

**Brooklyn Inland Wetlands Commission
Regular Meeting Minutes
October 9, 2018**

The Brooklyn Inland Wetlands Commission held a Regular Meeting on Tuesday October 9, 2018 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 and Richard Oliverson.

Members Absent: Jeffrey Arends with notice.

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

Also Present: Joe Szarkowicz, Pat Malek, John Marr, Krista Kingsbury, Aaron Kerouac, public in attendance.

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

Seating of Alternates: None.

Public Hearings: None.

Public Commentary:

Joe Szarkowicz, 103 Tatnic Road, voiced his concerns with the project at 117 Tatnic Road-Terence Veazie. The property owner is doing his own work. In the past month there have been three storms on 9/12, 9/19 and 9/26 where a significant amount of silt came down, filling Mr. Szarkowicz's pond with silt. A significant amount of land was opened up above in excess of the disturbance limits shown on the approval plan with no sedimentation controls in place. Mr. Sorrentino asked if there are still no E and S controls in place to this day? Mr. Szarkowicz stated that Ms. Fraenkel has been in contact and working with Mr. Veazie. Mr. Szarkowicz feels that there are a lot of things there that are not in accordance to the plan because the homeowner is doing the work. Ms. Fraenkel reached out to the applicant's engineer to respond to Mr. Szarkowicz's five concerns. Two of the issues were responded to, three were not. Mr. Szarkowicz comments it is October, Ms. Fraenkel stated there is a lot of work to be done there to bring things into order. Mr. Szarkowicz would like to make sure before winter sets in the issues are addressed.

Mr. Sorrentino thanks Mr. Szarkowicz for bringing his concerns to the Commission and will report these concerns to the Wetlands Agent, Martha Fraenkel. Discussion ensued.

Aaron Kerouac queries the Commission if there has ever been a time where an abutting property owner has been willing to offer the adjacent property owner an easement in order to avoid a wetlands disturbance? The property that Mr. Kerouac is referring to is located on Wolf Den Road. Discussion ensued with regards to feasible and alternative improvements.

Additions to Agenda: None.

Approval of Minutes:

1. Regular Meeting Minutes September 11, 2018.

Minutes are accepted as written with one correction, page 1 to be changed from September 5, 2018 to September 11, 2018. Noted by Recording Secretary Ms. Cross-Lussier.

Old Business:

1. 091118A John and Janice Marr, 53 Wauregan Road, Map 24, Lot 134A, applicant. Place 4-inch PVC pipe and 20 cubic yards of clean fill in wetlands at 53 Wauregan Road, and place 4-inch pipe on property of Krista Kingsbury, 49 Wauregan Road/Map 24, Lot 134.

A site walk was held on Saturday 9/15/18. Mr. Sorrentino has drafted minutes from the site walk which took place but have not yet been posted with the Town Clerk.

Mr. Sorrentino, a certified soil scientist, commented during the site walk on 9/15/18 the low-lying area behind Marr's garage is saturated to the surface and hydrophytic vegetation is present. Higher topography along the shared property line southwesterly of the discharge point causes the water to follow the lower topography through Marr's yard, causing standing water.

Mr. Sorrentino and Mr. Oliverson left the site walk at 8:20 a.m. At this time Mr. Paquin and Mr. Sipila met with the neighbors-Kingsbury, who came up with a pipe design which would eliminate the possibility of the pipe freezing and backing up. It was addressed to Mr. Marr that he prepare a sketch for this meeting to present to the Commission including means of supporting the pipe, proper pitch and demonstrate the topography that allows the pitch to happen.

Pat Malek, Realtor, commented that according to Real Estate Law, the property owner-Kingsbury, have a one-year warranty on the project completion with the contractor who built the house (Ed Dumas), whose responsibility would be to fix the problem. The warranty expires February 6, 2019. If the contractor does not fix the problem another option is to go to the General Fund of the Real Estate Commission.

Second option, at the suggestion of Bob Auger, Ron Racine, from Racine Excavation came to the property to review the issue at hand. For approximately \$1,500 a dry well would be constructed and solve the problem completely. Mr. Racine spoke with Ms. Fraenkel with regards to this option. Ms. Fraenkel is to set up a meeting with Mr. Racine for further review.

Mr. Paquin asked Ms. Malek if the proposed drywell to be placed is on the Kingsbury property or the Marr's property. Ms. Malek stated the Kingsbury property.

Ms. Kingsbury has been in e-mail conversation with Ms. Fraenkel. Ms. Kingsbury stated both property owners are stuck in this situation which is not ideal for either parties. Ms. Kingsbury is not sure if they wish to spend any money out of pocket to fix something that was not their fault from the beginning and would entertain revisiting this issue with contractor Ed Dumas.

Mr. Kingsbury comments that they do not want the pipe moved, the pipe on the Marr's property needs to be tweaked. The Racine plan is to go straight out the back of the Kingsbury house which should have initially been done. Discussion ensued.

Mr. Sorrentino commented the Commission has no part of the discussion. The site walk was held by the Commission who have knowledge of wetlands and drainage and offered advice. This is entirely between both owners to come up with a proposal for the Commission to review for approval or denial. Ms. Malek commented that Mr. Racine is coming up with a proposal to review with Ms. Fraenkel. Mr. Sorrentino recommends tabling the application until next months regular meeting and bring in a plan that can be reviewed.

A motion was made by Jim Paquin to table application 091118A to the November 13, 2018 meeting. George Sipila 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. **Connecticut Association of Conservation & Inland Wetlands Commission Annual Meeting & Environmental Conference 11/17/18:** A registration form is provided for members who are interested in attending.
3. **Wetlands Agent Monthly Report:** Ms. Fraenkel is not in attendance, therefore, no report given.

Public Commentary: None.

Adjourn: A motion was made by Jim Paquin to adjourn the meeting at 6:33 p.m. Richard Oliverson seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Audrey Cross-Lussier, Recording Secretary