

**TOWN OF BROOKLYN
Inland Wetlands Commission
Regular Meeting Minutes
Virtual Webex Meeting
June 9, 2020**

Call to Order: The meeting was called to order at 6:01 p.m.

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

Absent: None.

Staff Present: Margaret Washburn, Wetlands Agent, Rick Ives, First Selectman, Audrey Cross-Lussier, Recording Secretary.

Also Present: Norm Thibeault, David Held, Paul Archer, Jeffrey Weaver, Don Dubois.

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

Seating of Alternates: None.

Public Commentary: None.

Additions to the Agenda:

A motion was made by Jim Paquin to add the following applications under new business as # 4, 5, 6:

#4 060920A Paul R. Lehto, Allen Hill Road, Map 32, Lot 148, RA Zone; Excavation of sand and gravel.

#5 060920B VBL Properties, LLC, Beecher Road, Map 22, Lot 38, RA Zone; 5-Lot Subdivision.

#6 060920C A. Kausch & Sons, Tripp Hollow Road, Map 15, Lot 4, RA Zone; 2-Lot Subdivision; single family homes, driveways, septic, well and minor gradings.

Demian Sorrentino seconded this motion. Discussion held.

Mr. Sorrentino asked if applications # 5 and 6 had delineation reports and stamped/signed by professional engineer Robert Deluca? Paul Archer commented that the plans were e-mailed to Ms. Washburn this afternoon. Ms. Washburn commented that part of application 060920B for VBL Properties, Beecher had been left blank, specifically the section with regards to cubic yards of filling of wetlands. Mr. Archer commented he will complete the application and stated there is no work being done in the wetlands.

No further discussion. All in favor. The motion passes.

Approval of Minutes:

1. Regular Meeting Minutes March 10, 2020. Minutes were approved as written with no changes made.

Continued Public Hearings:

1. 021120B Vachon Brooklyn, LLC, 512 Providence Road, Map 41, Lot 13A/14, PC Zone; Construction of (2) 16 ft. wide access driveways to access proposed new vehicle storage lots. Drive to the larger of the two proposed parking areas will be in an area historically used for an agricultural crossing. (public hearing suspended due to COVID 19)

Norm Thibeault, Killingly Engineering represents the application. Mr. Thibeault stated that the plans were reviewed by NECCOG Engineer Syl Pauley. Mr. Thibeault addressed Mr. Pauley's comments on each page, adjusted the plans and provided written responses to written comments.

Chairman Arends asked Mr. Thibeault how many parking spots are proposed. Mr. Thibeault commented 140 to 150 in the back. The spaces will not be lined. Chairman Arends asked if there will be an area designated for snow. Mr. Thibeault stated snow removal will be pushed to the edge of the parking lot towards the stormwater basin. The basin is capable of handling a 100-year storm. Mr. Thibeault discussed the wetland basin and vegetative mitigation.

Chairman Arends asked if there was any public commentary to be heard. With no further discussion or public commentary Chairman Arends asked for a motion to close the public hearing.

A motion was made by Jim Paquin to close the public hearing. Demian Sorrentino seconded the motion. Discussion held. All in favor. The motion passed unanimously.

Old Business:

1. 021120B Vachon Brooklyn, LLC, 512 Providence Road, Map 41, Lot 13A/14, PC Zone; Construction of (2) 16 ft. wide access driveways to access proposed new vehicle storage lots. Drive to the larger of the two proposed parking areas will be in an area historically used for an agricultural crossing. (public hearing suspended due to COVID 19).

Chairman Arends stated he would like to see as a condition that only new vehicles are stored in the back lot.

A motion was made by Demian Sorrentino to approve application 021120B Vachon Brooklyn, LLC, 512 Providence Road, with proposed special conditions (in addition to standard conditions):

1. The detention basins shall be constructed, stabilized, and seeded before the parking lots constructed.
2. Install the sediment/erosion controls as shown on the approved plans and call the Wetlands Enforcement Officer at (860) 779-3411, extension 31, for an inspection prior to starting any earth disturbance activities. Written approval of the sediment/erosion controls must be given by the Wetlands Enforcement Officer prior to starting any earth disturbance activities.
3. Only new vehicles, no used or trade in, or employee parking allowed in the parking lots.
4. Invasive species to the greatest extent possible the contractor will eradicate invasive species during construction.

