

Brooklyn Inland Wetlands Commission Regular Meeting Minutes

The Brooklyn Inland Wetlands Commission held a regular meeting on Tuesday, May 13, 2014, 6:00 p.m. at the Clifford B. Green Memorial Center, 69 South Main Street on the following:

Call to Order: The meeting was called to order at 6:02 p.m.

Members Present: Robert Rossi, Melissa Labossiere, George Sipila, Lester Philips, Jeff Arends, Real Gallant.

Absent: Erik Costa with notice.

Staff Present: Jana Roberson, AICP, Land Use Administrator, Audrey Cross-Lussier, Recording Secretary.

Also Present: Paul Archer, Tom Rukstela, Josh King, Ann Ennis.

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

Seating of Alternates: None.

Approval of Minutes:

1. Regular Meeting Minutes of April 8, 2014.

A motion was made by Jeff Arends to approve the regular meeting minutes of April 8, 2014. George Sipila seconds this motion. No discussion held. All in favor. The motion passes. Melissa Labossiere abstains.

A motion was made by Jeff Arends to amend the agenda to add under Other Business item #2 to include DR14-002 Trinity Episcopal Church, 6 Canterbury Road, Map 24, Lot 141, VCD Zone, Selective Timber Harvest on 37.25 acres and number everything sequentially after that. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Public Commentary: None.

New Application Acceptance: None.

Reading of Legal Notice: None.

Continued Public Hearings: None.

Unfinished Business:

1. 040814A Jeffrey Weaver, Tatnic Hill Road, Map 15, Lot 5, RA Zone, 8-Lot Conservation Subdivision, Residential Homes, Wells, Septic Systems and Minor Grading.

Paul Archer, Archer Surveying represents application 040814A. Mr. Archer submits for the record Northeast District Department of Health approval to construct individual subsurface sewage disposal systems dated May 12, 2014.

Mr. Archer also submitted an e-mail dated May 13, 2014 from Certified Soil Scientist, Joseph R. Theroux, stating "Due to the fact that I could not meet you today to sign your latest revised plan for the Weaver property, I am sending you this e-mail to confirm that the wetlands shown on this plan accurately depict how I delineated them in the field."

Jana Roberson, stated that a site walk took place on April 16, 2014. George Sipila, Jeff Arends, Paul Archer, Jeff Weaver and Ms. Roberson attended the site walk. There was a valid question about an area along Tatnic Road that appeared to be a wetland, but was not delineated as one located near CL&P pole 612. Ms. Roberson discussed this with Mr. Theroux who checked this area and did not find any soil indicators that it is wetlands.

Jana Roberson, stated that after the site walk on April 16, 2014, Mr. Theroux, Soil Scientist came to the Brooklyn Town Hall and signed the originally submitted plans and dated them.

Mr. Archer also demonstrated on the site plan an area that Mr. Theroux checked and delineated and placed three flags at the headwall.

The proposed is an 8-lot Conservation subdivision, which allows the lots to decrease from 90,000 sq. ft. to 30,000 sq. ft. and reduce the frontage from 150 ft. along the road to 100 ft. along the road. 40% of the land will be placed in open space which the Conservation Commission will determine what the best method of dedication will be.

Mr. Archer demonstrates and discusses the 8-lot subdivision on the site plan with Commission Members. There will be two septic systems that will be within the 125 foot review area. The proposed house style will be raised ranches. Discussion ensued.

A motion was made by Jeff Arends to approve application 040814A Jeffrey Weaver, Tatnic Hill Road, Map 15, Lot , RA Zone, 8-Lot Conservation Subdivision, Residential Homes, Wells, Septic Systems and Minor Grading and associated erosion and sedimentation control measures as submitted with the application. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Other Business:

1. WV14-002 Thomas Rukstela, 127 Mason Road, Map 15, Lot 10-2, Erosion and Siltation Event in Masons Brook.

Ms. Roberson stated she received a wetlands complaint on or about May 1, 2014. Ms. Roberson sent Mr. Rukstela a notice of wetlands violation dated May 8, 2014 with regards to excessive rainfall that created a major erosion and siltation event on the property identified as Brooklyn Assessor's Map 15, Lot 10 and Map 15, Lot 10-2. Erosion from Tatnic Hill caused significant siltation in Masons Brook.

Ms. Roberson demonstrates pictures and an overview of the property with the Commission Members.

Request for Voluntary Compliance: Ms. Roberson and Mr. Rukstela agreed on three steps to reduce and/or eliminate the siltation problem:

1. Divert the water running along the wood road approximately 400' up the slope of Tatnic Hill through the use of a drainage swale and water bars.
2. Create a shallow settling basin next to the pigpen to try to collect further silt.
3. Build a stone wall along the right of way parallel to the flow of water and line the upslope side with approximately one cubic yard of wood chips.

Discussion ensued.

Jeff Arends stated that the corrective measures seem adequate. Mr. Rukstela has taken steps to correct the siltation problem. Ms. Roberson asked if the Commission would like to give a motion to uphold the corrective measures. Chairman Gallant did not feel a motion was necessary.

Commission Member Melissa Labossiere exits the meeting at 6:50 p.m.

2. DR14-002 Trinity Episcopal Church, 6 Canterbury Road, Map 24, Lot 141, VCD Zone; Selective Timber Harvest on 37.25 acres.

