

Brooklyn Inland Wetlands Commission
Regular Meeting Minutes
Tuesday, October 11, 2022
Zoom and In-Person Meeting
Clifford B. Green Memorial Center
69 South Main Street
6:00 p.m.

In-Person: Clifford B. Green Meeting Center, Suite 24, 69 South Main Street, Brooklyn, CT	
Online: Click link below: https://us06web.zoom.us/j/82435574137	OR Go to Zoom.us , click Sign In On the top right, click Join a Meeting Enter meeting ID: 824 3557 4137 Enter meeting password: 038430
Phone: Dial 1 646 558 8656 US Toll Enter meeting number: 824 3557 4137 Enter meeting password: 038430 You can bypass attendee number by pressing #	

Call to Order: 6:00pm

Roll Call: Richard Oliverson, Adam Brindamour, Adam Tucker, James Paquin.
Demian Sorrentino absent with notice
Jason Burgess arrived at 6:10 p.m.

Staff: Margaret Washburn, Jean Bolin

Seating of Alternates: None

Public Commentary:

James Rand of 42 Salmon Drive was in attendance and had a few concerns regarding the 143 South Street application and long-term use of the property. He asked if there is a limit to how many animals would be allowed in the future if applicant sold the property.

Margaret Washburn stated that Brooklyn and Inland Wetlands and Watercourses Commission does not limit the number of animals. Ms. Washburn explained that they asked the applicant for a better manure storage and removal plan and the applicant did submit a process to manage manure. The permit goes with the property not the owner so the permit would be valid for future owners.

Mr. Rand asked the commission who would be responsible for monitoring manure removal/storage. What can be done if the smell gets out of control?

Richard Oliverson stated that the Inland Wetland and Watercourses Commission only protects the waterways, not zoning or smell concerns.

Approval of Minutes: Approved and accepted as written

1. Public Hearing:

IWWC 22-004 - 253 Wolf Den Road - Map 17 Lot 32-3 – Pasay Development.

Installation of driveway across wetlands to access house site in previously approved subdivision.

Mr. Oliverson read aloud the public hearing notice and confirmed that it was published in the Turnpike Buyer on September 28 and October 5, 2022.

Paul Terwilliger, of PC Survey Associates, represented the applicant, Keith Pasay of Pasay Development. Mr. Terwilliger stated that the lot was approved in 2006; twin concrete pipes exist. The proposal is to extend the pipes and fill to grade. Mr. Terwilliger explained that sediment controls would include silt fence backed by hay bales for mitigation, to prevent runoff entering the wetlands. Side slopes would be covered with matting after seeding is done. The amount of fill needed would increase existing grade by about 8 feet, then taper down from there. There would be about 300 yards of fill needed, and approximately 70-100 yards would be in wetlands. Riprap would be used beyond the flared ends of the pipes.

Adam Brindamour asked if the wetlands had been flagged recently. Mr. Terwilliger said yes, in 2021.

James Paquin inquired about what would happen if in the future if there was animosity amongst neighbors, who would maintain the pipes? Is there a way to have a few feet between driveways so each end can be maintained by each owner?

Mr. Terwilliger explained that if they created space between the driveways for mutual maintenance, then more wetlands would have to be disturbed. This current plan has the least impact on wetlands.

Mr. Paquin asked how much cover is over the pipes.

Mr. Terwilliger commented that it would be about 6 feet at the steepest point.

Peter Joyce was in attendance and stated that he was an abutter to this property and had not been notified of this public hearing.

Mr. Terwilliger asked Mr. Joyce for his address and checked the abutter's mailing list that was used. Mr. Joyce was not listed as an abutter. He confirmed that Mr. Joyce was not an official abutter.

Charles Browning of 255 Wolf Den was in attendance and stated that Mr. Joyce is not an abutter, but his property is 50 feet from the applicant's address.

Ms. Washburn added that Mr. Joyce is not an abutter, and his property is upstream from this property in this application.

Mr. Terwilliger explained that there is an existing driveway base, but it is on the neighbor's property. They had tried to relocate the property lines, but that did not work.

Mr. Joyce asked how much disturbance would be to wetlands.

Mr. Terwilliger replied about 730 square feet.

Mr. Oliverson indicated that this application has minimal impact to wetlands; other options would disturb wetlands.

Nicole Garbutt of 255 Wolf Den read aloud a notice that stated that she had done significant improvements to the property and would be taking legal action, including filing a lawsuit for adverse possession if this is approved. She requested that this application be denied.

