

**Brooklyn Inland Wetlands and Watercourses Commission  
(IWWC)**

**Regular Meeting Minutes**

**Tuesday, April 9, 2024**

**Google Meet and In-Person Meeting**

**Clifford B. Green Memorial Center**

**69 South Main Street**

**6:00 p.m.**

**Call to Order:** 6:02 p.m.

**Roll Call:** Richard Oliverson, Adam Brindamour, Jason Burgess, Jessica Long, Janet Booth, Adam Tucker Sharon Loughlin (online).

Absent with Notice: Demian Sorrentino

**Staff Present:** WEO, Margaret Washburn; Recording Secretary, Terry Mahanna.

**Attendance:** Attending in person: Paul Archer, Archer Surveying; David Smith, Professional Engineer, Archer Surveying; Brooklyn Residents: Robert and Teresa Ross, Dale Lyon; Selectman Ray Preece.

Attending Online: Commission member Sharon Loughlin; George Logan, REMA Ecological Services; Paul Terwilliger, PC Survey Associates.

One additional attendee joined via dial-in.

**Seating of Alternates:** A **motion** was made by Adam Brindamour and seconded by Janet Booth to seat Jessica Long for Demian Sorrentino. Motion passed unanimously by vote 6-0-0.

**Public Commentary:** None.

**Additions to Agenda:** None.

**Approval of Minutes:**

Regular Meeting Minutes March 12, 2024, accepted as written.

630 Hartford Road, Site Walk Minutes March 22, 2024, accepted as written.

**Public Hearings (continued):**

1. **IWWC 23-015 LAC Properties, owner/applicant; Map 41 Lot 1; Providence Road, PC Zone;** Filling of 6,700 sf of wetlands to create an area for commercial development consisting of a driveway, parking area and storage bins. Entire development within the upland review area.

Paul Archer, George Logan and David Smith represented this project. Mr. Smith gave a brief overview of the project again and indicated that all information provided by Mr. Logan at the last IWWC meeting, along with the

recommendations provided by the Commission, is now included in the drawing set. In addition, the Application has been amended to reflect all comments. Syl Pauley's comments have been included as part of the record.

The Commission posed questions regarding the driveway width and number of lanes. Mr. Archer indicated there is room for 3 lanes if needed; Mr. Smith added that the driveway is drawn as twenty-four feet, although they are not yet done - more will follow including going to the Planning & Zoning Commission (PZC).

Sharon Loughlin pointed out that Mr. Logan had not yet signed the plan. Mr. Smith clarified that Mr. Logan is independent and does not work for Archer Surveying. Mr. Logan indicated he can sign the plan if needed. Mr. Archer added that the recorded plans for the PZC will be signed.

Mr. Oliverson asked if anyone in the audience had questions or comments. There were none.

Ms. Washburn asked Mr. Tucker if he had reviewed the application and all material as he had been absent at the last meeting. Mr. Tucker indicated he had.

Mr. Logan added that (previously at this site) the DOT had inadvertently created a wetland and now this project will purposefully make a wetland that is better functioning and one that will add more value. Ms. Booth responded that there had already been a wetland there and that the DOT mucked it up. Mr. Logan responded that was not entirely correct: that only a small wetland existed, and it had been filled before the DOT came in; the DOT did not do a good job of restoring it; fill is found throughout the wetlands and the water table is many feet below the surface of the wetland that is there.

A **motion** was made at 6:18 pm by Adam Brindamour and seconded by Jason Burgess to close the Public Hearing. Motion passed unanimously by vote 7-0-0.

### **Old Business:**

1. **IWWC 23-015 LAC Properties, owner/applicant; Map 41 Lot 1; Providence Road, PC Zone;** Filling of 6,700 sf of wetlands to create an area for commercial development consisting of a driveway, parking area and storage bins. Entire development within the upland review area.

