

**INLAND WETLAND AND WATERCOURSES COMMISSION
REGULAR MEETING
MINUTES OF MARCH 3, 2010 @ 7:00 P.M.
POMFRET SENIOR CENTER**

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; Member; Paul Safin, Member; Marshall Eaton, Member; Joseph Stoddard, Member; Nancy McMerriman, Member; John Bergendahl, Alternate; William Gould, Alternate; and Jamie Rabbitt, Designated Agent. Absent: James Rowley, Secretary; and Ryan Brais, WEO.

SEAT AN ALTERNATE AS NEEDED – W. Gould was seated for the meeting.

ITEMS TO BE ADDED TO AGENDA: Pomfret School, Inc., turf field. A motion was made by P. Safin to add this item under new applications. Seconded by M. Eaton. It was approved unanimously.

PENDING APPLICATIONS:

1. **Pomfret Recreation Park Development Committee, c/o Walter McGinn**, addition of basketball courts, tennis courts, and parking for the courts at the existing recreation park. J. Rabbitt spoke regarding this application due to W. McGinn requesting we delay this until next meeting because engineer couldn't attend tonight. J. Rabbitt stated that they did approximately 20 test pits and water was found between 18"-24". This project could disturb up to 4000' of wetlands and could be deemed a significant activity. D. St. Martin felt it should be deemed a significant activity due to the volume of disturbance. J. Rabbitt thought we should hold a public hearing because he felt the plans would be in the Town Hall when the legal notice hit the paper. He said that the plans had changed and the deck was reshuffled. J. Stoddard mentioned that if we scheduled a Public Hearing and we didn't receive enough information, we could hold the Public Hearing open. M. Eaton then asked Jamie what the time frame was. J. Rabbitt responded by saying it is the April meeting. He asked that this discussion be tabled until the end of the meeting.

CITIZEN'S COMMENTS: None.

NEW APPLICATIONS:

1. **Gregory & Beverly Peservich, 339 Mashamoquet Road**, construction of a single-family home with attached garage, porch and retaining walls with possible future construction of two outbuildings (barns). J. Rabbitt mentioned that Mr. Peservich was present and had come before the commission a few months ago asking permission to remove invasives. His new home is outside the 150' upland review area. G. Peservich said that they moved the house 20' to be able to have a walk-out

basement. He then spoke regarding the plans and that part of the infrastructure is already in. He will have a future barn on a relatively flat area of land with some animals (i.e., goats, sheep, horse) and a vegetable garden. J. Folsom asked if the plan indicates if the barn will have utilities. G. Peservich said he would need electricity for lights. J. Folsom asked if the utilities would be underground? Mr. Peservich said yes. J. Rabbitt then said that a jurisdictional ruling can't be done on this application. He asked if Mr. Peservich had a response from the NDDH in the file. No copy was found in file, so Mr. Peservich gave a copy to the commission to place in the file. He was then told that his application was accepted tonight. D. St. Martin said he had no concerns with the application as proposed and that there would be a minimal amount of excavation. J. Stoddard agreed with D. St. Martin. J. Rabbitt said that there would have to be a review of the revised plan. P. Safin asked Jamie if he was going to look at it, to which Jamie replied yes.

2. **Pomfret School, Inc., 398 Pomfret Street**, turf field. Terry Chambers from KWP and Tony Malagrino, Pomfret School Facilities Direction were both present. T. Chambers spoke regarding the application. The application is for the construction of a turf field, 400' x 420', to be used for baseball and field hockey. He said that it is all lawn and old tennis courts and that Hockey Hill Road will go away. This will now tie into the hockey rink road and sewer road. They are unsure right now who the manufacturer of the turf will be, but there will be no wetlands disturbance. As far as storm drainage, they have done test holes and are monitoring them now because ground water control is a big issue. There will be an elaborate under drainage system under the field itself (similar to the varsity soccer field) and the surface water will be directed to two detention basins. Our purpose tonight is: a) get application received; b) see if commission is doing a site-walk; c) see if a determination will be made that this will be deemed a significant activity; and lastly d) establish who, besides Jamie, would be doing the engineering review. The school would like to begin construction in May. D. St. Martin thought the prints should be reviewed by Syl Pauley. T. Chambers said that he would like to work closely with staff on this application. J. Rabbitt said that based on staff's review, there may be a chance that staff would recommend a change to a culvert. T. Chambers said that he intends to do that and that the intention of the school is to submit an application at next month's meeting for the other turf field they wish to build. J. Rabbitt said the commission could schedule a hearing for April. There was a short discussion regarding drainage. J. Folsom then asked the commission if they felt it could be deemed a significant activity, to which the members all replied no. J. Folsom mentioned that as far as site-walks go, there should be no more than three members and they should walk individually. J. Rabbitt said that T. Chambers would forward the information to S. Pauley. T. Chambers then said he would like to meet with Jamie and Syl. It was decided that this application does not need a public hearing and was accepted tonight.

