

Brooklyn Inland Wetlands and Watercourses Commission
Regular Meeting Minutes
Tuesday, December 12, 2023
Zoom and In-Person Meeting
Clifford B. Green Memorial Center
69 South Main Street
6:00 p.m.

Call to Order: 6:00 pm

Roll Call: Richard Oliverson; Adam Brindamour; Jason Burgess; James Paquin; Demian Sorrentino; Janet Booth; Adam Tucker.

Staff Present: First Selectman Austin Tanner, via Zoom; WEO, Margaret Washburn; Recording Secretary, Terry Mahanna

Attendance: Attending in person: Daniel Blanchette, J&D Civil Engineers; Paul Archer, Archer Surveying; Brooklyn residents: Jackie Igliozi, Betsey Mongirdis, Matt Allen; 1 additional attendee in audience.

Attending via Zoom: First Selectman, Austin Tanner; Brooklyn resident, Sharon Loughlin; Austin George; Lisa Blanchette; Applicant, Greg Fisher; 3 additional guests.

Seating of Alternates: None.

Public Commentary: None.

Approval of Minutes:

IWWC Regular Meeting minutes from November 14, 2023 accepted as written.

Site Walk minutes from November 25, 2023 visit to 459 Wolf Den Road (Greg & Nicole Fisher application IWWC 23-011) accepted as written.

Public Hearings:

IWWC 23-011 Nicole Wineland-Thomson Fisher, applicant; 459 & 481 Wolf Den Road, Map 18, Lots 18A & 18B, RA Zone; Proposal to construct driveway & parking lot for events venue; majority of parking lot in the upland review area; 310 sf of wetlands to be permanently filled; grading for tent area, and excavation of 1400 sf of wetlands to create pond.

Daniel Blanchette, P.E. was present and represented this project. He directed his initial presentation towards the audience in attendance in the room. He showed the plans and gave an overview of the project, explaining that a wetlands permit was not needed for the previous project. The application for which they are currently seeking approval is not for a change of use or ownership. They are proposing to relocate the parking lot further back off the road behind the barn and to construct a longer driveway, resulting in less noise and light pollution. A small pocket of wetlands will be permanently filled to construct the parking lot. A separate wetland will be altered to

create a permanent pond. The blue-dashed line on the plans represents the upland review area. A PZC public hearing is scheduled for next Tuesday, 12/19.

Mr. Blanchette answered the following questions:

1. From Brooklyn resident, Betsey Mongirdis – Where is the brook? The brook is on the western property boundary.
2. From Brooklyn resident, Jackie Igliozi – Where will the pond be? 800' from the brook.

Mr. Blanchette provided a recap of changes made to the plans since the last meeting. Additionally, he reviewed his answers to Regional Engineer Syl Pauley's questions received the day prior, and answered additional questions from the Commission and public:

- He estimates ground water to be 2-3 feet down in spring; this will cause no significant impact to the performance of the drainage basins. Mr. Blanchette does not want to raise the basins. To raise them would require a longer slope, resulting in a greater impacts to wetlands. Demian Sorrentino asked if it would be necessary to raise the basins or just the berm. Mr. Blanchette replied that raising the berm would also require more grading towards the wetlands.
- Stagnation in pond: an aerator pump could be installed, if necessary, although he does not expect weeds or algae.
- A dewatering bag will only be used during construction – he will add a note to clarify this.
- A curtain drain will be placed above the tent area, about 2 feet down. Perforations are on all sides – he can clarify this in a note on the plan, if needed.
- Drainage report/water quality volume: Mr. Pauley indicated the basins supply 86%. Mr. Blanchette referenced the guidelines which require capturing the first inch in a storm event. This applies to impervious surfaces. The project has been modelled as if the whole area is paved. Demian Sorrentino asked if the water quality volume is smaller because of 1-2" of groundwater in the basins in the spring. Mr. Blanchette indicated the parking lot is not paved and his calculations are efficient. He also does not see any value in removing underdrains, as he believed Mr. Pauley wanted.
- Signature block: Mr. Blanchette will add this.
- Janet Booth mentioned that the owners will want a healthy pond and asked if a riparian area around the pond can be created. Native vegetation will produce a healthy environment. Mr. Blanchette mentioned he can add this and is open to recommendations from the Commission. Ms. Booth mentioned that solar aerators exist, while Ms. Washburn added that barley balls help to prevent algae.
- Adam Brindamour asked if any alternative locations for the pond had been considered, outside of wetlands. Mr. Blanchette replied no alternatives were considered.
- Ms. Booth asked about the grade for the tent: 2-3 feet per Mr. Blanchette.
- Mr. Blanchette stated the CT stormwater guidelines are general and the formulas do not always apply. He feels his design is going to work well. Also, zoning regulations refer to the guidelines.
- James Paquin asked why the parking lot was designed as if it were impervious. Mr. Blanchette replied that he wanted to be conservative. Margaret Washburn asked if basins are designed as if the whole parking lot were impervious. Mr. Blanchette responded 'yes' and added that the parking lot surface will be pea-stone for aesthetics.
- Public members in the audience also asked about:

