

Brooklyn Inland Wetlands Commission
Regular Meeting Minutes
Tuesday May 10, 2022
Zoom and In-Person Meeting
Clifford B. Green Memorial Center
69 South Main Street
6:00 p.m.

Call to Order: 6:00 pm

Roll Call: Richard Oliverson, Adam Brindamour, Demian Sorrentino, James Paquin, Adam Tucker, Jason Burgess

Staff Present: Lisa Lindia ran the ZOOM meeting.
Jean Bolin wrote the minutes

Seating of Alternates: None

Public Commentary: None

Additions to Agenda: None

Approval of Minutes:

1. Regular Meeting Minutes 3/18/2022: Approved without corrections.

Public Hearings:

1. None.

Old Business:

Demian made a motion to move 120120A Woodward Road to be the first item of Old Business because Paul Archer, representing Gary McMahon had another meeting to attend. Adam Brindamour seconded the motion. Approved 6-0.

120120A – Woodward Road – Gary McMahon. Map 10 Lot 25-5. Request to discuss previously approved application.

Paul Archer represented Gary McMahon. He presented plot plans and a letter stating nothing has changed from prior site plan application, which was approved (011221A from January 13, 2021). It is a subdivision instead of a plan revision. Paul Archer stated that he has been told that the lot they want to build on is not a buildable lot. He asked for clarification and the was told by Ms. Roberson that he needed to apply for a one lot subdivision. It is a subdivision instead of a simple site development plan.

Jason Burgess asked Paul Archer to confirm which lot on the plot he was referring to. Paul Archer pointed it out on the plot Lot 25-5 Parcel C. Demian Sorrentino stated the prior permit is still valid.

Demian Sorrentino made a motion to acknowledge this is a subdivision and to have staff issue the required reports to Planning and Zoning Commission. James Paquin seconded the motion. Approved 6-0.

DR22-001 – Map 34 Lot 31 - Brown Road - Jared Chviek. Application for a Declaratory Ruling. Work includes removing dead oak trees killed by gypsy moths, creating pasture for cows, installing electric fence with solar powered generators, cutting and stockpiling firewood, and mitigation in the form of invasive species removal.

Jared Chviek was present via Zoom. Richard Oliverson confirmed this is a use permitted as of right. James Paquin and Richard Oliverson stated they had walked the property previously and that this is not a Public Hearing.

Erin Berube of 203 Brown Road was present in the audience and had a few concerns:

- 1) She stated she was concerned that cattle on the property are too close to her well.
- 2) Pigs stated are listed as an alternate use on application and that according to NDDH the pigs should be 300 ft from any dwelling.

Demian Sorrentino and James Paquin referred Erin Berube to the Northeast District Department of Health for clarification.

Demian Sorrentino made a motion to approve and issue a Declaratory Ruling for an agricultural use as of right. James Paquin seconded the motion. Approved 6-0.

DR22-003 – 0 Christian Hill Road – Matt and Heather Allen. Map 31 Lot 19. Application for a Declaratory Ruling. Excavation and construction of agricultural pond and dry hydrant.

Heather Allen was present via Zoom. Heather read a letter from Joe Theroux (certified forester, soil scientist) stating that he felt the location of the pond would be an improvement. Joe recommended inspecting weekly or after substantial rainfall. Constructing the pond will have no effect on wetlands, and that open water habitats would be created.

Demian Sorrentino asked what the siltation barrier would be. Heather Allen replied hay bales were recommended by Margaret Washburn.

James Paquin made a motion to approve and issue a Declaratory Ruling for an agricultural use as of right, Jason Burgess seconded the motion. Approved 6-0.

New Business: Opened 6:30pm

041422A (*note: should be 041222A) - 177 Windham Road – Matt & Ashley Kamfonik. Map 8 Lot 11-1. After-the-fact filing for clearing trees, pulling stumps, and stockpiling debris in the upland review area.

