

**Brooklyn Inland Wetlands Commission
Special Meeting Minutes
April 3, 2018**

The Brooklyn Inland Wetlands Commission held a special meeting on Tuesday, April 3, 2018, at 6:00 p.m. on the following:

Call to Order: The meeting was called to order at 6:00 p.m.

Members Present: Demian Sorrentino, George Sipila, James Paquin, Richard Oliverson.

Members Absent: Jeff Arends with notice.

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

Also Present: David Held, Paul Archer, Andrew Clark, Richard Stuykowski, Paul Lehto.

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

Seating of Alternates: None.

Public Hearings: None.

Public Commentary: None.

Approval of Minutes:

1. Regular Meeting Minutes February 13, 2018. There were no corrections to the meeting minutes from February 13, 2018, therefore the minutes are approved as written.

Old Business:

1. 010918A Balone Properties/M. Malone, 242 Hartford Road, application for contractors yard in the upland review area.

Ms. Fraenkel stated that Mr. Malone will be present at next week's regularly scheduled meeting April 10, 2018.

A motion was made by Jim Paquin to continue application 010918A to April 10, 2018. Richard Oliverson seconds this motion. No discussion held. Motion passes unanimously.

New Business:

1. 031318A Brooklyn Sand and Gravel, LLC, Wauregan Road (Route 205), Map 30, Lot 97, RA Zone; Continuation of gravel excavation and processing operations.

David Held, Provost and Rovero represents application 031318A. Mr. Held commented that there is not much difference than what was presented last year. Due to provision in the regulations the wetlands permit lasts as long as the PZC permit which is one year. The north side of the site is the Quinebaug River which is the boundary of the property as well as the boundary of the Town of Brooklyn and Town Line of Plainfield. Access to the site is from Route 205 leading into the processing area and stock pile area for finished and raw materials. Mr. Held reviewed the PZC approved excavation area which has been partially completed for this year. The proposal is continuing excavation in this area which is outside of any regulated area. Last year there was a requirement along the corridor and adjacent to the Quinebaug River for restoration work to be done. This area has been brought up to grade, topsoil and seeded. There was vegetation established there, however, but additional overseeding is needed to get a good stand of vegetation in this area. This is being monitored by Mr. Held as well as Ms. Fraenkel. There was also a condition that a 75-foot restoration corridor be established in which there shall be no activity, shall be maintained between the wetlands resource and the gravel operation, and it was required that every 6 months the design engineer certify that this has been done. There was a report submitted to staff in August of 2017. The orange construction fencing was placed along the tree line to demarcate the limits of disturbance. Mr. Held has submitted tonight another 6-month report stating that the 75 ft. corridor has been maintained as established last summer.

Mr. Sorrentino asked what the status of the reclamation as it was proposed last year. Mr. Held stated that it has been brought up to grade; topsoil placed and seeded last spring. The vegetation took to some degree. It was noted during Mr. Held's August inspection that some additional work and overseeding would need to be done. Mr. Held's recommendation was that they do not till it back up as there were some small trees starting to take root but to seed with a warm season mix planted in the fall.

Ms. Fraenkel has visited the site a few times. The markers that show the limits of disturbance have been up since approval. The proposed excavation is in the same area as previous year and well away from the regulated area. They did what they said they would do with the exception of getting a good standard vegetation. The buffer is unchanged from last year. There is no impact to the resource. Ms. Fraenkel would prefer a wider buffer, but is not realistic; it will be part of the final grading plan.

A motion was made by Richard Oliverson to approve application #031318A of Brooklyn Sand and Gravel, LLC, for continued operation of a gravel excavation and processing operation at 574 Wauregan Road, Map 30/Lot 97 on a 64-acre parcel between Wauregan Road and the Quinebaug River based on the submitted application and plans prepared by Provost & Rovero, Inc. titled

“proposed Gravel Excavation & Processing Operation” Wauregan Road (Route 205) Brooklyn, Connecticut, dated 2/7/18, 5 sheets, with the following conditions:

