

**Brooklyn Conservation Commission
Special Meeting Minutes
Monday, January 6, 2020
7:30 pm Clifford B. Green Building**

Present: Diane Wimmer, Co-Chair; Jeannine Noel, Co-Chair; Dana Heilemann; Carolyn Teed-Ives; and J.S. Perreault, Temporary Recording Secretary.

- 1. Call to Order:** Diane Wimmer, called the meeting to order at 7:30 p.m.
- 2. Approval Minutes of September and Non-quorum Meeting Notes of November.**

September 3, 2019 Minutes:

Motion was made by J. Noel to approve the Minutes of the Meeting of September 3, 2019. C. Teed-Ives seconded the motion. No discussion. Motion passed (4-0-0).

November 4, 2019 Non-quorum Meeting Notes:

D. Wimmer explained that it is not necessary to approve the Non-quorum Meeting Notes.

3. Budget 2019-2020

D. Wimmer stated that she has nothing to report for either the current year or for the next fiscal year.

4. New Business

a) Jana Roberson Report

Property subject of discussion:

Two applications for gravel removal at the southerly side of Rukstela Road (Map #21, Lot #7) and the southeast side of Maynard Road (Map #29, Lot #5). Ms. Roberson explained that the two public hearings will be opening on Wednesday, January 8, 2020, and she provided copies of the following information to the Commission Members:

- NDDB Preliminary Assessment No. 201913018 (dated November 12, 2019) from Dawn M. McKay, Environmental Analyst 3, Connecticut Department of Energy & Environmental Protection, regarding gravel removal from the Potvin property on Maynard Road.
- NDDB Preliminary Assessment No. 201913012 (dated November 12, 2019) from Dawn M. McKay, Environmental Analyst 3, Connecticut Department of Energy & Environmental Protection, regarding gravel removal from Rukstela Road.
- Application #SPG 19-003 for gravel bank special permit (Maynard Road).
- Application #SPG 19-004 for gravel bank special permit (Rukstela Road).
- Environmental Impact Statement (Maynard Road) dated December 2019.
- Environmental Impact Statement (Rukstela Road) dated December 2019.

Ms. Roberson stated that plan sets are available for viewing online.

Ms. Roberson explained that the Applications are very complicated and are being reviewed by the PZC under the prior Zoning Regulations. Ms. Wimmer noted that the Conservation Commission had reviewed these Applications as previously requested by Margaret Washburn and asked if the PZC needs an opinion from the Conservation Commission. Ms.

Roberson explained that the Conservation Commission would have the opportunity to submit comments for the public hearing if the Members so choose.

One of the comments that the Conservation Commission had made from the prior review was a suggestion for an ERT. The PZC had required the Applicant to perform an environmental review in accordance with the Zoning Regulations (not specifically an ERT). Ms. Roberson explained that an ERT had been performed on one of the properties in 2007 and, although this project is a larger scale project on that property, a lot of the information is still relevant and can be supplemented. She stressed that the Commission understand that the proposed project is a broader scale.

Ms. Roberson gave a general overview of both Applications and Jeannine Noel indicated the areas (on the Google Earth photos displayed) as Ms. Roberson described the type of terrain/topography/environment.

Ms. Roberson explained that it is likely that the plans that the Conservation Commission had reviewed previously (in November) with Margaret Washburn have been superseded, but there were not any significant changes that would affect comments by the Conservation Commission, except that they are not going below the water table on one and that they will be going below the water table on the other and they will be creating ponds which they will not be filling in. Ms. Roberson explained that the NDDDB Reports, in response to her request, for both properties show known incidents of rare and endangered species. She asked the Members of the Commission to consider the main issue, as a concern of the Conservation Commission, of how these mining operations may impact the natural resources on the sites, particularly the wildlife and the wildlife habitats. There was discussion regarding the water table. Ms. Roberson stated that the IWWC has hired a hydrogeologist who will be looking at impacts specifically to the water level of the wetlands. She said that the Applicant has put in a couple of monitoring wells, but there has been no report yet. Ms. Roberson explained that the IWWC does not have jurisdiction over impacts to wildlife habitat if there is not a direct connection to wetlands. The hydrogeologist's reports will be very important to the IWWC when making its decision. The PZC, as well as the Conservation Commission also have no jurisdiction over wildlife habitat. Ms. Roberson explained that one option is for some entity to apply for intervenor status which could be the Conservation Commission. She will forward to the Commission Members an e-mail that she referred to from Peter Alter with information regarding intervenor status. Another option is to provide comments to one or both of the Commissions in the Conservation Commission's normal capacity.

