



Brooklyn Inland Wetlands and Watercourses Commission
Regular Meeting Minutes
May 14, 2019

The Brooklyn Inland Wetland and Watercourses Commission held a regular meeting on Tuesday, May 14, 2019 on the following:

Call to Order: The meeting was called to order at 6:30 p.m.

Members Present: Demian Sorrentino (acting chairman), George Sipila, James Paquin, Richard Oliverson.

Absent: Jeffrey Arends with notice.

Staff Present: Audrey Cross-Lussier, recording secretary.

Also Present: Rob Labossiere, Steven Slobodian, Michael Wolchesky, Bret Mann, Guy Pelletier, David Held.

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

Seating of Alternates: None.

Public Hearings: None.

Public Commentary: None.

Additions to the Agenda:

A motion was made by Jim Paquin to add application 051419B Town of Brooklyn, Elliott Road and Sandy Brook; Replacement of a structurally deficient bridge with a countersunk box culvert to the agenda as New Business Item #4. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Approval of Minutes:

1. **Regular Meeting Minutes April 9, 2019.** The minutes are accepted as written with no changes.

Old Business:

1. DR19-003 Michael Wolchesky, Owner/David Gokey, Supervising Forest Products Harvester; Appell Road, Timber Harvest.

Mr. Sorrentino commented that this item was continued from last month pending some additional information about the right of way and the repair of the culvert that was within the former Town right of way for Appell Road.

Mark Curreri, who holds power of attorney over the Tourtellotte Property addresses the Commission. Mr. Curreri commented that it turns out that the land under the road is their land, however, with the road being discontinued the applicant has the right to use the land. Mr. Curreri's objection was the damage that was done to the road. Mr. Curreri has an agreement with the timber company to repair the road to its condition prior to March of this year. The applicant has agreed to take care of the wetlands issue. Mr. Curreri removed his objection to what they were doing. Mr. Curreri has a written agreement with the logging company to repair the road.

For the record, (ex-Partee conversation) Mr. Sorrentino spoke with the applicant the day after last month's meeting 4/9/19. Mr. Sorrentino also spoke with Attorney Stewart Norman who stated he would not attend tonight's meeting.

Mr. Sorrentino commented that the issue at hand was if the applicant does not own the property upon which they are conducting a regulated activity, the owner of that property needs to either be co-applicant or needs to consent to that activity. The timber harvest itself is agriculture under the Connecticut General Statutes that is a permitted by right. The repair of the culverts, construction of roads, the placement of fill within wetlands is not part of the agricultural exemption, this is a regulated activity within the wetlands, watercourse or upland review area. Mr. Sorrentino commented that if something would be submitted in writing consenting to the activity upon that property, that would resolve the issue. Ms. Fraenkel did report to Mr. Sorrentino that she visited the site and what had been done was stable, however, whether or not the Commission would require a permit to conduct a regulated activity would need to be determined.

Guy Pelletier commented that they had an engineer from KWP Associates, David A. Smith, PE. LS visit the site. (see attached letter dated 4/16/19).

Mr. Wolchesky reviews a NECCOG GIS Site Map/Site Report by Martha Fraenkel inspection on 4/23/19 (see attached). Discussion ensued.

Mr. Curreri submitted for the record an agreement dated 4/26/19 from Yee Kim Timber Management LLC which guarantees the road to be left in same, if not better condition than it was before logging work started. (see attached).

A motion was made by Jim Paquin to rescind the cease and desist order of 4/25/19 issued to David Gokey and Michael Wolchesky. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

A motion was made by Richard Oliverson to approve a declaratory ruling for the timber harvest under agricultural exemption contained in the Inland Wetlands and Watercourses Act. Jim Paquin seconds this motion. No discussion held. All in favor. The motion passes unanimously.

2. 040919B Donald Hay and Gillian Gordon, 260 Herrick Road, Map 17, Lot 19, RA Zone; clearing/grubbing and driveway construction.

The applicant is away on vacation. A letter received dated 4/24/19 from Joseph R. Theroux, Certified Forester/Soil Scientist was reviewed by Commission Members. Discussion ensued.

A motion was made by Jim Paquin to approve application 040919B of Donald Hay and Gillian Gordon, 260 Herrick Road, Map 17, Lot 19, RA Zone for a regulated activity in the upland review area with standard conditions. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

New Business:

1. Appointment of Interim Wetlands Enforcement Officer John Valente.

Mr. Sorrentino spoke with John Valente a couple weeks ago who stated that Selectman Ives had appointed him as the interim wetlands enforcement officer until the new hire Margaret Washburn starts on June 4th.

