

**Brooklyn Inland Wetlands Commission
Regular Meeting Minutes
July 10, 2018**

The Brooklyn Inland Wetlands Commission held a regular meeting on Tuesday, July 10, 2018 at 6:00 p.m. on the following:

Call to Order: The meeting was called to order at 6:01 p.m.

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

Members Absent: George Sipila with notice.

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

Also Present: Paul Archer, Jeffrey Weaver, Aaron Kerouac, Emily Macnamara.

Seating of Alternates: None.

Public Commentary: Aaron Kerouac commented on Eversource's high-tension power line work (clear cutting) that has been done in the area that crosses over Route 6 at Windham Road. Mr. Kerouac comments that the Stony Brook Stream has been re-routed and questions if this has not changed the temperature of the stream. Mr. Kerouac commented that there is heavy equipment there at this time. Mr. Paquin commented that they must apply through the Siting Council. Chairman Arends asked staff to investigate this.

Additions to the Agenda: None.

Approval of Minutes:

1. Regular Meeting Minutes June 12, 2018. Minutes are accepted as written with no changes made.

Public Hearings:

1. 050818D Jeffrey Weaver, Day Street, Map 43, Lot 6, RA Zone; Proposed 10 lot subdivision.

Chairman Arends opens the public hearing for application 050818D.

Paul Archer, Archer Surveying represents application 050818D. Applicant Jeffrey Weaver is present. The property is located on the southerly side of Day Street, 23 acres, with power lines running through the middle. The proposal is 10 lots with 6 rear lots, 4 frontage lots. Most of the wetlands runs along the southerly boundary and comes up along the westerly boundary. The lots involving upland review area are Lots 5, 6, 7, 8 on the westerly side of the property. Lots 1, 2, 3, 4, 9, and 10 are outside the upland review area. The closest to the wetlands is located on Lot 5 which is 50 feet away. Everything else is at least 85 feet away from the wetlands line. The wetlands were delineated by Joseph Theroux with flags located. All soil testing, Health Department approval has been granted. On the southerly portion of the property is a 100-year FEMA flood zone without a designated flood elevation. All proposed activity is outside of the 100-year flood zone. Mr. Archer discusses the perc rates between 1 and 5. Some systems will be non-engineered with the majority being engineered septic systems. The site is very flat between 1 to 3%. No water will be put on the Town Road. Lot 5 is restricted to where the house will be placed due to the front setback. Proposed clearing limits have been placed on the site plan and the applicant is not opposed to staking this area out at the time of development.

Mr. Sorrentino asked if a permit is being requested for the regulated activity associated with lots 5, 6, 7, 8. Mr. Archer stated they are looking for a permit to move forward. There is an application on the PZC agenda for tomorrow night.

Chairman Arends asked when the wetlands were flagged. Mr. Archer commented this past April.

Mr. Oliverson asked what will happen with the road water that dumps onto Lot 5. Mr. Archer commented this will be a negotiating point with Planning and Zoning.

Ms. Fraenkel asked if there will need to be approval granted for a leak off from IWWC. Mr. Archer commented that Planning and Zoning will address this, if a leak off is required, the wetlands permit will require a minor modification. Mr. Archer stated that David Held, PE with Provost and Rovero did all of the grading design and did not have concern. The Town does not have any legal right to drain onto the property.

Ms. Fraenkel commented that the Town Engineer Syl Pauley has not reviewed the plan yet.

Mr. Sorrentino discusses the well on Lot 1 not meeting the setback requirements. Discussion ensued. Mr. Archer addresses Mr. Sorrentino's concern.

Ms. Fraenkel requests that the applicant abide by the clearing limits due to the high quality of the woods and wetlands on the south side. Mr. Weaver commented he will adhere to the clearing limits on the site plan. He will not go any further than what the septic systems allow. Mr. Weaver would like to retest Lot 9 and pull the system further up into the field area.

Mr. Sorrentino commented that the wetland flags 1-7 seem a bit off. Mr. Archer commented with the contours the flags do not match up. Mr. Sorrentino asked if Mr. Archer performed the topographic survey. Mr. Archer stated yes.

Commission members unanimously agree that there are no significant impacts to the wetlands.

Emily Macnamara, property owner, comments that the subdivision is in the back of her property and would like to know how far back into the woods will it go. Mr. Archer commented that the total parcel is 85 acres with only 23 being developed. Ms. Macnamara comments on the continuous 4-wheeler vehicle traffic that drive through the site. Mr. Weaver is trying to stop this.

A motion was made by Demian Sorrentino to close the public hearing. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Old Business:

1. 050818D Jeffrey Weaver, Day Street, Map 43, Lot 6, RA Zone; Proposed 10 lot subdivision.

A motion was made by James Paquin to approve application 050818D for a 10 lot subdivision with associated construction of single family dwellings, septic systems, driveways, wells and grading on a 24-acre parcel, south side of Day Street, based on a plan entitled "subdivision Plan "Proposed 10 Lots" Prepared for Jeffrey Weaver, Day Street, Brooklyn, Connecticut" 7 sheets, prepared by Archer Surveying LLC, dated may 25, 2018 (or as revised) with the following conditions:

1. Wetlands flagging to remain in place throughout the construction period.
2. Limits of clearing shall be staked out by surveyor and enforced on Lots 1, 2, 5, 6, 7, 8, 9 and 10.
3. Silt fence shall be placed and approved by staff before disturbance of the soil begins.
4. Standard IWWC conditions apply.
5. Approval motion shall be placed on first page of final plan.

