

## **Inland Wetlands Agent's Report**

**April 13, 2021**

### **Public Hearings**

**0200921A Shane Pollock-Applicant/BLB, LLC-Owner, Louise Berry Drive, Map 19, Lot 19, RA Zone; Construction of 51 Single Family Condominium Units with activity in the upland review area.**

Date submitted: 2/4/21.

Date of receipt: 2/9/21.

Deadline to hold a Public Hearing: 4/15/21.

Public Hearing opens on 4/13/21.

Deadline to close Public Hearing and take action if no extensions are needed: Tuesday, May 18.

Deadline to close Public Hearing and take action if maximum extensions are needed: Thursday, July 22.

Killingly Engineering Associates (KEA) have addressed all my recommendations for conditions from my 3/9/21 report:

Revise the plan to remove straw wattles from the plan. Remove the straw wattle detail. Any place straw wattles are shown, replace with compost filter socks.

Revise the plan to show perimeter sediment controls in the upland review area as double-staked hay bales backed with hog-wire backed silt fence.

Revise the plan to show jute netting on side slopes between the wetlands and Units 1-3 and Units 4-8.

The only work allowed prior to installing the perimeter sediment controls shall be clearing vegetation. No grubbing shall be allowed until the perimeter sediment controls have been installed as per the plan. Call for an inspection of the perimeter sediment controls. The perimeter sediment controls must be approved in writing by the IWW Agent or a Commission member prior to commencing any other work.

The temporary sediment basin and swale must be at least temporarily stabilized prior to discharging any stormwater into them.

Revise the detention basin operations and maintenance plan, Detail Sheet 4, Note 3, item 1, to delete “Perform any mowing operations required” to read “Detention basin side slopes and bottom shall be mowed annually by 6/30 and 10/1 for the life of the basin, in perpetuity.”

Revise the detention basin operations and maintenance plan, Detail Sheet 4, Note 3, to add: “The Condominium Association shall be responsible for maintenance of the stormwater basin and its outlets in perpetuity.”

Revise the detention basin operations and maintenance plan, Detail Sheet 4, Note 3, to add: “The construction of the temporary sediment basin and swale shall begin between April 14 and September 1 to allow for vegetation to become at least temporarily established in the basin prior to discharging stormwater into the temporary sediment basin and swale. Construction of the temporary sediment basin and swale shall not commence between September 2 and April 13 in accordance with the provisions of Section 11.1 of the Brooklyn IWWC Regulations.”

Section 11.1 of the Brooklyn IWWC Regulations (my underlining):

“The Commission, or its duly authorized agent acting pursuant to Section 12 of these regulations, may, in accordance with Section 10 of these regulations, grant the application as filed or grant it upon other terms, conditions, limitations or modifications of the regulated activity designed to carry out the purposes and policies of the Act, or deny the application. Such terms may include any reasonable measures which would mitigate the impacts of the regulated activity and which would (a) prevent or minimize pollution or other environmental damage, (b) maintain or enhance existing environmental quality, or (c) in the following order of priority: restore, enhance and create productive wetland or watercourse resources. Such terms may include restrictions as to the time of year in which a regulated activity may be conducted, provided the Agency, or its agent, determines that such restrictions are necessary to carry out the policy of sections 22a-36 to 22a-45 inclusive, of the Connecticut General Statutes.”

## **Old Business**

**36 Paradise Drive - Edward L. Branciforte: Show Cause Hearing for wetlands violation.**

An Order to Remediate, issued on April 5, 2021, is in the Commission packets.

## **117 Tatnic Road – Terry Veazie: Show Cause Hearing for wetlands violation.**

An Order to Remediate, issued on April 5, 2021, is in the Commission packets.

On 3/28 Joe Szarkowicz, Mr. Veazie's neighbor downstream, sent the following email:

“Hello Margaret, I have attached photos of the silt in my pond from today's storm, they were taken around 4:00 today. I have also attached photos of why the siltation occurred.

Apparently the only E+S work Mr. Veazie has accomplished next door has been to remove his silt fence, chain link fencing and haybales from the channel leading into my pond. When I say remove, I mean to throw them up into a pile of debris either side of the channel (Beginning to encroach on my property-but that is another issue) not remove the waste material from the wetland. In removing the material it appears that all the stumbling and bumbling in the channel has basically turn it into a sloppy, muddy mess that now all runoff water must pass through with no E+S controls whatsoever. I cannot fathom how work in a wetland directly adjacent to a body of water can be allowed without any E+S controls. My pond has been turned into a sedimentation basin yet again.

I understand removal of this material was the first step in KWP's recommendations, but those recommendations also stated "This work needs to be done carefully, but once started it should continue steadily until the work is complete". There is nothing careful about what is being done there - it is the same random, haphazard mess that matches everything else done. And as far as continuing steadily, he has removed only-nothing has been installed/constructed.

When I saw KWP's recommendations I commented on these very things that have come to be fact. The Pond is left with no sediment protection and Mr. Veazie is not capable of performing the work carefully or in a timely manner. I had also inquired if KWP was directing Mr. Veazie in performing the work(As Bruce Woodis had given the impression of at the January meeting) or just providing a suggested guideline for him to attempt to follow-which appears to be the case. I cannot imagine a professional directing the conditions that exist there.

