

**Brooklyn Inland Wetlands Commission  
Special Meeting Minutes  
Tuesday September 24, 2019**

The Brooklyn Inland Wetland and Watercourses Commission held a special meeting on Tuesday, September 24, 2019 on the following:

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

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

**Absent:** Jeffrey Arends with notice.

**Staff Present:** Margaret Washburn, Wetlands Agent, Audrey Cross-Lussier, Recording Secretary.

**Also Present:** Paul Archer, Mark Curreri, David Gokey, Mark Olivo, Austin Tanner, Janet Booth.

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

**Seating of Alternates:** None.

**Public Hearings:** None.

**Public Commentary:**

Mark Curreri, 316 Hartford Rd., addresses his concerns with Yee Kim Timber Management harvest being done on Appell Rd. Mr. Curreri submits pictures for the Commission to review. Mr. Curreri stated that up to now they have performed their duties and has no complaints. It is Mr. Curreri's understanding that they are finishing up on Michael Wolchesky's property and coming to repair a section of the road. Mr. Curreri commented that it was the agreement with wetlands and Yee Kim Timber Management to restore the discontinued Appell Rd to its prior condition. Mr. Curreri's areas of concerns regarding the road are directly in front of Paul Harrington's house where a large 12 ft. x 25 ft. by 10-inch deep puddle has developed on the roadway. There is no escape for the water except to run over the banking and down into the backyard of the Tourtellotte property. The stone material embedded in the lawn area makes it difficult to mow and maintain on the Harrington Property. About 100 feet west of the first large puddle there is another 30 ft long berm with a 10 in. x 12 in. trench on the road with gravel on

both sides, again not allowing the water to escape and running to where it has never run before. At the wetlands there is another 8 in. trench with a broken culvert. When the puddle is high it runs across the road causing washout. Mr. Curreri expects this to be taken care of. The broken pipe at the water crossing is a wetlands concern. Mr. Curreri has no problem with it as it is. He has no need to cross that particular portion of the road, however, Mike Wolchesky may need to. Mr. Curreri is here to protect other property owners. As long as their promise is maintained, Mr. Curreri has no problems, he wanted the Commission to know of the road conditions.

David Gokey, employee of Yee Kim Timber Management comments that project will be done in approximately 3-4 weeks. This issue has not been brought up until recently. Mr. Curreri commented on what his concerns are and what he would like to see fixed when the project is done.

Mr. Sorrentino thanks Mr. Curreri for the update. Mr. Sorrentino commented that the issues with puddles on the gravel road is a civil one between Mr. Curreri and Mr. Gokey.

**Additions to the Agenda:** None.

**Approval of Minutes:**

1. Regular Meeting Minutes August 13, 2019. The regular meeting minutes of August 13, 2019 were approved as written.

**Old Business:**

**1. Remediation of filled wetland area – 011216A Richard Regis, 35 South Main Street, Map 41, Lot 57, PC Zone; Placement of fill and lot re-grading within regulated area.**

Mr. Sorrentino commented that a report has been received from Ms. Washburn who inspected and took photographs. The requested remediation work following the silt washing into the wetlands during a storm on 9/1/19 has been completed. Double staked hay bales, silt fence, loam, seed and mulch have been installed. The area outside the wetlands is stable. The required report from the soil scientist has been received before the deadline set in the enforcement order.

Ms. Washburn commented that all of the remediation work has been completed as in the enforcement order.

Mr. Sorrentino asked if the notice of violation was recorded on the land records. Ms. Washburn stated no. Mr. Sorrentino asked if a letter of compliance will be issued to Mr. Regis. Ms. Washburn agrees to do so. She will close the enforcement order. All members agree there is no further action to be taken.

**2. 081319A Mark Olivo, 49 Pomfret Road, Map 25, Lot 16, VCD Zone; residential home, farm store, septic system, well, minor grading and driveway.**

Paul Archer, Archer Surveying, represents Mr. Olivo who is in attendance.

The property location is 49 Pomfret Road. It has a current wetlands permit. The previous house burned down. Mr. Olivo purchased the property. Addressing last month's comments, Mr. Archer reviews a site plan with the 125-foot upland review area which is highlighted in orange on the plans he has submitted. Light blue square indicates where the original house was located in the late 80's early 90's. Proposed are a house, a garage with an apartment above, a farm stand outside of the upland review area, a small potting shed, and a workshop on top of an existing pad. The application has been sent to PZC and reviewed by the Town Engineer, Syl Pauley. Mr. Archer has addressed most of Mr. Pauley's comments with regards to parking. Mr. Olivo has expressed interest in holding bee-keeping, pottery, and flower arranging classes. The existing entrance is a gravel driveway. Underground power is proposed. A letter from NDDH grants permission for a septic repair. There will be minor grading done. The wetland flags shown on the plan were delineated in March 2014 by Michael Schaefer. Mr. Archer reviewed the plan with members. There are not many of the wetland flag stubs left. Mr. Archer discusses re-staking the wetlands flags vs. the visibility of where the wetlands vegetation is located. When the building is staked out the silt fence/limits of disturbance can be staked out.

