

**INLAND WETLAND AND WATERCOURSES COMMISSION
REGULAR MEETING
MINUTES OF APRIL 6, 2011 @ 7:00 P.M.
POMFRET SENIOR CENTER**

OPEN REGULAR MEETING: J. Folsom opened the special meeting at 7:00 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; William Gould, Alternate; John Bergendahl, Alternate; Ryan Brais, WEO; and James Rabbitt, Designated Agent. Absent - Marshall Eaton, Member.

SEAT AN ALTERNATE AS NEEDED – J. Bergendahl and W. Gould were both seated for M. Eaton and N. McMerriman respectively. N. McMerriman arrived late. J. Bergendahl was no longer seated for the meeting.

ITEMS TO BE ADDED TO AGENDA:

PENDING APPLICATIONS:

- 1. Ray Canning, 131 Orchard Hill Road,** new single-family residence, septic system, well, driveway and minor grading. Paul Archer from Archer Surveying, LLC was present to speak for the applicant. Mr. Canning was also in attendance. Mr. Archer said the plans are the same plans as submitted at the last meeting. This evening, Jamie said he walked this site for the 2nd time. He has a couple of concerns regarding this application but said that they can be handled in the field during the pre-construction meeting. He said that he felt that the commission could act favorably on this application with regards to the wetlands on the site. There was further discussion regarding the site. Jamie said he felt that the applicant should submit a \$1000 surety and \$250 for inspection fees. Mr. Canning said he thought they had already cleared the site and wished to stay as far from property lines with the clearing as possible. Jamie said he felt comfortable if they paralleled the wetlands at the 40-50 foot range. P. Archer said they could put in a 25' easement if the commission wanted it. Jamie said that an easement was not needed. D. St. Martin made a motion that the application be approved with the following conditions: 1) pre-construction meeting to be held with site contractor and Town Staff; 2) six wetlands posts be established in the field at the direction of Town Staff; 3) the applicant may, in consultation with Staff, install minimum 6" PVC pipe with clean out as an extension to existing town drainage. New pipe may be installed within existing drainage swale. If pipe is installed in existing drainage swale, the final shape of the swale shall be determined by Staff; 4) \$1000 surety be posted for E&S with additional \$250 posted for cost of construction meetings and inspection fees; and 5) "as built" to be submitted to Town. P. Safin seconded the motion. The motion was approved unanimously.

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. The commission is prepared to seek alternative enforcement actions against him for the wetlands disturbance that occurred on his property. Wait until May meeting to see if Mr. Daigle responds to CRR letter. Leave on agenda.
2. **Ridgewood Farms, LLC, formerly 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. Deposit date of surety/bond monies was 8/15/10. Staff intends to do a site visit two weeks from now and plans to discuss with owner what needs to be done to come forward with the restoration. 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. J. Folsom went out during rain when snow was coming off and it was holding up. He asked the commission if this should be left on the agenda. D. St. Martin said it should be left on the agenda through April.
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 said the site is as stable. Leave on agenda until the bond is released.
3. **Sarantopoulos, 325 Wrights Crossing Road**, subdivision 5/07. CO has been issued. Final seeding/grading with be done in the spring. Leave on agenda.
4. **Loos, Rebecca, 40 Modock Road**, 4-lot subdivision 6/07. No activity. Leave on agenda.
5. **Moon et. Al., Peter, 596 Pomfret Street**, single-family home 3/08. Application was approved with 10 conditions. Lot is advertised for sale with all approvals in place. No activity. Leave on agenda.
6. **CT Audubon Society, 218 Day Road**, under construction. They will be looking for their CO in April or May depending on how soon it all pulls together. Leave on agenda.
7. **Pomfret School, 398 Pomfret Street**
 - A. **Remediation** – Jamie and T. Chambers are going to site walk during spring conditions
 - B. **Turf Fields** – turf is done, inspected and accepted. Detention basins are at appropriate levels. No material reached the check dam.
8. **Town of Pomfret Recreation Field, 576 Hampton Road**, stable through the winter and so far through spring. Staff spoke with Selectmen regarding how to button down this project. Due to budget constraints, all-purpose field may be modified. The goal to surface the basketball and tennis courts will probably happen this summer. The volleyball court will be prepped, but the rest depends on the budget.

