

**Brooklyn Inland Wetlands Commission
Regular Meeting Minutes
January 14, 2020**

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

Members Present: Demian Sorrentino, George Sipila, Richard Oliverson, James Paquin.

Absent: Jeffrey Arends with notice.

Staff Present: Margaret Washburn, Wetlands Agent, Audrey Cross-Lussier, Recording Secretary.

Also Present: Allan Rawson, Bruce Woodis, David Held, Madilyn Smith, Mark Curreri, Seth Duval, Attorney Harry Heller, Linda Trahan, public in attendance.

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

Seating of Alternates: None.

Elections of Officers: Commission members deferred this to the February 11, 2020 regular meeting.

Public Commentary: None.

Additions to Agenda: None.

Approval of Minutes: Regular Meeting Minutes December 10, 2019 approved as written with no changes.

Jim Paquin stated he listened to the recording of the December 10, 2019 meeting.

Continued Public Hearings:

1. 102219B Strategic Commercial Realty, Inc., d/b/a Rawson Materials, Maynard Road, Map 29, Lot 5, RA Zone: Excavation of approximately 1.2 million cubic yards of sand and gravel.

Attorney Harry Heller represents the applicant along with David Held from Provost and Rovero. A presentation was made at the December 10, 2019 meeting. At that time there was discussion of some additional site testing. GZA was authorized to do Task B in the original proposal. The monitoring wells have been installed. The data has been received but not provided to the applicant and assimilated into a report. For this reason, the applicant is requesting that the Commission extend the public hearing to the February 11th meeting. A consent was submitted for a 35-day extension of the time period in which to conclude the public hearing. Attorney Heller commented that this is the first extension being asked for. If the public hearing is closed at the February 11th meeting, the terminal date for decision would be March 17, 2020.

Mr. Sorrentino asked if the hard copies of the materials that GZA presented at last month's meeting on 12/10/19 have made it into the permanent wetlands file. Mr. Held commented that scanned copies were provided to Provost and Rovero. Mr. Held is unaware if hard copies made it to the permanent wetlands file. Ms. Washburn commented GZA emailed draft versions of what was brought into the December 10th meeting. Attorney Heller commented that this point was made at the last public hearing, something that is testified from needs to stay in the record. Mr. Sorrentino asked Ms. Washburn to follow up with GZA, that the hard copies that were brought to the first meeting need to be submitted for the record. Ms. Washburn agreed to follow up with GZA.

A motion was made by George Sipila to continue application 102219B to next month's meeting February 11, 2020. Jim Paquin seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Old Business:

1. DR19-008 FCR Realty LLC/Owner, Ben Landry/Forest Products Harvester, Day Street, Map 19, Lots 6 and 7; Timber Harvest (continued from 12/10/19).

The applicant was not present. Ms. Washburn commented that Joe Theroux is taking over the timber harvest and asked to be placed on the February 11, 2020 agenda. Mr. Sorrentino asked if this application should be withdrawn. Ms. Washburn is unsure if there is a new application coming or if there will be a continuance of this application. Application timeline reviewed. Discussion ensued.

A motion was made by Jim Paquin to deny application DR19-008 FCR Realty LLC/Owner, Ben Landry/Forest Products Harvester, Day Street, Map 19, Lots 6 and 7; Timber Harvest without prejudice for failure to appear at consecutive meetings for months. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

2. 102219A Strategic Commercial Realty, Inc., d/b/a/ Rawson Materials 200 acres +/- on the south side of Rukstela Road (Map 21, Lot 7, and Map 30, Lot 16) in the RA Zone; Excavation of approximately 1.9 million cubic yards of sand and gravel. All excavated material will be transported off site to a processing facility in Canterbury.

Ms. Washburn commented that Chairman Arends is not in attendance tonight. His last concern was whether enlarging the east pit and west pit effect the hydrology in the central wetland.

Members reviewed Ms. Washburn's Agent Report and discussed her concerns with regards to the proposed method of dust control, permanent stabilization for slopes and trespassing motorized vehicles (see attached). Attorney Heller addressed the method of dust control, permanent stabilization for slopes and trespassing motorized vehicles. Attorney Heller discussed the duties of the Agent's enforcement. Discussion ensued.

