

TOWN OF COLEBROOK
Inland Wetlands Agency
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Minutes
Special Meeting- November 30, 2017

The meeting was called to order at 7:01 pm. Members in attendance, Duncan Wilber Chairman, and regular members Chip Neal, Todd Hiller, and John Lossin. Also in attendance was alternate John O'Dell, who was made a voting member for the evening. Absent was Ray Zetye. WEO Michael Halloran sat at the table along with Land Use Attorney Dave Cusick.

The minutes were presented and Chip made a motion, seconded by Todd, to accept the minutes of November 21, 2017. The vote to approve was unanimous.

New Business;

A show/cause hearing was held regarding the cease and desist order sent to Fletcher Smith and Peter Hodgkinson for possible wetlands violations on their property at 337 Colebrook River Rd. Present along with Fletcher and Pete was Attorney Perley Grimes, who was now representing them. Attorney Grimes requested that the hearing be recorded. A recording was started. Attorney Grimes addressed the Agency and asked for clarification on the wording of the certified letter sent to his clients. He also informed the Agency that he had been to the site in question and did not think there were wetlands present. The Agency clarified his question regarding the wording of the letter, including excavation and filling of a wetlands area. There was also discussion that the presence of an existing wetland is not the end of the issue but rather the fact that a wetland previously existed and is no longer present.

Attorney Grimes stated that he hoped the Agency would lift the cease and desist order issued to his clients and would allow them to continue in the interim of them hiring a soil scientist and land surveyor. He was concerned that the gravel bank was the "Life Blood" of his clients, and asking them to cease would "ruin" them. It was stated that many other contractors and excavation companies purchase material and charge the customer for it. As such, Pete and Fletcher have the option of doing the same.

There was discussion of the expansion of the overall footprint of the gravel operation from 1.3 acres to over 6 acres. Google Earth maps were referenced to illustrate the size increase. The Wetlands Agency expressed that their goal is not fines or financial restitution, but instead an understanding that compliance is their main goal.

Attorney Grimes and Fletcher and Pete agreed to a series of site walks with no more than two members of the Wetlands Agency present, along with one of them. The cease and desist order will remain in place. The hearing will be continued on December 19, 2017 at 7pm.

There being no other business, Todd made a motion, seconded by John Odell, to adjourn the meeting. The vote to approve was unanimous and the meeting was closed at 8:35 pm.

Michael Halloran WEO