

**INLAND WETLANDS & WATERCOURSES COMMISSION
PUBLIC HEARING/MEETING MINUTES
WEDNESDAY, JULY 6, 2016 @ 7:00 P.M.
POMFRET SENIOR CENTER**

I. PUBLIC HEARING: The Public Hearing was opened at 7:00. J. Stoddard made a motion to continue the PH to 7:15. D. St. Martin seconded and it was approved unanimously.

A. Weston & Sampson (engineers) for the Town of Pomfret, 5 Haven Road, installation of forced main associated with Pomfret sewer project creating significant impact to wetlands. PH was re-opened at 7:15. Christopher Wester, P.E., from Weston & Sampson was present and did an overview of the project. He stated that the state is overseeing the airline trail part of the project. The Town will oversee part of the project (i.e.; Rectory School, Pomfret School, Loos & Co.). The piping will be within the travel way of the road. They will bore under and up around wetlands. The disturbance is temporary in nature. There will be 13,500' of pipe with 0' of wetland impact. Around 7,000 linear feet are within the upland review area. All pipeline work in contract #1. Contract #2 is for the installation of 4 pump stations. C. Wester submitted 2 sets of updated maps. J. Folsom informed the commission members that the 1st pump is at the trail head. Jamie said that the pump station on 44 is within 300' of the upland review area; a no-fee application was submitted, but they need to submit a jurisdictional ruling application instead. J. Folsom then made it clear that only the piping refers to this PH application. C. Wester said that the line will be bedded and that the contractor is responsible for the disposal of spoils. D. St. Martin said there will be two instances of inland review area and both are at Rectory School within 500' of each other. C. Wester said there will be 2 locations of boring/directional drilling; one at the Wappoquia Bridge (bore on east side of bridge in the DOT right-of-way) and the other on the Windham Land Trust site (bore under on Land Trust then up, connected and down the road 30' below the wetlands). P. Safin asked about the pipe going from PCS to Loos across 101. J. Folsom said that would be overseen by DEEP. P. Safin then asked how these areas will be marked in the field. C. Wester said there will be surveyed as-builts on file in the town hall. J. Folsom then asked if there were any people in attendance to speak for or against this application. Paul Nelson, who lives on 169 near the Wappoquia Brook, asked where the supplies will be placed. C. Wester said they would be placed in the 169 right-of-way. P. Nelson then asked what they do about the culverts. C. Wester said that most culverts aren't very deep and they go under the culverts. P. Nelson said he believes there are 3 culverts on Pomfret hill. J. Stoddard asked if any trees will be affected. C. Wester said he isn't sure but he didn't recall seeing any indication of tree cutting. Carol Joy Nelson, who lives on 169, said it seems as if the surface of 169 won't be impacted at all. C. Wester said that would only happen wherever pipe is in the roadway. C. Nelson then said so there will be very little visual impact. C. Wester replied correct. J. Rowley mentioned that the culverts are concrete. C. Wester said they didn't evaluate any possible necessary replacements. J. Folsom mentioned that the commission will be permitting Needle's Eye Rd., Wrights Crossing Rd., and Holmes Rd. Gary Burke wanted to know where the tunnels would be because he was concerned about his well being impacted. The bridges won't be built because DEEP has no funds to build. C. Wester said they are just under contract to design. Melisa Sposato wanted to know the impact to Wrights Crossing. C. Wester said that Wrights Crossing will have an at-grade crossing on it. Gary Burke asked if they started on the Airline Trail. C. Wester said yes but they are waiting to bring the borer in once the OK is given by DEEP. J. Folsom said he would like to continue the PH to 8/3/16. Jamie said they still needed to get written acknowledgement from Windham Land Trust, which can then be sent to the First Selectman. Jamie read a letter dated 7/3/16 into record regarding the status of the application.

II. OPEN REGULAR MEETING: D. St. Martin made a motion to move to item VI-A during the continuance of the PH. J. Rowley seconded and it was approved unanimously. Returned to regular meeting after continuance of PH to 8/3/16.

III. ROLL CALL: Present – John Folsom, Chairman; David St. Martin, Vice Chairman; James Rowley, Secretary; Paul Safin, Member Joseph Stoddard, Member; and John Bergendahl, Alternate. Staff: Ryan Brais, WEO; and Jamie Rabbitt, Designated Agent. **Absent** Nancy McMerriman, Member; and William Gould, member.