1. Permit Duration: The permit duration is controlled by Inland Wetlands and Watercourses Regulations Section 11.6 Pursuant to this Section, this permit will expire on the same date as the expiration of the pending 2018 sand and gravel permit renewal (specific expiration date is to be determined).
2. Non-activity Corridor: At a minimum, the existing 75-foot corridor, in which there shall be no activity, shall be maintained between the wetlands resource and the gravel operation. For the purposes of this condition, “activity” includes excavation, stockpiling or any other aspect of the gravel operation. The permittee’s engineer shall certify in writing 6 months from the date of this IWWC approval that every 6 months thereafter that this requirement has been fulfilled so as to achieve its intended purpose of protection of the Quinebaug River. The wetlands officer may request additional confirmation of compliance with this requirement and the permittee’s engineer shall submit such documentation within 14 days.
3. Demarcation of disturbance. The permittee shall maintain compliance with requirements for signs and snow fence at the limits of disturbance to prevent any further intrusion into the upland review area along the tree line. The permittee shall report compliance with this requirement in writing to the Wetlands Enforcement Officer on a quarterly basis beginning 3 months from the date of this IWWC approval.
4. Final Plans. The final plans shall depict the existing 75-foot non-activity corridor and place the approval motion on sheet one. One set of the final plans shall be submitted with the live signatures and seals of all design professionals with a signature block on each sheet for signature by the IWWC chair.
5. Standard conditions (attached) shall apply.

Reasons for Approval (See Regulations Section 10.2, 10.3).

1. The IWWC has found no evidence that there has been damage to or pollution of the Quinebaug River and its associated inland wetlands due to this operation.
2. The proposed active excavation area is not within the regulated area.
3. The risk of disturbance and pollution of wetlands and watercourses is minimized by the non-activity corridor between the activity and the wetlands and the Quinebaug River.
4. No feasible and prudent alternative to the proposed activity has been found.

Motion seconded by George Sipila. No discussion held. All in favor. The motion passes unanimously.

2. 031318B Heather Cassidy/Applicant, George Williams/Property Owner, 227 Paradise Drive, Map 49, Lot 28, RA Zone; Residential home, septic system and minor grading.

Paul Archer, Archer Surveying represents applicant Heather Cassidy. Mr. Archer is seeking a duly authorized agent approval. The location is 227 Paradise Drive. There is an existing trailer,

well and septic system. The applicant is buying the property, removing the trailer, using the existing well and construct a small house on the slab. The existing trailer has been removed. Joe Theroux has delineated the wetlands. Ms. Fraenkel has visited the site. Mr. Paquin asked if a perc test has been done. Mr. Archer stated the deep pits/perc tests have been done and are suitable. This will be considered a septic repair. The existing shed and garage will remain. Mr. Sorrentino asked if there is an existing channel that runs down the side of the lot. Mr. Archer stated yes, demonstrated this on the site plan. Mr. Sorrentino asked if there is a culvert under the road. Mr. Archer stated yes.

A motion was made by Jim Paquin to move to authorize action by Duly Authorized Agent, pursuant to Section 12 of the Inland Wetlands and Watercourses Regulations, of Application 031318B for construction of a residential home, septic system with minor grading at 227 Paradise Drive, on a previously developed lot based on a plan submitted by Archer Survey entitled "Site Development Plan" Prepared for Heather Cassidy, 227 Paradise Drive, Brooklyn, Connecticut, 1 sheet, dated 2/28/18; Heather Cassidy, applicant/George Williams, owner. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

3. 031318C Paul R. Lehto, Riverwalk Drive, Map 32, Lot 148, RA Zone; Excavation of sand and gravel.

David Held, Provost and Rovero represents application 031318C. Mr. Held reviews the site plan with Commission members. The proposed excavation is on the easterly side of the site which is approximately 2.5 acres. Allen Hill Road is on the far westerly side. Riverwalk Drive is currently a private road providing access to condominiums and apartments. Not far into the site the driveway turns into gravel which goes down and crosses a stream which has been in existence for many years. The bulk of the rear area of the site was previously excavated in the early to mid-90's as a permitted operation by the Town. There is additional material left on the site which the applicant would like to excavate. There is also a watercourse within the regulated area. Mr. Held reviews the proposed excavated area on the site plan and discusses with members. The proposal is for 75,000 yards of material to come out with the proposal of 50,000 yards of material to be brought back in to do final grading on the site. Mr. Held reviews the final grading on the site plan with members. The long-term reuse would be a conservation subdivision with a portion to be utilized for open space. The test pit logs are shown on the plan. There are numerous stockpiles of topsoil which were not spread as part of the previous excavation. There is a cash bond as part of the previous PZC approval for the restoration of the site. The reason this was not done is because it has been the owner/applicant's intent that this property would be part of a subdivision.

