

INLAND WETLANDS & WATERCOURSES COMMISSION
MEETING MINUTES
WEDNESDAY, NOVEMBER 2, 2016 @ 7:00 P.M.
POMFRET SENIOR CENTER

I. OPEN REGULAR MEETING: opened meeting at 7:00 pm.

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

III. SEAT AN ALTERNATE AS NEEDED: na

IV. ITEMS TO BE ADDED TO AGENDA: POCD Discussion; 2017 Draft meeting schedule. D. St. Martin made a motion to move POCD Discussion under Commission Business. It was seconded by P. Safin and approved. J. Stoddard made a motion to move the draft meeting scheduled under Commission Business. It was seconded by J. Rowley and approved.

V. PENDING APPLICATIONS:

- A.** Nancy McMerriman, 31 Paine Road, construction of a detached garage/barn (30'x24') slab on grade, 16 sauna tubes used – this is actually a jurisdictional ruling
- B.** Steve Gilman, 198 Covell Road, new home, well, septic and minor grading; existing building to be removed. Mr. Paul Archer was present and submitted new plans to the commission. Stated this is an existing lot and the existing house is to be torn down. All work is in the upland review area. Jamie clarified the distance of the house and septic from the tree line. D. St. Martin said tags should probably be put up on 4'x4' posts. Jamie agreed and said they need to set a demarcation line regarding the wetlands (using post tags). P. Safin asked if there was a sequence of operations. P. Archer said that S. Gilman would love to get his foundation in before the winter weather hits. J. Folsom asked about filling in the old well. P. Archer said NDDH stated how that will be handled. Jamie then read a draft letter regarding this application for discussion purposes. D. St. Martin then made a motion to approve the application by Steve Gilman, 198 Covell Road, for a new home as depicted on plans prepared by Archer Surveying dated 10/19/2106 with the following conditions: 1) The property owner shall install r wetlands delineation offset posts and tags as detailed on the plans prepare by Archer Surveying (standard buffer/easement language shall be added to the plans, with the additional exception that the owner may maintain the area between the posts and wetlands flags 9, 10, and 11 as a grassed area to be mowed no shorter than 4"); 2) Preconstruction meeting is held with the owner's site contractor prior to any vegetation and/or site disturbance; 3) That all erosion control is installed prior to any soil and/or vegetation disturbance on the site; and 4) That all fees associated with the review of the application are paid in full. J. Stoddard seconded the motion and it was approved.

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 with conditions (7/1/15). Nothing new (11/2/16). 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 (11/2/16). Leave on agenda.
3. **Pomfret School, 398 Pomfret Street**, wetlands disturbance. NOV/Cease & Desist was issued 9/14/12. Met with B. Bullied; site walked the area. They engaged a site contractor for stream remediation. Original cobbles moved 75-150' downstream. They brought in 4 loads of modified rip rap. The channel was relined to its original condition. This work was completed about 2 weeks ago. Jamie created a PM plan for them (spring and fall). P. Safin thought this should be done quarterly as this item has been on the agenda for 4 years. Jamie said that staff checks the stream frequently when a rain event occurs (11/2/16). D. St. Martin and P. Safin asked that this remain on the agenda.

X. JURISDICTIONAL RULINGS:

- A. Nancy McMerriman, 31 Paine Road, construction of a detached garage/barn (30'x24') slab on grade, 16 sauna tubes used

XI. AGRICULTURAL ACTIVITIES: Hull Forestry is clearing 4.5 acres at the Audubon property for a bird habitat

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. 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. The property was sold to Joan Dash as noted on the warranty deed. Staff is in process of contacting Joan Dash (11/2/16). Leave on agenda.
- B. **Pomfret School, 398 Pomfret Street (10/6/10)**
 1. **Turf Fields** – see IX A3 (11/2/16)
 2. **Eaton property** –) see IX A3 (11/2/16)
- 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**). Jamie did a follow-up site visit. Town outlets need work (missing rip rap swale). They need to have annual/bi-annual maintenance. This could be wrapped up by next month (11/2/16). Leave on agenda.
- D. **Raja Fattaleh, 62 Angel Road**, re-new expired permit. Vehicles went in and did some work prior to approval. The site is under construction. They wanted to go from pre-cast to cast-in-place box culvert, but that isn't on the plans. They would have to submit new plans, etc. The owner of the property, Dr. Fattaleh, gave Jamie permission to use the surety bond to pay inspection fees, etc. Jamie said that the silt fence has the site intact but they still need to restore the stream. Staff is still tracking project (11/2/16). Leave on agenda.

XIII. SUBDIVISIONS APPROVED BY PLANNING AND ZONING: None

XIV. 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. It was brought to the commission's attention that this property is going into foreclosure and discussion of a caveat was done. D. St. Martin stated that since a NOV was ever issued, a caveat can't be place. Ryan explained to the commission that the outflow out of the lower pond is causing erosion and it needs a plunge pool. Jamie will attempt to visit property this upcoming weekend (11/2/16). 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 and staff is tracking project (11/2/16). Leave on agenda.
- C. Longmeadow – nothing new going on right now
- D. Rt. 97 east of Little League Field – has been re-graded and seeded. After discussion, D. St. Martin made a motion to remove this item from the agenda. It was seconded by W. Gould and approved (11/2/15).
REMOVE FROM 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 stated that the First Congregational Church has had a temporary CO issued. He also said that LIUNA (new office complex) has the E&S in place and site is contained.
- B. Approval of August 3, 2016 meeting minutes. P. Safin made motion to approve with one correction. J. Stoddard seconded and it was approved. There was one abstention. Approval of October 5, 2016 meeting minutes. P. Safin made a motion to approve with corrections. N. McMerriman seconded and it was approved. There were 3 abstentions.
- 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. Lavallee (IWWC)
Pomfret School (IWWC and P&Z) –
 - 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 – Letter from US Dept. of Homeland Security
- E. Election of officers for 2017 – just a notice that officers will be elected at the December meeting
- F. POCD – Jamie has been working with P&Z Chairman making changes and using input from various other commissions/boards who have submitted suggestions. The POCD public hearing will be held on 11/16/16 at 7pm at the Old Town House.
- G. 2017 Draft Meeting Schedule – D. St. Martin made a motion to approve as submitted. P. Safin seconded and it was approved.
- H. Search for Alternates for Commission – still looking to fill two alternate positions; considering placing a notice in the paper regarding the vacancies

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 8:06 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved _____