

**TOWN OF BROOKLYN
 PLANNING AND ZONING COMMISSION
 Regular Meeting Agenda
 Wednesday, May 5, 2021
 6:30 p.m.**

To join this meeting, click link below or follow the below instructions for web or phone:

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<p>Web Go to www.webex.com Click sign in On the top right, click Join a Meeting Enter meeting ID: 126 815 8731 Enter meeting password: First</p>	<p>Phone Dial 1-415-655-0001 Enter meeting number: 126 815 8731 Enter meeting password: 34778 You can bypass attendee number by pressing #</p>
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- I. Call to Order**
- II. Roll Call**
- III. Seating of Alternates**
- IV. Adoption of Minutes:** Regular Meeting April 7, 2021
- V. Public Commentary**
- VI. Unfinished Business:**
 - a. Reading of Legal Notice:**
 - b. New Public Hearings:**
 - 1. **Enforcement SPG 20-001:** Cease & Desist Order (C&DO) issued to Paul Lehto for violations of the Gravel Special Permit conditions at his property at the eastern end of River Walk Drive (71 acres, Assessor’s Map 32, Lot 148), status hearing as per Sec. 9.D.8.5 of the Zoning Regulations.
 - c. Continued Public Hearings: None.**
 - d. Other Unfinished Business:**
 - 1. **Enforcement SPG 20-001:** Cease & Desist Order (C&DO) issued to Paul Lehto for violations of the Gravel Special Permit conditions at his property at the eastern end of River Walk Drive (71 acres, Assessor’s Map 32, Lot 148), potential action as per Sec. 9.D.8.5 of the Zoning Regulations.
 - 2. **GBR 21-001** – Application to renew **SPG 19-001 Gravel Special Permit** - HM & E Co, LLC/Applicant, E. Arters/Owner, 120 acres, 291 Canterbury Road (Assessor’s Map 23, Lot 1; Map 22 Lot 1-2; Map 22, Lot 1-4), Phased excavation of approximately 20,000 cubic yards of rock.
- VII. New Business:**
 - a. Applications:**
 - 1. **GBR 21-002** - Application to renew **SPG 19-003 Gravel Special Permit** – Strategic Commercial Realty, dba Rawson Materials, 30 acres, southeast side of Maynard Road (Assessor’s Map 29, Lot 5), Phased excavation of approximately 1.05 million cubic yards of gravel.
 - 2. **GBR 21-003** -Application to renew **SPG 19-004 Gravel Special Permit** – Strategic Commercial Realty, dba Rawson Materials, River Junction Estates, LLC/Owner, 206 acres, southerly of Rukstela Road (Assessor’s Map 21, Lot 7; Map 30, Lot 16), Phased excavation of approximately 1.945 million cubic yards of gravel.

b. Other New Business:

VIII. Reports of Officers and Committees:

- a. Staff Reports
- b. Budget Update
- c. Correspondence.
- d. Chairman's Report

IX. Public Commentary

X. Adjourn

Michelle Sigfridson, Chairman

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MINUTES

I. Call to Order – Michelle Sigfridson, Chair, called the meeting to order at 6:31 p.m.

II. Roll Call – Carlene Kelleher, Austin Tanner, Earl Starks, Allen Fitzgerald, Charles Sczuroski, John Haefele, Seth Pember, Jimmy Thayer, Michelle Sigfridson.

Staff Present: Jana Roberson, Director of Community Development; Richard Ives, First Selectman and ex officio Member of the Planning and Zoning Commission; Lou Brodeur, Selectman.

Also Present: Mike Cristina; Norm Thibeault, Killingly Engineering Associates; Kari Olson, Murtha Cullina; Jenn Nemeth; Paul Lehto; Richard Klingensmith; Sandy Brodeur.

III. Seating of Alternates

All three new Alternate Members have been sworn in.

Motion was made by A. Tanner to seat Alternates Jimmy Thayer and Seth Pember as Voting Members for this meeting. Second by A. Fitzgerald. No discussion.

Motion carried unanimously by voice vote (6-0-0).

There was discussion regarding when to appoint two of the Alternate Members as Regular Members. Ms. Roberson suggested that it may be best for the Commission to continue to appoint Alternates as needed for the next few meetings.

IV. Adoption of Minutes: Regular Meeting March 3, 2021

Motion was made by C. Kelleher to approve the Minutes of the Regular Meeting of March 3, 2021. Second by A. Tanner. No discussion.

Roll Call Vote: A. Tanner – yes; C. Kelleher – yes; E. Starks – yes; C. Sczuroski – yes; A. Fitzgerald – yes; S. Pember – yes; J. Thayer – yes; M. Sigfridson – yes.

Motion carried unanimously (8-0-0).

V. Public Commentary

Mike Cristina asked for direction from the Commission regarding a project that had been approved in December of 2006 for six residential units at 911 Robin Way. Two were built and people live in them.

Mr. Christina stated the following regarding the other four units:

- Foundations were put in, but the buildings were never built.

- The septic tanks, underground utilities and the well, driveway, slabs for the garage and landscaping are all in. All site work is done.
- He asked whether any of the Commission Members know of the project or if they have any serious reservations about it, or if they think it is a good idea.
- With the exception of a crack here and there, all of the foundations are okay.
- The leech fields have not been installed. He has contacted NDDH and he sees no problem with their approval, pending some new text holes and a little rearrangement of the systems.
- It was approved by IWWC and he is not sure if he would need to go back before them because there will not be any disturbance in the wetlands.
- He would like to present the original plans that were presented in 2006 with no changes and have the approval renewed so he can build the last four units on the foundations.

Mr. Christina does not know if it was originally intended to be a condominium project. It is one lot (23 acres). Right now, it is three duplexes (one completed and two foundations with slabs for the garage). He said that at this time, it is not intended to be condos. He explained that it is like individual units attached by a garage. When asked if this could be considered affordable housing, Mr. Cristina said that he did not know.

Ms. Sigfridson noted that there have been changes to the Regulations since the 2006 approval. Mr. Cristina stated that the foundations were already in the ground. Ms. Roberson commented that this is an informal discussion about something that was approved in the past and those permit have expired. She said that Mr. Cristina is willing to apply for approval as a multi-family development. She said that there isn't anything that was identified that would lead us to think that they couldn't comply with the new Regulations. She said that you can't see it from the road.

Ms. Kelleher stated that if the application is in conformance with the current Regulations, there would be no reason for the Commission not to consider it. Ms. Sigfridson agreed.

Mr. Cristina stated that he would proceed and he will stay in contact with Ms. Roberson.

VI. Unfinished Business:

- a. Reading of Legal Notice:** None.
- b. New Public Hearings:** None.
- c. Continued Public Hearings:** None.
- d. Other Unfinished Business:**
 - SD 20-003 & SD 20-004** – Proposal to extend the subdivision filing deadline an additional 90 days (Applicant: David and Nancy Bell, Church Street and Prince Hill Road subdivisions). **See Agenda Item VI.d.2.**
 - SD 20-005** – Proposal to extend the subdivision filing deadline an additional 90 days (Applicant: VBL Properties, LLC, Beecher Road subdivision).

Motion was made by C. Kelleher to extend the filing deadline an additional 90 days for the following subdivisions: SD 20-003; SD 20-004; and SD 20-005. Second by A. Tanner.

Discussion: J. Roberson explained the process for extension for the three new Members.

Roll Call Vote: C. Kelleher – yes; A. Tanner – yes; E. Starks – yes; A. Fitzgerald – yes; C. Sczuroski – yes; S. Pember – yes; J. Thayer – abstained; M. Sigfridson – yes.

Motion carried (7-0-1).

VII. New Business:

a. Applications:

1. **GBR 21-001** – Application to renew **SPG 19-001 Gravel Special Permit** - HM & E Co, LLC/Applicant, E. Arters/Owner, 120 acres, 291 Canterbury Road (Assessor’s Map 23, Lot 1; Map 22 Lot 1-2; Map 22, Lot 1-4), Phased excavation of approximately 20,000 cubic yards of rock.

Norm Thibeault, Killingly Engineering Associates, represented the Applicant and gave an overview:

- This project was approved in 2019.
- Set back on the property with access from Route 169.
- Small operation - mine 1,200 to 1,500 tons of rock per year (typically less than 1,000 c.y. per year).
- They blast once or twice per year. They only cut the slope back from 4-6 feet back at any one particular time. All splitting of rock is done by hand and stacked on pallets and removed from the site.
- There was very little activity on the site last year (less than 400 or 500 tons total).
- Things are picking up and they have some high-quality blue stone which is in demand.
- They do not anticipate increasing production with renewal of the permit. 1,200 to 1,500 tons per year usually results in two-to-three trucks per week.
- They are open to scheduling a site walk.

Ms. Roberson explained that there is at least one wetlands crossing and work in near proximity to wetlands, therefore, she would like to go on a site walk with Margaret Washburn. She recommends that no action be taken by the PZC until after the site walk. She noted that all permits are allowed to continue until the Governor’s Executive Order ends.

Mr. Thibeault stated that there is a wetlands permit currently in place that was obtained in 2019. There are three years left on the existing permit.

A. Tanner, A. Fitzgerald, C. Kelleher and E. Starks stated that they do not feel there is a need to go on a site walk.

Mr. Thibeault explained about how they blast using a drill and split procedure.

Ms. Roberson stated that the Commission should be able to take action by the May meeting. She wants to confirm that the site conditions are as they should be.

Ms. Roberson will contact Mr. Thibeault to schedule the site walk.

2. **Request for Waiver of Special Permit Requirement as per Sec. 4.D.6.4.c** - 17 South Main St., Requestor: JMN Properties, LLC, d.b.a. The Ice Box, proposed restaurant (fast food) in existing building.

Kari Olson, Land Use Attorney with Murtha Cullina, represented the Applicant. Jenn Nemeth, owner of 17 South Main Street, was also present.

Attorney Olson explained the following:

- The Applicant is seeking a waiver of the Special Permit requirements pursuant to Section 4.D.6.4.c. of the Regulations, specifically because the

development is not significant and is not likely to have more than a negligible impact on traffic, the neighborhood or the environment.

- A cover letter was submitted with the Application that outlines the history of the property along with attachments that show what has transpired since last June. The Nemeths were granted a waiver of special permit to create an outdoor dining area as well as a connection for the decking/outdoor dining area between the existing bake shop and the Ice Box.
- Part of the application included actual floor plans and what the former bake shop was going to be used for. She said that the Nemeths understood that everything was okay and went ahead and got a permit for the cooking facilities so they could change if from producing baked goods to producing fast food. When they asked for a Certificate of Occupancy and inspection of the improvements, it was asserted that they needed a special permit in order to go forward.
- Based on Section 4.D.6.4.c., the criteria that the Commission needs to consider is whether it is significant:
 - 1) The bake shop was always used for producing baked goods for retail/consumption. The change in food type is not a change in the use, therefore, there is really no “development.”
 - 2) Maintaining footprint.
 - 3) Maintaining the use.
 - 4) They have sufficient parking.
 - 5) Their position is that there would be no more than a negligible impact on traffic and that they could accommodate both outdoor consumption of the food products as well as parking from the anticipated consumers.
 - 6) No impact on the neighborhood or the environment.
 - 7) This has always been, by definition of the Regulations, a fast food establishment.
- One parking space in front of the former bake shop has caused some argument with the Fire Department. The parking space has been used since the early 1990’s without posing a problem. Two-thirds of the parking space is within the actual deeded property rights of the Nemeths. One-third of the parking space is within the right-of-way that is shared by the Fire Department, the Nemeths and the Hair Salon. The Nemeths, who have a \$200,000 investment and are unable to get the final inspection, are willing to forego using that parking space for the foreseeable future. She said they provided a site plan with the parking space crosshatched. Attorney Olson added that the Nemeths own most of that parking space and their position is that they have deeded rights and/or prescriptive rights to be using that parking space and they are willing to forego that (they are willing to stripe it and have it be a “No Parking” space for purposes of this waiver and approval), but without waiving any property rights that they might have as well as any rights in the future, should circumstances change, to come back before the PZC to be allowed to use that parking space should circumstances warrant it. They understand that as long as the Fire Department is there, that they will not be using that parking space.
- Attorney Olson stated that she had submitted a lot of information regarding the history of the property.

There was discussion regarding traffic count. Attorney Olson did not know the traffic count previously or now. She stated that the parking on site meets the Town’s Regulatory requirements.

Ms. Kelleher stated that her packet did not include information on the history of the property. She does not think that the last use of the building was for fast food and she does not think that there were baked goods, but rather party supplies and baking accessories for making cakes. Attorney Olson stated that there were baked goods both baked and sold over the counter and that there was a kitchen to create those baked goods. She said it was taxed and denoted as retail under the Regulations.

Ms. Roberson stated that it was a store and the full name was Ice Box Plus Cake and Party Store. She explained that Staff had brought this up with the Applicant. Staff also contests the use as pre-existing and that it is not anyone's recollection that it was a bakery or that baked goods were sold over the counter. Fast food restaurants are permitted uses in this zone, so there is no reason why a fast food restaurant couldn't be permitted now. Therefore, it is not necessary to discuss some sort of grandfathering of a pre-existing use. It is her understanding that the use that is proposed meets the definition.

Mr. Ives stated that he doesn't think that there is anyone who wouldn't like to see the Nemeths open this store and he feels it will be great for Brooklyn. However, he stated that he is surprised that the reason for a waiver is because of no change in existing conditions. To the best of his knowledge, the store never sold baked goods and he stated that his family had owned a video store in that location.

Ms. Sigfridson stated that since whether or not baked goods had been sold there in the past does not require any further discussion, she asked that the Commission focus on determining whether to grant the request for a waiver.

There was discussion about what had happened regarding the building permit that had been issued, in error, by the Building Official. Ms. Roberson stated that the PZC had granted a special permit waiver of the setback for the deck. Ms. Roberson referred to a letter from Attorney Olson addressed to the PZC, which was included in packets to Commission Members as well as a site plan. Ms. Roberson explained that there were two other letters submitted from Attorney Olson (addressed to other people) that were not contemporaneous to this Application which were not included in packets to Commission Members. Ms. Roberson offered to forward those two letters to Commission Members. She explained that the two letters predated this Application and were regarding background information relevant to a building permit that was accidentally/prematurely issued. Ms. Roberson stated that there are criteria in the Regulations whereby the PZC can use choose to use its discretionary authority to waive a special permit requirement. She explained that if the Commission grants the waiver the Application to create a fast food establishment in the old Ice Box Plus building (western most building on the property) it would be a site plan review application. She further explained that the only criteria applicable to this situation is that it be found to not be a significant change and it is not likely to have more than a negligible impact on the neighborhood or the environment. Ms. Roberson noted the following: In this case, they are not adding any new buildings; they have already added a deck (for which they had been granted permission); they are using a currently underutilized building on the main strip and there are not many reasons why the Town would object to that; there could be discussion about the site plan; most of us are aware of the contentious relationship with the Owners of the access.

Ms. Roberson explained that if the waiver is not granted, it becomes a special permit application which is more time consuming and includes a mandatory public hearing which has to be duly noted, additional fee of \$100 and there is a recording requirement after approval. If the waiver is granted it becomes a site plan review application and the PZC only has to look at the criteria in the Zoning Regulations, no discretionary authority (cannot approve with conditions), and it is less time consuming.

Attorney Olson responded by explaining that her only point regarding the pre-existing nature of the building was that that the development is not significant. She said that it is not a condition of granting the waiver. Secondly, she asked that the information that she had submitted with the Application (the two letters referred to in her cover letter as exhibits which were discussed earlier regarding the background/history of the building) that had not been provided to the Commission Members be provided to them and be made part of the Record. Attorney Olson stated that the letters were meant to give the background/history:

- Deck addition was approved
- Building Official agreed and issued building permits
- Nemeths spent nearly \$200,000 improving the kitchen
- Nemeths were told that they need a special permit
- Building permits (after the fact) were revoked
- They feel strongly that they meet the criteria for a waiver

Ms. Roberson stated that one letter (with attachments) was dated January 21st to Margaret Washburn (ZEO) and the other was dated February 2nd to John Berard (Building Official). Ms. Roberson stated that they are part of the Record and that she will forward them to Commission Members. Ms. Roberson explained that she had considered them to be background to the Zoning Permit and she stated that this discussion is regarding Commission approval (not a zoning permit and not a building permit).

There was discussion regarding the parking space and Attorney Olson explained that there is concern regarding the money spent and delays and she explained the Nemeth's position that they don't feel that it is a public safety issue and they don't feel that the PZC should deny them their parking space, but if the PZC feels it is a safety hazard and objects to the approval of the waiver, they have offered, for the purposes of waiver and site plan approval, that they would forego the former parking space which has been used for decades. She said that the Fire Department has been there since 2003 and there has never been an issue and that this is more of a private dispute than a public safety issue. The caveat is that they are not waiving their property rights or their right to come back before the PZC in the future to use that parking space if circumstances should change.

There was discussion regarding whether the Application, as submitted, includes parking in that space. Attorney Olson stated that the site plan proposes cross-hatching over that parking space, for it to be deemed "no parking." She stated that the decision of the PZC should not be based on objections from a neighbor on an unrelated boundary dispute. Mr. Fitzgerald stated that the site plan shows cross-hatching over the parking space as a fire lane (page 30 in the packet). With regard to the parking space, Ms. Roberson stated, for the record, that the PZC does not and cannot approve parking areas that are not on the subject parcel. She does not want to give the misconception that the PZC has approved something that is on someone else's land. In her estimation, without even counting any of the parking spaces in

front of the building, they can meet the parking requirements for both establishments in the rear. Discussion continued. Attorney Olson explained that the 1/3 of the parking space is within the Nemeth's deeded right-of-way which is shared and it is a parking space which pre-exists. They are not asking the PZC to approve a new parking space. This would be taking away a parking space which they feel that they have a right to use this pre-existing parking space, which they will give up (with the caveat) for the purposes of this approval. Attorney Olson stated that the PZC would not be approving a parking space on someone else's property.

Ms. Kelleher stated that she does not feel that there is a particular benefit in going through a public hearing. She said that everyone seems to be pleased with the businesses there and she thinks that it has been well-received within the community.

Motion was made by C. Kelleher to approve the request from JMN Properties, LLC to waive the Special Permit requirement at 17 South Main Street (Assessor's Map 41, Lot 104) with the finding that the development is not significant and is not likely to have more than a negligible impact on the neighborhood or the environment. Second by A. Fitzgerald.

Discussion:

Mr. Tanner stated that he has bought cakes and chocolates there. He stated disagreement with Ms. Roberson's statement that the PZC does not approve parking spaces. He said that they have to approve them if they have a right-of-way or deed restriction.

Ms. Roberson stated that it comes down to the language of that access easement, for which a copy has not been provided.

A. Fitzgerald commented that he feels the problem started with the Building Official issuing the building permit. He asked if this problem has been fixed.

R. Ives explained that there was miscommunication, that it has been discussed. He apologized that it happened and said that they will try not to allow this to happen again. He feels it is good to allow the waiver and to move forward.

M. Sigfridson noted that the Application would have needed to come before the PZC even if the building permit had not been issued (it would have just been before the investment of time and money was made). Ms. Sigfridson stated that she also supports the waiver as she does not think that this is a significant development considering they are operating within the same footprint and she does not expect that the use that they are proposing (whether or not it poses the same definition of previous uses) will be much more significant or have a greater impact on the neighborhood.

Roll Call Vote: A. Tanner – yes; E. Starks – yes; A. Fitzgerald – yes; C. Sczuroski – abstained; S. Pember – yes; J. Thayer – yes; C. Kelleher – yes; M. Sigfridson – yes.

Motion carried (7-0-1).

3. **(if waiver is approved) SPR 21-001** – Site Plan Review for 17 South Main St., Applicant: JMN Properties, LLC, d.b.a. The Ice Box, proposed restaurant (fast food) in existing building.

M. Sigfridson noted that the site plan was included in packets to Commission Members and stated that this has been discussed quite a bit and she asked if there are more particulars about the plan to be discussed.

Attorney Kari Olson stated that the only difference between this site plan and the one approved in June 2020 is the cross-hatched parking space and the absolute notation of the building being a fast food restaurant. Ms. Sigfridson stated that she was on the PZC in June of 2020, and that she does not recall any discussion about a

restaurant being put in this building at that time, certainly not in detail. They discussed the deck and where it was going to be placed. She stated that the Commission may need to take more time to look at the plan. Attorney Olson referred to the information that had been included with her cover letter that had not been included in packets to Commission Members. Ms. Roberson explained that there were three letters (one which was included in packets, two that she referenced and a single plan). Ms. Roberson stated that she is not comparing the plan side-by-side to the plan that was submitted last March about the deck. Ms. Roberson stated that it had been very clearly stated on the record and as part of the application that it was only about the deck. She said that it is irrelevant because we are here today looking at a site plan for an allowable use in our highest development area in Town. She said that the Commission Members are free to take action on the plan before them. C. Sczuroski stated that he was also on the Commission in June 2020, and that he was at that meeting, and he stated agreement with Ms. Sigfridson and Ms. Roberson. He said this is the first he's heard about it.

Ms. Sigfridson asked, for the purpose of keeping a clear Record, that either Attorney Olson or the Owners give an overview of the intended use for the building. Attorney Olson explained that it is fast food/street food that would be complimentary to the ice cream being produced next door. Jenn Nemeth explained that everything is served to go in to-go containers, whether they leave the building with it or eat it on the premises (on the deck or on the few tables that they have inside). Ms. Nemeth described the food as including soups, sandwiches, salads, easy light fair so that they will still be hungry for ice cream.

There were no further questions or comments.

Motion was made by A. Tanner to approve the Site Plan Review application of Matthew and Jennifer Nemeth for a fast-food restaurant in an existing building (formerly Ice Box Plus – Cake and Party Store) at 17 South Main Street (Map 41, Lot 104), identified in the files of the Brooklyn Land Use Office as SPR 21-001, in accordance with all final documents and testimony with the finding that it is consistent with the Zoning Regulations, except as waived, and the site plan objectives. Second by A. Fitzgerald.

Discussion:

M. Sigfridson stated, for clarity of the Record, that regarding the parking spot, the site plan that she was looking at shows the 1/3 that extends into the right-of-way cross-hatched, so her understanding is that the intent is not to use at least that portion of the parking spot.

R. Ives asked if 1/3 is cross-hatched or if the whole parking space is cross-hatched because it is his understanding that the whole parking space was cross-hatched.

Attorney Olson stated that she did not have the corrected site plan in front of her, but even if they were to cross-hatch 1/3 of it, they would not be able to use the balance of it.

Mr. Ives stated that there had been talk about a motorcycle and he wants to get it straight.

Ms. Nemeth stated their intention: If the Commission would like them to not use the parking spot, they would eliminate the spot completely. She said they are willing to give up the entire spot to get approval.

Mr. Ives noted that it had been stated more than once tonight that they were going to cross-hatch the entire spot. He said if that is not the case, we need to know that now. There was discussion regarding that the entire spot is not cross-hatched on the site plan. Ms. Sigfridson explained to Ms. Nemeth that, since this is a site plan review rather than special permit, the Commission does not have the discretion to approve with a condition that the entire spot be cross-hatched, they have to act on the application that is before them. So, it needs to be clear whether the application includes 2/3 of a parking spot or does not include that as a parking spot. Ms. Sigfridson said that her understanding, based on the previous discussion, was that it would not include that as a parking spot.

Attorney Olson said they could have modifications. She said that the point is that the cross-hatching of the 1/3 of that parking space that is within the right-of-way, which is the only area that the Fire Department really has control over, is a compromised position on the Nemeth's part. She said that the Nemeths would like to keep their rights to use that parking space to the extent possible. Based upon an independent determination of the Commission that they should not be allowed to do that, so they are ready and willing to cross-hatch the entire parking space. Attorney Olson stated that this is something that the PZC can approve tonight. She said that it is an insignificant modification.

Ms. Sigfridson asked what information the Commission has to be able to make that determination based on. She said that she does not know information where she would feel comfortable to say whether they do, or do not, need to cross-hatch the entire parking space. She likes that they were offering to cross-hatch the entire space because she would not need to make that decision.

Attorney Olson stated that they do not believe that it should be required. They were strongly encouraged to give that up in order to get the waiver approved. She said the parking space has been there and has been used for decades without incident. She said that the question of the parking space is a relatively recent argument, being raised by a neighbor, regarding access. The Nemeths have invested a lot of money in this property, they feel it is unfair to have to give up the parking space and they just want to open. Attorney Olson stated that there has been nothing submitted that suggests that there is a problem, but if the PZC feels strongly that they should give up their rights to either the 1/3 that is in the right-of-way or the entire parking space, they stand ready with the caveat that they are not waiving any of their other property rights.

R. Ives stated that Attorney Olson offered the parking spot up at least twice tonight and now the story is changed. She said that the whole thing would be cross-hatched and now the plan does not show that. He asked that we get this straight.

Ms. Roberson restated that nobody should leave this meeting with a misconception that an action by the PZC is going to somehow bless the parking space. She stated, for the Record, that the parking space is not necessary to meet the parking standards in the Brooklyn Zoning Regulations or to get site plan approval. She has not been provided with a copy of the access easement, so she does not know if it allows parking. She speculates that it is a driveway for a Fire Department and parking in that access would probably be a long shot. She said that way too much is being made of this 1/3 or 2/3 of a parking space.

