

**Town of Brooklyn  
Inland Wetlands and Watercourses Commission  
Regular Meeting Minutes  
Virtual Web Ex  
April 13, 2021**

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

**Members Present:** Jeffrey Arends, Richard Oliverson, James Paquin, Adam Brindamour, Demian Sorrentino and Jason Burgess.

**Members Absent:** None.

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

**Also Present:** Norm Thibeault, Paul Archer, Bruce Woodis, Nicholas Mancuso, Michelle Saez, Michael Vallone, Joe Szarkowicz, public in attendance.

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

**Seating of Alternates:** None.

**Public Commentary:** None.

**Additions to Agenda:** None.

**Approval of Minutes:** Regular Meeting Minutes of March 9, 2021. Ms. Cross-Lussier made correction to the year as 2021 not 2020.

The regular meeting minutes of March 9, 2021 were approved as written with no corrections.

**Public Hearings:**

**1. 020921A Shane Pollock and Fran Mancuso, Applicants/Owners; Louise Berry Drive, Map 33, Lot 19, R-30 Zone; Construction of 51 Single Family Condominium Units with activity in the upland review area.**

Norm Thibeault, Killingly Engineering represents the applicant. This is a proposed 51-unit development on a 13.5-acre parcel of land with access off of Louise Berry Drive.

There is no activity within the wetlands, there is activity in the regulated area. There will be a 1000 feet of constructed paved roadway. The development is served by public sewer and water which both have been approved. The sewer by Water Pollution Control Authority and the water by Connecticut Water. There are 7 acres being disturbed with 2.07 acres disturbance in the regulated upland review area. The total area of wetlands is 2.33 acres. A good portion emanates from drainage through property from Louise Berry Drive. Joe Theroux delineated the wetlands. There is a rocky channel that receives drainage from Louise Berry Drive and there is also Anderson Brook which comes in on the southeast corner of the property and flows across the property from southeast to northwest and ultimately leaves the property in the northwest corner. During construction they are proposing significant erosion and sedimentation control measures to protect the wetlands resource areas. The controls include wire backed silt fenced and double staked hay bales. Those will be installed on the bottom of the disturbance slope. On the fill slope they are keeping 3 to 1 slope, proposing erosion control fabric to stabilize quickly once work is done. The closest unit to any of the wetlands is located at the site entrance will be approximately 45 feet from the rocky channel that emanates from the drainage associated with Louise Berry Drive. The closest unit is Unit #4 which is the first set of buildings on the left-hand side after the handicap units, it is 65 feet from the wetlands and gets progressively further away from the amount of disturbance from wetlands. The closest disturbance is a southwest basin from the roadway, collected in a closed system with a pipe retrofitted with 4 ft. sump in order to help with sediment collection to keep from getting in the basin. The last catch basin will also be hooded to keep any kind of floatables out of southwest basin.

The stormwater basin will have a temporary sedimentation trap during construction. The trap will be reconfigured. During construction there will be no discharge from the catch basin. The overland flows will be captured by a temporary swale on down gradient of the disturbance slopes. The swale directed to the temporary sediment trap will ensure no sediment laden run off is directed into the wetland. As part of the temporary basin the outlet structure installed is part of the final stormwater basin design, it will be closed off, all orifice openings within the outlet structure will not be functional during construction. The outlet will have a filter berm across the basin and for any water to leave the southwest basin will filter through a second filter to the resource area.

Mr. Thibeault discusses the 9/23/20 report submitted by Soil Scientist, Joe Theroux. (see attached).

Mr. Thibeault discusses the stormwater design.

Mr. Thibeault discusses the parking, rip rap and stormwater swales. They will not result in functionality of wetlands.

Chairman Arends opens the floor to Commission Member questions:

Mr. Brindamour voices his concerns with wildlife habitat in the area, Mr. Theroux's report, and his conclusion. This seems contradictory. Mr. Thibeault addresses Mr. Brindamour's concerns.

Mr. Brindamour asks what proof evidence is there that the bulk of the recharge is from somewhere else. Mr. Thibeault addresses Mr. Brindamour's concerns.

Mr. Oliverson asks how the Baker property will be protected downhill. Mr. Thibeault addresses Mr. Oliverson's concerns, reviews drainage report.

Mr. Oliverson asks if the maintenance agreement will be handed off to the condo association before the project is completed. Mr. Oliverson voices his concerns. Mr. Thibeault stated the Contractor is responsible until it is built out. Mr. Thibeault discusses Mr. Oliverson's concerns.

Chairman Arends asked is the entire lot 13.5 acres, yes per Mr. Thibeault. Chairman Arends are there 7 acres developed, yes per Mr. Thibeault. Chairman Arends asked if a bond will be required of the Contractor. Mr. Thibeault stated it will be required by the PZC Commission, however, Ms. Washburn can require a bond.

Chairman Arends asked how deep is the stormwater basin? Mr. Thibeault stated it will be 5 feet deep. Chairman Arends asked if it will take 24 hours to discharge. Mr. Thibeault stated it will take up to 24 hours to discharge. Chairman Arends asked if fencing around the basin be required? Mr. Thibeault discussed how the basin is designed. No fence is proposed, however, there is no objection to fencing. Discussion ensued.

Commission member Demian Sorrentino joined the meeting at 6:08 p.m.

Chairman Arends opens the floor for public comments:

Mr. J.R. Thayer Westview Drive: where can he find all the back up information that is being discussed. Chairman Arends stated it is found on the Town's website. Ms. Washburn stated that attachment #1 has all of the project plans.

Bill Purcell, 179 Gorman Rd: Who is on site during construction when the 9-inch lifts and modified compaction occurs? Mr. Thibeault states it has to be done by the site engineer. A qualified company is hired for the compaction test. Mr. Purcell asked who is going to be on site every day? Mr. Thibeault stated there will be presence on site every day, however, public works, building official and wetlands agent associated with the Town and reviewing engineer will be present at different times to make sure these things are done correctly. It is the contractor's advantage for this to be done correctly. Mr. Purcell asks is soil on site suitable or will material be brought in. Mr. Thibeault discusses this with Mr. Purcell.

Cynthia Scalzi 36 Franklin Drive: Where is the basin going to discharge from? Where is the water supposed to go? She is concerned that it will go onto her property. Mr. Thibeault states the water will flow east to west. Mr. Thibeault discusses the function of the stormwater basin and Ms. Scalzi's concerns.

Mr. Oliverson asked what the size of the basin is? Mr. Thibeault commented the volume of the storm water basin is 47,000 cubic feet, converted to gallons is 350,000 gallons of storage within the basin.

Ms. Washburn commented that Mr. Thibeault made all changes asked for and are on the plans along with conditions asked for.

Mr. Sorrentino asked what is the increase of impervious area? Mr. Thibeault stated 40% of the impervious 7 acres will be 20% impervious.

