

Thomaston Inland Wetlands and Watercourses Commission
Revised Meeting Minutes June 8, 2011

Members Present: Joe Fainer, Chairman, Matt Kulman, Secretary, Jen Pacelli, Alternates Tim Clark and Bob Carr

Others Present: Jeremy Leifert, Wetland Enforcement Officer, Tim Bobroske, Atty. Seabourne

Members Seated: J. Fainer, M. Kulman, J. Pacelli, T. Clark

The meeting convened at 7:02 pm.

Minutes:

A motion was made by M. Kulman and seconded by Tim Clark to accept the revised minutes of May 11, 2011 to read (Pg. 2 Agenda Item 2- 2nd motion) a motion was made by M. Wright and seconded by M. Kulman to waive the standard application fee and assess the \$60.00 State fee. Motion unanimously passed.

A motion was made by M. Kulman and seconded by J. Pacelli to accept the minutes of May 26, 2011 Special Meeting. Motion unanimously passed.

A motion was made by M. Kulman and seconded by J. Pacelli to accept the minutes of May 14, 2011 Site Walk. Motion unanimously passed.

Old Business:

Agenda Item #1 - Application for modification to approved plans for Permit #2007-004, Thomaston Valley Village

Agent(s): T. Bobroske

T. Bobroske submitted an architect footprint of the building and explained the need for the modification. The Commission conducted a site walk of the property on May 14, 2011 and didn't have any further questions or comments.

A motion was made by M. Kulman and seconded by T. Clark to approve Application #2011-05-11-01 referencing the previously submitted plans on May 11, 2011 and provided all the conditions from permit #2007-004 are attached to new permit #2011-05-11-01. Motion unanimously passed.

Agenda Item #2 & #3 - Discussion of Cease and Desist Orders for Lot 62-01-32 Reynolds Bridge Rd. and 296 Reynolds Bridge Rd.

J. Leifert reported that there is a pending application being submitted tonight under New Business.

Agenda Item #4 - Discussion of Cease and Desist Order for Leigh Ave. wood road.

J. Leifert reported that he has been in contact with Atty. Seabourne regarding S. Ingraham's property and asked Atty. Seabourne if he would give an update to the Commission.

Atty. Seabourne informed the Commission that he still represents S. Ingraham who currently has a contract to sell the house to someone who grew up in the area and is aware of the situation. The potential

buyer told Atty. Seabourne that he thinks M. Volvoski will eventually purchase W. Chamberlain's property and that he will be speaking to the Chamberlains to see if everyone can come to an agreement.

New Business:

A motion was made by M. Kulman and seconded by J. Pacelli to modify the agenda to include Atty. Seabourne under New Business. Motion unanimously passed.

Atty. Seabourne told the Commission he is representing Long Horizon Development who developed Highwood Farms. Atty. Seabourne explained that G. Touponse recently received a tax bill for a piece of property that was missed by the Assessor at the time, but found by the new Assessor. Atty. Seabourne said M. Barton is currently researching to find out if the property can be developed and that she suggested that he come before IWWC because the zoning regulations require a 200' building square that would put the existing wetlands in the building square, which are permitted by the wetland regulations.

Atty. Seabourne will have the driveway and wetlands flagged before the Commission conducts a site walk.

A motion was made by M. Kulman and seconded by J. Pacelli to accept Application #2011-06-08-01 for the construction of a single family home, a driveway crossing, and site development at Lot 162 Atwood Rd. Motion unanimously passed.

A motion was made by M. Kulman and seconded by T. Clark to set the fee for Application 2011-06-08-01 at \$135.00, which includes the \$60.00 State fee. Motion unanimously passed.

Agenda Item # 1 - Application for grading, stabilization, and drainage improvements at 296 Reynolds Bridge Rd & Parcel A Reynolds Bridge Rd.

Agent(s): None present

J. Leifert informed the Commission that R. Geddes is ill and will not be present tonight, but that he did have someone bring the application and drawings to the office today.

The Commission discussed their concern with the name of Premier Properties LLC instead of United Development being listed on the application and drawings, as well as the exact addresses not being listed.

J. Leifert will contact Atty. Rybak for his opinion as to whether or not the Commission can accept the documents presented tonight since the court case is between the Commission and United Development, not Premier Properties LLC.

A motion was made by M. Kulman and seconded by T. Clark to reject the application by Premier Properties LLC based on the fact that we are missing the exact location noted on the application as well as the difference in name of the application/agent on the drawings and application versus what we have in our files and on our agenda. Motion unanimously passed.

J. Leifert will contact R. Geddes regarding as to the reasons the Commission rejected the application.

Communications and Bills:

J. Leifert distributed a copy of the Senate Bill No. 859 Public Act No. 11-5 entitled "An Act Extending The Time of Expiration of Certain Lane Use Permit" that Wetland Commissions are required to adopt into their regulations. J. Leifert will draft a revised regulation and email it to the Commission for review before next month's meeting.

J. Leifert distributed the Spring 2001 issue of The Habitat.

T. Clark and B. Carr gave a continued education review from the Segment II training they attended.

Reports of Officers, Staff, and Committees:

J. Leifert discussed his staff report (see Attachment #1) and being the owner of 150 Atwood Rd., T. Clark discussed this portion of the report.

The Commission recessed at 8:16 pm because of the smell of smoke in the room.

The Commission reconvened at 8:19 pm.

Executive Session:

It was the consensus of the Commission that Executive Session was not necessary.

Adjournment:

A motion was made by M. Kulman and seconded by T. Clark to adjourn the meeting at 8:20 pm. Motion unanimously passed.

Respectfully submitted,

Pat Santa Maria,
Recording Secretary