

INLAND WETLANDS & WATERCOURSES COMMISSION
MEETING MINUTES
WEDNESDAY JULY 5, 2017 @ 7:00 P.M.
POMFRET SENIOR CENTER

I. OPEN REGULAR MEETING: opened meeting at 7:00 pm.

II. ROLL CALL: Present – John Folsom, Chairman; David St. Martin, Vice Chairman; James Rowley, Secretary; P. Safin, member; Joseph Stoddard, Member; and William Gould, member. Staff: Ryan Brais, WEO and Jamie Rabbitt, Designated Agent. . **Absent** – Nancy McMerriman, member; and John Bergendahl, Alternate.

III. SEAT AN ALTERNATE AS NEEDED: n/a

IV. ITEMS TO BE ADDED TO AGENDA:

A. New application: Town of Pomfret for Pomfret Public Library, proposed expansion of parking lot

V. PENDING APPLICATIONS: none

VI. CITIZEN'S COMMENTS: none

VII. NEW APPLICATIONS:

A. Town of Pomfret for Pomfret Public Library, 449 Pomfret Street, proposed expansion of parking lot. Jamie spoke for the application. It is being undertaken by the town road crew and will be staked by Staff/Road Crew Foreman. The Planning & Zoning Commission has already approved the 19 parking spaces plan with an additional move of 9' or 18' east. [9' east (1800 sq. ft. regulated area) and 18' east (2200-2300 sq. ft. regulated area)]. A jurisdictional ruling was signed by Staff for the 19 space plan and we are awaiting the commission to make a decision. At some point the field was staked and based on field observations, the majority of flags are at the tree line. J. Folsom asked what the P&Z regulations are regarding additional building space – how many parking spaces do you have. Jamie said there is one space for every 300 sq. ft. The maximum build-out for this expansion is 24 spaces. There is a concern over the wetlands and having a public hearing due to work in the wetlands. The commission can't take action tonight; it can only accept the application. The 21 space version of the plan is encroaching the wetlands. D. St. Martin said that you can't not call this a significant activity. J. Folsom said we would normally have a soil scientist signature. P. Safin said so right now they could do the 19 space version, but they wish to do 21 or 24 spaces. Jamie said he would get the wetlands delineated and staked in the field. Decision was to hold a public hearing on August 23, 2017 at 6 pm at the Senior Center.

On a different matter. J. Stoddard asked who has jurisdiction over the State with a violation in the Town wetlands. Jamie said the State DEEP controls that.

At this point. P. Safin made a motion to hold a Public Hearing for the Public Library application as it is a significant activity. J. Stoddard seconded and the motion was approved. J. Folsom re-stated that the Public Hearing will be on August 23, 2017 at 6 pm at the Senior Center.

VIII. NO-FEE APPLICATIONS: none

IX. NOTICES OF VIOLATION/CEASE AND DESIST ORDERS:

A. Outstanding NOV (Notice of Violation)

- 1. Deborah & Paul Simpson, 64 Hampton Road,** NOV issued 1/26/15 for work in a regulated area. Application was approved with conditions (7/1/15). Nothing new; ongoing (8/2/17). Leave on agenda
- 2. Gayle Champagne, 39 Bosworth Road,** - NOV issued 5/2/14 for work within the upland review area. No new information from landowner. Still waiting to hear from Army Corps of Engineers. The caveat for the land records for this property was placed on the land records 6/2/16 with an effective date of 6/1/16. Glenn Johnson, who holds the mortgage on the property, saw that there was a lien on the property and came to the meeting because he is looking to sell the mortgage and wanted to know what needs to be done. He said he contacted

Gayle and she had him contact Ryan. He then contacted the Army Corps of Engineers. They sent a letter to him regarding the property and saying that they were not taking control of the situation and were deferring action to the Town. He wanted to know the solution to the problem – what can be done to expedite it? He needs to sell the mortgage on the property and would like to be able to sell the mortgage with no issues. If Staff confers with Army Corps of Engineers, then the commission will decide on the action to be taken. It would be best to have Gayle submit an application for a permit and go from there. Nothing new; ongoing (8/2/17). Leave on agenda.

