

**Brooklyn Inland Wetlands Commission
Special Meeting Minutes
March 27, 2017**

The Brooklyn Inland Wetlands Commission held a special meeting Monday, March 27, 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, Demian Sorrentino, George Sipila, Richard Oliverson, Melissa Labossiere. James Paquin arrived at 6:16 p.m.

Absent: None.

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

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

Seating of Alternates: None.

Approval of Minutes:

1. Regular Meeting Minutes February 14, 2017.

A motion was made by Demian Sorrentino to approve the regular meeting minutes of February 14, 2017. George Sipila seconds this motion. No discussion held. All in favor. The motion passes. Melissa Labossiere abstains.

2. Special Meeting Minutes February 28, 2017.

A motion was made by Richard Oliverson to approve the special meeting minutes of February 28, 2017. George Sipila seconds this motion. No discussion held. All in favor. The motion passes. Melissa Labossiere abstains.

Public Commentary: None.

Old Business:

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

David Held, Professional Engineer, Land Surveyor with Provost and Rovero represents application 021417A. Mr. Held commented he did not have much to add since the presentation at

the first meeting, however, asks if there are any questions from members/staff who attended the site walk.

Chairman Arends commented that he and Ms. Fraenkel visited the site. All the items agreed upon previously with the applicant have been met; the signage is very clear and the berm is intact. Snow fence has been placed at the existing tree line.

Mr. Sorrentino asked if there were other outstanding concerns based on the site inspection. Chairman Arends commented from a wetlands concern, no. They have done everything that the Commission has asked them to do.

Mr. Sorrentino asked about the status of restoration efforts. Chairman Arends stated that it is still ongoing. The process water pond side slopes have been regraded and made less steep (per plan). Mr. Sorrentino refers to the IWWC approval of 2016: "The restoration corridor shall be established by no later than 6 months of this date of decision. The applicant's engineer shall certify in writing that this requirement has been fulfilled so as to achieve its intended purpose." Mr. Sorrentino stated 7 months have passed, has this been done?

Mr. Held stated that it has been done, however, no certified letter was submitted. Mr. Held has submitted some drawings along the way as the stockpiling was pulled back.

Ms. Fraenkel stated nothing has fundamentally changed regarding proximity to wetlands. The 75-foot is free of activity; there is no stockpiling or excavation there, however, it is not restored either. It would be difficult to restore an extra 25 feet because of the grade. What is meant at this point in time by the separating distance between the wetlands and the operation is that, there is no active operation, but neither is it restored due to the major grade change.

Mr. Sorrentino questions the grey shaded area on the site map; should this have been restored within 6 months? Mr. Held said it was slated for completion within approximately 18 months. Ms. Fraenkel stated that final restoration was not part of the IWWC approval. Mr. Held commented that that area has been brought up to the grade that it was supposed to be brought to or maybe slightly lower to make sure there it is still draining within the site. This spring they will bring topsoil in and seed it.

Mr. Sorrentino asked if there were stockpiles there. Mr. Held stated there were not stockpiles there, there was an open excavation pit. Ms. Fraenkel stated this was in the southeast corner of the site. Mr. Sorrentino asked if the Commission can anticipate that will be done before the permit is renewed next year. Mr. Held stated it should be done this spring. Ms. Fraenkel stated this can be a recommendation to the Planning and Zoning Commission. She noted that she declined to approve the gravel renewal permit this year. The application is before the Planning and Zoning Commission to approve or deny. The Planning and Zoning Commission is waiting upon the Wetlands Commissions approval or denial.

Ms. Fraenkel has the same general comments as were made last year. She dislikes the short distance from where the land drops into the pit to the edge of the bank over the river, but there is no indication that there is a problem either. Ms. Fraenkel stated she has reviewed this area

through aerial photographs and noted that the width of this strip between river bank and edge of pit is unchanged for many years.

Ms. Fraenkel's said she has recommended to Planning and Zoning that it reviews the bond amount with input from the Town Engineer re: ability achieve final grades using onsite materials and the placement of needed depth of subsoil/topsoil followed by warm season grass seed.

Mr. Sorrentino asked if the 2017 excavation area is within the regulated area. Ms. Fraenkel stated no, it is far away from the river on the west side of the site.

James Paquin arrives at 6:16 p.m.