Jim Paquin seconds the motion. Discussion held. All in favor. The motion passes unanimously.

2. 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 and Richard Oliverson visited the site on 4/23/20, photographs were taken. Members review the photographs. Discussion held. Mr. Paquin asked if the picture were from February or now. Ms. Washburn stated the latest pictures are from 4/23/20. The older pictures are from 11/25/19. Chairman Arends asked Mr. Oliverson if he was satisfied with what he saw at the site. Mr. Oliverson commented a retaining wall appeared with logs present and stabilized area behind it. The stones are back in, there is now a ford back in the water.

A motion was made by Jim Paquin to close 121019A hearing of violation at 260 Woodward Road, Richard and Sandra Duval and lift the cease and desist order. Richard Oliverson seconds this motion. No discussion held. 4 in favor, 1 abstention. Motion passes.

3. 031020A Darko Krsulic/Owner, Evan Sigfridson/Applicant 293 Hartford Rd, Map 16, Lot 39, RA Zone; Demolish remainder of collapsed coop, dig, and pour frost walls for proposed 24 x 32 ft accessory building.

Ms. Washburn spoke with Mrs. Krsulic who stated they are suspending the project due to COVID-19 concerns. There have been no delineation or revised site plan prepared to date.

A motion was made by Demian Sorrentino to deny without prejudice and allow the applicant to reapply when they have appropriate material to submitted with the application. Richard Oliverson seconds the motion. Discussion held. Jim Paquin asked if they will apply the old application fee collected or require a new fee paid? Commission members agree to apply the old application fee collected.

Demian Sorrentino amends his motion to include waiver of fee when application is made.

George Sipila seconds. No further discussion. All in favor. The motion passes unanimously.

4. 031020B Jeffrey Weaver, Day Street, Map 43, Lot 6, RA/R30 Zone, 6 lot subdivision, work in upland review area, septic system, driveway, residential house, well, grading.

Paul Archer, Archer Surveying represents the applicant Jeffrey Weaver. This is a proposed 6-Lot subdivision west of the 10-Lot subdivision on Day Street. Four of the lots are totally outside upland review area. Two lots #1 and #6 will have work within the 125-ft upland review area. There is Department of Health approval. Plans have been submitted to Ms. Washburn. Four of the lots are in RA/30 zone, two lots RA Zone. All septic systems are engineered, everything pitches away from road. There are four frontage lots, two rear lots.

Mr. Sorrentino has reviewed the plans and wetlands reports and feels there is no issue with the application, there is essentially little change effecting inland wetlands and watercourses when lots developed. Jim Paquin agrees. Mr. Paquin reviewed Syl Pauley's notes 1-6, (page 63 of 120 of agenda items) and does not feel the need to address these at all.

Chairman Arends asked Ms. Washburn if she has looked at the site. Ms. Washburn has no issues.

A motion was made by Jim Paquin approve 031020B Jeffrey Weaver, Day Street, Map 43, Lot 6, RA/R30 Zone, 6-Lot subdivision, work in upland review area, septic system, driveway, residential house, well, grading with standard IWWC conditions. Demian Sorrentino seconds this motion. No further discussion. All in favor. The motion passes unanimously.

New Business:

1. Ernest Robillard, 509 Hartford Road, Agricultural exemption for two new barns near ponds.

Ms. Washburn commented that Mr. Robillard would like to speak to the Commission directly after the virtual meetings have ended and in person meetings begin. Discussion tabled to the next regularly held in person meeting.

2. 051220A Patrick Riley, 211 Windham Road, Map 8, Lot 6-3, RA Zone; Construction of single-family dwelling, driveway, well, septic system, grading, tree clearing within 85 feet of a wetland.

Ms. Washburn issued agent approval on this application. Ms. Washburn would like the Commission to be notified. Mr. Riley advertised the legal notice in the Turnpike Buyer.