X. JURISDICTIONAL RULINGS: Town of Pomfret for Pomfret Public Library for 19 space parking lot expansion

XI. AGRICULTURAL ACTIVITIES: none.

XII. PRIOR APPLICATIONS WITH CONDITIONS:

- A. Moon et. al., Peter, 596 Pomfret Street,** single-family home 3/08. Application was approved with 10 conditions. New application was approved and added one more COA was added on 1/7/15. Possible permit transfer due to sale of property. Jamie is working with Mr. Dash and Atty. St. Onge to get the permit transferred. Atty. St. Onge and Mr. Dash are aware of what is needed to transfer the permit (8/2/17). Leave on agenda.
- B. Hull Forest Products, 101 Hampton Road,** install 12' gravel drive and create round log storage area which will require filling of 4,035 square feet of wetland soils (**approved 3/2/11 with 24 conditions**). Jamie did a follow-up site visit. Everything is done for the season. Nothing new (8/25/17). Leave on agenda.
- C. Raja Fattaleh, 62 Angel Road,** re-new expired permit. Vehicles went in and did some work prior to approval. The site is under construction. There was placement of material on driveway that conflicts with the approved plan. Received a request from M. Mazzola to release the bond for this application. The commission stated that there are outstanding issues regarding this application. D. St. Martin made a motion for Staff to do a tick sheet and make sure everything is completed and fulfilled prior to the bond being released. P. Safin seconded the motion and it was approved. A piece of paper was submitted to the commission as an as-built. It had no certification on it. It needs to be scaled, mapped, and credential seal and stamp must be applied. The site is still under construction (no house yet). Send a certified return receipt letter to owner with a CC to Mark Mazzola that the as-built is not acceptable. Letter was not sent and still needs to go out to applicant (8/2/17). Leave on agenda.

XIII. SUBDIVISIONS APPROVED BY PLANNING AND ZONING: None

XIV. COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION:

- A. Stephen Kulzyck, 128 Holmes Road.** There is a new man-made pond that has been created; there is erosion affecting wetlands downstream, and there is a dumping area. This is ongoing and the property is still under foreclosure. There is no new visible disturbance. We need to determine legal violation and put it on the file in the Town Hall (only violation was the outlet at the 4th pond). Jamie will try to settle this issue within the next two weeks and will submit something in writing. Jamie wrote a letter stating that he reviewed this issue and that there are no new additional erosion issues and feels that this item can be removed from the agenda. D. St. Martin made a motion to remove this item from the agenda. It was seconded by W. Gould and approved (8/2/17). Remove from agenda.

XV. NEW COMPLAINTS: none.

XVI. CITIZEN'S COMMENTS: none

XVII. EXTENSIONS REQUESTED: none

XVIII. COMMISSION BUSINESS:

- A. Updates and Report from WEO and Commission Members** – Jamie said that NELTA is finishing up with their new building and will be closing out the process soon.
- B. Approval of July 5, 2017 meeting minutes.** P. Safin made motion to approve as amended. D. St. Martin seconded and it was approved. There was one abstention.
- C. Report of billing and bond releases** – still waiting to hear from B. Bullied to clear some Pomfret School applications
 - 1. List of Bonds being held with Town of Pomfret (Escrow Agent) and Putnam Bank:**

Jason B. Lavalley (IWWC)
Pomfret School (IWWC and P&Z) –

2. List of Bond(s) being held with Liberty Mutual Insurance Company:

Bruce & Kerry Dexter (IWWC) – letter sent to insurance company to release the bond (leave on until we know if bond has been released)

- D. Correspondence – distributed CT Wildlife magazine and information about a bridge repair
- E. Search for Alternates for Commission –

XIX. ADJOURNMENT: D. St. Martin made a motion to adjourn. P. Safin seconded and it was approved unanimously. The Chairman closed the meeting at 7:55 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved_____