

**INLAND WETLANDS & WATERCOURSES COMMISSION
MEETING MINUTES
WEDNESDAY, MAY 3, 2017 @ 7:00 P.M.
POMFRET SENIOR CENTER**

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

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

III. SEAT AN ALTERNATE AS NEEDED: none

IV. ITEMS TO BE ADDED TO AGENDA: none

V. PENDING APPLICATIONS:

A. Robert P. Wood, 104 Deerfield Road, commencing in August/September 2017 (driest part of season), plan is to restore historic farm pond of approximately 4000 square feet with soil to be piled until dry. Standard professional procedures to be observed. Use of silt fence included. Mr. Wood wasn't present, so this item was tabled until later in the meeting.

VI. CITIZEN'S COMMENTS: none

VII. NEW APPLICATIONS:

VIII. NO-FEE APPLICATIONS:

A. Daniel Nagy, 94 Hampton Road, enlarge pre-existing pond, excavate topsoil for immediate use for vegetable crops, use remaining fill for re-grading area; as-of-right. Mr. Nagy was present and spoke about his property. W. Gould made a motion to give this to Jamie as an agricultural as-of-right application. If Jamie decides it is not as-of-right, it will come back to the commission. The commission will allow Mr. Nagy to proceed with seeding and erosion due to exposure of bare soil (allowed due to prediction of heavy rain coming in over the weekend). P. Safin seconded the motion and it was approved. The commission said they would wait to hear from Jamie.

B. Chris Grilley, 202 Searles Road, construct bridge over brook to get to fields; as-of right. P. Safin made a motion to send this application to Jamie, same as the previous application. N. McMerriman seconded the motion and it was approved. The commission is waiting to hear from Jamie.

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 (5/3/17). 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. Glenn Johnson, who holds the mortgage on the property, saw that there was a lien on the property and came to the meeting because he is looking to sell the mortgage and wanted to know what needs to be done. He said he contacted Gayle and she had him contact Ryan. He then contacted the Army Corps of Engineers. They sent a letter to him regarding the property and saying that they were not taking control of the situation and were deferring action to the Town. He wanted to know the solution to the problem – what can be done to expedite it? He needs to sell the mortgage on the property and would like to be able to sell the mortgage with no issues. If Staff confers with Army Corps of Engineers, then the commission will decide on the action to be taken. It would be best to have Gayle submit an application for a permit and go from there. Nothing new (5/3/17). Leave on agenda.

X. JURISDICTIONAL RULINGS: none

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. Possible permit transfer due to sale of property. Jamie is working with Mr. Dash and Atty. St. Onge to get the permit transferred. Nothing new (5/3/17). Leave on agenda.
- B. 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. Everything is done for the season. Will follow-up in the spring (5/3/17). Leave on agenda.
- C. Raja Fattaleh, 62 Angel Road,** re-new expired permit. Vehicles went in and did some work prior to approval. The site is under construction. There was placement of material on driveway that conflicts with the approved plan. Received a request from M. Mazzola to release the bond for this application. The commission stated that there are outstanding issues regarding this application. D. St. Martin made a motion for Staff to do a tick sheet and make sure everything is completed and fulfilled prior to the bond being released. P. Safin seconded the motion and it was approved. Waiting for as-built. There are two 45' trailers on the property (5/3/17). 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. The property is now in foreclosure. Jamie hasn't had an opportunity to follow-up. Nothing new (5/3/17). 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 still tracking project. Will check in the spring (5/3/17). Leave on agenda.
- C. Longmeadow – (8/3/16) J. Folsom** felt that this has never been a Wetlands issue, but a hazardous spill issue. This will be left on the agenda just from a wetlands perspective. The Town has passed an ordinance prohibiting the use of coal tar in the Town (5/3/17).

XV. NEW COMPLAINTS: none

XVI. CITIZEN'S COMMENTS:

- A. Shawn Densmore, 69 Jericho Road,** looking for a jurisdictional ruling for a 60' x 44' garage. The area has been flagged by Joe Theroux (soil scientist). He showed the commission what he would like to do on the property. He was advised to submit an application for a jurisdictional ruling, which will go to Jamie. The commission will await Jamie's decision on this issue. (Shawn submitted application and fee of \$160 to the clerk, who will process the application and fee on Monday 5-8-17 when she returns to work).

XVII. EXTENSIONS REQUESTED: none

XVIII. COMMISSION BUSINESS:

The commission returned to Section V-A Pending Applications to discuss Robert P. Wood, 104 Deerfield Road. J. Rowley thought the commission should table this item until our next meeting. He feels that someone needs to go out and look at the property and get the specifications on the pond size and depth, along with a plot plan showing this information (have outline of pond staked) and find out where the spoils will be placed (should be on east side of pond). P. Safin seconded the motion and it was approved.

- A. Updates and Report from WEO and Commission Members –** nothing new
- B. Approval of April 5, 2017 meeting minutes.** P. Safin made motion to approve as amended. J. Rowley seconded and it was approved. There was one abstention.
- 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) –

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 - none

E. Search for Alternates for Commission – the clerk gave the commission the name of Brent Tuttle, who came to her office and was interested in becoming an alternate. Lynn gave Mr. Tuttle's information to J. Folsom, who will contact Mr. Tuttle and possible have him attend our next meeting in June.

XIX. ADJOURNMENT: P. Safin made a motion to adjourn. Motion was seconded and it was approved unanimously. The Chairman closed the meeting at 7:55 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved _____