

**INLAND WETLAND AND WATERCOURSES COMMISSION  
PUBLIC HEARING & REGULAR MEETING  
MINUTES OF JULY 7, 2010 @ 7:00 P.M.  
POMFRET SENIOR CENTER**

**OPEN PUBLIC HEARING:**

**1. Pomfret School, 398 Pomfret Street, stream course erosion remediation.**

J. Folsom opened the Public Hearing at 7:01 pm. J. Rabbitt spoke on behalf of Pomfret School. There was an oversight and the certified letters to notify the abutters of the property did not get sent out as required in the regulations. J. Folsom continued the Public Hearing until the meeting of 8/4/10. There can be no discussion or input regarding this issue until that time.

**OPEN REGULAR MEETING:** J. Folsom opened the regular meeting at 7:05 p.m.

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

**SEAT AN ALTERNATE AS NEEDED –** W. Gould was seated.

**ITEMS TO BE ADDED TO AGENDA:** None.

**PENDING APPLICATIONS:**

- 1. Peter Moon, 598 Pomfret Street, wetlands crossing and new home.** J. Rabbitt read his draft letter consisting of 10 conditions of approval to the commission regarding this application. These were the original conditions of approval from Mr. Moon's previous application. It was noted that #5 should be changed due to the fact that the Town Engineer is now Syl Pauley and the original had Don Aubrey listed as the Town Engineer. It was also noted that there is only one conservation easement, therefore #7 needs to be changed to singular and the last word of the sentence changed from filing to filling. D. St. Martin made a motion to approve this application as submitted with the 10 conditions of approval, noting the following changes being made: under #5, the sentence will end at geotextile. A new sentence will be added stating "The Town Engineer has the opportunity to revise the estimate based on field conditions" and under #7, conservation easement shall be singular and the word filing is changed to filling. P. Safin seconded the motion. It was approved unanimously. Mr. Moon requested that a copy of the conditions of approval be sent to him, which the clerk will do.
- 2. Pomfret School, 398 Pomfret Street, stream course erosion remediation.** Public Hearing continued to next month.

**CITIZEN'S COMMENTS:** None.

**NEW APPLICATIONS:** None.

**NON-FEE APPLICATIONS:** None.

**NOTICES OF VIOLATION/CEASE AND DESIST ORDERS:**

1. **Roger Daigle, 193 Putnam Road,** Cease and Desist. 10/4/07 – Received new application 9/2/09. Application was approved with conditions 12/2/2010. Work to be done in July. Permit has been approved awaiting payment. Nothing has been heard from Mr. Daigle and his payment has not been received yet. J. Rabbitt is going to draft a letter to Mr. Daigle that we are going to proceed to the next level of enforcement with this issue. 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. Leave on agenda.
3. **JASD, Orchard Hill Road -** work in regulated area. NOV issued 11/4/05. Nothing new. Leave on agenda.

**JURISDICTIONAL RULINGS:**

1. **John Trowbridge forKatie Frankfurter, Wolf Den Road,** selective timber harvest.
2. **Scott Lee, 13 Old Rte. 44,** timber harvest.
3. **Scott Lee for Benway property,** timber harvest.

**AGRICULTURAL ACTIVITIES:**

1. **John Trowbridge forKatie Frankfurter, Wolf Den Road,** selective timber harvest.
2. **Scott Lee, 13 Old Rte. 44,** timber harvest.
3. **Scott Lee for Benway property,** timber harvest.