Ms. Washburn did a site visit today, and prepared an inspection report with photographs.

Mr. Sorrentino commented regarding the wetlands delineation; he does not have a problem with utilizing the old one as long as the plan stays with the file.

Ms. Washburn commented there is quite a bit of land beyond the wetland crossing in the back of the property. During her visit today she asked Mr. Olivo if he had plans of doing anything back there, to please notify her. At this time there is nothing proposed. Mr. Archer commented that the prior violations with the previous owner, Jones, was to the back of the property.

Mr. Paquin questioned where the parking would be for classes. Mr. Archer has placed the parking close to where the actual buildings will be. Mr. Archer demonstrates this on the site plan. Mr. Archer tried to keep the parking out of the purview of the road. Mr. Sorrentino asked if the parking areas will sheet flow off into the gravel area. Mr. Archer stated yes. Mr. Archer also stated if necessary, a porta-potty will be brought in. Discussion ensued.

Mr. Paquin makes mention of the personal note provided by Mr. Olivo which reads: "I am truly trying to do this project the right way and at the same time do it with common sense. I consider this to be a good thing for this property and for the town. But I am starting to question all of this." Mr. Paquin appreciates the fact that Mr. Olivo put that there and expressed his feelings. Mr. Olivo commented that it's the entire process.

Mr. Paquin comments within the motion he likes the idea for Mr. Archer to locate some general flags where silt fence should be placed as they are pretty close to wetlands with the house location. Mr. Archer is in agreement.

A motion was made by Jim Paquin to approve application 081319A Mark Olivo, 49 Pomfret Road, Map 25, Lot 16, VCD Zone for a residential home, farm store, septic system, well, minor grading and driveway as shown on the site development plan dated 8/1/19 by Archer Surveying,

LLC, revised 9/23/19, with standard IWWC conditions and the condition that the surveyor should locate at least the corners of the silt fence in the areas closest to the southerly edge of the wetlands and the side of the proposed house. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**New Business:**

**1. DR19-006 89 Laurel Hill Road, Mary Lavallee, Owner/David Gokey, Applicant; Timber harvest, remove gypsy moth killed trees.**

David Gokey, Supervising Forest Products Harvester, represents the applicant. This is a basic logging operation to remove gypsy moth killed trees. The power company built a road and there is a culvert there. Mr. Gokey presented cell phone photographs for Members to review. On the rest of the wood lot there will be no activity in the wetlands area. Mr. Paquin commented that there are two timber harvests being done side by side. Mr. Gokey stated both landowners are trying to get rid of the dead trees. Mary Lavallee has agreed to let them use her land to take the timber out of Anita Rukakoski's property. Ms. Lavallee borders the Wolchesky property.

Mr. Paquin asked where the entrance is. Mr. Gokey stated they are entering from Laurel Hill Rd. power line entrance. Mr. Gokey shows photographs of the entrance for members to review. Ms. Washburn commented there is no harvesting near the culvert; it is all brush.

Ms. Washburn has met with Mr. Gokey and reviewed wetlands maps and revised the application to show he is staying out of the wetlands and harvesting in the upland review area.

Mr. Sorrentino asked if they are traveling on any unapproved contentious roads. Mr. Gokey stated no. Mr. Paquin asked if there are wetlands on either of these properties. Ms. Washburn commented there are wetlands on it. Mr. Gokey commented they know where they are working, there are a couple of dead trees down there that will be taken out of the wetlands, the harvesting is in the upland review area.

A motion was made by Richard Oliverson that this is a use permitted as of right activity. Jim Paquin seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**2. DR19-007 26 Appell Road, Anita Rukakoski, Owner/David Gokey, Applicant, Timber Harvest, remove dead timber from gypsy moth killed trees.**

David Gokey, Supervising Forest Products Harvester, represents the applicant. The 89 Laurel Hill Rd. landing is going to be used. There is a small bit of wetlands on the edge of the property. There is a dead oak tree there which will be taken out. Mr. Sorrentino asked if there is a significant amount of trees being taken out. Mr. Gokey stated yes. Mr. Sorrentino commented that the location looks south of 89 Laurel Hill Rd. and fronts on Appell Rd. Mr. Oliverson asked which timber harvest will be done first. Mr. Gokey stated probably Mary Lavallee, 89 Laurel Hill Road. Ms. Lavallee is giving permission to cross her property to Ms. Rukakoski's property. Mr. Sorrentino asked if there are any wetlands crossings other than crossing the existing culvert under the power lines. Mr. Gokey stated no.

A motion was made by Richard Oliverson that this is a use permitted as of right activity. Jim Paquin seconds this motion. No discussion held. All in favor. The motion passes unanimously.