Jim Paquin for the record stated he used to own the property, and there was no conflict of interest.

Matt Kamfonik was present in the audience. He stated that he was clearing stumps to put in six raised garden beds and that there was only one more stump to remove. Then he plans to seed, put up a swing set and garden beds.

Demian Sorrentino asked Matt Kamfonik if there was any impact on wetlands.

Matt Kamfonik stated there was no impact because the wetland is on the property.

James Paquin made a motion to approve after the fact filing and to include optional removal of woody debris and to rescind the Cease and Desist Order. Adam Tucker seconded the motion. Approved 6-0.

041222B – Paradise Drive; Map 14 Lot 6 – John E. Sweat, Jr. Improvements to an existing gravel driveway, construction of a bridge spanning Tatnic Brook, construction of a new single-family dwelling.

Demian Sorrentino recused himself from this discussion and left the room.

John Faulise from Boundaries was present to represent John Sweat Sr. There is an old hunting cabin on the prop and Mr. Sweat would like to build a permanent house on the property. John mentioned that the design that is proposed used current FEMA flood maps and to cover future FEMA flood maps that have not yet been officially adopted. John mentioned that the rain garden in the design were per Margaret Washburn.

John mentioned that the design for the single-family house is 175 ft outside the with Tatnic Brook, 125 ft from wetlands and 1.39 acres would be disturbed and 70 cubic yard of fill. The design showed there would be 29 ft clear span of the bridge and erosion controls would be in place. John reviewed the dewatering details that were in the plans, and that utilities would be underground and suspended on bridge.

Adam Brindamour asked John to confirm the spans of the bridge.

John stated that it would be 12 feet, for fire truck requirement.

Adam Brindamour asked John to confirm the driveway material. John stated it would be top dressing driveway.

Richard Oliverson and Adam Brindamour stated they would like to walk the property.

James Paquin stated that there is no need for a public hearing, but he too would like to walk the property. Site walk was scheduled for Friday May 13, 2022, at 5:30pm.

Adam Brindamour made a motion to table to next regularly scheduled meeting, which should be June 14, 2022. James Paquin seconded the motion. Approved 6-0.

DR22-002 – Map 41 Lot 129 Allen Hill Road – Pinedale Farms LLP. Silvicultural thinning.

Don Dubois from Dubois Forestry was present via Zoom. Adam Brindamour asked Don Dubois if this is in the upland review area. Don Dubois stated that the property was walked by Margaret Washburn and that there were no wetland issues.

Demian Sorrentino made a motion for a Declaratory Ruling for a silvicultural thinning as an agricultural use as of right. Adam Brindamour seconded the motion. Approved 6-0. Motion carries.

041222C – Map 40 Lot 88-36. 58 Juniper Way - Galliehue Blevins. Map 40 Lot 88-36. Construction of new inground pool and relocation of a curtain drain. Spreading of excavated material in upland review area.

Galliehue Blevins was present via Zoom. He stated the pool is in the upland review area and that Margaret Washburn had walked the property. Mr. Blevins planned to spread excavated material on-site using sediment controls, so it won't enter the wetland.

James Paquin asked Mr. Blevins if he planned to plant grass when done. Mr. Blevins stated that he wasn't sure how much grass will grow in that wooded area.

James Paquin asked who would be doing the excavating? Mr. Blevins specified that the pool company would be doing the excavating and that they will not move forward until this application is approved.

James Paquin made a motion to approve the construction of the pool and relocate the curtain drain. Adam Tucker seconded the motion. Approved 6-0, motion passed.

041222D - Map 36 Lot 37 - 96 Darby Road – Fred Ullrich. Repair septic system.

Fred Ullrich was present in the audience. He explained that he is in the process of selling his house. Although the pool was installed in 1970, the current home inspector states that the septic is too close to the pool. That was unacceptable to the buyer.

Demian Sorrentino asked Mr. Ullrich if he was going to be doing the work himself. Mr. Ulrich stated that the septic guy would be doing the work. He stated that the septic system is working, but he has to move it due to the current home inspector.