Mr. Sorrentino asked if it is the opinion of Joe Theroux and Norm Thibeault that the increase of impervious surface will not negatively impact overland and base flow from the currently undeveloped portion of property into the wetland and watercourse system? Mr. Thibeault stated no. The roof water is clean run off from the building and is on the down gradient side being directed towards the wetlands. The total amount of water to the wetlands stays relatively consistent.

Mr. Sorrentino asked if there is outlet protection on the building discharging to ground? Mr. Thibeault can show this on the plan. Mr. Sorrentino discusses slopes. Mr. Thibeault agrees.

Chairman Arends asked if this will be protecting the gutter drains? Yes per Mr. Thibeault. Chairman Arends asked if the water coming off roof will be filtered? No per Mr. Thibeault, it is considered clean run off, crush stone or rip rap to be placed to slow it down a bit.

Mr. Thibeault shares the plan on the screen with members and public in attendance to review. Discussion ensued regarding slopes and retaining walls.

The consensus of the commission was to have a terraced wall system with a 3 to 1 slope.

Cynthia Scalzi 36 Franklin Drive: voices watershed regulation concerns. Mr. Thibeault addresses the upland review, regulated and buffer areas and shows this on the site map.

Mr. Sorrentino reviews grading plan on sheet 4 of 11. Will there be any ground water seepage in the cut slopes? Mr. Thibeault stated no. There are no high ground water tables there based on the limited excavation done. Mr. Theroux report responds to the well-drained soils. Discussion ensued.

Cynthia Scalzi 36 Franklin Drive: How will sediment not reach the waterways, pollution, etc. Mr. Thibeault discusses the erosion and sedimentation control plan. Ms. Scalzi asked how this will be done accordingly and who will be checking? Mr. Thibeault addresses this concern.

A motion was made by Jim Paquin to close the public hearing on application 020921A Shane Pollock and Fran Mancuso, Applicants/Owners; Louise Berry Drive, Map 33, Lot 19, R-30 Zone; Construction of 51 Single Family Condominium Units with activity in the upland review area. Discussion held.

Mr. Brindamour asked if they need to review suggested changes before closing or can it be done after? Chairman Arends stated it can be done under old business. Mr. Sorrentino stated as long as the public is clear of the intent.

Adam Brindamour seconds the motion. All in favor. The motion passes unanimously.

**Old Business:**

**1. 020921A Shane Pollock and Fran Mancuso, Applicants/Owners; Louise Berry Drive, Map 33, Lot 19, R-30 Zone; Construction of 51 Single Family Condominium Units with activity in the upland review area.**

Discussion ensued with regards to terraced walls, 3 to 1 slope, bond for stormwater basin, and outlet protection to break the velocity of roof discharge, and Syl Pauley, P.E. NECCOG's review.

A motion was made by Jim Paquin to approve application 020921A Shane Pollock and Fran Mancuso, Applicants/Owners; Louise Berry Drive, Map 33, Lot 19, R-30 Zone; Construction of 51 Single Family Condominium Units with activity in the upland review area with the following conditions:

The only work allowed prior to installing the perimeter sediment controls shall be clearing vegetation. No grubbing shall be allowed until the perimeter sediment controls have been installed as per the plan. Call (860) 779-3411, ext. 31, for an inspection of the perimeter sediment controls. The perimeter sediment controls must be approved in writing by the IWWC Agent or a Commission member prior to commencing any other work.

The proposed retaining walls adjacent to east and south of Units 1, 2 and 3 shall be terraced 2 walls to further reduce the slopes to the water course 3 to 1 or less.

The temporary sediment basin and swale must be at least temporarily stabilized prior to discharging any stormwater into them. Call (860) 779-3411, ext. 31, for an inspection of the temporary sediment basin and swale. The temporary stabilization of the temporary sediment basin and swale must be approved in writing by the IWWC Agent or a Commission member prior to discharging any stormwater into them.

Detention basin side slopes and bottom shall be mowed annually by 6/30 and 10/1 for the life of the basin, in perpetuity.

The Condominium Association shall be responsible for maintenance of the stormwater basin and its outlets in perpetuity.

The construction of the temporary sediment basin and swale shall begin between April 14 and September 1 to allow for vegetation to become at least temporarily established in the basin prior to discharging stormwater into the temporary sediment basin and swale.

Demian Sorrentino seconds the motion. Discussion held.

Amendments to Motion:

Demian Sorrentino added to the motion: where roof drainage discharge is on a slope 3 to 1 or steeper that outlet protection shall be provided by means or rip rap or equal.

Rich Oliverson, add standard IWWC conditions.

Rich Oliverson asked if Jason Burgess should recuse himself from the vote even though he is a newly sitting member. Mr. Burgess recuses himself.

Chairman Arends calls for the vote:

All in favor: Jeffrey Arends, Richard Oliverson, James Paquin, Demian Sorrentino.

Not in favor: Adam Brindamour.

Recused: Jason Burges

The motion passes 4 in favor, 1 against, 1 abstained.

## **2. Hearing for Edward L. Branciforte, Violation of Inland Wetlands and Regulations for 36 Paradise Drive; No IWWC Permit.**

Mr. Branciforte was not in attendance. Ms. Washburn has reached out to Mr. Branciforte by certified mail and e-mail with an order to remediate, he has not responded. Chairman Arends asked if Mr. Branciforte has returned back home from Florida. Mr. Oliverson stated that his RV is back.

Mr. Sorrentino asked what is next logical course of action? Ms. Washburn stated he is going to get series of citations for each deadline in enforcement order to remediate. He can ask for a hearing, he failed to appear at one hearing. There can be a series of liens placed on his property over time.

Mr. Sorrentino asked if starting legal action is not an option? Ms. Washburn stated they are following the way the ordinance is written. Discussion ensued.

Selectman Ives stated that it was suggested by Town Attorney that Mr. Branciforte be given one last chance to appear. The fact that he is not here should be the end of it, there is nothing more to do. This should go back to the Town Attorney to take action.

Mr. Sorrentino suggests sending to Town Attorney and file with Windham Superior Court to get order enforced. Chairman Arends agrees.

A motion was made by Adam Brindamour to uphold the order to remediate against Mr. Branciforte. Demian Sorrentino seconds this motion. All in favor. No discussion held. The motion passes unanimously.