Discussion ensued with regards to permit duration. Mr. Sorrentino reads section 11.6 of the Wetlands Regulations into the record:

Any permit issued by the Commission for the development of land for which an approval is required under chapter 124, 124b, 126 or 126a of the Connecticut General Statutes shall be valid until the approval granted under such chapter expires or for ten years, whichever is earlier. Any permit issued by the Commission for any activity for which an approval is not required under chapter 124, 124b, 126 or 126a shall be valid for not less than two years and not more than five years.

Attorney Heller commented that the permit does not expire, it is subject to renewal. Renewal is for the sole purpose to determine compliance. It wouldn't expire unless the Planning and Zoning Commission on the annual renewal made a determination that it's out of compliance and terminated the permit. Discussion ensued.

Ms. Washburn is creating a gravel pit matrix which will track all expirations for gravel pits and stone quarries in Town. As these come along Ms. Washburn will enter what the renewal dates are for both PZC and IWWC.

Mr. Oliverson asked Attorney Heller if 1E and 1W will go on simultaneously. Attorney Heller stated no. Access to the site comes in off Wauregan Road. The access road comes right through the middle of 1E, that is under water. Phase west has to be completed before the east.

A motion was made by James Paquin to approve 102219A Strategic Commercial Realty, Inc., d/b/a/ Rawson Materials 200 acres +/- on the south side of Rukstela Road (Map 21, Lot 7, and Map 30, Lot 16) in the RA Zone; Excavation of approximately 1.9 million cubic yards of sand and gravel. All excavated material will be transported off site to a processing facility in Canterbury with the condition that the Wetlands Agent upon 24-hour notice, unless an emergency, may request an inspection. George Sipila seconds the motion. Discussion held.

James Paquin amended the motion to include based on the plans dated 12/6/19.

All in favor. No discussion held. All in favor. Motion passes unanimously.

3. 102219B Strategic Commercial Realty, Inc., d/b/a Rawson Materials, Maynard Road, Map 29, Lot 5, RA Zone; Excavation of approximately 1.2 million cubic yards of sand and gravel.

A motion was made by George Sipila to table discussion on application 102219B to the February 11, 2020 meeting. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

4. 121019A Hearing for violation at 260 Woodward Road, Owner Richard and Sandra Duval. Cease and Desist order on 12/2/19 for site work consisting of excavating material from the channel of Sandy Brook, excavating material from an existing ford in Sandy Brook, and depositing excavated material on the bank of Sandy Brook, in the upland review area and/or wetlands.

Ms. Washburn commented that the application is incomplete and refers members to the Wetlands Agent Report as to why it is incomplete. Commission members reviewed Ms. Washburn's report (see attached).

Ms. Washburn commented at the last meeting when the applicant did not appear, the Commission asked Ms. Washburn to write a letter telling the applicant to have the wetland flagged and have an engineered plan. Ms. Washburn sent the letter to Mr. Duval who has confirmed he has received it.

Mr. Sorrentino asked Mr. Duval if he had the wetlands flagged or hired an engineer? Seth Duval commented that Roger Gibson is working on a delineation plan but is not yet completed. Mr. Duval would like to place the stone back on the ford and make the ford wide enough so he can get a backhoe across for the purposes of forestry.

Ms. Washburn questions why a backhoe is needed for forestry.

Mr. Duval comments that the property was just logged. He can stack up log lengths with the backhoe which has a bigger bucket. He can fit his Kubota tractor in the bucket of the backhoe. If he can get a backhoe across, he can get a pick-up truck across. There were approximately 90 trees taken down, there are many treetops and leftover tree limbs that have a time limit which will rot and become moldy and useless. There are continuing standing trees killed by moths which are a fire hazard. The purpose of the project is forestry.

Ms. Washburn asked if Roger Gibson is under contract. Mr. Duval stated no, he has not sent a contract yet. Mr. Sorrentino asked when he was last contacted. Mr. Duval stated he met with Mr. Gibson last Thursday.

Mr. Sorrentino stated that this is a violation of the wetland regulations. Mr. Sorrentino asks what Mr. Duval's intentions are currently, to provide an application for what you would like to do, have the wetlands delineated? It will have to be mapped by a licensed land surveyor or professional engineer with the design for what you would like to do. We cannot permit you to put a crossing in a perennial stream without professional guidance. Mr. Duval stated it is an existing crossing he would like to widen it and put back what was taken out. Mr. Duval will get the wetland delineation. He would like to know how to get out of the cease and desist order.

Mr. Paquin recommends the Commission to do a site walk of the property. Discussion ensued.

