

**INLAND WETLAND AND WATERCOURSES COMMISSION
MINUTES OF APRIL 1, 2009 @ 7:00 P.M.
POMFRET SENIOR CENTER, MASHAMOQUET ROAD**

Members Present: David St. Martin, Chairman; Paul Safin, Vice Chairman; John Folsom, Secretary; Marshall Eaton, Member; James Rowley, Member; Joseph Stoddard, Member; Nancy McMerriman, Member; John Bergendahl, Alternate; William Gould, Alternate; Jamie Rabbitt, Designated Agent; and Ryan Brais, WEO. Members Absent: Nancy Fraser, Alternate.

OPEN REGULAR MEETING –David St. Martin opened the regular meeting at 7:00 p.m.

SEAT AN ALTERNATE AS NEEDED – J. Bergendahl was seated and then unseated due to the arrival or more commission members.

ITEMS TO BE ADDED TO AGENDA: Town of Pomfret, Grosvenor Road, remove two old culverts and replace with two new ones.

Proposal was made by D. St. Martin to adjust the agenda and move item #1 under Prior Applications with Conditions up to this position in the agenda, because Syl Pauley, the Town Engineer was present to speak on this issue. M. Eaton made a motion to move the item up and it was seconded by P. Safin. Motion was approved unanimously

1. Donna Gauthier, 2 Clapp Road, single-family home. First Selectman J. Rivers informed the commission that he had spoken with S. Pauley, Town Engineer, regarding this issue. S. Pauley reviewed the history of this site and he believes it will require the 18” pipe instead of the 15” pipe that was used. Would like to appeal to current owner to get the better pipe in the ground. J. Rabbitt stated that there is an E&S issue and that we should table this until we hear again from S. Pauley.

Syl Pauley discussed that he had met with Donna Gauthier’s son, Rob, on-site. He gave details regarding the pipe and rip rap. He stated that it’s been undermined and that erosion has occurred. Three things could happen: 1) seek cooperation to fix problem from applicant; 2) caveat the land records; or 3) issue Notice of Violation.

The recommendation made by Syl Pauley stated: *“The construction is non-compliant. They need to correct the rip rap and the pipe needs to be 18”. The contractor did not follow the plans.”*

J. Folsom made a motion to write a letter to D. Gauthier with included the above italicized statement from S. Pauley. M. Eaton seconded the motion. It was approved unanimously.

PENDING APPLICATIONS:

1. **Town of Pomfret, 207 Mashamoquet Road**, one-story addition to western side of existing town building per the site plan. After discussion, it was decided that the application was incomplete. J. Folsom made a motion to approve the plans with conditions: 1) E&S be placed on plan; 2) E&S be inspected before construction; 3) B100 approval needed from NDDH that the septic system is adequate and a new application will be needed for alterations; 4) gutters and curtain drains need to be on the plan with outflow; and, 5) as built to be done when construction is finished. J. Stoddard seconded the motion. It was approved unanimously.

CITIZEN'S COMMENTS: None.

NEW APPLICATIONS: None.

NON-FEE APPLICATIONS:

1. **Robert Higgins, 304 Killingly Road**, 24' by 36' addition to front of house and tearing down existing shed and replacing it with a 20' by 20' Gambrel style shed. This issue was deferred to the wetland agents because they need to check on the access to the existing shed. Leave on agenda.
2. **Town of Pomfret, Grosvenor Road**, remove two old culverts and replace with two new ones. J. Rabbitt described the project regarding replacement of two old culverts with new ones, which may be considered a significant activity. He felt the issue should be tabled until we receive more information.

NOTICES OF VIOLATION/CEASE AND DESIST ORDERS:

1. **Roger Daigle, 193 Putnam Road**, Cease and Desist. 10/4/07 – Received letter from Atty. Aleman, representing Mr. Daigle, reinforcing previous information received that Mr. Daigle has contacted KWP Associates regarding the need to determine areas of excavation, which KWP has agreed to map as soon as the ground is not covered with snow. Leave on agenda.
2. **CT Real Estate Holdings, LLC, 195 Searles Road**, Cease and Desist in effect as of 3/16/05. Certificate of NOV placed on land records on 5/19/06. (gravel extraction) Actual date of permit is 11/07. Mylars have been submitted for D. St. Martin's signature. J. Rabbitt stated that an appeal is still pending. Leave on agenda until the violation has been cleared up.
3. **JASD, Orchard Hill Road** - work in regulated area. NOV issued 11/4/05. Nothing new. Leave on agenda.

JURISDICTIONAL RULINGS: None.

PRIOR APPLICATIONS WITH CONDITIONS:

1. **Donna Gauthier, 2 Clapp Road**, single-family home. See above.
2. **CT Audubon Society, Day Road**, new building 5/08. Nothing new.
3. **Sarantopoulous, 325 Wrights Crossing Road**, subdivision 5/07. Leave on agenda.

4. **Loos, Rebecca, 40 Modock Road**, 4-lot subdivision 6/07. W. Gould was contacted by the new owner that house has been sold and that they want all four lots with no subdivision and they also want to move the house. KWP did the original site plan for the subdivision. New owner is going to contact KWP for a new plan, which should be submitted to the commission for next month's meeting.
5. **Moon et. Al., Peter, 596 Pomfret Street**, single-family home 3/08. Nothing new.

SUBDIVISIONS APPROVED BY PLANNING AND ZONING: None

COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION:

J. Folsom reported on the Conservation Commission working on their conservation easements program.

CITIZEN'S COMMENTS: None.

EXTENSIONS REQUESTED: None.

COMMISSION BUSINESS:

1. Report of Regulations Standing Committee – Due to approval and vote on new regulations not being on the agenda, it will be added to the May 6, 2009 meeting agenda for discussion and approval.
2. Updates and Report from WEO and Commission Members: Nothing new.
3. Approval of the *March 4, 2009 Minutes*. M. Eaton moved to accept the minutes as submitted. Seconded by J. Folsom. Approved unanimously. D. St. Martin and P. Safin abstained.
4. Report of billing, and bond releases. Nothing new.
5. Correspondence – None.
6. As needed – Nothing.

ADJOURNMENT – Motion to adjourn was made by M. Eaton. J. Folsom seconded. Approved unanimously. Meeting was closed by the Chairman at 8:30 pm.

These minutes and the recording were taken by Betty Morin as Substitute Clerk.

Respectfully submitted,

Lynn L. Krajewski, Clerk