

**Brooklyn Inland Wetlands Commission  
Regular Meeting Minutes  
July 11, 2017**

The Brooklyn Inland Wetlands Commission held a regular meeting on Tuesday, July 11, 2017, 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 6:01 p.m.

**Members Present:** Jeffrey Arends, Demian Sorrentino, Richard Oliverson, James Paquin.

**Members Absent:** Melissa Labossiere and George Sipila with notice.

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

**Staff Present:** Martha Fraenkel, Wetlands Agent, Audrey Cross-Lussier, Recording Secretary.

**Also Present:** Catherine Jones, Alex Leblanc, Mrs. Gross, Aaron Kerouack.

**Seating of Alternates:** None.

**Additions to Agenda:**

1. A motion was made by Demian Sorrentino to receive application IWDA17-004 Michael Gross, 190 Canterbury Road, Map 23, Lot 19, RA Zone, Installation of 28 foot above ground swimming pool-add as item #2 under new application receipt. This motion was seconded by Jim Paquin. No discussion held. All in favor. The motion passes unanimously.
2. A motion was made by Demian Sorrentino to add onto the agenda under Communications the Authorization Under the General Permit for Diversion of Water for Consumptive Use; Reauthorization Categories from the DEEP for Wayne Jolley's gravel operation - use of water for processing. Jim Paquin seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**Approval of Minutes:**

Regular Meeting Minutes May 9, 2017.

Mr. Sorrentino calls a point of order. Mr. Sorrentino has researched how minutes are reviewed and accepted. The minutes stand from the time as taken as the official minutes of the board. When they are brought up for consideration in the meeting, the minutes should be presented and distributed to the membership. If no corrections are to be made the minutes stand as written with no motion to approve. If there are modifications, a discussion is held. If there is opposition to one of the modifications then there needs to be a vote.

No corrections are to be made to the Regular Meeting Minutes of May 9, 2017. The meeting minutes stand as written.

Regular Meeting Minutes June 13, 2017.

No corrections are to be made to the Regular Meeting Minutes of June 13, 2017. The meeting minutes stand as written.

**Public Commentary:** None.

**New Application Receipt:**

**1. 071117A Catherine Jones, 49 Pomfret Road, Map 25, Lot 16, 5-acre parcel; clearing, grading and excavating activity associated with stone wall removal in upland review area adjacent to watercourse (stream and swamp) without permit.**

Ms. Fraenkel reviews a letter from Joseph R. Theroux, Soil Scientist dated 7/7/17 along with photographs of the property. Ms. Fraenkel walked the site extensively today.

Because of the expense of putting wetlands delineation on a site map, Paul Archer has not done this yet. He requests a ruling from the Commission whether this is required.

Mr. Theroux shows flagging outside of the disturbed area for the big swamp in the southwest corner. Ms. Fraenkel questions whether this is accurate in this location and will ask for feedback from Mr. Theroux; Ms. Fraenkel is not clear if fill was pushed into the wetlands at this location.

Mr. Sorrentino suggests a site walk asking Mr. Theroux to be present. Discussion ensued.

Alex Leblanc owner of Creative Fieldstone in Thompson, CT, has been in business for 23 years. Mr. Leblanc received a call from Ms. Jones with regards to retrieving stone she wished to sell. In the back of the property there were ground stones sticking up, piles of stones, and stone walls. Mr. Leblanc excavated ground stones and did not hit water. He did not fill in anything or bring in any fill, there was loam on the property. Mr. Leblanc saw a gravelly type of material on site, the plan was to grade off the property. The intent was to generate money for Ms. Jones and himself. Mr. Leblanc commented that Ms. Jones wished the yard to be cleaned up so they bartered on that. Mr. Leblanc assessed it would take him a maximum of 45 minutes to grade it back to where it was previously.

Chairman Arends commented to Mr. Leblanc that he would expect somebody that has been in business for 23 years and working near a wetland to know he should speak to the Town staff before starting work. Mr. Leblanc agrees and apologizes for his actions and missing last month's meeting.

Mr. Sorrentino commented to Mr. Leblanc that most towns do have an upland review area, which is an area of certain proximity of a wetlands or watercourse, where either the Agent and/or Commission has jurisdiction to review land disturbing activities. Mr. Sorrentino comments going forward, for Mr. Leblanc to keep that in mind when operating equipment.

Mr. Sorrentino asked Mr. Leblanc if he took the walls out that were above the ground surface, and then started hunting for stone below the ground. Mr. Leblanc stated yes. In the back of the property is where they started hitting more stone and peeling it up. Shortly after this Ms. Fraenkel intervened.

Mr. Paquin asked Mr. Leblanc where the debris that was cleaned up went to. Mr. Leblanc stated he piled it up and consolidated in the front. He did not haul anything away. Ms. Jones stated that the debris is gradually leaving. The debris goes to the Moosup junkyard or she bags it and disposes of it with her current household residential trash. Mr. Sorrentino asked if any has been buried. Ms. Jones stated none has been buried. Ms. Fraenkel confirmed that there is no evidence of debris being buried.