### **3. Mason Road, Map 15, Lot 10, Town Drainage Project, Don Francis Complaint.**

Ms. Washburn received a complaint from Donald Francis. Ms. Washburn inspected the site. Ms. Washburn reviewed maps relative to the work with Commission Members. Tom Rukstela, Highway Director, apparently got this project mixed up with another project for a bridge on Mason Road. There was a misunderstanding on the part of Mr. Rukstela who thought this project had gone through the Wetlands Commission. Most of the work was not in what is mapped as wetlands, but was near was a crossing underneath Mason Rd. that was replaced. This was a Town drainage project which Syl Pauley, NECCOG Engineer, designed. Selectman Ives confirmed that it was a Town drainage project. The location is adjacent to the Highway Foreman, Mr. Rukstela's property. The road was collapsing because of water and in need of repair. There was no wetlands permit issued for the project. Ms. Washburn reviewed an e-mail dated 9/5/19 from Syl Pauley to Margaret Washburn with regards to a plan for 127 Mason Road drainage issue. Mr. Sorrentino reviewed the schematic site plan. Ms. Washburn commented that Selectman Ives considered this Town road maintenance. Ms. Washburn did not see the area before the work was done. Lengthy discussion ensued.

Mr. Paquin recommends Ms. Washburn to send a letter to Selectman Ives and Highway Director Mr. Rukstela with regards to this project being done without a wetlands permit. Mr. Sipila and Mr. Oliverson agree.

Mr. Sorrentino does not support preferential treatment or differential treatment for a Town Department than any other private citizen. Further discussion ensued.

A motion was made by Richard Oliverson for Margaret Washburn, WEO, to draft a letter to Highway Director Tom Rukstela with regards to this project being done without a wetlands permit with a copy to Selectman Ives. No discussion held. In favor of James Paquin, George Sipila, Richard Oliverson. Demian Sorrentino abstained.

### **Communications:**

#### **1. Discussion of changing regular meeting date of October 8<sup>th</sup> to a special meeting October 22<sup>nd</sup>.**

Ms. Washburn and Ms. Cross-Lussier are unable to attend the regular October 8<sup>th</sup> meeting. Commission Members are in unanimous agreement to change next month's meeting date to October 22, 2019 at 6:00 p.m.

#### **2. Budget Update:** Reviewed by Commission Members.

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

- 13 Hickory Lane – Keith Hoyt – Mr. Hoyt was given permission to remove a stone wall from wetlands and was told to wait until the weather dried out, which he did. Mr. Hoyt called Ms. Washburn to come and inspect the site. Ms. Washburn approves of the work done. Ms. Washburn commented that Mr. Hoyt's property seems to have increased runoff since solar farm has been built near his property.
- 4 Pomfret Landing Road- Joseph Williams – There is a sign on the edge of the road that says, "fill wanted". Dirt is being dumped next to a Town culvert. It clearly goes down a steep hill to a wetlands. The Commission directed Ms. Washburn to send a letter to the property owner regarding this issue.
- Darby Road at White Brook – Don Francis spraying complaint – Ms. Washburn inspected the site. There is lush green native aquatic vegetation-tape grass growing in the stream channel. Ms. Washburn informed Mr. Francis that the stream vegetation was not impacted.
- Wal-Mart 450 Providence Road – complaint received to the effect that last year Wal-Mart used salt in the de-icing of their parking lots. The original approval letter of 3/23/09 states not to use sodium de-icing materials. A letter was written to Wal-Mart Corporate Offices and a letter was brought to the general manager of the Brooklyn Wal-Mart regarding this issue. Discussion ensued.
- Rawson Applications and School Street Development – Ms. Washburn spoke with David Held from Provost and Rovero today. Mr. Held stated the Rawson applications are not ready for submission. Also, the School Street Development is now being designed by Killingly Engineering Associates.

**Public Commentary:**

Janet Booth, Wolf Den Rd- Ms. Booth voices her concerns with regards to the spraying of herbicides on the roadside. Ms. Booth is seeing the side effects of the herbicide spraying killing the root mass. Once the root mass is killed, erosion is invited. Ms. Booth has witnessed erosion by the areas that have been recently sprayed. Ms. Booth reviews photographs of Barrett Hill and Elliott Road with Commission Members. Mr. Paquin recommends Ms. Booth speak at a Board of Selectmen's meeting. Ms. Washburn has been in contact with Highway Director Tom Rukstela regarding this issue. Mr. Rukstela stated they are allowed to spray near the water, but not in the water. The vegetation in the stream channel of White Brook at the Darby Rd. crossing has not been affected by the herbicide. The Commission thanks Ms. Booth for her concerns and comments.

**Adjourn:** A motion was made by Jim Paquin to adjourn the meeting at 7:25 p.m. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

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Audrey Cross-Lussier  
Recording Secretary