Josh King Supervising Forest Products Harvester represents application DR14-002. Mr. King gives a summary of the selective timber harvest to be done. Per application information the amount of forest products to be harvested is 25,620 board feet with 60 cords on 37.25 acres of land. There will be a temporary stream/drainage crossing; temporary wetlands crossing, and removal of trees in the upland review area; there will be installation of water bars, grading and mulch hay placed on crossing at completion.

The harvest has been designed and marked by a CT certified forester with management goals being removing low quality trees from all commercial diameters to direct growth potential to the remaining higher quality trees left to grow for a future harvest as well as a short term income by harvesting most trees eighteen (18) inches and larger. The trees have been marked for removal with yellow paint. Boundaries have been located. Haul roads are in place from previous

harvesting activities. The log deck is to be in the small field in the center of the property. There are four (4) wetland crossings necessary to access timber. These crossings are labeled on the provided map and are to be mitigated as follows: Wetlands crossing #1 is a small drainage to be corduroyed. Wetlands crossing #2 is a small stream to be bridged with portable bridges with corduroy on the approaches to the bridge. Wetlands crossing #3 is a small stream to be corduroyed, installed in the stream bed to accept the relatively low flow to be expected during this summertime harvest. Wetlands crossing #4 is an existing crossing with a two foot diameter concrete pipe backfilled with stone and gravel. Nothing more is necessary here. The harvest will take approximately 2 months to complete. A start date of June 1, 2014 is anticipated. All appropriate CT Best Management Practices will be implemented during the duration of this harvest.

Ms. Roberson demonstrated pictures and an overview of the property with Commission Members. Discussion ensued.

A motion was made by Jeff Arends to make a declaratory ruling that the timber harvest proposed by Trinity Episcopal Church to remove 25,620 board feet on 37.25 acres identified as 6 Canterbury Road, Map 24, Lot 141 is permitted use as of right. Robert Rossi seconds this motion.

Discussion ensued. Chairman Gallant asked if the 25,620 board feet include the cord wood. Mr. King stated that it does not.

Jeff Arends amends his motion: to remove 25,620 board feet and 60 cords on 37.25 acres identified as 6 Canterbury Road, Map 24, Lot 141 is a permitted use as of right. Robert Rossi seconds this motion. No discussion held. All in favor. The motion passes unanimously.

3. Approval/Adoption of Bylaws.

A motion was made by Jeff Arends to approve the amended Bylaws of the Inland and Wetlands Watercourse Commission as revised to April 8, 2014 effective immediately. Lester Philips seconds this motion. No discussion held. All in favor. The motion passes unanimously.

4. Wetlands Agents Monthly Report.

- a.** Ms. Roberson stated she received a wetlands complaint regarding a property on Hickory Lane – Mr. Jax and Mr. Hoyt. Mr. Jax has a wetlands permit to remove his ledge and add to his lawn area. Ms. Roberson went and performed a site inspection and did not find that they had gone beyond the scope of the wetlands permit. There is machinery there, it is loud and the ledge is being removed. There is no more filling being done and there was no wetlands violation found. Ms. Roberson feels the noise of the machinery and ledge removal is what is upsetting the neighbor. Ms. Roberson was satisfied with what she saw and called to let the neighbor know that.
- b.** WV14-001 430 Allen Hill Road, LLC, Richard and Naomi Regis, Map 32, Lot 128. Ms. Roberson spoke to Mr. Regis regarding his corrective measures that was required to be

done after last month's meeting. Ms. Roberson reported that the hay bales have not been installed yet for the erosion and sedimentation control. This was to have been done within seven days. By May 1, 2014 he was supposed to engage the services of a professional engineer which has not been done yet. Mr. Regis' comment to Ms. Roberson was that Mr. Jolley is doing the gravel excavation and is supposed to be doing this work. Mr. Regis also commented that the entrance to the property was impeded by the recent massive rain events and they could not access the property. Discussion ensued.

Commission Members unanimously agreed a certified letter shall be sent to Mr. Regis with regards to failure to correct a condition of erosion and siltation with notification of fines effective immediately. If items 1 and 2 of the corrective measures are not corrected within seven days of receipt of the letter an additional cease and desist for the entire gravel operation will be enacted.

- c. Ms. Roberson commented that a letter was obtained from Bruce Woodis, KWP Associates stating that KWP has been retained by Fred Green to prepare wetlands and gravel permits. Ms. Roberson also had a phone conversation with Mr. Woodis regarding this. Discussion ensued. Commission Members agreed unanimously that Mr. Green shall be issued a cease and desist order for the gravel operation. Ms. Roberson agreed to issue a cease and desist order and file on the land records.
- d. Ms. Roberson commented that Paul Sansoucy was issued a violation for operating a rock quarry/gravel bank without receiving renewals for his wetlands/gravel permit. Mr. Sansoucy called the following morning stating he is hiring Bruce Woodis from KWP to prepare the gravel and wetlands permits.

5. Summary of 2013 Training Program – videos.

Commission Members agreed not to review videos tonight. Chairman Gallant recommends holding a workshop to review the videos.

Adjourn: A motion was made by Jeff Arends to adjourn the meeting at 7:55 p.m. Lester Philips seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Audrey Cross-Lussier
Recording Secretary