

INLAND WETLANDS & WATERCOURSES COMMISSION
TOWN OF VOLUNTOWN

June 1, 2017.

The meeting was called to order at 7:35 p.m. Regular members present were Chairman Tom Sweet, Dave Miner, John Moran, Lester Davis and Andrew McLallen. Alternate Bob Panko was present also. Alternate Tammy Daigneault was absent. Wetlands Agent Joe Theroux was present as was Attorney Mike Carey.

There were no additions to the agenda.

Dave made a motion to approve the minutes from May 4, 2017, Andy seconded the motion, all in favor, motion carried.

Andy made a motion to go into executive session, Dave seconded the motion, all were in favor. The commission went into executive session at 7:37 p.m.

The commission came out of executive session at 7:58 p.m. No votes were taken.

Andy made a motion to amend the vote taken at the February 2, 2017 meeting by which the IWWC approved (with a condition) the plaintiff's December 7, 2016 Motion for Permission to Withdraw Appeal (Buckley v. Voluntown IWWC, KNL-CV16-6027572-S) be added to the June 1, 2017 agenda. Dave seconded the motion, all were in favor, motion carried.

Dave made a motion that the IWWC amend the vote it took at its February 2, 2017 meeting to approve the plaintiff's December 7, 2016 Motion for Permission to Withdraw Appeal (Buckley v. Voluntown IWWC, KNL-CV16-6027572-S) by deleting the words "so long as its acknowledged that the order and decision of the appeal remains in full force and effect. John seconded the motion, all were in favor, motion carried.

The commission acknowledged a letter that was sent to the commission from a property owner. Attorney Carey summarized the letter. The first concern of the property owner was her claim of a right away over the Grandolfi property next to her where catch basin C is. In the letter she requests that the commission have Mr. Buckley come in with a modification permit to lower the height of that catch basin. It was alleged that the right of way was not shown on the plans that were submitted to the commission by Bob Schuch for Mr. Buckley. It was Attorney Carey's opinion that he did not see anything in the regulations or Statute Statutes that would have required the applicant to have shown rights of way of abutting properties on the application. The application was not incomplete because it did not show this. There is a section of the regulations that say the commission can revoke, suspend or modify a permit, but Attorney Carey felt that a right of way off the property be identified on the plan. There were also concerns about the volume of water flowing through a pipe into the pond. There are no concerns by the commission or the Wetlands Agent about that at this time. Attorney Carey

stated that with respect to the property owner and her concerns, the matter is closed in regard to the commission.

Agent's Report: Joe mentioned that the Chairman of the Planning & Zoning Commission, Scott Davidson, has been in contact with NECCOG, and working with Jim Larkin, to get the ZBA, and P&Z fee schedules combined under a town ordinance. The reason they want to do this is when they want to change a fee schedule they have to go to a public hearing. Scott asked him if the Wetlands commission would be interested also. His concern is to keep the fee schedule the same as is because they do more than the other boards and the fees are broken down. Joe told him he would bring it to the commission and see what they say. The plus side would be if they wanted to change their fees for any reason they could go to the Board of Selectmen and tell them why they need to raise the fees and the Board votes on it by ordinance. Attorney Carey explained that the ordinance would give the Selectmen the authority to amend the fees without having to go to a town meeting. Commission members agreed but would look into it more. This was tabled until the next meeting when it can be discussed further. DEEP has their forestry management plan out. Joe has it on his computer. He could send it out to those who have access to a computer, or print hard copies.

333 Pendleton Hill Rd. Carl Grenier: Mr. Grenier was not at the meeting. John has talked with him and he is working on getting something to the commission. The matter was tabled until the next meeting.

Dave made a motion to adjourn the meeting, Lester seconded the motion, all were in favor, motion carried. The meeting was adjourned at 8:10 p.m.

Respectfully Submitted:

Thomas Sweet, Chairman