

**TOWN OF POMFRET
INLAND WETLANDS AND WATERCOURSES COMMISSION
MEETING MINUTES
MAY 5, 2021**

1. **OPEN REGULAR MEETING** – The Chairman opened the meeting at 7:00 pm
2. **ROLL CALL** – Present: P. Safin, D. St. Martin, J. Rowley, J. Folsom, J. Bergendahl, A. Howe, R. Brais, and J. Rabbitt. Absent: J. Stoddard, N. McMerriman, W. Gould, and L. Shaw.
3. **SEAT ALTERNATE(S) AS NEEDED:** J. Bergendahl and A. Howe were seated.
4. **ITEMS TO BE ADDED TO THE AGENDA:**
 - A. **Dan Mardirosian, 255 Searles Road**, application for an 24/28' attached garage – D. St. Martin made a motion to move this item to Section 7 New Applications on the agenda. A. Howe seconded. All in favor.
5. **PENDING APPLICATIONS: none**
 - A. **Jared Sheldon and Jennifer Giguere, 174 Babbitt Hill Road**, application for a new home, garage, horse barn/paddock. Jennifer was in attendance. Jennifer stated that they would live above the garage until the home is built, at which time they will change the space over the garage to comply with IWWC regulations. Jamie walked the site and discussed the proposed plans. The application will be completed in two phases with the garage and apartment being built first. Phase 2 will be the construction of the house. He also said that the applicants inherited issues on the property by purchase. Tree debris was pushed down a slope and there is sediment transport in that area. The applicants are aware of these 2 issues (may be sub-regional watershed). Killingly Engineering needs to help them out. P. Safin said he didn't a sequence of operations on the plans. He said a pool is shown, but if it moves, they need to come back to the commission. Jamie then read into record a draft letter with 11 conditions of approval, should the commission decided to approve the application. D. St. Martin questioned if the 2 septic tanks would be permanent. Jennifer said that the 2 tanks are permanent. Jamie said he would work with the homeowners. D. St. Martin asked if there would be a length of time for things to be done. Jamie said the applicant is due to deliver her child in 9 days. E&S to be installed in 14 days. No CO will be given until pasture plans are approved. P. Safin asked if the applicant could get the E&S in place during this time frame. Jennifer said that they could make it happen. P. Safin also wanted to know if more surveying needs to be done. Jamie said yes because they need to know the exact property line. J. Folsom made a motion to approve the application with Jamie's conditions of approval. He also stated that Staff has permission to make decisions in the field. J. Bergendahl seconded the motion. All in favor. P. Safin mentioned that there is no NDDH that shows the 4-bedroom house. Jennifer will call NDDH and have the approval sent to the Town Hall.
6. **CITIZEN'S COMMENTS** – none
7. **NEW APPLICATION(S):**
 - A. **Dan Mardirosian, 255 Searles Road**, 24' x 28' attached garage. Jamie stated that this is a jurisdictional ruling and not an application for the commission. This item is being moved to Section 10 of the agenda.

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 of the restoration plan from 1/26/15 NOV. Jamie spoke with P. Simpson and he will come to the December meeting. He has had equipment issues. He is going to update his previous letter regarding his time frame. P. Safin said this has been a 5 -year issue and it looks like we're setting a precedent. He is inclined to have the homeowner come to the December meeting (bring photos) and get a list of the original conditions of approval. J. Rowley the applicant needs to attend a meeting to know what's going on. J. Folsom thought we should make it a condition that the applicant must attend meetings until the issue is settled (11/4/2020). Jamie did not follow-up with Mr. Simpson nor did he receive any documentation from him, P. Safin took out the letter Mr. Simpson wrote to the commission earlier this year regarding a completion date. Paul said this is definitely setting a precedent and maybe the commission needs to create a time limit for correcting notices of violation. We need to hold the people accountable. The commission members all agreed with Paul (12/2/2020). Commission requested to have Jamie meet with the Simpsons to see what they're doing in the spring/summer and to have Mr. Simpson come to the next meeting. Jamie doesn't have a phone number for the applicant. Clerk will send number to Jamie. He has stopped by the house twice and no one was home. Mr. Simpson has done some leveling and grading. P. Safin told Jamie to have Mr. Simpson attend the June meeting because the commission needs to put this application to rest. (5/5/2021). 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.

P. Safin mentioned attending the bar association seminar and possibly having an Attorney help with the regulations for time limits on violations.

10. JURISDICTIONAL RULINGS:

- A. Dan Mardirosian, 255 Searles Road,** application for an 24/28' attached garage. Jamie will handle this application.

11. AGRICULTURAL ACTIVITIES:

12. PRIOR APPLICATIONS WITH CONDITIONS:

Jamie said that the LIUNA crane building has all seeds coming up and everything appear stable. This should be closing out soon. N. Lehto had an issue with E&S installation failing and needed to re-install it. Everything is now stable, and the site is under construction.

13. SUBDIVISIONS APPROVED BY PLANNING & ZONING: none but possible upcoming one on Taft Pond Road

14. COMPLAINTS/CONCERNS RECEIVED BY COMMISSION:

Someone mentioned that on Rte. 97 (pond past We-Lik-It) previously had some dam restoration done. The property has changed hands since then. Jamie will look at the dam for any new activity. Jamie checked the dam, and it appears some invasives were cleared along the State setback. There is no direct discharge to the stream channel.

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. P. Safin mentioned that the Coyle letter is being sent out. Also, the Catanzano letter is being sent via CRR and with the conditions of approval attached. R. Brais there is some tree cutting that was done on Tyott Road. They just cleared a stone wall and there are no issues. Jonathan Fahey prior file from 2004 is missing and Jamie will look through his files to see if he inadvertently took it. P. Safin said that if we can't find the prior file, we need to reach out to Mr. Fahey and have him produce the prior information. There is a good possibility he'll have to re-apply. Ryan will follow-up and there is a possibility of Mr. Fahey applying via jurisdictional ruling.
- B. Approval of the April 7, 2021 meeting minutes. J. Folsom made a motion to approve the minutes as amended. J. Rowley seconded and the motion carried. There were 2 abstentions.
- C. Report of billing and bond releases.
Paul hopes to meet with Sherry this upcoming week to go over the outstanding debits and credits and clear up the books.
- D. **Correspondence** –distribution of March/April issue of CT Wildlife

Paul asked the commission what they thought about talking to the Town Attorney regarding the length of NOV's. D. St. Martin said it's just this particular application (aside from Bosworth Road and the Army Corps of Engineers). We need to weight the benefits and risks (severity and action). J. Folsom believes the applicant should come before the commission with a remediation plan (approve with Conditions of Approval that the work be done in "X" amount of time).

19. ADJOURNMENT: D. St. Martin made a motion to adjourn. J. Folsom seconded and the motion carried. The meeting adjourned at 8:07 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date: _____