INLAND WETLANDS & WATERCOURSES COMMISSION
TOWN OF VOLUNTOWN
JULY 11, 2019

Members present: Chairman Tom Sweet, Dave Miner, Lester Davis and alternate Bob Panko. Absent were Andy Mclallen and alternate Tammy Daigneault. Wetlands Agent Joe Theroux was also present.

In Audience: Lynne Dadona, Tao & Amy Labossiere, Jim & Nancy MacBride, Glenn Bronson, Art Howe, Tom Mercier, Mr. & Mrs. Oulton, Mr. & Mrs. Mann and Mr. & Mrs. House.

Chairman Tom Sweet called the meeting to order at 7:34 p.m.

Approval of Minutes: Lester made a motion to approve the June 6th meeting, Dave seconded the motion, all were in favor, motion carried.

Citizens Comments: Skip Oulton, 286 Shetucket Tpke., requested that the Wetlands board disregard the letter from Mr. Labossiere that was sent to the board concerning the permits for the docks on still water pond for Mr. & Mrs. Oulton and Mr. & Mrs. Mann, as this is a civil matter. He stated that Mr. Labossiere had 30 days to appeal after the permits were issued.

Mr. Labossiere, 280 Shetucket Tpke., rebutted, saying he was never aware or notified that the decision was being made about his property, stating that he owns the pond and bears the responsibility and liability of owning it. He also stated that the docks went in after the appeal period ended and the letter he sent is just to ask the board to consider that this is private property and the activities taking place on his pond puts him at risk.

Amy Labossiere also spoke. She wanted to know why the letter they sent to the Wetlands board was made public but when the permits were issued for the docks there was no notification to them.

Joe answered that whatever is submitted to the commission becomes public record. And when an application comes in to the commission they are not obligated to notify abutters, and the only time that wouldn't apply is if they had a public hearing when there is a significant impact to wetlands and then a notice would be in the paper twice. The docks in question were not considered a significant impact so there was no need for a public hearing. Joe went on to explain that he put together all the information he had, both the applications and sent it all to the Town Attorney, and that the Attorney responded in a confidential memo to the board. The Attorney has advised the commission on the matter.

Old Business: Notice of violation for 243 Rockville Rd., Lynne Dadona. Joe gave the board copies of a site plan and stated that they hired a soil scientist who went out and flagged the wetlands

and the stream. He pointed out where the wetlands were on the plan, the location where the stream flows, where the barn was built, the wetland area that was filled, and existing or proposed E & S measures. There was a copy of the letter from the soil scientist as well. The board looked over the plans, some discussion took place. The board would need to make the decision to have them remove all the fill and bring the site back to the way it was or allow them to have a portion of that for the horse turn out. There is a secondary runoff which the owner tried to pipe it underground. The goal is to remediate the filled wetlands. Joe recommended that the board members do another site walk. They will make plans to do that separately. Dave made a motion to accept the application for 243 Rockville Rd., Lester seconded the motion, all were in favor, motion carried.

New Business: 65 Beach Pond Rd., a deck addition. The owner built a deck on the side of the house near the wetlands. The owner also wants to put a fence around the property. There was some discussion, and a site walk will be done. Joe will notify the owner. Dave made a motion to accept the application of 65 Beach Pond Rd., Chris seconded the motion, all were in favor, motion carried.

Correspondence: The Commission received a letter from Mr. Labossiere concerning the board issuing permits for two docks on Still Waters Pond, which he maintains that he owns. The Town Attorney has advised the board on this issue. Dave made a motion to accept the letter from Mr. labossiere, until the board can further discuss the matter with the Attorney, Chris seconded the motion, all in favor, motion carried.

Mr. Oulton stated that there are a few inaccuracies in the letter that he would like to address. The board advised him to send a letter with his concerns to the Wetlands Commission, which he agreed on.

Mr. MacBride discussed the lowering of Beach Pond and permits given to fix walls and how the board would determine whether it is encroaching on state property. Joe told him docks are put up all the time on State owned waterways. It would be a permanent structure but he is not sure if that would be considered encroachment. The Town Attorney explained that the Wetlands Commission is not the entity to make decisions on who owns what, just if the proposed activity poses an impact on wetlands. That is the goal of the Wetlands Commission.

Mrs. House mentioned that the pond is very dirty and weedy and if the pond was lowered would it take care of the weeds. Chris stated that he has been doing the lake quality monitoring for the last decade and has historical data on the quality of the lake. The Rhode Island DEM came out and did a survey of the lake and for the first time there are two invasive species, bladderwort and milfoil. This was discussed in length, and Chris informed the audience on how to deal with this. The board suggested going to the Board of Selectmen's meeting and request them to petition the State to drawdown the pond.

Agent's Report: Joe reported that he did some research on the Buckley Drive water discharge system. He spoke with Wayne Williams from DEEP, head of the storm water division. DEEP has

no minimum turbidity levels to assess storm water quality. Joe went on to explain that the EPA came up with a standard for storm water monitoring years ago, which was 25 MTU's. He also talked to 3 different engineering outfits and they agreed with the DEEP and EPA storm water information he received.

18 James Rd. New construction of a single-family home. Joe did an agent's approval for Courtney Magario. He finally received an application from them and the closest they are from the watercourse is approximately 85 feet.

56 Wylie School Rd. A proposed 2 car detached garage. 75 feet from edge of wetlands so Joe did an agent's approval on that.

The only other issue Joe had was he received a complaint on 39 Bennett Circle. The adjacent landowner reported on a failed septic system on the property and at certain times runoff from the system was flowing into the pond. Uncas Health has been called on this problem. Joe has sent them a letter stating that if this is the case the problem needs to be fixed or there will be a notice of violation will be issued.

Dave made a motion to adjourn, Lester seconded the motion, all in favor, motion carried. The meeting was adjourned at 8:40 p.m.

Respectfully Submitted,

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Thomas Sweet, Chairman