**3. Hearing for Terrance M. Veazie, Violation of Inland Wetlands Regulations for 117 Tatnic Road; Permit Transfer 121107A George Forson approved November 21, 2017.**

Bruce Woodis, KWP Associates represents the owner Mr. Veazie. Mr. Veazie could not be here tonight due to a work conflict. Ms. Washburn's report reviewed. Mr. Woodis visited the site yesterday. All of the remaining disturbed areas, slopes, driveway have fabric and stone or have been seeded and matting placed on the seeded areas. There was one small area next to driveway on southwest side of driveway not completed, which he did complete after Mr. Woodis visited the site. Photos were sent to Mr. Woodis. Mr. Woodis opinion is that he has done a good job completing the project as he was supposed to and based on the encouragement of the commission and myself, he hired an excavating contractor to work with him. The project has proceeded well, and it is complete for the check dam portion. Ms. Washburn asked Mr. Veazie to call her when work was done, grass grown in and completely stabilized. Mr. Woodis stated the site is very stable, replaced silt fence and haybales. All exposed surfaces adjacent to crossing covered with stone, seeded, and covered with jute matting. Mr. Woodis asked if the Commission will require an as built for the work done? Ms. Washburn stated no as-built required. He has an order to remediate with a deadline of June 1<sup>st</sup>. The Commission motioned to uphold the order to remediate last meeting. Mr. Paquin suggests he would like to hear from Mr. Szarkowicz after the next rain event. Mr. Veazie should send a memo over to Ms. Washburn once the work is substantially in compliance with drawings. This should bring it to next month's meeting and address it then. Chairman Arends agrees. Mr. Woodis will do an inspection and agrees with the Commission. Mr. Woodis will write a memo and send to Ms. Washburn.

A motion was made by Demian Sorrentino to let the existing order stand until next month. Jim Paquin seconds. No discussion held. All in favor. The motion passes unanimously.

Mr. Szarkowicz commented that there has been good effort. Matting has been put down. Let us wait until the next major storm event. He is hoping something grows soon and it is all done.

**4. Hearing for Paul Lehto, Violation of Inland Wetlands Regulations; Permit 060920A Paul R. Lehto, Allen Hill Road, Map 32, Lot 148, RA Zone; Excavation of sand and gravel.**

Mr. Lehto is not present at tonight's meeting. Chairman Arends asked if they went beyond the limits approved? Ms. Washburn stated yes.

Ms. Washburn stated that Mr. Lehto has a phasing plan with PZC. He was allowed to do work in two phases. He was given a very liberal bonding option to allow him to bond phase by phase. Mr. Lehto has failed to post bonds, he opened up both phases, did not follow any kind of plan, sediment controls missing or in disrepair. The PZC is strongly leaning to rescind and revoke the permit. Having fail to show tonight Ms. Washburn recommends the Wetlands Commission consider revoking and rescinding the IWWC permit as well.

Mr. Paquin would like to do a site walk. Chairman Arends agrees, Commission agrees. Chairman Arends asks Ms. Washburn to contact Mr. Lehto to ask for permission to enter property and do the site walk.

Site walk date – Monday April 19, 2021 at 5:30 p.m. Members to meet at site.

Ms. Washburn and Ms. Roberson recently met with contractor Richard Klingensmith at the site. Mr. Klingensmith said he did not know anything about any permits, or phasing plans. Ms. Roberson has a copy of a contract between Mr. Klingensmith and Mr. Lehto. Ms. Washburn found it difficult to believe what Mr. Klingensmith said while on the site walk.

Ms. Washburn asked with Mr. Lehto being a no show, should the order to remediate stand? Mr. Paquin commented it should stand until the site is looked at. Chairman Arends agrees before any decisions made.

Mr. Paquin would like to see something in writing from Mr. Lehto authorizing the Commission to be able to enter the property do the site walk. Discussion ensued.

#### **New Business:**

##### **1. 041321A Michelle Saez, 343 South Street, Map 46, Lot 37-3, R-30 Zone; Installation of above ground pool with deck.**

Ms. Washburn has visited the site. Ms. Washburn's report is within the application. Ms. Washburn feels this is a good case for agent approval. Commission members unanimously agree that application 041321A shall be granted as agent approval.

##### **2. 433 Hartford Road – Michael Vallone. Question regarding dead tree removal in/near wetlands.**

Mr. Vallone has 5-6 dead trees in the wetlands portion of his property. Ms. Washburn went out to review the site. Mr. Vallone is more worried about the trees aesthetically; Ms. Washburn is more worried about the trees for safety. Mr. Paquin asked if he is stumping/cutting the trees? Mr. Vallone stated he will cut down to 4 to 5 feet, not stumping. He will place a tree house and bird feeder on top of the tree trunks. He will not go through the stumping process. Mr. Paquin asked if any equipment will be brought in to draw the trees out? Mr. Vallone stated no. Mr. Paquin feels no permit is required. Chairman Arends thanks Mr. Vallone for coming to the Commission tonight.

##### **3. 53 Proulx Street-Andrew Kausch. Permission granted by owner of 15 Robert Street for soils scientist to evaluate the apparent wetland resource that would project an upland review area onto 53 Proulx Street.**

Paul Archer, Archer Surveying represents Mr. Kausch. Mr. Kausch owns a 1-acre lot end of Proulx street with an existing house and garage. The property has city sewer, water, and gas. The applicant is investigating to take a free split of the property. There are no wetlands on the property whatsoever. The NECCOG GIS shows no wetland soils in the vicinity. The Town Planner, Jana Roberson thought there were wetlands on the adjoining property. Mr. Archer called the neighboring property and got permission to have the wetlands flagged. Bob Russo flagged



the wetlands. Silt fence was put along the property line. Mr. Archer is looking for agent approval. Mr. Sorrentino states that the wetlands are plainly visible on the NECCOG GIS.

Chairman Arends asked Ms. Washburn if she is comfortable granting an agent approval. Ms. Washburn stated there is a member of the public, adjacent neighbor, who wishes to speak.

Judith adjacent property owner asked what can be done to protect the wetlands? Can a barrier be put up? A barrier was put up last year but is falling down. What can be done so that things cannot wash into the wetlands and run-off?

Mr. Paquin stated during construction erosion control measures such as silt fence are installed. After construction is completed, they really cannot regulate where grass clippings go when a new resident moves in. Ms. Judith asked if there is a way to put up a fence. Mr. Paquin stated that she can put up a fence on her property. Ms. Judith is concerned about run off. Discussion ensued.

**4. 041321B Paul Lehto, 40 Almada Drive, Map 21, Lot 6, RA Zone; Proposed 2-Lot residential subdivision.**

Ms. Washburn commented the site engineer called today and asked if the Commission was just going to receive the application tonight, they will appear at next month's meeting.

Mr. Sorrentino suggests looking at application to see if this has a significant impact and may need a public hearing. Discussion ensued.

Site walk to be scheduled next month.

Application received at tonight's meeting 4/13/21.

**5. 041321C A. Kausch & Sons, 53 Proulx Street, Map 41, Lot 85, R-10 Zone; Division of Property, Single Family Homes, Driveway, Minor Grading, Property has public sewer and water.**

Application received at tonight's meeting 4/13/21.

**6. 041321D A. Kausch & Sons, Pomfret Landing Road/Church Street, Map 37, Lot 17 and Map 37, Lot 20 and 21; Wetlands crossing for driveway, 2 residential homes, septic system, well, minor grading.**

Paul Archer, Archer Surveying represents the applicant and gives a brief summary of the application. Commission requests full set of plans for next month's meeting, what was submitted is not adequate.