Margaret Washburn had previously done an inspection and no issues were found.

Adam Brindamour made a motion to have the application approved as a duly authorized agent approval. James Paquin seconded the motion. Approve 6-0, motion carries.

041222E – Map 36 Lot 31 - 14 Hugh Drive – Devon Gibson. Failed septic system, new system to be constructed.

No one was present to speak on behalf of this application. Demian made a motion to table to next regularly scheduled meeting, Adam Brindamour seconded the motion. Motion Approved 6-0.

051022A – Map 30 Lot 97 Brooklyn Sand and Gravel – Wayne Jolly. Continuation and expansion of gravel excavation and processing operations.

No one was present to speak on behalf of this application. Demian made a motion to table to next regularly scheduled meeting, Adam Brindamour seconded the motion. Motion Approved 6-0.

051022B – Map 8 Lot 11 and 11-8 Windham Road – Brian Meehan. Proposed subdivision of lots 11 and 11-8 with activity within the 125-foot upland review area.

This project is a two-lot subdivision. The closest work in the upland review area is within 11 ft of wetlands. Norm Thibeault from Killingly Engineer Associates was present to speak on behalf of this application. Mr. Thibeault stated he has applied to NHDD but has not received a decision yet. Demian Sorrentino asked Mr. Thibeault if there are woods beyond the sediment barrier. Mr. Thibeault replied that yes, there are woods and a gradual slope.

Demian Sorrentino asked commission if they felt there was a need for a site walk. James Paquin stated that he did not see a need for a site walk. Demian Sorrentino made a motion to receive the application and table to the next regularly scheduled meeting. James Paquin seconded the motion. Approved 6-0. Motion carries.

14 Darby Road - Map 36 Lot 15 – Jason Johnson. Approximately 160 cubic yards of fill had been deposited in the wetlands and upland review area. CEASE AND DESIST ORDER.

Jason Johnson was present in person to speak on behalf of this application. Demian Sorrentino asked Mr. Johnson how much fill is in the pool. Mr. Johnson replied that there were 160 yards of fill in the pool. When he bought the house, the home inspector didn't check the pool. After the purchase, Mr. Johnson realized that the pool was 90% dilapidated. Mr. Johnson stated that about another 60 yards should be enough fill, and then the filling would be done.

Demian Sorrentino requested that Mr. Johnson submit current photos showing what he has done in response to what Margaret Washburn requested. Mr. Johnson presented current photos that he passed around.

Demian Sorrentino mentioned he would like a site walk to see if wetlands were affected. Richard Oliverson, James Paquin and Adam Brindamour agreed on doing a site walk.

James Paquin stated that Mr. Johnson would need a permit to fill the pool since it is near wetlands. Site walk was scheduled for Friday, May 13th at 6:30pm.

Demian Sorrentino made a motion to require an after-the-fact permit for work in and near wetlands. The Cease and Desist Order remains in effect. Adam Brindamour seconded the motion. Approved 6-0, motion carries.

020921A - Shane Pollock Applicant, BLB, LLC Owner; Louise Berry Drive, Map 33, Lot 19, RA Zone; Construction of 51 Single Family Condominium Units with activity in the upland review area. Request from Killingly Engineering Associates to discuss revisions to plans.

Norm Thibeault from Killingly Engineering Associates was present to speak on behalf of the applicant. The Planning and Zoning application was withdrawn.

The revised plan includes details to reestablish trees between wetland and the development. Demian Sorrentino suggested submitting a formal letter requesting approval of the revised plans.

Mr. Thibeault agreed.

Communication – no vote

Communications:

1. Budget Update.

Public Commentary: None.

No other public comments.

Adjourn: James Paquin made a motion to adjourn at 8:00 p.m. Adam Brindamour seconded the motion. No discussion. All in favor. The motion passed unanimously.

Richard Oliverson, Chairman