

**Brooklyn Inland Wetlands Commission  
Regular Meeting Minutes  
August 8, 2017**

The Brooklyn Inland Wetlands Commission held a regular meeting on Tuesday, August 8, 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 6:02 p.m.

**Members Present:** Jeff Arends, Demian Sorrentino, James Paquin, Richard Oliverson and Melissa Labossiere.

**Members Absent:** George Sipila with notice.

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

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

**Also Present:** Dale Lyon, Alex Leblanc, Don Dubois, Justin Sherman, Aaron Kerouac.

**Seating of Alternates:** None.

**Additions to Agenda:**

1. A motion was made by Melissa Labossiere to bring on to the agenda DR17-002 Timber Harvest – Geoffrey Westfall, Owner/Donald Dubois Forester, Robbins Road (North); a salvage thinning to remove dead and dying trees resulting from repeated defoliation by the gypsy moth. Jim Paquin seconds this motion. No discussion held. All in favor. The motion passes unanimously.

2. A motion was made by Jim Paquin to bring onto the agenda DR17-003 Timber Harvest – Harold Bembenek, Owner/Justin Sherman, Forest Products Harvester; 70 Old Kimball Road, Timber Harvest Selection cut - removal of mature oaks around dwelling and on property. Wetlands located on abutting property to west. Will use filter strip and directional felling to avoid any and all wetland areas. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**Approval of Minutes:**

**1. Regular Meeting Minutes July 11, 2017.** No corrections are to be made to the Regular Meeting Minutes of July 11, 2017. The meeting minutes stand as written.

**Public Commentary:** None.

**New Application Receipt:** None.

**Public Hearings:** None.

**Old Business:**

**1. 061317A Dale Lyon, 133 Wauregan Rd, Map 23, Lot 42, RA Zone; Install septic system in upland review area.**

Demian Sorrentino recuses himself as he was the project soil scientist.

Chairman Arends asked Ms. Fraenkel if there was any new information. Ms. Fraenkel stated there have been no changes. The area is approximately 85 feet from the watercourse, up gradient with a complete lawn behind the buildings to the west.

Mr. Arends commented that the septic system was designed and approved by the Department of Health and installed to plan. This is more of an oversight that this did not appear before the Commission prior to installation. Mr. Arends has no particular issues with the application.

A motion was made by Jim Paquin to approve the application of Dale Lyon, 133 Wauregan Road, for construction of a septic system in the upland review area based on the submitted application and the plan titled Improved Location & Topographic Survey "Subsurface Sewage Disposal System Plan" prepared for Dale P. Lyon & Valerie A. Lyon, prepared by Boundaries LLC and dated 1/25/17, 2 sheets, subject to the standard conditions of the Inland Wetlands and Watercourses Commission.

Approval is based upon a finding that the sewage disposal system will have a minimal impact due to its distance from the watercourse.

Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Demian Sorrentino returns to the table.

**2. 071117A Catherine Jones, 49 Pomfret Rd, Map 25, Lot 16, VCD Zone, 5-acre parcel; clearing and grading activity after stone wall removal in upland review area adjacent to watercourse (stream and swamp) and wetlands, removal performed without permit.**

Chairman Arends commented that a site walk was performed by Commission Members. Ms. Fraenkel stated there were not enough members present at the site walk to constitute a quorum. Chairman Arends asked if there are any recommendations. Ms. Fraenkel stated the recommendations are part of Joe Theroux's report pages 4 and 5.

Mr. Sorrentino asked Ms. Fraenkel if she concurs with Mr. Theroux's approach. Ms. Fraenkel stated yes. The idea is to finish grade the disturbed area. All the work involves pulling material towards the center away from the periphery as the property is surrounded by wetlands. Ms. Fraenkel's recommends following Mr. Theroux's recommendations along with conditions added to ensure completion. Ms. Fraenkel had questioned the delineation in the southwest corner which was resolved with no issue. Ms. Fraenkel recommends that the soil scientist stay involved which is reflected in the conditions.

Ms. Fraenkel asked Commission Members if they would require any flagging or silt fence along the periphery as to limits of disturbance.

