

**TOWN OF POMFRET
INLAND WETLANDS AND WATERCOURSES COMMISSION
MEETING MINUTES
JULY 1, 2020**

1. **OPEN REGULAR MEETING** – The Chairman opened the meeting at 7pm
2. **ROLL CALL** – Present: P. Safin, D. St. Martin, J. Rowley, J. Folsom, N. McMerriman, J. Bergendahl, A. Howe, R. Brais, and J. Rabbitt. Absent: J. Stoddard, W. Gould, and L. Shaw.
3. **SEAT ALTERNATE(S) AS NEEDED:** A. Howe and J. Bergendahl were seated for J. Stoddard and W. Gould.
4. **ITEMS TO BE ADDED TO THE AGENDA:** none
5. **PENDING APPLICATIONS:**
 - A. **Kenneth M. Snell, 48 Tyott Road, proposed single-family home with portions of house and septic system in the upland review area.** No one was in attendance to represent the application. Jamie reviewed this application. The plans were revised. The stone wall on the property will serve as a line of demarcation from this point forward. P. Safin asked if final plans need to be submitted once the project is completed. He then said he has 3 conditions of approval, should the commission wish to approve this application. J. Bergendahl asked if there was a report from NDDH, which no one was sure about. J. Folsom wanted to know if buffer markers would be put on the plans prior to or after receiving a permit. Jamie said it needs to go on the plans prior to the permit. J. Bergendahl then made a motion to approve the application with the following conditions: 1) The applicant should provide a minimum of 2 (pressure treated posts 4"x4"x8' – 4' exposed) at the east and west terminus the stone wall show on site as permanent monuments associated with wetlands delineator; 2) A note shall be added to the plans stipulating that the stone wall shall remain as a buffer to wetlands located to the south of the wall; and, 3) NDDH approval letter shall be submitted prior to any ground disturbance/grading/excavation on site. A. Howe seconded the motion and it was approved.
 - B. **Shawn & Valerie Champany, 16 Tyott Road, proposed single-family home within 130 feet of the wetlands.** Shawn and Valerie were both in attendance at the meeting. Jamie reviewed and visited the site. Half of the proposed house and driveway are within 50' of the upland review area. There is a large area for parking associated with the garden area to the east of site (gravel – possible paving?) S. Champany said that they do not have any plans of ever paving the area because the cost is too high. Jamie also said that there is no E&S on plans to protect the wetlands. Jamie was concerned about the area being susceptible to runoff of the gravel in the spring. A. Howe agreed with Jamie that the E&S needs to be put on the plans. Jamie had five conditions of approval, should the commission wish to approve the application. Valerie asked if they would receive a copy of these conditions of approval. She was told that Jamie would send them to her, and she will also receive a copy with her approval letter. D. St. Martin made a motion to approve the application with the following conditions of approval: 1) The applicant shall revise plans to show E&S along the westerly side of proposed driveway; 2) The applicant should provide a minimum of 3 pressure treated posts (4"x4"x8' – 4' exposed) 50' from edge of wetlands to serve as permanent monuments associated with wetlands delineation. Location to be verified/reviewed by Town Planner; 3) The applicant shall revise plans to show limits of clearing and maintenance of turf on the

westerly side of proposed driveway (between proposed driveway and delineated wetlands). Ten feet west of the driveway may be mowed as lawn, 10-25 feet may be maintained as turf/second cut (min. 4" height) and 25-50 feet may be maintained via annual mowing; and, 4) That a \$1,000 cash surety is posted for E&S with additional \$500 posted for cost of construction/monitoring/inspection fees. J. Rowley seconded the motion and it was approved.

- C. Joseph Stagon, 83 Holmes Road, new single-family home in the Rainbow Creek subdivision.** J. Stagon was present for the meeting. J. Stagon said that he had KWP had to revise the plans and they were submitted to the file in the land use office. He also stated that he turned in the NDDH approval form. P. Safin asked Jamie and/or Ryan if they had reviewed the new plans. Jamie said no he hadn't. Ryan was told that KWP was supposed to have e-mailed him the new plans, but Ryan hadn't seen an E-mail from there. D. St. Martin asked if this was the flagged lot down by the creek and whether the driveway was already in. J. Stagon said yes and that the silt fence is already in, too. D. St. Martin mentioned that this subdivision was done in 1987 or 1988 and it's at a 90-degree angle from his house. At this point we continued with the agenda while Ryan searched his e-mails for the updated plans.

6. CITIZEN'S COMMENTS – none

7. NEW APPLICATION(S):

- A. John Gatheru, 27 Longmeadow Drive, application for a previously approved single-family dwelling, with no changes to the previously approved plans.** Jamie that first of all, the commission cannot act on this application tonight and we need to make sure the conditions haven't changed since the prior application. D. St. Martin asked if there was already a house on this lot. Jamie said no, it is an existing lot behind that house. P. Safin said he's like to have Jamie look at this and reach out to J. Gatheru. D. St. Martin believes the lot should be staked. Paul asked Lynn to send Jamie the contact information for Mr. Gatheru. D. St. Martin said his main concern is that that area is traditionally very, very wet.