Ms. Washburn asks how much of wetlands will be filled. Mr. Archer stated 3600 sq. ft of wetlands are to be filled. They are proposing a driveway to two of the three lots. The wetlands were first flagged by Mike Schaefer and second time by Bob Russo.

Mr. Archer stated this is a significant activity and expects a public hearing to be scheduled. Mr. Archer suggests the Commission members schedule a site walk. Discussion ensued.

A motion was made by Demian Sorrentino to table application 041321D for consideration to the next regularly scheduled meeting. Adam Brindamour seconds this motion. Discussion held. All in favor. The motion passes unanimously.

**Extensions/Modifications:**

**1. 512 Providence Road: Modification of the approved plan for Permit 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 agricultural crossing.**

Ms. Washburn brings this to the attention of the Wetlands Commission. The plan was brought to PZC who made them lift the bottom of the basin 1 foot higher out of the ground. Ms. Washburn asked Mr. Thibeault to submit the same plan that PZC approved. Chairman Arends asked what the reason is for raising the floor? Ms. Washburn stated it is more compliant with stormwater and better for ground water.

Chairman Arends states this does not represent a significant change. Mr. Paquin agrees. Discussion ensued. Commission members agree that this is not a significant change.

A motion was made by Jim Paquin to accept the plan submitted to the P&Z Commission to supersede the plan previously approved by the IWWC Commission. Adam Brindamour seconded this motion. No discussion held. All in favor. The motion passes unanimously.

**Communications:**

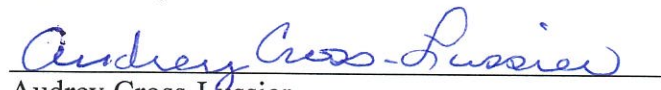
**1. Wetlands Agent Monthly Report:**

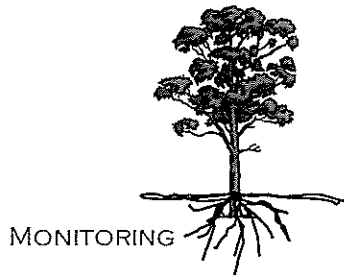
Ms. Washburn commented they have started work at Pierce Baptist replacing the sewer line.

**2. Budget Update:** Reviewed.

**Public Commentary:** None.

**Adjourn:** A motion was made by Jim Paquin to adjourn the meeting at 8:46 p.m. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

  
Audrey Cross-Lussier  
Recording Secretary



## JOSEPH R. THEROUX

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FORESTRY SERVICES ~ WETLAND IMPACT ASSESSMENTS  
WETLAND DELINEATIONS AND PERMITTING ~ E&S/SITE

WETLAND FUNCTION & VALUE ASSESSMENTS

9/23/20

Killingly Engineering Associates  
P.O. Box 421  
Dayville, CT. 06241

Re: Wetland function/value and impact assessment report for the proposed site development for Shane Pollock, Louise Berry Drive, Brooklyn, Connecticut.

Dear Mr. Thibeault,

At your request, I have reviewed the site plans entitled: "PROPOSED MULTI- FAMILY DEVELOPMENT, LOUISE BERRY DRIVE BROOKLYN, CONNECTICUT. PREPARED FOR SHANE POLLOCK, dated April 23, 2020, revised to August 24, 2020 and the above referenced property for the purposes of assessing the wetland functions and values and potential impacts to the inland wetlands and watercourses in proximity to the proposed housing development.

The wetland function and value assessment was conducted on 9/22/2020.

### **Existing Conditions**

The property is 13.497 acres in size and is located on the south side of Louise Berry Drive, in Brooklyn, CT.

The majority of the parcel is comprised of uplands, with gentle to moderate slopes and gravelly, well drained soils. The southern portion of the property is occupied by a large palustrine forested/scrub-shrub wetland & watercourse complex and adjacent forested uplands along the southern property line.

### **Upland Review Areas**

The 125 foot upland review area around the delineated forested/scrub-shrub wetland/watercourse is vegetated in the overstory with a mix of white pine and mixed hardwoods in the sawtimber and polewood size classes. The mixed hardwoods include white, black and scarlet oaks, hickory, black birch and red maple.

The site was heavily logged several years ago resulting in the removal of the majority of the overstory. This increase in light has released the understory saplings, shrub and herbaceous species resulting in a very dense understory, especially in and adjacent to the wetlands.

This densely vegetated understory is comprised of polewood and saplings in these species as well as shrub species such as, spicebush, winterberry, Japanese barberry, multiflora rose and highbush blueberry. Herbaceous vegetation includes numerous fern species, goldenrod, black raspberry and miscellaneous grasses.

### **Wetlands**

A palustrine forested/scrub-shrub wetland with 2 watercourses were delineated in the southern and eastern portions of the property. (See wetland delineation report).

One intermittent watercourse flows to the south along the eastern property boundary. The only source of hydrology for the watercourse is from storm water discharges from the impervious surfaces associated with the school, and from Louise Berry Drive.

The other watercourse, (Anderson Brook), flows onto the property in the southeast property corner, and joins with the eastern watercourse. It then flows to the west off the parcel along the western property line. Storm water discharges from Franklin Drive enter the wetlands and watercourse on the southern property line.

The wetlands and watercourses were inundated on the date of the delineation, (12/28/15 and 5/4/20). On the date of the assessment, (9/22/2020), the wetlands were not inundated nor were the watercourses flowing, however a few small pockets were inundated within the watercourse, due to perched water trapped in depressions.

It should also be noted that floodplain soils were found adjacent to Anderson Brook which flows to the west off the parcel.

The majority of this wetland/watercourse is densely vegetated with red maple, white oak, white ash and elm in the overstory, and in the understory saplings and typical wetland shrub species such as highbush blueberry, speckled alder, arrowwood, sweet pepperbush, winterberry and spicebush. Other species included Japanese barberry, multiflora rose, grapevines and bittersweet.

Herbaceous vegetation included sphagnum moss, sensitive, Christmas, interrupted, hay scented, lady & cinnamon ferns, black raspberry, sedges, rushes, skunk cabbage, goldenrod, jewelweed and misc. grasses.

Wildlife tracks/sign found and directly observed in and adjacent to the wetland/watercourse included mammals and bird species such as: white tailed deer, eastern coyote, red fox, raccoon gray & red squirrels, red tailed hawk, American crow, red wing blackbird, and numerous songbird species.

Amphibians found included green and pickerel frogs. Undoubtedly, this wetland complex serves as habitat to numerous reptile and amphibian species.

I am uncertain if a fish population exists within Anderson Brook, due to its shallow average depths and status as intermittent. I do not believe it is possible for fish to inhabit the eastern intermittent watercourse due to its steep, rocky slope, intermittent nature and poor water quality due to the untreated, non-attenuated storm water discharges that severely erode the stream channel during significant storm events.

### **Wetland Functions and Values**

The forested/scrub-shrub wetland and watercourse(s), were inspected to determine wetland functions and values utilizing the Army Corps. Of Engineers methodology as outlined in "The Highway Methodology Workbook Supplement".