A motion was made by Jim Paquin to appoint John Valente as the interim Wetlands Enforcement Officer. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

2. Requesting extension of Wetlands Permit 031307A Steven Slobodian, 157 Stetson Road, Map 3, Lot 3, Construction of single-family dwelling with well, septic, driveway.

Mr. Slobodian commented that prior approval for this application was granted by the Wetlands Commission in 2007 for construction of a single-family dwelling. There was wetland delineations done by Margaret Washburn in November of 2004. The Northeast District Department of Health had reviewed the plan in 2006. A site plan survey was done in 2007. Mr. Slobodian spoke with Ms. Fraenkel who commented that they needed an extension of the wetlands permit.

Mr. Paquin asked where the proposed house is going. Mr. Slobodian demonstrated where the proposed house is going on the site plan. This was a free split.

Mr. Sorrentino asked if anything has changed with the proposal. Mr. Slobodian commented that nothing has changed; the house plans and septic system are the same. Mr. Sorrentino asked if the mylar was recorded. Mr. Slobodian stated the mylar was not recorded. Mr. Sorrentino asked if the proposed is zoning compliant. Mr. Slobodian does not know. Discussion ensued.

Mr. Sorrentino stated there are two questions that need an answer:

#1. If the permit is valid or expired. Interim Wetlands Agent John Valente felt the permit was expired. Mr. Sorrentino would like to verify the date. If the permit were valid during a certain time frame a public act extended these for a maximum of 14 years. Ms. Fraenkel felt the permit was eligible for an extension per Mr. Slobodian. If it is eligible for extension the Commission will do this.

#2. If it is not eligible for an extension the Commission could make a determination that it could be duly authorized. If it needs another permit, it will be received this evening, or the Commission can act on the request. Discussion ensued.

In summary, the Commission will grant an extension if it is legal to do so. If the interim Wetlands Agent finds the determination incorrect and expired and not eligible for extension, then the Commission will receive the new application and grant a duly authorize so a permit will be issued.

A motion was made by Jim Paquin to grant an extension of permit 031307A Steven Slobodian, 157 Stetson Road, Map 3, Lot 3, Construction of single-family dwelling with well, septic driveway if legal to do so, otherwise receive the application at this meeting and make it duly authorized by the agent. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**3. 051419A Anthony Purcell, 272 Allen Hill Road, Map 33, Lot 88-5, RA Zone;
Remove existing covered deck/porch. Construct new frost walls, new kitchen area.**

Rob Labossiere represents the applicant. Mr. Labossiere is proposing to take down the old covered porch and replace a 10 x 26 ft addition to the kitchen. It is the same exact size. Mr. Labossiere reviews the plan/photos with Commission members. Mr. Sorrentino asked if there is any E and S controls. Mr. Labossiere will install silt fence as required. No wetlands will be disturbed. The stockpile will be in the corner, most will be taken off site. Mr. Paquin asked if there is NDDH approval. Mr. Labossiere stated yes. Mr. Labossiere reviews the footings on the plan. It is all lawn between the project and the wetlands.

A motion was made by Jim Paquin to receive application 051419A and forward to the Wetlands Agent as a duly authorized. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**4. 051419B Town of Brooklyn Elliott Road at Sandy Brook; Replacement of a
structurally deficient bridge with countersunk box culvert.**

David Held from Provost and Rovero represents the applicant. Mr. Held reviews the plan with Commission Members. The bridge inspection report done by DOT in 2017 shows the existing bridge is falling apart. The Town will buy the structure and hire a contractor to install. The proposal is to take the existing super structure and abutments out and replace it with a concrete box culvert and wing wall system including precast footings.

The structure will provide the same hydraulic opening and hydraulic performance as the existing bridge which safely passes a 100-year storm without interference from the low chord of the structure. The construction will be performed during a period of low flow (June-September). The use of all precast and prefabricated structural elements will allow for installation in an unconfined condition without the need for cofferdams and significant dewatering of the work area. The construction time frame will also be minimized through this approach. A temporary disturbance of approximately 500 square feet of wetland area will be required to remove the existing bridge and install the new culvert system. The new culvert will be counter sunk approximately 12" below the existing stream bed which will allow for formation of a natural invert consistent with the existing condition. Consideration was given to rehabilitating the existing concrete abutments and replacing the existing superstructure with a pre-engineered superstructure. This alternative would have avoided the need for any wetland disturbance and in-stream work. This approach was rejected after an evaluation of the existing abutments and wing walls which were deemed to be unsuitable for rehabilitation. The intention of the project is to be completed within 4 days between demo and placing new and getting backfilled. No borings have been done.