Commission members requested to do a site walk of the property and requests Joe Theroux be present if he is available to attend. A motion was made by Demian Sorrentino to schedule a site walk **on Tuesday, July 18, 2017 at 6 p.m.** on site and table the application to next regularly scheduled meeting. Jim Paquin seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**2. IWDA17-004 Michael Gross, 190 Canterbury Road, Map 23, Lot 19, RA Installation of 28 foot above ground swimming pool and place excavated material on side of yard.**

Ms. Fraenkel reviews the aerial view of the property at 190 Canterbury Road. The backyard is ringed by wetlands. The land drops off quite a bit and the yard is dry. Ms. Fraenkel discussed with the applicant where the topsoil should be placed (located on aerial map). The distance from the pool to the wetlands is 60 to 70 feet. Ms. Fraenkel suggests this as a duly authorized permit. Ms. Fraenkel suggests that a limit of disturbance line be delineated prior to excavation.

Mr. Paquin asked if anything is going to be stumped out. Ms. Fraenkel stated no, they are removing the topsoil, putting down a base, level and set the pool. There is a little bit of grade in the yard before it drops off to the wetlands.

Mrs. Gross commented that an excavation contractor has been hired to do the work.

A motion was made by Jim Paquin to approve (Inland Wetlands Duly Authorized) IWDA17-004 Michael Gross, 190 Canterbury Road, Map 23, Lot 19, Installation of 28 foot above ground

swimming pool and place excavated material on side of yard. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**Public Hearings:** None.

**Old Business:**

**1. 061317A Dale Lyon, 133 Wauregan Rd, Map 23, Lot 42, RA Zone; Install septic system in upland review area.**

Mr. Lyon is not present at the meeting. Ms. Fraenkel stated that the application will have to be approved on or before August 17, 2017. There is no problem to table to the August meeting.

The system is 85 feet+ from the watercourse. The impact to the watercourse/wetlands was probably done long ago, as the land was graded and cleared down to the watercourse in previous years. The septic system is up gradient and away from the edge of the water with a landscaped yard in between and a separating distance of 85 to 115 feet. The installation of the system did not affect the wetlands. Mr. Sorrentino speaks to the State of Connecticut Health Code with regards to the installation of the septic system and its distance to the watercourse.

Chairman Arends asked if Health Department approval was granted. Ms. Fraenkel stated yes. Discussion ensued.

Mr. Sorrentino feels the need to step out of the application. This only leaves 3 members to vote on the application. Per IWWC Bylaws, four affirmative votes are required. Discussion ensued.

Discussion ensued about voting on an application-Robert's Rules and the Commission Bylaws.

A motion was made by Jim Paquin to table application 061317A Dale Lyon, 133 Wauregan Rd, Map 23, Lot 42, RA Zone; Install septic system in upland review area to next month's meeting. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**New Business:** None.

**Communications:**

**1. Budget Update:** Commission members reviewed the budget.

**2. Notice of Submittal to CT Siting Council – Petition No 1320 for a 50-megawatt solar photovoltaic electric generating facility on 561 acres for Declaratory Ruling that no Certificate of Environmental Compatibility and Public Need is required.**

Ms. Fraenkel reviewed the proposed project with Commission Members. Discussion ensued. The Commission would like to express their concerns with the project and will compile a list of questions.

### **3. Wetlands Agent Monthly Report.**

- Regis Violation-Allen Hill Road: Ms. Fraenkel updates and reviews photographs with Commission Members. Restored silt fence and placed wood chips.
- Keith Hoyt-Hickory Lane: Ms. Fraenkel updates that Joe Theroux is back involved with the mitigation area. Ms. Fraenkel has been in contact with Mr. Hoyt and asked to hold off on working until lower water table, preferably August. Mr. Hoyt is aware that Mr. Theroux will be involved as the project is finished.
- Santos-Westview Drive: Ms. Fraenkel spoke with Mr. Santos 3 weeks ago. The swale and lawn grading has not been completed as of yet.
- Pensauskas-399 Windham Road: Ms. Fraenkel received a complaint about the site which she investigated. The septic system was installed without restoring vegetation. Ms. Fraenkel gave them a warning to complete this season.
- Janetatos-Bailey Woods Road: A new house will be constructed opposite side of Eino Drive. The site is steep and the driveway will have a steep grade. Ms. Fraenkel has spoken at length with the contractor and has issued a zoning permit. Ms. Fraenkel feels that due to the steep site, the neighborhood may have concerns with the project.

### **4. Newsletter Spring 2017 CT Association of Conservation & Inland Wetlands Commission.**

The CACIWC Spring 2017 Newsletter was passed out to Commission members for their review. Mr. Oliverson asked if Jeffrey Arends name could be added onto the brochure as Chairman. Ms. Fraenkel will look into the change.

**Adjourn:** A motion was made by Demian Sorrentino at 7:04 p.m. Jim Paquin seconds this motion. No discussion held. All in favor. The motion passes unanimously.

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Audrey Cross-Lussier, Recording Secretary