SUBDIVISIONS APPROVED BY PLANNING AND ZONING: None.

COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION:

1. **Ongoing**
 - A. **Sharp Hill Vineyard/Fowler** – erosion has been minimal during the winter. There will be reconstruction done of Wade Road.

- B. Scott Lee, 585 Mashamoquet Road** – Ryan hasn't done a site walk. Leave on agenda.
- C. Scott Lee/Knight property** – behind Benway's, the logging road has been dressed with wood chips. It is holding up well to the spring runoff. A few washouts have formed in the wood chips, but there is enough buffer that it is not affecting any wetlands. The road and interior disturbance will have to be addressed in the dry season.
- D. Paul Hennen, 555 Mashamoquet Road** – D. St. Martin made a motion to add this item to the agenda. P. Safin seconded the motion and it was approved unanimously. J. Folsom read into record a letter to Paul Hennen from State of CT DEP dated 3/29/11, read letter from Paul Hennen to DEP dated 4/5/11, and also read letter dated 4/5/11 from Paul Hennen to IWWC. D. St. Martin stated that the fire department got permits. J. Folsom said that Paul Hennen feels that an IWWC permit was necessary. J. Bergendahl said that this is in the DEP's hands, that the ball is in their court. J. Folsom agreed with this. J. Stoddard asked if letters should be written by the Fire Dept. and others. Didn't feel a need for this to be done. D. St. Martin said the site had been inspected and nothing was done to hurt the site. This item will be left on the agenda until further information is received.

NEW COMPLAINTS:

- 1. Windham 4-H Camp** – cease and desist order issued 3/16/11. A representative from the 4-H Camp told the equipment operator to get the excavator off of the property and cease all activity on the site until the appropriate permits have been issued. A follow-up letter will be sent stating they need to apply and correct issues that caused the cease and desist. Jamie said he will re-visit the site and have photos for next month. There is already 2000' of wall gone. J. Folsom said the camp asked that anyone who wants to site walk needs to call first. The 4-H Camp reacted responsibly to the Cease and Desist but there are stabilization issues that remain. W. Gould asked how this was brought to the commission's attention. J. Folsom said that an abutter sent photos to him, which he forwarded to Jamie. This will remain on the agenda under ongoing complaints item E.

CITIZEN'S COMMENTS: W. Gould asked if B. Abbott had a settlement with the Town. Jamie said yes, that he dropped the suit and followed through with the original conditions. The conservation easement is in effect.

EXTENSIONS REQUESTED: None.

COMMISSION BUSINESS:

1. Updates and Report from WEO and Commission members. Ryan said he already discussed the Scott Lee situation. He has a new violation, which is the Bosworth property at 13 Day Road. Ryan has been working with the PZC for the replacement of a mobile home without permits. The new mobile home location is more toward the rear of the property. Gravel was moved from an embankment to make a level pad for the home. He inspected the area on 4/2/11 and found that this disturbance came within about 20' of a brook. No material has entered the brook at this point. He spoke with J. Bosworth and informed her that a permit was needed to perform this activity and to expect a C&D this week or next. She is returning to Pomfret on 4/17/11 and they are going to schedule a site walk. He said she is cooperative and will do whatever needs to be done. J. Bergendahl would like some photos. W. Gould asked if it was a site the commission walked. Jamie said no, this is not a site the commission walked.
2. Approval of the *March 2, 2001 Minutes*. – D. St. Martin made a motion to approve the March 2, 2011, minutes as amended. J. Stoddard seconded the motion and it was approved unanimously. There were two abstentions.
3. Report of billing and bond releases – Ongoing.

4. Correspondence – John distributed correspondence from the CT Audubon Society and CACIWC to the members. He went over other correspondence and passed it around for the members to look at.
5. As needed – None.

ADJOURNMENT – Motion to adjourn was made by P. Safin. D. St. Martin seconded. Motion was approved unanimously. Meeting was closed by the Chairman at 8:30 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date Approved: _____