Ms. Roberson explained that the Applicant's Environmental Impact Statement says that there are no adverse impacts and the Applicant is not proposing any mitigation measures for either of the properties. Discussion ensued and Ms. Roberson answered questions from the Commission regarding gravel special permits/operations. She explained the importance of having expert testimony to counter the expert testimony on behalf of the Applicant. There was discussion regarding the endangered species and cultural resources. The State Archeologist wants to visit the sites. Someone from the DEEP could be invited to give testimony. Ms. Roberson explained that the PZC hired a hydrogeologist to look at ground water on the Rukstela property (impacts to drinking wells). For the Maynard property, there

is a hydrogeologist looking at ground water level changes that might impact the wetlands. Discussion continued.

D. Wimmer expressed concern for a brook (Cold Spring Brook) in the vicinity where there had been a problem in the past. She is concerned with changing the hydrology, potential impact to the aquifer, the potential for ground water contamination associated with operating hydraulic equipment in the ponds, and future uses of the property.

D. Heilemann asked whether there was another operation of a similar scale in another community and what the effects were five years later. She feels a wildlife biologist is needed. Ms. Roberson explained the process that would be needed to re-vegetate these areas. Ms. Wimmer suggested recommending that ample bonding be required by the PZC, for reclamation. Aerial photos of gravel pits that were not properly reclaimed were displayed. There was discussion regarding bonding.

Discussion resulted in the following agreed-upon Proposal/Recommendations by the Conservation Commission:

- Hydrogeologist for both properties to look at future and existing surface water and ground water supplies as well as the impact to wetlands, the Quinebaug River and waterways (i.e. streams).
- Wildlife Biologist to provide expert information and guidance in regards to the NDDDB Report (Natural Diversity Database Report) and the ERT Report (Environmental Review Team Report. We have included information related to the NDDDB Reports). We feel more information is needed from an expert.
- Based on the Map Overlay, there is a potential of archeological findings. Therefore, we suggest consultation with the State Archeologist.
- Another concern, upon reviewing the Applicant's Environmental Impact Statement, is that there were no alternatives provided. Perhaps the Town should have their own expert to see if there are possibilities for modifications or alternatives.
- Before the permit is granted, the PZC should require some kind of bond that provides appropriate funds to reclaim the land with vegetation after the gravel operation is complete. The Town should seek the advice of an expert in reclaiming gravel land to determine the proper procedure or process.
- The overlays in the POCD Natural Resource Map show that both the Rukstela Maynard properties are part of the moderate and high critical resource value areas.

There was discussion regarding timeline for the public hearing.

Motion was made by D. Heilemann to approve the Proposals to the IWWC, the PZC and the Town Planner, as follows:

- Hydrogeologist for both properties to look at future and existing surface water and ground water supplies as well as the impact to wetlands, the Quinebaug River and waterways (i.e. streams).
- Wildlife Biologist to provide expert information and guidance in regards to the NDDDB Report (Natural Diversity Database Report) and the ERT Report (Environmental Review Team Report. We have included information related to the NDDDB Reports). We feel more information is needed from an expert.

- Based on the Map Overlay, there is a potential of archeological findings. Therefore, we suggest consultation with the State Archeologist.
- Another concern, upon reviewing the Applicant's Environmental Impact Statement, is that there were no alternatives provided. Perhaps the Town should have their own expert to see if there are possibilities for modifications or alternatives.
- Before the permit is granted, the PZC should require some kind of bond that provides appropriate funds to reclaim the land with vegetation after the gravel operation is complete. The Town should seek the advice of an expert in reclaiming gravel land to determine the proper procedure or process.
- The overlays in the POCD Natural Resource Map show that both the Rukstela Maynard properties are part of the moderate and high critical resource value areas.

C. Teed-Ives seconded the motion. Motion carried (4-0-0).

b) Approval of 2020 Meeting Dates

Motion was made by C. Teed-Ives to approve the 2020 Meeting Dates as follows: The first Monday of the month; July 6th (only if needed); September meeting to be held on Tuesday, September 8th. Meetings to be at 7:30 p.m. at the Clifford B. Green Building. D. Heilemann seconded the motion. Motion passed (4-0-0).

5. Old Business

a) Sustainability

J. Noel stated that she did not have anything to report. D. Wimmer will put it on the agenda for the next meeting.

b) Last Green Valley Projects and Outreach

D. Wimmer stated that she hopes work with them on a project on light pollution. She will contact them.

6. Public Comment – None.

Ms. Wimmer read from a letter (dated October 2019) regarding Quinebaug Solar, LLC. She and J. Noel had attended an informational meeting

7. Adjournment

Motion was made by D. Heilemann to adjourn at 9:23 p.m. C. Teed-Ives seconded the motion. Motion carried (4-0-0).

Respectfully submitted,

J. S. Perreault
Temporary Recording Secretary