

INLAND WETLAND AND WATERCOURSES COMMISSION
MINUTES OF DECEMBER 6, 2006 6:00 P.M.
POMFRET TOWN HALL CONFERENCE ROOM

These minutes have not been approved.

Members present were: David St. Martin, Chairman, Paul Hennen, Secretary, John Folsom, James Rowley, Alternate, Nancy McMerriman, Alternate, James Rabbitt, Designated Agent, Paul Safin, Vice Chairman and Ryan Brais, WEO. Absent: Marshall Eaton, Joe Travinski, Joe Stoddard and Katarina Rutkowski, Alternate.

OPEN PUBLIC HEARING – David St. Martin, Chairman, opened the continuation of the Public Hearing for **Paul Miller, Tyott Road**, 3-lot subdivision at 6:30 p.m. Tim Gosslin from CME sent a letter requesting that the public hearing be continued to the January 3, 2007 meeting.

The public hearing will be continued on January 3, 2007 at 6:30 p.m. at the Pomfret Town Hall Conference Room. There was discussion about the time line for the extension and bad weather conditions.

OPEN THE REGULAR MEETING – St. Martin opened the regular meeting at 7:02 p.m.

SEAT AN ALTERNATE AS NEEDED – James Rowley and Nancy McMerriman were seated.

ITEMS TO BE ADDED TO AGENDA – None.

PENDING APPLICATIONS:

1. **Paul Miller, Tyott Road**, 3-lot subdivision. This application is in public hearing and continued to January 3, 2007 at 6:30 pm.
2. **Marjolaine Currier, 131 Killingly Road**, demo and removal of existing house and foundation to construct a new 3 bedroom residential home. A jurisdictional ruling is requested. Rabbitt stated he is able to give the jurisdictional ruling with conditions of regrading and reseeding in spring and reclamation done on the brook. There was discussion about demolition materials being removed from the site.
3. **Riendeau and Sons Logging, LLC, 5 Youngs Road**, Timber Harvest. Rabbitt stated that he is holding the permit because there are issues. The landing area and none of the timber is marked. We need more information which they are going to provide. There was discussion about the time limit on the application. Where it is located? Hennen stated that he reviewed the application and they put together a good application with the national map. Rabbitt stated that they have to follow best management practices though. Their job on Valentine Road is in for potential cleanup issues.

CITIZEN'S COMMENTS – None.

NEW APPLICATIONS:

- 1. Eric & Betty Lehto, Searles Road,** installation of a gravel driveway, removal of existing culverts and replacement with a concrete box culvert in wetlands and upland review area. David Held of Provost and Rovero was present to discuss the application. He stated this was the same site where a road and a bridge was approved before. There is an existing crossing of White Brook with culverts that are broken and blocked. Held stated that a box culvert 10' wide with a 6' rise will be used to cross the brook. 1680 sf of disturbance is planned. The work will be done in the 300' upland review area of the brook. Folsom asked what the plan was for the whole property. Held stated that they were asking for general access to the property. Folsom stated that originally this bridge had to meet town road standards. Rabbitt discussed the regulatory issues around staying out of the stream channel. This is a significant activity and it requires a public hearing. St. Martin stated that there was no choice but to consider it a significant activity. Hennen stated that if we don't open the public hearing next month, the members will have time to look at the plans and do a site walk. Hennen made the motion to declare Eric Lehto, Searles Road, application for a driveway and bridge crossing be declared a significant activity under section 2 of our regulations in that this activity will or may have a significant impact on the water system, 2.substantial turbidity on the wetland or watercourse, and 3. pollution of wetland or watercourse. John Folsom seconded. Unanimously approved. There was discussion about the previous application, NDDDB form needs to be filled out, and a bill of \$3800.00 needs to be paid for fee for the application. Hennen stated that this is a Class A watercourse with native trout and the DEP needs to be involved. The Public Hearing will be scheduled for 6:00 on January 3, 2006 at the Town Hall Conference Room.
- 2. William D. Uhlan, 13 Longmeadow Drive,** single-family home.

