

**Brooklyn Inland Wetlands Commission
Regular Meeting Minutes
February 14, 2017**

The Brooklyn Inland Wetlands Commission held a regular meeting on Tuesday, February 14, 2017, 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 6:00 p.m.

Members Present: Jeffrey Arends, George Sipila, Demian Sorrentino, Richard Oliverson.

Members Absent: Melissa Labossiere with notice.

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

Also Present: David Held, Paul Archer, Paul Terwilliger, Trevor Cardinal, Aaron Kerouac.

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

Seating of Alternates: None.

Elections of Officers:

Chairman: A motion was made by Demian Sorrentino to nominate Jeffrey Arends for Chairman. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Vice Chairman: A motion was made by Jeffrey Arends to nominate Demian Sorrentino for Vice Chairman. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Additions to Agenda: None.

Approval of Minutes:

Regular Meeting Minutes January 10, 2017. A motion was made by Demian Sorrentino to approve the regular meeting minutes of January 10, 2017 with one correction. Page 3 of 4, paragraph 2, line 5 change word “exist to exit.” Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Public Commentary:

Paul Archer congratulates the new Chairman and Vice Chairman.

Aaron Kerouac asks for a point of clarification – what distance does the Wetlands Commission regulate from an existing wetlands or a wetlands boundary. Chairman Arends stated an upland review area is 175 feet. This can also be changed depending upon particular circumstances of the situation. (Note: later corrected to state 175 ft. to watercourses and 125 ft. to wetlands.)

New Application Receipt:

1. 021417A Brooklyn Sand & Gravel, LLC, Wauregan Road, (Route 205) Map 30, Lot 97; Continuation of gravel excavation and processing operations.

David Held PE/LS, Provost and Rovero represents application 021417A and reviews the site plans with Commission Members. There is a renewal (zoning) application before the ZEO for excavation for the 2017 permit period.

Mr. Held reviews the 2017 excavation area. The applicant is asking for permission from the Wetlands Commission for maintenance of activities that are ongoing on the site now to include:

- Maintaining and working the stockpile areas for the various stone sand products produced on site.
- Maintaining the process water pond and pumping equipment.
- Continue to delineate the area that the Commission asked to be restored under the 2016 approval (ongoing).
- The area for restoration has been brought up closely to final grade.
- The stone stockpiles adjacent to the Quinebaug River have been moved back to maintain 75-foot buffer to the wetlands associated with the Quinebaug River as requested last year.
- There have also been “limit of operation signs” placed along the entire existing limits of clearing.
- There has been orange construction fence placed to the easterly and northerly sides of the process water pond.

In summary, this application seeks approval to continue the activities that are within the regulated area associated with the stockpiles and the operation of the site.

One of the application requirements was also a discussion of what alternatives were considered to those activities. The only alternative is to move all the stockpiles and all other activities outside of the regulated area. This idea was rejected because there is limited usable area on the site, and the stockpiles existed for many years without causing any environmental damage; it was felt appropriate to leave them in their current locations.

Mr. Oliverson asked if it has been a year since the application was visited last. Chairman Arends commented this is to bring it in line with Planning and Zoning. Ms. Fraenkel stated yes.

Mr. Held stated it has been about 6-7 months since the Wetlands Commission has seen it, however, the applicant needs this application because the zoning renewal expires in March of this year 2017. Mr. Sorrentino asked if thereafter it will run concurrently. Ms. Fraenkel stated as long as the regulations continue to require this. The regulation currently reads that they have to track with the duration of the zoning permit.

Mr. Sorrentino asked what the timeline was for the reclamation area. Ms. Fraenkel will find out this information and report on it next month.

Mr. Sorrentino asked if they are currently working towards meeting their obligations under the previous permit. Ms. Fraenkel stated she was at the site 6 months ago. Ms. Fraenkel stated there was no problem with the river bank during the zoning permit year. Mr. Held stated that the stockpiles along the river have been pulled back to maintain the 75 feet from the edge of the stockpile and the delineated wetlands. Mr. Held demonstrates this on the site plan.

Chairman Arends asked if the new application has those same restrictions in place on it as far as the signage, etc. Ms. Fraenkel stated they are all going to be there.

Mr. Sorrentino recommends making a new permit the same as previously issued and adjusting the timelines accordingly. Discussion ensued.

Commission Members would like to walk the site. Ms. Fraenkel will contact the members, Brooklyn Sand and Gravel and Mr. Held with the date.

Ms. Fraenkel asked if the application will require a public hearing. Members agree that it is not a significant activity.

A motion was made by Demian Sorrentino to receive application 021417A Brooklyn Sand & Gravel, LLC and continue the application to the next regularly scheduled meeting. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

2. 021417B Square 1 Building Associates, Tripp Hollow Road, Map 7, Lot 12, RA Zone; 6-Lot Conservation Subdivision. No activity to be performed in regulated area.

Paul Archer, Archer Surveying, LLC represents application 021417B. The site is 15 acres at the end of Tripp Hollow Road. Mr. Archer reviews the site plan with Commission Members. The site is more than 500 feet away from the wetlands. The wetlands were delineated by Joe Theroux, soil scientist. The State of Connecticut requires subdivision applications be submitted to the Wetlands Commission for their review. Mr. Archer provides a GIS location map and reviewed with Commission Members.

