

INLAND WETLANDS & WATERCOURSES COMMISSION
MEETING MINUTES
WEDNESDAY JUNE 7, 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; David St. Martin, Vice Chairman; James Rowley, Secretary; P. Safin, member; and William Gould, member; and John Bergendahl, Alternate. Staff: Ryan Brais, WEO. **Absent** –Joseph Stoddard, Member; Nancy McMerriman, member; and. Staff: Jamie Rabbitt, Designated Agent

III. SEAT AN ALTERNATE AS NEEDED: J. Bergendahl was seated for J. Stoddard

IV. ITEMS TO BE ADDED TO AGENDA:

A. Amy & Matthew St. Laurent, 22 Paine Road; new home

B. Bob Kerr, 13 Day Road; new home

P. Safin made a motion to add these items to the agenda under Section VII New Applications. J. Bergendahl seconded and the motion was approved.

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. J. Folsom read Jamie's review of this project and it stated that the eventual size of the pond has to be less than 5000 square feet or it goes to the jurisdiction of the Army Corps of Engineers. He recommended that the commission approve the application with the following conditions: 1) preconstruction meeting with landowner and site contractor prior to any grading and/or excavation activity on site; 2) grading and/or excavation activity shall occur during dry months of the years; 3) spoils material shall be located in an upland area and appropriate E&S measures shall be implemented; and, 4) all costs associated with the review and permitting activities shall be the responsibility of the applicant. D. St. Martin made a motion to approve the application with the 4 aforementioned conditions of approval. P. Safin seconded the motion and it was approved.

VI. CITIZEN'S COMMENTS: none

VII. NEW APPLICATIONS:

A. Amy & Matthew St. Laurent, 22 Paine Road; new home. The upland review area on the map is not calculated properly; it should be 150', not 100'. Need NDDH paperwork, which has been submitted. It is an existing approved lot. Ryan will take a look at the site. Application is accepted and will be continued to next month.

B. Bob Kerr, 13 Day Road; new home. Application was accepted. NDDH paperwork is needed. This issue was continued until next month.

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. Proposed agricultural activity as detailed on sketch plan was determined to be exempt under the Town's regulations.

A motion was made by D. St. Martin to move Section X Jurisdictional Rulings up to this position in the agenda. (minutes posted in Section X). Return to agenda item VIII B.

B. Chris Grilley, 202 Searles Road, construct bridge over brook to get to fields; as-of right. The construction of a proposed temporary (24 months) bridge, detailed on the sketch plan for the purpose of completing cord wood extraction was determined to be exempt under the Town's regulations.

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 (6/7/17). 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 (6/7/17). Leave on agenda.

X. JURISDICTIONAL RULINGS:

- A. Shawn Densmore, 69 Jericho Road, looking for a jurisdictional ruling for a 60' x 44' garage. The area was flagged by Joe Theroux (soil scientist). Application was given to Jamie. Jamie stated that pending a finding by the Commission that the proposed construction of the outbuilding located within 10' of a regulated area does not result in any adverse impact to the wetlands, staff recommended approval of this application for the construction of an outbuilding, driveway, and parking area per the site/sketch plan and with the following conditions: 1) preconstruction meeting with landowner and site contractor prior to any grading and/or excavation activity on site; 2) grading and/or excavation activity shall occur during dry months of the year; 3) spoils material shall be located in an upland review area and appropriate E&S measures shall be implemented; and, 4) all costs associated with the review and permitting activities shall be the responsibility of the applicant.

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 (6/7/17). 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 (6/7/17). 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. Also waiting for seed to come in (6/7/17). 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 (6/7/17). 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 (6/7/17). 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). P. Safin made a motion to remove this item from the agenda. It was seconded by J. Rowley and approved.

XV. NEW COMPLAINTS: J. Stoddard had called regarding activity on Babbitt Hill and Rte. 97. Apparently there is no violation as the work was done by the Town.

XVI. CITIZEN'S COMMENTS: none

XVII. EXTENSIONS REQUESTED: none

XVIII. COMMISSION BUSINESS:

- A. Updates and Report from WEO and Commission Members – nothing new
- B. Approval of May 3, 2017 meeting minutes. P. Safin made motion to approve as written. W. Gould seconded and it was approved. There were two 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. 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 – Letter from Town of Eastford regarding Brayman Hollow Road for a new house as it is within 500' of the town line. Letter from Robinson and Cole regarding a Verizon tower on Ragged Hill Road. Distributed multiple copies of CT Wildlife.
- E. Search for Alternates for Commission – Brent Tuttle stopped at the meeting to speak with John.

XIX. ADJOURNMENT: P. Safin made a motion to adjourn. J. Bergendahl seconded and it was approved unanimously. The Chairman closed the meeting at 7:53 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved _____