

# Brooklyn Inland Wetlands Commission

P.O. Box 356

Brooklyn, Connecticut 06234

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## Brooklyn Inland Wetlands Commission Regular Meeting Minutes

The Brooklyn Inland Wetlands Commission held a regular meeting on Tuesday, November 13, 2012, 6:00 p.m. at the Clifford B. Green Memorial Center, 69 South Main Street on the following:

**Members Present:** Real Gallant, Erik Costa, Robert Rossi, Jeff Arends and Melissa Labossiere.

**Absent:** George Sipila and Lester Philips with notice.

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

**Seating of Alternates:** None.

**Approval of Meeting Minutes:**

### 1. Regular Meeting Minutes October 9, 2012.

A motion as made by Jeff Arends to approve the regular meeting minutes of October 9, 2012. Robert Rossi seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**Public Commentary:** None.

**New Application Acceptance:** None.

**Reading of Legal Notice:** Chairman Gallant read the legal notice into record.

**New Public Hearings:**

### 1. Inland Wetlands and Watercourses Regulation changes:

A motion was made by Jeff Arends to open the public hearing on the Inland Wetlands and Watercourses Regulations. Robert Rossi seconds this motion. No discussion held. All in favor. The motion passes unanimously.

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Commission members adopt the new regulation changes. No discussion held.

A motion was made by Jeff Arends to close the public hearing. Robert Rossi seconds this motion. No discussion held. All in favor. The motion passes unanimously.

**Continued Public Hearings:**

- 1. 081412C Saveway Petroleum, 49 South Main Street, Map 41, Lot 56, PC Zone; Discharge of treated ground water under CT DEEP Authorization to drainage swale. (Continued from September 11, 2012-extension granted 10-9-12).**

Chairman Gallant reads the public hearing notice into the record.

A motion was made by Jeff Arends to open the continued public hearing on application 081412C. Robert Rossi seconds this motion. No discussion held. All in favor. The motion passes unanimously.

Scott Beals from Sovereign Consulting Inc., 1 Tarby Lane, Oxford, CT represents application 081412C. Mr. Beals stated that on October 1, 2012 the last bulleted items for back-up of the application and some modifications to the site plan were given to Chuck Dobrowski and Syl Pauley, Regional Engineer for review. On October 9, 2012, Syl Pauley indicated in correspondence to Mr. Dobrowski that his review of all of the back-up documentation was satisfactory with no further comments. A copy of Mr. Pauley's letter is available for review by the public in the office of the Inland Wetlands Agent. Due to other circumstances with regards to ironing out other correspondence, Mr. Beals requested that Application 081412C be tabled to the next month's meeting.

Mr. Beals stated that he received a call on November 8, 2012 from Mr. Dobrowski with regards to the applicant placing a catch basin on their property instead of connecting into the catch basin on Town Property. Mr. Beals stated he reminded Mr. Dobrowski that the catch basin was determined to be owned by the Town and abandoned by the DOT in 1959. Therefore, approval from the Highway Department was necessary in order to make the connection. Mr. Beals contacted Thomas Rukstela, Highway Director by telephone. Mr. Rukstela asked that all information be provided to him. Mr. Beals reiterated all of the information to Mr. Rukstela that was provided in the October 1, 2012 back-up submittal of documentation which showed all catch basin connections. Mr. Rukstela was to bring this information to Selectman Tanner's attention on Tuesday, November 13, 2012.

Mr. Beals received a call this morning from Mr. Rukstela that he would approve the application pending a letter from Mr. Beals indicating that if there were any damages to that catch basin system at the point of connection and downstream, that any repairs would be at the applicant's expense. Mr. Beals emailed this letter this morning to Mr. Rukstela upon approval from Saveway Petroleum. Mr. Beals stated that Mr. Rukstela was aware that the Wetlands meeting was Tuesday, November 13<sup>th</sup> and the applicant was looking to get approval on the application.

Mr. Beals indicated to Mr. Rukstela that the DOT typically would require a bond in order for an encroachment permit. Mr. Rukstela indicated to Mr. Beals that he only needed a letter stating that Saveway Petroleum would be responsible for any damages.

Chairman Gallant stated he had met last week with Mr. Tanner and Mr. Rukstela regarding this application. Chairman Gallant also had a conversation with First Selectman Tanner and Mr. Rukstela this morning and did remind them that the meeting was tonight and to complete this application Saveway Petroleum needed a letter from the Town approving or denying the use of the catch basin in order for the Commission to proceed with the decision process. Mr. Gallant stated that the letter from the Town has not yet been received. Discussion held.