M. Sigfridson stated that she does not have an opinion, but would like to know which it is going to be. She asked Ms. Roberson if it is not appropriate to only cross-hatch what is not within their lot. Ms. Roberson stated that she feels that it should not even be shown as a parking space. So, if they were to hatch it out and agree to discourage customers from parking there, she does not believe there is any issue with it. She said that it is wrong for anyone to suggest that the PZC is somehow making a deal about a parking space. It is a mischaracterization of their authority to suggest that they would trade a parking space for site plan approval. She stated that a parking space that does not meet our dimensional requirements is not something that this Board can approve and we have yet to see the language of the access easement which would somehow grant them permission to park there. Ms. Sigfridson stated that she, personally, would feel more comfortable if the site plan were modified to show cross-hatching on the entire spot. She asked what the procedure would be to make that happen, if the Applicant is amenable to that. E. Starks agreed. Ms. Sigfridson asked whether the PZC has the authority to approve a parking space that is 2/3 the typical size.

Attorney Olson stated that their position is that the PZC is not technically approving a parking space that already exists. She stated that they never wanted to make this about a parking space and that the Nemeths unequivocally are willing to cross-hatch the entire parking space if the PZC deems that it is necessary to approve the site plan. It is a minor modification. It is not a condition of approval. The

General Statutes allow minor modifications to the site plan. She stated that she wants to go on Record that they were told that the parking space was an issue and that is the only reason that it came up. She said that they are trying to be responsive and they are trying to get this approved so the Nemeths can move forward.

Motion was made by A. Tanner to amend his motion to approve the Site Plan Review application of Matthew and Jennifer Nemeth for a fast-food restaurant in an existing building (formerly Ice Box Plus – Cake and Party Store) at 17 South Main Street (Map 41, Lot 104), identified in the files of the Brooklyn Land Use Office as SPR 21-001, in accordance with all final documents and testimony with the finding that it is consistent with the Zoning Regulations, except as waived, and the site plan objectives to include the following language:

Adjusting the site plan review to have entire parking place cross-hatched without giving up the rights as were stated previously. Second by J. Thayer.

Discussion:

M. Sigfridson stated that she feels more comfortable with the language added in the amendment to the motion.

#5 - Roll Call Vote on the Amendment: E. Starks – yes; A. Fitzgerald – yes; C. Sczuroski – yes; J. Thayer – yes; S. Pember – yes; C. Kelleher – yes; A. Tanner – yes; M. Sigfridson – yes.
Motion carried unanimously (8-0-0).

#6 - Roll Call Vote on the Main Motion As Amended: A. Fitzgerald – yes; C. Sczuroski – abstained; J. Thayer – yes; S. Pember – yes; C. Kelleher – yes; A. Tanner – yes; E. Starks – yes; M. Sigfridson – yes. Motion carried (7-0-1).

b. Other New Business:

1. **Enforcement SPG 20-001:** Cease & Desist Order (C&DO) issued to Paul Lehto for violations of the Gravel Special Permit conditions, scheduling of hearing as per Sec. 9.D.8.5 of the Zoning Regulations.

The Cease & Desist Order dated March 31, 2021, was included in packets to Commission Members.

J. Roberson explained that she and Margaret Washburn had visited the property with the permission of the Owner:

- Work was conducted before the bond was issued
- There was work conducted that was not detailed in the permit at all
- Wetlands enforcement action is underway
- Because of the extent of the activity and because it is a special permit, it was suggested that the PZC may hold a public hearing - Regulations Section 9.D.8.5. Ms. Roberson read the Section aloud.

Paul Lehto explained that the operator, Richard Klingensmith, was not aware of the rules. He said that his contract with Mr. Klingensmith clearly states that he is to follow all of the rules for gravel extraction in Brooklyn. Mr. Lehto stated that Mr. Klingensmith stayed in contact with the Zoning Office, but did not receive any guidance. He said that Mr. Klingensmith was naive to the process.

Richard Klingensmith stated that when he met with Mr. Lehto in November he was not aware of the rules. He said that he got the rules in January or February when he met with Ms. Roberson.

Mr. Fitzgerald noted that it is up to the owner/operator to know the conditions of your permit.

Ms. Roberson stated that the original permit was issued in September 2020. She said that she spoke with Mr. Klingensmith for the first time in December 2020 and she sent him the approval letter with all of the conditions on December 7, 2020. Mr. Lehto is the permittee.

There was discussion regarding why the bond was not posted. It is Mr. Lehto's responsibility to make sure that the bond is posted. Mr. Lehto stated that it is in his contract with Mr. Klingensmith that it is Mr. Klingensmith's responsibility to place the bond. Ms. Sigfridson clarified that whatever contract that exists between Mr. Lehto and Mr. Klingensmith is between them and that the Commission's issue is with Mr. Lehto because he is the permittee. Mr. Lehto explained that it is impossible to get the bond for this particular piece because of the way it was written. He said that five different bond companies rejected it. He said that he directed Mr. Klingensmith to put up a cash bond and that he wasn't supposed to start work until everything was settled with the Town.

Mr. Ives stated that he has met with Ms. Washburn and Ms. Roberson who expressed their displeasure regarding this situation. Mr. Ives stated that the permit is with Mr. Lehto, so he believes that the Commission should be look to Mr. Lehto to make sure that it is done. Mr. Ives consulted with Town Attorney, Peter Alter who suggests to have a public hearing to get answers. Mr. Lehto stated that his answer is that nobody was supposed to start work until the bond was met and all the conditions that the permit requires.

Ms. Sigfridson stated that the question is how to rectify the situation and the suggestion is to hold a hearing to consider revoking the permit since Mr. Lehto has acknowledged that work has commenced when it should not have. She asked the Commission if they think that is a good idea. Mr. Tanner and Mr. Fitzgerald expressed agreement with holding a hearing.

Motion was made by A. Fitzgerald to schedule a public hearing for May 5, 2021 at 6:30 p.m. via Webex to review the status of permit SPG 20-001 following an enforcement order issued by the ZEO in accordance with Zoning Regulations Sec. 9.D.8.5. Second by A. Tanner. No discussion.

Roll Call Vote: A. Fitzgerald – yes; C. Sczuroski – yes; J. Thayer – yes; S. Pember – yes; C. Kelleher – yes; A. Tanner – yes; E. Starks – yes; M. Sigfridson – yes.

Motion carried unanimously (8-0-0).

2. Discussion: Contractor's yards, outdoor dining, and expansion of self-storage facilities.
 - Contractor's Yards - J. Roberson explained that she included in packets to Commission Members everything relating to contractors' yards currently in the Regulations. She asked the Commission to review the information. She noted that the Industrial Zone is very hard to access. She asked that the Commission think about contractors' yards as something that is not necessarily a home occupation, but is a business use that would be a great fit for the Town. She asked that they consider where in Town it would be appropriate. Ms. Roberson was unable to locate her previous draft language on this subject.

- Outdoor Dining – Legislation is definitely going to pass that automatically extends outdoor dining as a permitted use. There are three in Town: Grill 445; Countryview Restaurant; Ice Box.
- Self-Storage Facilities – There is nothing in the Adaptive Re-Use of an Agricultural Building that would allow to add buildings. There is a successful business that would like to expand and would like to do an addition that would not be visible from the road. Ms. Roberson asked how the Commission for feedback on this kind of situation.
Ms. Kelleher stated that when we allow something, we ought to describe what we are going to allow. She is concerned about setting a precedent for one situation and then another situation may come up later where it might not be acceptable to the Commission.
There was discussion regarding a percentage increase of the existing structure.
Ms. Roberson offered to draft language. It has to be an existing structure as of February 7, 2002.
Discussion continued. Is something that was approved under an adaptive re-use scenario allowed to expand beyond what is being re-used?
Mr. Fitzgerald thinks there would need to be an addendum to the special permit.
There was a suggestion to make expansion of the building its own special permit. Ms. Roberson will draft language.
Mr. Ives asked if the Commission would consider a new building. Ms. Roberson stated that if it is its own special permit, you could pretty much leave it open for anything.
Ms. Kelleher asked if that would mean that the Commission would consider expansion from other uses that are currently existing in an agricultural structure.
Ms. Roberson explained that there are currently four things that you can do in an adaptive re-use of an agricultural building: Light Industry; Self-Storage Facilities; Offices; Shops and/or Storage Space for Electricians, Plumbers, Carpenters and Craftspersons, but not including sales on the premises of crafts items created by the craftsperson.
It was agreed that it would need to be applicable to all four.
Ms. Roberson will draft language.

Discussion continued regarding contractor's yards.

VIII. Reports of Officers and Committees:

- a. Staff Reports
Ms. Roberson meant to include the latest draft of the contract with NECCOG for the POCD in packets. She will forward it tonight. She asked that Commission Members look at the scope of work and let her know of suggested changes.
Ms. Roberson showed the signs that came in for Blackwell's Brook. There was discussion regarding the overgrown trail. Mr. Thayer will check with his son's Boy Scout Troop about cleaning it up and repairing the bridges.
Margaret Washburn's Report dated April 1, 2021 was included in packets to Commission Members. See Below Item VIII.d.
- b. Budget Update
Report was included in packets to Commission Members.
- c. Correspondence – None.

There was discussion regarding the training webinar. Mr. Fitzgerald was unable to connect for it. Mr. Tanner attended it and said that it was just mainly what other states are doing.

Ms. Sigfridson spoke about the CT Bar Association's bi-annual training webinar that she had attended and recommended that it may be helpful to other Commission Members the next time.

There was discussion regarding Desegregate Connecticut and affordable housing. Ms. Sigfridson stated that the Commission should comment if there is an opportunity.

d. Chairman's Report

See above Item VIII.c.

She is happy to have the three new Alternate Members. There are two vacancies for Regular Members and the Commission should think about filling those positions relatively soon.

There was discussion regarding Margaret Washburn's Report. Mr. Fitzgerald would like to see something on 222 Hartford Road (contractor's yard/blight).

IX. Public Commentary – None.

X. Adjourn

M. Sigfridson adjourned the meeting at 9:17 p.m.

Respectfully submitted,

J.S. Perreault
Recording Secretary

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
PUBLIC HEARING
LEGAL NOTICE**

The Planning and Zoning Commission will hold a public hearing on Wednesday, May 5, 2021, at 6:30 p.m. via Webex meeting on the following:

Enforcement SPG 20-001: To review the status of compliance, as outlined in Sec. 9.D.8.5 of the Brooklyn Zoning Regulations, regarding the Cease & Desist Order issued on March 31, 2021 to Paul Lehto for violations of the conditions of SPG 20-001 Gravel Special Permit at his property at the eastern end of River Walk Drive (71 acres, Assessor's Map 32, Lot 148).

A copy of the order is available on the Town of Brooklyn website. Webex meeting information will be included on the May 5, 2021 Planning and Zoning Commission agenda .

All interested parties may attend the meeting, be heard and written correspondence received.

Dated this 12th day of April.

Michelle Sigfridson
Chairman

Brooklyn Land Use Department
69 South Main Street
Brooklyn, CT 06234
(860) 779-3411 ext. 31 and ext. 12

**REVISED CEASE AND DESIST ORDER
AND ORDER TO REMEDIATE**

Certified# 7018 2290 0001 0997 6438

Paul Lehto
40 Almada Drive
Brooklyn, CT 06234

March 31, 2021

Mr. Lehto:

Facts

A Notice of Decision was issued on 9/28/21 for the Gravel Special Permit for your property at the end of River Walk Drive (Assessor's Map 32, Lot 148) – 71.34 acres, for the proposed removal of 90,000 cubic yards of gravel from 6.7 acres of land. Refer to the attached copy of this Notice of Decision.

The Gravel Special Permit approval was based on the plan titled Proposed Gravel Excavation Easterly of Allen Hill Road Brooklyn, Connecticut, ("the plan") prepared by Provost and Rovero, dated June 2, 2020 and said approval also contained a number of conditions of the approval which are requirements that are an integral element of the special permit approval.

On 3/23/21, Jana Roberson, Town Planner, and Margaret Washburn, Zoning Enforcement Officer, entered the property that is the subject of the Special Permit to conduct a compliance inspection with your agent, Richard Klingensmith. That inspection resulted in a Cease and Desist Order dated 3/23/21. Refer to the attached copy of this Order. This Revised Cease and Desist Order supersedes the Order issued on 3/23/21 regarding only violations of the Gravel Special Permit. The violations of the Brooklyn Inland Wetlands and Watercourses Regulations will be addressed under a separate Order. Regarding violations of the Brooklyn Inland Wetlands and Watercourses Regulations, the original Cease and Desist Order remains in effect until a superseding Order is issued.

Refer to the attached photographs taken at the 3/23/21 compliance inspection by Ms. Roberson and Ms. Washburn as evidence of the violations of the Special Permit.

The following activities have been observed to have occurred on your property in violation of the Gravel Special Permit:

Excavation commenced without posting any performance bond.

Excavation commenced without the limit of disturbance having been flagged in the field by a licensed land surveyor.

Excavation commenced significantly closer to the property lines (as close as approximately 15 feet) than shown by the limits of disturbance on the approved plan (50 feet).

Excavation commenced prior to the required flagging of property lines within 300' of the area of disturbance.

The erosion and sediment controls were not installed to the satisfaction of the Land Use Office prior to the commencement of Excavation. Excavation commenced prior to the 3/23/21 compliance inspection. A portion of the erosion and sediment controls was in a state of disrepair and in need of maintenance when it was photographed on 3/23/21.

The area of disturbance has far exceeded the 6.7 acres of excavation approved by approximately double the size of 6.7 acres.

The proposed excavation plan (Sheet 4/7) showed that excavation would commence in Phase 1. Extensive excavation was observed to have taken place in Phase 2 during the 3/23/21 compliance inspection.

The proposed excavation plan (Sheet 4/7) states: "Perimeter silt fence and/or staked hay bales shall be installed as shown prior to grubbing and stripping topsoil." No perimeter silt fence and/or staked hay bales had been installed prior to the 3/23/21 compliance inspection.

It was observed and documented at the 3/23/21 compliance inspection that portions of the access road were in poor condition, and that portions of the access road had

been widened significantly. Such widening was not shown on the plan and was not approved under the Gravel Special Permit.

Conditions of the Gravel Special Permit that Have Been Violated

2. Prior to the commencement of any activity undertaken in accordance with this approval, a performance bond in favor of the Town of Brooklyn in the amount of \$115,000 will be submitted to the Brooklyn Land Use Department. The form and content of the bond shall be reviewed and approved by Town Staff. The bond shall include: \$67,000 to restore the 6.7 acre excavation area, \$10,000 to repair erosion on the gravel access road as directed by the Town's consulting engineer, and \$38,000 to repave Riverwalk Drive with a 2" overlay as directed by the Town's consulting engineer. Once the repair work on the gravel access road and Riverwalk Drive is completed to the reasonable satisfaction of the Town's consulting engineer, the portion of the bond attributed to that particular activity can be released. The Town shall document the condition of Riverwalk Drive and the gravel access road prior to the commencement of work on the site. No activity shall occur on the site until the bond has been provided in final form to the Town and approved. Except as otherwise provided, the bond shall remain in place for the life of the operation including restoration of the property to the satisfaction of the Town unless this requirement is subsequently modified by the Planning and Zoning Commission.
3. Prior to the commencement of any activity undertaken in accordance with this approval, the limit of disturbance shall be flagged in the field by a licensed land surveyor and such flags shall be posted high above grade on trees or on construction fence so as not to be disturbed by clearing or excavation activities. The limits of disturbance markings shall remain in place for the duration of the excavation activity and shall be replaced if disturbed. Additionally, property lines within 300' of the area of disturbance shall be flagged. All flagging as required by this approval shall be checked no less frequently than quarterly by the operator to ensure they are in place and shall be restored if disturbed or removed.
4. Prior to the commencement of any activity undertaken in accordance with this approval, erosion and sedimentation control measures as shown on the approved plans shall be installed to the satisfaction of the Land Use Office. The Land Use Office shall have the authority to direct that additional erosion

and sedimentation control measures be installed if deemed necessary to maintain adequate protection from erosion and sedimentation.

5. Excavation activity and the volume of material to be excavated shall be as shown on the plans titled “Proposed Gravel Excavation Allen Hill Road Brooklyn, Connecticut” prepared by Provost & Rovero dated June 2, 2020, and as further revised by these conditions. The excavation area is limited to 6.7 acres and the volume of material is not to exceed a total of 90,000 cubic yards. No on-site processing of excavated material is permitted, and no earth material shall be imported to the site except as is required for restoration of the site in accordance with Condition 7 below.

Applicable Laws and Regulations

Section 6.O.4.2:

2. Area of Operation – The Commission may require project stages to limit the amount of land to be denuded, stripped, or otherwise left in an unrestored condition at any one time. Such requirements shall be based upon the character of the neighborhood, the topography of the site, the potential for erosion by wind or water, unique site conditions, and the recommendation of the Town Engineer or such other State or local agency, or special advisor, as may provide advice to the Commission.

Section 6.O.4.4:

Property Line Setbacks - All property boundaries shall be clearly and permanently marked in the field. There shall be no excavation operations within fifty (50') feet of any property line or of a street line, except that the Commission may modify such buffer where the re-use plan indicates that excavation closer to the property line would facilitate a valid successive use of the property. Where the use of an abutting property is similar or compatible to the proposed use or where the topography of the property is appropriate, and when abutters have provided their consent in writing, the Commission may allow material to be removed to the property line to conform to existing or proposed grades.

Section 6.O.4.8:

Fences and Barricades - Snow fence shall be used to clearly delineate the boundaries of the area of operation. Where necessary to protect the safety of persons entering the permit premises, the Commission may require fences, gates, or barricades to control or prevent vehicular access.

Section 6.O.4.9:

Truck Access - Truck access roads to and within the permit premises shall be so arranged as to eliminate danger to traffic and to minimize the nuisance to surrounding property owners. The maximum grade of truck access roads shall not exceed 12%. Such access roads shall have a dustless surface for the first three hundred (300') feet from the public street, which is to be maintained in good condition at all times. There shall be an anti-tracking pad adjacent to the street, or such other additional or alternative measures as the Commission may approve upon the written request of the applicant to prevent the tracking, washing, spillage or other deposition of material on the street.

Section 6.O.7:

Financial Guarantee Required— a. Before excavation operations commence, the owner shall post a financial guarantee with the Treasurer of the Town of Brooklyn in a manner and form consistent with CT General statutes Sec. 8-3, as amended. The amount of such financial guarantee shall be calculated by the applicant's engineer so as not to exceed the anticipated actual costs the implementation of erosion and sediment controls including final erosion and sedimentation measures plus a contingency amount not to exceed ten per cent of such costs. The amount of such financial guarantee shall be approved by the Town Engineer. Such financial guarantee shall be accompanied by a written agreement of terms and conditions that shall be approved by the Commission's legal counsel.

b. The applicant may request a release of all or a portion of the financial guarantee as provided in CT General statutes Sec. 8-3 (g)(3), as amended. Any request shall be accompanied by an estimate of the cost of all remaining restoration prepared by the permittee's engineer. At all times, the amount of the bond retained shall be sufficient to restore the site.

c. The Town of Brooklyn shall be authorized to withdraw funds or otherwise call the bond whenever the owner or operator fails to perform restorative work required

to prevent environmental and neighborhood degradation following notice to the permittee. Such circumstances may include, but are not limited to, abandonment of the excavation operation by the owner or operator or failure to satisfactorily perform restoration work following revocation or termination of the permit by the Planning and Zoning Commission.

2. Inspection - The Commission or the Zoning Enforcement Official may inspect the permit premises for compliance with these Regulations, the approved plans, and any conditions of the permit upon notice to the landowner.

3. Enforcement - a. Any permit issued hereunder shall be enforced in accordance with the provisions of these Regulations.

b. Should the Zoning Enforcement Official (“ZEO”), based on an on-site inspection, determine that the holder of the Special Permit may have exceeded the approved limits of the excavation, the ZEO may require field staking of reference points by a licensed surveyor and/or submission of an updated plan by a professional engineer at the ZEO’s determination as to what information is required. Such information shall be provided by the holder of the Special Permit within 30 days of written notice of the requirement of the field staking or an updated plan, or both. In the event that the holder of the Special Permit shall fail, neglect or refuse to provide the required information, then the ZEO may contract separately for such work and use the financial guarantee as provided by the holder of the Special Permit to pay for it. If it is determined that the excavation does exceed that authorized by the Special Permit issued by the Commission, the holder of the Special Permit shall apply for a new Special Permit for such work within 30 days of written notice of the exceedance issued by the ZEO. In the event that the holder of the Special Permit does not apply for a new Special Permit within 30 days from the date of the notice from the ZEO, the ZEO may issue a cease and desist order and/or may pursue enforcement penalties as provided by the Connecticut General Statutes.

Section 9.D.8.5:

Following Approval for Special Permits

Failure to strictly adhere to the documents, plans, terms, conditions and/or safeguards approved by the Commission shall be a violation of these Regulations. The Zoning Enforcement Officer or the Commission shall notify the applicant in writing of the specifics of the non-compliance and shall provide a reasonable time period for compliance therewith. Unless there is full compliance within such time

period, the Commission may, following a duly advertised public hearing, rescind and revoke such Special Permit.

YOU ARE HEREBY REQUIRED TO DO THE FOLLOWING WITHIN 30 (THIRTY) DAYS UNLESS A DIFFERENT TIME PERIOD IS SPECIFICALLY OTHERWISE INDICATED FROM THE RECEIPT OF THIS ORDER:

- 1. IMMEDIATELY CEASE AND DESIST ALL SITE WORK, EXCEPT EROSION AND SEDIMENTATION CONTROL INSTALLATIONS. NO OTHER SITE WORK, EXCAVATION, OR GRADING SHALL OCCUR.**

- 2. ATTEND THE 4/7/2021 MEETING OF THE BROOKLYN PLANNING AND ZONING COMMISSION AT 6:30 PM VIA WEBEX. REFER TO THE ATTACHED DRAFT AGENDA FOR INSTRUCTIONS ON HOW TO ATTEND THIS MEETING BY PHONE OR INTERNET CONNECTION.**

- 3. POST THE FULL AMOUNT OF THE PERFORMANCE BOND (\$115,000.00) IN FAVOR OF THE TOWN OF BROOKLYN AS PER CONDITION NUMBER 2 IN THE NOTICE OF DECISION DATED 9/28/2020.**

- 4. WITHIN 30 (THIRTY) DAYS OF THE RECEIPT OF THIS ORDER SUBMIT A REMEDIATION PLAN SHOWING:**
 - WHERE EXCAVATION OCCURRED OUTSIDE THE LIMIT OF DISTURBANCE**
 - WHERE EXCAVATION OCCURRED CLOSER THAN PERMITTED TO PROPERTY LINES**
 - WHERE EXCAVATION OCCURRED CLOSER THAN PERMITTED TO EROSION AND SEDIMENT CONTROLS**
 - WHERE THE ACCESS ROAD WAS WIDENED BEYOND WIDTHS SHOWN ON THE APPROVED PLAN**
 - THE LIMITS OF DISTURBANCE SHOWN ON THE PLAN APPROVED FOR THE GRAVEL SPECIAL PERMIT**
 - A GRADING AND NATIVE VEGETATION PLANTING PLAN FOR THESE AREAS**

5. A LAND SURVEYOR LICENSED TO WORK IN THE STATE OF CT SHALL STAKE REFERENCE POINTS IN THE FIELD, NOT MORE THAN 50 FEET APART, SHOWING THE LIMITS OF DISTURBANCE SHOWN ON THE PLAN APPROVED FOR THE GRAVEL SPECIAL PERMIT.
6. A LAND SURVEYOR LICENSED TO WORK IN THE STATE OF CT SHALL FLAG IN THE FIELD ALL PROPERTY LINES WITHIN 300 FEET OF THE AREA THAT HAS BEEN DISTURBED AS OF 3/23/21.
7. A LAND SURVEYOR LICENSED TO WORK IN THE STATE OF CT SHALL STAKE REFERENCE POINTS IN THE FIELD, NOT MORE THAN 50 FEET APART, SHOWING THE LIMITS OF THE 6.7 ACRES OF LAND WHERE EXCAVATION WAS APPROVED UNDER THE NOTICE OF DECISION DATED 9/28/2020.
8. A LAND SURVEYOR LICENSED TO WORK IN THE STATE OF CT SHALL STAKE REFERENCE POINTS IN THE FIELD, NOT MORE THAN 50 FEET APART, SHOWING THE LIMITS OF THE WIDTH OF THE ACCESS ROAD SHOWN ON THE APPROVED PLAN IN AREAS WHERE THE ACCESS ROAD WAS WIDENED WITHOUT PERMISSION.
9. WITHIN FIVE (5) DAYS OF THE DATE HEREOF, RE-INSTALL THE PORTION OF THE EROSION AND SEDIMENT CONTROLS THAT HAD FAILED AS OF 3/23/21.
10. WITHIN FIVE (5) DAYS OF THE DATE HEREOF, INSTALL DOUBLE-STAKED HAY BALES AND SILT FENCE AS SHOWN ON SHEET 4/7 IN THE PLAN.

FAILURE TO COMPLY WILL SUBJECT YOU TO CITATIONS AND FINES OF \$150.00 PER DAY. REFER TO THE ATTACHED SECTION 20-2 OF THE BROOKLYN TOWN ORDINANCE REGARDING CITATION PROCEDURES AND FINES FOR ZONING VIOLATIONS.

UNLESS THERE IS FULL COMPLIANCE WITHIN 30 (THIRTY) DAYS OF THE RECEIPT OF THIS ORDER THE COMMISSION MAY, FOLLOWING A DULY ADVERTISED PUBLIC HEARING, RESCIND AND REVOKE THE SPECIAL PERMIT FOR THE SUBJECT PROPERTY.

Dated at Brooklyn, March 31, 2021.

