

**INLAND WETLANDS & WATERCOURSES COMMISSION
REGULAR MEETING MINUTES
WEDNESDAY, SEPTEMBER 3, 2014 @ 7:00 P.M.
POMFRET SENIOR CENTER**

I. OPEN REGULAR MEETING: David St. Martin opened the meeting at 7:02 pm.

II. ROLL CALL: Present –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:** John Folsom, Chairman; and Paul Safin, Member.

III. SEAT AN ALTERNATE AS NEEDED: J. Bergendahl was seated for P. Safin.

IV. ITEMS TO BE ADDED TO AGENDA: None

V. PENDING APPLICATIONS: None.

VI. CITIZEN’S COMMENTS: John Bala of 80 Covell Road spoke to the commission regarding complaint he filed regarding Charles Franklin. He submitted before and after photos of the Franklin property to the commission. He wanted to know the status of the complaint. D. St. Martin said they held a special hearing on 8/20/14 and the commission is waiting for an application regarding this issue. He said one of the courses the commission can take is to leave the NOV in place. Jamie then mentioned that the commission can’t have a hearing on an item on the agenda. J. Bala thought that the abutters got to speak at the meetings to which D. St. Martin replied “not necessarily”.

VII. NEW APPLICATIONS: None

VIII. NO-FEE APPLICATIONS: None

IX. NOTICES OF VIOLATION/CEASE AND DESIST ORDERS:

A. Outstanding NOV (Notice of Violation)

- 1. Charles Franklin II, 112-114 Covell Road.** NOV issued 8/11/14 for clearing of wooded upland. No one was present to speak for this issue. On 8/25/14, Jamie did a site walk with Mr. Franklin. He spoke with the landowner regarding remediation. Also present was Eric Johnson, a forester. They will be submitting an application to the Town of Pomfret in the near term. If it doesn’t arrive soon, commission will follow up. No work can be done with a permit from Staff or the Commission. After further discussion, it was decided that the best course of action is to leave the NOV in place (9/3/14). Leave on agenda.
- 2. James D. Carter, 173 Babbitt Hill Road, timber harvest in upland review area.** NOV issued 5/29/14. Nothing new (9/3/14). Leave on agenda.
- 3. Gayle Champagne, 39 Bosworth Road, - NOV issued 5/2/14 for work within the upland review area.**

Jamie updated the Commission on this issue. He sent information to the Army Corps of Engineers. There is no sign of removed material anywhere on site. The Army Corps of Engineers will go over the material, call Staff, do a site visit, and then make a decision as to who has jurisdiction. This area is over 5,000 ft. Jamie spoke to the landowner regarding the issue of the stream channel being filled and a new one created. She has contacted KWP with no return call received yet. We will wait on the Army Corps to make a move/decision. D. St. Martin asked if there was any imminent danger should a storm arise. Jamie said more sediment would hit the Mashamoquet. There is no quick fix; the volume and velocity are too quick for a check dam at the bottom. D. St. Martin asked Jamie to keep the Commission in the loop. Jamie said he would (9/3/14). Leave on agenda.

- 4. Roger Daigle, 193 Putnam Road, Cease and Desist issued 10/4/07.** D. St. Martin read into record a letter from the Town Attorney regarding an update on the course of action regarding this issue (9/3/14). Leave on agenda.
- 5. JASD, Orchard Hill Road, work in regulated area.** NOV issued 11/4/05. Nothing new; site stable (9/3/14). Leave on agenda.
- 6. Elaine Malchman, 321 Killingly Road, fill piles placed along bank of brook.** NOV issued 12/14/11. Nothing new (9/3/14). Leave on agenda.
- 7. Pomfret School, 398 Pomfret Street, wetlands disturbance.** NOV/Cease & Desist was issued 9/14/12. Waiting for final plan for maintenance (9/3/14). Leave on agenda.

X. JURISDICTIONAL RULINGS:

- A. Susan Berard, 81 Holmes Road, new home construction.**

XI. AGRICULTURAL ACTIVITIES:

- A. Michael Bartlett for Travis Serrine, 77 E. Quasset Road; 19,000 board feet to be harvested to provide income to owner and regenerate desirable tree species; one temporary wetland crossing using portable bridges. Main skid trails will be seed upon completion. This has been completed.**

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 (9/3/14). Leave on agenda.
- B. Pomfret School, 398 Pomfret Street (10/6/10)**
 - 1. Turf Fields** – waiting for maintenance plan for detention basins (9/3/14)
 - 2. Eaton property** – submitted photo of site; working on driveway and associated drainage. Had to establish an under drain system around home (9/3/14)
- C. Janice Bosworth (5/4/11) - relocation of an existing house trailer on the property and associated land disturbance.** Received call from Mr. Messier stating that the markers are there and in place (9/3/14). 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).** This is ongoing (9/3/14). 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. Amended site plan was approved by the Planning & Zoning Commission (9/3/14). Leave on agenda.
- 2. Paul Simpson, 64 Hampton Road** – Ryan spoke to Mr. Simpson. Ryan will contact J&D. Still waiting on application (9/3/14). Leave on agenda.
- 3. Charles Franklin II, 112-114 Covell Road, (NOV/Cease & Desist issued 8/11/14)** clearing of wooded upland on these properties. J. Bergendahl made a motion to remove this from the complaints area. W. Gould seconded the motion and it was approved unanimously.

XV. NEW COMPLAINTS: None

XVI. CITIZEN'S COMMENTS: John Bala thanked the Commission for visiting the site he filed the complaint about and if necessary, he offered anyone on the Commission the use of his property to view the other site.

XVII. EXTENSIONS REQUESTED: None.

XVIII. COMMISSION BUSINESS:

- A.** Updates and Report from WEO and Commission Members. Jamie mentioned the Rectory School new duplex and submitted some photos.
- B.** Approval of August 6, 2014 and August 20, 2014 meeting minutes. J. Rowley made a motion to approve the minutes as submitted. W. Gould seconded the motion and it was approved unanimously. There was 1 abstention. There are no minutes for the 8/20/14 meeting because it was cancelled due to the lack of a quorum.
- C.** Report of billing and bond releases – D. St. Martin asked if Rose Construction can be removed from this list now. Jamie said we can let him know that his permits are expired and go from there.
 - 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)
- D.** Correspondence – material was distributed including CACIWC and CT Wildlife
- E.** 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.

XIX. ADJOURNMENT: J. Bergendahl made a motion to adjourn. J. Stoddard seconded the motion and it was approved unanimously. The Vice Chairman closed the meeting at 8:05 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved_____