A motion was made by Jim Paquin to schedule a site walk on the property of 260 Woodward Road Sunday, January 26, 2020 at 9:30 a.m. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

A motion as made by Richard Oliverson to continue the violation hearing for 121019A to February 11, 2020 meeting. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

5. Wetlands Violation – Allan Rawson, Rukstela Road, Map 29, Lot 1.

Ms. Washburn commented that a restoration plan has been submitted which is under New Business #3.

Application 011420C River Junction Estates, LLC, South of Rukstela Road, Map 29, Lot 1, Map 30, Lot 16; Grading and restoration of a previously disturbed gravel excavation area. Restoration will establish vegetation cover on 4+/- acres of disturbed area. The restored area will be used for agricultural crop.

David Held, Provost and Rovero represents the applicant. This is in response to the wetland violation. No work has been done on the site since 2014 when the order was issued. Mr. Held demonstrated the

proposed grading, restoration and contours on the site plan. The grading does extend between both lots and extends slightly down below between the Brooklyn/Canterbury line. The proposal is to flatten out the hills and holes that are there from previous excavation with exception of incidental imported topsoil. There is no proposal for material to come in or out of the site. They are flattening out what is there. The intention for the spring season is this area would be utilized by the farmer who currently works the field on that property for an expansion of corn planting to the southwest corner. Mr. Sorrentino asks when will this work be completed. Mr. Held commented this May 2020. Ms. Washburn asked if there is a future potential of a plan coming forward where the grades on this will tie into other work to the north? Mr. Held commented this is a possibility but has nothing to do with the proposed. Ms. Washburn asked why the grading is shown beyond? Mr. Held stated to tie into the existing grade. Discussion ensued.

Mr. Sorrentino asked if the 2 ft. high topsoil berm is intended as the E and S. Mr. Held commented yes, the intention is to use this for agricultural production immediately after the restoration work is completed. Mr. Sorrentino asked if the can the topsoil berm follow the 176 contour. Discussion ensued. Mr. Sorrentino requests a revised plan showing the 176 contour.

Mr. Sorrentino asked if the violation has been recorded on the land record. Ms. Washburn commented she felt it was. The violation will be left open until the work is completed.

A motion was made by Richard Oliverson to table Wetlands Violation – Alan Rawson, Rukstela Road, Map 29, Lot 1, to the February 11, 2020 meeting. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

6. Mark Curreri, Flooding to 316 Hartford Road and Appell Road due to Yee Kim Logging Operation.

Mark Curreri, 316 Hartford Road, reads a letter dated 1/13/20 into the record (see attached). Mr. Curreri submitted a photo album showing the conditions of Appell Road as they existed from March 25, 2019 through January 13, 2020. Mr. Curreri feels that the Wetlands Commission has jurisdiction over the damage done to the Curreri wetlands. Mr. Oliverson asks if there are pictures of the road before the timber harvest? Mr. Curreri has pictures he can provide but not available tonight. Mr. Curreri has contacted Mae Flexer, State Senator and Nick Zito, DEEP. Mr. Curreri plans to pursue this action because Yee Kim Logging Operation should not be able to leave his property in this condition. Ms. Washburn commented that Nick Zito has been in contact with her. Mr. Zito is watching Yee Kim Logging closely. They started out in New Hampshire with wetlands violations and moved into Massachusetts with violations there. There was no permission given to work on the Curreri property. Chairman Arends and Ms. Washburn visited the site and inspection photos taken. A pipe was crushed, a wooden bridge was damaged, a culvert damaged over Appel Road, rubber mats were thrown over the holes in the culvert with fill placed over the holes. Discussion ensued.

Mr. Sorrentino recommends Ms. Washburn to cite the logging operation for a wetland violation stating they damaged regulated areas with their equipment. They had permit for logging with a right per the Selectman and Town Attorney to traverse Appell Road, they don't appear to have stayed within that established right of way. Mr. Sorrentino commented that he was party to an e mail chain with Selectman Rick Ives and the Town Attorney. The Town Attorney stated the logging company had a right to use that road.

Ms. Washburn asked the Commission what they wished the wetlands violation to state. Commission members commented they would like the logging company to appear at the February 11, 2020 meeting with a restoration plan designed by an engineer or soil scientist. Ms. Washburn will relay this to Mr. Zito at the DEEP. Ms. Washburn will provide Mr. Curreri and the Town Attorney a copy of the violation.

