

Brooklyn Inland Wetlands Commission
Monday July 20, 2015
Clifford B. Green Memorial Center
69 South Main Street
6:30 p.m.

MINUTES

Call to Order: The meeting was called to order at 6:33 p.m.

Roll Call: Members present: Real Gallant, Erik Costa, Melissa Labossiere, and Deane Rettig

Absent: Jeffrey Arends and George Sipila with notification.

Staff Present: Martha Fraenkel, Interim Inland Wetlands and Watercourses Agent; Shelley Hopkins, Recording Secretary.

Also Present: Norm Thibeault of Killingly Engineering Associates, LLC; a representative of CME Associates, Inc.; and First Selectman Rick Ives.

Seating of Alternates: None

Approval of Minutes:

1. Regular Meeting Minutes June 9, 2015.

Martha Fraenkel suggested that the following revision be made to the regular meeting minutes of June 9, 2015: under Unfinished Business, first line of second paragraph, delete “continue” and replace with “close.” Melissa Labossiere noted that the minutes as written reflect that she was absent without notification when in fact she was absent with notification.

Deane Rettig made a motion to accept the June 9, 2015 regular meeting minutes as revised. Erik Costa seconds this motion. No discussion held. All in favor. The motion passes unanimously. Melissa Labossiere abstained.

Public Commentary: None

New Application Acceptance:

1. 071415A CME Associates, Inc./Townsend Development Associates, LLC., (between 536 and 542) Providence Road, Map 41, Lot 16, PC Zone, 7.49 acres; modification of previously approved commercial development. Prior permit included construction of retail space and parking lot for 58,000 sq. ft. of business and 275+ parking spaces. Current application reduces the new retail space to 41,600 sq. ft. and 187 parking spaces. Impervious coverage will be reduced from prior permitted use and drainage approach is unchanged, though storm water volumes will be reduced.

A motion was made by Deane Rettig to accept application 071415A CME Associates, Inc./Townsend Development Associates, LLC., (between 536 and 542) Providence Road, Map 41, Lot 16, PC Zone, 7.49 acres; new retail space with 41,600 sq. ft. and 187 parking spaces. Erik Costa seconds the motion. Discussion held. All in favor. The motion passes unanimously.

Continued Applications: None

Reading of Legal Notice: None

Public Hearings:

- a. **New Public Hearings:** None
- b. **Continued Public Hearings:** None

Unfinished Business:

1. 051215A Danielson Glass and Mirror/Neil Esposito, Jr., 379 Providence Road, Map 41, Lot 119A, PC Zone, 6.13+ acres; Construction of a 10,000 sq. ft. commercial building with parking and grading within the 125 foot upland review area.

Norm Thibeault of Killingly Engineering Associates, LLC represents the applicant. Real Gallant inquired whether he has corrected the plan to reflect the changes to the septic, as requested by one of the Commission members. The answer is yes. Real Gallant noted that Mr. Thibeault has submitted an extension request of six days. The Commission is in receipt of this request and the applicant is now compliant. Real Gallant stated that Mr. Thibeault has complied with all of Syl Pauley's drainage calculations and has revised the plan to show the septic system where it is supposed to be, in front of the commercial building. The only item Mr. Thibeault has not yet secured is final approval from the Department of Health. For clarification purposes, Mr. Thibeault stated that because the septic system will service both the house and the commercial business, a state review is required. A pump test must be performed on the well to determine whether the yield is 1) sufficient; and 2) not too high. If the yield exceeds 10 gallons per minute, it will be necessary either to provide a greater separation distance between the well and septic or to put a limiter on the pump. Mr. Thibeault said that they will be cutting from 16 to 18 feet in the proposed septic area; therefore, additional soil testing must be performed at the time of construction to confirm that the soils are appropriate for a septic system.

Martha Fraenkel suggested the following revision to the sample approval motion: in the fifth bulleted item, change “and” to “and/or.”

Real Gallant suggested the following revision to the sample approval motion: add a sixth condition as follows: “That the limit of clearing be marked out prior to the beginning of any site work.”