IV. SEAT AN ALTERNATE AS NEEDED:

V. ITEMS TO BE ADDED TO AGENDA: none

VI. PENDING APPLICATIONS:

A. Alex Jezerski, Jr., 61 Wade Road, construct new home. Mr. Jezerski was present. Jamie read a draft letter with 7 conditions of approval into the record. Jamie noted that under #6, all construction was well to the interior of the site. D. St. Martin made a motion to approve the application with the 7 conditions of approval. P. Safin seconded and the motion was approved.

D. St. Martin then made a motion to return to the regular meeting after the PH. P. Safin seconded the motion and it was approved.

B. Town of Pomfret, 5 Haven Road, installation of forced main associated with Pomfret sewer project creating significant impact to wetlands. This PH was continued to 8/3/16.

VII. CITIZEN'S COMMENTS: none

VIII. NEW APPLICATIONS: none

IX. NO-FEE APPLICATIONS:

A. Town of Pomfret, 5 Haven Road, for sewer pump stations (no wetlands impact): this application will not be signed off on until after the Public Hearing regarding significant impact to the wetlands. This application needs to be withdrawn and a jurisdictional application submitted (7/6/16).

X. 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 with conditions (7/1/15). Nothing new (7/6/16). Leave on agenda

2. Gayle Champagne, 39 Bosworth Road, - NOV issued 5/2/14 for work within the upland review area. No new information from landowner. Still waiting to hear from Army Corps of Engineers. The caveat for the land records for this property was placed on the land records 6/2/16 with an effective date of 6/1/16 (7/6/16). Leave on agenda.

3. Pomfret School, 398 Pomfret Street, wetlands disturbance. NOV/Cease & Desist was issued 9/14/12. Hope to be able to take this off the agenda soon. Still in process (7/6/16). Leave on agenda.

XI. JURISDICTIONAL RULINGS: none

XII. AGRICULTURAL ACTIVITIES: none

XIII. 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. Possible permit transfer due to sale of property. Letter with original signature was received requesting to transfer the permit on this property to the new owners. D. St. Martin made a motion to transfer the permit with the Conditions of Approval, once the sale of the property is completed. It was seconded by J. Stoddard and approved. Once the name on the permit is changed, it needs to be changed on this item of the agenda. The clerk will check to see if the sale of the property has occurred (7/6/16). Leave on agenda.
- B. Pomfret School, 398 Pomfret Street (10/6/10)**
 - 1. Turf Fields** – see Item X 3 (7/6/16)
 - 2. Eaton property** – see Item X 3 (7/6/16)
- 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**). Waiting for growing season (7/6/16).
- D. Raja Fattaleh, 62 Angel Road**, re-new expired permit. Vehicles went in and did some work prior to approval. M. Mazula contacted Jamie 24 hours after meeting to get together. Jamie gave him some dates when he would be available as he can't just go out the next day. He needs to schedule a time for a preconstruction meeting (7/6/16).

XIV. SUBDIVISIONS APPROVED BY PLANNING AND ZONING: None

XV. COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION:

- A.** Stephen Kulzyck, 128 Holmes Road. There is a new man-made pond that has been created; there is erosion affecting wetlands downstream, and there is a dumping area. Jamie went to look at property. No contact with Mr. Kulzyck (7/6/16). Leave on agenda.
- B.** Lance Sistare, Wolf Den Road, field is stable. Jamie wants to walk the site in the spring. Possibly have him create a buffer near the wetlands due to grading being so close to wetlands. Staff will work with him during the cutting season. Site is stable (7/6/16). Leave on agenda.

John Bergendahl arrived at the meeting at 8:05 and was seated.

XVI. NEW COMPLAINTS: none

XVII. CITIZEN'S COMMENTS: none

XVIII. EXTENSIONS REQUESTED: none

XIX. COMMISSION BUSINESS:

- A.** Updates and Report from WEO and Commission Members. Nothing new.
- B.** Regulatory updates – nothing new
- C.** Approval of June 1, 2016 meeting minutes. J. Bergendahl made a motion to approve the minutes as edited. J. Stoddard seconded the motion and it was approved. There were two abstentions.
- D.** 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. Lavallee (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)
- E.** Correspondence – CT Wildlife, the Habitat, and notice regarding hazardous waste disposal
- F.** Search for Alternates for Commission – still looking to fill two alternate positions

XX. ADJOURNMENT: D. St. Martin made a motion to adjourn. J. Rowley seconded the motion and it was approved unanimously. The Chairman closed the meeting at 8:10 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved_____