

INLAND WETLANDS & WATERCOURSES COMMISSION
SPECIAL MEETING MINUTES
WEDNESDAY, FEBRUARY 6, 2013 @ 6:45 P.M.
POMFRET SENIOR CENTER

- I. OPEN SPECIAL MEETING:** J. Folsom opened the meeting at 6:50 pm.
- II. ROLL CALL: Present** – John Folsom, Chairman; James Rowley, Secretary; Marshall Eaton, Member; Paul Safin, Member; Nancy McMerriman, Member; and William Gould, Alternate. Staff: Ryan Brais, WEO and James Rabbitt, Designated Agent.
Absent: David St. Martin, Vice Chairman; Joseph Stoddard, Member; and John Bergendahl, Alternate.
- III. SEAT AN ALTERNATE AS NEEDED:** W. Gould was seated.
- IV. NOTICE OF VIOLATION**
- A.** Greg & Tracie Bristow, 806 Hampton Road – Grading and filling activities associated with a stream channel and dam on property (no permits issued). A NOV was issued to the applicants dated January 30, 2013, and copy of said document was distributed to the commission members. The applicants responded to the NOV issued to them and a copy of that said document was also distributed to the commission members for their perusal.
- B.** Discussion and possible action on above noted violation. Jamie stated that the commission is required to hold a due cause meeting and make a decision as to whether to uphold the NOV issued on 1/30/13. This special meeting would allow the Bristow's to speak to the commission regarding the NOV issued, but they are not here to exercise their right. It was noted in their response letter to the commission that they would not be able to attend tonight's meeting. J. Folsom then spoke about the application gave a time line since this application first appeared on the agenda to current date. It was noted that in January 2013, after research, a NOV was never issued, even though the minutes mentioned a NOV. The work on this property was done without a permit and the NOV should've been issued last year. Jamie originally went to site after a complaint was made and spoke with Mr. Bristow regarding the work being done with an excavator near the dam/stream channel. Jamie informed him that he could continue but he would get a NOV or he could file for a permit. Mr. Bristow was made aware that any work he was doing at the site was a violation of the Town's Inland Wetlands regulations. Mr. Bristow then entered into the permitting process, but didn't follow through with the process. Mr. Bristow never came back before the commission with sufficient information for the commission to make a decision and he didn't request an extension. Jamie took exception to parts of the letter written by the applicant. He also said that the work done by the applicant was in a regulated area. It was stated that Staff can only visit property when owner is home due to mention in applicant's letter that target practice often takes place on his property. It appears from the road that the dam can now be driven across. R. Brais said that there is now a storage container on the property, which would require a large vehicle to get it there.. J. Folsom then asked the commission if the NOV should remain in effect. W. Gould made a motion to sustain the NOV as issued on January 30, 2013, to Greg & Tracie Bristow of 806 Hampton Road. M. Eaton seconded the motion P. Safin had a concern and Jamie told him he spoke with the engineer at Anchor

Engineering (firm to be used by the Bristow's) and they had informed the Bristow's about what permits were necessary. P. Safin then mentioned that he would like the applicant to be informed of the decision made tonight and include the time line of meeting information. A vote was taken on the motion and it was approved unanimously.

- V. ADJOURNMENT:** M. Eaton made a motion to adjourn. P. Safin seconded the motion and it was approved unanimously. The Chairman closed the meeting at 7:25 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved_____