

**Brooklyn Inland Wetlands Commission  
Regular Meeting Minutes**

The Brooklyn Inland Wetlands Commission held a regular meeting on Tuesday, September 9, 2014, 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:** Jeffrey Arends, Deane Rettig, Lester Philips and Robert Rossi.

**Absent:** Real Gallant, Melissa Labossiere, Erik Costa, and George Sipila with notice.

**Staff Present:** Jana Roberson, AICP, Land Use Administrator, Audrey Cross-Lussier, Recording Secretary.

**Also Present:** Bruce Woodis, KWP Associates and Paul Sansoucy.

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

A motion was made by Deane Rettig to amend the agenda by adding under "Approval of Meeting Minutes" the minutes from the Sansoucy site walk dated September 5, 2014. Lester Philips seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**Seating of Alternates:** Deane Rettig for George Sipila.

**Approval of Minutes:**

1. Regular Meeting Minutes August 12, 2014.

A motion was made by Deane Rettig to accept the minutes of the August 12, 2014 meeting of the Brooklyn Inland Wetlands and Watercourses Commission as submitted. Lester Philips seconds this motion. No discussion held. All in favor. The motion passes unanimously.

2. Site Walk Minutes September 5, 2014.

A motion was made by Deane Rettig to accept the minutes of the September 5, 2014 site walk of the Brooklyn Inland Wetlands and Watercourses Commission as submitted. Lester Philips seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**Public Commentary:** Bruce Woods asks Ms. Roberson for a copy of the Site Walk Minutes from September 5, 2014. Ms. Roberson gives a copy to Mr. Woodis.

**New Application Acceptance:** None.

**Continued Applications:**

1. 081214A Paul Sansoucy, Pomfret Road, Map 26, Lot 19A and 19, RA Zone, 45 acres, rock mine within regulated area.

Bruce Woodis from KWP Associates represents application 081214A. Mr. Woodis submits for the record the up to date plans.

Jeff Arends stated a site walk was performed on Friday September 5, 2014. The concern was with the small wetlands area that is set in a bowl of rock which is clear of disturbance.

Ms. Roberson stated her opinion is that it is probably a vernal pool. Whether or not it is a breeding ground for salamander species is something that has to be determined in the spring time. There is no way to verify this at this time of year. Typically the recommendation from the Conservation Groups (best management practice) is that when there is a vernal pool there should be no disturbance within 100 feet of the pool itself. Within a 500 foot radius have no more than 25% of that area be impacted or urbanized. At this point the rock excavation and some of the deposition of materials is within the 100 foot buffer now. Therefore, we do not know if it is providing vernal pool habitat and the area has already been impacted. The rock mine itself is of a gravel ledge which actually wraps around the vernal pool. Discussion ensued.

Ms. Roberson also stated that from previous permits there was an investigation into the frosted Elfin Butterfly. A letter dated December 3, 2003 from Dr. David L. Wagner from University of Connecticut, Department of Ecology and Evolutionary Biology did not think any potential Elfin Butterfly habitat would be impacted by the rock mine. Ms. Roberson discusses this with Commission members.

Deane Rettig questioned if it would be wise to ensure the new proposed area stays 100 feet away from the vernal pool. Bruce Woods discusses this issue with Mr. Rettig and demonstrates the area on the site map. Bruce Woods stated he has spoken with Joseph Theroux, soil scientist, who re-flagged the wetlands and did not mention a vernal pool in his report.

Ms. Roberson stated a brief investigation was conducted to research the old wetlands permit to determine what the previous conditions were and nothing was found. Mr. Woodis also researched this and found nothing as well.

A motion was made by Deane Rettig to approve application 081214A Paul Sansoucy, Pomfret Road, Map 26, Lot 19A and 19, RA Zone, 45 acres, rock mine within a regulated area with the following conditions:

1. That throughout the excavation period and until the disturbed areas have been stabilized with permanent cover, it shall be the responsibility of the permittee to monitor the site for erosion and/or sedimentation and, should a situation of erosion and/or sedimentation arise, prevent such erosion and sedimentation into adjacent wetlands by installing silt fence or staked hay bales.
2. That the Wetlands Agent be allowed to visit the site at least annually with notice to the permittee for the purposes of determining adherence to the approved application including all submitted plans, materials, and testimony.
3. That the permit be valid for 5 years from the date of approval. Such permit may be continued an additional 5 years (for a total of ten years) upon the written request of the permittee prior to the expiration of the original permit and upon a determination by the commission that the permittee has adhered to the approved application including all submitted plans, materials, and testimony.

Lester Philips seconds this motion. Discussion ensued. Ms. Roberson discusses condition #3 with Mr. Sansoucy. All in favor. The motion passes unanimously.

**Reading of Legal Notice:** None.

**Public Hearings:**

- a. **New Public Hearings:** None.
- b. **Continued Public Hearings:** None.

**New Business:**

1. Wetlands Agent Monthly Report.

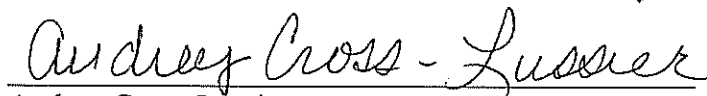
Dale Lyon, 133 Wauregan Road. A wetlands permit was previously issued to dredge a farm pond. Several zoning and wetlands complaints have been received from a neighbor since this spring. The neighbor is upset regarding tall piles of dredging stockpiles located on the property line. This material is being sifted which creates a lot of dust. Zoning complaints relate with the regards to operating an illegal business on the property. The wetlands complaints relate to allegedly violating portions of the wetlands permit, especially not identifying the sifting activities as part of the wetlands permit. Ms. Roberson has been out to the site several times and feels that the wetlands are not being negatively impacted by the most recent activity any more than the dredging alone. There was no erosion seen into neither the pond, nor anything imminently going to cause erosion into the pond. Ms. Roberson did not treat this as a wetlands violation; however, Mr. Lyon has not met every portion of his wetlands permit. Ms. Roberson is not interested in pursuing this as a wetlands violation; however, if it turns out to be a zoning violation the wetlands provisions would be included as well as part of the entire violation. Ms. Roberson has not made any determination as of yet and is awaiting information from Mr. Lyon's attorney with regards to documentation of grandfathering of the business on the property. Discussion ensues. Ms. Roberson will keep the Commission up to date.

Deane Rettig voices his concerns with regards to Brooklyn Farm and Pet's outdoor activity and any impacts that it may have upon the wetlands.

Ms. Roberson stated the wetlands are created by drainage from Route 6 and water coming off of the hill. There are piles of mulch that are not within containers. When originally approved the mulch was to be in containers on another location on the property, for various reasons they moved them. There was an unwritten approval granted from Ms. Roberson's predecessor. Ms. Roberson has recently spoken with Brooklyn Farm and Pet's owner with regards to the previous approval. Discussion ensued. Ms. Roberson will keep the Commission up to date.

Lester Philips gives his resignation to the Wetlands Commission as a regular member. Mr. Philips will submit a letter of resignation. Jeff Arends thanks Mr. Philips for his time and service spent on the Commission.

**Adjourn:** A motion was made by Bob Rossi to adjourn the meeting at 6:48 p.m. Deane Rettig seconds this motion. No discussion held. All in favor. The motion passes unanimously.

  
Audrey Cross-Lussier  
Recording Secretary