Ms. Fraenkel would like to get specific seed mix recommendation from Mr. Theroux and the applicant document the type and amount of seed used, with a submission of receipt or tag off from the bag of seed.

Ms. Fraenkel asked for Mr. Theroux to point out to the operator a couple of the work areas with flagging and write on the flagging.

Mr. Sorrentino asked Mr. Leblanc, machine operator, if he plans on removing any more rocks. Mr. Leblanc stated he is not going to remove any more rocks.

Mr. Sorrentino stated there are large rocks exposed from the hole they came out of, will these rocks be placed back in the hole or be taken out? Mr. Leblanc stated he will put them back in the hole, grade/level it off, seed it and finish the job.

Ms. Fraenkel asked Commission Members if they felt mulch/fresh cut hay cover would be required. Mr. Sorrentino commented that Mr. Theroux recommends that once seeded, the areas should be covered with weed free straw. Discussion ensued.

Mr. Leblanc stated that his target date is a week from tomorrow (8/16/17) to finish the job. He will call Ms. Fraenkel to come down to inspect the site.

Mr. Oliverson stated he is good with not having the silt fence and just mulch hay.

A motion was made by Demian Sorrentino to approve application 071117A of Catherine Jones and Alex Leblanc, 49 Pomfret Road, for grading and seeding in the upland review area adjacent to wetlands and watercourses following excavation of stone without prior permits.

Approval is based upon the submitted application including a report prepared by Joseph Theroux, Soil Scientist, dated 7/7/17 addressed to Archer Surveying, Brooklyn, CT and captioned: "Re" wetland delineation/impact assessment report for Jones property, 49 Pomfret

Rd, Brooklyn, CT”, based on Theroux’ recommendations on pages 4-5 and a draft motion prepared by Fraenkel. The motion was seconded by Richard Oliverson. The motion was amended by Chairman Arends to strike conditions #4 and #5 of the draft motion.

All in favor with the amended motion:

1. The applicants shall comply with the recommendations made in Joe Theroux’s report dated 7/7/17:
  - a. All disturbed areas shall be mulched with at least 4 inches of fresh cut hay.
  - b. No seeding is required.
  - c. Fill deposited near wetlands flags WF 13 & 14 shall be removed. Soil and rocks may be placed in the upland area at least 30 feet from wetlands. Any other excavated fill material shall be removed from the property.
  - d. Rocks and stones fallen into the entrance and exit of the culvert under the gravel road shall be removed by hand (no machine).
2. All work shall be completed by no later than September 21, 2017.
3. The Wetlands Officer shall be given notice of at least two business days, which are weekly from Monday through Thursday, that the work is going to commence.
4. Wetlands Officer may require installation of silt fence and flagging to indicate the limits of disturbance.
5. In no case shall the work expand the area of the disturbance.
6. Approval is made subject to the Brooklyn IWWC Standard Conditions.

The motion passes unanimously.

**New Business:**

- 1. DR17-002 Timber Harvest – Geoffrey Westfall, Owner/Donald Dubois Forester, Robbins Road (North); a salvage thinning to remove dead and dying trees resulting from repeated defoliation by the gypsy moth.**

Don Dubois, Dubois Forestry and Land Management represents application DR17-002. This is part of a forest management activity approved by the Natural Resource Conservation Service and USDA. The proposed is on the north side of Robbins Road. Mr. Dubois reviews the site map with Commission Members. There will be two landing areas which are well established on Robbins Rd, one on the extreme left and one the right. The left landing is on hard paved surface, a tracking pad will be placed. The other landing is down further passed the owner’s house. There’s one wetlands crossing on the extreme right of the swamp. There is a stream crossing that comes into the swamp which is flowing now. There will be temporary portable bridges placed there. The proposed operation will take place approximately October 1<sup>st</sup>. The operator is unknown as the job is currently out to bid. There is currently 35 to 50% mortality due to the repeated gypsy moth defoliation. This is a salvage designed to remove mostly dead and dying trees. The trees are mostly oak trees. There will be approximately 117,846 board feet, 330 cords of wood.

Ms. Fraenkel commented she has not walked the site as of yet and will inform Mr. Dubois when she is available. Ms. Fraenkel asked what the duration of the cut will be. Mr. Dubois stated approximately 3 months from start to finish.