Margaret Washburn

Margaret Washburn
Brooklyn Zoning Enforcement Officer

CC: Rick Ives, First Selectman, Jana Roberson, Town Planner, Peter Alter, Town Counsel

PLANNING AND ZONING COMMISSION

TOWN OF BROOKLYN

P.O. BOX 356
CONNECTICUT 06234

9489 0090 0027 6215 8999 61

September 28, 2020

CERTIFIED#

Paul R. Lehto
40 Almada Drive
Brooklyn, CT 06234

RE: Notice of Decision – SPG 20-001 Special Permit for Sand and Gravel – Paul Lehto, end of River Walk Drive (Assessor’s Map 32, Lot 148) – 71.34 acres, Proposed removal of 90,000 cubic yards of gravel over 6.7 acres.

Dear Mr. Lehto:

On September 15, 2020, the Brooklyn Planning and Zoning Commission approved your Gravel Special Permit application limited to 6.7 acres within the 71.34 acres on the east side of Allen Hill Road (Map 32, Lot 148), identified in the files of the Brooklyn Land Use Office as SPG 20-001. This Gravel Special Permit is to excavate and remove up to 90,000 cubic yards of sand and gravel from the 6.7 acre site, with the finding that the standards of Section 6.O - Excavation Operations and Section 9.D -Special Permit Applications are satisfied in accordance with all final documents and testimony submitted with the application and subject to and including the following conditions:

1. The Inland Wetlands and Watercourses Commission approval with conditions and the Planning and Zoning Commission approval with conditions must be included on the final recorded special permit plans. Draft final approved plans shall be printed on paper and submitted to Town Staff for review prior to printing on archival material. The final approved plans bearing the seal and signature of the appropriate professionals, signed by Commission Chairs, shall be recorded along with the Special Permit in the office of the Town Clerk.
2. Prior to the commencement of any activity undertaken in accordance with this approval, a performance bond in favor of the Town of Brooklyn in the amount of \$115,000 will be submitted to the Brooklyn Land Use Department. The form and content of the bond shall be reviewed and approved by Town Staff. The bond shall include: \$67,000 to restore the 6.7 acre excavation area, \$10,000 to repair erosion on the gravel access road as directed by the Town’s consulting engineer, and \$38,000 to repave Riverwalk Drive with a 2” overlay as directed by the Town’s consulting engineer. Once the repair work on the gravel access road and Riverwalk Drive is completed to the reasonable satisfaction of the Town’s consulting engineer, the portion of the bond attributed to that particular activity can be released. The Town shall document the condition of Riverwalk Drive and the gravel access road prior to the commencement of work on the site. No activity shall occur

- on the site until the bond has been provided in final form to the Town and approved. Except as otherwise provided, the bond shall remain in place for the life of the operation including restoration of the property to the satisfaction of the Town unless this requirement is subsequently modified by the Planning and Zoning Commission.
3. Prior to the commencement of any activity undertaken in accordance with this approval, the limit of disturbance shall be flagged in the field by a licensed land surveyor and such flags shall be posted high above grade on trees or on construction fence so as not to be disturbed by clearing or excavation activities. The limits of disturbance markings shall remain in place for the duration of the excavation activity and shall be replaced if disturbed. Additionally, property lines within 300' of the area of disturbance shall be flagged. All flagging as required by this approval shall be checked no less frequently than quarterly by the operator to ensure they are in place and shall be restored if disturbed or removed.
 4. Prior to the commencement of any activity undertaken in accordance with this approval, erosion and sedimentation control measures as shown on the approved plans shall be installed to the satisfaction of the Land Use Office. The Land Use Office shall have the authority to direct that additional erosion and sedimentation control measures be installed if deemed necessary to maintain adequate protection from erosion and sedimentation.
 5. Excavation activity and the volume of material to be excavated shall be as shown on the plans titled "Proposed Gravel Excavation Allen Hill Road Brooklyn, Connecticut" prepared by Provost & Rovero dated June 2, 2020, and as further revised by these conditions. The excavation area is limited to 6.7 acres and the volume of material is not to exceed a total of 90,000 cubic yards. No on-site processing of excavated material is permitted and no earth material shall be imported to the site except as is required for restoration of the site in accordance with Condition 7 below.
 6. Restoration shall commence upon completion of each phase of excavation as provided in the Zoning Regulations and as noted in the Restoration Notes on page 5 of the approved plans.
 7. Any fill that is imported to the site for the purpose of backfilling the excavation area shall be "clean" as defined by the CT DEEP Regulations of State Agencies Sec. 22a-209-1. Prior to the acceptance of any imported fill to be used to restore the site, the source of the imported fill and the proper certification as to the condition of the fill shall be provided in writing to the Town. No imported fill may enter the site unless proper documentation is provided in advance to the Land Use Office.
 8. Dust shall be controlled throughout the year using water or calcium chloride treatment on surfaces as appropriate for conditions. All trucks exiting or entering the site must have their tarp covers closed. Sweeping of the entrance area shall occur regularly and as needed. The Land Use Office shall have the authority to direct that additional dust control measures be installed and employed if deemed necessary to maintain adequate protection from ambient dust within or beyond the site.
 9. Written reports of the volume of excavated materials shall be submitted by the permittee to the Brooklyn Zoning Enforcement Officer quarterly in March, June, September, and December.
 10. The permit renewal date is September 15, 2022. The renewal procedure shall be as specified in Section 6.O.7 of the Brooklyn Zoning Regulations (effective 10-15-2019).

A legal notice of this approval has been published on September 22, 2020 on www.brooklynct.org/planning-zoning-commission/minutes. Please note that any approval of the Brooklyn Planning and Zoning Commission may be appealed for a fifteen-day period following the publication of the legal notice.

Enclosed is a copy of the record of special permit. It is your duty to file the record of special permit with the Brooklyn Town Clerk. The special permit is not valid until it is filed.

If you have any questions, please call Jana Roberson, in the Land Use Department at 860-779-3411 Extension 14.

Signed,



Jana Roberson, AICP
Dir. Of Community Development/
Town Planner

JR/acl

CC: File, Provost and Rovero, Inc.

Appendix:

- Application SPG 20-001
- Site Plans titled "Proposed Gravel Excavation Easterly of Allen Hill Road, Brooklyn, CT, owner/applicant Paul R. Lehto", prepared by Provost & Rovero, Inc., dated 6/2/20, Sheets 1-7
- IWWC Approval Letter dated 7/30/20
- Letter dated 7/14/20 Syl Pauley, PE, NECCOG
- Email dated 8/4/20 from Syl Pauley to Jana Roberson
- Letter dated 8/10/20 Provost & Rovero, Inc.
- Email dated 8/20/20 from David Held to
- Letter dated 8/31/20 Provost & Rovero, Inc.

**Town of Brooklyn
Record of Special Permit**

In accordance with Section 8-3d of the Connecticut General Statutes, a record of Special Permit shall be filed in the Office of the Town Clerk of Brooklyn before the Special Permit shall be considered valid. It shall be filed under the name of the record owner, who shall be responsible for all fees.

Name of Record Owner(s): Paul R. Lehto

Address: 40 Almada Drive Brooklyn, CT 06234

Property Location: 71.34 acres on east side of Allen Hill Road

Assessors Map-Lot Number: Map 32, Lot 148 Zone: RA

Application Identification Number: SPG 20-001

Activity: Excavation and removal of up to 90,000 cubic yards of sand and gravel from a 6.7 acre site.

Section(s) of Regulations under which the Special Permit was Granted:

Section 6.O - Excavation Operations and Section 9.D -Special Permit Applications

Conditions of Special Permit:

1. The Inland Wetlands and Watercourses Commission approval with conditions and the Planning and Zoning Commission approval with conditions must be included on the final recorded special permit plans. Draft final approved plans shall be printed on paper and submitted to Town Staff for review prior to printing on archival material. The final approved plans bearing the seal and signature of the appropriate professionals, signed by Commission Chairs, shall be recorded along with the Special Permit in the office of the Town Clerk.
2. Prior to the commencement of any activity undertaken in accordance with this approval, a performance bond in favor of the Town of Brooklyn in the amount of \$115,000 will be submitted to the Brooklyn Land Use Department. The form and content of the bond shall be reviewed and approved by Town Staff. The bond shall include: \$67,000 to restore the 6.7 acre excavation area, \$10,000 to repair erosion on the gravel access road as directed by the Town's consulting engineer, and \$38,000 to repave Riverwalk Drive with a 2" overlay as directed by the Town's consulting engineer. Once the repair work on the gravel access road and Riverwalk Drive is completed to the reasonable satisfaction of the Town's consulting engineer, the portion of the bond attributed to that particular activity can be released. The Town shall document the condition of Riverwalk Drive and the gravel access road prior to the commencement of work on the site. No activity shall occur on the site until the

bond has been provided in final form to the Town and approved. Except as otherwise provided, the bond shall remain in place for the life of the operation including restoration of the property to the satisfaction of the Town unless this requirement is subsequently modified by the Planning and Zoning Commission.

3. Prior to the commencement of any activity undertaken in accordance with this approval, the limit of disturbance shall be flagged in the field by a licensed land surveyor and such flags shall be posted high above grade on trees or on construction fence so as not to be disturbed by clearing or excavation activities. The limits of disturbance markings shall remain in place for the duration of the excavation activity and shall be replaced if disturbed. Additionally, property lines within 300' of the area of disturbance shall be flagged. All flagging as required by this approval shall be checked no less frequently than quarterly by the operator to ensure they are in place and shall be restored if disturbed or removed.
4. Prior to the commencement of any activity undertaken in accordance with this approval, erosion and sedimentation control measures as shown on the approved plans shall be installed to the satisfaction of the Land Use Office. The Land Use Office shall have the authority to direct that additional erosion and sedimentation control measures be installed if deemed necessary to maintain adequate protection from erosion and sedimentation.
5. Excavation activity and the volume of material to be excavated shall be as shown on the plans titled "Proposed Gravel Excavation Allen Hill Road Brooklyn, Connecticut" prepared by Provost & Rovero dated June 2, 2020, and as further revised by these conditions. The excavation area is limited to 6.7 acres and the volume of material is not to exceed a total of 90,000 cubic yards. No on-site processing of excavated material is permitted and no earth material shall be imported to the site except as is required for restoration of the site in accordance with Condition 7 below.
6. Restoration shall commence upon completion of each phase of excavation as provided in the Zoning Regulations and as noted in the Restoration Notes on page 5 of the approved plans.
7. Any fill that is imported to the site for the purpose of backfilling the excavation area shall be "clean" as defined by the CT DEEP Regulations of State Agencies Sec. 22a-209-1. Prior to the acceptance of any imported fill to be used to restore the site, the source of the imported fill and the proper certification as to the condition of the fill shall be provided in writing to the Town. No imported fill may enter the site unless proper documentation is provided in advance to the Land Use Office.
8. Dust shall be controlled throughout the year using water or calcium chloride treatment on surfaces as appropriate for conditions. All trucks exiting or entering the site must have their tarp covers closed. Sweeping of the entrance area shall occur regularly and as needed. The Land Use Office shall have the authority to direct that additional dust control measures be installed and employed if deemed necessary to maintain adequate protection from ambient dust within or beyond the site.
9. Written reports of the volume of excavated materials shall be submitted by the permittee to the Brooklyn Zoning Enforcement Officer quarterly in March, June, September, and December.

10. The permit renewal date is September 15, 2022. The renewal procedure shall be as specified in Section 6.O.7 of the Brooklyn Zoning Regulations (effective 10-15-2019).

Reason for Granting the Special Permit: In conformance with the Zoning Regulations as modified by the Planning and Zoning Commission.

Date of Issuance of Special Permit by the P & Z Commission: September 15, 2020

I certify that the above is a true record of the Special Permit granted for the subject property by the Brooklyn Planning and Zoning Commission.

Jana Robinson
Town Planner

9/28/2020
Date

Cease + Desist Order

3/23/21

Paul Lehto and his agents are hereby required to stop all work on the Allen Hill gravel pit property subject to the provisions of the PZC Special Permit issued in 2020 due to violations of the Special Permit and the Wetlands Permit.

Issued by Margaret Washburn

ZEO + Wetlands Enforcement Officer



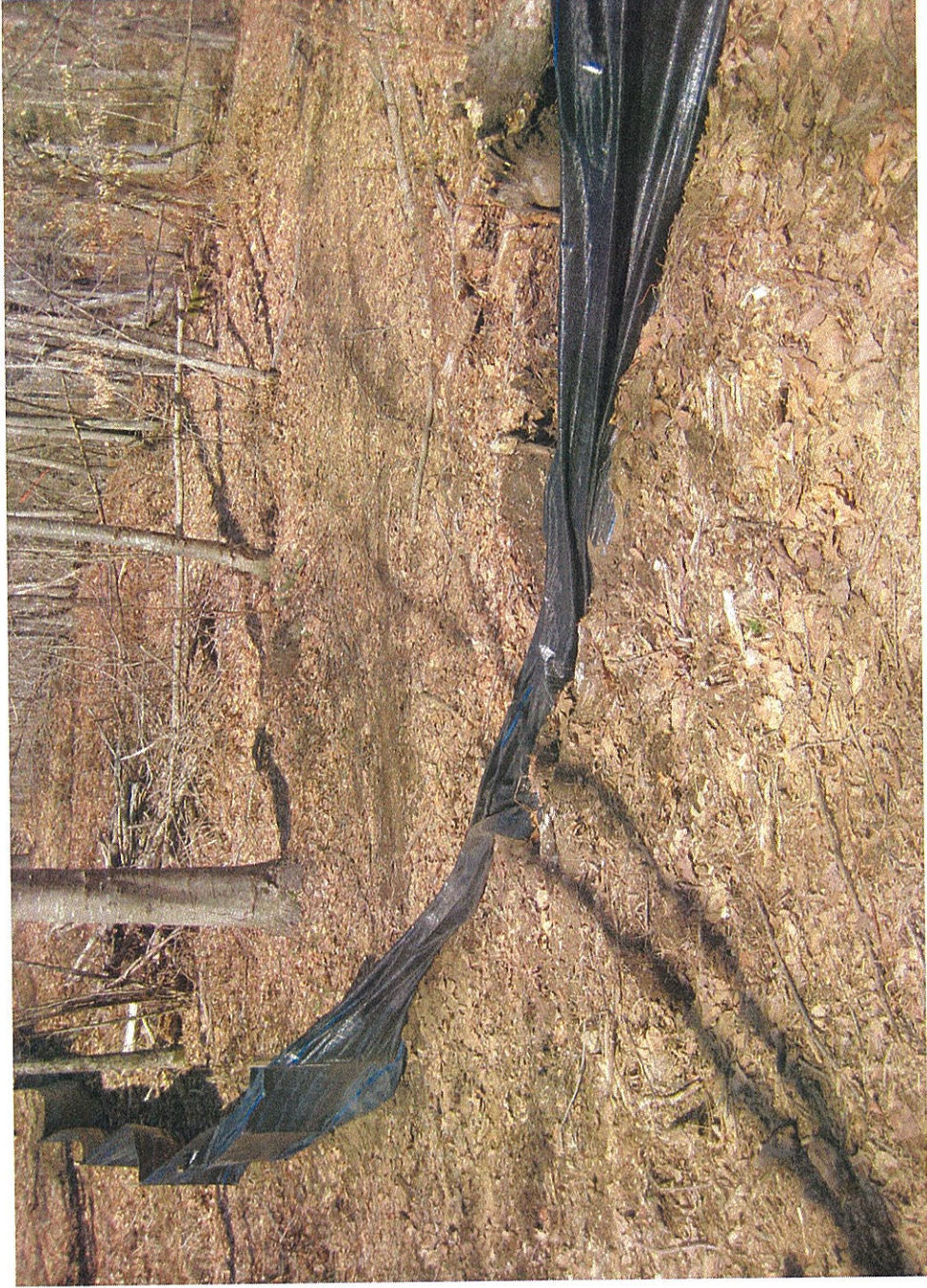
Outside limits of
disturbance



Work outside limits
of disturbance



Work too close to
southern property line



Failed sediment and
erosion controls



Road widened near
stream crossing

Facing south
Property line

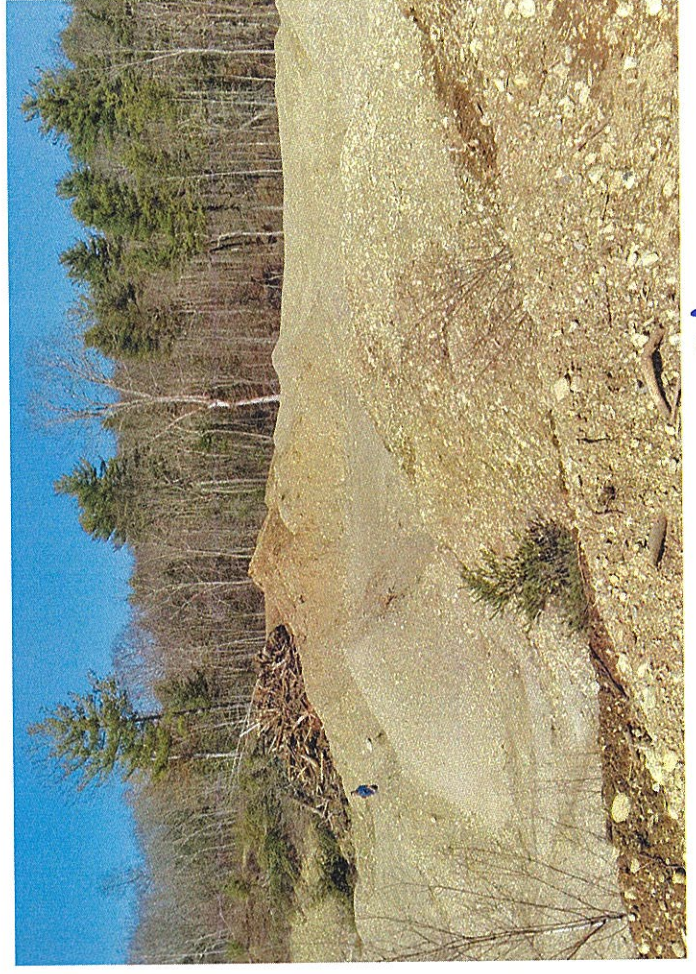
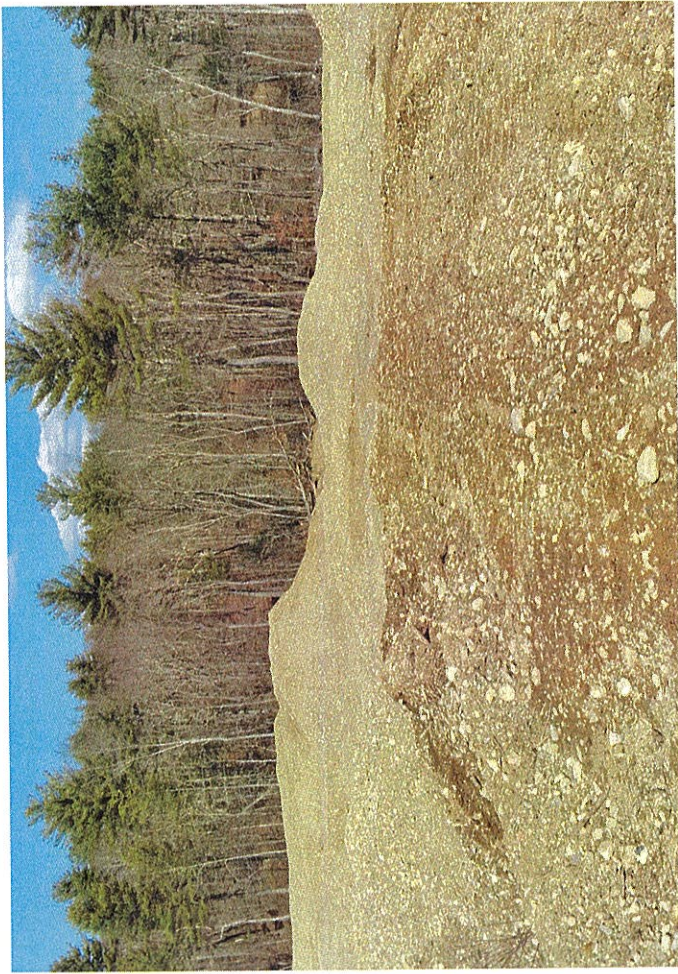
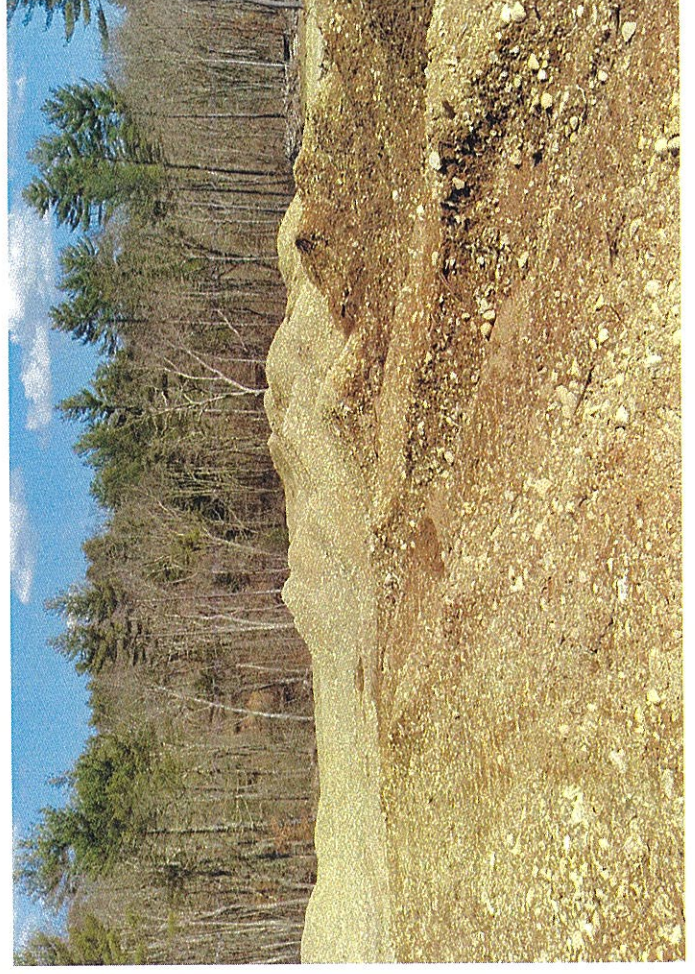




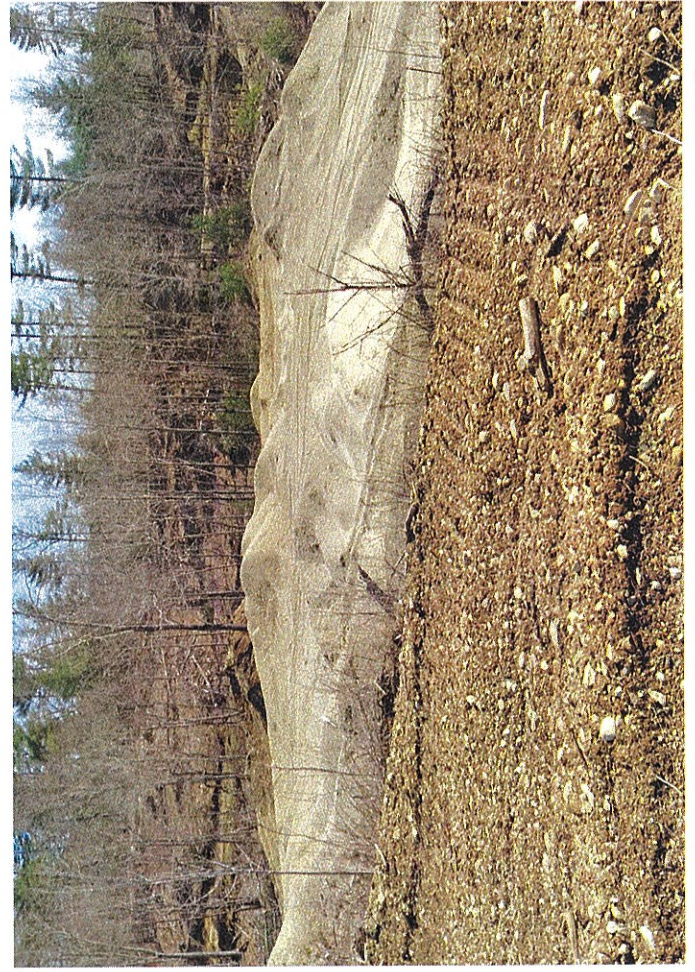
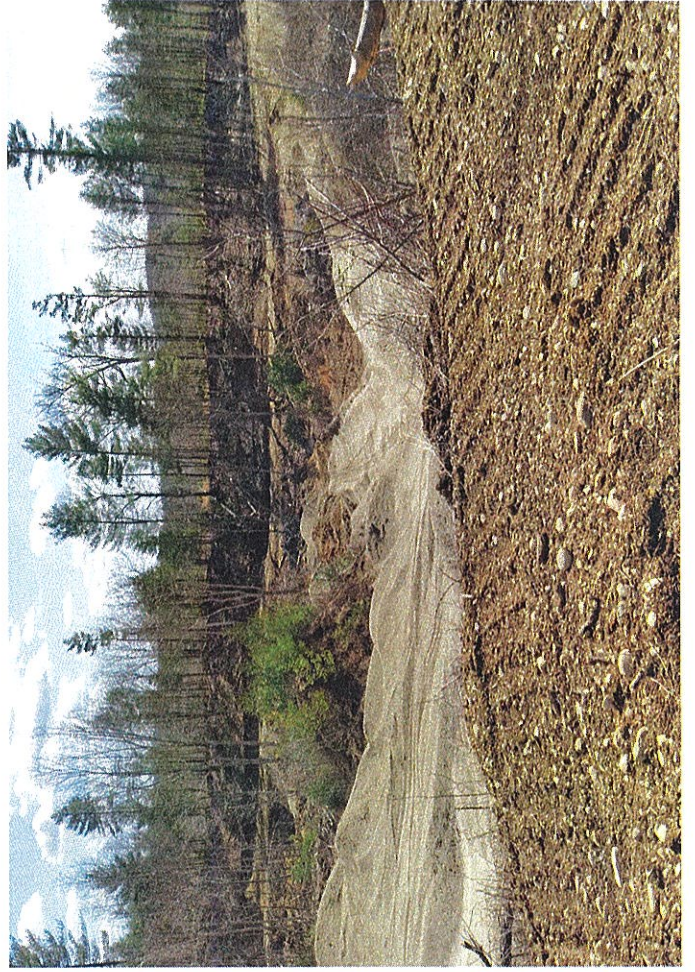
Road created near
Southern property line



Phase 2 work
Phasing plan not followed



Phase 2



Phase 2

**TOWN OF BROOKLYN
PLANNING AND ZONING COMMISSION
Regular Meeting Agenda
Wednesday, April 7, 2021
6:30 p.m.**

To join this hearing via the web or phone, follow the below instructions:	
Web Go to www.webex.com Click sign in On the top right, click Join a Meeting Enter meeting ID: 126 815 8731 Enter meeting password: First	Phone Dial 1-415-655-0001 Enter meeting number: 126 815 8731 Enter meeting password: 34778 You can bypass attendee number by pressing #

- I. Call to Order**
- II. Roll Call**
- III. Seating of Alternates**
- IV. Adoption of Minutes:** Regular Meeting March 3, 2021
- V. Public Commentary**
- VI. Unfinished Business:**
 - a. **Reading of Legal Notice:**
 - b. **New Public Hearings:**
 - c. **Continued Public Hearings: None.**
 - d. **Other Unfinished Business:**
 - 1. **SD 20-003 & SD 20-004** – Proposal to extend the filing deadline an additional 90 days (both Bell subdivisions).
- VII. New Business:**
 - a. **Applications: None.**
 - 1. **GBR 21-001** – Application to renew **SPG 19-001 Gravel Special Permit** - HM & E Co, LLC/Applicant, E. Arters/Owner, 120 acres, 291 Canterbury Road (Assessor’s Map 23, Lot 1; Map 22 Lot 1-2; Map 22, Lot 1-4), Phased excavation of approximately 20,000 cubic yards of rock.
 - b. **Other New Business:**
 - 1. Discussion: Contractor’s yards, outdoor dining.
- VIII. Reports of Officers and Committees:**
 - a. Staff Reports
 - b. Budget Update
 - c. Correspondence.
 - d. Chairman’s Report
- IX. Public Commentary**
- X. Adjourn**

Michelle Sigfridson, Chairman

CHAPTER XX FEES FOR LAND USE APPLICATIONS

20-1 ESTABLISHING LAND USE APPLICATION FEES.