Mr. Browning asked if the driveway is approved, how will the pipes be joined into one?

Mr. Terwilliger stated that the flared ends would be cut out and extend the pipes.

Mr. Oliverson inquired if a site walk would best before it is deemed a significant impact.

Mr. Browning stated that he is the owner of Portfolio Properties LLC, and the current apron does not meet code. His concern was if the driveway needs to be removed in the future, how does that impact wetlands.

Mr. Paquin commented that there are currently 80 feet of pipe, which is a long run for a 12" pipe. He asked why there has to be a new zoning permit.

Ms. Washburn replied that a new house needs a new zoning permit.

Mr. Oliverson stated that 80 feet of pipe is a lot.

Ms. Washburn stated that Syl Pauly reviewed the site plan and had no comment. She encouraged a site walk before making any decisions.

Mr. Browning asked if Mr. Pasay is unwise enough to install the driveway, what role would the town play in the removal of the fill if Ms. Garbutt's pending lawsuit prevailed.

Ms. Washburn advised the commission to bring the provided sample motion sheets on the site walk.

The Commission agreed to do a site walk on October 21, 2022, at 5:00 p.m. Minutes from the site walk will be posted on the Town website.

Old Business:

1. IWWC 22-004 - 253 Wolf Den Road - Map 17 Lot 32-3 – Pasay Development.

Installation of driveway across wetlands to access house site in previously approved subdivision. Adam Brindamour made a motion to continue public hearing at the next regularly scheduled Inland Wetlands and Watercourses Commission meeting on November 14, 2022, at 6:00 pm.

Adam Tucker seconded the motion. Approved 5/0.

1. IWWC 22-005 143 South Street – Map 40 Lot 88-11 – Loni Decelles. Construction of horse barn within upland review area. Clearing for horse turn out within upland review area. Selective clearing and fencing within wetland.

Mr. Terwilliger represented the applicant, Loni Decelles. He presented the revisions that were requested previously.

Ms. Washburn asked Mr. Terwilliger if Ms. Decelles got permission to cut down trees on town land.

Mr. Terwilliger replied yes.

Mr. Brindamour made a motion to approve IWWC 22-005 143 South Street – Map 40 Lot 88-11 – Loni Decelles. Construction of horse barn within upland review area. Clearing for horse turn out within upland review area. Selective clearing and fencing within wetland, with standard conditions.

Mr. Paquin seconded the motion. Approved 5/0.

New Business:

1. IWWC 22-006 - 14 Hugh Drive – Gary Mark Emond – Map 36 Lot 31 – after-the-fact permit for a shed.

Gary Emond was present along with Christina Brown and Andy Bowen.

Mr. Paquin made a motion to approve **IWWC 22-006 - 14 Hugh Drive – Gary Mark Emond – Map 36 Lot 31** – after-the-fact permit for a shed with standard conditions.

Ms. Washburn did a site inspection and confirmed where the motorcycle path to the shed was and where excavated material will be placed. She recommended approval of this application.

Mr. Brindamour seconded the motion. Approved 5/0.

2. DR 22-004 – 129 Creamery Brook Rd – Courtney Crofts – Map 32 Lot 121-2 - To build a 12 ft x 18 ft run in a shed for cattle, directly related to agriculture. Made with galvanized steel and sheet metal secured to the ground with rebar in a post hole filled with concrete.

Stephanie Bellows was present to represent this application.

Mr. Paquin made a motion to approve DR 22-004 – 129 Creamery Brook Rd – Courtney Crofts – Map 32 Lot 121-2 - To build a 12 ft x 18 ft run in a shed for cattle, directly related to agriculture. Made with galvanized steel and sheet metal secured to the ground with rebar in a post hole filled with concrete and issue a Declaratory ruling for agricultural use as of right.

Mr. Brindamour seconded the motion. Approved 5/0.

Other Business:

Town email addresses for IWWC members requested.

Jason Burgess expressed that he wants a town e-mail address for each member of the commission. Mr. Burgess said that all town related communications should be done through a town specified e-mail address, not through personal e-mails.

Austin Tanner was in attendance and stated that he will talk to the Town IT staff and Town Counsel.

Additions to Agenda: None

Communications:

1. Wetlands Agent Monthly Report.
2. Budget Update.

Public Commentary: None

Adjourn:

Adam Brindamour made a motion to adjourn at 7:25p.m.

Adam Tucker seconded the motion. Approved 5-0.

Richard Oliverson, Chairman