**PRIOR APPLICATIONS WITH CONDITIONS:**

1. **Town of Pomfret, Grosvenor Road,** remove old culverts and replace with two new ones. S. Pauley had handed out a plan at the special meeting of 4/21/10 as a solution to minimize erosion. This work will be done in a time of low flow. P. Safin thought a letter should be written regarding this issue as it has been going on for quite some time. J. Rabbitt is going to send an e-mail to the First Selectman (with a carbon copy going to Syl Pauley) to find out the status of this issue,. Leave on agenda.
2. **Donna Gauthier, 2 Clapp Road,** single-family home. Letter was sent 7/1/09. Letter received from D. Gauthier requesting return of bond. J. Rabbitt spoke regarding this and said that the issues were addressed and resolved and that the bond can now be released.
3. **Sarantopoulous, 325 Wrights Crossing Road,** subdivision 5/07. The site is well under construction. Leave on agenda.
4. **Loos, Rebecca, 40 Modock Road,** 4-lot subdivision 6/07. Leave on agenda. D. St. Martin mentioned a new barn/shed built behind the previous one, closer to the

wetlands. W. Gould said that this property belongs to Robert & Lois Hall, as they are the new owners of this parcel of property. This will be looked into.

5. **Moon et. Al., Peter, 596 Pomfret Street**, single-family home 3/08. Mr. Moon's application was approved at the meeting tonight with 10 conditions. Leave on agenda.
6. **New England Forestry Consultants, 202 Wolf Den Road**, permit fees never paid.
7. **Pomfret School, 398 Pomfret Street**, athletic turf fields. J. Rabbitt mentioned that the surety & inspection fees deposit was submitted today, along with the mylars. D. St. Martin stated that the mylars are incomplete as they do not have the conditions of approval on them and that there is no signature box for the IWWC Chairman to sign.

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

**COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION:** There was a call from a property owner on Old Rte. 44 regarding activity on Mr. Lee's property. This triggered a site inspection that resulted in two agricultural applications for Mr. Lee.

D. St. Martin asked if there was a final resolution on the stone wall issue. Ryan submitted a photo of the area he inspected. He said that there was no impact to the wetlands. D. St. Martin asked if there was a zoning perspective here. J. Rabbitt then mentioned that the conservation commission was working on an ordinance regarding stone walls that had been sent to the Board of Selectmen and the Selectmen then sent it to the Planning & Zoning Commission.

**CITIZEN'S COMMENTS:** Paul Hennen spoke up regarding what J. Rabbitt said about the stone wall issue. He added that the Conservation Commission is very active in getting an ordinance to protect/preserve stone walls along state and town roads. The Board of Selectmen did nothing regarding the request from the Conservation Commission, and sent it on to the Planning & Zoning Commission. The Planning & Zoning Commission had some rather lengthy discussions regarding this issue, but then W. Hinchman sent a letter to the Board of Selectmen requesting that they review the issue again. There is consideration being given to regulations in planning regarding stone walls as opposed to zoning regulations. Paul Hennen then said that he was present to hear the WEO report because about 30 yards of stone wall was removed on Wade Road abutting the Sharp Hill Vineyard. He said that T. Emilio asked Ryan as WEO to look into this as the removal of the wall has caused flooding in the vineyard. He thought that Ryan's findings would be in the report as there could be significant litigation issues involved. He also stated that there is a situation brewing at this location that he felt this commission should be aware of, although he is unsure if it's a wetland issue. He also said that the Town Foreman gave permission for the removal of the wall because it was considered a road hazard. J. Rabbitt said that he will follow-up with Ryan on this issue.

**EXTENSIONS REQUESTED:** None.

**COMMISSION BUSINESS:**

1. Updates and Report from WEO and Commission Members. Copy of Ryan's report was read by J. Folsom. Jamie said he had nothing other than what was previously mentioned regarding the fees and mylars from Pomfret School.
2. Approval of the *June 2, 2010 Minutes*. P. Safin made a motion to accept the minutes. D. St. Martin seconded the motion, with amendments. It was approved unanimously.
3. Report of billing, and bond releases. N/A
4. Correspondence – There was a letter from the State of CT regarding them putting sand on the beach at Mashamoquet. There was also a questionnaire from NECCOG which J. Folsom read to the commission and the commission members chose the answers.
5. As needed –

**ADJOURNMENT** – Motion to adjourn was made by D. St. Martin. J. Stoddard seconded. Motion was approved unanimously. Meeting was closed by the Chairman at 8:48 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date Approved: \_\_\_\_\_