- A stockpile area and will topsoil be saturated. Mr. Blanchette indicated much of the material will be used for grading around the tent, although topsoil may be stockpiled.
- A reserve parking lot area for future needs. Mr. Blanchette was not familiar with this regulation but provided his contact information in which to email him if desired. Richard Oliverson added that reserve areas are typically for septic systems and not parking lots.
- Studies on aquatic life: none done.
- The 2 addresses, 459 vs. 481: the house is 459 (on Lot 18A) and the barn is 481 (on Lot 18B).
- Tent: the tent is for weekend use for events as needed, with no permanent platform.

A **motion** was made at 6:31 pm by James Paquin to close the Public Hearing, seconded by Jason Burgess. Motion passed unanimously by vote 7-0-0.

Old Business:

IWWC 23-011 Nicole Wineland-Thomson Fisher, applicant; 459 & 481 Wolf Den Road, Map 18, Lots 18A & 18B, RA Zone; Proposal to construct driveway & parking lot for events venue; majority of parking lot in the upland review area; 310 sf of wetlands to be permanently filled; grading for tent area, and excavation of 1400 sf of wetlands to create pond.

James Paquin indicated he could accept the calculations done. Gravel absorbs water, pavement does not. Richard Oliverson asked if they should wait for PZC before approving. Margaret Washburn mentioned that PZC is waiting for IWWC to approve. Demian Sorrentino added that these comments also go to the PZC.

A **motion** was made by James Paquin to approve the application with standard conditions and the following special conditions: (1) notifying the wetlands agent 48 hours prior to excavating the pond and (2) by adding a signature block to the plans for the Commission. Motion was seconded by Adam Tucker. Motion passed unanimously by vote 7-0-0.

New Business:

1. **SUBD 23-002 KA&G Investments LLC, owner/applicant; Map 32 Lot 15; Wauregan Road and Gorman Road; R-30 Zone;** 14-lot subdivision for development of single-family homes.

Margaret Washburn indicated that per her site visit she saw no direct impacts to wetlands.

A **motion** was made by Demian Sorrentino to receive the application and to schedule a public hearing for the next IWWC meeting on January 9, 2024, because it is in the public interest. Motion was seconded by Adam Brindamour. James Paquin opposed the need for a public hearing. Motion passed by majority vote 6-1-0.

2. **IWWC 23-013 Robert & Teresa Ross, owners/applicants; Map 10 Lot 7; Hartford Road, RA Zone;** Proposal to construct single-family home, garage, pole barn, koi pond, and to repair and stabilize a box culvert over Stony Brook.

Margaret Washburn indicated this application received Duly Authorized Agent Approval with IWWC Chairman's approval. As a secondary note, she noticed an error in her monthly Agent report that she will correct.

3. **IWWC 23-014 Richard Oliverson, applicant; Map 26 Lot 15; 98 Barrett Hill Road, RA Zone;** Proposed 12' x 16' pergola on stone pad and landscape fabric; total regulated area in upland review area equals 320 sf.

Duly Authorized Agent Approval with Vice Chairman's Approval.