This methodology recognizes 8 separate wetland functions: groundwater recharge/discharge, floodflow alteration/storage, fish/shellfish habitat, sediment/toxicant/pathogen retention, nutrient removal/retention/transformation, production export, sediment/shoreline stabilization and wildlife habitat. The 4 wetland values include: recreational value, educational/scientific value, uniqueness/heritage value and threatened/endangered species habitat.

For each wetland function or value to be determined, 2 to 31 different considerations/or qualifiers are considered as rationale to apply or eliminate that specific function or value.

### **Palustrine forested/scrub-shrub wetland & Anderson Brook functions:**

The following is a list of the wetland functions exhibited by this wetland/watercourse and their descriptions:

**Ground water recharge:** Ground water recharge function is possible due to the perched water table being trapped in small inundated pockets within the wetlands and slowly infiltrating during dry season. Anderson Brook stream flows off the property diminishes this function.

**Sediment/toxicant retention:** Dense herbaceous vegetation, shrubs and flat topography in the wetlands can effectively trap sediments/toxicants from surface flows from the adjacent topography. Although with no current sources of sediments or toxicants present, this wetland has little opportunity to provide this function.

**Nutrient removal/retention:** Herbaceous and shrub vegetation in the wetlands can effectively trap and utilize potential nutrients before reaching watercourses. Nitrogen fixing bacteria in wetland soils also trap nitrogen. Although with no current sources of nutrients present, this wetland has little opportunity to provide this function.

**Production export:** numerous tree, shrub and herbaceous plant species in the wetlands provide food, berries and seeds for wildlife. Invertebrates and amphibians provide food for birds and mammals.

**Sediment and shoreline stabilization:** Roots from herbaceous grasses and plants, shrub species and trees found in wetlands adjacent to the watercourses help bind and stabilize soils which helps prevent erosion along steeper edges of wetlands and streambanks.

**Wildlife habitat:** Numerous amphibians, reptile, mammal, and bird species inhabit this wetland and watercourse complex. The wetland and upland riparian zones adjacent to the wetland serve as wildlife habitat. Wildlife habitat is the primary function of this wetland.

This wetland did not exhibit the wetland functions of fish habitat nor floodflow alteration due to the lack of significant deep-water habitat areas capable of sustaining fish or storing flood waters.

### **Palustrine forested scrub-shrub wetland & Anderson Brook values**

The following wetland values were exhibited by this wetland/watercourse:

**Recreation:** This wetland/watercourse complex holds the potential for active or passive recreational opportunities such as hiking, hunting or viewing of wildlife, although with no public access on this property, this wetland has little opportunity to provide this value.

**Educational/scientific value:** this wetland/watercourse is relatively undisturbed, contains multiple wetland classes, and is considered as valuable wildlife habitat, although with no public access on this property, this wetland has little opportunity to provide this value.

**Uniqueness/heritage value:** this wetland/watercourse serves an important role in the ecological system of the area, it is a typical wetland class for the area, and serves as valuable wildlife habitat.

**Visual/aesthetic value:** the wetland/watercourse is visible from multiple viewing locations due to its position in the landscape, it contains a diversity of vegetation that turns vibrant colors during different seasons, it is considered valuable wildlife habitat, and is not significantly disturbed.

This wetland/watercourse did not exhibit the value of threatened/endangered species habitat as the site was not shown within the shaded areas on the current natural diversity database maps.

### **Potential wetland impacts**

The project plans and site were reviewed to assess the potential impacts to the wetlands from the proposed parking area expansion.

On this parcel, a 51-unit development is proposed with an access road/cul de sac, utilities, water, sanitary sewer & storm water discharge/treatment systems.

Along the southern limits of the development, a 3:1 slope or less is proposed as shown on the site plan.

The clearing limits and E&S measures shown on the plans vary from approx. 120 feet in width to immediately adjacent to the wetlands.

The topsoil stockpile is shown a considerable distance from the wetlands and silt fencing is shown along its downslope perimeter.

A two-bay grassed storm water basin is proposed to remove sediments and attenuate storm water flows before discharge.

**E&S Measures:**

The submitted project plans show the proposed E&S measures around the perimeter of the clearing limits adjacent to the wetlands as silt fencing.

It should be noted that the proposed storm water treatment basin and swale are proposed to be utilized as a temporary sediment basin during construction to prevent potential sediment discharges from reaching the wetlands.

Jute netting is proposed to help hold and establish vegetation on steeper slopes.

*It would be my recommendation that the E&S measures be installed as soon as possible after the initial timber cutting/land clearing and before the stumping and topsoil removal operation. It is during this phase where the most likely opportunity will occur for erosion and sedimentation. In the northeast area the existing slopes adjacent to the wetlands/watercourse are moderate, and the excavation, filling and grading are proposed directly adjacent to the wetlands.*

*Along the portions of the clearing limits within 75 feet of the wetlands, I would recommend either super silt fencing or silt fencing backed by staked hay bales should be proposed and implemented. The silt fencing will also prevent reptiles and amphibians from entering the development areas.*

*Silt fencing should be shown along wetland flags WF-37 to WF-39 for the excavation/installation of the rip rap level spreader and pipe.*

*I would also recommend that E&S inspections be conducted on a frequent basis during the land clearing/stumping/topsoil stripping phases, and prior to significant storm events.*

**Direct wetland impacts:**

No direct wetland or watercourse disturbance is proposed.

**Potential short-term impacts:**

The potential short-term impacts associated with the land clearing, stumping, top soil stripping and construction would be limited to potential sediment discharges during significant storm events.

Provided that the proposed/recommended E&S measures/inspections are correctly implemented and maintained throughout the project timeframe, the disturbance directly adjacent to the wetlands will not significantly impact the wetlands or their existing functions due to erosion and sedimentation. Once the top soils are removed, the well-drained, sandy/gravelly soils will allow for good infiltration of storm water runoff both pre and post construction.

The quick and permanent establishment of vegetation in the disturbed areas is crucial to the prevention of erosion. To minimize the potential for these impacts, E&S control measures have been incorporated into the project plans on sheet 7 of 9.

### **Potential long-term impacts:**

#### **Wetland hydrology**

I see no direct or long-term impacts to the wetland/watercourse hydrology as a result of the proposed development, or storm water treatment basin. The storm water associated with the access drives, parking areas and the impervious surfaces, (roof areas), will be a significant input to the existing hydrology, through some minor overland flow, but mostly through the storm water basin, impervious grass & rip rap swale, as ground water recharge or as direct discharge during significant storm events after treatment. It is my opinion that these inputs from the impervious surfaces will augment the existing hydrology.

Currently, the storm water associated with the school storm water system, Louise Berry Drive and Franklin Drive and ground water discharge are all inputs into the hydrology of Anderson Brook and the wetlands. These inputs will not change as a result of the construction of the development.

It should be noted that currently the sources of hydrology for the wetlands/watercourses are ground water, off site stream and storm water flows, minor overland storm water & precipitation flows and a small measure of direct infiltration through the well-drained gravelly soils within the upland areas adjacent to the wetlands.