Return to ITEM 5 C - At this point, Ryan stated that he did not any e-mail from KWP. He mentioned that KWP just revised the original plans done by Messier. Jamie asked where the property is located, and he needs to look at the plans. J. Stagon send a photo of the plans to the zoom host to project on the screen. Blake put the photo of the plans on the screen for the commission members to see. Ryan said there is a relatively small amount ... and that the stone wall makes a natural buffer. Jamie said the main issue is drainage/grading of driveway. Need to examine plans and field conditions. D. St. Martin said the stone wall acts as a natural buffer to the brook and he is comfortable with that part of the lot. Jamie mentioned about the grading/drainage of driveway to ... J. Stagon said that the driveway had been done for about 10 years. He mentioned that KWP came out and verified the elevations. Jamie said he still needs to go out and see the field site. P. Safin asked how we continue this application. Jamie said he can't say. He can't give insight right now. There is a possibility of maybe having a special meeting. D. St. Martin said this is a hybrid type. J. Stagon then mentioned that all he wants at this time is permission to be able to remove the stumps from the building lot. Jamie said he could issue a no-fee application to remove the stumps. P. Safin asked for feedback from commission members. N. McMerriman said we let Mr. Stagon deal with the stumps with a no-fee application and then proceed with the rest as we normally would. J. Bergendahl said let Mr. Stagon get started and then so a special meeting so he can continue. J. Rowley said he agrees with both Nancy and John. P. Safin said he agrees, too. J. Folsom asked Mr. Stagon if he would be using the same

excavator for stumping and the foundation. Mr. Stagon said that no, he would be using two different excavators. Mr. Stagon asked whose cost it would be if the culvert needs work. Jamie said it is based on whether the east and west were installed properly. Jamie said he sees no major issues if all was installed properly. P. Safin said that the plans will need be corrected. It was decided that we will do a no fee application for stump removal. In the interim, Jamie and Ryan will go out in the field, KWP would revise the plans, and then the commission would set a special meeting. Jamie told the commission that no-fee applications are handled by staff. J. Bergendahl asked Jamie to contact the commission when he gets the information.

The commission asked Blake if he would be available to do a special meeting in July. Blake said he is available on July 24th and 31st. J. Stagon will do a no fee application tomorrow and get it to Jamie. We should know something within a week from a site/review aspect. D. St. Martin made a motion to table this item until we hear from Jamie. N. McMerriman seconded the motion and it was approved.

8. NO-FEE APPLICATIONS: - none (we will be receiving one)

9. NOTICES OF VIOLATION/CEASE AND DESIST ORDERS:

A. Outstanding NOV (Notice of Violation)

1. Deborah/Paul Simpson, 64 Hampton Road, follow-up on 3/2020 of the restoration plan from 1/26/15 NOV. They are continuing to work on the site and taking positive steps towards remediation. We will wait to hear from Jamie regarding final date (7/1/2020).

10. JURISDICTIONAL RULINGS: none

11. AGRICULTURAL ACTIVITIES: none

12. PRIOR APPLICATIONS WITH CONDITIONS:

- A. Robert Higgins, Searles Road, single family home. There has been E&S failures. Jamie needs to re-send the COA's to Lynn. Mr. Higgins has re-installed the silt fence. Jamie will visit next week due to the recent weather.

13. SUBDIVISIONS APPROVED BY PLANNING & ZONING: none

14. COMPLAINTS/CONCERNS RECEIVED BY COMMISSION: none

15. NEW COMPLAINTS: none

16. CITIZEN'S COMMENTS: none

17. EXTENSIONS REQUESTED: none

18. COMMISSION BUSINESS:

- A. Updates and report for WEO and Commission members. Jamie informed the commission members that the new LIUNA building is up, and seeding has been done.
- B. Approval of the June 3, 2020 meeting minutes. J. Rowley made a motion to approve the minutes with amendments. J. Bergendahl seconded and the motion carried.
- C. Nothing on Chris Grilley due to the corona virus situation.

1. **List of Bonds being held with Town of Pomfret (Escrow Agenda and Putnam Bank:**

- a. Pomfret School – clerk is awaiting correspondence from B. Bullied. Both commissions have given permission to release the funds and transfer whatever is necessary to pay off the wetlands portion that is still due.
- b. Bill Hull – both commissions have given permission to release the funds
- D.** Correspondence: CT Wildlife March/April 2020 issue has arrived and is in the office.

19. ADJOURNMENT: N. McMerriman made a motion to adjourn. D. St. Martin seconded the motion and it carried. The meeting adjourned at 8:12 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date: _____