

**INLAND WETLANDS & WATERCOURSES COMMISSION  
REGULAR MEETING MINUTES  
WEDNESDAY AUGUST 6, 2014 @ 7:00 P.M.  
POMFRET SENIOR CENTER**

- I. OPEN REGULAR MEETING:** John Folsom opened the meeting at 7:00 pm.
- II. ROLL CALL: Present** – John Folsom, Chairman; David St. Martin, Vice Chairman; James Rowley, Secretary; Joseph Stoddard, Member; Nancy McMerriman, Member; William Gould, Member; and John Bergendahl, Alternate; Staff: Ryan Brais, WEO; and Jamie Rabbitt, Designated Agent. **Absent:** Paul Safin, Member.
- III. SEAT AN ALTERNATE AS NEEDED:** J. Bergendahl was seated for P. Safin.
- IV. ITEMS TO BE ADDED TO AGENDA:** Invoices from Town Treasurer and request to reduce minutes. D. St. Martin made a motion to add these items to the agenda under Commission Business Item C3 and D respectively. It was seconded by J. Rowley and approved unanimously.
- V. PENDING APPLICATIONS:** None.
- VI. CITIZEN’S COMMENTS:** John Bala of 80 Covell Road spoke to the commission regarding serious conditions along Mashamoquet Brook done by Charles Franklin who denuded trees to the brook; Ryan stated it is a violation of the regulations
- VII. NEW APPLICATIONS:** None
- VIII. NO-FEE APPLICATIONS:**
- IX. NOTICES OF VIOLATION/CEASE AND DESIST ORDERS:**
  - A. Outstanding NOV (Notice of Violation)**
    - 1. James D. Carter, 173 Babbitt Hill Road, timber harvest in upland review area.** NOV issued 5/29/14. Nothing new (8/6/14). Leave on agenda.
    - 2. Gayle Champagne, 39 Bosworth Road, -** NOV issued 5/2/14 for work within the upland review area.

J. Folsom stepped down as Chair for this section of the meeting and D. St. Martin stepped in as Chair.

G. Champagne was present. She met with Jamie prior to the meeting and went over the NOV. Jamie has been in touch with the Army Corps of Engineers and is awaiting a response. He has also contacted the Audubon Society. We are moving forward with this issue in a cooperative manner. G. Champagne will be contacting an engineering firm and will set a date with Jamie and Ryan to do a site walk. D. St. Martin asked G. Champagne what she thought or knew about what happened on the property. G. Champagne said she doesn’t live on the

property so she doesn't monitor the property often. D. St. Martin then asked Jamie if the Army Corps gave him a time frame and Jamie said no because it is still in due diligence. He did re-state that we can move on from here because the property owner is being cooperative. We will talk about this again next month (8/6/14). Leave on agenda.

**3. Roger Daigle, 193 Putnam Road, Cease and Desist. Issued 10/4/07.**

**J. Folsom stepped back in as Chair.**

He stated he would like to defer this issue until the end of the meeting. D. St. Martin made a motion to move this item to Section XVIII-F under Commission Business. N. McMerriman seconded the motion and it was approved unanimously. Leave on agenda.

- 4. JASD, Orchard Hill Road,** work in regulated area. NOV issued 11/4/05. Nothing new (8/6/14). Leave on agenda.
- 5. Elaine Malchman, 321 Killingly Road,** fill piles placed along bank of brook. NOV issued 12/14/11. Nothing new (8/6/14). Leave on agenda.
- 6. Pomfret School, 398 Pomfret Street,** wetlands disturbance. NOV/Cease & Desist was issued 9/14/12. Met with T. Malagrino and CME to go over outstanding issues. They need to re-evaluate the check dams near Tubridy/Calhoun and mow the turf fields. The utility run and the turf fields could be done soon (8/6/14). Leave on agenda.

