

**POMFRET INLAND WETLAND & WATERCOURSES COMMISSION**  
**MINUTES FOR WEDNESDAY, DECEMBER 1, 2021, AT 7:00 PM**  
**COMMUNITY CENTER**

1. **OPEN REGULAR MEETING:** Meeting opened at 7:00 PM
2. **ROLL CALL** - Present: P. Safin, J. Rowley, J. Folsom, J. Stoddard, N. McMerriman, J. Rabbitt, and R. Brais. Absent: W. Gould (w/n), A. Howe (w/n), D. St. Martin (w/n), J. Bergendahl (w/n), and L. Shaw (w/n).
3. **SEAT ALTERNATE(S) AS NEEDED:** None.
4. **ITEMS TO BE ADDED TO THE AGENDA:** None.
5. **PENDING APPLICATIONS:**
  - A. Serge & Cherie Riabtsev, 104 Gary School Road, new single-family home, well, septic, pool, and driveway. B. Woodis of Archer Surveying was present to speak on behalf of the applicant. The lot is currently owned by R. DiBonaventura who was also present. New plans were distributed with a redesigned septic system. NDDH approval was received. P. Safin verified the location of the pool and noted that the applicant would need to submit another application if they wished to move the location. J. Rabbitt made comments on the modifications to the plans and presented five items recommended to be included in the motion. B. Woodis indicated that the plan is to build next spring. J. Folsom made a motion to approve the site development plan with the five conditions set forth in Jamie's draft and with the revisions on the detailed plans provided and prepared by Archer Surveying and revised on 11/30/21. J. Stoddard seconded. All in favor.
6. **CITIZEN'S COMMENTS:** None.
7. **NEW APPLICATION(S):**
  - A. Joseph E. Sousa, 585 Mashamoquet Road, demolish an existing 2-bdrm single-family residence and construct a replacement 2-bdrm single-family residence with attached garage. Activity also includes drilling a new well, installing a code compliant subsurface sewage disposal system, and improving the existing gravel access driveway to meet Town standards. D. Sorrentino of Boundaries LLC was present to speak on behalf of the applicant. This is a 60.3-acre parcel that currently has two residences. The owner is in the process of renovating the interior of the front house. The second residence is a cape to the rear of the first house. The application is to demolish the rear residence and replace with another two-bedroom single family. There is an existing well that will be abandoned, and there are no records for the current septic system. This will be a modular residence with a garage to be built on-site sometime in the future. P. Safin noted that the plans submitted are narrowly focused and do not show what is just beside the proposed residence; the plans do not show what the drainage would be going to. Applicant should submit information such as aerial photos showing more of the site. There was brief discussing regarding Zoning compliance and maximum expansion allowed, along with some discussion regarding how the well will be abandoned. Application was accepted tonight and will continue to the January 2022 meeting.
8. **NO-FEE APPLICATIONS:** None.
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 on the restoration plan from 1/26/15 NOV. Jamie spoke with P. Simpson, and he will come to the December meeting. A decision was made to have the applicant attend monthly meetings until the issue is settled (12/02/2020). Commission members requested that Jamie meet with the Simpsons to see what they're doing in the spring/summer and have Mr. Simpson come to the May/June meeting. It was mentioned that we need to put something in the regulations (i.e., caveat on land records) for applications that don't get completed in

a timely manner (5/5/2021). Jamie spoke with P. Simpson who couldn't attend the meeting. He explained to the commission his feelings regarding the applicant taking 5+ years to do this reclamation work. We need to push to caveat or speak with the Town Attorney. P. Simpson said that his equipment is still down and being fixed. He would commit to finishing the project this year. He has done some work, but the site has been inactive for the last 12-18 months. P. Safin asked Jamie to photograph the site because it's been way too long. Discussion of putting a time frame in place. D. St. Martin made a motion to place a caveat on the land record. J. Folsom seconded. All in favor. (J. Rabbitt said there should be a note on the caveat that a NOV was sent, a permit was granted, but the work was not done.) Caveat was placed on the land records (8/12/21) with the notation that a NOV was sent, a permit was granted, but the work was not done (9/1/21). There is nothing new, but the backhoe is gone (10/6/21). Nothing new (11/3/21). P. Simpson was present at the meeting. He had hesitantly committed to finishing the project after speaking with J. Rabbitt but was not able to do so. He is very close to finishing, with the expectation to seed in September 2022. There was brief discussion regarding what issues P. Simpson needs to do to be in compliance. J. Rabbitt will follow-up with P. Simpson.

B. Zachary Leighton (owner) and Barry Peloquin (occupant), 59 Longmeadow Drive, Show Cause Hearing on 8/4/21 for obstruction of a watercourse behind 59 Longmeadow Drive that is causing flooding to upstream properties. After discussion and testimony from Mr. Gadoury, the following action was taken: a Cease & Desist for 59 Longmeadow Drive is valid, was issued for cause, and shall remain in effect until corrective action is reviewed and approved by commission staff. Commission members voted to enforce the action (8/4/2021). Ryan showed the before and after photos of the stream. P. Safin asked that Ryan check the stream every few weeks. Also, he would like Ryan to call Mr. Gadoury (10/6/21). Nothing new (11/3/21). R. Brais stated that the issue is resolved. It was agreed R. Brais will send a letter to the original complainant stating that the issue is resolved. J. Folsom made a motion to remove this item from the agenda. J. Rowley seconded. All in favor.

10. **JURISDICTIONAL RULINGS:** None.

11. **AGRICULTURAL ACTIVITIES:** R. Brais stated that he received a timber harvest notification at Windham County 4-H property on Taft Pond Rd. There is no work proposed within wetlands. This will be a selective cut to remove dead trees.

12. **PRIOR APPLICATIONS WITH CONDITIONS:** None.

13. **SUBDIVISIONS APPROVED BY PLANNING & ZONING:** None.

14. **COMPLAINTS/CONCERNS RECEIVED BY COMMISSION:**

A. At the previous meeting, R. Brais said he'd contact the owner at 28 Wrights Crossing Road. R. Brais stated that the issue is on the property north of 28 Wright's Crossing, but that there is no disturbance, and this item can be removed from the agenda.

15. **NEW COMPLAINTS:**

A. R. Brais will check on the following complaints: the first house on Paine Road is building a garage; new house lot on 169, two lots before B. Purcell's; construction equipment on site and water hole dug at property with frontage on both 169 and Valentine Rd.; site work on Marshall Eaton's old property; construction equipment and corrugated pipes near Chubbuck's property.

16. **CITIZEN'S COMMENTS:** None.

17. **EXTENSIONS REQUESTED:** None.

18. **COMMISSION BUSINESS:**

A. Updates and report from WEO and Commission Members: None.

B. Approval of the November 3, 2021, meeting minutes. N. McMerriman made a motion to approve the minutes as amended. J. Folsom seconded. All in favor.

C. Report of billing and bond releases – nothing new

D. Correspondence: None.

E. Election of Officers: J. Folsom made a motion to nominate the existing slate of officers. J. Stoddard seconded. All in favor.

F. Brief discussion regarding by-laws. Clerk will email copies to all members and make copies available at Town Hall. By-law discussion to be added to January agenda.

19. **ADJOURNMENT:** J. Folsom made a motion to adjourn. J. Rowley seconded. All in favor. Meeting adjourned at 8:11 PM.

Respectfully submitted,

Tina Corriveau

Dated:

Substitute Land Use Clerk