Mr. Held asks if the Commission would like a site-walk and if a public hearing is deemed because of a significant activity. Discussion ensued.

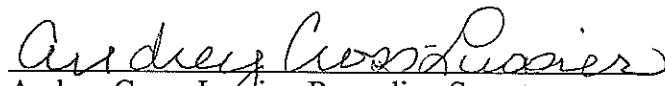
A motion was made by Richard Oliverson to receive application 051419B with no public hearing required and continue to next month's meeting. Jim Paquin seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Communications:

1. **Budget Update.** Nothing new to report.
2. **Wetlands Agent Monthly Report.** No report given.

Public Commentary: None.

Adjourn: A motion was made by Richard Oliverson to adjourn the meeting at 7:15 p.m. Jim Paquin seconds this motion. No discussion held. All in favor. The motion passes unanimously.


Audrey Cross-Lussier, Recording Secretary

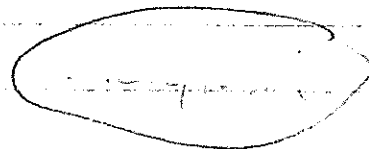
Rec'd 5-14-19

In consideration of Mignonne
Fourtelotte of 316 Hartford Rd., Brooklyn, CT
agreeing not to bring a civil court action
against Yeekin Timberland Management LLC
and/or Michael Wolcheksky, Yeekin
Timberland Management, LLC agrees to
restore discontinued Appell Rd to its
prior condition (as of March 15, 2019).

Executed this day of April 2019

Yeekin 

Michael R.O.A.
4-26-19



Rec'd
5-14-19

Yee Kim Timber Management LLC guarantees road to be left in same, if not better condition than it was before logging work was started.

Mignonne Touatellotte
Magnon P.O.N.

Magnon Yee

316 Hartford Rd

17 Hollywood St. So. Hadley, MA

Brooklyu, Ct

Rec'D

APR 17 2019

April 16, 2019

Ms. Martha Fraenkel, MS
Zoning/Wetlands/Blight Official
Town of Brooklyn
P.O. Box 356
Clifford B. Green Memorial Building, Suite 22
69 South Street
Brooklyn, Connecticut 06234

Re: Wolchesky Timber Harvest – Appell Road #1

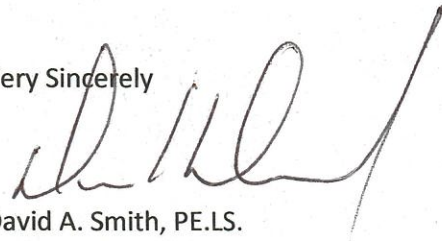
Dear Ms. Fraenkel,

Bruce Woodis and I inspected the subject property to review the current configuration of newly placed timber elements over the existing culvert this evening. The existing concrete culvert has only a few inches of cover in the vicinity of the roadway and appears to have been installed some time ago. The pipe appears to flow freely and seems to be adequate for this application. This presumably was the condition of the 'crossing' prior to placement of the heavy timber decking material.

The wood mats provided are frequently used in applications such as this, where heavy loads are supported over soil or shallow a crossing without compaction or settlement. They are comprised of several 8" thick timbers pinned together to provide a work surface approximately 4' in width. They are placed such that the travel path of heavy equipment and trucks will traverse the area supported by these mats. The mats are sufficiently long to distribute wheel loads over a considerably large area spanning both sides of the pipe, essentially bridging over it. The approach and departure areas are buttressed with crushed stone to ease the transition onto and off of the timber elements.

I believe that the measures taken to protect the culvert are adequate for this task. I would suggest that periodically during the active part of the harvest that the inlet is checked to insure that it has not been blocked by debris or animal activities. Upon completion, the timber mats will be removed and I suggest that grading the two approaches to provide a little more cover on the pipe would be prudent. Please contact me at your convenience if you have any question regarding this matter.

