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OCT 17 2019

COLEBROOK TOWN CLERK

TOWN OF COLEBROOK
Inland Wetlands Agency
562 Colebrook Rd., P.O. Box 5
Colebrook, CT 0602-0005
(860) 379-3359 ext 209

Minutes

Regular Meeting- October 15, 2019

The meeting was called to order at 7 pm. Members in attendance, Duncan Wilber Chair, and regular members Todd Hiller, Chip Neal, John Lossin, and John Odell.

Agenda Review

Add discussion of "authorized agent" to new business after discussion of regulations update.

Approval of Minutes

Chip made a motion, seconded by John Odell to approve the regular minutes of the July 16, 2019 meeting. Motions approved unanimously.

New Business

Linda Raciborski, representing the Colebrook Land Conservancy, presented application #19-012 and the scope of the work to be completed

- redirecting of ground water to a waterway to be piped to existing pond
- Discussion of possible parking on route 183 side of barn
- Discussion of use change for events
- Discussion of future intensification and need for modified permit if that were to happen
- Discussion of possible contractor change and modified permit required

John Lossin made a motion to approve the application, seconded by Chip Neal, approved unanimously by the agency. Linda will contact the agency 2 weeks prior to work to inspect for proper E&S controls.

Chair Duncan Wilber read letter written by himself into the minutes dated October 9, 2019, (see attached) regarding work at Metro pond (town pond) Cooper lane.

-Chair Duncan Wilber read into the minutes resignation letter of Michael Halloran ZEO WEO dated September 23, 2019

-Discussion of work done at Metro Pond (permit 19-007) and timeline of events that took place.

-Discussion of dam being a grade 1 Deep dam and the need for reengineering after contractor breaching with no plans or permits previously submitted to Deep

-Motion to request modified permit #19-007 for correct time, description, contractor, and scope of work to be done by John Odell, seconded by Chip Neal, passed unanimously.

Discussion of Calendar. Motion made by Duncan Wilber second Chip Neal to keep the same Schedule of the third Tuesday of every month for the year 2020, passed unanimously.

Discussion of updating regulations

Discussion of Authorized agent and need for incoming permits to have the appropriate signatures. The board recommended that chair Duncan Wilber should take the test with DEEP so determinations on wetlands could be made and permits accepted for review.

Discussion of follow up on 337 Colebrook River rd progress, need for contact with DEEP

Chip made a motion to adjourn, seconded by John Odell, passed unanimously at 7:48 pm

A handwritten signature in black ink, appearing to read 'Duncan Wilber', with a stylized, cursive script.

Duncan Wilber

October 9, 2019

OCT 09 2019

Town of Colebrook Inland Wetlands Agency,

Recent events at Metro Pond (town pond/ Cooper lane) have created a need for more oversight when involving future town wetlands permits. The previous method of allowing little to no questioning of work to be performed in order to facilitate production and eliminate red tape has been abused to the point that regulations, protocol, and enforcement (at the local and state level) are being over run by the First Selectman. In bypassing the wetlands agency, the selectman created a project with no plans for the work that was conducted, leaving the oversight of the job to a contractor without oversight from a qualified engineer. In the end, this has created a public safety issue by not following the checks and balances that are in place for those very reasons.

These regulations and enforcement exist to protect the wellbeing of our citizens and the natural resources entrusted to our care. Unfortunately, the violations listed below pose a significant threat to the public safety of our residents and visitors of the pond as well as the natural habitat surrounding this area if not remediated.

9/6/19 The TOC filled out permit #19-007 (drain down and dredge silted area)

According to the information listed on the permit, the work was to be performed by the town, in the winter when the ground freezes

9/23/19 ZEO Michael Halloran sent letter to TOC announcing his resignation effective 10/9/19

9/26/19 work begins at Metro pond (unannounced to the wetlands agency)

Excessive silt noticed in Sandybrook stretching over the course of at least 1 mile downstream of the work

Selectman Mckeon was notified (Halloran on Vacation 9/26/19 - 10/6/19)

9/27/19 Wetlands Chairman Duncan Wilber asks Selectman McKeon if they have a permit for work being done, he replied that "the town does not need one because Tommy Thompson made a ruling years ago that said so." Duncan Wilber asked for the paper work to back that up, which Mckeon said he would produce "upon Mike's return."

To date, no documentation of this exemption has been received by the Inland Wetlands Commission.

9/30/19 inspection of site by Chairman Duncan Wilber reveals:

pond drained down

some silt retention installed (outlet area), albeit not enough

Dam breached (dug through) - not listed on permit, no prior DEEP approval for Grade 1 dam work

Pond dug wider and deeper - not listed on permit, no prior DEEP approval for dam work and increase in pond capacity

Material removed - not listed on permit, only included onsite dewatering

Contractor onsite - work was to be performed by TOC according to the

permit

10/4/19 DEEP notified of dam breach

10/7/19 DEEP asks for new engineering report on dam (safety concerns) within 2 weeks or notice of violation will be issued by the state

As chairman of the Inland Wetlands Agency, I am disheartened by this poor display of land and financial stewardship and hope that we are able to reach an amicable resolution in a timely fashion.

A handwritten signature in black ink, appearing to read 'Duncan Wilber', written in a cursive style.

Duncan Wilber
Inland Wetlands Agency Chairman

Enclosed: Inland Wetlands Permit #19-007
 9/23/19 Resignation Letter from Michael J. Halloran