

INLAND WETLAND AND WATERCOURSES COMMISSION
MINUTES OF JULY 2, 2008 6:15 P.M.
POMFRET TOWN HALL CONFERENCE ROOM
These minutes have not been approved.

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

St. Martin opened the Public hearing for **Claudia and William Abbott, Angel Road**, to construct access crossings for a 2-lot resubdivision at 6:16 p.m. St. Martin explained the process of the public hearing. Bob Messier was present with Bill Abbott Sr., Claudia Abbott and John Abbott. Mr. Messier presented the revised prints. He explained the revised plan, the driveways, the plan complies with zoning, updated drainage calculations were presented, Army Corp requirements, elimination of slopes and fill, and NDDH new letter needed. Reasonable and prudent alternatives were discussed by Ed Pawlek, Soil Scientist and he explained how the DEP describes open bottom box culverts, cost vs. environmental benefit, crossing anywhere else, and upland review area. Folsom asked if we decided to approve the 2nd part of the application would the applicant work it out with Army Corp. St. Martin stated it is two separate forms all together. Bill Abbott asked for the members to identify themselves. They did and he read from a prepared statement. Claudia Abbott, 439 Brayman Hollow Road read from a prepared statement. Safin asked if the cartpath would receive minimal use. Messier said it was a deeded right. St. Martin asked if NDDH reviewed the new application. We have not received any formal report from the Town Engineer. Messier stated that we put his comments on the plan. No one spoke in favor and no one spoke against the project. St. Martin asked the commission if they felt they had enough information to close the public hearing.

The public hearing will be continued to 8:00 p.m. so James Rabbitt has time to get here. St. Martin reopened the public hearing at 7:53 p.m. There was discussion about structural impact, no environmental impact, no feasible impact, prudent impact is negligible. Ed Pawlek commented on how they came up with their analysis. Rabbitt questioned his expertise. Bob Messier stated that he was not an appraiser. It has been told to us. Rabbitt is not an appraiser and he is not an expert either. The plan was revised to the comments of the commission. There was discussion about the value of land, one lot or two, feasible and prudent alternatives, and the State Statutes. Folsom stated that we did not have access to Town Engineer comments. There was discussion about what Syl Pauley, Town Engineer said. There was more discussion about the driveways, Army Corp limits and the disturbance of the driveway/s. St. Martin asked for a letter from NDDH. John Bergendahl made the motion to close the public hearing. John Folsom seconded. Approved unanimously. Closed at 8:26 p.m.

OPEN REGULAR MEETING – St. Martin opened the regular meeting at 8:30 p.m..

SEAT AN ALTERNATE AS NEEDED – All Alternates were seated.

ITEMS TO BE ADDED TO AGENDA – None.

PENDING APPLICATIONS:

- 1. Claudia and William Abbott, Angel Road**, to construct access crossings for a 2-lot resubdivision. The public hearing was closed this evening. John Folsom made the motion to approve the first two separate and the 2nd single crossing. John Bergendahl seconded. St. Martin asked for advice from Rabbitt about approving Alternative 1, Alternative 2, and with a list of conditions. There was discussion about the limits of disturbance, the conditions, which alternative has the least impact, one driveway/one house, the Army Corp, P and Z. Rabbitt explained the process of working with the IWWC and the P & Z. The outstanding issues are as follows: 1) They did not go to Army Corp., 2) a report from Town Engineer, and 3) surety amount. We have thirty-five days to make a decision. We need a report from Syl Pauley with the surety amount. Rabbitt to draft motion. John Folsom withdrew his motion. John Bergendahl withdrew second. Table to August meeting.
- 2. Carol R. Parke, William Reeves, Jr. and Ann C. Reeves, 91 Carter Road**, proposed dam improvement by way of extending dam a short distance and building up ground around terminus and protecting round with riprap material. Terry Chambers from KWP, William and Ann Reeves were present to discuss the plans. Chambers stated that he received suggestion at the last meeting to improve the project. It was build in 1954, it is a sturdy structure, spillway and intake structure, comes out to a catch basin, it flows all the time. We will be putting power grout into the stone, only leaks about concrete, the iron anchors are to be removed, and no flashboards. All three flashboards to be removed to do the work, needs a trash rack. Aubrey stated it is a substantial structure. Rip rap at toe of the dam. Lastly, maintenance of the vegetation needs to be improved. Seasonal maintenance program of brush hogging. He also mentioned that the flow of the dame has nothing to do with the insufficiency of the culvert. Both Boland and Reeves needs to discuss the issue with the Town. Rabbitt stated that he noticed weeping on the south side. This needs to be depicted on the plan. Chambers stated that the plans to detail the north face of the dam structure, formal spillway, grout the holes on top. Rabbitt stated the without the forma mortise and tendon, pegged in the board with four across the face. This is a maintenance issue. There was discussion about surety, E&S to be installed, pre-construction meeting, power grout, trash rack, and do an as-built of the actual structure. John Folsom made the motion with the following conditions: 1) Pre-construction meeting before project starts, 2) E & S is installed with silt fence, 3) The grouting, trash rack, and clearing of vegetation on the

dam with limits of clearing, 4) Applicant submit as built of the dam, 5. Surety will be \$1500.00. John Bergendahl seconded. Approved unanimously.

