

**INLAND AND WETLANDS COMMISSION
SHOW CAUSE HEARING
Phoebe Drown
439 Prospect Street
January 23, 2012**

Commission Chair Mary Davis called this meeting to order at 5:30 P.M. with the following in attendance noting that there was a quorum:

MEMBERS:

Mary Davis, Chair
Joseph Bakstis, Vice Chair
Sally MacKenzie, Secretary, absent
Marcia Puc
Alex Olbrys
Lars Johnson, alternate, absent

OTHER:

Keith Rosenfeld, Town Planner, WEO
Phoebe Drown
Dave Drown
Sue Goggin, Secretary

The Show Cause Hearing is regarding activities within the 100 foot Upland Review Area. Mary began by saying that there are many pictures and a lot of information about this. Keith said that several inspections had been done on the property. He said they are here to determine what Mrs. Drown is doing, what precaution she is taking to prevent an impact on the watercourse and if she is going to be doing anything in the future. The activities that were done appear to require a review by the wetlands commission, either through a permit and/or an evaluation by the commission to determine that there will be no impact on the watercourse. Mrs. Drown began by saying that Steve Macary went to her property and she showed him that she had done no work on her property. She had a lot of trees come down in the recent storms, so they cleaned up from that. Mary said that it appeared that excavation work had been done. Mrs. Drown said they had done nothing new. She thought because they had so many trees come down, people saw her son's construction trucks, which had been parked there for about a month, and thought they were doing work on the property. She said if the trucks are a problem, she will have her son move them. Joe said it appeared that right at the brook, there was a pile of stones that had been moved recently. Mary said she thought the same. Mrs. Drown said they had been there for 50 years. Keith asked if the rocks were placed or tumbled down naturally. Mrs. Drown said they were always there. Mary asked about a makeshift rock wall and parking platform. Keith showed Mrs. Drown pictures of the area. Mrs. Drown said it is an upper terrace and it's always been that way. She said she respects the brook and she wouldn't do anything to harm it. They pull tires out of it and try to keep it clean. Mary asked if they needed to put in erosion sedimentation controls. Keith said that if the area is as it has been for 20 or 30 years, he didn't see any need for that, because the ground is stable. Mrs. Drown said her son will move the trucks, if that's the problem. Mary said Keith, Wayne and Steve all went out there and said that hay bales should be put up there. Mary said that she wanted to believe her. Joe said he's been driving by there for years and it looked as though there were more rocks than there used to be. Joe said they just

want to understand the situation and wanted to hear Mrs. Drown's side of this. Mrs. Drown said she knows she didn't do anything wrong. Mary said it looked like a violation. She asked Mrs. Drown how far away from the brook the trucks are? Keith replied that they are at least 150-200 feet away. Mary said that's fine and that it won't be a problem for the brook. Mary asked if they had done any digging or placed any rocks there. Mrs. Drown said no. Joe asked if they do any maintenance on the trucks there. Mrs. Drown's son replied no. Mary said she thought maybe the whole area was a little more obvious because there are fewer trees there. She repeated that no digging or work had been done near the brook. She told Mrs. Drown to be sure she gets a permit for any work she may do in the future. Mary said she didn't think they had an issue and that it's been resolved. No further discussion took place.

VOTED: Unanimously on a motion by Joe Bakstis and seconded by Alex Olbrys to dismiss the cease and desist order against Mrs. Drown and close the matter.

The meeting was adjourned at 6:00 PM.