

**INLAND WETLANDS & WATERCOURSES COMMISSION**  
**MEETING MINUTES**  
**WEDNESDAY DECEMBER 6, 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; Joe Stoddard, member ; P. Safin, member; Nancy McMerriman, member; William Gould, member. Staff: Ryan Brais, WEO and Jamie Rabbitt, Designated Agent. . **Absent** – John Bergendahl, Alternate.

**III. SEAT AN ALTERNATE AS NEEDED:** n/a

**IV. ITEMS TO BE ADDED TO AGENDA:** none

**V. PENDING APPLICATIONS:**

**A. Seth Fortier, 194 Covell Road,** 2 lot subdivision, residential home, driveway, septic, system, well, wetlands crossing, and minor grading. Lot has 2 wetland crossings. Seth Fortier was present. No NDDH approval as of yet. Jamie did a site visit on 12/5/17. Test pits were done on site; 2 of them passed and one did not. He said they may have to reconfigure the trench when the set-backs kick in. The access is per the existing driveway. The driveway was relocated due to the original being partially on State property (misplaced). HE said the commission needs to decide whether this is a significant activity and needs a public hearing or not. He also said that there is some component of this application that might need a PE (Jamie, Ryan, Paul Archer can only do so much). W. Gould asked if the brook was seasonal, which was answered with a yes. D. St. Martin mentioned that we received this application last month. Jamie said a public hearing could be scheduled for the January meeting. He said the changes required aren't out of the ordinary – some CAD time – but he is unsure of Mr. Archer's workload. J. Folsom feels we should have a public hearing in the public's interest. D. St. Martin made a motion to schedule a public hearing for the January 3, 2018 meeting at 7pm at the Senior Center. P. Safin seconded the motion and it was approved.

**VI. CITIZEN'S COMMENTS:** none

**VII. NEW APPLICATIONS:** none

**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 (12/6/17). 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 (12/6/17). Leave on agenda.

**X. JURISDICTIONAL RULINGS:** none

**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. Nothing new. Jamie is still working with them on this issue (12/6/17). 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. There is stabilization in the landing area. Due to the storm we had, Jamie is going to visit and see how things weathered the storm. Nothing new (12/6/17). 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. J. Rabbitt met with M. Mazzola regarding the revision of the as-built. Jamie received new as-built and is in the approval process. D. St. Martin made a motion that upon review, if the as-built is consistent with the approved permit and in order, Staff can authorize the release of part/all of the bond. It was seconded by P. Safin. It was approved. Ryan mentioned to Jamie that M. Mazzola called today and wished to speak with Jamie (11/1/17). On 11/27/17 the bond/fees for this application in the amount of \$33,707/38 were released to Raja Fattaleh. J. Stoddard made a motion to remove this item from the agenda. It was seconded by W. Gould and approved (12/6/17). Remove from agenda.

**XIII. SUBDIVISIONS APPROVED BY PLANNING AND ZONING:** None

**XIV. COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION:**

R. Brais mentioned that there was a complaint of a possible dumping issue. It some type of fluids but he is unsure of the actual material that was dumped. He said it is oily in consistency and it is a very small amount. Ryan has not been back out to the site (12/6/17).

**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 – none
- B.** Approval of November 1, 2017 meeting minutes. P. Safin made motion to approve as amended. J. Rowley seconded and it was approved.
- C.** Report of billing and bond releases –bond release was made to Raja Fattaleh, check dated 11/27/17 in the amount of \$33,707.38. Still working with Brenda Bullied at Pomfret School to schedule a meeting to go over Pomfret School invoices.
  - 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 – CACIWC newsletter was distributed; CT Wildlife Sept/Oct edition was distributed; letter from the Society of Soil Scientists was passed around for commission members to look at
- E. Voting for officers of commission; J. Folsom made a motion to nominate P. Safin for Chairman. D. St. seconded. J. Folsom closed the nomination. Vote was taken and P. Safin was voted in unanimously. L. Folsom made a motion to nominate D. St. Martin for Vice Chairman. J. Stoddard seconded. J. Folsom made a motion to nominate J. Rowley for Secretary. P. Safin seconded. Vote was taken and D. St. Martin was voted in as Vice Chairman and J. Rowley was voted in as Secretary unanimously.
- F. Update/amend commission member list; clerk passed out current list and had members adjust/correct any information about themselves that was needed to keep our list current
- G. Search for Alternates for Commission – John is going to see if J. Bergendahl will contact Brent Tuttle to see if he is still interested in being on the commission as an alternate

**XIX. ADJOURNMENT:** D. ST. martin made a motion to adjourn. P. Safin seconded and it was approved unanimously. The Chairman closed the meeting at 7:40pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date approved \_\_\_\_\_