- 3. Hull Forest Products, Inc. 130 Orchard Hill Road,** timber harvest. No site walk was done. It will be done for the August meeting.

CITIZEN'S COMMENTS : None.

NEW APPLICATIONS:

- 1. Judy's Kitchen, DBA Pete's Drive In, 405 Mashamoquet Road,** remove an existing building and build gravel parking lot. Jan Blanchette was present to discuss the application as well as Judy. This is the second part of the application presented previously. The project is approved by the DOT, the gravel along Route 44 will be grassed, the parking lot to be paved, gravel surface is seasonal take out business, antique shop to come down, with impervious building gone, there is no impact to the wetlands, entire property is in the upland review area, NDDH approved the septic system and well. Folsom asked if it was under our purview for the demolition work. 6 – 8" of processed gravel, remove all organic materials, 11 trees were taken down. Safin asked about the dumpster. Blanchette stated it will be on a concrete pad. James Rabbitt can do a jurisdictional ruling.
- 2. Clough Harbour and Associates, Covell Road Bridge,** removal of old and installation of bridge on Covell Road. No one was present to discuss the application. Rabbitt stated that the commission needed more information to decide if we need to have a public hearing or not. We need to contact them for more information.
- 3. The Rectory School, 458 & 528 Pomfret Street,** Renewal application of wetlands permit dated March 3, 2004. Please see cover letter. The applicant is incorporating all of its documents, plans, designs, and application materials from the original permit review and approval into this renewal request per Section 7 of the Regulations. Scott Young was present to discuss the renewal of the permit. Baseball field has been constructed, 2 soccer fields too, septic system access, road, drainage plan, terrace, detention basis. John Folsom asked if the DEP was involved. Young stated the septic system is through the DEP. St. Martin stated they may have to change the elevation of the construction. This is a new application. Attorney Cote asked to treat this as a renewal? St. Martin stated we would treat this as a brand new application. Approve at the August meeting. Renewal from March 2009 – March 2014. Rabbitt explained the process.

NON-FEE APPLICATIONS: None.

NOTICES OF VIOLATION/CEASE AND DESIST ORDERS:

1. **Roger Daigle, 193 Putnam Road**, Cease and Desist. 10/4/07.
Nothing new to report.
2. **CT Real Estate Holdings, LLC, 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 19, 2006. (Gravel Extraction).
Leave on the agenda until complete restoration is done.
3. **JASD, Orchard Hill Road**, work in regulated area. NOV issued 11/4/05. Rabbitt reported there is debris piled on site. It is construction debris.
4. **Seth Fortier, 194 Covell Road**, new driveway and vernal pool. 10/05
The driveway needs to come out to Covell Road and the surface treatment needs to be done. Site is stable. We are waiting for him to finish out to the road. Nothing new to report.

JURISDICTIONAL RULINGS:

PRIOR APPLICATIONS WITH CONDITIONS:

1. **Donna Gauthier, 2 Clapp Road**, single-family home. 11/03. Nothing new to report. Nora Johnson asking about surety release. Nothing new to report.
2. **John Gagne, 61 Wade Road**, single-family home and reclamation. 9/04 extension granted 9/09. May get release in the spring 2008. Buttoned up. Nothing new to report.
3. **Mark Blakely, 138 Longmeadow Drive**, single-family home. 2/06. Nothing new to report.
4. **Shane Pollock, Swedetown Road**, single-family home. 6/06 Nothing new to report.
5. **Great Woods Companies, 34 Wetherbee Road**, timber harvest. 8/07.
There was discussion during the Executive Session.

SUBDIVISIONS APPROVED BY PLANNING AND ZONING: None.

COMPLAINTS/CONCERNS RECEIVED BY THE COMMISSION: None.

CITIZEN'S COMMENTS: None.

EXTENSIONS REQUESTED:

COMMISSION BUSINESS:

1. Report of Regulations Standing Committee – Final Draft of the regulations for discussion and possible approval. Attorney Zizka is working on the final draft.

2. Report of subcommittee on Registry. St. Martin reported they did meet and the form was modified. There was discussion about fees.
3. Updates and Report from WEO and Commission Members: None.
4. Approval of the June 4, 2008 and June 16, 2008 Minutes. Jim Rowley made the motion to approve the minutes of both meetings. Nancy McMerriman seconded. Approved unanimously. Paul Safin abstained.
5. Report of billing, and bond releases. The report was given.
6. Correspondence – Murray Buttner had a request about pond improvement. James Rabbitt has the OK to help with a pre-application conference. Joe Travinski has tendered his resignation. We thank him for all his efforts on the IWWC. Jim Rowley was reappointed. We will not become members of CACIWC.
7. As needed – None.

ADJOURNMENT – Paul Safin motioned to adjourn at 9:15 p.m. John Bergendahl seconded. Approved unanimously.

Respectfully submitted,

Betty Morin, Clerk