#### **Water quality:**

Due to the incorporation of the paved parking surfaces, rip rap and grass lined water swales, the 2-bay grassed storm water treatment basin, rain garden, and some direct infiltration of storm water in the well-drained, sandy, gravelly soils, I see no significant or adverse impacts to the existing water quality of the wetlands or Anderson Brook from storm water discharges.

#### **Adjacent upland wildlife habitat**

Potential long-term impacts to the upland habitat from the project would include the loss of a significant portion of the URA serving as riparian zones and upland wildlife habitat adjacent to the wetlands and brook corridor. This intrusion will force wildlife into the vegetated corridor in and around the wetlands and brook, during and after the construction timeframe, and into other areas where the uplands are not disturbed.

The remaining non-developed southern portion of the property below the development varies in width from 100 feet to 270 feet in width, within this area, the wetlands and adjacent upland riparian zones will still provide for all of the wetland functions/values and significant wildlife habitat.

In summary, the design of the project implements features intended to minimize or eliminate potential impacts to the wetlands such as storm water runoff, significant loss of wetland and watercourse habitats, and erosion and sedimentation associated with construction activities.



I feel these proposed measures are adequate to protect the wetlands provided that the recommended erosion and sedimentation control features are implemented and maintained throughout the development timeframe.

The existing wetlands and watercourses will still have the ability to provide the same wetland functions and values they currently provide.

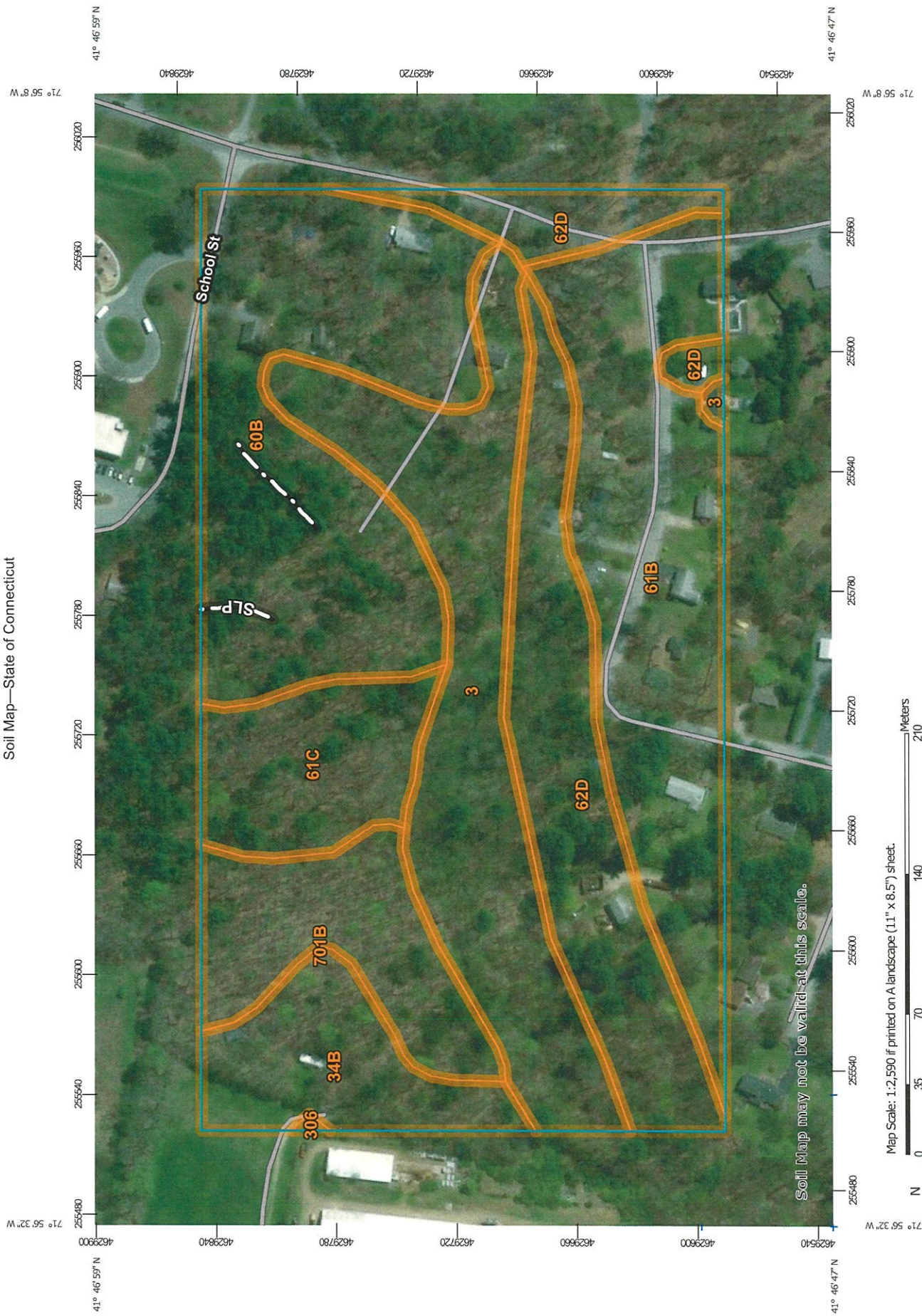
If you have any questions concerning the site assessment or this report, please feel free to contact me.

Sincerely,










































*Joseph R. Theroux*

Joseph R. Theroux  
Certified Forester and Soil Scientist  
Member SSSSNE, SSSA

# Soil Map—State of Connecticut



## MAP LEGEND

	Area of Interest (AOI)		Soil Area
	Soils		Stony Spot
	Soil Map Unit Polygons		Very Stony Spot
	Soil Map Unit Lines		Wet Spot
	Soil Map Unit Points		Other
	Special Point Features		Special Line Features
	Blowout		Water Features
	Borrow Pit		Streams and Canals
	Clay Spot		Transportation
	Closed Depression		Rails
	Gravel Pit		Interstate Highways
	Gravelly Spot		US Routes
	Landfill		Major Roads
	Lava Flow		Local Roads
	Marsh or swamp		Background
	Mine or Quarry		Aerial Photography
	Miscellaneous Water		
	Perennial Water		
	Rock Outcrop		
	Saline Spot		
	Sandy Spot		
	Severely Eroded Spot		
	Sinkhole		
	Slide or Slip		
	Sodic Spot		

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:12,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: State of Connecticut  
Survey Area Data: Version 20, Jun 9, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Apr 14, 2011—Aug 27, 2016