NON-FEE APPLICATIONS: None.

NOTICES OF VIOLATION/CEASE AND DESIST ORDERS:

- 1. Brian and Marie Sheldon, 195 Searles Road,** cease and desist in effect as of March 16, 2005. Certificate of Notice of Violation placed on the land records on May 18, 2006. (gravel extraction) Rabbitt reported that there has been no contact with the property owner.
- 2. Brian and Marie Sheldon, 195 Searles Road,** regarding court ordered injunction. 8/06. The court injunction is still in effect and proceeding through the system. St. Martin asked what we can do to insure our interest in the property. The commission will write him a

letter about his plans for remediation and what his plans are for the original work.

3. **Dr. Richard Lefebvre, 85 Searles Road**, gravel extraction and work in the regulated area. NOV 4/05. This will be kept in force. Nothing at this time.
4. **JASD, Orchard Hill Road**, work in regulated area. NOV 10/05. This will be kept in force. Rabbitt placed a phone call into District 2 to John DeCastro. The curb cut is still at issue.

JURISDICTIONAL RULINGS:

1. **Marjolaine Currier, 131 Killingly Road**, demo and removal of existing house and foundation to construct a new 3 bedroom residential home.
2. **Pomfret Rod and Gun Club, 226 River Road**, replace existing bridge. No activities in wetlands or watercourse.

PRIOR APPLICATIONS WITH CONDITIONS:

1. **Keith and Erin Wilcox, 127 Tyott Road**, single-family home. Installing plunge pool and sedimentation basin. Approved 9/05. Nothing new.
2. **Mark Blakely, 138 Longmeadow Drive**, single-family home. No activity. 2/06
3. **Pomfret School, Inc., Grosvenor Road**, timber harvest. Approved 3/05. No activity.
4. **Shane Pollock/John Dilorio, Swedetown Road**, single-family home. Rabbitt stated the surety at P & Z 10% not paved it yet. The site is stable.
5. **Walter Held, Kearney Road**, 2-lot subdivision. Approved 1/04. This applicant has not met the conditions of approval. No new activity.

SUBDIVISIONS APPROVED BY PLANNING AND ZONING: None.

COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION – None.

Log pile on South side of Tyott Road. Rabbitt to investigate.

EXTENSIONS REQUESTED – None.

CITIZEN'S COMMENTS – Katarina Rutkowski mentioned the award for Paul G. Hennen from CACIWC as commissioner of the year.

COMMISSION BUSINESS:

1. Report of Public Relations Standing Committee and By-laws. Paul Hennen reported he spoke to Liz Cartier about the Wetland Demystified publication. He stated he would make them shorter and they would be published for free, it is a mechanism to inform the public. There are regulatory changes to take care of. Hennen stated he needed ideas for the articles and vernal pools was recommendations. Hennen stated and the commission received the final draft of the by-laws. Paul Hennen made the motion to approve as written. John Folsom seconded. There was discussion about the seating of alternates and how they are rotated. Approved unanimously.
2. Report of Regulations Standing Committee – Hennen reported that he has waded through the model regs. They will be ready for the December meeting for discussion.
3. Updates and Report from WEO and Commission Members: Brais stated there was a complaint about Valentine Road logging. Most of the project is OK. They tracked through the wetlands but it was not serious enough for remediation.
4. Approval of the October 4, 2006 Meeting Minutes – Paul Hennen made the motion to approve the minutes as amended. Jim Rowley seconded. Approved unanimously. John Folsom abstained.
5. Report of billing, and bond releases. Billing is in good order. With a past due bill the clerk is to add warning to proceed with certificate on the land records if not paid.
6. Correspondence – Mail was passed around.
7. As needed – The Segment III at UCONN was primarily on botany. Hennen emphasized that all staff should attend. Very educational. Hennen also stated that the conservation easement project needs third party oversight.

ADJOURNMENT – John Folsom made the motion to adjourn the meeting. Paul Hennen seconded. Approved unanimously.

Respectfully submitted,

Betty Morin, Clerk