I would appreciate it if you could visit the site yourself to see the condition of the channel and assess the situation. If Mr. Veazie will not

grant you access you can view from my property. If work is not proceeding on a daily (8 HR day-not an hour after his day job) basis I feel some effective form of temporary E+S controls need to be installed immediately. More rain is predicted tonight and this week- there is absolutely nothing to stop any runoff and the mudhole it passes through contributes to it. It was actually very noticeable that the West end of the pond is shallower then I have ever seen it in 16 years and I question how the cumulative effect of the past 3 1/2 years have impacted it.

Please share this with the board as I see it as a totally unacceptable condition. As always please feel free to reach out if you wish to discuss.

Regards, Joe Szarkowicz”

I spoke to Bruce Woodis on the phone on 4/5. He said that he had a pre-construction meeting with Mr. Veazie at the site. Mr. Veazie has hired a contractor to help him. Bruce Woodis and David Smith, P.E., of KWP reviewed the construction sequence with Mr. Veazie.

On 4/6, Mr. Szarkowicz sent this email:

“Hi Margaret, There actually has been considerable activity next door yesterday and today. It does seem that there is an experienced operator with an excavator over there and work to install the check dam actually seems to be progressing. It is not all that difficult or great amount of work, it just requires someone who knows what things have to look like.

Hopefully it will continue as per KWP's plan with a general clean up and stabilization so the issue can be put to bed once and for all.

I appreciate you following up on all this.

As always - feel free to reach out. Thanks, Joe”

I inspected and took photos on 4/7. The report is in the Commission packets. On 4/7, Mr. Veazie said that due to his work for the Navy he cannot attend the 4/13 meeting, but that Bruce Woodis would attend to represent him.

**River Walk Drive – Paul Lehto: Show Cause Hearing for wetlands violation.**

An Order to Remediate, issued on April 5, 2021, is in the Commission packets.

## **New Business**

### **041321A 343 South Street – Michelle Saez. New 12' x 20' above-ground swimming pool and deck in the Upland Review Area.**

Date submitted: 3/22/21.

Date of receipt: 4/13/21.

I inspected and took photos on 4/8/21. The applicant agreed to place silt fence inside the pool and the existing vinyl fence to prevent and of the fill that will be brought into the site from moving towards the nearby wetlands.

### **433 Hartford Road – Michael Vallone. Dead tree removal.**

Mr. Vallone contacted me about removing 3 dead oaks in or on the edge of wetlands. The branches fall in the wind and he wants to remove them before the wind does it. I inspected and took photos on 3/22. The inspection report, photos and maps are in the Commission packets. I told Mr. Vallone that I would let him know how the Commission wants him to proceed after the 4/13 meeting.

### **041321B 40 Almada Drive - Paul Lehto. Proposed 2-lot residential subdivision.**

Date submitted: 4/5/21.

Date of receipt: 4/13/21.

Deadline to hold a Public Hearing: 6/19/21.

### **041321C 53 Proulx Street – Andrew Kausch. Division of property, 2 new single-family homes.**

Date submitted: 4/7/21.

Date of receipt: 4/13/21.

Deadline to hold a Public Hearing: 6/19/21.

### **041321D Pomfret Landing Road/Church Street – Andrew Kausch.**

Date submitted: 4/7/21.

Date of receipt: 4/13/21.

Deadline to hold a Public Hearing: 6/19/21.

## **Extensions/Modifications**

### **512 Providence Road – Vachon Chevrolet. Permit Modification**

The plans that the PZC approved for 512 Providence Road were modified to raise the bottom of the stormwater basin one foot higher out of the ground than the bottom of the stormwater basin on the plans that the IWWC approved.

I asked Norm Thibeault to submit the revised plan to IWWC so that the Commission can vote to supersede the plan IWWC originally approved. It will be a permit modification. There will be no legal notice in the paper.

The revised plan would supersede the plan the IWWC previously approved if the Commission approves. I recommend approval.

## **Schedule Site Walks**

# TOWN OF BROOKLYN

## Expenditure Report

Fiscal Year: 2020 - 2021

To Date: 3/31/2021

From Date: 3/1/2021

Account Number	Description	Adj. Budget	Current	YTD	Balance	Encumbrance	Budget Bal	%Bud
1005.41.4163.51800	Inland Wetlands-Wages-Recording Secretary	\$1,200.00	\$50.00	\$512.50	\$687.50	\$0.00	\$687.50	57.29%
1005.41.4163.53020	Inland Wetlands-Legal Fees	\$2,500.00	\$438.75	\$2,788.40	(\$288.40)	\$0.00	(\$288.40)	-11.54%
1005.41.4163.53400	Inland Wetlands-Professional Services	\$500.00	\$0.00	\$0.00	\$500.00	\$0.00	\$500.00	100.00%
1005.41.4163.55400	Inland Wetlands-Advertising & Legal Notices	\$500.00	\$0.00	\$0.00	\$500.00	\$0.00	\$500.00	100.00%
1005.41.4163.55500	Inland Wetlands-Printing & Publications	\$100.00	\$0.00	\$0.00	\$100.00	\$0.00	\$100.00	100.00%
1005.41.4163.56900	Inland Wetlands-Other Supplies	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
<b>Grand Total:</b>		<b>\$4,800.00</b>	<b>\$488.75</b>	<b>\$3,300.90</b>	<b>\$1,499.10</b>	<b>\$0.00</b>	<b>\$1,499.10</b>	<b>31.23%</b>

End of Report