

**INLAND WETLANDS & WATERCOURSES COMMISSION  
REGULAR MEETING MINUTES  
WEDNESDAY, DECEMBER 3, 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; Paul Safin, Member (arrived at 7:10); Nancy McMerriman, Member; and John Bergendahl, Alternate; Staff: Ryan Brais, WEO; and Jamie Rabbitt, Designated Agent. **Absent:** Joseph Stoddard, Member; and William Gould, Member.

**III. SEAT AN ALTERNATE AS NEEDED:** J. Bergendahl was seated for W. Gould.

**IV. ITEMS TO BE ADDED TO AGENDA:** None

**V. PENDING APPLICATIONS:** None.

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

**VII. NEW APPLICATIONS:**

- A. Moon et. Al., Peter, 596 Pomfret Street,** single-family home. Same application as previously submitted in July 2010. This application was accepted by the commission and will be discussed at the next scheduled meeting on January 7, 2015.

**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. Staff visited the site and there was no excavator activity on site. A jurisdictional ruling was made on 11/10/14 (12/3/14). Leave on agenda.
- 3. Gayle Champagne, 39 Bosworth Road,** - NOV issued 5/2/14 for work within the upland review area. Army Corps of Engineers is still looking at this issue. The person handling the issue has been re-assigned so Staff had to forward the information to the new ACE contact and also to Ms. Champagne. Trying to set a time for a site visit (12/3/14). Leave on agenda.
- 4. Roger Daigle, 193 Putnam Road,** Cease and Desist issued 10/4/07. J. Folsom read e-mail from Atty. Motion for judgment has been submitted to the court (12/3/14). Leave on agenda.
- 5. JASD, Orchard Hill Road,** work in regulated area. NOV issued 11/4/05. Letter has been sent informing the applicant that his permits are expired (12/3/14). Leave on agenda.
- 6. Elaine Malchman, 321 Killingly Road,** fill piles placed along bank of brook. NOV issued 12/14/11. Work is not yet completed; need to send letter to applicant regarding permit expiration date (12/3/14). Leave on agenda.

**7. Pomfret School, 398 Pomfret Street,** waiting for correspondence regarding maintenance schedule (12/3/14). Leave on agenda.

**X. JURISDICTIONAL RULINGS:**

- A. Charles Franklin II, 112-114 Covell Road,** wants to create pasture (grubbed, stripped and loamed). Application was approved with the following conditions: 1) the land owner/contractor shall install erosion and sediment control (silt fence or hay bales) in the location of the existing drainage path through the earthen berm that flows to the brook. The installation of these protective measures will eliminate sediment transport to the brook; 2) the applicant shall provide a detail of proposed rip-rap run-off structure prior to installation as mentioned to staff in their letter dated October 5, 2014; 3) all disturbed areas outside of the pasture shall be seeded with a conservation mix in order to stabilize and prevent potential erosion per DEP bulletin 19. The areas to the east of the proposed fence line shall function as a riparian buffer between the pasture and brook; and 4) the landowner contractor shall notify the Inland Wetlands Agency's staff when the work is undertaken on the site.

**XI. AGRICULTURAL ACTIVITIES: none.**

**XII. PRIOR APPLICATIONS WITH CONDITIONS:**

- A. Moon et. al., Peter, 596 Pomfret Street,** single-family home 3/08. Application was approved with 10 conditions. New application submitted tonight (12/3/14). Leave on agenda.
- B. Pomfret School, 398 Pomfret Street (10/6/10)**
- 1. Turf Fields** – awaiting maintenance schedule for vegetation management (12/3/14)
  - 2. Eaton property** – turf in process of being established; close in spring (12/3/14)
- C. 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**). Work is ongoing; has been loamed and seeded (12/3/14). 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. Jamie did two site visits in November to look at parking and the detention basin; the prior issue has been addressed and Jamie will check to see if it is completed (12/3/14). Leave on agenda.
  - 2. Paul Simpson, 64 Hampton Road** – Ryan spoke to Mr. Simpson. No response to letter asking for an application to be submitted. Ryan will talk to Janet at J&D; possible NOV for the next meeting (12/3/14). Leave on agenda.

**XV. NEW COMPLAINTS: None**

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

**XVII. EXTENSIONS REQUESTED:** None.

**XVIII. COMMISSION BUSINESS:**

- A. Updates and Report from WEO and Commission Members. Jamie did a final inspection on Covell Road (E. Chase property) and will send information to Lynn
- B. Approval of November 5, 2014 meeting minutes. J. Bergendahl made a motion to approve the minutes as written. J. Rowley seconded the motion and it was approved unanimously. There was 1 abstention.
- C. Report of billing and bond releases – letter was sent to Mr. Rose stating his permits are expired and any activity requires a new application. D. St. Martin made a motion to release the bonds/funds for Mr. Rose. P. Safin seconded the motion and it was approved unanimously.

**1. *List of Bonds being held with Town of Pomfret (Escrow Agent) and Putnam Bank:***

Jason B. Lavallee (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. Elections of officers at December meeting – D. St. Martin made a motion to nominate the current slate of officers for next year. J. Bergendahl seconded the motion and it was approved unanimously.
  - E. Upcoming term expirations as of 1/1/15: D. St. Martin and P. Safin. Both D. St. Martin and P. Safin said they would like to extend their term on the commission.
  - F. Search for Alternates for Commission – looking to fill two alternate positions
- N. McMerriman noted that the Correspondence section was omitted from the agenda.*

**XIX. ADJOURNMENT:** D. St. Martin made a motion to adjourn. P. Safin seconded the motion and it was approved unanimously. The Chairman closed the meeting at 7:35 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

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