A **motion** was made by Adam Brindamour and seconded by Jason Burgess to approve the Application with standard and special conditions: the bioremediation areas shall be constructed and at least temporarily stabilized prior to starting any other work. Mr. Brindamour added that the proposed activity will result in little-to-no injury and will not interfere with the safety, health, and reasonable use of the property; the proposed activities are suitable to the area, and the quality of wetlands, while smaller, will be improved. Mr. Oliverson, Ms. Long, Mr. Burgess, Mr. Tucker and Ms. Loughlin concurred with Mr. Brindamour.

Motion passed by majority vote 6-1-0 with Ms. Booth opposing due to the amount of material to be removed/deposited being excessive, the projected effect on the water table, and drainage patterns created by the proposed activity being excessive.

2. **IWWC 23-013 Robert & Teresa Ross, owners/applicants; Map 10 Lot 7; Hartford Road, RA Zone;** Proposal to construct single-family home, garage, pole barn, koi pond, and to repair and stabilize a box culvert over Stony Brook. **SHOW CAUSE HEARING for wetlands violation.**

Mr. & Mrs. Ross were present to speak on their behalf. Mr. Ross indicated he was present when the Commission did their site walk to look at the pipe. He indicated that after the site walk there had been 2" of rain and the pipe worked well. He added that the reason he dug the trench was because there was a pile of gravel that was blocking the natural flow.

Ms. Washburn mentioned that (Regional Engineer) Syl Pauley had approved the proposed wetlands mitigation plan. Ms. Booth mentioned there were sizable trees that had been removed next to the stream and asked the Commission if it was appropriate that the application include remediation/planting along the stream on the Ross' property. Mr. Ross responded that the trees had been cut prior to them buying the property, although he was not opposed to doing some planting. Mr. Brindamour mentioned he was not in favor of adding it to the remediation plan. Mr. Ross clarified that he had disturbed an approximate fifteen feet by five-foot area on the neighbor's property, but he will not cut any more on land he does not own, only that which comes over the fence line onto his property. Ms. Washburn added that riparian vegetation slows down flood water and cleans the water, the roots maintain the integrity of the wetland; and ornamental grass can be invasive. She offered to review plantings with Mr. Ross.

Based on a question by Ms. Loughlin, the Commission clarified that the cease-and-desist order had been issued because of the unapproved installation of the pipe and clearing.

Mr. Burgess asked if the fact that Mr. Pauley is not requiring calculations is setting a bad precedent. Mr. Oliverson responded that the engineered volume/flow will be the same. Also, the pipe is set up eight to ten inches higher than the culverts, therefore it is an overflow. Mr. Ross added that the pipe only flows after big storms and is dry most of the time.

A **motion** was made by Mr. Brindamour and seconded by Ms. Long to lift the cease-and-desist order. Motion was approved unanimously by vote 7-0-0.

Ms. Washburn indicated she will issue the Zoning Permit the next morning.

#### **New Business:**

1. **DR 24-003 Day Street Map 43, Lot 6 – Jeffrey Weaver, RA/R-30 Zone;** One-lot subdivision with no wetlands or upland review area on this lot. Residential development, driveway, septic system, well and minor grading.

Paul Archer was present to represent this project.

Mr. Oliverson recused himself as he is an abutter to this property. Mr. Brindamour added he also received a notice letter as an abutter, and he was not influenced. He remained seated on the Commission and chaired the meeting during this discussion.

Mr. Archer indicated he is looking for correspondence to be submitted to the Planning and Zoning Commission confirming that no work will be done in the upland review area; the area to be cut out is three acres and is more than two-hundred feet from wetlands. Mr. Archer pointed out the upland review area on his plan.

Ms. Washburn indicated she inspected the site and had no further comment from that provided in her report.

A **motion** was made by Ms. Booth and seconded by Ms. Loughlin to have the duly authorized agent send a letter to the Planning and Zoning Commission indicating that the Inland Wetlands and Watercourses Commission has no jurisdiction as there are no impacts to wetlands. Motion was approved unanimously by vote 6-0-0.