New Business:

1. 011420A (Duly Authorized) John P. and Stephanie Rimoczy, 190 Wolf Den Road, Map 17, Lot 29-1, RA Zone; Proposed construction of single-family residence with septic system, well and driveway.

Bruce Woodis, KWP Associates, represents the applicant. This is a subdivision lot divided for Charles and Pamela Larkin in 2004. The Rimoczys are buying the lot from the Larkins. A septic system design plan has been done based on the original site plan, same septic, driveway and house location. There is a pocket of wetlands adjacent to the property that puts the driveway entrance in the regulated area. Mr. Woodis demonstrates this on the site plan. The stone wall is the property line with a ridge that follows along the stone wall. The ridge separates the activity on the site from the wetlands. Mr. Woodis and Ms. Washburn visited the site. Mr. Woodis is requesting a duly authorized agent approval for the application. Ms. Washburn commented that Chairman Arends reviewed the plan and he wished it to come before the Commission and to not issue duly authorized.

Mr. Sorrentino asked if the Town requires any remediation of stormwater for lots pitched towards the road? Ms. Washburn commented that stormwater remediation is not required for the Town of Brooklyn. The highway foreman Tom Rukstela has not picked up the plan for review.

Mr. Sorrentino asked if the construction may have a potential to impact the wetlands with the wall as the barrier between the construction area? Ms. Washburn commented there is a natural berm between the closest point of work and the wetland. Mr. Woodis reviews this on the site plan.

Ms. Washburn commented that Chairman Arends concerns were with the flagged wetlands done 15 years ago by Bill Green. Mr. Woodis had someone replace the flags exactly where they were. Ms. Washburn commented that the flags look fine. Ms. Washburn commented that Chairman Arends would like the Commission to discuss at what number of years do you question wetland flags are too old. Should this be done on a site by site basis? The Commission members commented yes, it should be done on a site by site basis.

A motion was made by Jim Paquin to approve application 011420A as a duly authorized for John P. and Stephanie Rimoczy, 190 Wolf Den Road, Map 17, Lot 29-1, RA Zone; Proposed construction of single-family residence with septic system, well and driveway. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

2. 011420B Evan Sigfridson, 15 Hyde Road, Map 25, Lot 58, VCD; New Commercial Construction.

Bruce Woodis, KWP Associates, represents the applicant. The property is located on the corner of Hyde Road and Route 6-Providence Road. The property was previously permitted for a commercial building for Brunilda O'Reilly. The routing and driveway will remain the same. The proposal is for a law office. The wetlands are not located on this property and were originally flagged in 2009. Mr. Sigfridson located the old wetlands flags. There is a stone wall that makes a natural buffer from the project area to the wetlands. The usual erosion and sedimentation control measures will be used.

Mr. Sorrentino asked if the building will be accessed from both sides, upstairs from the back? Mr. Woodis stated the upstairs will be occupied by the law office and the downstairs will be occupied by another business.

Mr. Sorrentino asked if the application is complete. Ms. Washburn stated yes.

A motion was made by George Sipila to receive application 011420B Evan Sigfridson, 15 Hyde Road, Map 25, Lot 58, VCD; New Commercial Construction and table discussion to February 11, 2020. Jim Paquin seconds the motion. No discussion held. All in favor. The motion passes unanimously.

3. 011420C River Junction Estates, LLC; South of Rukstela Road, Map 29, Lot 1, Map 30, Lot 16; Grading and restoration of a previously disturbed gravel excavation area. Restoration will establish vegetation cover on 4+/- acres of disturbed area. The restored area will be used for agricultural crop production.

Discussed and introduced under Old Business Wetlands Violation – Alan Rawson, Rukstela Road, Map 29, lot 1, Map 30, Lot 16.

A motion was made by Jim Paquin to receive application 011420C River Junction Estates, LLC; South of Rukstela Road, Map 29, Lot 1, Map 30, Lot 16; Grading and restoration of a previously disturbed gravel excavation area. Restoration will establish vegetation cover on 4+/- acres of disturbed area. The restored area will be used for agricultural crop production and review at next months meeting February 11, 2020. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Communications:

1. Review of Bylaws: Mr. Sorrentino discusses changing the number of regular members from 7 to 5. It is understood that this has be done at Town Meeting. Discussion ensued. Ms. Washburn will discuss with Kate Bisson, Town Clerk.

