

**Town of Brooklyn  
Inland Wetlands and Watercourses Commission  
Regular Meeting Minutes  
Hybrid WebEx and In Person Meeting  
July 13, 2021**

The Brooklyn Inland Wetlands and Watercourses Commission held a regular meeting on Tuesday, July 13, 2021 on the following:

**Call to Order:** The meeting was called to order at 6:32 p.m.

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

**Members Absent:** Jeff Arends with notice.

**Staff present:** Margaret Washburn, Lisa Lindia.

**Also Present:** Paul Archer, Bob Russo, Lester Phillips, David Jarvis, public in attendance.

**Call to Order:** The meeting was called to order at 6:32 pm

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

**Seating of Alternates:** None

**Public Commentary:** James Paquin doesn't feel that we should need to have masks on for the in-person meetings. There is no CDC guideline mandating it.

**Additions to Agenda:** None

**Approval to Minutes:**

Regular Meeting Minutes May 11, 2021: approved as written with no corrections.

**Public Hearings:**

1. **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 systems, wells, minor grading.** Present representing Paul Archer – Archer Surveying, Bob Russo & Bob DeLuca CLA Engineering, Jake Kausch - A. Kausch & Sons. Mr. Sorrentino stated that correspondence was received from abutters. The first Public Hearing was scheduled for 6/8/21. Mr. Sorrentino read from the regulations (Section 9-3) that proof of mailing, abutter notification, is required not less than 7 days prior to public hearing (6/8/21). The commission did not receive certification of mailings at that time. Mr. Archer explained that due to Executive Orders, the certified mailings were not required. Mr. Sorrentino asked if signs were it posted on each public roadway. Mr. Archer stated that a sign was only posted on Church Street. No sign was posted on Pomfret Landing Road. In addition, the signs came down several times; whether this was due to the weather or vandalism is not known. The sign on Church Street was laminated and reposted. Due to the fact that the signage was only on one of the roadways Mr. Sorrentino asked Mr. Archer to agree to withdraw the application.

Mr. Sorrentino suggested to withdraw the application and stated that the application fees would be waived. Mr. Sorrentino stated that the old application was to be received as a new application tonight, with a new file number. Mr. Sorrentino stated that the new application would be considered to have a potentially significant impact on the wetlands; therefore, a public hearing for the new application would be set for 8/10/21.

Mr. Oliverson closed the Public Hearing.

#### **Old Business:**

1. **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.** Present representing Paul Archer – Archer Surveying, Bob Russo & Bob Deluca CLA Engineering, Jake Kausch - A. Kausch & Sons. Mr. Archer withdrew application 041321D.
2. **04132021B Paul Lehto, 40 Almada Drive, Map 21 Lot 6 RA Zone: Proposed 2-lot residential subdivision.** Bob DeLuca and Bob Russo of CLA Engineering presented the project. A conservation easement has been shown on the plans, at the request of the Brooklyn Conservation Commission. Ms. Washburn read in tom the record an email dated 6/12/21 from Sharon Coman, 285 Paradise Drive. A letter from Ms. Coman dated 6/8/21 was also read into record (see attached). Adam Brindamour pointed out that the map and parcel numbers on the application form and site plans were different. The applicant's representatives stated that the map and parcel numbers number on the application form were correct; the map and parcel numbers number on the site plan were incorrect. Ms. Washburn suggested adding a condition to the effect that the applicant must call her at her office when the erosion controls have been installed for an inspection prior to starting any other work. Ms. Washburn read the two outstanding comments from the NECCOG review engineer's report dated 6/29/21, and suggested that they be added as conditions of approval:

"Note No. 3 under "Notes" states that "topographic information was obtained by actual field measurements, datum assumed." The note needs to define the accuracy that the topographic survey meets and who performed the survey."

"The wetlands delineations on the plan have been certified as being delineated by R.C. Russo with his "signature" on the plan. When did Mr. Russo flag the wetlands as no flags were visible from Paradise Drive for the 7-X line when a site visit was made on April 30, 2021?"

Mr. DeLuca asked if the conditions discussed could be added as requirements. The Commission agreed. A motion was made by Demian Sorrentino to approve application **04132021B** subject to the conditions discussed, as well as standard IWWC conditions. Adam Brindamour seconded this motion. Discussion held. All in favor. The motion passes unanimously.

3. **181 Paradise Drive – Shane O'Connor. Show cause hearing for wetlands violations.** Because Mr. Shane O'Connor failed to appear at the 7/13/21 meeting, Commission members agree to do drive-by inspections from the road on their own prior to the next meeting on 8/10/2021.
4. **35 Kara Road – Deborah Love. Show cause hearing for wetlands violations.** Mr. Lester Phillips voiced his concern with proper procedure being followed when he received the Cease & Desist Order. A site walk was scheduled for Tuesday, July 20<sup>th</sup> at 5:15 pm. Members are to meet at the site. Mr. Phillips gave permission to the Commission members to enter the property.