Deane Rettig motioned to approve the application 051215A Danielson Glass and Mirror/Neil Esposito, Jr., 379 Providence Road, Map 41, Lot 119A, PC Zone, 6.13+ acres; Construction of a 10,000 sq. ft. commercial building with parking and grading within the 125 foot upland review area in accordance with the submitted application and plans with the following conditions: 1) that the septic system receive final approval from the Northeast District Department of Health or the State Department of Health; 2) that an Erosion and Sedimentation Control Bond be submitted to the Town of Brooklyn in the amount of \$10,000 prior to the commencement of site clearing; 3) erosion control at toe of slope will consist of silt fence backed by haybales; 4) the final planting plan may be field adjusted as site conditions demand but only after approval by the wetlands officer; 5) that the site work be completed and/or fully stabilized by 11/30/15; 6) that the plantings be completed by 11/1/15 or otherwise after 4/15/16; and 7) that the limit of clearing be marked out prior to the beginning of any site work. Real Gallant seconds this motion. Erik Costa stated for the record that he has reviewed the audio tapes of previous meetings and is therefore qualified to vote on this item. All in favor. The motion passes unanimously.

New Business:

1. Wetlands Agent Monthly Report.

Martha Fraenkel stated that Mr. Regis has not successfully performed one of his corrective actions. Ninety five percent of the 300 white pines that were planted last fall died. Not having walked the site, she cannot attest to why this happened. Real Gallant recommended to the Commission the following actions: 1) request that Ms. Fraenkel walk the site; 2) send a letter to Mr. Regis asking him to attend the next meeting; and 3) request that Syl Pauley walk the site and attend the August meeting. Real Gallant noted that the erosion control measures were done correctly.

2. Declaratory Ruling: DR15-007 St. John Lutheran Church, Inc., 445 Providence Road, Map 41, Lot 115, PC Zone; Construction of an 8,655 sq. ft. building with a 2,400 sq. ft. fast-food restaurant, 2,400 sq. ft. retail store and three 1,285 sq. ft. units to contain either retail, personal services, and/or offices, professional, business or administrative.

Deane Rettig recused himself. The Commission discussed whether this item belongs on the agenda. Real Gallant stated that there are no wetlands on the property; they are not working in an upland review area. Erik Costa does not think the Commission is expected to vote on this item. Real Gallant stated that the Land Use Administrator may have determined that there was no work in a wetland or upland review area; however, the only time a declaratory ruling is required is for a subdivision of land. Real Gallant noted that Jana Roberson did not sign the declaratory ruling and he is not comfortable signing it. He stated that this may very well be a

safeguard; however, the Commission was not presented with enough information. Deane Rettig stated that the declaratory ruling will not have any impact. Real Gallant stated that procedures exist for a reason and they were not followed. He reiterated that he is not comfortable signing; the form is not necessary.

Erik Costa motioned to remove from the agenda Declaratory Ruling: DR15-007 St. John Lutheran Church, Inc., 445 Providence Road, Map 41, Lot 115, PC Zone; Construction of an 8,655 sq. ft. building with a 2,400 sq. ft. fast-food restaurant, 2,400 sq. ft. retail store and three 1,285 sq. ft. units to contain either retail, personal services, and/or offices, professional, business or administrative. Melissa Labossiere seconds this motion. No discussion. All in favor. The motion passes unanimously.

A representative of CME Associates, Inc. offered to give a brief presentation regarding application 071415A CME Associates, Inc./Townsend Development Associates, LLC., (between 536 and 542) Providence Road, Map 41, Lot 16, PC Zone, 7.49 acres; new retail space with 41,600 sq. ft. and 187 parking spaces. Real Gallant stated that the Commission has accepted the application and would prefer to reserve the presentation for next month's meeting. At that meeting the applicant may request that the Commission vote on whether the application constitutes a modification.

Real Gallant stated that a meeting was held with Rawson Gravel regarding the new site plan. Erika Costa commended the Commission for its handling of this application.

Adjourn:

A motion was made by Erik Costa to adjourn the meeting at 6:59 p.m. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Shelley Hopkins
Recording Secretary