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. 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. J. Rabbitt handed out and read a draft letter to the new owner of this property. The commission made a few small corrections and Jamie will get the letter to the clerk for final version to send out. 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. **Andrew Mitchell, 253 Mashamoquet Road**, modify existing parking area to accommodate four (4) vehicles in support of special application for bed and breakfast. (Special Permit for B&B was approved at P&Z meeting 2/22/10.)

AGRICULTURAL ACTIVITIES: None.

PRIOR APPLICATIONS WITH CONDITIONS:

1. **Town of Pomfret, Grosvenor Road**, remove old culverts and replace with two new ones. Town of Pomfret waiting for S. Pauley to see what to do regarding the tree. J. Rabbitt spoke with S. Pauley and he is tracking this through the spring to make a final recommendation to the commission. Jamie felt that all commission members go out and view the modified plunge pool that was constructed, but not constructed per the original design, and the erosion that's occurring on the western bank. P. Safin thought we should keep photos on file and note date of the application approval on this item. Jamie said that he already has photos and the clerk stated that the date of approval of this application was 7/1/09. D. St. Martin made a motion to write a letter to the Selectmen regarding the commission's concerns with this issue and send a copy of the letter to S. Pauley. That way the commission would have a written record of their concerns regarding this project. It was seconded by P. Safin and approved unanimously.
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. Leave on agenda.
3. **CT Audubon Society, Day Road**, new building 5/08. (P&Z approved an amended application on 2/22/10 to replicate present barn structure for use as a nature center.)
4. **Sarantopoulous, 325 Wrights Crossing Road**, subdivision 5/07. Currently under construction. Leave on agenda.
5. **Loos, Rebecca, 40 Modock Road**, 4-lot subdivision 6/07. Leave on agenda.
6. **Moon et. Al., Peter, 596 Pomfret Street**, single-family home 3/08. Mr. Moon left a message asking how he could receive an extension on his permit. J. Rabbitt will check with the lawyer and relay information to the clerk to respond to Mr. Moon.

SUBDIVISIONS APPROVED BY PLANNING AND ZONING: None

COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION: None.

CITIZEN'S COMMENTS: None.

EXTENSIONS REQUESTED: Nothing official.

COMMISSION BUSINESS:

1. Updates and Report from WEO and Commission Members. At this point, Jamie showed the commission the new print for the Pomfret Recreation Park Development Committee application. Based on test pit data and three site visits, he recommended shuffling the deck; addition of parking spots and possibility to have a full sized soccer field. They would need to fill approximately 4000 square feet of wetlands for the volleyball court. He is unsure if the Pomfret Recreation Park Development Committee has decided to go ahead with this phase. D. St. Martin asked when they would implement this. J. Rabbitt said in July/August and that they only have \$154,000 to work with. After discussion, the commission felt that this should be deemed a significant activity, schedule a public hearing, and keep this plan (Jamie's drawing) in the file. D. St. Martin made a motion based on the schematics received tonight, that this application is deemed a significant activity and we should schedule a public hearing for 6:30 pm on 4/7/10. M. Eaton seconded the motion. P. Safin mention that S. Pauley needs to be reminded that this is still an application and needs lots more detail. He also mentioned that the abutters need to be notified. The motion was then approved unanimously.
2. Approval of the *February 3, 2010 Minutes*. D. St. Martin made a motion to approve the minutes as amended. J. Stoddard seconded the motion. It was approved unanimously. There were two abstentions.
3. Report of billing, and bond releases. There has been no action yet taken on J. Gagne and D. Smith.
4. Correspondence – J. Folsom looked through the file. He then talked a little about the roundtable of commissions.
5. As needed – N/A.

ADJOURNMENT – Motion to adjourn was made by M. Eaton. P. Safin seconded. Motion was approved unanimously. Meeting was closed by the Chairman at 8:45 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date Approved: _____