Very Sincerely



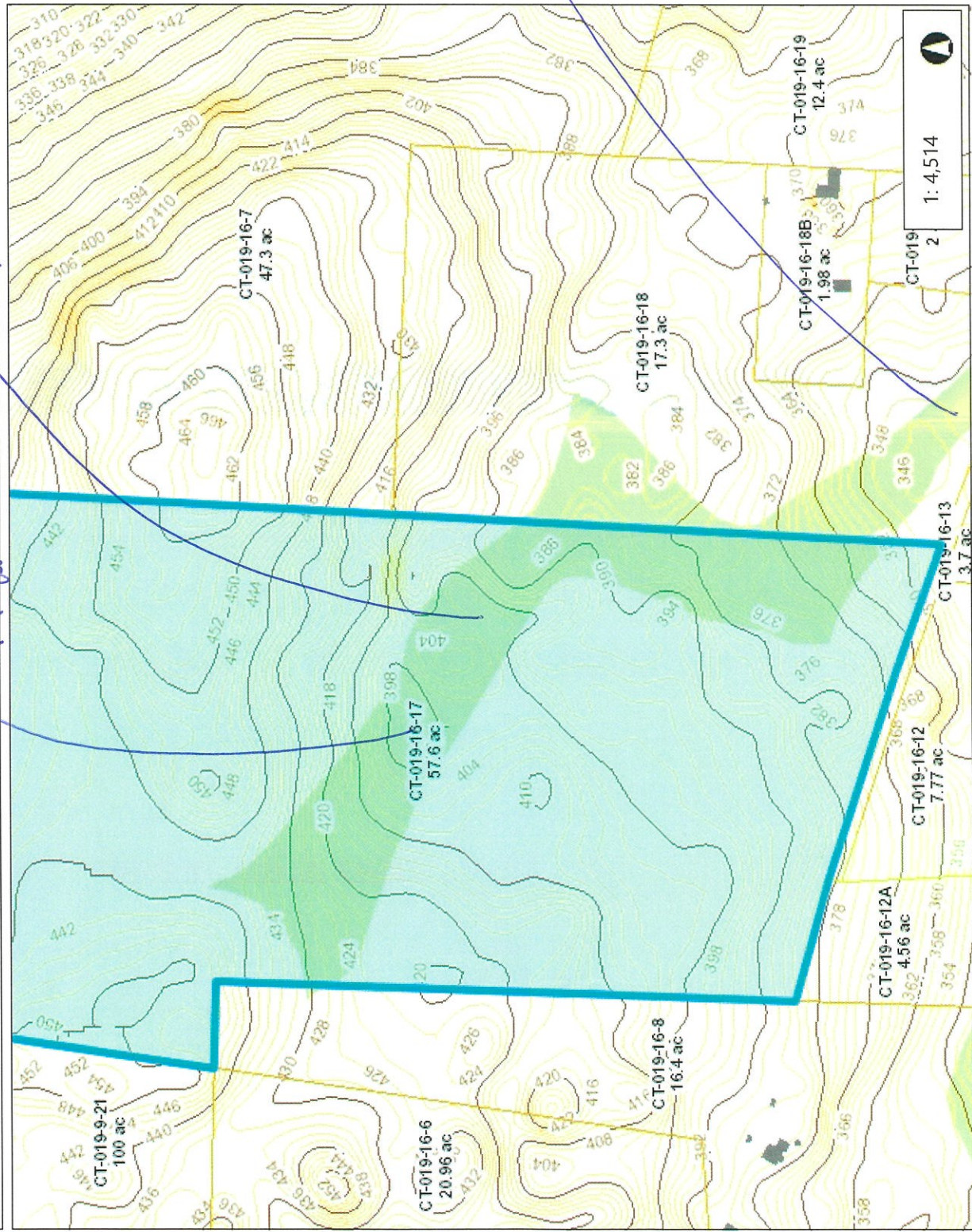
David A. Smith, PE,LS.
Principal Engineer for KWP Associates, Inc

Site report mf - inspected 4/23/19



contouring needs additional

area highly by disturbed by harvest



existing crossing - observe no downstream sedimentation and very minor sediment above pipe, no more than seen in natural pool on site - following heavy rains

- Legend
- Town
 - Buildings 2012
 - Parcels
 - 10 ft
 - 2 ft Contours
 - Wetlands
 - Alluvial and Floodplain Soils
 - Poorly Drained and Very Poorly Dr

Notes

Enter Map Description

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