**X. JURISDICTIONAL RULINGS: None**

**XI. AGRICULTURAL ACTIVITIES:**

**XII. PRIOR APPLICATIONS WITH CONDITIONS:**

- A. Moon et. al., Peter, 596 Pomfret Street,** single-family home 3/08. Application was approved with 10 conditions. Nothing new (8/6/14). Leave on agenda.
- B. Pomfret School, 398 Pomfret Street (10/6/10)**
  - 1. Turf Fields** – Jamie needs to respond to proposed sketch package (8/6/14)
  - 2. Eaton property** – nothing new (8/6/14) Leave on agenda
- C. Janice Bosworth (5/4/11)** - relocation of an existing house trailer on the property and associated land disturbance. Staff contacted Mr. Messier regarding the placement of conservation markers (8/6/14). Leave on agenda.
- E. Hull Forest Products, 101 Hampton Road,** install 12' gravel drive and create round log storage area which will require filling of 4,035 square feet of wetland soils (**approved 3/2/11 with 24 conditions**). They have now undertaken their project for the log lay down area (10/3/12). This is ongoing. The silt fence has been re-installed (8/6/14). Leave on agenda.

**XIII. SUBDIVISIONS APPROVED BY PLANNING AND ZONING: None**

**XIV. COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION:**

**A. Ongoing**

1. **Windham 4-H Camp, Taft Pond Road (4/6/11)** (cease and desist was issued 3/16/11) application was approved with conditions on 8/3/11. Nothing new (8/6/14). Leave on agenda.
2. **Paul Simpson, 64 Hampton Road** – Ryan spoke to Mr. Simpson. He has retained J&D and they have delineated the wetlands. They are working on an application (8/6/14). Leave on agenda.

**XV. NEW COMPLAINTS:**

1. **Charles Franklin, 112-114 Covell Road, clearing of wooded upland on these properties. NOV to be issued 8/11/14. Special hearing meeting to be held on 8/20/14 at the Town Hall at 7:15 pm.**

**XVI. CITIZEN'S COMMENTS:** None

**XVII. EXTENSIONS REQUESTED:** None.

**XVIII. COMMISSION BUSINESS:**

- A. Updates and Report from WEO and Commission Members. Nothing new
- B. Approval of July 2, 2014 meeting minutes. J. Rowley made a motion to approve the minutes as submitted. J. Bergendahl seconded the motion and it was approved unanimously. There was 1 abstention.
- C. Report of billing and bond releases – nothing to report right now
  1. ***List of Bonds being held with Town of Pomfret (Escrow Agent) and Putnam Bank:***
    - Jason B. Lavalley (IWWC)
    - Rose Construction (IWWC)
    - Pomfret School (IWWC and P&Z) – working on release
  2. ***List of Bond(s) being held with Liberty Mutual Insurance Company:***
    - Bruce & Kerry Dexter (IWWC) – letter sent to insurance company to release the bond (leave on until we know if bond has been released)
  3. **Invoices from Town Treasurer;**
    - a. **John Rich, fees of \$32.50 due.** D. St. Martin made a motion to forgive this amount. It was seconded by J. Rowley and approved unanimously.
    - b. **Scott Lee, fees of \$352.50 due.** D. St. Martin made a motion to bill Mr. Lee. It was seconded by J. Stoddard and approved unanimously.
    - c. **Sharpe Hill Vineyard, fees of \$505.00 due.** Jamie said this bill needs to go to the Selectmen because an agreement was made between Sharpe Hill and the former selectman J. Rivers. J. Stoddard made a motion to send this item to the selectmen. It was seconded by J. Bergendahl and approved unanimously.
    - d. **Roger Daigle, fees of \$547.10 due.** D. St. Martin made a motion to bill Mr. Daigle. It was seconded by J. Bergendahl and approved unanimously.
- D. Request to shorten minutes of meetings – everyone on the commission agreed to shorten the minutes. From now on, the minutes will only list the initiating issue and the latest action/response. For anyone needing more information, they can research the minutes book in the vault at the Town Hall.
- E. Correspondence – forgot @ Town Hall

- F.** As needed – Search for alternates for the commission. If anybody knows anyone who would be good for the commission, there are two open alternate positions to be filled.
- G.** Executive Session – At 7:43 pm D. St. Martin made a motion to go into executive session and include Staff (Jamie and Ryan) and the clerk as she has been the main contact with Atty. Higgins. It was seconded by W. Gould and approved unanimously. The commission came out of executive session at 8:03 pm with no action taken.

**XIX. ADJOURNMENT:** D. St. Martin made a motion to adjourn. W. Gould seconded the motion and it was approved unanimously. The Chairman closed the meeting at 8:04 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved\_\_\_\_\_