Ms. Fraenkel asked what the bridges are made of. Mr. Dubois stated they are made of oak timbers 8 x 10 strung together with heavy rods bolted together which are portable.

Mr. Sorrentino asked if there are provisions for placing signage at the intersection of Robbins Road. Mr. Dubois stated that Robbins Road is a dead end and the site lines are pretty good, however, signage can be placed.

A motion was made by Demian Sorrentino to approve DR17-002 timber harvest in the name of Geoffrey Westfall and Donald Dubois on Robbins Road, as a declaratory ruling as a right for forestry. Jim Paquin seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**2. DR17-003 Timber Harvest – Harold Bembenek, Owner/Justin Sherman, Forest Products Harvester; 70 Old Kimball Road, Timber Harvest Selection cut removal of mature oaks around dwelling and on property. Wetlands located on abutting property to west will use filter strip and directional felling to avoid any and all wetlands.**

Justin Sherman, Forest Products Harvester represents application DR17-003. The lot is approximately 6.25 acres. Mr. Bembenek is looking to have mature oaks removed around the dwelling as well as part of the property. There are no wetlands on the property. There will be approximately 15,000 board feet coming from the property. There are 54 mature oaks. A cable skidder will be brought in to pull them to the front of the property onto a small landing from the driveway. A filter strip will be used up against the west side where the wetlands are approximately 50 feet from the property line. This is a small job and will take about one week to complete.

Chairman Arends asked if there are any wetlands crossings. Mr. Sherman stated none. There will be a filter strip, with no activity, and he will chip the landing but will go into the owner's driveway before it goes onto Old Kimball Road.

Ms. Fraenkel asked what the grade is there. Mr. Sherman stated very little. Two little knolls, but pretty flat. Old Kimball Road ends and it is not passable.

Ms. Fraenkel stated she has not visited the site yet. Mr. Sherman stated that the trees have been marked. He visited the site early this spring when it was wet, however it is dry now.

Chairman Arends asked if he was the certified forest products harvester and does the work himself. Mr. Sherman stated yes.

A motion as made by Demian Sorrentino to approve DR17-003 timber harvest Harold Bembenek, Owner/Justin Sherman, Forest Products Harvester property located at 70 Old Kimball Road, as a declaratory ruling as a right for forestry. Melissa Labossiere seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**Communications:**

**1. Budget Update:** Commission Members reviewed the budget.

**2. Wetlands Agent Monthly Report:**

- Petition No. 1310 – Quinebaug Solar, LLC. Ms. Fraenkel handed out a revised hearing schedule for Commission Members to review. Discussion ensued. The Commission will compile a list of concerns.
- 68 Westview Drive-Santos-In Ground Swimming Pool. The swale and the grade have not been completed yet. Ms. Fraenkel notified Mr. Santos that if the grading is not completed it must be hayed and the swale has to be put in before the end of the year.
- 13 Hickory Lane-Hoyt-Mitigation. The property is still wet. Ms. Fraenkel polled the Commission as to their opinion on extending the mitigation completion date. Commission members are all in agreement to extend the deadline for the mitigation. Ms. Fraenkel will inform Mr. Hoyt.
- 399 Windham Rd-Penkauskas-Septic Repair. The revegetation has been completed.
- 187 Bailey Woods Rd-Janetatos-Single Family Dwelling-Lot Clearing. There is an adjacent to wetlands. This is a difficult land clearing project with challenging topography.
- Brooklyn Sand and Gravel Wetlands Approval-Wauregan Road (Route 205)-Brooklyn, CT P & R Job 153802, Letter dated 8/4/17. Report reviewed. Conditions of approval #2 and #5 have been completed. Discussion ensued.

Commission Member Melissa Labossiere announced her decision to not be reappointed to the Inland Wetlands and Watercourses Commission. Her term ends 9/1/17. Chairman Arends thanks Ms. Labossiere for her time and effort spent on the Commission.

**Adjourn:** A motion was made by Richard Oliverson to adjourn the meeting at 7:05 p.m. Jim Paquin seconds this motion. No discussion held. All in favor. The motion passes unanimously.

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Audrey Cross-Lussier, Recording Secretary