

**PUBLIC HEARING MINUTES  
TOWN OF POMFRET  
INLAND WETLAND AND WATERCOURSES COMMISSION  
POMFRET TOWN HALL CONFERENCE ROOM**

**APRIL 12, 2006 AT 7:00 P.M.  
These minutes are not approved.**

Members present were: David St. Martin, Chairman; Paul Safin, Vice Chairman; Paul Hennen, Secretary, Marshall Eaton, John Folsom, Katarina Rutkowski, Alternate, James Rabbitt, Town Planner, Joe Stoddard, Joe Travinski and James Rowley, Alternate. Absent: Ryan Brais, WEO. David St. Martin opened the continuation of the public hearing at 7:02 p.m. He also read the call into the record for the public hearing:

for **Brian Sheldon, 155 & 195 Searles Road**, proposed earth removal within upland area.

St. Martin gave an overview of the procedure. He brought everyone up-to-date on the items received: 1) Official copy of the ERT with a memo from Ann Hennen dated 4/5/06, 2) a document from Paul Hennen – Wetland Buffers: Use and Effectiveness and 3) revised plans.

St. Martin asked for the applicant to speak. Ernest Cotnoir, Attorney of 163 Providence Street is representing the applicant Brian Sheldon and Keith Wilcox was present to discuss a fax he received on 4/12/06 from Attorney Higgins on behalf of Brian and Marie Sheldon. Cotnoir mentioned the meeting with KWP, Keith Wilcox, James Rabbitt, and Don Aubrey he attend and he jotted down 27 matters that needed consideration by the applicant. Mr. Sheldon has requested that all land use applications be withdrawn that are pending before the Pomfret Planning and Zoning Commission. Cotnoir read the fax to KWP from Ed Higgins regarding Brian and Marie Sheldon dated 4/11/06 requesting that all land use permitting efforts pertaining to applications you are working on relating to the property that is owned by he and his wife, Marie, on Searles Road in Pomfret, be presently discontinued pending further permission from the Sheldons.

There was discussion about the wording to P & Z and not the IWWC. There was no mention of Keith Wilcox in the faxes. Attorney Cotnoir stated that he would ask Attorney Higgins for a proper withdrawal letter. There was discussion about the enforcement of the Cease and Desist for remediation on the property.

John Folsom made the motion that the hearing be closed because there is no more information to get from the applicant. Marshall Eaton seconded. There was discussion and each member gave their opinions about the “correctness” of the withdrawal request and fees still due and owing. Approved unanimously. David St. Martin stated that the application is still pending and will be discussed at the next regular meeting on May 3, 2006. Motion was made to adjourn by Marshall Eaton, Joe Stoddard seconded. Approved unanimously.

Respectfully submitted,

Betty Morin, Clerk