(Prior ordinance history includes portions of Ordinances 3/1/88, 8/15/88, 91-2, 04-5 and 06-4)

20-1.1 Purpose.

The purpose of this chapter is to establish a reasonable and equitable Schedule of Fees, pursuant to Section 8-1c and 22a-42a of the Connecticut General Statutes, to defray the administrative costs and any additional costs, including professional consulting fees, incurred by the Planning and Zoning Commission, Inland Wetlands Agency and Zoning Board of Appeals of the Town of Brooklyn (each a "Land Use Agency") for the processing and subsequent monitoring of Land Use applications. (Ord. 5/3/10)

20-1.2 Definitions.

Land Use Application shall mean an application for (1) any permit(s) or approval(s) required by any Land Use Agency regulations for the use of any land, building or structure; (2) proposed amendments to such regulations or the zoning map; (3) a request for a zoning variance; (4) an appeal of a decision of the Zoning Enforcement Officer or (5) a certificate of location approval and or appropriateness pursuant to Section 14-67 and/or Section 14-321 of the Connecticut General Statutes, submitted by any person, organization or corporation (the applicant).

Staff shall mean any employee or appointee of the Town of Brooklyn or employees of the Northeast Connecticut Council of Governments "NECCOG" who, as part of his or her duties, render advice or assistance to any land use agency. Planning Staff shall be the Zoning Enforcement Officer, Town Planner or employees of NECCOG.
(Ord. 5/3/10)

20-1.3 Determination of Fees Charged for Land Use Applications.

a. *Base Fees.* The base fees established hereby are based on a reasonable estimate of the direct and indirect costs for time spent by staff in reviewing and evaluating each type of land use application and, except as noted, the cost of any public hearing. The base fee plus the estimated costs for advertising and required legal notices shall be paid at the time the land use application is filed.

b. *Additional Fees.*

1. In addition to the base fees set forth herein, a Land Use Agency may require the applicant to pay an "additional fee" to defray other costs and expenses incurred by the Land Use Agency. Such additional fee shall be assessed to the applicant when the Planning Staff and/or the Land Use Agency determines that there is a need for the assistance of one or more third party consultants for review, evaluation or processing the land use application (consultation services). Consultants may be engaged to render engineering, architectural, environmental and planning services including traffic studies. Consultation services may include, but not be limited to, consultation with Town staff or the Town Attorney, discussions with the applicant or its agents, rendering such information and research that the Land Use Agency may request, the preparation of written findings and recommendations, written or oral testimony at any public hearing and post-approval inspections to ascertain that all terms and conditions of any permit have been met.

2. The additional fee shall be equal to the reasonable cost incurred by the Land Use Agency for such consultation services.

3. Upon the determination by the Town staff and/or Land Use Agency that consultation services are necessary, the Town Staff shall provide to the Land Use Agency, for its approval, a reasonable estimate of the cost based on the nature and the extent of the consultation services deemed necessary.

Such determination shall be made as soon as practicable after the receipt (filing) of the land use application by the Land Use Agency and, upon approval by the Land Use Agency, the applicant shall be billed an additional fee in an amount equal to one hundred twenty-five (125%) percent of such estimate. Such additional fee shall be due and payable ten (10) days after receipt.

4. Upon receipt of an additional fee from the applicant, the Land Use Agency shall create an application specific account and shall document the amount of the additional fee and all payments made for consultation services. The Land Use Agency shall render periodic accounting to the applicant. Any balance remaining after the land use application has been acted upon shall be refunded to the applicant, provided there has been a determination by the Staff that all terms and conditions of the permit have been met.

5. Upon the failure of the applicant to pay such additional fee when due, the land use application shall be deemed to be incomplete and may be denied by the Land Use Agency for that reason with or without prejudice. No land use application shall be approved until the base fee, the additional fee, if any, and costs of advertising and legal notices have been paid in full.

c. No fees shall be required for any land use application submitted by the Town of Brooklyn or any of its municipal agencies.
(Ord. 5/3/10)

20-1.4 Effective Date; Validity.

In accordance with Connecticut General Statutes Section 8-1c, upon its effective date the fee structure set forth in this chapter shall supersede any fee schedule adopted by any Land Use Agency (this schedule was adopted May 3, 2010). If any provision or fee imposed by this chapter is, for any reason, found to be invalid by a court of competent jurisdiction, such invalidation shall not affect the validity of the remaining portions of this chapter and the fees imposed. (Ord. 5/3/10)

20-1.5 Amendment of Schedule.

The Board of Selectmen, acting pursuant to the provisions of Connecticut General Statutes Section 7-157(a), may, by ordinance, amend the Schedule of Base Fees from time to time after consultation with the Land Use Agency(ies). (Ord. 5/3/10)

20-1.6 Fee Schedule.

Base Land Use Application Fees

ZONING FEES

Text Amendment to Regulations	\$250.00
Zoning Map Change	\$250.00
Home Occupation	\$50.00
Special Permit	\$100.00 plus site plan review
Site Plan Review	
2,500 sq. ft. or less	\$300.00
Over 2,500 sq. ft.	\$300.00 plus \$15.00 per each additional 1,000 sq. ft.
Site Plan Review (multi-family/active adult or elderly)	\$300.00 plus \$20.00 per unit
Amendment to Site Plan After Submission	\$150.00
Special Permit (Sand and Gravel)	\$250.00 +
< 1,000 cu. yds.	\$200.00
1,000 to 20,000 cu. yds.	\$300.00
21,000 to 50,000 cu. yds.	\$750.00
51,000 to 100,000 cu. yds.	\$2,500.00
> 100,000 cu. yds.	\$5,000.00
Annual Sand and Gravel Renewal	\$100.00

ZONING PERMITS

New Residential Dwelling	\$200.00
Residential Accessory Uses/Additions	\$50.00
Addition/Modification of a Nonresidential Building	\$75.00
New Commercial Building	\$250.00
Change of Use in Existing Commercial Building	\$75.00
Sign Permit	\$20.00

SUBDIVISION APPROVAL

Basic Application	\$250.00
Subdivision Plan Review	\$250.00 per lot
Engineering Review for New Road(s) and Drainage	*
Inspection and Supervision of Road Construction and Utilities	*
Text Amendment to Subdivision Regulations	\$250.00

ZONING BOARD OF APPEALS

All Applications	\$250.00
------------------	----------

INLAND WETLANDS APPLICATION FEES

Residential (Single Lot)	\$150.00
Subdivision Application	\$150.00 plus \$150.00 per lot in the regulated area
Commercial/Industrial	\$200.00
Additional fee based on total impervious surface included in commercial/industrial application	
< 20,000 sq. ft.	\$400.00
20,001-50,000 sq. ft.	\$800.00
> 50,000 sq. ft.	\$1,200.00
Additional Fee for Significant Activity Requiring Public Hearing	\$250.00

*Included in Plan Review Fee but may be subject to the payment of additional fees as set forth in this chapter.

All fees payable pursuant to this chapter are nonrefundable.

In addition to any other remedies permitted by law, any land use application submitted after work has started on a project shall be subject to a surcharge of \$500.00.

In addition to the fees set forth above payable to the Town of Brooklyn, each application is subject to an additional charge payable to the State of Connecticut, which, as of the effective date of this chapter is \$60.00. (Ord. 5/3/10; Ord. 11/2/11)

20-2 CITATION PROCEDURES AND FINES FOR ZONING AND WETLANDS VIOLATIONS.

20-2.1 Issuance of Citations; Schedule of Fines.

The Brooklyn Land Use Officer is authorized to issue citations for violations of the Zoning Regulations and the Wetlands Regulations of the Town of Brooklyn to the extent and manner provided by this section and the Connecticut General Statutes 7-152c. Any such citation may be served either by hand or by certified mail, return receipt requested, to the person named in such citation. If the person(s) named in the citation sent by

certified mail refuses to accept such mail, the citation may be sent by regular United States mail. The Land Use Officer shall file and retain an original or certified copy of the citation, as served.

a. Citations may be issued for those types of zoning and wetlands violations specified in paragraph b. below.

b. The fine for each citation shall be in accordance with this schedule:

ZONING REGULATIONS

Nature of Violation	Amount of Fine
Construction of any building without Zoning approval	\$150.00
Alteration of any building without Zoning approval	\$100.00
Conducting an unauthorized use	\$150.00
Illegal Sign	\$100.00
Building beyond foundation without prior Foundation as-built or erosion control approval	\$150.00
Failure to comply with an approved Site Plan, Special Permit, Subdivision or Re-subdivision including any conditions of approval	\$150.00
Any other violation of the Zoning Regulations	\$100.00

INLAND WETLAND REGULATIONS

For each violation	\$1,000.00
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*In the case of a continuing violation, each day's continuation of the violation shall be deemed a separate and distinct violation.
(Ord. 8/1/13)

20-2.2 Citation Hearing Officers.

The Chief Executive Officer shall appoint one or more Citation Hearing Officers, other than Police Officers or employees or persons who issue citations, to conduct the hearings authorized by this section. (Ord. No. 06-3 § 3)

20-2.3 Notice.

At any time within twelve (12) months from the expiration of the final period for the uncontested payment of fines, penalties, costs or fees for any citation issued under any ordinance adopted pursuant to section 7-148 or section 22a-226d, for an alleged violation thereof, shall send notice to the person cited:

- a. Of the allegations against him and the amount of the fines, penalties, costs or fees due;
- b. That he may contest his liability before a Citation Hearing Officer by delivering in person or by mail written notice within ten (10) days of the date thereof;
- c. That if he does not demand such hearing, an assessment and judgment shall be entered against him; and
- d. That such judgment may issue without further notice.

(Ord. No. 06-3 § 4)

20-2.4 Liability; Payment of Fines; Costs.

If the person who is sent notice pursuant to subsection 20-2.3 wishes to admit liability for any alleged violation, he may, without requesting a hearing, pay the full amount of the fines, penalties, costs or fees

admitted to in person or by mail to the Land Use Officer. Such payment shall be inadmissible in any proceeding, civil or criminal, to establish the conduct of such person or other person making the payment. Any person who does not deliver or mail written demand for a hearing within ten (10) days of the date of the first notice provided for in subsection 20-2.3 shall be deemed to have admitted liability, and the Land Use Officer shall certify such person's failure to respond to the Hearing Officer. The Hearing Officer shall thereupon enter and assess the fines, penalties, costs or fees provided for by the applicable ordinances and shall follow the procedures set forth in subsection 20-2.5. (Ord. No. 06-3 § 5)

20-2.5 Hearing.

Any person who requests a hearing shall be given written notice of the date, time and place for the hearing. Such hearing shall be held not less than fifteen (15) days not more than thirty (30) days from the date of the mailing of the notice, provided the Hearing Officer shall grant upon good cause shown any reasonable request by any interested party for postponement or continuance. An original certified copy of the initial notice of violation issued by the Land Use Officer or Police Officer shall be filed and retained by the Town of Brooklyn, and shall be deemed to be a business record within the scope of CGS 52-180 and evidence of the facts contained therein. The presence of the Land Use Officer or Police Officer shall be required at the hearing if such person so requests. A person wishing to contest his liability shall appear at the hearing and may present evidence in his behalf. The Land Use Officer may present evidence on behalf of the Town of Brooklyn. If such person fails to appear, the Hearing Officer may enter an assessment by default against him upon a finding of proper notice and liability under the applicable statutes or ordinances. The Hearing Officer may accept from such person copies of Police reports, investigatory and citation reports, and other official documents by mail and may determine thereby that the appearance of such person is unnecessary. The Hearing Officer shall conduct the hearing in the order and form and with such methods of proof, as he deems fair and appropriate. The rules regarding the admissibility of evidence shall not be strictly applied, but all testimony shall be given under oath or affirmation. The Hearing Officer shall announce his decision at the end of the hearing. If he determines that the person is not liable, he shall dismiss the matter and enter his determination in writing accordingly. If he determines that the person is liable for the violation, he shall forthwith enter and assess the fines, penalties, costs or fees against such person as provided by the applicable ordinances of the Town of Brooklyn. (Ord. No. 06-3 § 6)

20-2.6 Notice of Assessment Which is Unpaid.

If such assessment is not paid on the date of its entry, the hearing officer shall send by first class mail a notice of assessment to the person found liable and shall file, not less than thirty (30) days nor more than twelve (12) months after such mailing, a certified copy of the notice of assessment with the Clerk of a Superior Court facility designated by the Chief Court Administrator together with an entry fee of eight (\$8.00) dollars. The certified copy of notice of assessment shall constitute a record of assessment. Within such twelve-month period, assessments against the same person may be accrued and filed as one record of assessment. The Clerk shall enter judgment, in the amount of such record of assessment and court costs of eight (\$8.00) dollars, against such person in favor of the Town of Brooklyn. Notwithstanding any provision of the General Statutes, the Hearing Officer's assessment, when so entered as a judgment, shall have the effect of a civil money judgment and a levy of execution on such judgment may issue without further notice to such person. (Ord. No. 06-3 § 7)

20-2.7 Appeal.

A person against whom an assessment has been made pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within thirty (30) days of the mailing of the notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal to the entry fee for small claims case pursuant to Connecticut General Statutes (Revision of 1958) 52-259, at a Superior Court facility designated by the Chief Court Administrator, which shall entitle such person to a hearing in accordance with the rules of the Judges of the Supreme Court. (Ord. No. 06-3 § 8)

2023

PUBLIC IMPROVEMENT SPECIFICATIONS.

a. It is hereby found that rapid growth and development within the Town of Brooklyn are placing unprecedented strain upon Town roads and appurtenant drainage systems, culverts, and catch-basins.

b. To alleviate that siltation, and as empowered by Section 7-148 (c) of the General Statutes, the Board of Selectmen are hereby authorized to develop such regulations as they may deem appropriate to carry out the following purposes:

1. To provide the proper alignment, width, and grades and pavements of existing Town roads serving as a right of way to any proposed subdivision, to ensure that such existing Town roads remain safe and continue to conform to the plan of development of the Town;

2. To provide adequate and sufficient storm drainage systems for carrying off increased storm drainage created by any proposed subdivision and associated access road improvements, whether such additional drainage would impact upon existing Town improvements or private lands;

3. To provide that adequate and sufficient culverts, manholes, and catch-basins be installed to carry run-off water from the road surface and to divert road water from the proposed subdivision beneath or around existing roads without causing significant increases in erosion or sedimentation.

c. Compliance with the regulations adopted by the Board of Selectmen shall be a condition precedent to any application for subdivision of property within the Town of Brooklyn. Failure to comply shall be adequate cause for denial of any such application.

If any portion of this section is deemed by a court of competent jurisdiction to be impermissible, its remaining sections shall continue to be valid and enforceable.
(Ord. 6/28/89 § 1)

CHAPTER XX FEES FOR LAND USE APPLICATIONS
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PROPOSED GRAVEL EXCAVATION

EASTERLY OF ALLEN HILL ROAD
BROOKLYN, CONNECTICUT

OWNER/APPLICANT:

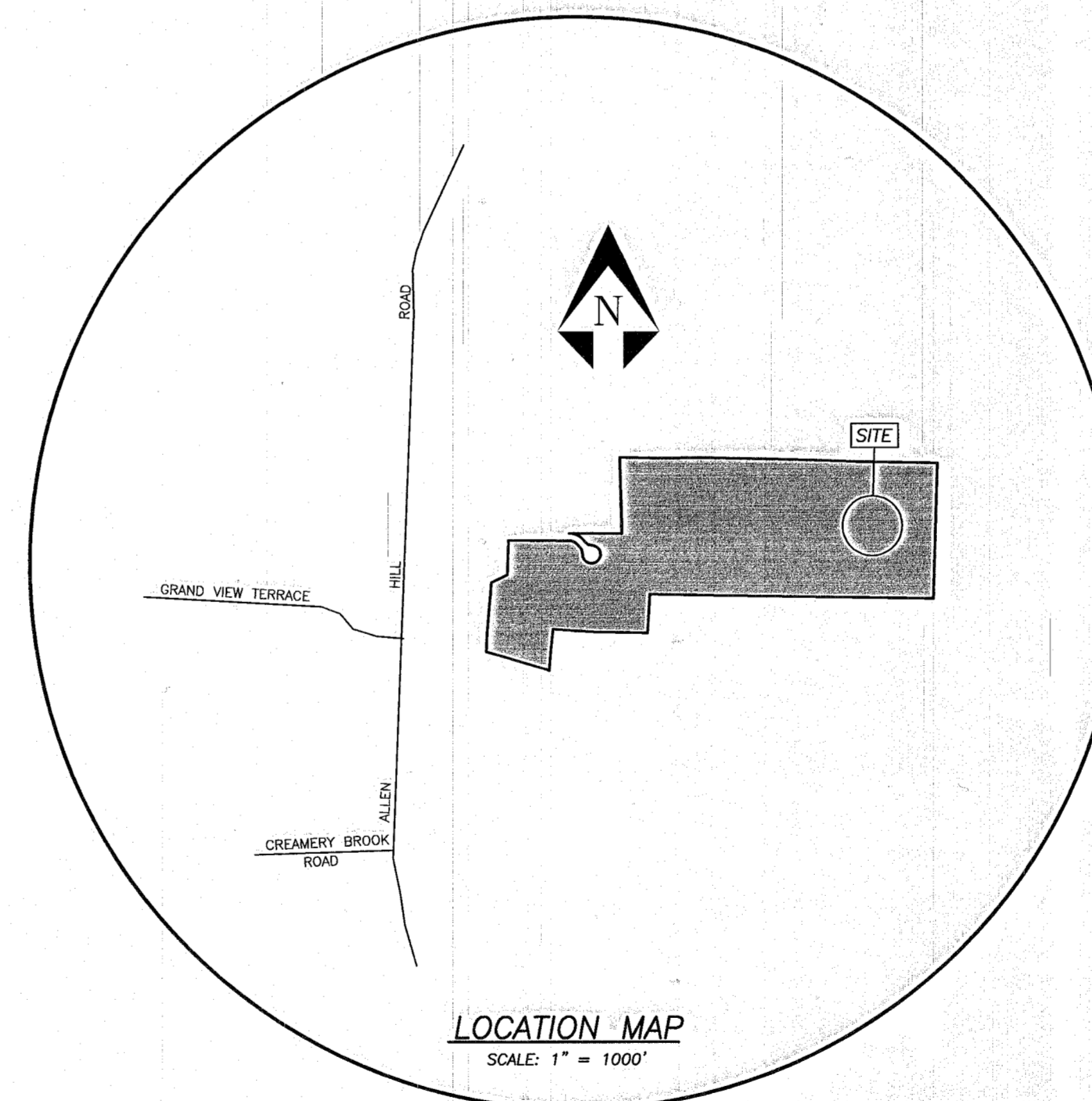
PAUL R. LEHTO

INDEX TO DRAWINGS

TITLE	SHEET No.
COVER SHEET	1 OF 9
EXISTING CONDITIONS PLAN	2 OF 9
OVERALL SITE PLAN	3 OF 9
PROPOSED EXCAVATION PLAN	4 OF 9
DETAIL SHEET	5 OF 9
SITE REUSE PLAN	6 OF 9
SITE RADIUS PLAN	7 OF 9
PLANNING & ZONING APPROVAL LETTER	8 OF 9
INLAND WETLANDS APPROVAL LETTER	9 OF 9

LEGEND

	TEST PIT
	EXISTING TREE LINE
	EXISTING CONTOUR
	EXISTING INDEX CONTOUR
	PROPOSED CONTOUR
	PROPOSED CLEARING LIMITS
	PROPOSED SILT FENCE
	LIMIT OF WETLANDS



PREPARED BY:

Provost & Rovero, Inc.

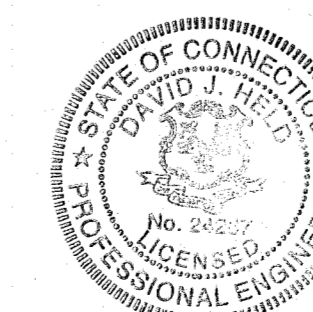
Civil Engineering • Surveying • Site Planning
Structural • Mechanical • Architectural Engineering

57 East Main Street, P.O. Box 191
Plainfield, Connecticut 06374
(860) 230-0856 - FAX: (860) 230-0860
info@prorovinc.com
www.prorovinc.com

REVISIONS	
DATE	DESCRIPTION
10/19/2020	ADD APPROVAL LETTERS

JUNE 2, 2020

THIS MAP PRODUCED BY
ORIGINAL INK ON MYLAR
PREPARED BY:
PROVOST & ROVERO, INC.