3. DR20-002 Grant Hill Road, Map 4, Lot 4 Timber Harvest, Michael Sokolowsky/Owner, Donald Dubois/Forester.

Don Dubois of Dubois Forestry and Land Management represents the applicant Michael Sokolowsky. Property located on the Brooklyn/Hampton Town Line Map 4 Lot 4. Part of a forest management plan approved by USDA, NRC. Purpose of the harvest is to remove dead and dying oak trees due to gypsy moth. The aerial maps describe a salvage thinning. There was a previous operation many years ago and there was a log loading area off of Grant Hill Road. That portion of Grant Hill Road where there is frontage is discontinued. The Town maintains a cul-de-sac 200-ft on the left is an access point. They would harden this proposed area with rip-wrap to make a tracking pad. There is an intermittent and perennial brook indicated on the maps. Two crossings are indicated on the map. Temporary corduroy bridge maps during operation are proposed. Upon completion bridges will be removed. Mr. Dubois reviewed the skid trails, Stand 1 and Stand 2 of the timber harvest operation. There will be 120 board feet and 250 cords. They will start after 9/1/20 finish by 4/15/21.

Chairman Arends asked if the Commission have any questions. No questions asked.

A motion was made by Demian Sorrentino to approve a declaratory ruling using agriculture as of right for application DR20-002 Grant Hill Road, Map 4, Lot 4, Timber Harvest, Michael Sokolowsky/Owner, Donald Dubois/Forester. Jim Paquin seconds the motion. No discussion held. All in favor. The motion passes unanimously.

4. 060920A Paul R. Lehto, Allen Hill Road, Map 32, Lot 148, RA Zone; Excavation of sand and gravel.

David Held, Provost of Rovero represents the applicant Paul R. Lehto. This is an expansion of a project the Commission approved in October of 2018. The project never went forward. This application includes an expansion to the south and to the east towards the Dick Regis property and Town of Brooklyn property bordering the Quinebaug River. The delineation done on the original plans were done by Joe Theroux in 2016. There is 175-ft. regulated area from edge of actual wetlands. There is a watercourse runs through wetlands system. They are proposing substantial topsoil area, a proposed paved and curved equipment area. Phase 1 southerly area is 4.1 acres with 63,000 cubic yards removed of sand and gravel. On the northerly edge a permanent sedimentation basin is proposed throughout the project. Proposed cuts in Phase 1 area maximum depth 25-feet with Phase 1 hillside re-sloping and regrading. The entire work area drains inward with little concern for E and S down gradient. Phase 2 area is essentially the same limits of what was previously approved. There will be clearing 8 to 10 ft. from the delineated wetlands edge. The excavation will maintain a 50-ft. buffer which will remain undisturbed. No additional disturbance is proposed. Phase 2 area 2.6 acres with 27,000 cubic yards removed. There is a valid wetlands permit for the Phase 1 area, looking to add in the expansion. All excavated material transported off site is on existing haul road referred to Riverwalk Drive. This is a private drive which serves condominiums and apartments. This intersects with Allen Hill

Road. There will be no processing of material on site, no sales to the public to material on site. The intention is to sell material in place, and this would be relatively short-term project to who he is selling to and get restoration accomplished.

Zoning regulation changes since 2018 - a few upgrades to the plans were made to keep up with the new zoning regulations. A fueling pad was added outside the regulated area. Hay bales added for restoration, and quantities and qualities of topsoil used, and vegetative seeding requirements were added. As the respective phases are completed the restoration would be undertaken under the first available growing season following excavation. Due to the limited size of the project both phases 1 and 2 will be bonded.

The applicant is looking for an acceptance of the application and a determination of no significant activity.

Mr. Sorrentino asked about woody debris on the slope. Mr. Held stated there is additional clearing there on the easterly edge, within existing clearing limits. Mr. Held addresses Mr. Sorrentino's concerns.

Ms. Washburn commented there were earlier complaints received from Riverwalk Drive residents with regards to 3 to 4 truckloads coming out. Mr. Lehto removed some big boulders for restoration. Ms. Washburn commented there has been no complaints for several months now. Mr. Lehto had never paid the PZC required bond for the last approved project. Discussion held.

