

**INLAND WETLAND AND WATERCOURSES COMMISSION  
REGULAR MEETING  
MINUTES OF MAY 5, 2010 @ 7:00 P.M.  
POMFRET SENIOR CENTER**

**OPEN REGULAR MEETING:** J. Folsom opened the regular meeting at 7:02 p.m.

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

**SEAT AN ALTERNATE AS NEEDED** – J. Bergendahl was seated.

**ITEMS TO BE ADDED TO AGENDA:**

**PENDING APPLICATIONS:**

- 1. Pomfret School, Inc., 398 Pomfret Street,** turf field. Bruce Woodis of KWP was present to speak regarding this application. He gave a brief overview of the application. At this point, D. St. Martin noted that W. Gould entered the room. Bruce went on to say that there are no major changes to what the commission is already aware of. T. Chambers and S. Pauley worked on the drainage calculations and there are a few minor engineering issues to work out. D. St. Martin noted that N. McMerriman and J. Rabbitt entered the room. Bruce went on to say that the home that Tony Malagrino lives in is going to be moved rather than demolished. D. St. Martin noted that M. Eaton and R. Brais entered the room. J. Rabbitt stated that he saw a couple of potential conflicts in the sequence of operation between #1-11; at #6 it states 6” topsoil and #11 stated 4” topsoil; #11 should also be 6” topsoil. He mentioned he had a proposed draft motion for this application. N. McMerriman wanted to know if the commission had to look at the house more closely and whether it might need a separate application. Jamie said no because there is already on-site sewer and water; they will put in a new foundation, do some grading on the southern side of the house and make a new driveway. D. St. Martin asked why it wasn’t being put further away from the wetlands. Jamie said that because of the existing sewer in the field, the house tucks nicely into that corner of the property with minimal impact. He also stated that the driveway will weave through the forest. D. St. Martin made a motion to approve the application with conditions #1-9 as Jamie drafted (attached) along with three more conditions: #10 – phasing on page 4 will be revised to include a separate line item for construction of detention basins; #11 – all conditions will be indicated on the plans; and #12 – latitude will be given to the developer on southerly driveway as it relates to siting through trees. J. Rowley seconded the motion. It was approved unanimously with one abstention.

2. **New England Forestry Consultants, 202 Wolf Den Road**, timber harvest with two crossings and some work in wetland areas. J. Folsom recused himself and let D. St. Martin chair this application. Chris Pryor was present from the New England Forestry Foundation to speak regarding this application. He gave a general presentation stating that the timber harvest is about 40 acres. He said it will be a thinning project with two stream crossings, either skidder bridge or logs. There will be two landings; one on Wolf Den Road and one on the Airline Trail. D. St. Martin then read into record a letter from the DEP to Chris Fox of New England Forestry Consultants. R. Brais mentioned that the wetlands are very wet and driving through it would leave huge ruts. Jamie stated that there will be two phases to the harvest. Before the 2<sup>nd</sup> phase is started, the crossing point should be gone over with staff. Any deflection needs to be repaired. He then asked if the same forester will be taking the tops of the trees. C. Pryor said that he assumed the tops were staying because this is not a whole tree harvesting system but that they were just hauling stems. D. St. Martin mentioned that another condition of approval should be that the tops are removed. J. Stoddard asked why the tops needed to be removed. D. St. Martin said that only those in the wetland need to be removed. W. Gould then made a motion to accept proposal with conditions of reviewing with staff prior to 2<sup>nd</sup> phase and removing any tops in the wetlands. D. St. Martin thought this should be re-worded. Jamie said that (1) there should be a pre-harvest meeting with staff; (2) prior from moving from phase 1 to phase 2, there should be a 2<sup>nd</sup> meeting with staff regarding the crossings; and (3) any materials that go into the wetlands must be removed from the wetlands in their entirety. M. Eaton seconded the motion. It was approved unanimously with one abstention.

**CITIZEN'S COMMENTS:** None.

**NEW APPLICATIONS:**

**NON-FEE APPLICATIONS:**

**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. The commission is postponing writing a letter because the attorney for the applicant is looking into this. 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.

**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 not be done until a low flow time.
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. Jamie stated that there are some issues to be resolved, but everything could be done by the commission's next meeting. 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.) They are moving forward with their new building and have requested an extension on their permit.
4. **Sarantopoulous, 325 Wrights Crossing Road**, subdivision 5/07. The site is stable and 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. Jamie spoke to Mr. Moon and based on their conversation, Mr. Moon will file an application with the commission for their June meeting, which will be tabled to the July meeting. It will be a duplication of his previous permit.

**SUBDIVISIONS APPROVED BY PLANNING AND ZONING:** Sara Kivela, 6 Cherry Hill Road, subdivisions of land into three lots and convey to children.

**COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION:** M. Eaton mentioned his concern regarding a possible stone harvest. R. Brais hasn't gotten out there yet to check it out, but will go out and report back to the commission. M. Eaton isn't sure if it's a wetland issue or not.

**CITIZEN'S COMMENTS:** None.

**EXTENSIONS REQUESTED:**

**COMMISSION BUSINESS:**

1. Updates and Report from WEO and Commission Members. Nothing additional.
2. Approval of the *April 7, 2010 Minutes*. M. Eaton made a motion to accept the minutes as amended. N. McMerriman seconded. It was approved unanimously with one abstention. Approval of the *April 21, 2010 Minutes*. M. Eaton made a motion to accept the minutes as amended. J. Bergendahl seconded. It was approved unanimously with three abstentions.
3. Report of billing, and bond releases. On 4/28/10, John Gagne's bond was released to him.

4. Correspondence – J. Folsom read an e-mail that the clerk received from a former applicant. C. Parke was inquiring about a possible logging operation near the Carter Dam area. R. Brais is going to check into this situation because the commission is unaware of any logging issues in the area mentioned.
5. As needed – Jamie mentioned a workshop on 5/17 at 6 pm in Chaplin regarding reinventing country strips. The cost is \$15 and the speaker is Randall Arendt.

**ADJOURNMENT** – Motion to adjourn was made by M. Eaton. J. Bergendahl seconded. Motion was approved unanimously. Meeting was closed by the Chairman at 8:49 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

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