

**TOWN OF POMFRET  
INLAND WETLANDS & WATERCOURSES COMMISSION  
MEETING MINUTES  
WEDNESDAY, APRIL 3, 2019  
7:00 PM – POMFRET SENIOR CENTER**

- I. OPEN REGULAR MEETING** – P. Safin opened Regular Meeting at 7:02 PM.
- II. ROLL CALL** – In Attendance: Commission Members Paul Safin, Chairman; David St. Martin, Vice Chairman; James Rowley, Secretary; John Folsom, Member; Nancy McMerriman, Member; John Bergendahl, Alternate; Laurice Shaw, Alternate; Alexander Howe, Alternate; and Staff: Ryan Brais, WEO; James Rabbitt, WEO. Absent: Joe Stoddard, Member; and William Gould, Member.
- III. SEAT ALTERNATES AS NEEDED** – **L. Shaw and A. Howe were seated for J. Stoddard and W. Gould.**
- IV. ITEMS TO BE ADDED TO AGENDA** – **Robert Higgins, Searles Road**, transfer of permit from Cliff & Rich Green; add to agenda under Item VII New Applications
- V. PENDING APPLICATIONS** –
  - A. NELTA, Inc., 10 Murdock Road**, proposed construction of a new crane training facility and addition to existing building. Bruce Woodis of KWP Associates was present to speak for the applicant. He handed out a new map for the crane training building. There will be indoor training with cranes and other equipment. Part of the building will be used for offices and classrooms. They have already received approval for the septic system from NDDH. The wetlands are located uphill from the building. The primary concern is affecting the ground water. P. Safin asked if it will have a dirt floor, about re-fueling, and how they will handle a spill situation. B. Woodis said there will be no petroleum or hazardous materials inside. All fueling will be done on another part of the site. J. Folsom asked about gutters on the roof. Bruce said that's a sore subject right now between gutters and sheet flow (possible collection system). Jamie stated he had multiple conversations with Bruce and has prepared a letter and draft motion for a favorable decision by the commission (Bruce has modified the utility run). Bruce believes there will be gutters, downspouts, and a collection system. A proposed tank is being added to the existing building. Jamie said there are 7 conditions of approval in his draft motion. P. Safin asked about the timing for this project. Bruce said that they hope to start this summer and complete by winter. D. St. Martin made a motion to approve the application with the 7 conditions of approval Jamie mentioned in his draft along with an added condition, totally

8 conditions of approval, as follows: 1) a preconstruction meeting is held with town staff (Town Planner) prior to any construction and grading activity on the site; 2) a revised set of plans shall be submitted, reviewed, and approved by the Town's WEO prior to any construction associated with the utility crossing that differ from the approved plans; 3) a revised set of plans shall be submitted for any changes to the roof drainage system and submitted for review and approval by town staff (Town Planner) prior to construction; 4) limits of clearing shall be clearly delineated in the field and inspected and approved by Town Staff prior to any site work (i.e.: tree cutting, ground disturbance); 5) all erosion and sedimentation controls shall be installed and inspected prior to any construction and grading activity on the site; 6) the applicant shall a NDDH letter; 7) the applicant shall post a surety for Sediment and Erosion control and site restoration (turf establishment) in the amount of \$5,000; and, 8) the applicant shall pay all costs associated with the review and process of their application (including inspection costs – post approval).

**VI. CITIZENS COMMENTS – none**

**VII. NEW APPLICATIONS –**

**A. Robert Higgins, Searles Road**, transfer of permit from Cliff & Rich Green. The address of this property is 243 Searles Road. It was previously the project of Cliff and Richard Green. He is looking for a transfer of the permit from the Green's to himself. According to the regulations, a written approval must be received from the agency to transfer the permit and this particular permit has conditions of approval that must be adhered to. Bob needs to get the permit transferred and then file a jurisdictional ruling if he deviates from the original plans. D. St. Martin made a motion to allow the permit to be transferred. N. McMerriman seconded and it was approved. Bob asked a question regarding wall removal. Jamie was unsure about whether this is a possible encroachment permit issue, but it not approved through this commission. It would be done through the Town. A letter will be drafted from the commission for Mr. Higgins regarding the action taken by the commission and the transfer of the permit with all its previous conditions of approval.