D. J. Field 11/11/20
ENGINEER DATE

APPROVED BY THE BROOKLYN INLAND
WETLANDS COMMISSION

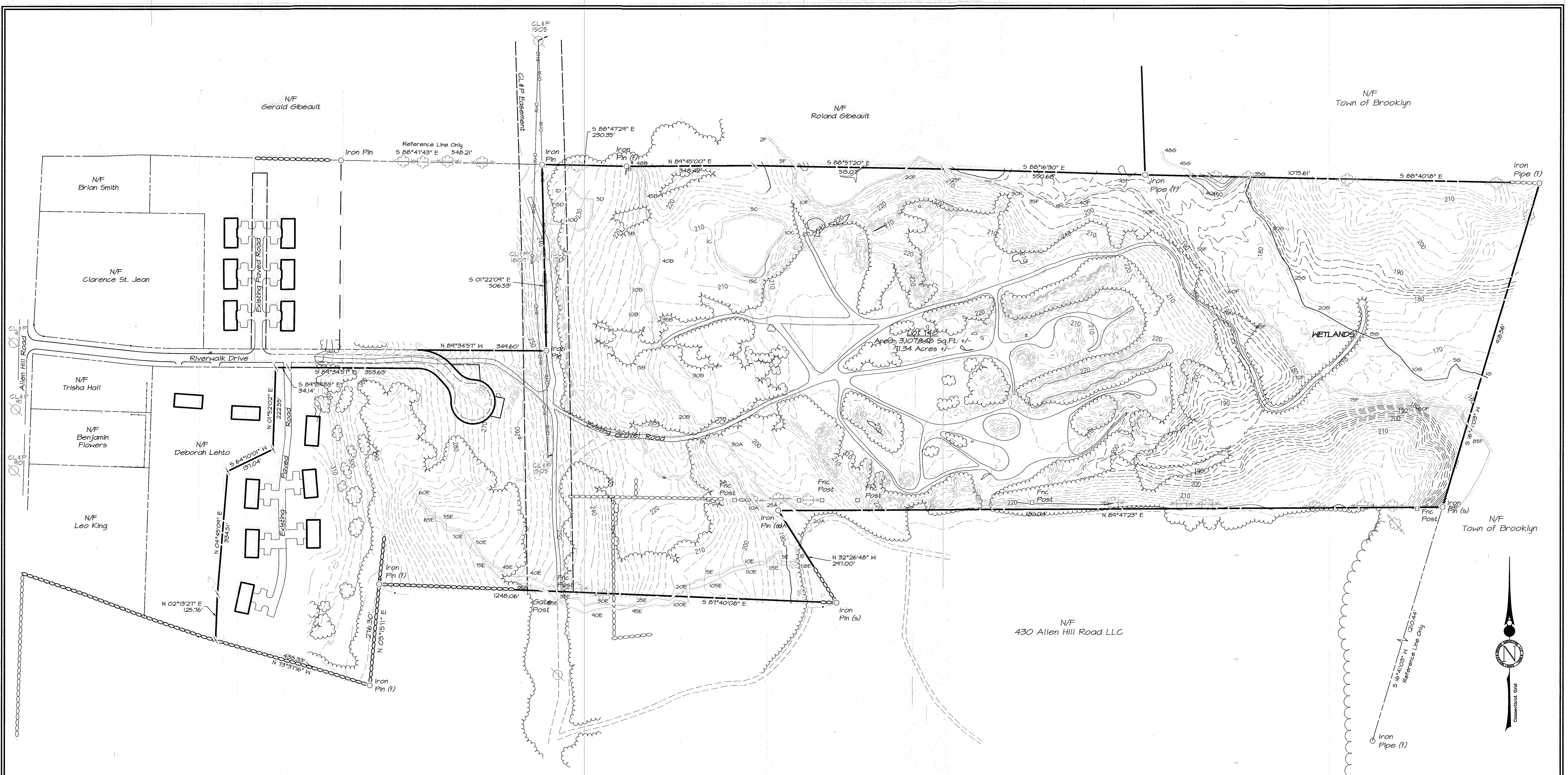
[Signature] 11/23/2020
CHAIRMAN EXPIRES 9/15/2025

APPROVED BY THE BROOKLYN PLANNING
& ZONING COMMISSION

[Signature] 11/24/20
CHAIRMAN EXPIRES 9/15/2025

I HAVE REVIEWED THE FLAGGED INLAND WETLANDS
LOCATION SHOWN ON THIS PLAN AND THEY APPEAR
TO BE SUBSTANTIALLY CORRECT.

[Signature] 11/12/20
Certified Soil Scientist Date



LEGEND

	PROPERTY LINE
	REFERENCE LINE
	EASEMENT
	BOUNDARY STONEWALL
	EXISTING TREELINE
	EXISTING INDEX CONTOUR
	EXISTING CONTOUR
	PROPOSED CONTOUR
	WETLAND LIMITS
	IRON PIN FOUND
	DRILL HOLE FOUND
	UTILITY POLE
	FENCE POST

Notes

- This survey has been prepared pursuant to the Regulations of Connecticut State Agencies Section 20-300b-20 and the "Standards for Surveys and Maps in State of Connecticut" as adopted by the Connecticut Associations of Land Surveyors, Inc. on September 26, 1946
 - This Survey conforms to a Class "A-2" Horizontal Accuracy
 - This Survey conforms to a Class "T-3" Vertical Accuracy
- Survey Type: Perimeter Survey
Boundary Determination: Resurvey
Intent: Depict Existing Conditions with Respect to Property Lines
- Parcels shown as 148 on Assessors Tax Map 32 of the Brooklyn Assessors Office
- Property is owned by: Paul Lehto
- Wetlands were delineated in the field by Joseph Theroux, Sept. 2016 and field located by Archer Surveying LLC
- Riverwalk Drive is not a Town Road
- Topographical Information obtained through aerial photography by WSP Group

THIS MAP PRODUCED BY ORIGINAL INK ON MYLAR
PREPARED BY PROVOST & ROVERO, INC.

To My Knowledge and Belief this map is substantially correct as noted hereon

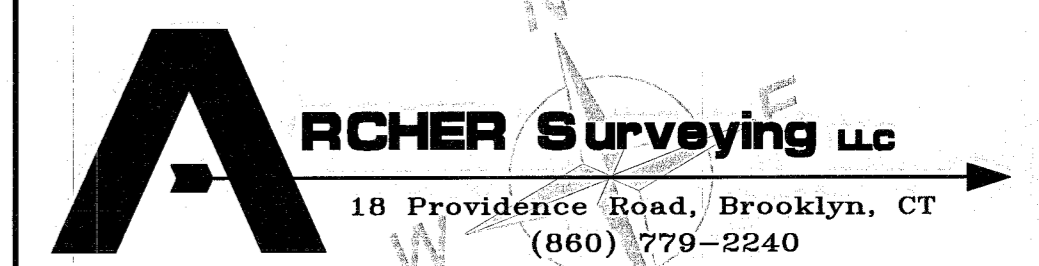
 Paul M. Archer, L.L.S. #7013 Date

No Certification is expressed or implied unless this map bears the embossed seal of the land surveyor whose signature appears hereon.

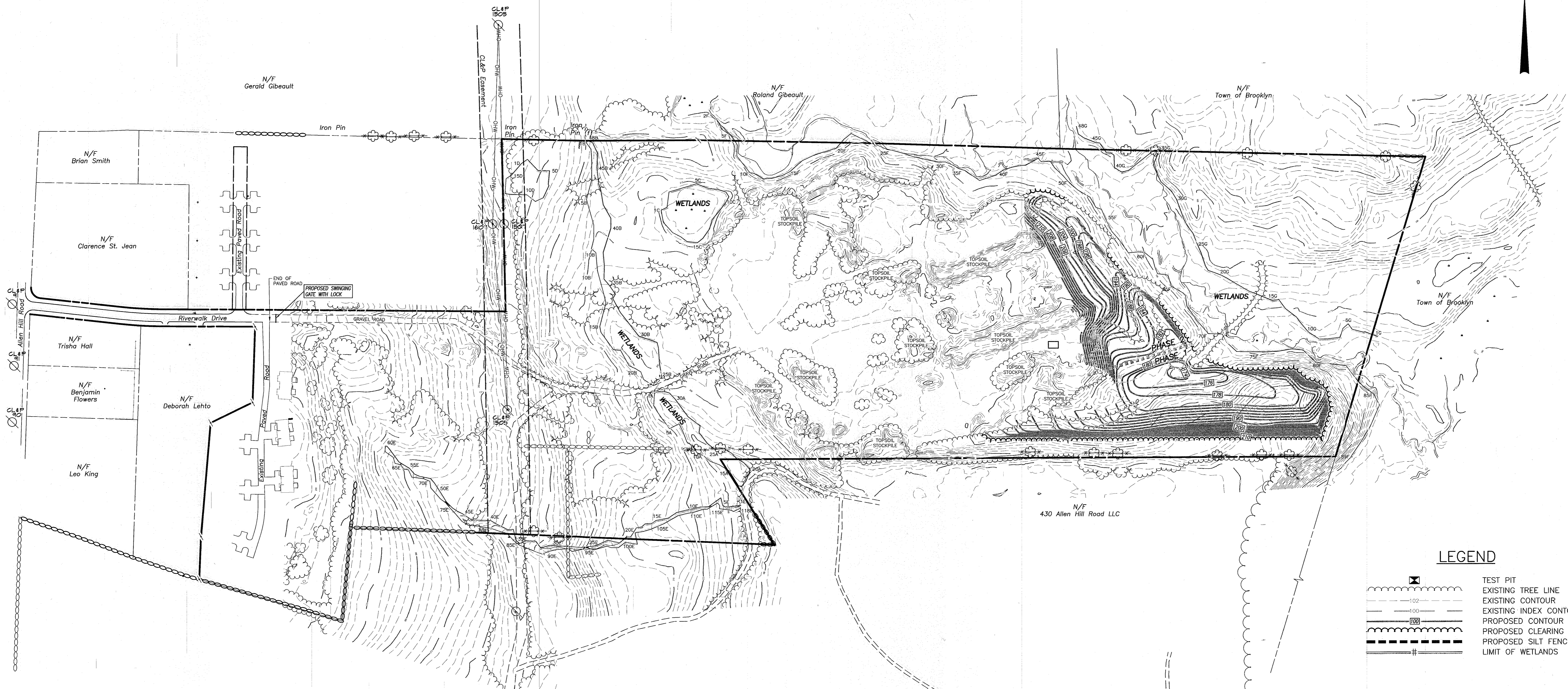
Existing Condition Plan

Prepared For:
Paul Lehto
 Allen Hill Road
 Brooklyn, Connecticut

DRAWING SCALE: 1"=125'



Sheet No.	2 OF 7	Project No.	1366	Date:	Revised: January 2017 May 8, 2018
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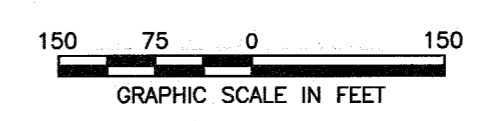


LEGEND

- TEST PIT
- EXISTING TREE LINE
- EXISTING CONTOUR
- EXISTING INDEX CONTOUR
- PROPOSED CONTOUR
- PROPOSED CLEARING LIMITS
- PROPOSED SILT FENCE
- LIMIT OF WETLANDS

- NOTES:**
- The total proposed area of excavation is 6.7 acres.
 - The estimated quantity of material to be exported from the site is 90,000 CY. The grading shown hereon is intended to show the material to be removed from the site. Final grades may vary from those shown hereon based on the material encountered and the use of any imported soil which may be used to create final grades.
 - The contractor/owner shall monitor excavation progress to ensure the suitability of the remaining material for final reuse/development of the site. Additional test pits may be required during excavation progress to ensure that suitable natural material is left in place to provide separation to groundwater and/or ledge.
 - Excavation shall be completed in accordance with all applicable MSHA rules, regulations and requirements.
 - Excavation shall begin at the northerly end of phase 1 utilizing a down cutting technique to ensure that the disturbed site area retains all runoff from the disturbed area (bowl effect). Perimeter silt fence and/or staked hay bales shall be installed as shown prior to grubbing and stripping topsoil.
 - Stumps shall not be buried. They shall be either chipped or removed from the site.
 - All topsoil and subsoil stripped from the excavation area shall be retained on site in the designated stockpile area for use in final site restoration. Topsoil and subsoil shall be stripped and stockpiled separately.

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OVERALL SITE PLAN
PREPARED FOR
PAUL R. LEHTO
PROPOSED GRAVEL EXCAVATION
EASTERLY OF ALLEN HILL ROAD
BROOKLYN, CONNECTICUT

REVISIONS	
DATE	DESCRIPTION
10/19/2020	ADD APPROVAL LETTERS

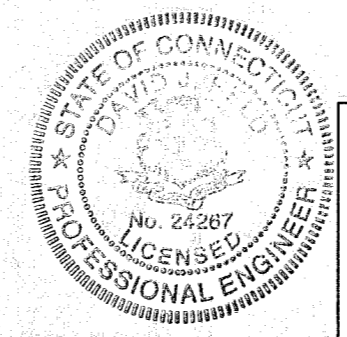
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SHEET: 3 OF 9	CHK BY: ---
DWG. No: HF 310	JOB No: 173055

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CHAIRMAN
11/23/20
DATE

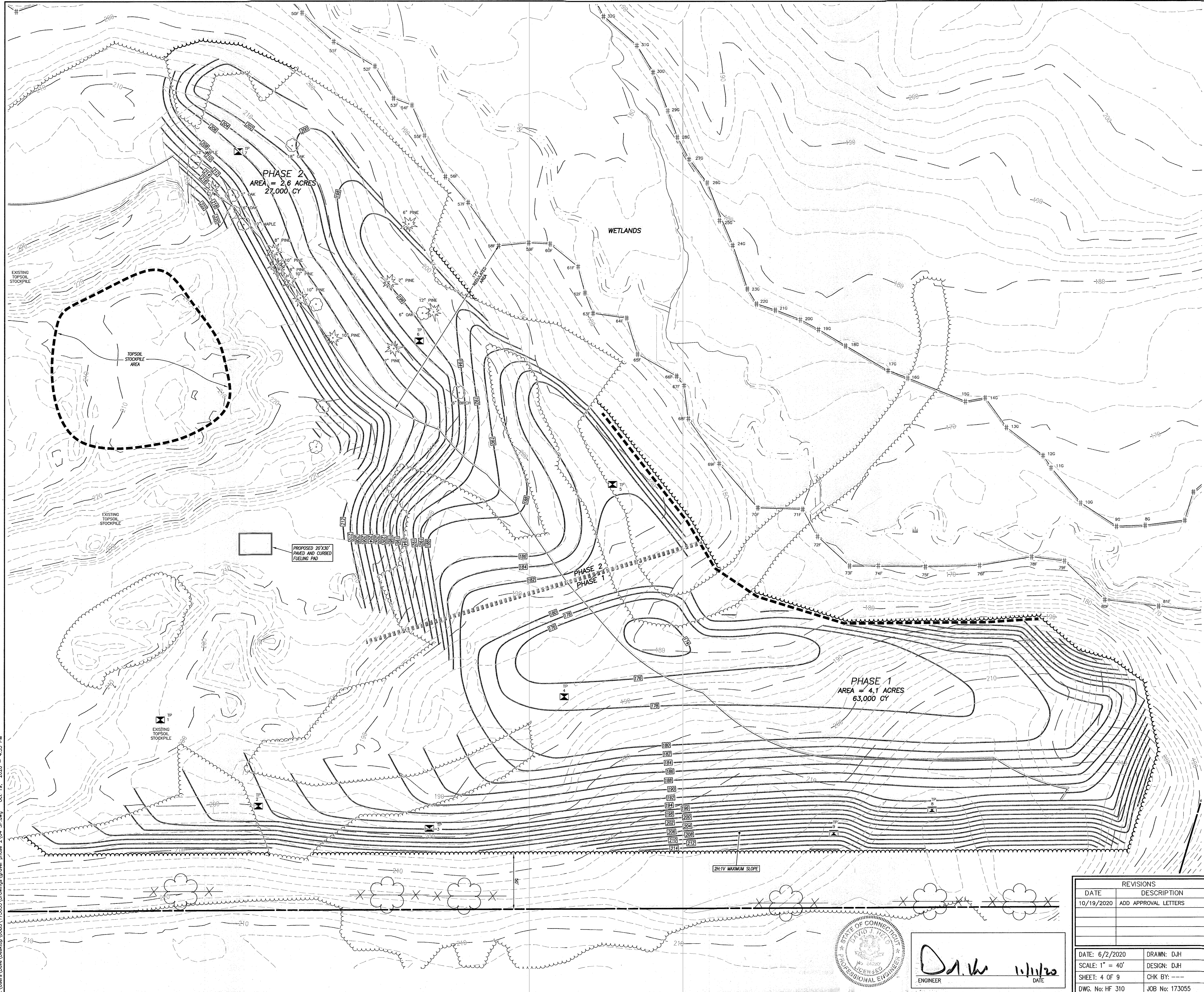
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11/24/20
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ENGINEER
11/11/20
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40 20 0 40
GRAPHIC SCALE IN FEET

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WETLANDS COMMISSION

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[Signature] 12/7/20
CHAIRMAN DATE

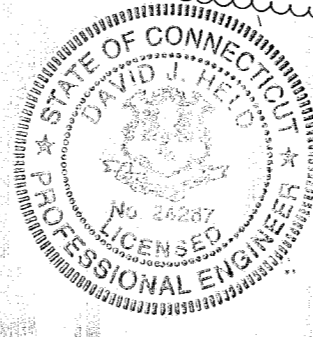
LEGEND

	TEST PIT
	EXISTING TREE LINE
	EXISTING CONTOUR
	EXISTING INDEX CONTOUR
	PROPOSED CONTOUR
	PROPOSED CLEARING LIMITS
	PROPOSED SILT FENCE
	LIMIT OF WETLANDS

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PROPOSED EXCAVATION PLAN
PREPARED FOR
PAUL R. LEHTO
PROPOSED GRAVEL EXCAVATION
EASTERLY OF ALLEN HILL ROAD
BROOKLYN, CONNECTICUT

REVISIONS	
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EROSION AND SEDIMENT CONTROL PLAN:

REFERENCE IS MADE TO:

1. Connecticut Guidelines for Soil Erosion and Sediment Control 2002 (2002 Guidelines).
2. Soil Survey of Connecticut, N.R.C.S.

SILT FENCE INSTALLATION AND MAINTENANCE:

1. Dig a 6" deep trench on the uphill side of the barrier location.
2. Position the posts on the downhill side of the barrier and drive the posts 1.5 feet into the ground.
3. Lay the bottom 6" of the fabric in the trench to prevent undermining and backfill.
4. Inspect and repair barrier after heavy rainfall.
5. Inspections will be made at least once per week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inch or greater to determine maintenance needs.
6. Sediment deposits are to be removed when they reach a height of 1 foot behind the barrier or half the height of the barrier and are to be deposited in an area which is not regulated by the inland wetlands commission.
7. Replace or repair the fence within 24 hours of observed failure. Failure of the fence has occurred when sediment fails to be retained by the fence because:
 - the fence has been overtopped, undercut or bypassed by runoff water,
 - the fence has been moved out of position (knocked over), or
 - the geotextile has decomposed or been damaged.

HAY BALE INSTALLATION AND MAINTENANCE:

1. Bales shall be placed as shown on the plans with the ends of the bales tightly abutting each other.
2. Each bale shall be securely anchored with at least 2 stakes and gaps between bales shall be wedged with straw to prevent water from passing between the bales.
3. Inspect bales at least once per week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inches or greater to determine maintenance needs.
4. Remove sediment behind the bales when it reaches half the height of the bale and deposit in an area which is not regulated by the Inland Wetlands Commission.
5. Replace or repair the barrier within 24 hours of observed failure. Failure of the barrier has occurred when sediment fails to be retained by the barrier because:
 - the barrier has been overtopped, undercut or bypassed by runoff water,
 - the barrier has been moved out of position, or
 - the hay bales have deteriorated or been damaged.

TEMPORARY VEGETATIVE COVER:

SEED SELECTION

Gross species shall be appropriate for the season and site conditions. Appropriate species are outlined in Figure TS-2 in the 2002 Guidelines.

TIMING CONSIDERATIONS

Seed with a temporary seed mixture within 7 days after the suspension of grading work in disturbed areas where the suspension of work is expected to be more than 30 days but less than 1 year.

SITE PREPARATION

Install needed erosion control measures such as diversions, grade stabilization structures, sediment basins and grassed waterways.

Grade according to plans and allow for the use of appropriate equipment for seedbed preparation, seeding, mulch application, and mulch anchoring.

SEEDBED PREPARATION

Loosen the soil to a depth of 3-4 inches with a slightly roughened surface. If the area has been recently loosened or disturbed, no further roughening is required. Soil preparation can be accomplished by tracking with a bulldozer, discing, harrowing, raking or dragging with a section of chain link fence. Avoid excessive compaction of the surface by equipment traveling back and forth over the surface. If the slope is tracked, the cleat marks shall be perpendicular to the anticipated direction of the flow of surface water.

If soil testing is not practical or feasible on small or variable sites, or where timing is critical, fertilizer may be applied at the rate of 300 pounds per acre or 7.5 pounds per 1,000 square feet of 10-10-10 or equivalent. Additionally, lime may be applied using rates given in Figure TS-1 in the 2002 Guidelines.

SEEDING

Apply seed uniformly by hand cyclone seeder, drill, cutpacker type seeder or hydroseeder at a minimum rate for the selected species. Increase seeding rates by 10% when hydroseeding.

MULCHING

Temporary seedings made during optimum seeding dates shall be mulched according to the recommendations in the 2002 Guidelines. When seeding outside of the recommended dates, increase the application of mulch to provide 95%-100% coverage.

MAINTENANCE

Inspect seeded area at least once a week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inch or greater for seed and mulch movement and rill erosion.

Where seed has moved or where soil erosion has occurred, determine the cause of the failure. Repair eroded areas and install additional controls if required to prevent recurrence of erosion.

Continue inspections until the grasses are firmly established. Grasses shall not be considered established until a ground cover is achieved which is mature enough to control soil erosion and to survive severe weather conditions (approximately 80% vegetative cover).

PERMANENT VEGETATIVE COVER:

Refer to Permanent Seeding Measure in the 2002 Guidelines for specific applications and details related to the installation and maintenance of a permanent vegetative cover. In general, the following sequence of operations shall apply:

1. Topsoil will be replaced once the excavation and grading has been completed. Topsoil will be spread at a minimum compacted depth of 4".
2. Once the topsoil has been spread, all stones 2" or larger in any dimension will be removed as well as debris.
3. Apply agricultural ground limestone at a rate of 2 tons per acre or 100 lbs. per 1000 s.f. Apply 10-10-10 fertilizer or equivalent at a rate of 300 lbs. per acre or 7.5 lbs. per 1000 s.f. Work lime and fertilizer into the soil to a depth of 4".
4. Inspect seedbed before seeding. If traffic has compacted the soil, retil compacted areas.
5. Apply the chosen grass seed mix. The recommended seeding dates are: April 1 to June 15 & August 15 - October 1.
6. Following seeding, firm seedbed with a roller. Mulch immediately following seeding. If a permanent vegetative stand cannot be established by September 30, apply a temporary cover on the topsoil such as netting, mat or organic mulch.

EROSION AND SEDIMENT CONTROL NARRATIVE:

PRINCIPLES OF EROSION AND SEDIMENT CONTROL

The primary function of erosion and sediment controls is to absorb erosional energies and reduce runoff velocities that force the detachment and transport of soil and/or encourage the deposition of eroded soil particles before they reach any sensitive area.

KEEP LAND DISTURBANCE TO A MINIMUM

The more land that is in vegetative cover, the more surface water will infiltrate into the soil, thus minimizing stormwater runoff and potential erosion. Keeping land disturbance to a minimum not only involves minimizing the extent of exposure at any one time, but also the duration of exposure. Phasing, sequencing and construction scheduling are interrelated. Phasing divides a large project into distinct sections where construction work over a specific area occurs over distinct periods of time and each phase is not dependent upon a subsequent phase in order to be functional. A sequence is the order in which construction activities are to occur during any particular phase. A sequence should be developed on the premise of "first things first" and "last things last" with proper attention given to the inclusion of adequate erosion and sediment control measures. A construction schedule is a sequence with time lines applied to it and should address the potential overlap of actions in a sequence which may be in conflict with each other.

- Limit areas of clearing and grading. Protect natural vegetation from construction equipment with fencing, tree armoring, and retaining walls or tree wells.
- Route traffic patterns within the site to avoid existing or newly planted vegetation.
- Phase construction so that areas which are actively being developed at any one time are minimized and only that area under construction is exposed. Clear only those areas essential for construction.
- Sequence the construction of storm drainage systems so that they are operational as soon as possible during construction. Ensure all outlets are stable before outletting storm drainage flow into them.
- Schedule construction so that final grading and stabilization is completed as soon as possible.

SLOW THE FLOW

- Detachment and transport of eroded soil must be kept to a minimum by absorbing and reducing the erosive energy of water. The erosive energy of water increases as the volume and velocity of runoff increases. The volume and velocity of runoff increases during development as a result of reduced infiltration rates caused by the removal of existing vegetation, removal of topsoil, compaction of soil and the construction of impervious surfaces.
- Use diversions, stone dikes, silt fences and similar measures to break flow lines and dissipate storm water energy.
- Avoid diverting one drainage system into another without calculating the potential for downstream flooding or erosion.

KEEP CLEAN RUNOFF SEPARATED

Clean runoff should be kept separated from sediment laden water and should not be directed over disturbed areas without additional controls. Additionally, prevent the mixing of clean off-site generated runoff with sediment laden runoff generated on-site until after adequate filtration of on-site waters has occurred.

- Segregate construction waters from clean water.
- Divert site runoff to keep it isolated from wetlands, watercourses and drainage ways that flow through or near the development until the sediment in that runoff is trapped or detained.

REDUCE ON SITE POTENTIAL INTERNALLY AND INSTALL PERIMETER CONTROLS

While it may seem less complicated to collect all waters to one point of discharge for treatment and just install a perimeter control, it can be more effective to apply internal controls to many small sub-drainage basins within the site. By reducing sediment loading from within the site, the chance of perimeter control failure and the potential off-site damage that it can cause is reduced. It is generally more expensive to correct off-site damage than it is to install proper internal controls.

- Control erosion and sedimentation in the smallest drainage area possible. It is easier to control erosion than to contend with sediment after it has been carried downstream and deposited in unwanted areas.
- Direct runoff from small disturbed areas to adjoining undisturbed vegetated areas to reduce the potential for concentrated flows and increase settlement and filtering of sediments.
- Concentrated runoff from development should be safely conveyed to stable outlets using rip rapped channels, waterways, diversions, storm drains or similar measures.
- Determine the need for sediment basins. Sediment basins are required on larger developments where major grading is planned and where it is impossible or impractical to control erosion at the source. Sediment basins are needed on large and small sites when sensitive areas such as wetlands, watercourses, and streets would be impacted by off-site sediment deposition. Do not locate sediment basins in wetlands or permanent or intermittent watercourses. Sediment basins should be located to intercept runoff prior to its entry into the wetland or watercourse.
- Grade and landscape around buildings and septic systems to divert water away from them.

