

**INLAND WETLANDS & WATERCOURSES COMMISSION**  
**MEETING MINUTES**  
**WEDNESDAY JULY 5, 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; P. Safin, member; Joseph Stoddard, Member; Nancy McMerriman, member; and John Bergendahl, Alternate. Staff: Ryan Brais, WEO and Jamie Rabbitt, Designated Agent. . **Absent** – James Rowley, Secretary; and William Gould, member.

**III. SEAT AN ALTERNATE AS NEEDED:** J. Bergendahl was seated for W. Gould

**IV. ITEMS TO BE ADDED TO AGENDA:**

- A.** Two requests from Shane Pollock for bond/inspection fees to be released
- B.** Brief discussion of Pomfret Public Library

David St. Martin made a motion to move these items to Section XVIII Commission Business. P. Safin seconded the motion and it was approved.

**V. PENDING APPLICATIONS:**

- A. Amy & Matthew St. Laurent, 22 Paine Road;** new home. Bruce Woodis from KWP was present with the applicant. The house will be on top of the hill. A letter from NDDH was submitted for the file. Ryan has walked the site but will have to monitor the driveway due to potential washout – a silt fence and hay bales are to be used. Jamie spoke regarding 4 issues that need to be complied with for this application. D. St. Martin made a motion to approve the application with the following conditions: 1) preconstruction meeting shall be held with the site contractor prior to any grading and/or excavation activity; 2) erosion and sedimentation controls shall be in place and inspected prior to any land clearing, grading and/or excavation activity; 3) revised site plan shall be submitted to the Commission depicting revised limits of clearing per applicant's revised plan; and, 4) all costs associated with the review and permitting activities shall be the responsibility of the applicant. :P. Satin seconded the motion and it was approved.
- B. Bob Kerr, Jr., 13 Day Road;** new home. Bob Kerr, Sr. was present for Bob Kerr, Jr. Paul Archer is the surveyor for the project. A letter from NDDH was submitted for the file. Mr. Kerr stated that the existing driveway is going to be used and that there are wetlands flags in place on the property. The test pits are new as they were done in June. Paul Archer arrived at 7:30 and spoke on the project. The commission requested that final grades be added to the plans. P. Safin made a motion to approve the application with the following conditions: 1) preconstruction meeting shall be held with the site contractor prior to any grading and/or excavation activity; 2) E&S controls shall be in place prior to any land clearing, grading and/or excavation activity;; 3) all costs associated with the review and permitting activities shall be the responsibility of the applicant; 4) revised site plan shall be submitted to the Commission depicting revised limits of clearing and grading; and 5) the conservation area must be posted. J. Bergendahl seconded the motion and it was approved.

**VI. CITIZEN'S COMMENTS:** none

**VII. NEW APPLICATIONS:** none

**VIII. NO-FEE APPLICATIONS:**

**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; ongoing (7/5/17). 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; ongoing (7/5/17). 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; ongoing (7/5/17). 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; ongoing (7/5/17). 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. A piece of paper was submitted to the commission as an as-built. It had no certification on it. It needs to be scaled, mapped, and credential seal and stamp must be applied. The site is still under construction (no house yet). Send a certified return receipt letter to owner with a CC to Mark Mazzola that the as-built is not acceptable. (7/5/17). 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. This is ongoing and the property is still under foreclosure. There is no new visible disturbance. We need to determine legal violation and put it on the file in the Town Hall (only violation was the outlet at the 4<sup>th</sup> pond). Jamie will try to settle this issue within the next two weeks and will submit something in writing (7/5/17). Leave on agenda.
- B. Lance Sistare, Wolf Den Road,** field is stable. Jamie wants to walk the site in the spring. Mr. Sistare was supposed to pull the pile away from the wetlands but the pile was not moved and is now covered with vegetation. This item can now be removed from the agenda. D. St. Martin made the motion to remove this item from the agenda. It was seconded by J. Stoddard and approved (7/5/17). 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 –** Ryan stated that the Town was doing work on Babbitt Hill and Rte. 97. They went into the wetlands to remove the sand from the winter work, which is standard maintenance.

- B. Approval of June 7, 2017 meeting minutes. P. Safin made motion to approve as amended. D, St. Martin seconded and it was approved. There were two abstentions.
- C. Report of billing and bond releases – working with B. Bullied to clear some Pomfret School applications
  - 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. Two requests from Shane Pollock for bond/inspection fees to be released. Shane submitted written requests to release the bond/inspection fees on the following two applications: 2011.001 for 124 Youngs Rd. (formerly 131 Orchard Hill Rd.) and W2016.002 for 33 Tyott Rd. After discussion, D. St. Martin made a motion to release the fees for 124 Youngs Rd. It was seconded by P. Safin and approved. D. St. Martin also made a motion to release the fees for 33 Tyott Rd. J. Bergendahl seconded and it was approved.
- E. Brief discussion of Pomfret Public Library. Someone alter the drawing that Jamie had done. The number of spaces could be changed to limit the area of wetlands disturbance. Will wait to hear from Jamie regarding this issue.
- F. Correspondence Search for Alternates for Commission – no word from Brent Tuttle. J. Folsom and J. Bergendahl will both try to contact him as the First Selectman has not received any correspondence from Mr. Tuttle.

**XIX. ADJOURNMENT:** P. Safin made a motion to adjourn. J. Bergendahl seconded and it was approved unanimously. The Chairman closed the meeting at 8:15 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

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