Mr. Beals asked if the Commission could approve the application with conditions, i.e., approval of the connection by the Highway Department as part of the approval of this application.

Mr. Dobrowski discussed November 1, 2012 letter from Attorney Harry Heller and correspondence received from Attorney Peter Alter dated October 9, 2012 with regards to discharge into a storm water system.

Lengthy discussion held with Mr. Beals, Mr. Dobrowski and Commission Members.

A motion was made by Jeff Arends to close the public hearing on Application 081412C. Erik Costa seconds this motion. No discussion held. All in favor. The motion passes unanimously.

#### **Unfinished Business:**

- 1. 081412C Saveway Petroleum, 49 South Main Street, Map 41, Lot 56, PC Zone; Discharge of treated ground water under CT DEEP Authorization to drainage swale. (Continued from September 11, 2012-extension granted 10-9-12).**

A motion was made by Jeff Arends to approve Application 081412C with further discussion. Erik Costa seconds this motion. Discussion held.

Jeff Arends discusses his concerns with the application.

Jeff Arends amends his motion to approve Application 081412C with the following conditions:

1. A letter granting permission from the Town of Brooklyn to discharge into the drainage basin as shown on the site plan.
2. That Saveway Petroleum provides quarterly updates to the Town of Brooklyn Inland Wetlands Agent and Syl Pauley, Regional Engineer.

Robert Rossi seconds this motion. All in favor. No discussion held. The motion passes unanimously.

- 3. 100912A Carol Linkkila, 140 Elliott Road, Map 12, Lot 6, RA Zone; Addition to house-three season room 12 x 28.**

Commission Members Real Gallant, Robert Rossi, Jeff Arends and Melissa Labossiere reviewed the site. Commission members felt that the three season room would be close to the pond.

Mr. Dobrowski stated the three season room will be built on sonotubes. The pond is manmade with no wetlands around the edge, just upland soils.

Chairman Gallant asked if a new septic is being proposed. Mr. Dobrowski stated that the Health Department is treating the proposed construction like another room and because of that the septic system has to be a certain size. The Health Department is saying if the septic system fails that there is enough room in a reserve area to repair or replace.

A motion was made by Melissa Labossiere to approve Application 100912A. Robert Rossi seconds this motion. Discussion held.

Condition to the motion was added – proper E and S to be shown on the site plan map.

All in favor. No discussion held. The motion passes unanimously.

#### **Other Business:**

##### **1. Agent Approval – John and Elizabeth Dort, 429 Stetson Road, Map 1, Lot 4-1, RA Zone-Removal of four trees abutting Inland Wetlands.**

The location is the corner of Preston Road and Stetson Road (429 Stetson Road). Mr. Dobrowski provided photos to Commission members for review of the four trees that are to be removed. The proposed is within the review area.

The applicant would like to remove four trees near the edge of the stone wall and put in a row of replacement plantings. This is a combination of protecting electrical wires and also removes the trees so future planting can be done. There will be no machine used to do any replanting. The trees will be cut and hauled out from the road which Mr. Dobrowski demonstrates to Commission members via photos. Mr. Dobrowski presents the agent approval form to the Commission, however, the applicant has not signed the form. A telephone call has been made to the applicant who will come into the office to sign the form tomorrow.

The Commission members agree to consent an agent approval.

##### **2. Discussion of Inland Wetlands Training Program Segment 2:**

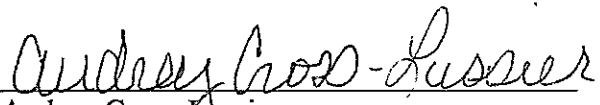
Jeff Arends gave a brief summary of the Inland Wetlands Training Program Segment 2. Discussion held.

Jeff Arends asked Mr. Dobrowski if he has inspected the Wetlands Conditions proposed on the Wal-Mart project. Mr. Dobrowski commented that he has been on site and the only conditions

were erosion control measures which were done and the location of the detention areas in the rear which have only been roughened in.

Erik Costa voiced his concern with regards to the Commission taking applications that are not complete. Discussion held.

**Adjourn:** A motion was made by Erik Costa to adjourn the meeting at 7:08 p.m. Jeff Arends seconds this motion. No discussion held. All in favor. The motion passes unanimously.

  
Audrey Cross-Lussier  
Recording Secretary