A motion was made by Jim Paquin to expend the amount of \$80 for a commission member recruitment advertisement in the Turnpike Buyer and/or Killingly Villager. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

A Wetlands Member recruitment notice will also be placed on the Land Use Bulletin Board.

No changes were made to the existing Bylaws.

2. Budget Update: Reviewed.

3. Wetlands Agent Monthly Report: Received and reviewed (see attached).

Public Commentary: None.

Adjourn: A motion was made by Jim Paquin to adjourn the meeting at 7:55 p.m. Richard Oliverson seconded this motion. No discussion held. All in favor. The motion passes unanimously.


Audrey Cross-Lussier, Recording Secretary

Mark Curreri

316 Hartford Road

Brooklyn, CT 06234

January 13, 2020

To: The Town of Brooklyn Wetland Commission

Herein, Ye Kim Timber Management includes Megan Ye, owner. David Gokey, holder of a Forestry License and Guy, Project Manager.

The purpose of this letter is to bring the Commission up to date regarding Ye Kim Timber Management, Appell Road, adjacent wetland, and the property at 316 Hartford Road.

On March 22nd 2019 Ye Kim Timber Management Showed up on the Curreri property unannounced and without permission They began to excavate the existing Appel Rd for $\frac{3}{4}$ of a mile 6 to 10 inches deep in some locations and damaged my property with unauthorized vehicle traffic through my land.

This action was totally unnecessary because appell Rd had most recently been used by C L&P for High tension wire installation through the Curreri property and Hull forestry products had done a previous harvest operation several years back. All the logging travelled Appell Rd.

I was never asked to sign and application for timber harvest as an owner. And Ye Kim used my property without permission causing, as I'll describe as serious and costly damage. But for them to profit.

I have submitted a photo album showing the conditions of Appell Road as they existed from March 26, 2019 through January 13, 2020.

The photos show that large puddles have overrun the side of Appell Road into Curreri's back yard. Recently, the water from rain and snow melt began to infiltrate the Curreri's basement. On January 5, 2020, Ye Kim hired an excavator operator to repair Appell Road. I spoke to the operator and described to him how the road had originally pitched water towards the wetlands.

Despite this attempt to repair Appell Road, conditions still exist that cause the large puddle to accumulate and the overflow has no other course to run except over the banking and down to the Curreri's garage and house and possibly into the basement. In the second week of

December, 2019, the rain and snow melt caused water to enter our basement. An event that hadn't occurred since 1982 when Appell Rd and The Curreri's property had been properly graded specifically concerning water runoff.

Further west on Appell Road, another puddle formed, again with no way to drain, and crosses over the entire road about 30 feet long making this area difficult to cross.

On January 2, 2020, Ye Kim's heavy machine operators chose to cross wetland areas on the Curreri property, where they had no business or permission to cross. With this action, they crushed a 4 inch pipe and a wooden bridge culvert, which serviced the flow of a natural spring. This caused water to flood into areas not previously affected by the spring. This damage was viewed by Chairman, Jeff Arends and Margaret Washburn. Provided are pictures of this most recent damage and pictures of a rubber mat used to cover the broken 10 inch cement culvert previously broken by Ye Kim in March 2019. The rubber mat patch has been buried and now is not visible.

My first request of the Commission is to use its authority to have repairs made to the wooden bridge and restore the 4 inch pipe to proper drainage elevation to allow water to flow as it did before Ye Kim damaged this area..

The Curreri property, consisting of 22.7 acres, was appraised in March of 2019, prior to the action taken by Ye Kim to Appell Rd and the adjacent wetlands.

The access and usability of Appell Road factored greatly in the value and use of the rear portion of our property. The conditions left by Ye Kim, if not corrected, will make portions of my property inaccessible during wet periods, and cause water damage to the Curreri's garage, house foundations and basement.

I do not believe Ye Kim is capable of making the repairs needed to correct the road and water runoff. They should, however, be held responsible for costs to me to make my property as it was prior to March 26, 2019 (concerning the 4 inch pipe, the wooden culvert bridge, damaged by Ye Kim at a spring water crossing; and a 10 inch cement culvert). This agreement was signed and submitted to the Commission, which allowed Ye Kim to restart work to the Wolcheski property.

Ye Kim did several wood operations adjacent to my property and profited at my expense. The damage to the road and subsequent flooding areas, has affected my property value. They cut the road grade to save the expense of raising a power wire to Paul Harrington home. They also tried to save transportation costs by traversing through my wetland and damaging the watercourse, so they could retrieve a wooden mat that they placed over a cement pipe that they previously broke.