The Commission Members unanimously agreed to conduct a site walk. Discussion ensued.

Paul Lehto commented that the main objective is to sell the gravel and pay for the road paving for the condos and apartments on Riverwalk Drive. Mr. Held will design the proposed subdivision which Mr. Lehto may pass on to his son. The private road will be designed and paved to Town road standards.

Ms. Fraenkel asks Mr. Held to place the flag numbers on the plan.

Mr. Sorrentino asked what the date of the receipt was for the application. Ms. Fraenkel stated the official date of receipt is March 13, 2018, the date of the cancelled wetlands meeting. A site walk will be held before deciding if a public hearing is necessary.

Commission Members agreed to schedule a site walk of the property on Friday, April 6, 2018 at 4:30 p.m. Chairman Arends will be informed.

A motion was made by Jim Paquin to continue application 031318C to the April 10th IWWC regular meeting. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

4. DR18-002 Stuyniski Revocable Trust, Owner/Andrew P. Clark, Forester, Timber Harvest.

Andrew Clark, Certified Forester represents application DR18-002. The applicant is seeking an as of right determination for a timber harvest of the Stuyniski's on Beecher Road. This property has been previously maintained by Mr. Clark's company approximately 16 to 18 years ago. Joe Theroux did the as of right determination application in 2001. There is frontage on both sides of Beecher Road north and south. From a wetlands perspective on the north side of Beecher Road is Cold Spring Brook runs through the Stuyniski property almost cutting it into 4 quarters on the north and south side. This timber harvest will require no stream crossings because of the optimal frontage. There are established landings and skid trails from the last harvest. The initial purpose of this harvest is to utilize a bunch of oak killed by the gypsy moth. The hardwoods are struggling to grow. The property has mostly white pine. The amount of forest products to be harvested are 200,000 board feet and 100 cords. There will be no red maples harvested. On the north side of Beecher Road there is about a 40-foot depression containing water. There will be no activity on the slopes.

A motion was made by James Paquin to approve a request for a ruling for a use as of right pursuant to Inland Wetlands Regulations Section 4.1.a for a timber harvest at 114 Beecher Road, property of Stuyniski Revocable Trust. Proposal is for harvest of 200,000 board feet of timber and 100 cords on 150 acres, with no wetlands crossings proposed or authorized. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

5. Modification of application 061416A (approved 8/24/16) A. Kausch and Sons, South Street, Map 46, Lot 37, R-30 Zone, 5 Lot Subdivision (clearing limits modification).

Paul Archer, Archer Surveying represents the applicant. Mr. Archer demonstrates on the site plan the modification of the clearing limits shown as compared to where they were on the original subdivision map. He also proposes to relocate the driveway. Ms. Fraenkel commented that the (original) condition of approval #2, it states that the clearing limits are enforceable. Discussion ensued.

A motion was made by James Paquin to approve the request for modification of approval condition #2 for Kausch & Sons Subdivision, South Street, application 061316A, Map 46, Lot 37, to revise the clearing limits for lots 3 and 4 based on a plan entitled "Site Development Plan Clearing Limits Modification prepared for A. Kausch & Sons, LLC, South Street, Brooklyn, CT" dated March 2018, 1 sheet. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Communications:

1. Budget Update: Commission Members reviewed the budget hand out.

2. Communications – Aquarion Water Company Letter dated January 31, 2018.

Ms. Fraenkel reviewed the letter with Commission Members with regards to nominations for outstanding conservationist 2018 awards sponsored by Aquarion Water Company. Discussion ensued.

3. Wetlands Agent Monthly Report:

Ms. Fraenkel discussed working on the duration for wetlands approvals. This will be an agenda item on next week's agenda. Discussion ensued.

Public Commentary: None.

Adjourn: A motion as made by Jim Paquin to adjourn the meeting at 7:12 p.m. Richard Oliverson seconded this motion. No discussion held. All in favor. The motion passes unanimously.

Audrey Cross-Lussier, Recording Secretary