EXCAVATION NOTES:

1. No blasting is anticipated for completion of the work shown. If blasting is required, the owner is responsible for obtaining all necessary permits.
2. There are no anticipated sales of excavated materials to the public from the subject site.
3. Bulk storage of fuel and lubricants for excavation equipment is not allowed on site. All fueling and lubrication of equipment shall be completed on the fueling pad. Fuel trucks shall be equipped with a spill kit and any spills shall be cleaned immediately. No equipment service work which is likely to result in the release of fuel or lubricants shall take place on site.
4. The emergency contact for operations at this site is Paul Lehto (860) 208-9789.
5. The allowable hours of operation for excavation shall be 7:00 AM to 6:00 PM, Monday through Friday and 7:00 AM to 12:00 noon on Saturday. No operations shall be allowed on Sundays, Christmas, New Years Day, Memorial Day, Fourth of July, Labor Day and Thanksgiving except by special permission of the Brooklyn Planning & Zoning Commission.
6. The owner and/or site operator shall provide adequate dust control to prevent any off-site nuisance. The preferred dust control measure is the application of water to vehicular travel areas. The application of calcium chloride may also be used.
7. The owner/operator shall install any necessary barricades or barriers to provide protection around the perimeter of open excavation faces and steep slopes.
8. Excavation operations shall be completed in accordance with all appropriate Mine Safety & Health Administration (MSHA) rules and regulations.
9. There is to be no on-site processing of excavated materials.
10. The estimated total number of truck trip ends entering or exiting the site is 11,200 during the excavation duration. The estimated daily average number of truck trip ends entering or exiting the site is 60 during the excavation duration. The estimated maximum number of daily truck trip ends entering or exiting the site is 80.
11. The site operator is responsible for determining the most appropriate means and methods for excavating material. In general, excavation shall begin with stripping and stockpiling of topsoil and subsoil which will be utilized for site restoration. Topsoil (A horizon) and subsoil (B horizon) shall be stockpiled separately. Removal of material should be accomplished with a downcutting technique to ensure complete internal drainage at all times.
12. All trucks leaving the site shall have the loads covered.
13. Prior to the start of excavation work, two elevation bench marks shall be installed on the perimeter of the work area for monitoring purposes. Benchmarks shall be maintained or replaced as necessary as the work progresses.
14. It is anticipated that all excavation work will be completed with the use of one (1) wheel loader (Cat 980 or equivalent), one (1) 50 ton excavator (Cat 349 or equivalent), and traxle dump trucks (16x C7 capacity). Additional equipment may be utilized for final site restoration.

RESTORATION NOTES:

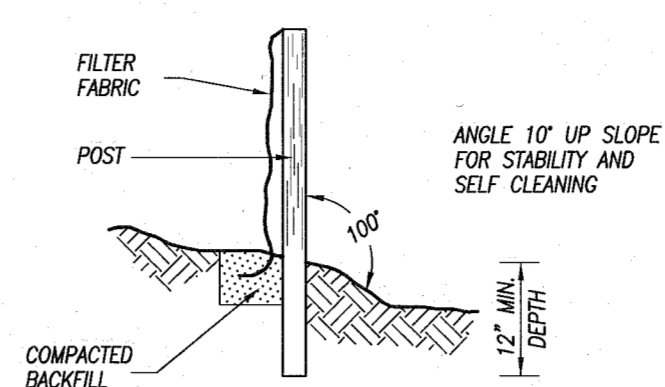
The restoration requirements described below will be applicable to the 6.7 acre permitted area.

1. Restoration of disturbed areas shall take place following the completion of excavation in the respective phase. The respective phase shall have subsoil and topsoil spread and be seeded and mulched no later than the end of the growing season for the calendar year following completion of excavation operations. Mulching and seeding shall be completed in accordance with the recommendations of the New York State Revegetation Procedures Manual for Surface Mining Reclamation. Sufficient restoration bonding should be maintained as required by the Town to cover the restoration cost for the permitted excavation area. The sediment/infiltration basin in the lowest part of the site shall not be restored with topsoil and vegetation until the completion of excavation in phase 2.
2. Final restoration shall begin with establishing the required subgrade elevations. Proposed grades shown are approximate and may be adjusted to match field conditions at the time of restoration. In general, all disturbed slopes shall be graded to a 30% maximum gradient.

3. Prepare the restoration area by spreading subsoil (B horizon) material to a uniform depth.
4. Complete restoration by spreading on-site stockpiled topsoil (A horizon) to an approximate minimum thickness of 6" and seeding for a permanent vegetative cover. On-site topsoil stockpiles may be supplemented with composted organic matter, wood chips and imported topsoil as necessary to provide a suitable planting medium.
5. Spread seed for a permanent vegetative cover over the prepared restoration area. The permanent vegetative cover may be a suitable wildlife habitat mix or the following mixture which is suitable for use in all locations:

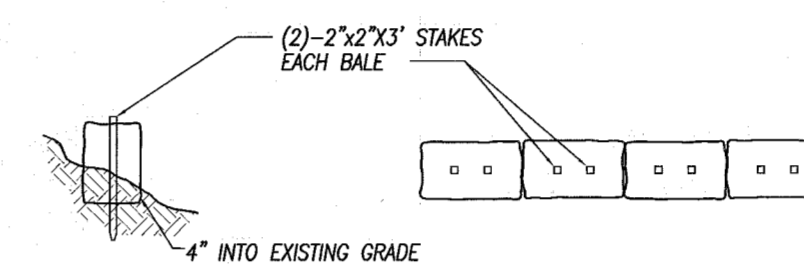
Variety	Lbs./Acre
Switchgrass (Blackwell, Shelter, Cave-in-rock)	4.0
Big Bluestem (Niagra, Kaw)	4.0
Little Bluestem (Blaze, Aldous, Camper)	2.0
Sand Lovegrass (NE-27, Bend)	1.5
Bird's-foot Trefoil (Empire, Viking)	2.0
TOTAL	13.5

6. Hay or straw mulch shall be utilized on slopes to provide temporary stabilization during establishment of permanent vegetative cover. In general, no slopes greater than 2H:1V will be allowable.
7. Fertilizer and lime shall be provided as required to establish a permanent vegetative cover based on laboratory soil testing results.
8. Restoration cover vegetation shall be maintained by the permit holder or applicant for a minimum of 24 months prior to the release of any restoration bonding.
9. In lieu of the manual application of mulch and fertilizer, the restoration area may be planted with hydroseeding methods with a suitable tackifier, mulch and fertilizer mix.



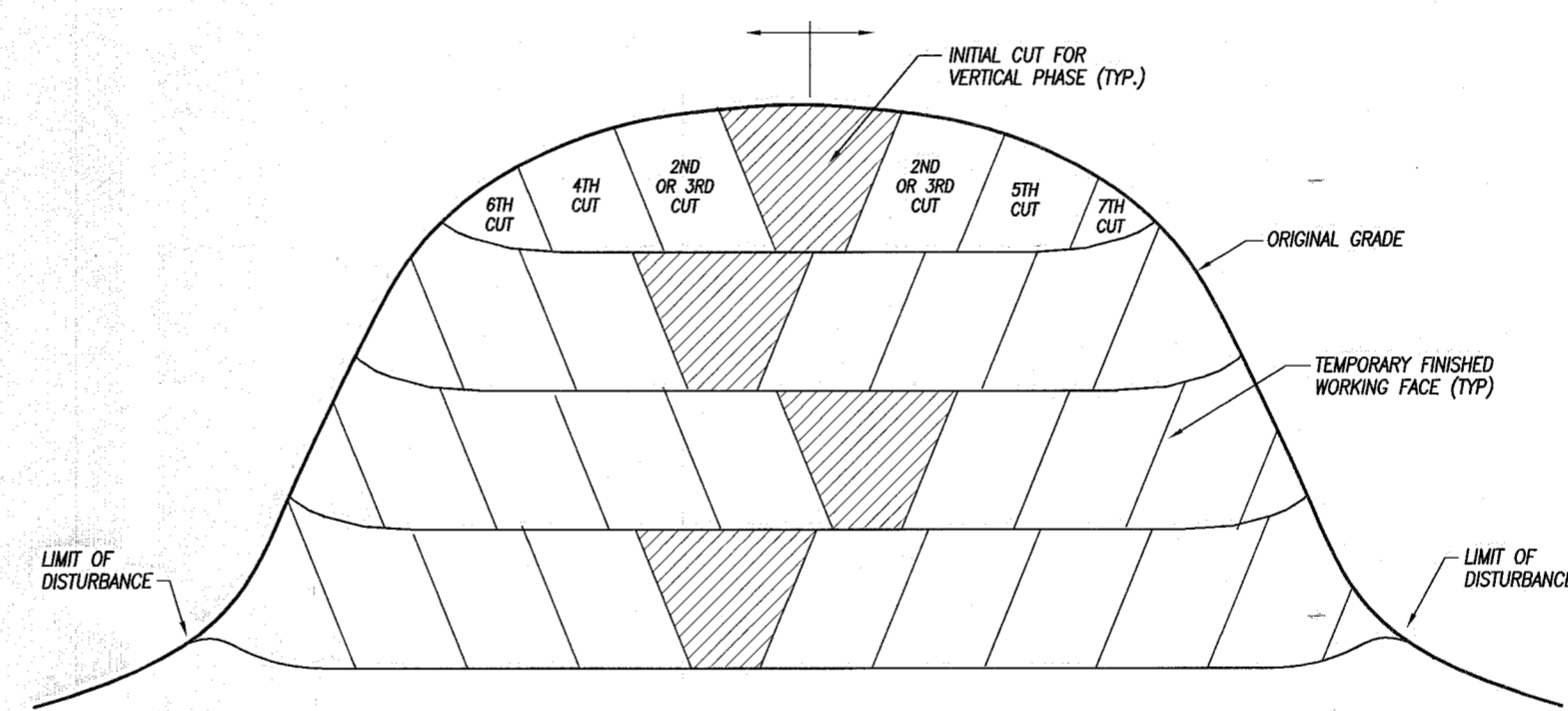
SILT FENCE

NOT TO SCALE



HAYBALE BARRIER

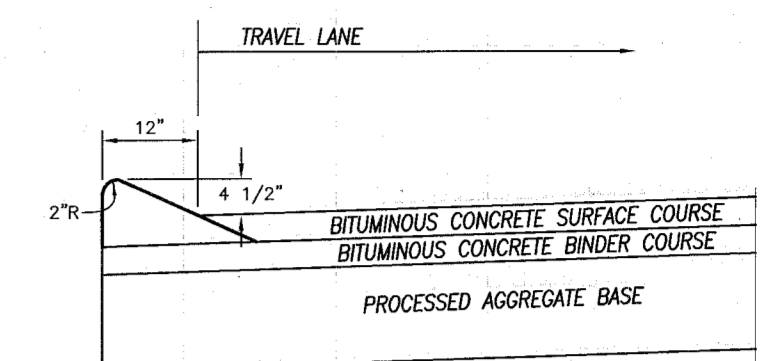
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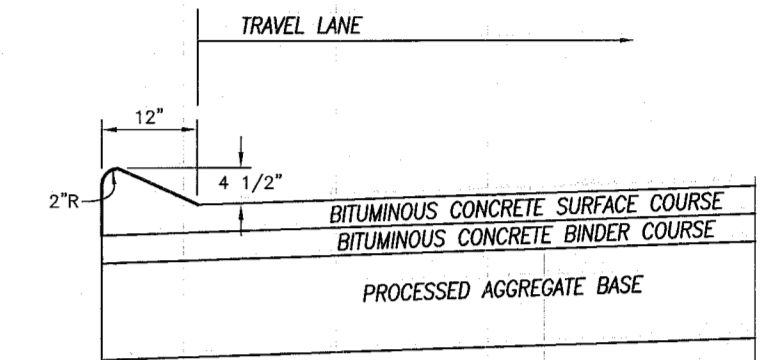
DETAIL SHOWING "DOWNCUTTING" EXCAVATION METHOD

NOT TO SCALE

EXCAVATION PROGRESSES IN BOTH DIRECTIONS FOR ENTIRE LENGTH OF EACH VERTICAL SUBPHASE, STARTING AT BOTTOM OF INITIAL CUT, THEN AN INITIAL CUT IS MADE FOR THE SUBSEQUENT LOWER VERTICAL SUBPHASE AND THE PROCESS CONTINUES.



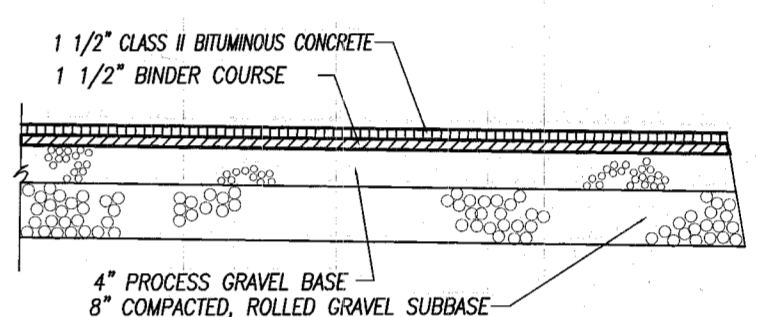
ALTERNATE 1 - CURB ON BINDER



ALTERNATE 2 - MONOLITHIC CONSTRUCTION

CAPE COD CURBING

NOT TO SCALE



BITUMINOUS CONCRETE PAVEMENT

NOT TO SCALE

APPROVED BY THE BROOKLYN INLAND WETLANDS COMMISSION

Signature of Chairman, dated 1/23/2020

APPROVED BY THE BROOKLYN PLANNING & ZONING COMMISSION

Signature of Chairman, dated 1/24/20

DETAIL SHEET

PREPARED FOR

PAUL R. LEHTO

PROPOSED GRAVEL EXCAVATION

EASTERLY OF ALLEN HILL ROAD
BROOKLYN, CONNECTICUT

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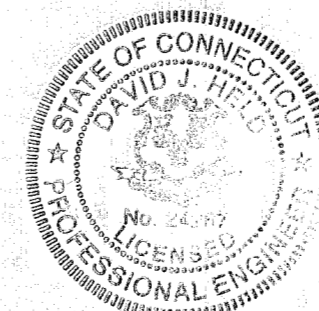
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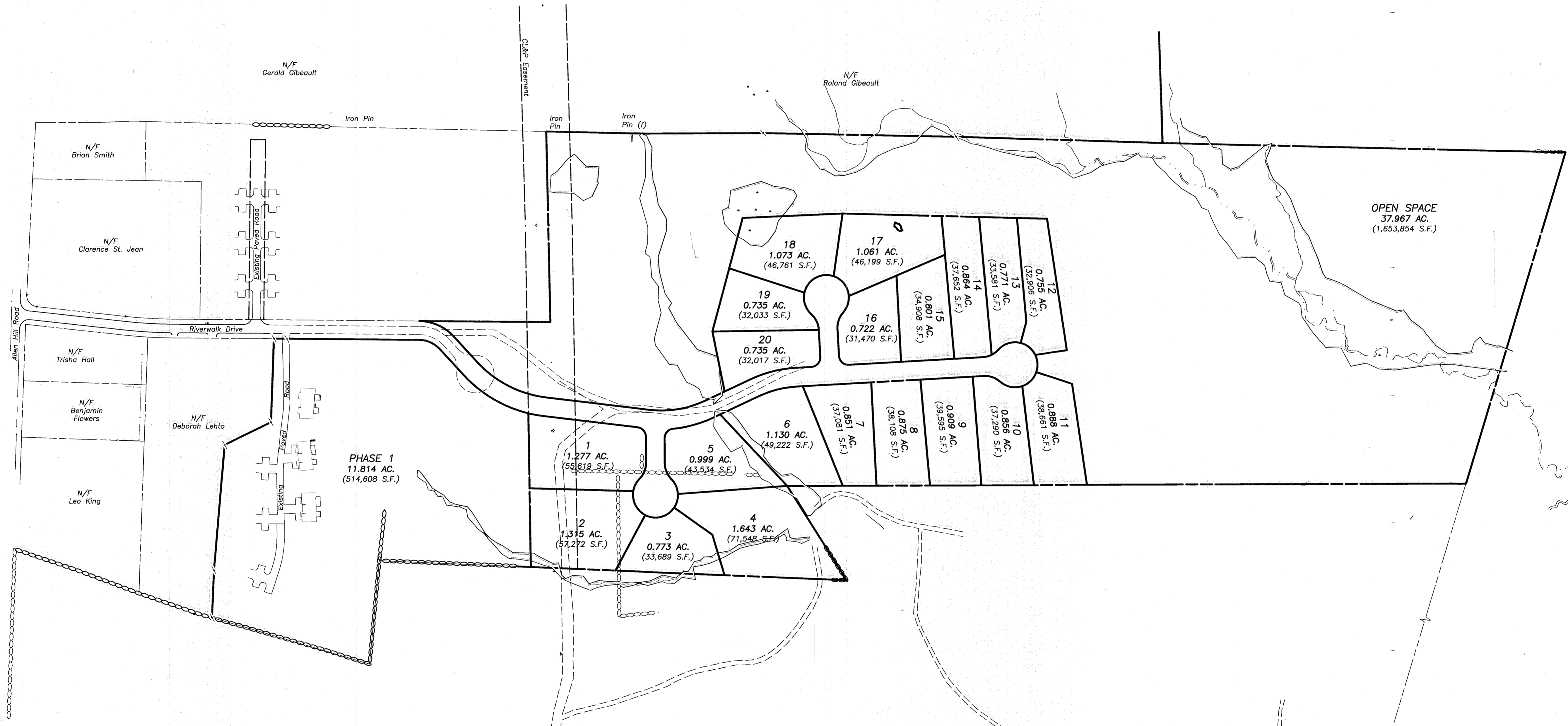
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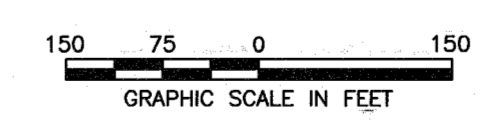


Signature of Engineer, dated 6/2/2020



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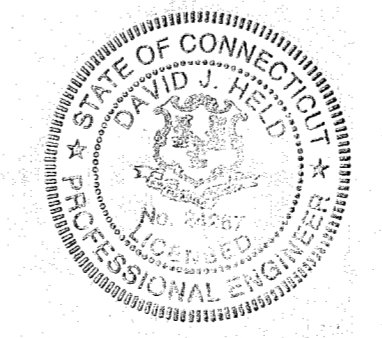
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PREPARED BY:
PROVOST & ROVERO, INC.



SITE REUSE PLAN
CONCEPTUAL CONSERVATION SUBDIVISION
PREPARED FOR
PAUL R. LEHTO
PROPOSED GRAVEL EXCAVATION
EASTERLY OF ALLEN HILL ROAD
BROOKLYN, CONNECTICUT

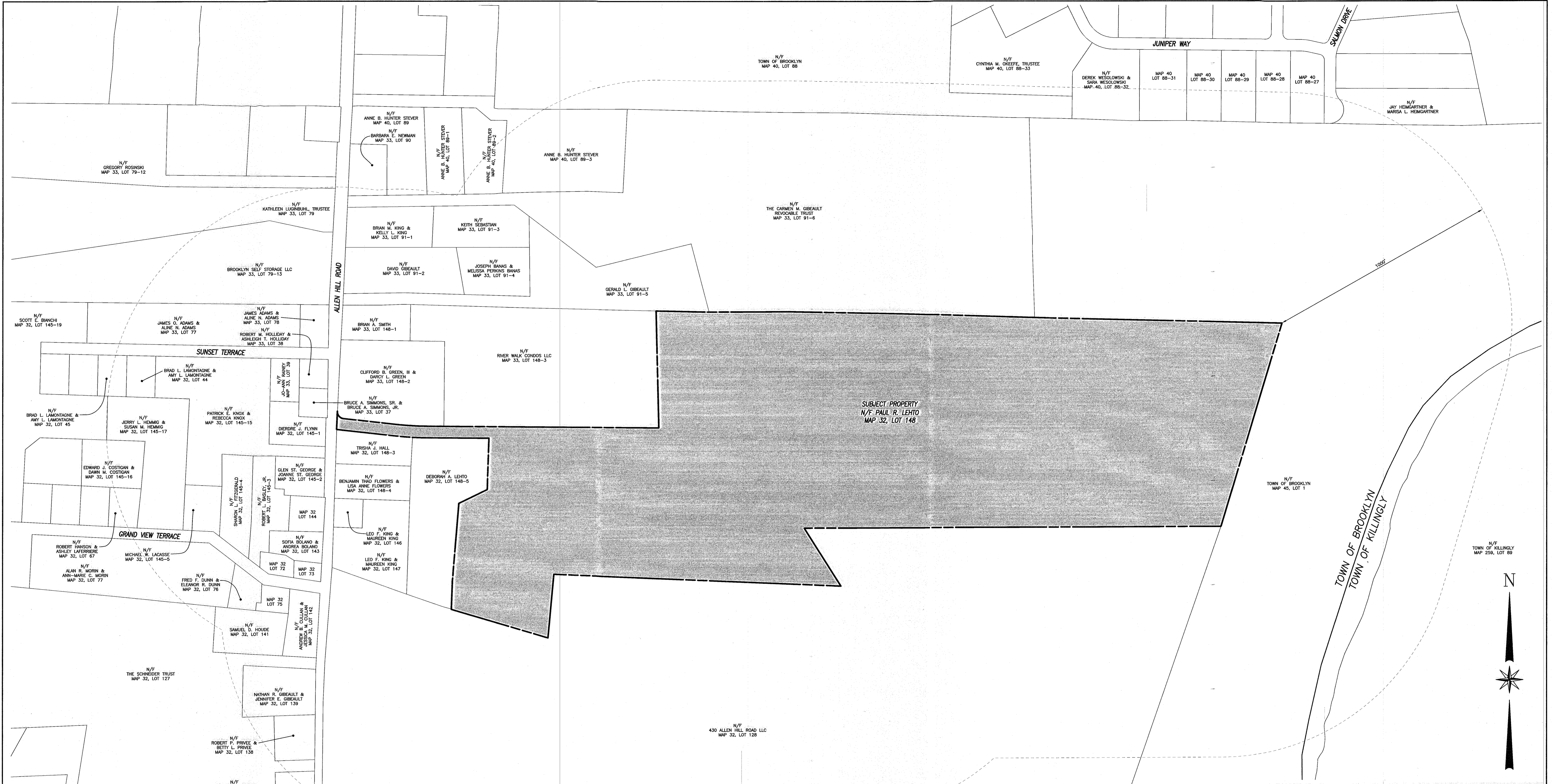
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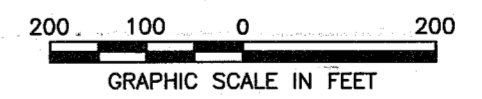
D. Lehto *White*
ENGINEER DATE

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PROPERTY OWNERS	
MAP 32, LOT 72	ROBERT L. BASLEY & DOREEN L. BASLEY
MAP 32, LOT 73	KELLEY FITZGIBBONS
MAP 32, LOT 75	FRED F. DUNN & ELEANOR R. DUNN
MAP 32, LOT 144	MATTHEW FRECHETTE & PAMELA L. FRECHETTE
MAP 40, LOT 88-27	CHRISTOPHER S. CHANDLER & ERN V. CHANDLER
MAP 40, LOT 88-28	JASON REGINE & ROBIN M. REGINE
MAP 40, LOT 88-29	FELIX P. RAMOS, JR. & KRISTI RAMOS
MAP 40, LOT 88-30	JESSICA A. SOLIS
MAP 40, LOT 88-31	DAVID W. VANNEDONWUJZE

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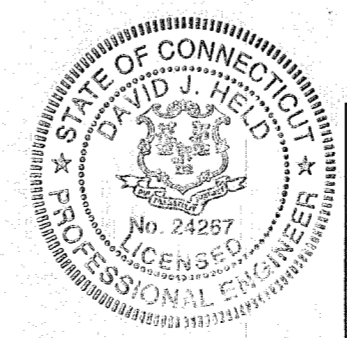


SITE RADIUS PLAN
 PREPARED FOR
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PROPOSED GRAVEL EXCAVATION
 EASTERLY OF ALLEN HILL ROAD
 BROOKLYN, CONNECTICUT

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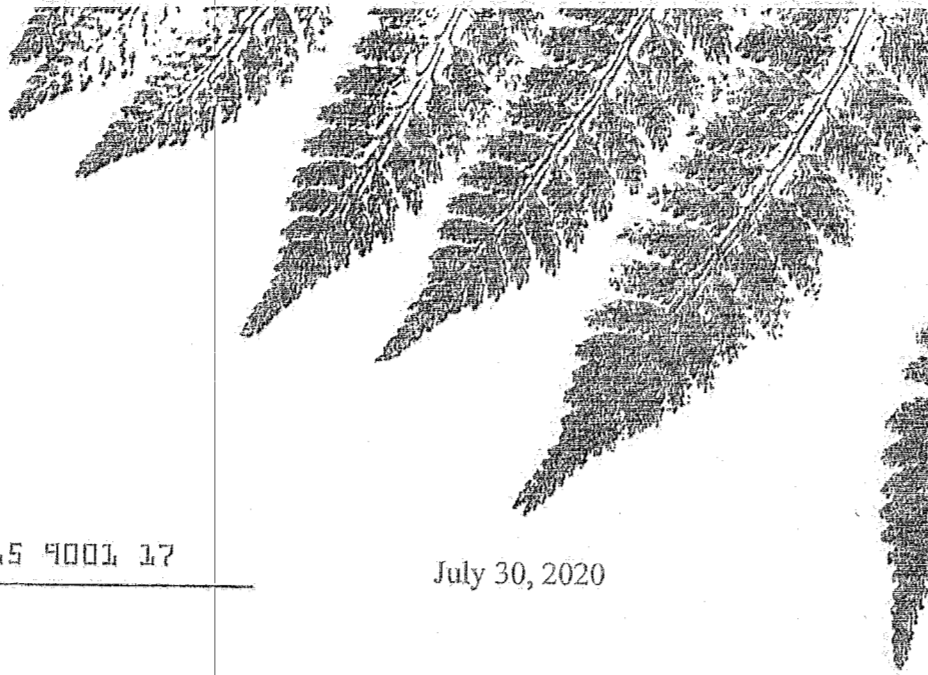
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D.J.H. *W.H.R.*
 ENGINEER DATE

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Brooklyn Inland Wetlands
Commission
P.O. Box 356
Brooklyn, Connecticut 06234



CERTIFIED#

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July 30, 2020

Paul R. Lehto
40 Almada Drive
Brooklyn, CT 06234

RE: Notice of Decision – 060920A Paul R. Lehto, Allen Hill Road, Map 32, Lot 148, RA Zone;
Excavation of sand and gravel.