These repairs should not be made at my expense.

So to close:

1. I would like Ye Kim to be responsible for described repairs through fines, or made to pay the cost
2. A moratorium to be made on future work done by Ye Kim, Members of or subsidiaries. Under your jurisdiction, until contracts to me and to other property owners are satisfied.
3. In the future, Property owners adjacent to or with a right of way should be notified prior to commencement of work with a signed agreement, to save stress and misunderstandings.
4. And moving forward, an insurance bond to be in place for property owners not part of the wood operations, who have right of ways through their land, which would protect them from damage and neglect by the contractor.

Your input and help would be greatly appreciated.

Sincerely,


Mark Curreri

860-377-1742

Inland Wetlands Agent's Report

January 14, 2020

Continued Public Hearing:

102219B Strategic Commercial Realty, Inc, d/b/a Rawson Materials, Maynard Road. According to Harry Heller, the applicant will grant a 35-day extension at tonight's meeting.

Date of receipt: 10/9/19.

Deadline to open public hearing: 12/13/19.

Date public hearing opened: 12/10/19.

Deadline public hearing must close unless extended: 1/14/20.

If applicant grants 35-day extension, deadline to close the public hearing: 2/18/20.

After the 35-day extension, the deadline to render a decision would be 3/17/20 (unless another extension is granted).

David Held asked not to have GZA attend tonight's hearing unless Strategic Commercial Realty (SCR) could have the report in advance. Rich Desrosiers of GZA expects to have a full report with maps and recommendations by next week. After we receive the report, it will be forwarded to IWWC members and the applicant's team.

GZA anticipates receiving revised plans from the applicant based on the GZA recommendations. GZA will review the revised plans and comment on them. GZA's review and comments will be forwarded to the applicant's team and the IWWC members. At that time, the IWWC can decide whether they want GZA to attend the 2/11 meeting.

The Planning Board voted to hire a hydrogeologist to review the potential impacts to public/private water supply on both the Potvin and Rukstela Road pits. The Planning Board voted to hire a traffic engineer to study the impacts on traffic due to potential impacts from the Potvin pit.

My concerns: I am concerned that the **proposed method of dust control** at the site is unrealistic and impractical. Water trucks are not physically capable of driving on 30% slopes, whether stabilized or not.

Regarding **permanent stabilization for the slopes**, the applicant has stated that they are unable to secure the site from trespassing motorized vehicles. These motorized vehicles will have access from the adjacent power lines and Maynard Road. If the site is not secured, ATVs and dirt bikes will continually traverse the slopes, preventing vegetation from becoming established and causing windborne dust.

Old Business:

DR 19-008 FCR Realty LLC/Owner, Ben Landry/Forest Products Harvester, Day Street. Joe Theroux asked to be put on the 2/11 agenda.

102219A Strategic Commercial Realty, Inc, d/b/a Rawson Materials, Southerly of Rukstela Road. There has been no new information submitted since the last meeting. The Planning Board voted to hire a hydrogeologist to review the potential impacts to public/private water supply on both the Potvin and Rukstela Road pits.

My concerns: I am concerned that the **proposed method of dust control** at the site is unrealistic and impractical. Water trucks are not physically capable of driving on 30% slopes, whether stabilized or not.

Regarding **permanent stabilization for the slopes**, the applicant has stated that they are unable to secure the site from trespassing motorized vehicles. These motorized vehicles will have access from the adjacent power lines, Rukstela Road and Maynard Road. If the site is not secured, ATVs and dirt bikes will continually traverse the slopes, preventing vegetation from becoming established and causing windborne dust.

121019A - Hearing for violation at 260 Woodward Road, Owner Richard and Sandra Duval.

The current resident is their son, Seth Duval. An abutter, Richard Brousseau, reported to me on 11/18 that a machine was digging in Sandy Brook behind the

residence. He sent me photographs soon after that. I sent a Notice of Violation requiring Seth Duval to contact me on 11/20, which he promptly did. He allowed me to inspect and meet with him on 11/25. The inspection revealed that Seth Duval had dug in the stream channel of Sandy Brook upstream of the existing ford. Material dug out of the stream channel was dumped on the bank of Sandy Brook. Seth Duval had also breached the ford and dug up the large flat stones which farmers used to create the ford many years ago. Seth Duval said that he wants to replace the large flat stones with round stones which he wishes to remove from wetlands bordering on Sandy Brook.