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

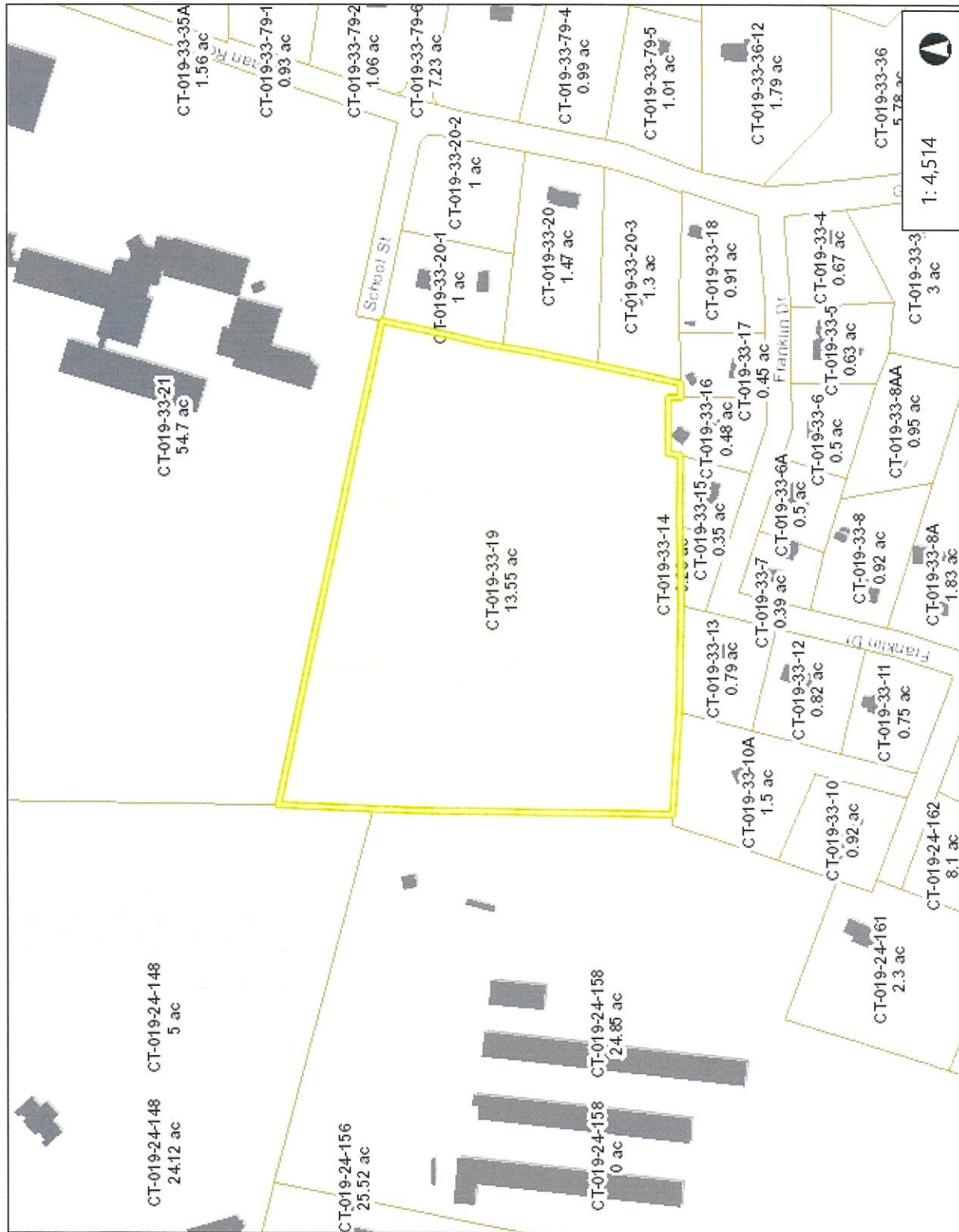
## Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
3	Ridgebury, Leicester, and Whitman soils, 0 to 8 percent slopes, extremely stony	5.7	18.7%
34B	Merrimac fine sandy loam, 3 to 8 percent slopes	2.1	6.9%
60B	Canton and Charlton fine sandy loams, 3 to 8 percent slopes	6.8	22.3%
61B	Canton and Charlton fine sandy loams, 0 to 8 percent slopes, very stony	6.1	20.0%
61C	Canton and Charlton fine sandy loams, 8 to 15 percent slopes, very stony	2.1	7.0%
62D	Canton and Charlton fine sandy loams, 15 to 35 percent slopes, extremely stony	5.2	16.9%
306	Udorthents-Urban land complex	0.0	0.1%
701B	Ninigret fine sandy loam, 3 to 8 percent slopes	2.5	8.2%
<b>Totals for Area of Interest</b>		<b>30.6</b>	<b>100.0%</b>





Necog GIS Site



- Legend
- Town
  - Buildings 2012
  - Parcels

Notes  
Shane Pollock

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

0.1 Miles

0.07

0

0.1

# Killingly Engineering Associates

## Civil Engineering & Surveying

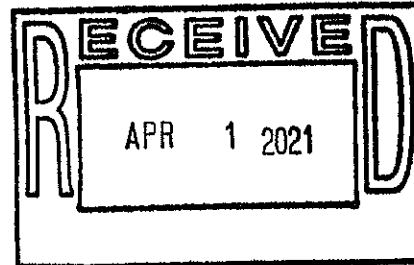
P.O. Box 421 Killingly, CT 06241  
Phone: 860-779-7299  
www.killinglyengineering.com



March 31, 2021

Ms. Margaret Washburn, ZEO, WEO  
Town of Brooklyn  
Clifford B. Green Memorial Center  
69 South Main Street  
Brooklyn, CT 06234

**RE: Proposed Multi-Family Development  
Louise Berry Drive**



Dear Ms. Washburn:

In response to your review comments on the referenced project dated March 9, 2021, we offer the following:

- All straw wattles have been removed from the plans and replaced with compost filter socks as requested. The detail on sheet 8 of the plans has been updated as well.
- Perimeter sediment controls in the upland review area have been modified to depict staked haybales backed with wire backed silt fence as requested (sheet 6). A detail for wire backed silt fence has been added to sheet 8 of the plans.
- Additional jute netting has been added to the E&S controls on sheet 6 between the wetlands and units 1-3 and 4-8 as requested.
- A note regarding only clearing of vegetation and no grubbing prior to the installation of erosion controls and approval by the Agent has been added to sheet 8 of the plans (see "development schedule/sequence of operations").
- Notation has been added to sheet 6 of the plans stating that the swale and temporary sediment trap shall be stabilized prior to discharge into them.
- Notation regarding the mowing of the basins has been added to the operations and maintenance plan, Detail Sheet 4.
- The Detention Basin O&M Plan, Detail sheet 4 has been revised to state that the Condominium Association will be responsible for maintenance for perpetuity.
- A note regarding construction dates for the temporary sediment trap and swale has been added below the Temporary Sediment Trap detail.

In response to review NECCOG comments on the referenced project dated March 5, 2021 we offer the following; please note that previous items addressed are shown in red, new responses are provided only to the remaining items of question.

### **Revised Sheet 5 of 9 (now 6 of 11)**

Comment #13 – We have spoken with the Brooklyn Fire Marshal and sent plans for his review and comment.

