

**INLAND WETLAND AND WATERCOURSES COMMISSION
MINUTES OF MARCH 4, 2009 @ 7:00 P.M.
POMFRET SENIOR CENTER, MASHAMOQUET ROAD**

These minutes have not been approved.

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

OPEN REGULAR MEETING –John Folsom, Acting Chairman, opened the regular meeting at 7:00 p.m.

SEAT AN ALTERNATE AS NEEDED – A motion was made by M. Eaton to seat all three alternates. J. Stoddard seconded and it was approved unanimously. J. Bergendahl, W. Gould, and N. Fraser were all seated.

ITEMS TO BE ADDED TO AGENDA: A motion was made by M. Eaton to add under new applications, Town of Pomfret, 207 Mashamoquet Road, one-story addition.

PENDING APPLICATIONS: None.

CITIZEN’S COMMENTS: None.

NEW APPLICATIONS:

1. **Town of Pomfret, 207 Mashamoquet Road**, one-story addition to western side of existing town building per the site plan attached. There was a discussion regarding the expansion, which includes a kitchen, restrooms and a pantry. There will be a full basement with walk out and horse shoe pits outside. A B100 is being done and the town wishes to use existing septic system. This action was tabled for tonight and will be on the April agenda.

NON-FEE APPLICATIONS: None.

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) Unsure of what is going on. Leave on agenda.
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. 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. The possibility of inviting S. Pauley to our next meeting for better explanation of the situation was mentioned.
2. **CT Audubon Society, Day Road**, new building 5/08. Nothing new.
3. **Sarantopoulous, 325 Wrights Crossing Road**, subdivision 5/07. Nothing new.
4. **Loos, Rebecca, 40 Modock Road**, 4-lot subdivision 6/07. Nothing new.
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 mentioned that he had received a call from someone regarding a mini llama, horse and goat farm. Apparently manure is being stockpiled in the wetland. Complainant stated he approached R. Brais regarding this and R. Brais stated that this wasn’t an issue. First Selectman J. Rivers stated that a 1st complaint regarding this was received about a year ago. J. Folsom said the 2nd complaint came from the same person. J. Rabbitt said he would speak with R. Brais regarding this issue and have R. Brais follow through on it.

CITIZEN’S COMMENTS: None.

EXTENSIONS REQUESTED: None.

COMMISSION BUSINESS:

1. Report of Regulations Standing Committee – After discussion, M. Eaton made a motion that the three forestry documents consisting of: (1) two-page memo to forestry practitioners, (2) forestry activity worksheet, and (3) applicant’s guide to completing and processing an application for an inland wetlands permit, be sent out providing the commission receives a favorable review of these documents by the subcommittee. J. Bergendahl found a minor correction that was needed. J. Rabbitt said he would correct and send out to commission members the next day. The motion was seconded by N. McMerriman. It was approved unanimously. A second motion was made by M. Eaton to add to the April 1st regular meeting agenda the proposed IWWC regulations for review. It was seconded by J. Bergendahl and approved unanimously.
2. Updates and Report from WEO and Commission Members: Nothing new.
3. Approval of the *February 4, 2009 Minutes*. M. Eaton moved to accept the minutes as submitted. Seconded by W. Gould. Approved unanimously. M. Eaton abstained.

4. Report of billing, and bond releases. Nothing new.
5. Correspondence – Received DEP info regarding a course that N. Fraser has to take.
6. As needed – J. Rivers gave a brief summary regarding the FOI complaint. The town has filed an appeal regarding the decision. It was mentioned that the law states that anyone requesting copies must do so in writing and the copies will be done ASAP. We are awaiting more clarity on this from the FOI, especially their definition of the word “prompt”. The town is also expecting an instructional memo from our attorney.
7. Discussion and possible action on draft of regulations. See #1 under Commission Business.

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

Respectfully submitted,

Lynn L. Krajewski, Clerk