4. **IWWC 23-015 LAC Properties, owner/applicant; Map 41 Lot 1; Providence Road, PC Zone;** Proposal to fill wetlands to level site for development of a commercial building, driveways and septic system. Proposed fill equals 8,900 sf; total regulated area altered equals 64,000 sf / 1.5 acres.

Paul Archer was present to represent this project. He indicated this property is West of the NAPA building. The state of CT used this as a staging area when Rt. 6 was built. The state created these wetlands by compacting the soil. They put in an 18" culvert where the driveway is going. More will be presented at the public hearing.

Margaret Washburn recommended the completion and submittal of a prudent alternatives analysis.

Demian Sorrentino asked that George Logan (soil scientist) be present at the public hearing. Mr. Archer acknowledged that Mr. Logan will be present. Mr. Sorrentino also recognizes how the wetlands were created. He added that it is common that a feasibility analysis is not provided on applications and is only required where there is direct impact.

Janet Booth agrees that a feasible alternative analysis should be included.

Ms. Washburn added that the statutes are the same whether the wetlands are man-made or not. There is no difference as to required sediment controls. This application was submitted without any sediment or erosion controls. She also added that other commissions require that alternatives and/or mitigation steps be listed on all applications.

Adam Brindamour stated that the application is incomplete due to missing items and questioned as to whether it should be denied.

A **motion** was made by Mr. Sorrentino to receive the application and schedule a public hearing for January 9, 2024 due to significant impact. The motion was seconded by Ms. Booth. Mr. Brindamour opposed moving the application forward with the scheduling of a public hearing. Motion passed by majority vote 6-1-0.

5. **SUBD 23-003 Tetreault Building Company, owner/applicant; Map 23 Lot 38; Wauregan Road, RA Zone;** Proposed 7-lot subdivision. Private road, residential houses, septic systems, minor grading.

Paul Archer was present representing this project. He indicated this project has not yet received NDDH approval. He provided a high-level overview: 7-lot conservation subdivision, has talked to the PZC, ~450-foot private road, everything is in the upland review area, no impact to wetlands.

Mr. Archer provided the following in response to questions from the Commission:

- A conservation subdivision equates to ~40% in open space. 30,000 sf reduced lot size to trade for open space.
- The last lot, Lot 7, will own the deed restriction for the permanently protected open space and private road. The PZC will put limitations on use of the open space.
- The town determines if they need an easement.
- Frontage/setbacks are determined by the entrance route. There is a small pocket of wetlands in the front of the property and a stream way down in the back.
- All 7 properties will have shared responsibility for the private road.
- Upland Review Area is shown on sheet 3A.

Per Margaret Washburn, Syl Pauley indicated that the drainage calculations need to be re-worked.

The application was received with no public hearing scheduled.

Other Business:

1. 36 Paradise Drive Enforcement Order discussion with First Selectman re: Town Attorney taking it to Superior Court to be upheld.

First Selectman Austin Tanner called the attorney on 12/12/23 in reference to this violation. Margaret Washburn asked that he put an update in email form so she can share it with the Commission.

2. 2024 IWWC meeting dates

Adam Tucker recommended that meetings be hybrid to reduce the notice to 24 hours vs 48 hours.

A **motion** was made by Adam Brindamour to accept the 2024 meeting schedule. Motion seconded by Jason Burgess. Motion passed unanimously by vote 7-0-0.

Communications:

1. Wetlands Agent Monthly Report: Margaret Washburn mentioned she would correct the mistakes she found.
2. Budget Update: Was provided to Commission, with no further discussion needed.

Public Commentary: None

Additional discussion: Adam Brindamour wanted to further discuss the Commission's acceptance of applications that were not completed. He believes that if an application is incomplete, it should be rejected in consideration of the time constraints placed on the Commission.

James Paquin indicated he did not disagree and mentioned that staff should deny applications that are incomplete. Margaret Washburn clarified that staff can not reject applications, only the IWWC.

Adjourn: **Motion** to adjourn was made at 7:13 p.m. by James Paquin and seconded by Adam Brindamour. Motion carried unanimously by vote 7-0-0.

Submitted By:
Terry Mahanna
Recording Secretary