

**TOWN OF POMFRET
INLAND WETLANDS & WATERCOURSES COMMISSION
MEETING MINUTES
WEDNESDAY, MARCH 6, 2019
7:00 PM – POMFRET SENIOR CENTER**

- I. PUBLIC HEARING -opened by Chairman at 7:00 pm**
 - A. Weston and Sampson for the Town of Pomfret, Five Haven Road,** application for the construction of pedestrian bridges, underpasses and at grade crossing for a recreational trail. Peter Grandy from Weston & Sampson spoke on the application. Route 44 and Needles Eye Road have no wetlands issues. Modock and Holmes Roads have wetland issues. First Selectwoman Nicholson arrived at the meeting at 7:07. An endangered species of turtle (spotted turtle) inhabits these wetlands. E&S will be placed before construction. D. St. Martin asked if there will be drainage at the Holmes Road crossing. It was stated that there will be no pipe drainage on any of the crossings. The sewer line is away from the structure that will be built. J. Rabbitt asked about the grading of the land, which could cause ponding because of the grade height. A private contractor will be hired to do inspections. At the Modock crossing, a new well will be drilled and the old one will be filled. Construction will happen in 2020. Wrights Crossing will have paved aprons to designate there is a road ahead along with signs. J. Folsom made a motion to close the public hearing. L. Shaw seconded and all voted in favor. PH closed at 7:35 pm.
- II. OPEN REGULAR MEETING – P. Safin opened Regular Meeting at 7:40 PM.**
- III. ROLL CALL – In Attendance:** Commission Members Paul Safin, Chairman; David St. Martin, Vice Chairman; James Rowley, Secretary; John Folsom, Member; Nancy McMerriman, Member; William Gould, Member; John Bergendahl, Alternate; Laurice Shaw, Alternate; Alexander Howe, Alternate; and Staff: Ryan Brais, WEO; James Rabbitt, WEO. Absent: Joe Stoddard, Member.
- IV. SEAT ALTERNATES AS NEEDED – J. Bergendahl was seated for J. Stoddard**
- V. ITEMS TO BE ADDED TO AGENDA – DEEP dam at 4H camp**
- VI. PENDING APPLICATIONS –**
 - A. Weston and Sampson for the Town of Pomfret, Five Haven Road,** application for the construction of pedestrian bridges, underpasses and at grade crossing for a recreational trail. Staff came up with conditions. They need to update plans as they are outdated. There are five items contained in the conditions of approval: 1)the applicant will revise sheets 1-8 to reflect 2/1/19 date correction; 2) a pre-construction meeting is held with town staff (Town Planner) prior to any construction and grading activity on the site; 3) a revised set of plans will be

submitted, reviewed, and approved by the Town's WEO prior to any construction associated with the crossings that differ from the approved plans; 4) all erosion and sedimentation controls shall be installed and inspected prior to any construction and grading activity on the site; and, 5) minor field adjustments to grading and landscaping may be made based on field conditions upon written approval from the Town Planner/WEO, who has been given the authority on behalf of the Town's Inland Wetland and Watercourses Commission to act on their behalf. The Town Planner/WEO cannot approve any change that jeopardizes the integrity of the original design (approved plans). M. Nicholson stated that all excavation materials will be taken off site and used on a road project in town. D. St. Martin made a motion to approve the application. It was seconded by W. Gould and all voted yes. Motion passed.

- B. NELTA, Inc., 10 Murdock Road**, proposed construction of a new crane training facility and addition to existing building. Jamie talked about the wetland pocket on the east side of the new building. He stated that the grade is the same as the wetland grade. Suggestion was made by D. St. Martin to table this item until next month. Item was tabled until April 3, 2019 meeting.

VII. CITIZENS COMMENTS – none

VIII. NEW APPLICATIONS –

4H Dam Safety repair work on dam from 4/11 to 1/15/19 per DEEP.