Dear Mr. Lehto:

At the special meeting on July 28, 2020 of the Inland Wetlands and Watercourses Commission your application 060920A Paul R. Lehto, Allen Hill Road, Map 32, Lot 148, RA Zone; Excavation of sand and gravel was approved with standard conditions.

A copy of the notice of action appears on the Town of Brooklyn's Website and was posted July 29, 2020. Please note that this action of the Brooklyn Inland Wetlands and Watercourses Commission may be appealed for fifteen-day period following the publication.

If you have any questions, please call Margaret Washburn, Wetlands Agent at 860-779-3411 Extension 31.

Signed,

Margaret Washburn

Margaret Washburn
Wetlands Agent

MW/acl
CC: File, D. Held, Provost & Rovero
Enc: Standard Conditions

BROOKLYN INLAND WETLANDS AND WATERCOURSES COMMISSION
STANDARD CONDITIONS FOR IWWC PERMITS 12/13/16

APPLICANT: READ CAREFULLY

IWWC Permit Document. A copy of the IWWC approval motion and the conditions stated herein shall constitute the IWWC permit for the approved activity when the permit document is signed and dated by the IWWC Agent.

Notice of Start and Finish. Permittee shall notify the IWWC agent at least 48 hours before the approved activity commences and within 72 hours after completion of the activity.

Permit Duration. This permit is valid for a period in accordance with Section 11.6 of the Brooklyn Inland Wetlands and Watercourses Regulations and the Connecticut General Statutes. Any request to renew or extend the expiration date of a permit can be granted only as authorized by the IWWC Regulations. Expired permits may not be renewed.

Erosion and Sedimentation Controls. Permittee is responsible for implementing the approved erosion and sediment control plan. This responsibility includes the installation and maintenance of control measures, informing all parties engaged on the construction site of the requirements and objectives of the plan. The permittee shall inspect the erosion controls weekly and after rains and repair deficiencies within twenty-four hours. The IWWC and its staff may require additional erosion if needed to prevent erosion and sedimentation. Restabilization of the site shall take place as soon as possible.

Stockpile locations. During construction, piles of fill, erodible material and debris shall not be created within regulated areas. The locations of debris and other stockpiled materials shall be shown on the submitted plans. Any material excavated at the site shall be disposed of at upland or off-site locations reviewed and approved by staff.

Permit Transfer. The permittee shall not transfer this permit without the written permission of the IWWC.

Work in Watercourse to Occur During Low Flow. Work within a watercourse is limited to periods of low flow. Low flow periods normally occur between August and October. Upon request of permittee, wetlands staff can determine if the activity can occur at other times following an on-site field investigation.

Scope of Permit. This permit is for the approved activity ONLY. Additional activity may require an additional permit. Note that if an approval or permit is granted by another agency and

- (1) the approved activity will affect wetlands and/or watercourses; and/or
 - (2) the activity occurs within 125 feet of flagged boundaries and 175 feet from watercourses;
- and such activities have not been addressed by this permit, then the applicant shall resubmit the application for further consideration by the Inland Wetlands and Watercourses Commission before any work begins.

Ongoing Compliance with Permit. The permittee shall comply at all times with the permit.

Other Approvals May be Required. Other permits may be required from Town, state or federal agencies. An Army Corps of Engineers permit may be required: U.S. Army Corps of Engineers, 424 Trapelo Rd., Waltham, MA 02254 1-800-362-4367.

APPROVED BY THE BROOKLYN INLAND
WETLANDS COMMISSION

M. J. Cook 11/23/2020
CHAIRMAN DATE

APPROVED BY THE BROOKLYN PLANNING
& ZONING COMMISSION

M. J. Cook 11/24/20
CHAIRMAN DATE

THIS MAP PRODUCED BY
ORIGINAL INK ON MYLAR

PREPARED BY:
PROVOST & ROVERO, INC.

INLAND WETLANDS APPROVAL LETTER

PREPARED FOR

PAUL R. LEHTO

PROPOSED GRAVEL EXCAVATION

EASTERLY OF ALLEN HILL ROAD
BROOKLYN, CONNECTICUT

REVISIONS	
DATE	DESCRIPTION
10/19/2020	ADD APPROVAL LETTERS

Provost & Rovero, Inc.

Civil Engineering • Surveying • Site Planning
Structural • Mechanical • Architectural Engineering

57 East Main Street, P.O. Box 191
Plainfield, Connecticut 06374
(860) 230-0856 - FAX: (860) 230-0860
info@prorovinc.com
www.prorovinc.com

RECEIVED

MAR 30 2021

PLANNING AND ZONING COMMISSION
TOWN OF BROOKLYN
CONNECTICUT

GBR21-001

Received Date _____

Application # SP
Check # 6863

GRAVEL BANK
APPLICATION FOR SPECIAL PERMIT - Renewal

Name of Applicant HM & E Co., LLC Phone 860-377-4283

Mailing Address 353 BUNGAY HILL ROAD WOODSTOCK, CT Phone _____
06281

Name of Engineer/Surveyor KILLINGLY ENGINEERING ASSOCIATES

Address PO BOX 421 KILLINGLY CT 06241

Contact Person NORMAN TRIBERULT, JR. Phone 779-7299 Fax _____
(860)

Name of Attorney N/A

Address _____

Phone _____ Fax _____

Property location/address 291 CANTERBURY ROAD

Map# 23 Lot# 1 Zone RA Total Acres 119.8

Sewage Disposal: Private Public _____ Existing Proposed _____

Water: Private Public _____ Existing Proposed _____

Proposed Activity EXCAVATION OF ROCK FROM AN EXISTING ON-SITE QUARRY
EXCAVATION OF APPROXIMATELY 70,000 CY OF ROCK - 3 PHASES

Compliance with Article 4, Site Plan Requirements

Is parcel located within 500 feet of an adjoining Town? NO

The following shall accompany the application when required:

Fee \$ _____ State Fee (\$60.00) 3 copies of plans Sanitary Report N/A

4.5.5 Application/ Report of Decision from the Inland Wetlands Commission

4.5.5 Applications filed with other Agencies

12.1 Erosion and Sediment Control Plans

The owner and applicant hereby grant the Brooklyn Planning and Zoning Commission, the Board of Selectman, Authorized Agents of the Planning and Zoning Commission or Board of Selectman, permission to enter the property to which the application is requested for the purpose of inspection and enforcement of the Zoning regulations and the Subdivision regulations of the Town of Brooklyn

Applicant: J. Douglas Hart Date 03-29-2021

Owner: Elaine C. Arturo Date 3-29-2021

*Note: All consulting fees shall be paid by the applicant

Killingly Engineering Associates

Civil Engineering & Surveying



P.O. Box 421 Killingly, CT 06241
Phone: 860-779-7299
www.killinglengineering.com

March 11, 2021

Proposed Mining Operation

HM&E Co., LLC
291 Canterbury Road
Brooklyn, CT

APPLICATION PACKAGE CONTENTS – Special Permit – Gravel Mining

Application fee:

\$250.00 (Application fee)
\$300.00 (Excavation volume fee)
\$300.00 (Public Hearing/notification fee)
\$ 60.00 (State fee)

\$910.00 Total Fee

1. 5- full sized sets of plans– Dated: 3/10/2021
2. Special Permit Application
3. Copy of IWWC Approval
4. List of adjacent land owners including across the street
5. Project Narrative
6. Owner's letter of consent
7. NECCOG Mapping

Brooklyn Inland Wetlands
Commission

P.O. Box 356
Brooklyn, Connecticut 06234

RECEIVED
MAR 30 2021

March 21, 2019

Elaine C. Arters
291 Canterbury Road
Brooklyn, CT 06234

RE: Notice of Decision – 010819A HM&E Co. LLC/Douglas Hartin/Applicant, Elaine C. Arters/Owner; 291 Canterbury Road, Map 23, Lot 1, rock quarry operation.

Dear Mrs. Arters:

At the recent March 12, 2019 Inland Wetlands and Watercourses Commission meeting your application 010819A HM&E Co. LLC/Douglas Hartin/Applicant, Elaine C. Arters/Owner; 291 Canterbury Road, Map 23, Lot 1, rock quarry operation was approved with the following conditions:

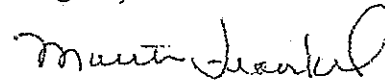
1. Application form shall be revised to incorporate application modifications.
2. Note on Page 4 shall be modified to omit “cutsheet” to read: “The permittee shall provide invoices for the seed to be used on site to the Brooklyn Wetlands Enforcement Officer/Zoning Enforcement Officer for approval prior to seeding” so as to document compliance.
3. Plan shall be modified to show silt sock placed down-gradient of the stone berm.
4. Standard IWWC conditions apply.
5. Site subject to right of inspection by Inland Wetlands and Watercourse Commission Staff upon 48 hours by telephone or e-mail. Failure of owner or its agent to respond to request within 48 hours will result in implied permission to inspect.
6. IWWC permit duration will concur with PZC permit duration.
7. The applicant shall provide an as-built of the new pipe to confirm compliance.

**Your permit consists of this letter and the Commission’s Standard Conditions (enclosed).
PLEASE READ CAREFULLY.**

A legal notice of this approval was published in the Villager Newspaper Friday, March 22, 2019. Please note that this action of the Brooklyn Inland Wetlands and Watercourses Commission may be appealed for fifteen (15) day period following the publication of the legal notice.

If you have any questions, please contact Martha Fraenkel at 860-779-3411 Extension 31.

Signed,



Martha Fraenkel
Wetlands Agent

MF/acl
CC: File, Killingly Engineering
Enc: Standard Conditions



**Proposed Rock Mining Operation
291 Canterbury Road
Project Narrative**

13.3.1

1. HM&E Company, LLC has submitted an application under Article 13 of the Town of Brooklyn Zoning Regulations (“the regulations”) to quarry and process rock from an operation that has been in operation for nearly 20 years. The rock was originally mined by the property owner and operations have since been conducted by the applicant. The area of operation is slightly over 3 acres of a 119.8-acre parcel and consists of veins of marketable stone that vary from browns and grays in color to a dark blue. At the current rate of rock removal from the site, the operation could continue for over 15-20 years. The current proposal is nearly identical to that previously approved by the Commission; the operation has not changed.
2. The project is shown to be conducted in three phases. The plans show existing grades at 2’ intervals and for clarity, the proposed rock faces are shown in 10’ intervals which will be cut at 1H:6V.
3. The excavation is shown to be conducted in a tiered fashion with ledge face heights of approximately 20’. Final grades will result in approximately 110’ elevation change from the bottom of the uppermost face to the access drive. The slopes on the lowest plateau adjacent to the access drive will be approximately 5%. Although no test pits have been excavated on site, it is generally assumed that the water table follows the elevation of Blackwell Brook which is approximately 26’ lower than the lowest proposed final grade.
4. Typical removal volume of rock from the site is approximately 1,500 cubic yards. A typical drill and blast event results in only approximately 6’ in off of the rock face and produces approximately 500-700 cubic yards of material per blast.
5. All traffic from the site enters and exits from an existing driveway onto Route 169. From there traffic follows Route 169 north to Route 6 or south to Route 14.
6. Truck traffic transporting rock from the site is limited to 60-80 trucks annually, 2 trucks per week at the most.
7. Although the operation does not have a defined fueling area, equipment is generally fueled on a flat area on site that can be accessed by a fueling truck. Equipment is limited to an excavator and skid steer which are not serviced on site.
8. The applicant proposes to occasionally crush rock/shard that is too small to market for stone work purposes. Allowance of crushing will provide the opportunity to generate a product that could be used to maintain the existing access road, utilized for clean fill, or blended to create useful engineered fill. Crushing would take place where operations are being conducted at any given time, depending on where the current rock face is being mined by means of a portable crusher.
9. Materials are typically not extensively stockpiled; rock from any blast sequence is split by hand and sorted in place into small stockpiles that can be either hand loaded into a skid steer bucket or placed on pallets. These materials are then placed along the east side of the access drive for pickup.
10. Due to the ledge rock nature of the site, we do not believe it is an area of archeological concern.
11. The lowest level of the site adjacent to the existing access drive will ultimately be topped with subsoil and loam and seeded. As with any quarry operation, the final grading of the site will result in exposed ledge faces.

MAR 30 2021

13.4 Performance Bond

Since the project does not propose removal of more than 3,000 cubic yards material or activity on 1 acre or more for any given year, we request that a performance bond not be required.

13.5 General Conditions

- 13.5.1 Although test pits have not been excavated on the site, final grades will not be any less than what currently exist on site. As previously noted in this narrative, the final grades will be approximately 26' higher than Blackwell Brook which is the assumed water table.
- 13.5.2 No excavation will take place nearer than 25' from the highway line, 200' from any building or structure or less than a 100' setback to the property boundary.
- 13.5.3 Slopes will not exceed 25'-200' from the highway line. Ledge cuts will exceed 30% which is standard practice for quarrying operations. Loam and seed will be provided on the lower portion of the operation upon completion and exposed ledge faces otherwise.
- 13.5.4 The applicant requests to be able to occasionally crush and screen on site to produce a usable product from the smaller blast rock. No material is brought to the site nor will it be in the future.
- 13.5.5 No machinery for processing will be located less than 200' from any property or street line or less than 500' from any residence.
- 13.5.6 Due to the nature of the product, dust generation from the operation is limited. The mining area is isolated by wooded terrain that keeps any dust generated contained. The operation is typically not a noise generating activity and previous application included depositions from 2 abutting property Owners who spoke of the quiet operation of the quarry. The access drive is well maintained by the applicant to allow for safe passage of trucks to the site and minimal dust generation.
- 13.5.7 If approved, activities will be limited to the hours of 7:00 AM to 6:00 PM Mondays through Fridays and 7:00 AM to 12:00 PM on Saturdays. There will not be any activity on Sundays or major holidays.
- 13.5.8 Due to the location of the location of the site, stockpiles and equipment storage are not visible to adjacent properties.
- 13.5.9 The Connecticut Guidelines for Soil Erosion and Sedimentation Control will be followed. The applicant has been responsive to recommendations for E&S measures since our involvement with the project.
- 13.5.10 Since the site is comprised of only 3 acres, there will not ever be 5 acres exposed at any given time.
- 13.5.11 Soil will not be removed from the site and will be utilized for restoration of areas specified.

13.6 Safety

The remote location of the operation provides a condition where there are not trespassers on the property to access the location. The plans call for the addition of construction fencing at the tops of slopes of phase limits and a permanent fence at the project limit. Residences are remote from the project and aside from the rock face, there are not any particular hazards. It should be noted that even though the quarry has not been permitted, it has been in operation for nearly 2 decades with no incidences of trespassing or injury. Permits were legally obtained by a licensed blasting company from the fire marshal for all blasting that has occurred throughout the years.

LIST OF AJACENT LAND OWNERS INCLUDING ACROSS THE STREET as of 3/11/2021 NECCOG

**HM&E Co., LLC
291 Canterbury Road
Brooklyn, CT**

RECORDED
MAR 30 2021

MAP/LOT	NAME
23 / 2	ARTERS ELAINE C
22 / 1-4	PO BOX 351
22 / 1-2	DAYVILLE, CT 06241
23 / 22B	JESPET INC C/O MOLLIE GROSSMAN 162 SHEPERD LANE ROSLYN HILLS, NY 11577
23 / 31-1	JOHNSON JENNIFER & SOREL BETH PO BOX 769 BROOKLYN, CT 06234-0769
23 / 31-2	SOREL JASON P & AMANDA S P O BOX 929 BROOKLYN, CT 06234-1417
22 / 2	MCNALLY DAVID & PAULA 324 CANTERBURY RD BROOKLYN, CT 06234-2417
22 / 2A	SANFORD HANEY FARM LLC PO BOX 432 BROOKLYN, CT 06234-0432
22 / 3	ZAVORSKAS THOMAS S CANTERBURY RD BROOKLYN, CT 06234
22 / 3-3	PARSONS ALLAN & CYNTHIA 352 CANTERBURY RD BROOKLYN, CT 06234-2417
22 / 3-5	ROLLINS MARK L & CYNTHIA B 360 CANTERBURY RD BROOKLYN, CT 06234-2417
22 / 1-3	JENKINS CHAD & JULIE 355 CANTERBURY RD BROOKLYN, CT 06234
22 / 1-1	SILL ALAN A & JENNIFER P 365 CANTERBURY RD BROOKLYN, CT 06234
22 / 1A	PULVER GUY A & SHARON L 369 CANTERBURY RD BROOKLYN, CT 06234-2414

03/27/2021
MAR 30 2021

- 22// 1B COVINGTON MICHAEL J & ANGELA D
399 CANTERBURY RD
BROOKLYN, CT 06234
- 22// 1C FORTE BARBARA A
425 CANTERBURY RD
BROOKLYN, CT 06234-0192
- 14// 9 SEABURY ELIZABETH J ET AL
63 FIELDSTONE LN
BEACON FALLS, CT 06403
- 14// 8 MEEHAN BUILDERS LLC
89 WAUREGAN RD
BROOKLYN, CT 06234
- 15// 15 GLUCK GARY
131 OLD TATNIC HILL RD
BROOKLYN, CT 06234
- 15// 14 GLUCK GARY R & JOHNSON BETH A TRUSTEES
131 OLD TATNIC HILL RD
BROOKLYN, CT 06234
- 15// 13 BARNES WILLIAM DOUGLAS & LINDA ELLEN
PO BOX 628
MORAN ST
NO ATTLEBORO, MA 02760
- 23// 6 ARTERS JACK M & OLIVE
48 GREENHALGH DRIVE
SEEKONK, MA 02771-2004
- 23// 5 KOTILAINEN GRACE H
BLUE RIDGE DR
SOUTH WINDSOR, CT 06074-2809
- 23// 4 BETTENCOURT ANTHONY JOSEPH (L/U) &
FONTANELLA BRENDA
203 MASON RD
BROOKLYN, CT 06234

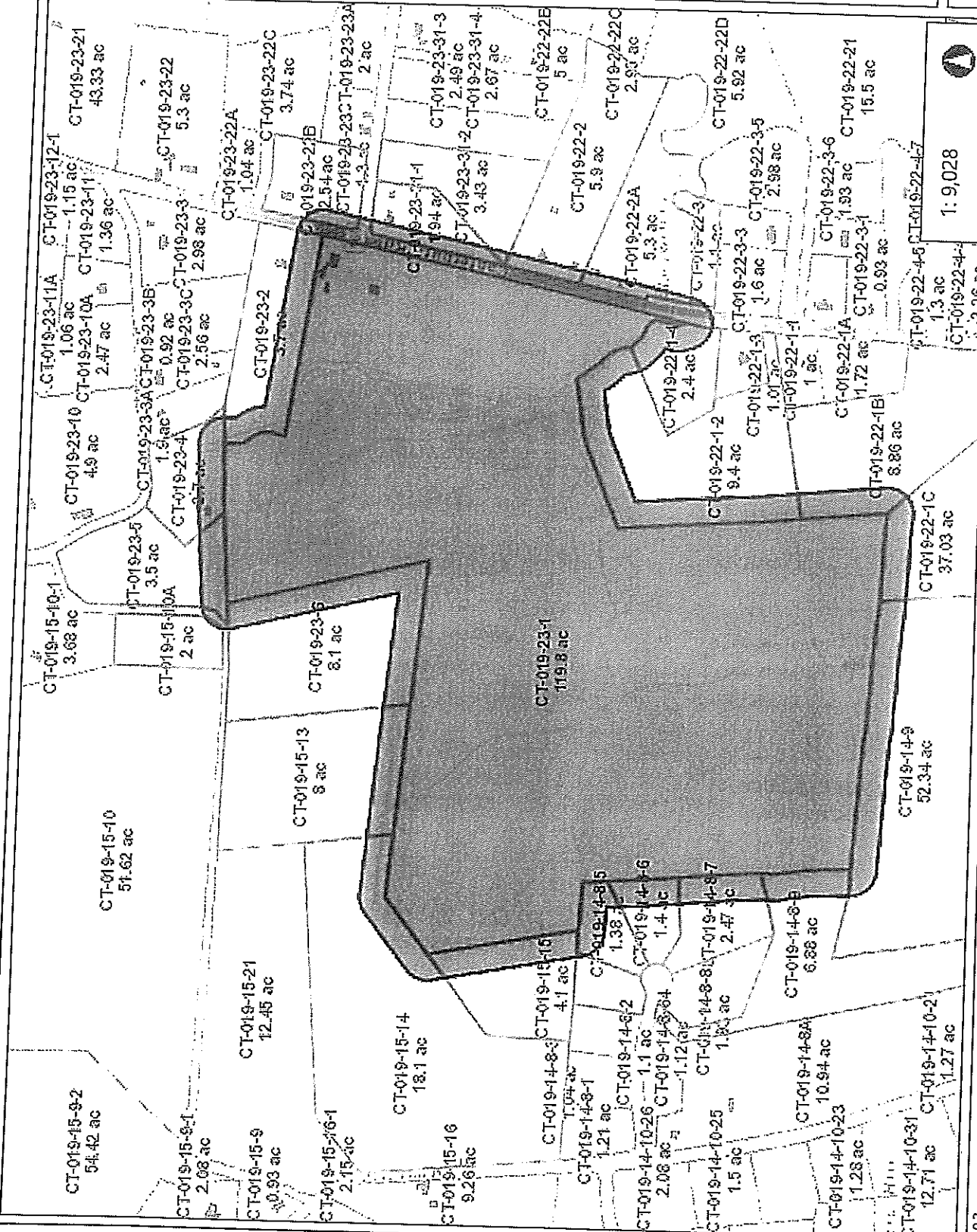
FIELD
MAR 31 2011

Legend

- Town
- Buildings 2012
- Parcels

Notes

HM&E



1: 9,028

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

0.3 Miles

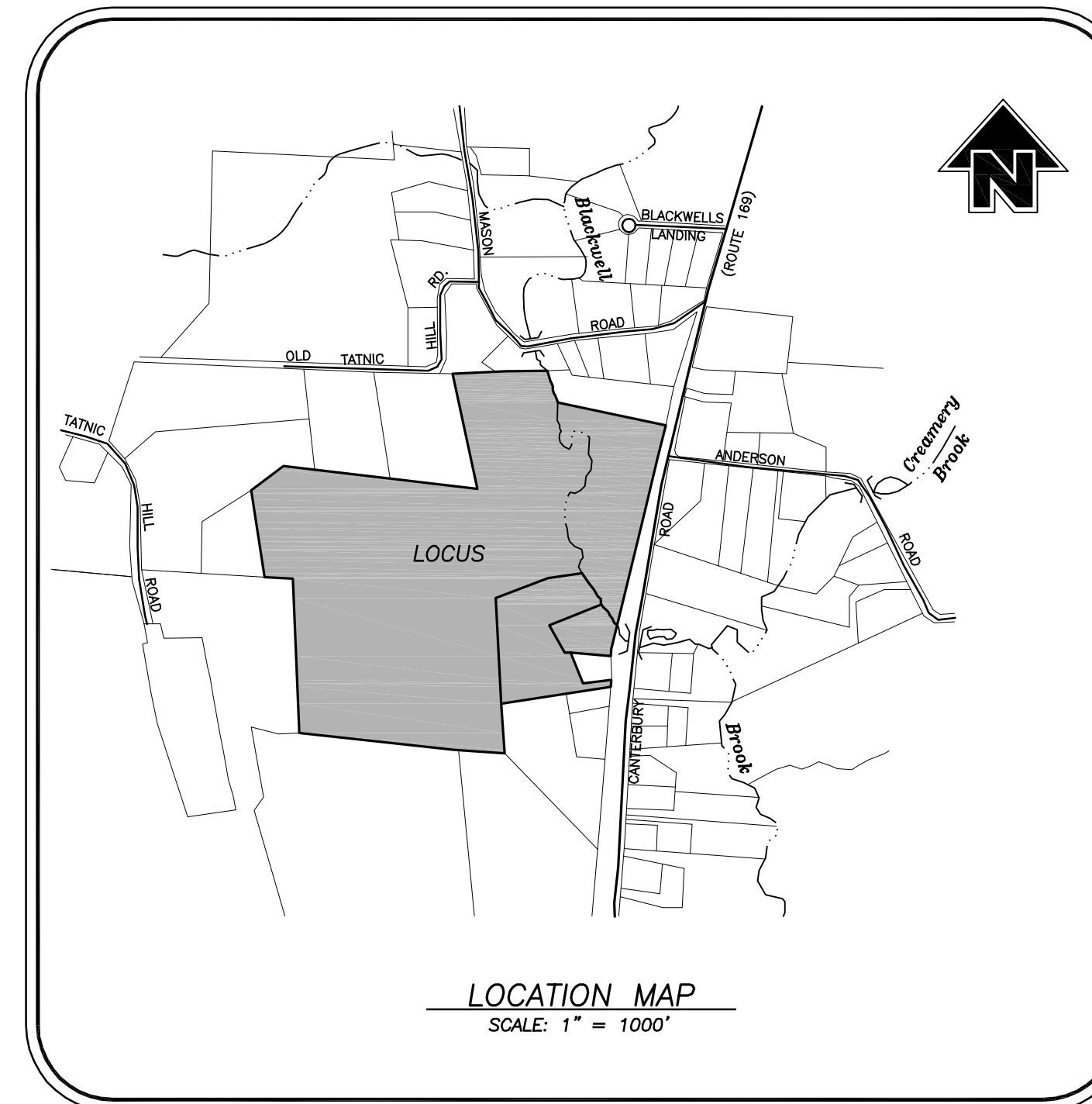
0 0.14 0.3 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Latitude Geographics Group Ltd.

