

## 2013-01-08 Wetlands Reg Mtg Minutes

### Brooklyn Inland Wetlands commission Regular Meeting Minutes

The Brooklyn Inland Wetlands Commission held a regular meeting on Tuesday, January 8, 2013, 6:00 p.m. at the Clifford B. Green Memorial Center, 69 South Main Street on the following:

**Call to Order:** The meeting was called to order at 6:02 p.m.

**Members Present:** Real Gallant, Jeff Arends, Robert Rossi, Melissa Labossiere, George Sipila.

**Absent:** Erik Costa with notice. Lester Philips without notice.

**Staff Present:** Chuck Dobrowski, Wetlands Agent, Audrey Cross-Lussier, Recording Secretary.

**Also Present:** Paul Archer, Archer Surveying, Richard Jax.

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

**Seating of Alternates:** None.

#### **Election of Officers:**

A motion was made by Jeff Arends to open the election of officers-Chairman and Vice Chairman. Robert Rossi seconds this motion. No discussion held. All in favor. The motion passes unanimously.

A motion was made by Jeff Arends to nominate Real Gallant as Chairman of the Inland Wetlands Commission for the next year. Robert Rossi seconds this motion. No discussion held. All in favor. The motion passes unanimously.

A motion was made by Jeff Arends to nominate Erik Costa as Vice Chairman of the Inland Wetlands Commission. George Sipila seconds this motion. No discussion held. All in favor. The motion passes unanimously.

#### **Approval of Minutes:**

##### **1. Regular Meeting Minutes December 11, 2012.**

A motion was made by Jeff Arends to approve the regular meeting minutes of December 11, 2012. George Sipila seconds this motion. No discussion held. All in favor. The motion passes. Melissa Labossiere abstains.

**Public Commentary:** None.

**New Application Acceptance:** None.

**Reading of Legal Notice:** None.

**New Public Hearings:** None.

**Continued Public Hearings:** None.

**Unfinished Business:** None.

**Other Business:**

**1. Discussion of Keith and Melissa Hoyt, 13 Hickory Lane, question of wetlands violation with abutting neighbor at 10 Hickory Lane, Richard Jax-Rock Mining Operation.**

Chuck Dobrowski stated that he had spoken with Mr. Keith Hoyt yesterday to inform him a copy of Mr. Archer's site plan map was made available for him to pick up at Town Hall and that this item was up for discussion on tonight's agenda.

Paul Archer, Archer Surveying represents Mr. Richard Jax. The location of the property is 10 Hickory Lane, located proximately 800 feet off of Hickory Lane with a long driveway. Mr. Jax hired someone to come in and remove a ledge outcropping on his property. In the process of doing this Mr. Jax had the property line staked. Some trees were inadvertently cut down on the abutting neighbor's property (Hoyt). Mr. Jax hired Archer Surveying to do a survey. Mr. Archer discussed the site map in detail with the Commission with regards to the area in question where the rock mining operation is being conducted. Mr. Archer stated that laborers were banging on the ledge and making wall stone, there is no blasting or jack hammering being done.

Mr. Archer stated that this issue was brought up before the Planning and Zoning Commission. As per the Planning and Zoning Regulations you are allowed to mine up to ½ acre of disturbance. A permit is required for anything over ½ acres. Mr. Archer stated that even if Mr. Jax were to remove the whole piece of ledge it is less than ¼ of an acre. The Planning and Zoning Commission stated they had no jurisdiction because nothing is being violated within their regulations.

Mr. Archer stated that a letter had been sent to Mr. Dobrowski and the Wetlands Commission stating that there is disturbance within the wetlands. Mr. Archer again demonstrates the site plan to Commission members showing the delineated wetlands line that was done at the time the subdivision was created. Mr. Archer stated that there is no digging or excavating being done within 175 feet of the wetlands area. A lengthy discussion was held. Mr. Archer addressed the Commission's concerns with regards to the stockpiling of stone; staging area; the exiting of the dump truck; and erosion control measures.

Mr. Archer reviews the letters received from Killingly Engineering Associates on behalf of Keith Hoyt, 13 Hickory Lane, from 12/3/12 and 12/12/12 with regards to the Rock Mining Operation on 10 Hickory Lane. Copies of the letters are available for review by the public in the Planning Office.

Discussion was held with regards to stockpiling rock in the upland review area and whether this requires a permit.

Melissa Labossiere asked how long this project has been going on. Mr. Jax stated it started approximately the middle of October, has ceased over the last month. Ideally the end point would likely be by the end of March. Mr. Jax is trying to create an area on his property where his children may play soccer.

Jeff Arends commented that he does not see any infraction and the only thing that must be determined if a permit is required.

Chairman Gallant stated is the Commission looking at this to see if they have jurisdiction or granting permission for this activity.

After discussion it was determined that there is no application before the Commission which would require permission to be granted, therefore, this is an issue of stating whether the Wetlands Commission has or does not have jurisdiction.

All members present agreed that this is not within the Wetlands Commission's jurisdiction.

**2. Discussion of Land Use Officer's Job Description.**

Commission members have been supplied a copy of the draft of the job description to review. Chairman Gallant stated that the Board of Finance is to hold a meeting to approve the position and salary. Once this is done the job will be posted with an interviewing committee formed.

Jeff Arends commented that whoever the individual ends up being hired, they need to report to the Selectman as Supervisor as well as reporting to the Commissions. Discussion held.

### **3. Review of Bylaws.**

Commission members have been given a copy of the current Inland Wetland Bylaws for review. Any changes will be addressed at next month's meeting.

**Adjourn:** A motion was made by Jeff Arends to adjourn the meeting at 6:28 p.m. Robert Rossi seconds this motion. No discussion held. All in favor. The motion passes.

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Audrey Cross-Lussier  
IWWC Recording Secretary