A motion was made by Demian Sorrentino to receive application 060920A Paul R. Lehto, Allen Hill Road, Map 32, Lot 148, RA Zone, Excavation of sand and gravel and continue to next regularly scheduled monthly meeting for consideration. Jim Paquin seconds the motion. No discussion held. All in favor. The motion passes unanimously.

The commission determines there is no significant activity, no public hearing will be required.

5. 060920B VBL Properties, LLC Beecher Road, Map 22, Lot 38, RA Zone; 5-Lot Subdivision.

Paul Archer, Archer Surveying represents the applicant. This is a 14-acre parcel on the south side of Beecher Road. A free split has been done and a house was built on the westerly end of the road. The main concern is Blackwell's Brook runs through the easterly side of the project. There is one proposed lot on the westerly side in the upland review area. Two proposed lots in the middle are not in upland review, one lot on the west side of Blackwell's Brook has little in upland review area and one lot on Rukstela Road which goes to the landfill is where work will be done in the upland review area. Two of the five lots have non-engineered septic systems. They are awaiting NDDH approval. The applicant is in the beginning phase, looking for acceptance to return next month to discuss.

A motion was made by Jim Paquin to receive application 060920B VBL Properties, LLC Beecher Road, Map 22, Lot 38, RA Zone; 5-Lot Subdivision. Demian Sorrentino seconds this motion. Discussion held.

Demian Sorrentino commented there are no wetland flag numbers on the conceptual development plan, a report submitted from soil scientist is required. Mr. Archer agrees. Mr. Sorrentino also asked to be sure the Commission has plans stamped by the PE.

All in favor. The motion passes unanimously.

6. 060920C A. Kausch & Sons, Tripp Hollow Road, Map 15, Lot 4, RA Zone; 2-Lot Subdivision; single family homes, driveways, septic, well and minor grading.

Paul Archer, Archer Surveying represents the applicant. This is a 4-acre lot on the westerly side of Tripp Hollow Road. The wetland flags are on the development plan. This is a simple 2-lot subdivision with no work in the wetlands but in the upland review area.

Mr. Sorrentino questions the proximity of the septic systems to the wetlands. Soil scientist to submit a report. Mr. Sorrentino asked if there is standing water in wetland? Mr. Archer stated no, there is not.

Mr. Archer commented the septic systems are 40 plus feet away from wetlands. Mr. Sorrentino feels they are very close. Mr. Archer commented the wetland flags are new, Joe Theroux did them back in February 2020. The wetlands were delineated after the test pits were done.

Jim Paquin commented that the primary system for Lot 4A-1 be moved closer to the driveway turn around, move the house closer to the right. Mr. Archer commented the setbacks are tight. Discussion held.

Mr. Archer will get permission from the property owner for Commission members to visit the site.

A motion was made by Demian Sorrentino to receive application 060920C A. Kausch & Sons, Tripp Hollow Road, Map 15, Lot 4, RA Zone; 2-Lot Subdivision; single family homes, driveways, septic, well and minor grading and table discussion to next regularly scheduled meeting. Richard Oliverson seconds the motion. Discussion held. All in favor. The motion passes unanimously.

Communications:

1. Budget Update: Commission Members Reviewed the Budget.

Mr. Sorrentino asked if any advertising has been done to recruit new Commission Members. Ms. Washburn commented that Ms. Diamen has had health issues and not pursuing joining the Commission at the present time. No advertising has not been done at this time.

2. Wetlands Agent Monthly Report:

Complaint Map 18, Lot 28 Woodward Road, William and Kathy Perron. Excavating gravel, mine and cutting hard wood close to Blackwell's Brook. There is no approved residence located at this site, there are several sheds/out-buildings.

Ms. Washburn is going to send out a wetlands violation letter and request him to attend July meeting. She will send out the letter 10 days prior to the meeting as required by law.

Mr. Paquin asked if she has tried to contact him. Ms. Washburn has had a hard time locating the Perron's whereabouts.

Mr. Paquin suggests duct taping the violation to his machine on site, send letter by certified mail to last known address.

Ms. Washburn will send out order to stop work now and send out violation letter 10 days prior to next month's meeting.

Public Commentary: None

Adjourn: A motion was made by Jim Paquin to adjourn the meeting at 7:21 p.m. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Audrey Cross-Lussier, Recording Secretary

