have been changed from 1.5 acres to 2.5 acres. The driveway is in an upland review area, which is the only disturbance. Everything else is outside of the upland review area. B. Woodis from KWP was at the meeting via zoom. He was asked where the well is located. He said behind the house on the right-hand side. Jamie said that the driveway needs to be paved. N. Lehto said they are planning on paving the driveway. Jamie said the driveway needs a bit of a slope due to runoff. P. Safin mentioned that we can't act upon this new application tonight. D. St. Martin said the driveway is pretty steep and the water will run directly to the wetlands. Need to cross slope the driveway. B. Woodis said it definitely needs to be done. He will also check the septic design and submit to NDDH.

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 of the restoration plan from 1/26/15 NOV. Jamie spoke with P. Simpson and he will come to the December meeting. He has had equipment issues. He is going to update his previous letter regarding his time frame. P. Safin said this has been a 5 -year issue and it looks like we're setting a precedent. He is inclined to have the homeowner come to the December meeting (bring photos) and get a list of the original conditions of approval. J. Rowley said the applicant needs to attend a meeting to know what's going on. J. Folsom thought we should make it a condition that the applicant must attend meetings until the issue is settled.

10. JURISDICTIONAL RULINGS: none

11. AGRICULTURAL ACTIVITIES: none.

12. PRIOR APPLICATIONS WITH CONDITIONS: none

13. SUBDIVISIONS APPROVED BY PLANNING & ZONING: none.

14. COMPLAINTS/CONCERNS RECEIVED BY COMMISSION:

- A. CNG Holdings, Jim West, 30 Tyrone Road,** work being done without a zoning permit. Jamie said this property has been vacant for a few years. Ryan did a site visit and there are no wetlands. This is not a wetlands issue. However, it is a zoning issue. This item can be removed from the agenda.

15. NEW COMPLAINTS: none

16. CITIZEN'S COMMENTS: none

17. EXTENSIONS REQUESTED: none

18. COMMISSION BUSINESS:

- A.** Updates and report for WEO and Commission members. Nothing new but we did get an update of the drought situation. Jamie said for next month's agenda under Item 18 Section A, add Section A1 stating the discussion of Section 4 of the regulations. Also, A. Howe updated the commission that the drought level is down to Stage 2.
- B.** Approval of the October 7, 2020 meeting minutes. J. Folsom made a motion to approve the minutes with amendments. N. McMerriman seconded and the motion carried. There were three abstentions.
- C.** Report of billing and bond releases. Chris Grilley has paid the Town what he owed and is in the process of signing the appropriate application form for the file.
- 1. List of Bonds being held with Town of Pomfret (Escrow Agenda and Putnam Bank:**
- a.** Pomfret School (**IWWC/P&Z**) – Sherry needs a motion to close out the escrow account at Putnam Bank and use it to pay \$1,032.56 towards the deficit of \$2,692.77 in Wetlands land use funds, leaving an unpaid balance of approximately \$1,6602.21. This number has a typographical error. It should be \$1,660.21. This remainder will be covered by funds transferred from Planning & Zoning once their escrow account is closed out. This will close out all Pomfret School accounts. J. Folsom made a motion to approve to close out the escrow account at Putnam Bank and use it to pay \$1,032.56 towards the deficit of \$2,692.77, leaving the amended balance of \$1,6602.21 which is to be paid off when the Planning & Zoning escrow account at Putnam Bank is closed out. D. St. Martin seconded the motion, and it was approved.
- b.** Bill Hull – everything has been paid and closed out; his refund has been sent to him
- D.** Correspondence: CT Wildlife July/August 2020 issue was distributed

19. ADJOURNMENT: D. St. Martin made a motion to adjourn. J. Folsom seconded and the motion carried. The meeting adjourned at 8:47 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date: _____