

**PUBLIC HEARING MINUTES
TOWN OF POMFRET
INLAND WETLAND AND WATERCOURSES COMMISSION
POMFRET COMMUNITY SCHOOL CAFETERIA**

MAY 16, 2007 AT 7:00 P.M.
These minutes are not approved.

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

David St. Martin opened the public hearing at 7:02 p.m. He also read the call into the record for the public hearing:

Quiet Corner, LLC, 202 & 228 Searles Road, construct two wetland crossings providing access to the property from Searles Road and Cooney Road.

St. Martin gave an overview of the procedure. There was no new information received before the presentations.

St. Martin asked for the applicant to speak.

Ron Ochsner, Attorney was present to represent Quiet Corner, LLC. He described the project. There are two parcels located on the Westerly side of Searles Road which consists of 150+ acres. The small piece is owned by Robert and Sylvia Miller and the other by Barrette Brook Associates. They are in the southern part of Pomfret. The application is limited in scope, there are two watercourses to cross, and it's the Barrette Ledge Brook which goes under Cooney Road. The application is incomplete. There is a reason. The residential subdivision there will have several designs and the design professional needs to know how they are getting back there. It is very important, the consideration you are undertaking, because there is much more work before a final plan can be produced. There is wetlands mapping to do, Randall Ardent to take pare in the final design, growing green, Scott Young from CME will be doing the work and alternatives and rationale for final approach and the remaining data to be gathered.

Scott Young from CME then spoke – He stated and presented that he had two conceptual layouts for the site. Two plans of the topo were submitted, USGS Soils Map. One plan is like a lollypop on crossing from Searles Road. The other one off of Cooney and Searles. The loop road to 28 lots and 29 lots on Searles to Cooney. This estimate is totally based on the size of the lots. Alternatives as far as the 2 crossings are seen on page 3 shows the crossings. The brook does connect there. We looked at different locations, pockets of wetlands, we moved it farther North. The classic crossing of 2 culverts, pipe arch type of structures,

pre-cast concrete span and structure, it spans the entire brook, meets Army Corp requirements, and retaining walls to keep grading back. We showed conceptual drainage. The consideration off of Cooney Road is a pipe or pipe arch, 2 pre-cast spans, touch down and then span, 920 sf of disturbance to the wetlands, drainage comes down and continues away, and go to last page which shows bridge. Quick disturbance for setting in place. It would be a single on for the first crossing. Rationale for the approach it would be a very minimal impact. The land is not accessible without crossing these brooks. This is the most straightforward to keep the bottom of the brook. Remaining data is required for final design. There is a lot of topo, wetlands to be mapped. We enlist your assistance as to the design. Loop road is off of Cooney Road out of Searles. This is a significant activity. Ian Cole, Soil Scientist's report was received. One last map is just a compilation of the tax maps which shows no access from Route 169, just Cooney and Searles.

Marshall Eaton stated I'm looking at the two crossing proposal more closely follows this. The large property which has the 2 access strips with the crossing themselves coming across the Miller property. How far do they go beyond the brook crossing? Scott Young stated that we need to know if we can get across. We don't have the opportunity to do a conceptual. This is accurate. Eaton then stated that no cut is being made for this road. St. Martin stated that if we were to act favorably, you could build this plan. Young stated that it does show the grading and the commission could condition this with a full application. We are not going to build these and come back to you shortly. St. Martin stated that we received this in April and the potential for public hearing was present. We need to consider how many lots, what are they going to look like, drainage, and what kind of roads are you going to put. Young stated that he knew we want the design.

St. Martin read Don Aubrey, Town Engineer's letter of 5-14-07 (only the high points). Young stated that he talked to Mr. Aubrey. I stated in order to get started we did drainage calculations, it is a 876 acre watershed, the bridge put there would show no restriction of the flows up to a 100 year storm. Soil testing was done with NDDH in the Southern portion which showed 20 – 24" to hard pan and I do not have the testing for you.

Robert Miller, Landowner of Barrette Brook spoke in favor of the plan. He stated that he would underscore the concern for conservation that the buyers have and the conservation that we have had since we purchased the land. We have worked on the house and property and the preservation of stone walls and forest. When we did the initial sale along Cooney Road, we wanted this piece to be protected with use of the lots to be only for residential. We had a buyer who wanted to mine the stonewalls and trees. In the hands of the designer, it can be a showplace in Pomfret and reflect well on the landowner. We have owned it for 20 years and want to continue. McCorsen the Realtor is involved, which approach they use (single or double crossing), non-point drainage, if you are not going to allow one or the other the design will change. St. Martin stated our charge to see whether it is or it isn't, we rely on the town engineer and he is lacking information that he would use to give a favorable consideration. He explained the technical and rationale about the bridge and only the bridges to be

considered. Ryan Brais stated that it does not give any indication of the Searles Road and Cooney Road plan and how it does tie in with a big picture.

St. Martin then asked for people to speak.

John McGeowan, 132 Cooney Road read a letter dated May 15, 2007 was submitted. He stated the number 1 issue is what is going to happen here. Whatever they do is going to impact this land. 2 bridges a road will cost \$1,000,000.00+, without knowing what the plan is, building on hills, and how does that impact on wetlands. His letter requested an Environmental Review Team review. St. Martin stated the potential for 28 or 29 homes on the lots. McGeowan stated that they have stated that is what they might do. They are not small bridges, 24' wide is wider than Cooney Road. Dr. Miller said it would be a showplace, is he going to live in the house. Because of the impact on us, we are totally against the project. McGeowan's letter was read into the record.

Barry Eck of 234 Cooney Road read his letter dated 5-16-07 asking for a review of markers done to determine the actual size of the wetlands. He stated that he couldn't imagine it not impacting. He also asked for an Environmental Review Team review.

Scott Young stated that the wetlands were flagged by a certified soil scientist. Eaton asked in the near vicinity. Young stated Yes. Eaton asked as part of your application you are proposing 2 wetland crossings, have you looked at feasible and prudent alternatives. Young stated that the pipe arch with bottom disturbance was ruled out for classic pipes and the third is what is in front of you. Little corners another 10' of bridge to alleviate the wetlands disturbance, other alternatives is no crossing, which is not acceptable to client. Single or double crossing, no single with Planning and Zoning of 1000 linear feet, access from two locations and emergency. Eaton asked would one crossing minimize the potential for future impact. Young stated I would have to look at these in front of you. St. Martin asked how do we know a feasible alternative without more information. Young stated this will come into that area and it comes back down where this is showing. Eaton stated that it looks like one crossing may produce impact. Young stated from the mapping in front of this. Eaton stated that our town engineer has concerns, are you going to address his concerns. Young stated that he did not have the engineering design there are road intersections to work through. Its additional information and utilities need to be detailed. I don't think that as far as this road design is something we can address. St. Martin stated there is going to be additional information needed and we should keep the public hearing open. The applicant was asked if he would have enough time if we continued to June. We will schedule the continuation of the Public Hearing in June.

Eaton asked if they wanted the commission to approve just the bridges. Attorney Ochsner stated it is our desire to have this commission tell us if one bridge crossing is appropriate or 2 bridges so we can continue with the design. A condition can be applied to that subdivision. There are more substantial wetland

indications. We would like to extend it for 15 days. A request was given and granted for an extension.

John McGeowan stated that neither one or two bridges, he suggests no bridges.

Respectfully submitted,

Betty Morin, Clerk