

**Brooklyn Inland Wetlands Commission
Regular Meeting Minutes
April 12, 2016**

The Brooklyn Inland Wetlands Commission held a regular meeting on Tuesday, April 12, 2016, 6:00 p.m. at the Clifford B. Green Memorial Center, 69 South Main Street on the following:

Call to Order: The meeting was called to order at 6:03 p.m.

Members Present: Real Gallant, Jeff Arends, George Sipila, Richard Oliverson, Demian Sorrentino.

Absent: Melissa Labossiere and Erik Costa with notice.

Staff Present: Martha Fraenkel, Wetlands Agent, Audrey Cross-Lussier, Recording Secretary.
Also Present: David Held.

Roll Call: All members present stated their name for the record.

Seating of Alternates: None.

Additions to Agenda: None.

Approval of Meeting Minutes:

1. **Regular Meeting March 8, 2016.** A motion was made by Jeff Arends to approve the regular meeting minutes of March 8, 2016. George Sipila seconds this motion. Discussion held. All in favor. The motion passes unanimously.

Public Commentary: None.

New Application Receipt

1. **041216A Brooklyn Sand and Gravel, LLC; 574 Wauregan Road, Map 30, Lot 97, RA Zone, Continuation of a gravel excavation and processing operations.**

Chairman Gallant asked if the application was complete. Ms. Fraenkel stated the application is complete. Ms. Fraenkel has issued the gravel permit (zoning) renewal, however, the wetlands permit is outdated. There was a wetlands permit issued approximately 2 years ago for a portion of this which is still active, but the rest of the property needs to be re-permitted.

Chairman Gallant asked Mr. Held if he was here for a determination if a public hearing is required. Mr. Held stated yes.

Mr. Held reviews the site plan with Commission Members. The flagged wetlands are highlighted in blue which delineate the flood plain along the Quinebaug River. This site has had several wetlands permits issued in the past. The most recent one was 2012 which Mr. Held demonstrates on the site plan. The actual excavation work has been completed and they are in the process of backfilling and restoring this area. They are seeking a permit for continuation of the operations that are out there now and been in existence for many years. Mr. Held showed two new excavation areas on the site plan, which would be the excavation proposed for the coming calendar year. They are not proposing any additional encroachment in the regulated areas, not proposing any direct impact to wetlands. This is basically excavation in areas that are currently disturbed and part of the processing and excavation operations.

Chairman Gallant asked if they are working within the upland review area. Mr. Held stated yes for portions of that work. Chairman Gallant asked if it was approximately 2 acres. Mr. Held stated approximately 2 acres of proposed work for the excavation areas which Mr. Held demonstrates on the site plan and additional area for the existing processing operation.

Chairman Gallant asks Ms. Fraenkel her opinion on the wetlands disturbance. Ms. Fraenkel stated that she expects the Commission to determine that it has a potential for a significant impact to the river, it is very close. The wetlands were flagged. There is some activity that is close to the bank, disturbance of vegetation, probably within 25 feet of the edge of the bank. Discussion ensued.

Demian Sorrentino asked if Jolley Sand and Gravel is the same as Brooklyn Sand and Gravel, which is the legal name of the entity operating. Mr. Held stated Brooklyn Sand and Gravel is the legal entity that is operating, the property is owned by Wayne and Leslie Jolley. Mr. Sorrentino asked if they are members of Brooklyn Sand and Gravel. Mr. Held stated they are Brooklyn Sand and Gravel.

Mr. Sorrentino asked if it is typical for this Board in past practice to make a determination of significant impact if there are not direct physical impacts to the wetlands. Chairman Gallant stated yes.

Mr. Held stated from a practical standpoint there is not much risk to the actual wetlands themselves. The entire operation is self-contained. There is a 6- foot high stone berm that runs along the vast majority of the stockpile area and the processing area, which is several feet lower than the surrounding grades, but obviously there is activity within the upland review area.

Mr. Held asked if the Commission would like to make a site walk of the property. Discussion ensued.

A motion was made by Demian Sorrentino to receive the application and make a determination that this has a potential for a significant impact to the Quinebaug River and adjacent wetlands

and to schedule a public hearing for May 10th at 6 p.m. Jeff Arends seconds this motion. Discussion ensued.

Mr. Held commented regarding site inspection, recognizing that this applications gives any of the Commissioners the right to inspect the property, that it is an active mining site regulated by MSHA. Mr. Held requests that if you do wish to inspect the site that it be scheduled through Provost and Rovero so that they can make sure the proper precautions are taken and there are no MSHA violations with people just randomly walking around.

Mr. Arends asks a question regarding the application which states acres of wetlands are unknown. Discussion ensued.

Vote taken: All in favor. Motion passes unanimously.

Ms. Fraenkel commented that then the P and Z Permit was issued for the most recent excavation area in the southeast corner, the motion in the minutes states very clearly that at this point in time there are two permits now on this property. There was recognition of a past permit that was issued legitimately for the rest of the site and then this new section. When renewed the two were consolidated and the renewal is the only permit applicable to this site for Planning and Zoning.

Mr. Sorrentino asked if the names could be corrected on the March 8, 2016 meeting minutes to be clear that Jolley and Brooklyn Sand and Gravel, LLC are the same. Ms. Fraenkel stated this could be done.

The following correction was made to page 4 of the March 8, 2016 regular meeting minutes under Communications #2 “Ms. Fraenkel commented that she will be renewing Brooklyn Sand and Gravel’s permit. A new wetlands permit is necessary.”

Reading of Legal Notice: None.

Public Hearings: None.

a. New Public Hearings: None.

b. Old Business: None.

New Business: None.

Communications:

- 1. Letter dated 3/30/16 RERS Americas, Inc., Petition for Declaratory Ruling for Solar Energy Project on Woods Hill Road, Pomfret, CT (Correspondence).**

Ms. Fraenkel stated this is a required notice that there is a petition going to the Siting Council for a solar farm on Woods Hill Road in Pomfret, CT. This would be immediately north of Hickory Lane. Ms. Fraenkel reviewed this with Commission Members.

2. Wetlands Agent Monthly Report.

Ms. Fraenkel has a mitigation plan from Joe Theroux, Soil Scientist for Keith Hoyt. Ms. Fraenkel needs confirmation from Mr. Hoyt that he signs onto this plan because it was delivered directly from Joe Theroux.

Ms. Fraenkel stated there is a subdivision in the preliminary stages which has wetlands impacts at 353 South Street, Andrew Kausch is the owner. The zone is R30 with city water and sewer. Ms. Fraenkel asked for a meeting with Mr. Held, Jana Roberson and Ms. Fraenkel next week before any plans are finalized.

Chairman Gallant asked if Paul Sansoucy is doing anything with his gravel operation. Ms. Fraenkel has a pending appointment with Mr. Sansoucy for review, Syl Pauley will be there as well. Discussion ensued.

Proposed Standard Conditions of Approval for Wetlands Permits. Discussion ensued. Stockpile locations should be shown on the plan. Permit Duration and Permit Transfer were discussed.

Adjourn: A motion was made by Richard Oliverson to adjourn the meeting at 6:27 p.m. Jeff Arends seconded this permit. No discussion held. All in favor. The motion passes unanimously.

Audrey Cross-Lussier
Recording Secretary