#### **New Business:**

1. **95 Bunny Lane – David Jarvis – Complaint about cutting vegetation in upland review area.** Ms. Washburn explained that she received an anonymous complaint about the removal of trees from an upland review area. Mr. Jarvis described the work he has done so far, including tree and tree limb removal, as well as the additional work that he proposes to do. Because Mr. Jarvis wants to spread 2 inches of loam over an 85' x 85' area in the 175-foot upland review area, Mr. Sorrentino asked Mr. Jarvis to apply for a wetlands permit for an agent approval. Mr. Jarvis agreed. Ms. Washburn will issue a duly authorization agent approval.
2. **143 South Street – Loni Decelles – Fence Lawn to pasture 2 horses, construct 2 temporary carports for shade.** Ms. Washburn inspected and took photographs at the owner's request to see if any permits were required for the proposed fence and carports, for shade, for 2 horses. The Commission agreed with Ms. Washburn that the work on this property in the RA Zone falls under agricultural use and no wetlands permit is required.
3. **11 Kathleen Drive – Derek and Lisa Lindia. Complaint about site work near a property line.** Ms. Washburn inspected and took photographs due to a complaint about

site work close to a property line. There is an existing lawn on the right side of the house facing it from the driveway. A similar lawn is being installed on the left side of the house and in the back yard. Ms. Washburn estimated using GIS maps that the limit of work is approximately 160' feet away from the wetlands associated with the Quinebaug River. The Commission agreed that no wetlands permit is required.

4. **Request for Jurisdictional Ruling: 4 – Lot Subdivision prepared for Jeffrey Weaver. Day Street, Map 43, Lot 6.** The Commission issued a Declaratory Ruling approving the application.
5. **071321A 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.** Mr. Sorrentino stated that this new application should be added to the agenda as a new item under New Business and that application 071321A was received at tonight's meeting.

**Communications:**

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

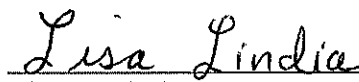
**Public Commentary:**

Paul Archer stated that signs have been posted the same way they always have been in Brooklyn; requiring signs to be posted at all road frontages has never happened before. He has never heard of the Commission requiring this on other applications. James Paquin stated that applicants should go back to sending certified mail to abutters. Mr. Archer will send letters to all abutters. He wants to be sure that all applications are treated the same. Mr. Sorrentino stated that the Commission should be sure to do what is right versus what has always been done based in the past, based on the regulations Adam Brindamour agreed.

Mr. Archer briefly discussed requirements in the regulations for work done within 500' of a Town line versus whether any portion of a parcel is within 500' of a Town line. Mr. Archer felt that the wetlands application form should be changed. Ms. Washburn stated that she felt that the application form has been the same since the regulations were adopted and that the form is fine the way it is.

**Adjourn:**

A motion was made by Mr. Brindamour to adjourn the meeting at 8:30 pm. Mr. Burgess seconded the motion. No discussion was held. The motion passed unanimously.

  
Lisa M Lindia                      m.w.  
Recording Secretary

6/8/21 To be read out loud at the public web ex meeting 6:00pm

I request a postponement based on insufficient about the address locations.

Why are we on Paradise? #04321B is for Almada. This appears to be a classic railroad job. Request postponement based on insufficient information about address locations. May I suggest professionally flagged and identified and re-inspected by the commission, unlike the last inspection of May, so members will actually know where they are and what is being looked at. Professionally marked, identified by survey stakes and ribbons, more precise info, applicant to pay the cost of proposed property in question.

May 11<sup>th</sup> mtg. Public Commentary: Woodpecker habitat is The Pilated Woodpecker, an endangered and protected species. The report by the archeologist was extensive in 2004, 2005, on record at UCONN.

When asked if Ms. Washburn met with Mr. Russo, which I attended, I was introduced to a Mr. -----, an engineer. There was confusion as to which pole # and where the driveway and culvert was to be placed, and Ms. Washburn, commented "looks like it's do able".

We did not find that out till after the site walk, that it was the wrong pole# altogether.

There was no Mr. Russo at the site walk, who had the maps, on May 17. He is an engineer, who's name I do not recall.

Is the developer trying to put a roadway disguised as a driveway? The power co. makes the builder pay for the pole, it's cheaper to feed the juice.

This would explain the property owner's permission to clear cut on Paradise, by the Power Co., for his proposed driveways, at a time when Nature and Earth is replenishing itself, amounting to Habitat Destruction, in Wetlands.

Please disperse to:  
Conservation Commission  
Planning and Zoning  
Wetlands, for 6/8/21

Sharon  
Sharon Comen

285 Paradise