A motion was made by Demian Sorrentino to approve the application of Brooklyn Sand & Gravel, LLC for continued operation of a gravel excavation and processing operation at 574 Wauregan Road, Map 30/Lot 97 on a 64 acre parcel between Wauregan Road and the Quinebaug River, based on the submitted application and plans prepared by Provost & Rovero, Inc. titled Compilation Plan & Topographic Survey Overall Site Plan Prepared for Brooklyn Sand & Gravel Special Permit Renewal, Wauregan Road/Route 205, Brooklyn, Connecticut, dated 1/24/17 and revised to 2/8/17, 5 sheets with the following conditions:

1. Permit Duration: The permit duration is controlled by Inland Wetlands and Watercourses Regulations Section 11.6. Pursuant to this Section, this permit will expire on the same date as the expiration of the pending 2017 sand and gravel permit renewal (specific expiration date is to be determined).
2. Restoration Corridor: The seventy-five-foot restoration corridor, in which there shall be no activity, shall be maintained between the wetlands resource and the gravel operation. For the purposes of this condition, "activity" includes excavation, stockpiling, or any other aspect of the gravel operation. The permittee's engineer shall certify in writing 6 months from the date of this IWWC approval that every 6 months thereafter that this requirement has been fulfilled so as to achieve its intended purpose of protection of the Quinebaug River. The wetlands officer may request additional confirmation of compliance with this requirement and the permittee's engineer shall submit such documentation within 14 days.
3. Demarcation of disturbance. The permittee shall maintain compliance with requirements for signs and snow fence at the limits of disturbance to prevent any further intrusion into the upland review area along the tree line. The permittee shall report compliance with this requirement in writing to the Wetlands Enforcement Officer on a quarterly basis beginning 3 months from the date of this IWWC approval.
4. Final Plans. The final plans shall (1) depict the 75-foot restoration corridor and (2) place the approval motion on sheet one. One set of the final plans shall be submitted with the live signatures and seals of all design professionals with a signature block on each sheet for signature by the IWWC chair.

5. The permittee's design engineer shall certify in writing within 6 months of the date of this IWWC approval that restoration of the shaded area as shown on sheet 2 of 5 has been completed.
6. Standard IWWC conditions (attached) shall apply.

Reasons for Approval (See Regulations Section 10.2, 10.3).

1. The IWWC has found no evidence that there has been damage to or pollution of the Quinebaug River and its associated inland wetlands due to this operation.
2. The risk of disturbance and pollution of wetlands and watercourses is minimized by the required 75-foot restoration corridor between the activity and the wetlands and the Quinebaug River.
3. No feasible and prudent alternative to the proposed activity has been found.

Melissa Labossiere seconds this motion. No discussion held. James Paquin recuses himself. The motion passes.

Communications:

1. Wetlands Agent Monthly Report:
 - 90 Preston Road – Barn built close to wetlands. They have complied with the approval which entails the declaratory ruling and moving the manure pile.
 - 36 Bush Hill Road – IWDA17-001 Duly Authorized permit has been issued with the Chairman to place a shed on a crush stone pad about 20 feet from a watercourse.
 - 430 Allen Hill Road – Richard Regis – the property is in process of final restoration. The site will be walked with the Town Engineer. The property will be looked at for what must be done to close the property. The grading is primarily finished. There is not a lot of topsoil on the finish grade. There is about 4 ½ acres open in the existing pit. The pit will have to be backfilled with fines. They will have to bring the grade back up and look at some kind of revegetation over the 4 ½ acres and anything else found to be unacceptably sparsely revegetated. In addition, there is still an outstanding violation on the property. Ms. Fraenkel will visit the site before she makes recommendation to IWWC about what to do with the violation. Ms. Fraenkel brings the Commission members up to date with the violation.
 - Ms. Fraenkel discusses the CACIWC's Winter 2017 article with regards to Indian Spring Land Company v. Inland Wetlands and Watercourses Agency; 322 Con. 1 (2016) Revision to column published in Summer 2016, volume 28, number 3.
2. Budget – Reviewed. Discussed professional services.

Adjourn: A motion was made by Richard Oliverson to adjourn the meeting at 7:00 p.m. Demian Sorrentino seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Audrey Cross-Lussier
Recording Secretary