

**INLAND WETLANDS & WATERCOURSES COMMISSION  
REGULAR MEETING MINUTES (AMENDED)  
WEDNESDAY, JULY 1, 2015 @ 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; James Rowley, Secretary; Nancy McMerriman, Member; John Bergendahl, Alternate; Staff: Ryan Brais, WEO; and Jamie Rabbitt, Designated Agent.  
**Absent:** David St. Martin, Vice Chairman; Joseph Stoddard, Member; Paul Safin, Member; and William Gould, Member.
- III. SEAT AN ALTERNATE AS NEEDED:** J. Bergendahl was seated.
- IV. ITEMS TO BE ADDED TO AGENDA:** None.
- V. PENDING APPLICATIONS:**
- A.** Deborah & Paul Simpson, 64 Hampton Road, septic system repair and landscaping. Jamie will follow-up with Janet. J. Rowley made a motion to table this item until later in the meeting. N. McMerriman seconded and it was approved unanimously.
- VI. CITIZEN'S COMMENTS:** None.
- VII. NEW APPLICATIONS:** None
- VIII. NO-FEE APPLICATIONS:** None
- IX. NOTICES OF VIOLATION/CEASE AND DESIST ORDERS:**
- A. Outstanding NOV (Notice of Violation)**
- 1. Deborah & Paul Simpson, 64 Hampton Road,** NOV issued 1/26/15 for work in a regulated area. Application was approved tonight with conditions (7/1/15). Leave on agenda
  - 2. Charles Franklin II, 112-114 Covell Road.** NOV issued 8/11/14 for clearing of wooded upland. A jurisdictional ruling was made on 11/10/14. J. Rowley heard there were bulldozers on the property but he didn't see any new dirt moved (7/1/15). Leave on agenda.
  - 3. Gayle Champagne, 39 Bosworth Road,** - NOV issued 5/2/14 for work within the upland review area. John and Jamie walked the site two weeks ago. They explained the NOV and what it covers, etc. They are working towards receiving an application. Jamie will follow-up this month. The ACOE wants to be involved in the permitting process (7/1/15). Leave on agenda.
  - 4. Roger Daigle, 193 Putnam Road,** Cease and Desist **issued** 10/4/07. Motion for Judgment in Accordance with Stipulation was granted on 12/22/14 by the Hon. Harry Calmar. Staff has been contacted with regard to scheduling a pre-construction meeting. Members wanted to know if \$1200 inspection fee deposit came in. Staff did site visit and spoke with an abutter of the property. He had a pre-construction meeting with Mr. Daigle and Marcel Dessert. Staff should be notified the first day they're beginning work in the stream (7/1/15). Leave on agenda.
  - 5. Elaine Malchman, 321 Killingly Road,** fill piles placed along bank of brook. NOV issued 12/14/11. Jamie stopped by the house by the house on 6/8 and 6/17 but no one was at home (7/1/15). Leave on agenda.

**6. Pomfret School, 398 Pomfret Street**, wetlands disturbance. NOV/Cease & Desist was issued 9/14/12. The closing out of this project is still in process (7/1/15). Leave on agenda.

**X. JURISDICTIONAL RULINGS:** addition at Fire House

**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 was approved and added one more COA was added on 1/7/15. Nothing new (7/1/15). Leave on agenda.

**B. Pomfret School, 398 Pomfret Street (10/6/10)**

**1. Turf Fields** – still processing close out (7/1/15)

**2. Eaton property** – still processing close out (7/1/15)

**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**). Jamie did a site visit and found an E&S failure. The project is 60-70% through grading (should be tipped west but it is tipped east). They need to re-enforce silt fences and hay berm (7/1/15). Leave on agenda.

**D. Windham 4-H Camp, Taft Pond Road, (4/6/11)** dining hall, parking and drainage. They are looking for a CO. Staff did a site walk in early June and compiled a punch list. The site walk took 2 hours and a two-page punch list was compiled due to non-compliance. There are issues with the swale construction, E&S, etc. TCO was issued until October 2015. Janet Blanchette is their representative (7/1/15). Leave on agenda.

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

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

128 Holmes Road – how would the commission like to proceed? There is a 4<sup>th</sup> man-made pond. The outlet on the westerly most pond has a constant erosion action and there is a stump dump near the wetlands. J. Folsom asked if they are encroaching the airline trail. Ryan said he wasn't sure but that John was supposed to contact DEEP about it. J. Folsom thinks a NOV needs to be issued. Ryan agrees and will write letter and work with clerk to get it out.

**XV. NEW COMPLAINTS:** None

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

**XVII. EXTENSIONS REQUESTED:** None.

At this point we returned to Section V – A Paul & Deborah Simpson. Staff spoke regarding the application. New plan arrived on 6/29/15. Staff explained to the commission the changes and what would be done. They need some type of riparian buffer and then they are going to install a split rail fence. There will be a laydown area of 10' x 30' in an east to west direction. Mr. & Mrs. Simpson were present and the only piece missing from the application is the NDDH approval letter (which has been filed). J. Folsom said we could add a condition of approval that no activity can be done until the NDDH approval arrives. Jamie said that he would like a few minutes to prepare a draft for the application. J. Rowley made a motion that the commission recess for 5 minutes.

It was seconded by J. Bergendahl and approved unanimously. At 7:55 pm the commission came back into session. Jamie read his draft motion, which included conditions of approval. J. Bergendahl made a motion to approve the application for Paul & Deborah Simpson, 64 Hampton Road, with the following conditions: 1) All disturbed areas shall be loamed and seeded with 4" of loam per CTDOT Form 816; 2) That a split rail fence is installed from the easterly property line to the northern property line eight (8) feet (parallel) from the wetlands flagging; 3) A riparian buffer shall be established between the split rail fence and the wetlands shown on the plan. The area may be mowed to a height of no less than 5"; 4) The landowner shall remove all woodchips from the wetlands and riparian buffer along with any woody debris that was placed within the regulated area; 5) The wood laydown area shown on the plans shall be modified to 20' by 30' and re-orientated in an east/west orientation as shown on the plan (red markup); and, 6) That no work is undertaken until the landowner received final approval from the Northeast District Department of Health and provides said approval to the Town. J. Rowley seconded the motion and it was approved unanimously with 1 abstention.

#### **XVIII. COMMISSION BUSINESS:**

- A.** Updates and Report from WEO and Commission Members. Nothing new from Jamie or Ryan. J. Rowley mentioned he went up Grosvenor Road and there is a huge tree down in the brook right now that needs removing because it will alter stream flow in a heavy rain event.
- B.** Approval of June 3, 2015 meeting minutes. J. Rowley made a motion to approve the minutes as corrected. N. McMerriman seconded the motion and it was approved unanimously.
- C.** Report of billing and bond releases – nothing new
  - 1. *List of Bonds being held with Town of Pomfret (Escrow Agent) and Putnam Bank:***
    - Jason B. Lavalley (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 – notification of violation regarding Beauprea's pond from DEEP; pesticide application permit to be filed under DEEP Correspondence; hand-out from NECCOG training that J. Folsom attended today; Landscape Architect catalog; and CT Wildlife
- E.** Search for Alternates for Commission – still looking to fill two alternate positions

**XIX. ADJOURNMENT:** J. Rowley made a motion to adjourn. N. McMerriman seconded the motion and it was approved unanimously. The Chairman closed the meeting at 8:12 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

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