

**INLAND WETLAND AND WATERCOURSES COMMISSION
REGULAR MEETING
MINUTES OF JUNE 1, 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; Marshall Eaton, Member; Joseph Stoddard, Member; William Gould, Alternate; John Bergendahl, Alternate; Ryan Brais, WEO; and James Rabbitt, Designated Agent. Absent - Paul Safin, Member; and Nancy McMerriman, Member.

At 7:03 pm, David St. Martin noted for the record that W. Gould had arrived.

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

ITEMS TO BE ADDED TO AGENDA: Change the agenda by removing #1 under New Applications to No-Fee Applications, as it is a No-Fee Application.

PENDING APPLICATIONS: None.

CITIZEN'S COMMENTS: None.

NEW APPLICATIONS:

1. Curtis Shopfer for Loos & Co., 10 Mashamoquet Road, proposed office addition with request for “no-fee” application or jurisdictional ruling. – **MOVED TO NO-FEE APPLICATIONS**
2. Windham County 4-H Foundation, Inc., 326 Taft Pond Road, application to install erosion and sedimentation control in response to commission letter dated 5/11/11. Barry and Jane Ryder were present to speak for the application. Barry stated how a gentleman came in to them and offered to remove some stones and pay them for the stones. Then the Cease and Desist Order was issued. They weren't aware that picking up stones was a permitted activity. They then got rid of the contractor and the equipment. In response to the letter from the commission regarding a plan on how to fix the problem with the run off, they got in touch with the EECD (Eastern CT Conservation District) and had a person (Judy Rondeau) walk the site with Jane on a rainy day, which enabled her to do a good evaluation. The recommendation from the EECD is to clean the ditch between the two culverts, add recommended water bars, then add crushed stone down near the bottom up to the water bars and plant the top of the hill with shade mix. J. Folsom asked if there were any questions from the commission. He then said that the commission can't vote tonight, but that between now and the next meeting, either Ryan or Jamie will go out and walk the site with the plan in hand so they can see what's on the ground. Barry then asked that whoever goes out to coordinate the site walk with the camp because camp starts on June 26th. You can call the business office at 860-074-3379 or contact Jane directly at 860-774-2636. M. Eaton then said he has a concern because he realizes the application can't be acted on tonight and he

wondered if staff could possible supervise emergency repair if it is needed. Jamie said they could use silt sacking, hay bales and water barring as possible band-aids and then go to full remediation. It will be two-step process, which may need a few interim steps.

Regarding Agenda Item 1: the applicant is 360' away from the wetlands and staff has signed off on a no-fee application for this issue.

NO-FEE APPLICATIONS:

1. Curtis Shopfer for Loose & Co., 10 Mashamoquet Road, proposed office addition. Staff signed off on the no-fee application as the work is 360' away from the wetlands.

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. The CRR letter sent to Mr. Daigle on 3/16/11 was returned and never signed for. J. Folsom spoke to E. Higgins today and expects a response by Friday. He said it sounds like Atty. Higgins is preparing a letter. J. Folsom also drafted a letter to the Army Corps of Engineers and a cc will be sent to the DEP, Jim Rivers, and Atty. Higgins. Leave on agenda.
2. **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. **Paul Miller, Tyott Road**, pre-construction meeting to be held regarding culvert replacements, road widening, catch basin, and installation of a couple of pipes regarding the four lot subdivision.
2. **Town of Pomfret, Grosvenor Road**, remove old culverts and replace with two new ones. Start date of this project was 8/27/09. The remediation date was 1/6/11. Syl Pauley, as the licensed engineer for the project, signed off on the project on 1/10/11. Staff will continue to monitor. Leave on agenda.
3. **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. This is in bond release status. Leave on agenda until the bond is released.
4. **Sarantopoulos, 325 Wrights Crossing Road**, subdivision 5/07. CO has been issued. Landscaping will be done this summer. Leave on agenda.
5. **Loos, Rebecca, 40 Modock Road**, 4-lot subdivision 6/07. No activity. The four parcels have been bought. Leave on agenda.
6. **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.