### **Revised Sheet 8 of 9 (now sheet 9 of 11)**

Comment #5 - The cut sheet for an HDPE flared end section as manufactured by ADS Pipe has been added to the plan.

Comment #9 – We respect Mr. Pauley's opinion that hooded outlets should be installed on every stormwater basin. Since this will be a stormwater system that will be maintained by a condominium owners association, the Commission felt it would be simpler to maintain the system with a single hood at the termination basin and a single hood, 90-degree fitting or tee connection would be sufficient. Since this will be a private community, the propensity for disposal of trash or floatables or contaminants from the property will be minimal as the grounds will be part of the common ownership. With this discussion, the Commission felt that a single hood on the final structure would be sufficient.

**Revised Sheet 9 of 9 (now sheet 10 of 11)**

Comment #12 – The concrete sidewalk depth has been modified to 5" to the BPIS.

**General Comments**

Comment #4 – Per the Zoning regulations, 2 spaces per unit are required. Each unit will be constructed with two interior parking spaces and one driveway space so even without additional parking along roadways the parking exceeds the zoning requirement by 50%. We have added a total of 15 additional "pull in" parking spaces along the main drive and side drives. No parallel parking will be permitted.

Comment #5 – With regard to wetlands impacts, as previously stated we stand by the wetlands impact report prepared by Joseph Theroux who has over 20 years of experience in assessing wetlands impacts from land development projects.

Comment #11 – The applicant is currently developing floor plan layout for the condominium units that will be provided for the submission to P&Z as required. The units will not have basements and garage elevations at grade will be the lowest level.

**Additional Comments January 6<sup>th</sup> & March 5<sup>th</sup>**

Comment #3 – We acknowledge that Mr. Pauley considers the plans incomplete until all staff comments have been addressed. We do not concur with this comment but have every intention of resolving all items.

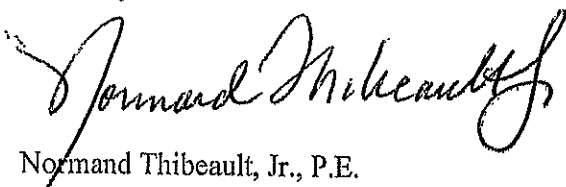
Comment #4 – 3 test pits were excavated on November 25<sup>th</sup> and a percolation test was conducted on November 27<sup>th</sup>. These were not witnessed by the Brooklyn Wetlands Enforcement Officer but we have conducted soil testing in the past for projects in Brooklyn without the observance of the BWEO (Vachon Chevrolet most recently). As a result of the soil testing, we have incorporated an underdrain around the perimeter of the stormwater basin to ensure that it empties completely at the termination of each storm event. Access to this area of the site is very difficult as the slopes are steep and there is significant woody debris on site from the property being previously logged; we would have concerns for the safety of the WEO.

Note #7 – Notation regarding registration of the project under the CTDEEP General Permit for the Discharge of Stormwater and Dewatering Wastewaters Associated with Construction Activities has been added to sheet 8 of the plans.

Note #8 – As built plans of utilities locations will be provided as required by CT Water, Eversource and the Brooklyn WPCA.

Please feel free to call if there are any questions or clarifications required.

Sincerely:



Normand Thibeault, Jr., P.E.

**LIST OF AJACENT LAND OWNERS - INCLUDING ACROSS THE STREET as of 2/23/2021 NECCOG**

*Shane J. Pollock & Erin F. Mancuso  
Louise Berry Drive  
Brooklyn, CT*

MAP/LOT	NAME
33/21	Town of Brooklyn PO Box 356 Brooklyn, CT 06234
24/148	Pierce Memorial Baptist Home Inc. 292 Thorpe Ave Meriden, CT 06450
24/158B	Carl R Baker & Darlene A Baker 68 Vina Lane Brooklyn, CT 06234
33/10A	Sally A Wood 68 Franklin Drive Brooklyn, CT 06234
33/13	Cindy Scalzi & Greg Benoit 36 Franklin Drive Brooklyn, CT 06234
33/14	Mark S Benard 85 Hartford Road Brooklyn, CT 06234
33/15	Linda Atsales 24 Franklin Drive Brooklyn, CT 06234
33/16	Stephanie A. Hynes & Brennan D. Hynes 20 Franklin Drive Brooklyn, CT 06234
33/17	Richard E Bein 12 Franklin Drive Brooklyn, CT 06234
33/20.3	William J Purcell Jr 179 Gorman Road Brooklyn, CT 06234
33/20	David R Dumont 173 Gorman Road Brooklyn, CT 06234
33/20.1	Curt R Hostman PO Box 351 Brooklyn, CT 06234



## **NOTICE TO ADJACENT LAND OWNERS**

March 29, 2021

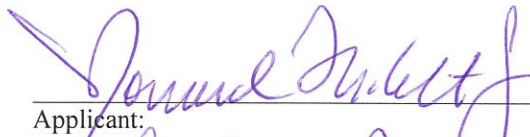

The Town of Brooklyn Inland Wetlands Commission will hold a Virtual Public Hearing on Tuesday, April 13, 2021 at 6:00 P.M. This hearing deals with an application for a proposed multi-family condominium development.

The property is owned by Shane J. Pollock and Erin F. Mancuso, located on Louise Berry Drive, shown as Lot #19, on Assessors Map #33. The application is submitted by the applicant.

At this hearing, any interested persons may be heard and written communications received regarding this matter. Information regarding attendance by video or phone via Webex may be obtained on the Town of Brooklyn Website.

**Shane Pollock**  
**Louise Berry Drive**  
**Brooklyn, CT**

The applicant is familiar with all the information provided in the application and is aware of the penalties for obtaining a permit through deception or through inaccurate information.

  
Applicant: \_\_\_\_\_ Date: 1/4/2021  




Killingly Engineering Associates

P.O. Box 421 Killingly, CT 06241  
Phone: 860-779-7299  
www.killinglyengineering.com

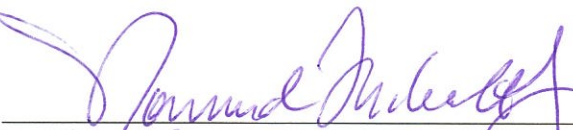

January 27, 2021

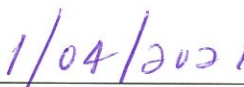
**Shane Pollock**  
**Louise Berry Drive**  
**Brooklyn, CT**

Per Section 7.7 of the Inland Wetland and Watercourses regulations

The applicant certifies that:

- a. The property on which the regulated activity is proposed is not located within 500 feet of the boundary of an adjoining municipality;
- b. Traffic attributable to the completed project on the site will not use streets within an adjoining municipality to enter or exit the site;
- c. Sewer or water drainage from the project site will not flow through and impact the sewage or drainage system within an adjoining municipality;
- d. Water run-off from the improved site will not impact streets of other municipal or private property within an adjoining municipality.

  
Applicant 

  
Date