IX. NON-FEE APPLICATIONS – None

X. NOTICES OF VIOLATIONS AND DESIST ORDERS

A. Outstanding Notices of Violations

1. **Deborah Simpson, 64 Hampton Road** – NOV issued 1/26/15 for work in a regulated area. J. Folsom asked Jamie if the Simpsons were putting in a septic system. Jamie said they installed the system but didn't do the remediation that had to be done. Letter was sent to applicant on 9/18/18. Clerk sent a 2nd notice via certified mail on 1/7/19. Response was received and they will finish the work this year (3/6/19).
2. **Gayle Champagne, 39 Bosworth Road** – NOV issued 5/2/14 for work within the upland review area; This was turned over to the Army Corps of Engineers but we have not heard anything from them. A caveat has been place on the land record for this property. Jamie had a call in to the Army Corps regarding this issue but received no response. Jamie is going to follow-up with the Army Corps. Nothing new (3/6/19).

XI. JURISDICTIONAL RULINGS – none

XII. AGRICULTURAL ACTIVITIES – None

XIII. PRIOR APPLICATIONS WITH CONDITIONS –

Map for Pomfret Public Library – Jamie stated that the original sketch plans, for final approval, had to have a grading plan. The commission approved this originally for 24 spaces and the encroachment. The library is contemplating an expansion. They are awaiting solidifying expansion plan and then will come back to the commission regarding the parking issues. A meeting regarding the expansion was held on 11/7/18 and both David St. Martin and James Rabbitt attended the meeting. Need to find out how communication will be kept open between all parties concerned. Test pits have been dug. Septic will be put under the parking lot (3/6/19).

XIV. SUBDIVISIONS APPROVED PLANNING COMMISSION – None

XV. COMPLAINTS/CONCERNS RECEIVED BY COMMISSION –

A. Anonymous concern given to Paul regarding the properties west of Paul's house on Kearney Road. Jamie visited – subject to conservation easement associated with wetlands proper (internal to wetlands/not in upland); send letter to owners regarding any work done within 150' of the wetlands requires a permit. Clerk sent 2nd letter to both property owners and they will be getting a refresher course on what's allowed in or near the wetlands (3/6/19).

XVI. NEW COMPLAINTS – It was mentioned that there is an issue with the farm at the end of Paine Road, which is 294 Paine Road. There appears to be a camper in the field across from their house (before the tree line). There was a huge tank near it and now the tank seems to be half in the ground. Someone will go out and check it out. Ryan went and checked the property. There are no permits taken out for this property. Ryan will contact the landowners. The tank has been removed from the premises. Camper is contained. Landowners are working on permits for new house and they should be compliant soon. Nothing new (3/6/19). Leave on agenda.

XVII. CITIZENS COMMENTS – It was stated that there is no Conservation Commission. We want the Town to create a body to enforce conservation easements. Wetland commission members cannot be on this. Table this issue until next month to discuss.

XVIII. EXTENSIONS REQUESTED – None

XIX. COMMISSION BUSINESS

A. Updates and Report from WEO and Commission Members – J. Fahey looking for CO for Killingly Road – Ryan to follow-up with Jamie

B. Approval of the February 6, 2019 Meeting Minutes –

J. Folsom moved to approve the minutes as submitted. J. Rowley seconded the motion and it was approved. There were three abstentions.

C. Report of Billing and Bond Releases – Sherry and Lynn will be working to put a reconciliation report together for the First Selectman soon

1. List of Bonds being held with Town of Pomfret, Escrow Agent and Putnam Bank

a. Jason B. Lavallee-IWWC New Jurisdictional Ruling

b. Pomfret School-IWWC & P&Z

D. Correspondence – letter from Aquarion Water Co. was read by Chairman Safin about the generating plant on Lake Road; letter from CT Siting Council

E. Search for Alternates for Commission –Alternate position has been filled by Alexander Howe. All positions are now filled, and this item can be removed from the agenda.

XX. ADJOURNMENT – J. Bergendahl moved to adjourn. D. St. Martin seconded the motion and the meeting adjourned at 8:51 PM.

REMINDER: Seminar on March 23rd at Wesleyan in Middletown for legal issues

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved:_____