

**INLAND WETLAND AND WATERCOURSES COMMISSION
REGULAR MEETING
MINUTES OF JUNE 2, 2010 @ 7:00 P.M.
POMFRET SENIOR CENTER**

OPEN REGULAR MEETING: J. Folsom opened the regular meeting at 7:00 p.m.

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

SEAT AN ALTERNATE AS NEEDED – W. Gould was seated and then unseated when N. McMerriman came in a couple minutes after the meeting began.

ITEMS TO BE ADDED TO AGENDA:

1. **Pomfret School, Inc., 398 Pomfret Street**, stream course erosion remediation.
2. **Pomfret School, Inc., 398 Pomfret Street**, proposal to modify a previously approved driveway permit.
3. **New England Forestry Consultants, Inc., 202 Wolf Den Road**, permit fees never paid.

J. Folsom asked if someone would make a motion to add these three items to the agenda. D. St. Martin made the motion to add the three items. It was seconded by P. Safin and approved unanimously.

PENDING APPLICATIONS: None.

CITIZEN'S COMMENTS: None.

NEW APPLICATIONS:

1. **Peter Moon et al, 598 Pomfret Street**, wetlands crossing and new home. Jamie advised Mr. Moon to re-apply to the commission because his permit expired. His new application is exactly the same with no changes since his application was previously approved. J. Folsom asked that the previous file for Mr. Moon be pulled and brought to the 7/7/10 meeting so the commission could see the prior application and conditions of approval. Jamie told the commission members that he (staff) felt comfortable that this application would not be deemed a significant impact activity. M. Eaton made a motion that this application would not be deemed a significant activity; therefore, no public hearing would be necessary. D. St. Martin seconded the motion. It was approved unanimously.
2. **Pomfret School, Inc., 398 Pomfret Street**, stream course erosion remediation. Tony Malagrino was present to speak regarding this application. He stated that Terry Chambers will be present at the next meeting in July to speak regarding this

application. Jamie said that the new area for the drainage is just north of Paradise Drive down to the Calhoun property. He also mentioned that instead of doing topos, T. Chambers is taking representative photos. There will be a series of proposed check dams and plunge pools. He also made a recommendation that if the commission members got the opportunity, they should walk the property. This will be a significant activity and should have a public hearing next month. There is 1000' of stream channel being manipulated, so this is definitely going to be a significant activity. J. Stoddard made a motion that this application go to public hearing next month as a significant activity. P. Safin seconded the motion. There was further discussion regarding having the applicant make enough copies of the photos in the file for all of the commission members to have a set. J. Folsom then said that the public hearing will be scheduled for 7/7/10 at 7 pm. P. Safin then asked T. Malagrino when their other project was beginning, to which T. Malagrino responded around 7/1/10. A vote was taken on the motion and it was approved unanimously with one abstention.

- 3. Pomfret School, Inc., 398 Pomfret Street**, proposal to modify a previously approved driveway permit. Jamie said that this is not a new application for the commission but a jurisdictional ruling request before staff that he wished to make the commission aware of. Jamie explained and discussed the plans to the commission. Staff will work with the applicant to proceed with the driveway (i.e., removal of topsoil, etc.). D. St. Martin asked if the driveway will be paved or gravel. T. Malagrino said that he anticipated the driveway being paved. J. Folsom then asked Jamie if a motion was needed on this given the fact that this is not technically an application before the commission. Jamie said no motion was needed as it is before Staff as a jurisdictional ruling and was misplaced on the agenda. J. Folsom asked if there were any other questions. He then asked if Staff will require an as-built for this application, to which Jamie replied yes. J. Folsom then stated that this application was all set.

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. Jamie asked T. Chambers to check with Mr. Daigle on when they will be starting the project. Leave on agenda for now.
- 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. Attorney for new owner came in and reviewed the file and made some copies of material. Jamie has to return a call to the new owner. 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. **Pomfret School, Inc., 398 Pomfret Street**, proposal to modify a previously approved driveway permit.

AGRICULTURAL ACTIVITIES: None.

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.
2. **Donna Gauthier, 2 Clapp Road**, single-family home. Letter was sent 7/1/09. Letter received from D. Gauthier requesting return of bond. Culvert was wrong size and has been replaced with 18" pipe. Discussion about returning bond. Needs to be inspected to release bond. The outstanding issues have not been resolved as of yet and the applicant is fully aware of what these issues are. Leave on agenda.
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.
5. **Moon et. Al., Peter, 596 Pomfret Street**, single-family home 3/08. Mr. Moon submitted a new application which was accepted at the meeting tonight. It will be discussed at the next meeting on 7/7/10.
6. **New England Forestry Consultants, 202 Wolf Den Road**, permit fees never paid.

SUBDIVISIONS APPROVED BY PLANNING AND ZONING: None.

COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION: J. Folsom read R. Brais' report regarding the stone wall removal that M. Eaton had concerns about. The commission is unsure if Ryan was at the proper address as he mentioned Brayman Hollow Road in his report, and M. Eaton said his concern regarded Ragged Hill Road. There was discussion whether the commission needed a more definitive address. Jamie thought he should have Ryan call M. Eaton directly to get the address and go from there. That way, Ryan could inspect during the month and the commission could get an answer at next month's meeting.

W. Gould mentioned that he saw a backhoe being unloaded and going in on Brayman Hollow Road towards the pond.

CITIZEN'S COMMENTS: None.

EXTENSIONS REQUESTED: None.

COMMISSION BUSINESS:

1. Updates and Report from WEO and Commission Members. Ryan's report was already given. Jamie mentioned two other items were discussed tonight; the Pomfret School application and CT Realty on Searles Road.

2. Approval of the *May 5, 2010 Minutes*. M. Eaton made a motion to accept the minutes as amended. J. Stoddard seconded. It was approved unanimously with one abstention.
3. Report of billing, and bond releases. Jamie mentioned that we are close to being able to release Keith Wilcox's bond.
4. Correspondence – J. Folsom mentioned documentation received regarding a new cell tower on Quarry Road. Jamie will follow up on this.
5. As needed – Jamie handed out copies of a case he found interesting.

ADJOURNMENT – Motion to adjourn was made by D. St. Martin. M. Eaton seconded. Motion was approved unanimously. Meeting was closed by the Chairman at 7:58 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date Approved: _____