Approval is granted based on a finding that the proposed design has minimized impact to wetlands. Demian Sorrentino seconds the motion. No discussion held. All in favor. The motion passes unanimously.

2. 061218A VBL Properties, Beecher Road, Map 22, Lot 38-1, 2.5 acres; Single family home, septic system, well, driveway and minor grading. All work being done in the upland review area.

Paul Archer, Archer Surveying represents the applicant. This is a parcel located at the end of Beecher Road, free split, to be subdivided in future. The proposed is a single-family home with septic system. There will be a non-engineered septic system. All work being done is within the upland review area, there is no proposed activity in the wetlands. John Ianni, Soil Scientist flagged the wetlands. Mr. Archer reviews the site plan with Commission Members. Mr. Sorrentino asked if this is an isolated area of wetlands. Ms. Fraenkel commented isolated to the east, standing water/swamp. There is a cornfield directly behind the property.

Mr. Sorrentino commented that the grade line is 186, how far from the wetlands. Mr. Archer stated approximately 45 feet. Mr. Archer commented that the property line falls at the center line

of the stream. Mr. Archer met with Highway Forman Tom Rukstela and he has okayed the driveway. Ms. Fraenkel asked if the driveway could be moved 10 to 15 feet which was done per Mr. Archer. Discussion ensued.

Mr. Sorrentino requests that the silt fence line be more clearly defined on plan, Mr. Archer agrees. Ms. Fraenkel asks that the legend is fixed. Mr. Archer agrees. Mr. Sorrentino also commented that it would be beneficial if the house were turned away from the wetlands, Mr. Archer agrees and will work with the builder.

A motion was made by Demian Sorrentino to approve application 061218A for construction of a single-family dwelling, septic system, well, driveway and minor grading in the upland review area on south side of Beecher Road based on plan titled "Site Development Plan Prepared for VBL Properties, Beecher Road, Brooklyn, CT", 2 sheets, prepared by Archer Surveying, LLC dated June 11, 2018 (or as revised) with the following conditions:

1. Wetlands flagging to remain in place throughout the construction period.
2. Silt fence shall be placed and approved by staff before disturbance of the soil begins.
3. Standard IWWC conditions apply.
4. Approved motion shall be placed on first page of final plan.

Approval is granted based on a finding that the proposed design has minimized impact to wetlands.

James Paquin seconded 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: Forested Wetlands Soils Workshop: Commission members reviewed the hand out provided by Ms. Fraenkel with regards to Connecticut DEEP Society of Soil Scientists of Southern New England workshop for forested wetland soils which is to be held at UCONN on Tuesday August 14, 2018 or Wednesday August 15, 2018 8:30-4:30 p.m., \$40 per participant. Registration must be received by August 1, 2018. Ms. Fraenkel will attend. Town pays cost.

3. Wetlands Agent Monthly Report:

1. Veazie-Tatnic Road driveway, wetlands crossing. Mr. Veazie is doing the work himself and Syl Pauley, P.E. has commended the work. Neighbor is Joe Szarkowicz whose concern is his pond that lies next to the driveway. Ms. Fraenkel stated that the project is not yet completed. The pipe is in, past the crossing the banks are seeded, however, north of the crossings are not seeded. There has been a little bit of sediment in Mr. Szarkowicz pond which has been reported. Mr. Oliverson asked if there is a time limit on the project. Ms. Fraenkel stated there is not. Mr. Paquin asked if he is working towards compliance, Ms. Fraenkel stated he is. Ms. Fraenkel has

asked Bruce Woodis from KWP go out and take a look to give Mr. Veazie some direction. Ms. Fraenkel is not sure if this has happened as of yet.

2. Hoyt – Hickory Lane, wetlands crossing for driveway. The project is a little more than half completed. It was started last fall. The crossing was done quickly. Mr. Hoyt wished to do the mitigation area himself. Joe Theroux stopped work in December 2017. Ms. Fraenkel has reviewed the site, it has dried up enough for Hoyt to finish. Ms. Fraenkel told Mr. Hoyt that Joe Theroux needs to be called out to direct him on how to finish. There is still material that has not been removed from the mitigation area. Ms. Fraenkel has asked that the project be done by mid-August, Mr. Hoyt is in agreement with this.

3. Changes to Bylaws. Requested change of membership from 7 to 5 regular members with 3 alternates. The bylaws may be amended by a majority vote of the members present at the meeting of the Commission provided that notice of said proposed amendment is given to each member at least five days to said meeting, except that the bylaws may be changed at any meeting by the unanimous vote of the entire voting membership of the Commission. The change in membership must be approved at a Town Meeting per ordinance.

4. Revision to Wetlands Regulations-Permit Duration and Renewals. Ms. Fraenkel discusses section 11.6 (permit duration). Ms. Fraenkel's recommends using the DEP language. Ms. Fraenkel asks Commission Members to review other sections of the current regulations to see if there is anything else the Commission wishes to change. Commission Members discussed permit renewals. A public hearing will be required. Mr. Sorrentino will review the regulations for other possible revisions.

Public Commentary: Aaron Kerouac made comment with regards to trying to untangle and correct regulations. Mr. Kerouac asked if the upland review area will be changed, per Commission it will remain the same.

Adjourn: A motion was made by Demian Sorrentino 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