

INLAND WETLANDS & WATERCOURSES COMMISSION
TOWN OF VOLUNTOWN

September 6, 2012

Members present were: Chairman Thomas Sweet, Lester Davis, John Moran, Eric Williams and Tammy Daigneault. Joe Theroux, Wetlands Enforcement Officer was also present. Absent were Dave Miner and Jarl Pellinen.

The meeting was called to order at 7:31 P.M.

Audience: Jack Wesa, Attorney Heller, Anthony Wagner, Scott Gibson, Mr. & Mrs. Buckley, John Aarnio, Rodney & Cheryl McClaren and James & Jessica Bruno.

The minutes from the August 2nd regular meeting and the August 16th special meeting were read. Eric made a motion to accept the August 2nd minutes, Lester seconded the motion, all in favor, motion carried. John made a motion to accept the August 16th minutes, Lester seconded the motion, all in favor, motion carried.

First on the Agenda: Jack Wesa in for Ronald Frechette, 51 Beach Pond Road. Jack presented 3 drawings to the board. One showed the existing grades and contours of the lot. Jack went over the grades of the area including the wetlands area. The second drawing showed the proposed finished grades reduced to 3% over a ¾ crushed stone lot. Jack showed the board where the check dams and dry wells will be. The check dams will be 2 feet wide 1 foot high and constructed of stone. If earth berms were put in they might wash away. This allows for natural absorption, disbursement of rain and minimization of runoff. He showed the grades of the driveway going to the main entrance. The check dams are designed to redirect runoff away from the wetlands into the 2ft by 4ft dry wells which will be outfitted with oil absorbent foam. There will be a temporary silt fence in place during excavation. The last drawing showed the general parking area with boats located nearest to the wetlands, buffered by the check dams, and cars and rvs' further back. The area will accommodate between 60 & 70 cars, boats and rv's. The lot will have little or no impact on the wetlands and complies with all wetlands regulations. The wetlands enforcement officer has walked the area and they have complied with his recommendations as well as the commission's request for details on the submitted plans. Jack stated that Mr. Frechette would like approval of this plan for an allowable commercial usage in the village district. Because the lot is gravel and pea stone will be put down, Tom was concerned that if gas or oil started leaking out it would seep down into the ground and stay there. The entrance off of the main road will be paved in accordance with the state requirements. It was mentioned that Mr. Frechette will be allowing sheet water to flow over the area and is also allowing a sheet flow of hazardous materials going across the site. A few of the board members would like to see the parking area paved. After more discussion, it was the consensus of the board that they would like to see an engineer's report, and paving be done instead of the pea stone. Eric made a motion to table Mr. Frechette's plan until the next meeting. Also, they would like to see an engineer's review of the drainage and show a sketch of the containment unit such as size, which should be included in the engineer's report. Lester seconded the motion, all in favor, motion carried.

Second on the Agenda: Scott Gibson, 775 Beach Pond Road. Joe informed the board that he sent Mr. Gibson a letter stating the results of the show cause hearing. Joe told them that he received a call from

Mike Shafer, who told Joe he went out, at Scott's request, and delineated the wetlands for him. Scott informed the board that he needed more clarification on what the commission wanted him to do. Joe explained that what the commission needed was made clear in the letter that he was sent. Scott disagreed and told Joe that he would not prepare a site plan at this time, although he did present the board with a hand drawn plan showing the site. Joe stated that if Scott is planning on going ahead and doing any activity at all, especially in remediating the issue at hand, the board needs to see some sort of a plan, and would not recommend letting him continue on the top part of the site within 100 feet of the wetlands. Scott did have a letter from a soil scientist. At this time, members of the audience stated their concerns about the impact to their properties and the eventual runoff into the pond. Lester suggested that Joe map the existing wetland flag locations before they are disturbed and possibly get relocated. Joe was in agreement with this and will then give Scott remediation recommendations as far as the fill that is in the wetlands adjacent to the garage site. The board was in agreement with this also. As far as the lower part of the site is concerned, the board felt that Scott needs to show them how he is solving this problem because it has already caused an impact and will only get worse. Scott should also have baled the catch basins to cut down on the silt and make sure they are monitored and replaced as need. Eric made a motion to continue the cease & desist on the property except for the erosion & sediment measures, and give Mr. Gibson 30 to 60 days to come up with a site plan to present to the board. To clarify, Joe stated that a motion was made to give Joe permission to map the wetland flags that were hung by Mr. Shafer, he will provide Mr. Gibson with remediation recommendations for the wetlands that were filled in next to his garage, he will continue to monitor the site and give Mr. Gibson e & s recommendations on the driveway issues and the exposed lower half of the site. The cease & desist will be lifted for the remediation only, but will stay in place for any development activities. A site plan by a licensed surveyor needs to be presented within 30 to 60 days by Mr. Gibson. John seconded the motion, all were in favor, motion carried.

Third on the Agenda: Attorney Heller came before the board representing Terry & Kathleen Mandy who own property on 174 North Shore Road. They would like to install a driveway. The wetlands were flagged by Boundaries on a map Attorney Heller presented to the board. They are proposing to fill 3600 sq. feet of wetlands to install the driveway. To accommodate the flow the engineer has sized a 15 inch culvert under the driveway fill. Access to the property is off of the State boat launch road. On doing a title search, it was found that there is no easement for them to use the boat launch access road. An easement was sought but was denied by DEEP. Attorney Heller explained that 350 yards of fill will be used and sediment control measures will be in place. Construction will be in the fall when conditions are dry. Discussion took place. It was decided that individual site walks will be done. Eric made a motion to accept the Mandy's application and table until the next meeting in October, John seconded the motion, all in favor, motion carried. Lester abstained.

New Business: Anthony Wagner, 564 Beach Pond Road. Mr. Wagner came before the board to request permission to draw water from Beach Pond. He previously requested permission from the CT DEEP and was told that no permit was required if he doesn't draw up to 50,000 gallon in a 24 hour period. Mr. Wagner actually draws the water from the Rhode Island side of the pond, and Rhode Island does not have any regulations for this. He uses the water for the purpose of washing businesses and roofs. He is requesting that he be allowed to draw 600 gallons per day. Joe stated that he has spoken to Darcy Winter from the State DEEP and she told him that it would be a good idea to grant him a permit for this. After some discussion on containment issues, the board agreed that there will be no impact, and accept the application with the condition that a containment system is in place. Mr. Wagner was informed that the cost would be \$360 for a commercial permit. He will attend the next meeting in October. Lester made a motion to accept, Eric seconded the motion, all in favor, motion carried.

Old Business. Ronald Millovitsch, 81 James Road. Review of Mr. Millovitsch's application from the last meeting to clean out a trench and catch basin on his property. Eric made a motion to approve, John seconded the motion, all in favor, motion carried.

Tom Hoffa. Mrs. Long's property at 774 Pendleton Hill Road. Joe has spoken to the Town Attorney, Mike Carey. Attorney Carey told Joe that the commission could file an injunction against Mr. Hoffa but in doing so, they would have to involve Mrs. Long, such as a lien on the property or a lawsuit. The board agreed that this was something that they did not want to happen. After some discussion, Eric made a motion to lift the cease & desist on the property at 774 Pendleton Hill Road and Mrs. Long will be notified by letter and in person of the board's findings, John seconded the motion, all in favor, motion approved.

Eric made a motion to adjourn the meeting, Lester seconded the motion, all in favor. The meeting was adjourned at 9:55 p.m.

Respectfully submitted:

Thomas Sweet, Chairman