**VIII. NON-FEE APPLICATIONS – None**

**IX. NOTICES OF VIOLATIONS AND DESIST ORDERS**

**A. Outstanding Notices of Violations**

**1. Deborah Simpson, 64 Hampton Road** – NOV issued 1/26/15 for work in a regulated area. J. Folsom asked Jamie if the Simpsons were putting in a septic system. Jamie said they installed the system but didn't do the remediation that

had to be done. Applicant responded to letter they received, and they will finish the work this year (4/3/19).

2. **Gayle Champagne, 39 Bosworth Road** – NOV issued 5/2/14 for work within the upland review area; This was turned over to the Army Corps of Engineers but we have not heard anything from them. A caveat has been place on the land record for this property. Jamie had a call in to the Army Corps regarding this issue but received no response. Jamie is going to reach out to the Army Corps again. Nothing new (4/3/19).

**X. JURISDICTIONAL RULINGS – none**

**XI. AGRICULTURAL ACTIVITIES – None**

**XII. PRIOR APPLICATIONS WITH CONDITIONS –**

Map for Pomfret Public Library – Jamie stated that the original sketch plans, for final approval, had to have a grading plan. The commission approved this originally for 24 spaces and the encroachment. The library is contemplating an expansion. They are awaiting solidifying expansion plan and then will come back to the commission regarding the parking issues. A meeting regarding the expansion was held on 11/7/18 and both David St. Martin and James Rabbitt attended the meeting. Need to find out how communication will be kept open between all parties concerned. Test pits have been dug. Septic will be put under the parking lot. Septic system is already being put in as seen by commission members. Commission will request a design plan and NDDH approval for the septic system. J. Folsom feels that whoever oversees the library septic issue needs to contact the IWWC. They would also like M. Nicholson to come to the next meeting regarding this septic issue (4/3/19).

**XIII. SUBDIVISIONS APPROVED PLANNING COMMISSION – None**

**XIV. COMPLAINTS/CONCERNS RECEIVED BY COMMISSION –**

- A. Anonymous concern given to Paul regarding the properties west of Paul's house on Kearney Road. Jamie visited – subject to conservation easement associated with wetlands proper (internal to wetlands/not in upland); send letter to owners regarding any work done within 150' of the wetlands requires a permit. Clerk sent 2<sup>nd</sup> letter to both property owners and they will be getting a refresher course on what's allowed in or near the wetlands (4/3/19).
- B. It was mentioned that there is an issue with the farm at the end of Paine Road, which is 294 Paine Road. There appears to be a camper in the field across from their house (before the tree line). There was a huge tank near it and now the tank seems to be half in the ground. Someone will go out and check it out. Ryan went and checked the property. There are no permits taken out for this property. Ryan will contact the landowners. The tank has been removed from the premises. Camper is contained. Landowners are working on permits for new house and they should be compliant soon. Landowner came in and submitted a map/plan for Ryan. This is not a wetlands issue (4/3/19). Leave on agenda.

**XV. NEW COMPLAINTS –none**

**XVI. CITIZENS COMMENTS – none**

**XVII. EXTENSIONS REQUESTED – None**

**XVIII. COMMISSION BUSINESS**

**A. Updates and Report from WEO and Commission Members – Nothing new.**

L. Shaw mentioned that we need to discuss conservation easements and this item should be added to our next agenda.

**B. Approval of the March 6, 2019 Meeting Minutes –**

D. St. Martin moved to approve the minutes as amended. A. Howe seconded the motion and it was approved. There were three abstentions.

**C. Report of Billing and Bond Releases –** P. Safin discussed the list of client fund balances and the decisions that need to be made. D. St. Martin feels we shouldn't bill an overdue account for \$11.50. In fact, he feels anything less than \$50 should be written off. L. Shaw made a motion to designate Paul to work with staff to make the decisions regarding the fund balances and anything less than \$50 should be written off. J. Folsom seconded the motion and it was approved. The commission would also like to keep the records straight by keeping Wetlands with Wetlands and not crossing over funds to Planning & Zoning.

**1. List of Bonds being held with Town of Pomfret, Escrow Agent and Putnam Bank**

**a. Jason B. Lavalley-IWWC New Jurisdictional Ruling**

**b. Pomfret School-IWWC & P&Z**

**D. Correspondence –** letter from DEEP regarding the dam Abbott dam, distributed the new CT Wildlife issue

**E. Need to go over client fund balances and make decisions of what is to be done –** this item was discussed under Item C

**XIX. ADJOURNMENT –** D. St. Martin moved to adjourn. J. Folsom seconded the motion and the meeting adjourned at 8:10 PM.

Respectfully submitted,

Lynn L. Krajewski, Clerk

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