On 12/2, I issued a Cease and Desist Order requiring Seth Duval to come to a hearing on 12/10. On 12/5, Seth Duval submitted an incomplete application and told me that he could not attend the 12/20 hearing. I met with Seth to review the application while he was at the office. I suggested some revisions to the application, but he wanted to submit his original version, which his father signed as owner.

He said he would try to send in a friend to represent him at the 12/20 hearing. I suggested that he could submit a letter requesting that the hearing be continued, but he did not send a request to continue the hearing.

The application is complete in the following ways:

We only received one copy. The IWWC Regulations require 5 copies of all application materials to be submitted.

It does not list square feet of fill proposed.

It does not list cubic yards or square feet of excavation proposed.

It does not list square feet of total regulated area to be altered.

No alternatives were considered.

On the Statewide Reporting Form, only 2 of the required 28 answers have been filled in.

Seth Duval wants to pluck rounded stones out of a wetland that borders on the north side of Sandy Brook to raise the height of the ford. Seth Duval also wants to

add 2-4" crushed stone on top of the elevated ford that will "not be easily washed away". When a 100- or 500-year flood occurs, 2-4" crushed stone will wash downstream, and amount to fill in Sandy Brook.

Seth Duval wants to raise the grade of the ford, thereby creating a dam. Due to proposed raising of elevations of a ford in a perennial stream, and the proposed materials, I recommend requiring the wetlands be flagged and requiring an engineered plan.

Wetlands Violation – Allan Rawson, Rukstela Road, Map 29, Lot 1. We received the Remediation Plan on 1/13/2020. I reviewed the plan; it appears to be acceptable. David Held indicated on the phone that a future application may be made to further grade this lot for an expansion of the grading associated with the Rukstela gravel pit.

Mark Curreri, Flooding to 316 Hartford Road and Appell Road due to Appell Road Yee Kim Logging Operation. On 1/6/20, Jeff Arends and I met with Mr. Curreri to inspect view work done by Yee Kim on Appell Road and on other portions of Mr. Curreri's property.

The property owned by Mr. Curreri's family was used by Yee Kim to access the Wolchesky site, although they were never listed as owners on the Notification of Timber Harvest or in the IWWC application and did not sign either document as owners.

Mr. Curreri showed us where Yee Kim drove through wetlands on his family's property and damaged a wooden wetland crossing and a 4-inch pipe.

Mr. Curreri is not satisfied with the way Appell Road was restored on 1/6/20. Depressions were left in Appell road that will apparently hold water several inches deep, where there were no depressions before the timber harvest. According to Mr. Curreri, Yee Kim dug a hole in Appell Road to avoid moving an overhead transmission line after equipment hit it the first time. Relocating the line would have cost money.

Mr. Curreri stated that his mother's house/garage has had flooding in the cellar for the first time since the house was built many decades ago, due to ponding and flowing water caused by the Yee Kim changes to Appell Road.

Mr. Curreri feels that the Yee Kim traffic on Appell Road damaged the concrete culvert under Appell Road that was inspected by David Smith, P.E. of KWP Associates as described in Mr. Smith's letter dated 4/16/19.

After the swamp mats were removed from the culvert under Appell Road, Mr. Curreri took photos showing holes in the culvert. Mr. Curreri has photographs that show small pieces of green rubber matting that Yee Kim placed over holes described above before fill was placed over the rubber mats.

Mr. Curreri is not satisfied that this was an appropriate way to repair the damage culvert. Mr. Curreri wants the IWWC to bear such problems in mind for future logging jobs and consider requiring bonds for potential repairs needed after logging has ended.

New Business:

011420A John P. and Stephanie Rimoczy, 190 Wolf Den Road. New single-family house, driveway, septic system and well. The applicant first asked for a Duly Authorized Agent Approval. Chairman Arends reviewed the plan and decided the applicant should come before the IWWC.

On 1/8/2020, I inspected and took photographs with Bruce Woodis. I recommend approving the application.

011420B Evan Sigfridson, 15 Hyde Road. New commercial construction. I reviewed the plan, inspected and took photographs. Due to the gentle slope and distance between the limits of proposed work and wetlands, and the presence of a stone wall between the limits of proposed work and wetlands, no wetlands impacts are anticipated.

Other Business:

450 Providence Road – Walmart. I received the annual stormwater system report dated 12/9/19.