7. **CT Audubon Society, 218 Day Road**, under construction. Two site walks were done as a pre-CO meeting. The site is graded per the plan except the Wrights Crossing Side. They had to make the swale shallower in the parking area from 8-24" deep to 8-12" deep and the slope has gone from 2-1 to 4-1. CO can be issued now. Jamie recommends that the inspection fees be lowered from \$2,000 to \$500 and the Surety from \$20,000 to \$5,000 cash bond. D. St. Martin made a motion for staff to reduce fees/surety. M. Eaton seconded the motion and it was approved unanimously. Leave on agenda until the fall.
8. **Pomfret School, 398 Pomfret Street**
 - A. **Remediation** – Staff site walked this on 5/31/11. The good part is that the form of the channel has held its outer banks and downstream there is no erosion or channelization. There is reduced velocity. In the upper part, the four intermediate check dams are compromised by no consequences have occurred. The stream channel is finding its own path and course.
 - B. **Turf Fields** – the fields are in and playable. There is substantial turf establishment. The overlying lines went underground but were not seeded/matted and erosion occurred. Remediation is being done in the next few days. They are going to reseed and mat/maintain and grow vegetation.
9. **Town of Pomfret Recreation Field, 576 Hampton Road**, no new activity due to wet weather. Site is stable and there is no sediment transport.
10. **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 did two site walks, one with Gino DeFeudis and the other with someone from King Trucking. The original permit allowed 100,000 cubic yards to be removed. Mr. DeFeudis is looking at this as an estate piece. NOV will be removed and item will be moved to prior applications with conditions. Leave on agenda.

SUBDIVISIONS APPROVED BY PLANNING AND ZONING: None.

COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION:

1. Ongoing

- A. **Sharp Hill Vineyard/Fowler** – nothing new. Town is trying to program some road work.
- B. **Scott Lee, 585 Mashamoquet Road** – still too wet. Swale has been seeded. Leave on agenda.
- C. **Scott Lee/Knight property** – same issues
- D. **Paul Hennen, 555 Mashamoquet Road** – no new correspondence. Unofficial information is that the Selectmen are responding to the DEP and Health Department. Leave on agenda.
- E. **Windham 4-H Camp** – permit is before the commission. Staff will work expeditiously with applicant to correct issues. Leave on agenda.
- F. **Janice Bosworth** – Day Road mobile home, camper and water/stream problem. Ryan said she ran into issues and will apply next month regarding Wetlands and ZBA.
- G. **James & Linda Byrne, 196 Kearney Road**, information received that 10 yds. of mulch were delivered and 5 yds. of the mulch has been put into the wetlands.

H. John Casey property – it was mentioned that there are two tri-axles on the property.

NEW COMPLAINTS: None.

CITIZEN'S COMMENTS: None.

EXTENSIONS REQUESTED: None.

COMMISSION BUSINESS:

1. Updates and Report from WEO and Commission members. Jamie said he had only one thing to add. He spoke with Mr. Miller today regarding a pre-construction meeting for next week on Tyott Road. He needs to do some culver replacements, road widening, catch basin, and installation of a couple of pipes regarding the four lot subdivision. D. St. Martin mentioned that he thought this issue should be added under Prior Applications with Conditions on the Agenda. Jamie asked that we place it as the #1 item.
2. Approval of the *May 4, 2001 Minutes*. – M. Eaton made a motion to approve the minutes as amended. J. Rowley seconded the motion and it was approved unanimously.
3. Report of billing and bond releases – working with the Town Treasurer to get the bonds released in a timely manner.
4. Correspondence – John distributed correspondence but nothing of importance
5. As needed – None.

ADJOURNMENT – Motion to adjourn was made by M. Eaton. D. St. Martin seconded. Motion was approved unanimously. Meeting was closed by the Chairman at 7:53 pm.

Respectfully submitted,

Lynn L. Krajewski, Clerk

Date Approved: _____