Mr. Oliverson resumed his position as Chair after the vote.

Mr. Archer asked a general question as to why application fees were charged for a correspondence-only request, as this has not happened in the past and other towns do not charge. Ms. Washburn indicated she reviewed the guidelines put in place by the previous Town Planner and concluded that it was appropriate to charge the Sixty-dollar (\$60.00) State fee (required per DEEP for all applications) plus the Fifty-dollar (\$50.00) Notice of Action fee for publishing the decision in the paper. She added that an application number is needed to track the submission. Mr. Brindamour agreed that application numbers are necessary and suggested asking the acting Town Planner for guidance.

Ms. Washburn confirmed she will issue a letter to the PZC the next day.

2. **IWWC 24-003 Gorman Road Map 32, Lot 15-1-14 – Hilltop Contractors, R-30 Zone;** Construction of new single-family dwelling, driveway, septic system, well and minor grading.

The Commission received the application. The location of this lot is the furthest from Wauregan Road. Ms. Washburn indicated that Peter Thurlow came in for a pre-construction conference and that she has good faith in him. Construction on lots 14 and 13 is planned to start this year.

#### **Other Business:**

1. **Windham Road Map 8, Lot 6-2 – PC Survey Associates.** Informal discussion about driveway and wetlands issues on an approved subdivision lot.

Paul Terwilliger was present online to represent this project. He mentioned that the proposed driveway is adjacent to a pocket of wetlands. He added that the original delineation was done in 2006, with a modification in 2011.

Ms. Washburn added: no wetlands flags exist now; there are two pockets of wetlands just over the property line; the goal is to avoid sediment in the wetlands; and the wetlands permit has expired.

After discussion, the Commission agreed that it makes sense for Mr. Terwilliger to re-flag the wetlands and (re) apply for a IWWC permit.

2. **17 Greenway Drive –Map 42, Lot 75; Town of Brooklyn.** Update regarding stabilization where riparian vegetation was removed north of the existing boat launch along the bank of the Quinebaug River.

Ms. Washburn indicated she inspected the site again and she included photos with her inspection report. The site has been stabilized, and vegetation will grow back as it had just been trimmed back. The area will be seeded for grass and a barrier is planned for safety.

3. **430 Allen Hill Road – Naomi Regis; Moe LaPierre, P.O.A. Map 32, Lot 128.** Update regarding permitting for clearing approximately 30 acres of land including wetlands.

Ms. Washburn reported on her April 4, 2024 inspection. She mentioned that unsolicited photos had been provided to her. She met with Mr. Lapierre and indicated he has hung orange flags showing the area of disturbance; he had come in on his honor and he is doing his best to comply. He thanked her and the Commission and mentioned he is open to learning. Ms. Washburn did not feel a cease-and-desist order was warranted.

Ms. Washburn provided details as to the planned scope of Mr. LaPierre's ongoing work to include: work only on the East side under the power lines; no longer clear-cutting the entire area for a hayfield; not planning to clear any more stumps.

Ms. Loughlin mentioned monitoring was required, and she appreciated Ms. Washburn working with Mr. LaPierre.

Ms. Washburn had provided Mr. LaPierre with information regarding NRCS cost-sharing and soil stabilization. She will also let him know about Wolf Den Forest Landowner's Association, at Ms. Booth's recommendation.

#### **Communications:**

1. Staff Report – the following was reviewed by the Commission with no comments:
  - A. Authorized Agent Approval – 113 Hartford Road
  - B. Authorized Agent Approval – 61 Beecher Road
2. Monthly Wetlands Report – Ms. Washburn indicated all items were covered during the meeting.
3. Budget Update – reviewed by the Commission with no comments.

**Public Commentary:** None.

**Adjourn: Motion** to adjourn was made at 7:37 pm by Adam Brindamour and seconded by Sharon Loughlin. Motion passed unanimously by vote 7-0-0.

Submitted By:  
Terry Mahanna  
Recording Secretary