Commission Members determined this application to warrant a declaratory ruling.

Mr. Sorrentino asked how close is the grading, clearing and land surveying activity to the wetlands. Mr. Archer stated 500 feet.

Chairman Arends asks Ms. Fraenkel if she has visited the site. Ms. Fraenkel stated she has not. She has reviewed maps for adjacent properties and found no wetlands. Mr. Archer stated the land is gently sloping and completely wooded.

A motion was made by Demian Sorrentino to issue a declaratory ruling with no wetlands permit required for the 6-lot subdivision as shown on the plans dated February 12, 2017 and prepared by Archer Surveying, LLC. Richard Oliverson seconds this motion. All in favor. The motion passes unanimously.

Public Hearings: None.

Old Business: None.

New Business:

1. Modification of previously approved permit (1/10/17) Application 121316A KCTT Properties, LLC, 520 Providence Road, Map 41, Lot 15, PC Zone; Construction of Drive Thru Lane within 125 feet of wetlands.

Paul Terwilliger, LS with PC Survey represents the applicant, with Trevor Cardinal in attendance. Approval was granted at last month's meeting for construction of a drive-thru lane within 125 feet of the wetlands. The applicant went before the Planning and Zoning Commission. It was discovered that there were dumpsters located on the rear building. The PZC requested that a treatment be placed beneath the dumpsters – crushed stone with a berm along the north and the west side of the dumpster area with a fence along the top. Due to proximity to wetlands, the applicant has returned to the Wetlands Commission for modification of permit.

Mr. Sorrentino asked if these dumpsters serve the entire development. Mr. Terwilliger stated yes. Mr. Terwilliger stated the closest wetlands is about 12 feet. Mr. Sorrentino asked if this is where the dumpsters currently are and this is a corrective measure to protect the wetlands further. Mr. Terwilliger stated yes.

Ms. Fraenkel stated that on the previously approved site plan the dumpsters were placed elsewhere. Mr. Terwilliger stated last year the applicant came before the Commission for an addition to Sweet Peas. At that point the dumpsters were located where the proposed drive-thru was. Sometime over the course of the year and the new survey the dumpsters were relocated. Ms. Fraenkel did not attend last month's meeting, however, she provided the IWWC with a memo about that area regarding trash and items being stored close to the wetlands. It received approval from the Wetlands Commission last month.

Chairman Arends asked what are the dumpsters sitting on right now. Ms. Fraenkel stated the ground. Mr. Arends asked what will the crush stone do for the dumpsters. Ms. Fraenkel stated it is weight bearing. Mr. Terwilliger stated the proposed is to place crush stone with a membrane,

a berm with fence around the dumpster. Mr. Trevor Cardinal speaks to the proposed dumpster plan. Lengthy discussion ensued.

Chairman Arends asked how much time does the Commission have to act upon this application. Ms. Fraenkel stated there is no formal process but recommended a 65-day period for action.

Demian Sorrentino recommends having the design prepared by the applicant's engineer and reviewed by the Town's Engineer. Chairman Arends agrees. A special meeting can be set up if necessary.

A motion was made by George Sipila to continue application 121316A to next week or next month whichever comes first. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Communications:

1. Wetlands Agent Monthly Report:

- Dick Regis Sand and Gravel - review is ongoing. Ms. Fraenkel has visited the site with Mr. Regis. The work to protect the stream is intact and effective. The plantings have failed. There has been some soil laid down recently, as directed. Ms. Fraenkel recommends this to be a future agenda item with notification given to Mr. Regis.
- Pomfret Landing Road before the Pomfret Town Line, there is an old DOT dump on the east side.
- 161 Laurel Hill Road- Tenant, Matt Schwab had a former approved wetlands permit. Mr. Schwab no longer is living at the property and has purchased property elsewhere.
- 13 Hickory Lane-Keith Hoyt. The mitigation of the driveway has not been finished. Ms. Fraenkel has been in contact with Mr. Hoyt.
- Don Dubois successfully completed repair on an erosion problem at the pond east of Allen Hill Rd.
- 90 Preston Road-Joseph Tatro. Barn built close to wetlands. Ms. Fraenkel has discussed the manure pile with the owner. An acceptable location has been found for the pile and will be moved.
- Ms. Fraenkel updated Commission Members regarding the upcoming Land Use Workshop in Middletown, CT at Wesleyan University, Saturday, March 25, 2017, 8:30 a.m. to 4:30 p.m. If any members are interested in attending they will be signed up.

2. Budget Report 1/31/17 – Commission Members reviewed.

3. Correspondence regarding Route 169 as access to sand and gravel operation/Messore 1/18/17.

A letter dated January 18, 2017 from Albert and Patricia Messore residents at 36 Almada Drive, Brooklyn, CT, was reviewed by Commission Members regarding a truck haul access road to enter onto Route 169.

Chairman Arends made a correction to a previous comment made to Mr. Kerouac. The 175 feet is to a watercourse, the 125 feet is to a wetland upland review area.

Adjourn: A motion was made by George Sipila to adjourn the meeting at 7:20 p.m. Demian Sorrentino seconded this motion. No discussion held. All in favor. The motion passes unanimously.

Audrey Cross-Lussier, Recording Secretary