

INLAND WETLANDS & WATERCOURSES COMMISSION TOWN OF VOLUNTOWN

February 4, 2016.

Members present were Chairman, Tom Sweet, Lester Davis, Andrew McLallen and Alternate Bob Panko. Also present was Joe Theroux, Wetlands Agent. Absent were regular members Dave Miner and John Moran and Alternate Tammy Daigneault.

In the audience were Jack Wesa, Bob Beauchesne from Sterling, several residents from Bennett Road and Shetucket Tpke.

The meeting was called to order at 7:45 p.m.

The minutes from the Dec. 3rd and the Jan. 7th meetings were read. Lester made a motion to accept the minutes from the December meeting, Andrew seconded the motion, all in favor, motion carried. Bob made a motion to accept the minutes from the January meeting, Tom seconded the motion, all in favor, motion carried.

Citizen's Comments: Tom Mercier from 288 Shetucket Tpke. He is concerned about the water being lowered at Still Water Pond, and that he uses the water for his livestock. He felt that he should have been notified that it was being lowered. Joe explained that Mr. Labossiere contacted him and DEEP about repairing the dam, which is an earthen dam with a concrete spillway. The dam is structurally sound and only needs minor repairs. The reason the water is down is because Mr. Labossiere spoke with DEEP and does have permission to lower the pond to do weed kill. There is no requirement to notify abutting landowners. At this time, Mr. Labossiere does not have the means to do the repairs and he knows that he has to put the boards back and fill the pond by spring regardless if the dam has been repaired or not. There has been some issues about not being able to use the pond, and he asked what he can do about that. Joe stated that he would need to consult a land use attorney who can argue the fact that he does have rights to the pond. Another neighbor, Mark Oulton, spoke up saying he and his wife did that and they have an affidavit on file stating that they have riparian rights to the pond. Also, his driveway which is 3,000 feet long and shared by 4 properties and he was wondering about putting in a dry hydrant to make it easier for the Fire Dept. Joe stated that it would be possible to put in a dry hydrant and that he would need to come before the commission and it was also recommended that he speak with the Fire Chief, Jody Grenier, on how to go about it.

Mr. Robert Beauchesne from Sterling, spoke to the board about the property at 55 Bennett Circle that he is interested in buying. He was accompanied by Jack Wesa. Mr. Beauchesne had questions about what he could do on the property which is a non-buildable lot. He is proposing a gravel driveway running down the center of the property, a parking area, a dock, some work on the beach area such as a retaining wall and maybe a small boathouse. If everything is constructed properly, there shouldn't be much of an impact on wetlands. The board looked at the conceptual plans Mr. Beauchesne presented. Discussion took place. The Board agreed to have Joe do an agent's approval with the stipulations Mr. Beauchesne give Joe a more detailed plan for the retaining wall, the driveway surface and show silt fencing on the bottom of the property.

Correspondence: There was a letter from the Last Green Valley with an invitation to participate in a series of walks and talks focusing on land trust and municipal conservation properties.

Bennett Road Drainage Issues: Joe gave each of the board members a copy of the letter from Heller & Heller, the attorney that Mr. Buckley has retained. Joe read parts of the letter to the Board. In part Mr. Buckley's attorney stated that the board should have notified all of the abutting landowners, which Joe and the Town attorney disagree with. Letters of violations are sent to the owners of the property and as Mr. Buckley is the owner of the road, he is responsible for the maintenance of such property. In doing some research on the abutting properties the deeds do say the owners have rights to pass over the road but nowhere does it show ownership of said road. The board's issue is with Mr. Buckley and the drainage issues are a result of the sediment from his property going into the pond and the lack of a good drainage system. Joe's recommendation is that if an application is not presented to the board at the March 3rd meeting, the board will have to go forth with a formal notice of violation with a show cause hearing. The Commission will wait and see what happens at the next meeting.

Lester made a motion to adjourn the meeting, Andrew seconded the motion, all were in favor, motion carried. The meeting was adjourned at 8:20 P.M.

Respectfully Submitted:

Thomas Sweet, Chairman