ROCK QUARRY PERMIT RENEWAL

291 CANTERBURY ROAD (ROUTE 169)
BROOKLYN, CONNECTICUT

PREPARED FOR:
H M & E CO., LLC



LEGEND


---100---	EXISTING CONTOURS
---100---	PROPOSED CONTOURS
≡	INLAND WETLANDS FLAG
— —	SETBACK LINE
— — —	SILT FENCE

INDEX TO DRAWINGS

TITLE	SHEET No.
COVER SHEET	1 OF 4
VICINITY MAP	2 OF 4
SITE GRADING PLAN	3 OF 4
DETAIL SHEET	4 OF 4

PREPARED BY:

REVISIONS	
DATE	DESCRIPTION



Killingly Engineering Associates
Civil Engineering & Surveying

114 Westcott Road
P.O. Box 421
Killingly, Connecticut 06241
(860) 779-7299
www.killinglyengineering.com

MARCH 10, 2021

APPROVED BY THE BROOKLYN
PLANNING AND ZONING COMMISSION

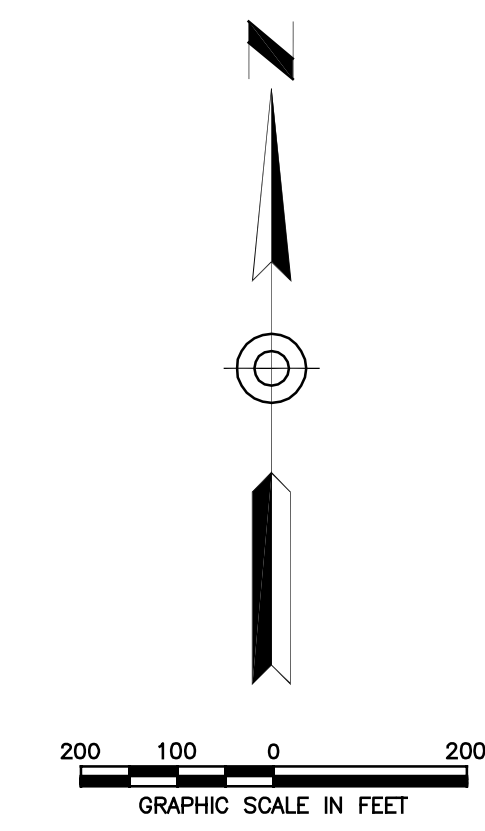
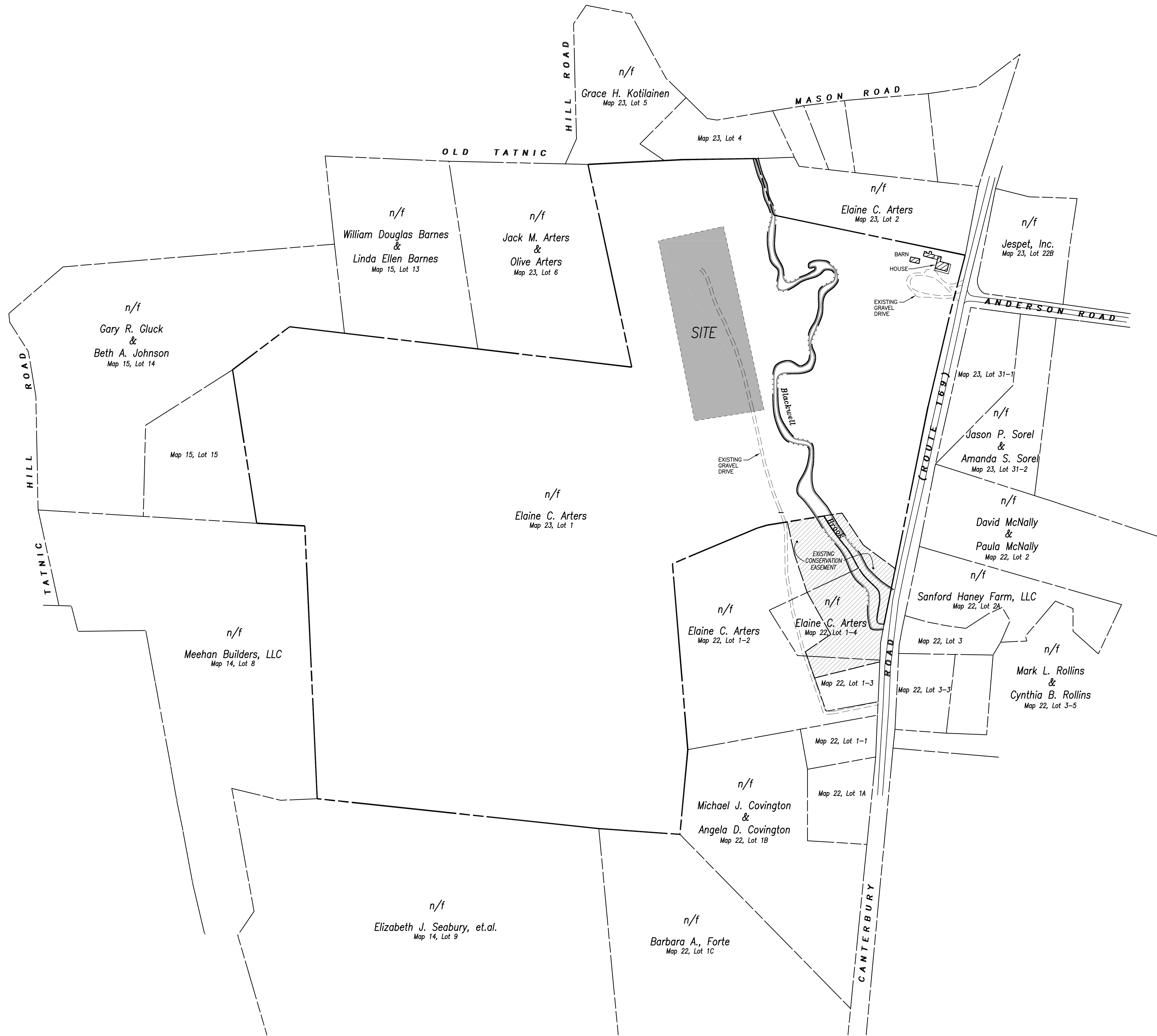
CHAIRMAN _____ DATE _____

Expiration date per Sec. 8-3(i)
Connecticut General Statutes: _____

ENDORSED BY THE BROOKLYN INLAND
WETLANDS COMMISSION

CHAIRMAN _____ DATE _____

NORMAND E. THIBEAULT, JR., P.E. DATE _____



ABUTTERS LIST

- Map 22, Lot 1-3
Chad Jenkins
Julie Jenkins
- Map 22, Lot 1-1
Allen A. Sill
Jennifer P. Sill
- Map 22, Lot 1A
Gary A. Pulver
Sharon L. Pulver
- Map 15, Lot 15
Gary Gluck
- Map 23, Lot 4
Anthony Joseph Bettencourt
Brenda Fontanella
- Map 23, Lot 31-1
Jennifer Johnson
Beth Sorel
- Map 22, Lot 3
Thomas S. Zavorskas
- Map 22, Lot 3-3
Alan Parsons
Cynthia Parsons

NOTES:

1. This survey has been prepared pursuant to the Regulations of Connecticut State Agencies Sections 20-300b-1 through 20-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996;
 - This survey conforms to a Class "D" horizontal accuracy.
 - Survey Type: Data Accumulation Map.
2. Parcel is shown as Lot 1 on Assessors Map 23.
3. Zone = RA.
4. Owner of Record: Elaine C. Arters
291 Canterbury Road
Brooklyn, CT 06234
See Volume 66, Page 374

DATE	DESCRIPTION

DATA ACCUMULATION PLAN
VICINITY MAP
 PREPARED FOR

H M & E CO., LLC

 291 CANTERBURY ROAD (ROUTE 169)
 BROOKLYN, CONNECTICUT

Killingly Engineering Associates
Civil Engineering & Surveying

114 Westcott Road
 P.O. Box 421
 Killingly, Connecticut 06241
 (860) 779-7299
 www.killinglyengineering.com

DATE: 3/10/2021	DRAWN: AMR
SCALE: 1" = 200'	DESIGN: NET
SHEET: 2 OF 4	CHK BY: GG
DWG. No: CLIENT FILE	JOB No: 18145

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON.

GREG A. GLAUDE, L.S. LIC. NO. 70191 DATE

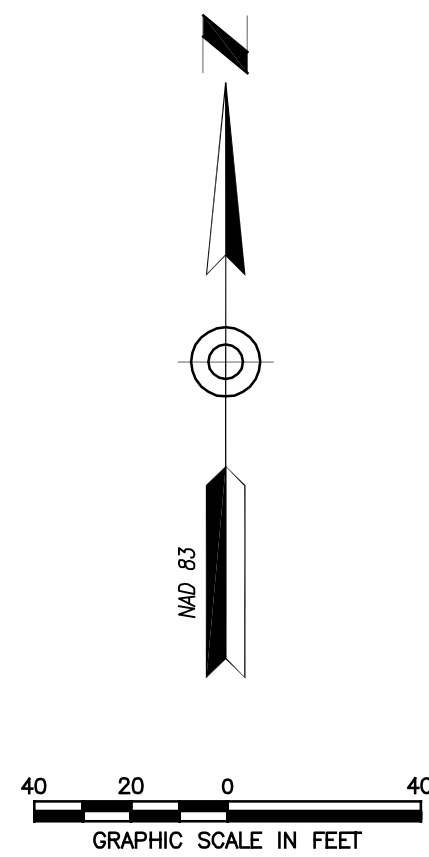
NO CERTIFICATION IS EXPRESSED OR IMPLIED UNLESS THIS MAP BEARS THE ORIGINAL SEAL AND SIGNATURE OF THE LAND SURVEYOR.

APPROVED BY THE BROOKLYN
 PLANNING AND ZONING COMMISSION

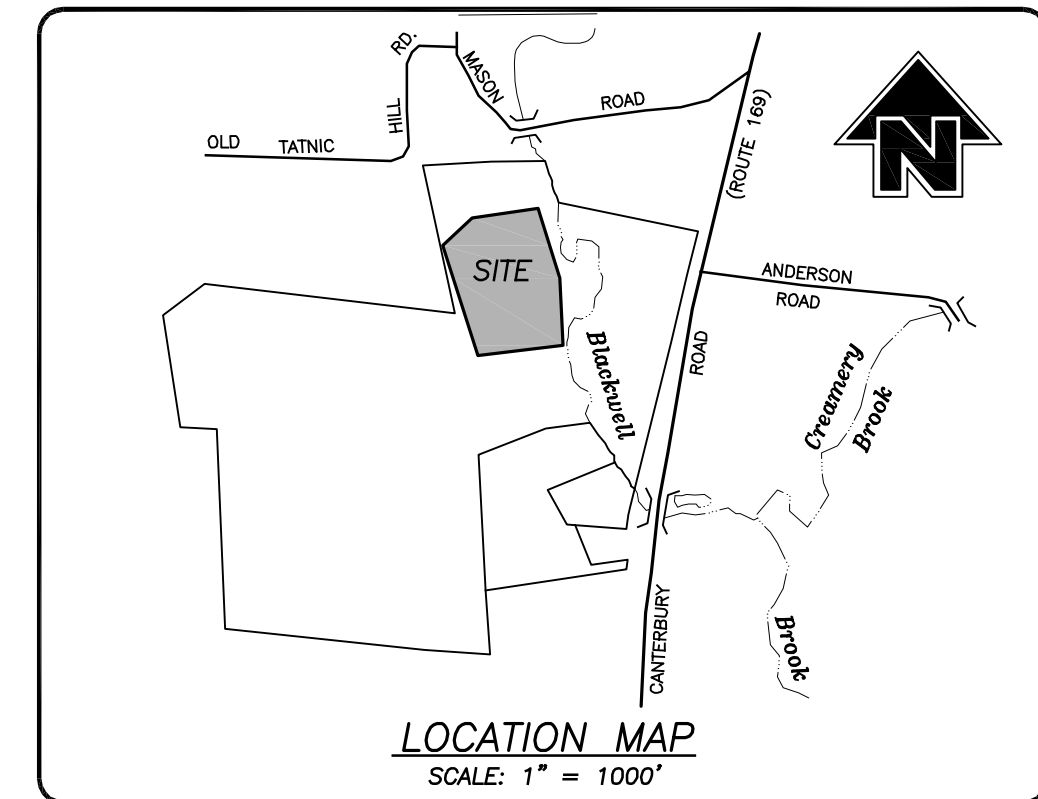
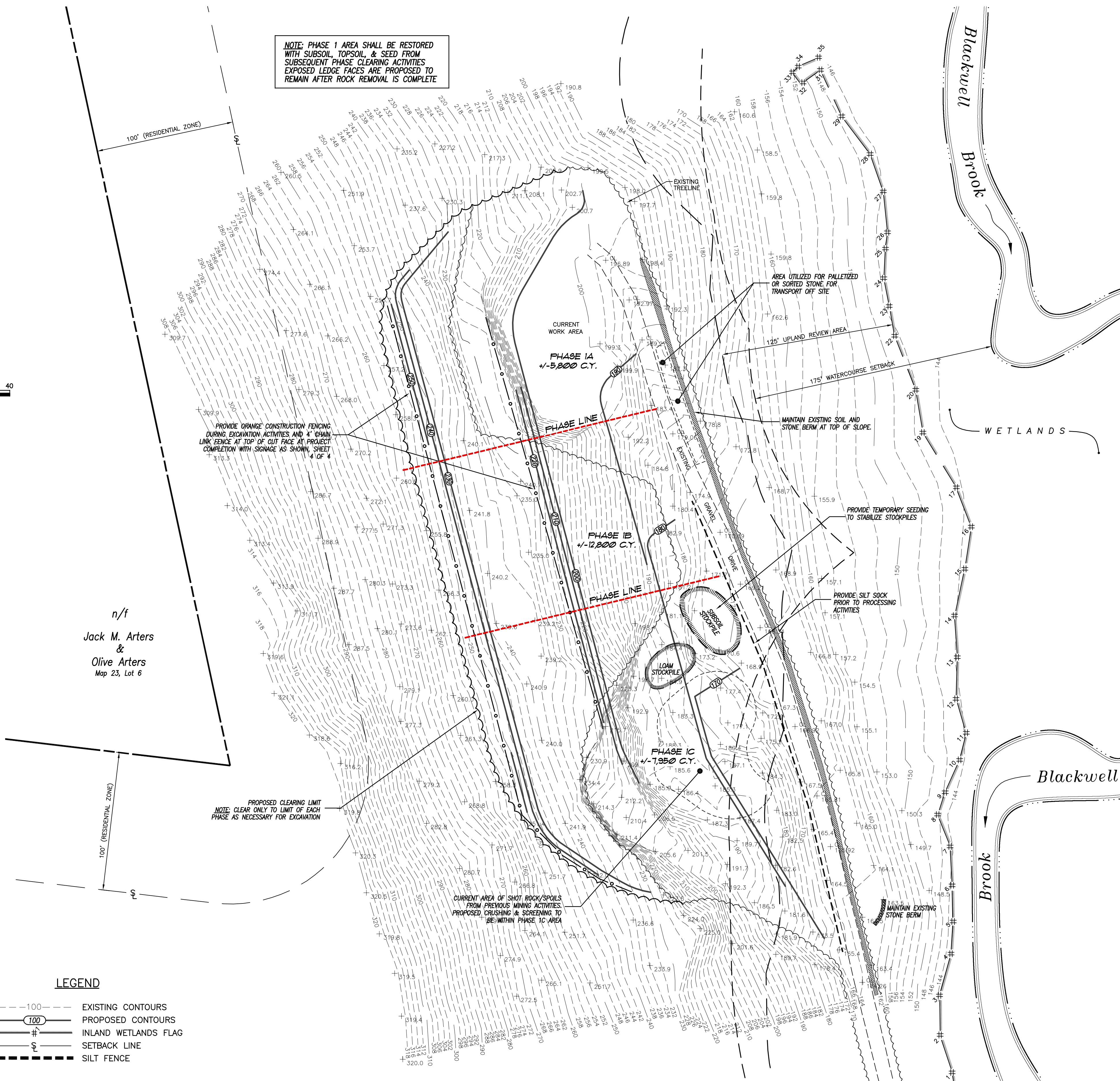
CHAIRMAN	DATE

Expiration date per Sec. 8-3(i)
 Connecticut General Statutes:

K:\18145\Drawings\2021_Gravel_Permit\02_VICINITY_2021.dwg Mar 29, 2021 - 12:56 PM



NOTE: PHASE 1 AREA SHALL BE RESTORED WITH SUBSOIL, TOPSOIL, & SEED FROM SUBSEQUENT PHASE CLEARING ACTIVITIES EXPOSED LEDGE FACES ARE PROPOSED TO REMAIN AFTER ROCK REMOVAL IS COMPLETE



- NOTES:**
- This survey has been prepared pursuant to the Regulations of Connecticut State Agencies Sections 20-300b-1 through 20-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996;
 - This survey conforms to a Class "D" horizontal accuracy.
 - This plan was compiled from other maps, record research or other sources of information. It is not to be construed as having been obtained as the result of a field survey, and is subject to such change as an accurate field survey may disclose.
 - Survey Type: Topographic Map.
 - Topographic features conform to a Class "T-2", "V-2" vertical accuracy.
 - Zone = RA.
 - Parcel is shown as Lot 1 on Assessors Map 23.
 - Owner of Record: Elaine C. Arters
291 Canterbury Road
Brooklyn, CT 06234
See Volume 66, Page 374
 - Elevations shown are based on North American Vertical Datum of 1988 (NAVD 88). Contours shown are taken from actual field survey. Contour interval = 2'.
 - North orientation, bearings and coordinate values shown are based on North American Datum of 1983 (NAD 83) and are taken from GPS observations.
 - Wetlands shown were delineated in the field by Joseph Theroux, Certified Soil Scientist, in October 2018.
 - Before any construction is to commence contact "CALL BEFORE YOU DIG" at 1-800-922-4455 or 811.

MAP REFERENCE:
"Easement Map - Showing Conservation Easement To Be Granted to - The Town of Brooklyn - Across the Property of - Elaine C. Arters Canterbury Road (Route 169) - Brooklyn, Connecticut - Scale: 1" = 40' - Date: 4/23/2019 - Sheet 1 of 1 - Prepared by: Killingly Engineering Associates.

DATE	DESCRIPTION

LEGEND

- 100--- EXISTING CONTOURS
- 100--- PROPOSED CONTOURS
- #--- INLAND WETLANDS FLAG
- §--- SETBACK LINE
- #--- SILT FENCE

APPROVED BY THE BROOKLYN PLANNING AND ZONING COMMISSION

CHAIRMAN _____ DATE _____

Expiration date per Sec. 8-3(i) Connecticut General Statutes: _____

I HAVE REVIEWED THE FLAGGED INLAND WETLANDS LOCATION SHOWN ON THIS PLAN AND THEY APPEAR TO BE SUBSTANTIALLY CORRECT.

Certified Soil Scientist _____ Date _____

NORMAND E. THIBEAULT, JR., P.E. _____ DATE _____

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON,

GREG A. GLAUDE, L.S. LIC. NO. 70191 DATE _____

NO CERTIFICATION IS EXPRESSED OR IMPLIED UNLESS THIS MAP BEARS THE ORIGINAL SEAL AND SIGNATURE OF THE LAND SURVEYOR.

SITE GRADING PLAN
PREPARED FOR
H M & E CO., LLC
291 CANTERBURY ROAD (ROUTE 169)
BROOKLYN, CONNECTICUT

Killingly Engineering Associates
Civil Engineering & Surveying

114 Westcott Road
P.O. Box 421
Killingly, Connecticut 06241
(860) 779-7299
www.killinglyengineering.com

DATE: 3/10/2021	DRAWN: AMR
SCALE: 1" = 40'	DESIGN: NET
SHEET: 3 OF 4	CHK BY: GG
DWG. No: CLIENT FILE	JOB No: 18145

EROSION AND SEDIMENT CONTROL PLAN:

REFERENCE IS MADE TO:

- The State of Connecticut 2002 DEEP Guidelines for Soil Erosion and Sediment Control ("the 2002 Guidelines").
- U.S.D.A. N.R.C.S. Web Soil Survey.

SOILS:

The quarry site is comprised mainly of one soil type:

75E: Hollis-Chatfield-Rock outcrop complex

Included with these soils in mapping are areas of moderately well drained Sutton soils and poorly drained Leicester soils. Sutton soils are in slight depressions and Leicester soils are in depressions and drainage ways. Also included are very deep, well drained Charlton soils adjacent to Hollis and Chatfield soils. Areas of shallow, somewhat excessively drained Brimfield soils are included where the underlying bedrock is micaceous schist at a depth of 10 to 20 inches below the surface. A few areas in Litchfield County have a yellowish red surface layer and subsoil. Other areas in Litchfield County include sandier soils above bedrock. Minor components make up about 20 percent of the map unit.

ROCK REMOVAL

Sequence of Operations and Erosion & Sedimentation Control

Site Description:

The site is located on 7.5± ac. on the west side of Blackwell Brook in Town of Brooklyn, Connecticut; Blackwell Brook flows from north to south and divides the total parcel which is comprised of approximately 108 acres. The current proposed area of excavation is slightly over 1 acre in area.

The site is predominately wooded in the areas of the proposed excavation except for the areas which have been previously mined (approximately 1.5 acres). The wetlands associated with Blackwell Brook have been evaluated in the field by Joseph Theroux, Certified Soil Scientist as indicated on these plans.

Wetlands will remain undisturbed by the excavation process and shall be protected by an existing berm as well as any additional erosion and sediment control measures as shown on these plans or required by the Town of Brooklyn.

Proposal:

The plan calls for the removal of a maximum of 27,550 cubic yards of rock to be broken down into the following phases:

- Phase 1 (total) = 27,550 c.y.
- Phase 1A = 5,800 c.y.
- Phase 1B = 12,800 c.y.
- Phase 1C = 7,950 c.y.

Prior to excavation the limits of disturbance shall be clearly flagged in the field by a licensed Land Surveyor.

27,500 cubic yards of material area expected to be removed from the site during excavation as proposed. On-site processing of materials will be limited to occasional crushing of blast tailings for road restoration and screening of topsoil. All topsoil and subsoil shall be stockpiled for site restoration at the completion of the operational phases. If there is any excess subsoil, it shall be removed from the property to another location after final restoration.

There will be approximately 60-70 truck loads per year, to and from the site. Both trailers and tri axle dump trucks will be used. The access driveway will be properly maintained, to control dust and mud and to prevent such from being tracked onto Route 169. Trucks traveling to and from the site will use Route 169 to Route 6 or Route 14.

Excavation and trucking will generally occur between 7:00 am and 5:00 pm, Monday through Friday, except for major national holidays and 8:00-2:00 PM on Saturdays. No activity is proposed on Sundays.

The proposed excavation will be performed by pre-split blasting into the existing ledge face as illustrated on these plans, thus limiting the active work area and containing surface stormwater runoff to a small section of the site at any particular point throughout the duration of the operation. Blasting typically takes place once or twice annually and is limited to 8'-10' of horizontal rock removal each time.

DEVELOPMENT CONTROL PLAN:

- The site is currently open from previous rock mining activities. Work shall not commence until (1) the permittee's engineer has inspected the site and reported to the Brooklyn WEO/ZEO that erosion controls have been satisfactorily installed and functional to protect the down gradient wetlands and (2) the WEO/ZEO has inspected the site.
- Development of the site will be performed by the Contractor, who will be responsible for the installation and maintenance of erosion and sediment control measures required throughout the operation.
- The sedimentation control mechanisms shall remain in place from start of the operation until permanent vegetation has been established. The WEO/ZEO for the Town of Brooklyn will be notified when sediment and erosion control structures are initially in place. Any additional soil & erosion control measures requested by the Town or its agent, shall be installed immediately. Once the proposed development, seeding and planting have been completed, the WEO/ZEO shall again be notified to inspect the site. The control measures will not be removed until this inspection is complete.
- All cutting of trees, stripping of topsoil and subsoil is to be confined to the immediate area of rock removal activity. Topsoil shall be stockpiled so that slopes do not exceed 2 to 1. A hay bale or silt sock sediment barrier is to surround each stockpile and a temporary vegetative cover shall be provided.
- Dust control (if necessary) will be accomplished by spraying with water.
- The proposed planting schedule is to be adhered to during the planting of restoration areas throughout the proposed operation.
- Final stabilization of the site is to follow the procedures outlined in "Permanent Vegetative Cover". If necessary a temporary vegetative cover is to be provided until a permanent cover can be applied.
- The Permittee shall inspect all erosion controls on a weekly basis and after rain events of 1/2" or more.
- Permittee shall inform the ZEO/WEO within 24 hours if the permittee finds that erosion controls have failed and sediment has been deposited in the wooded areas down gradient of the operation.

Erosion & Sediment Control:

The proposed grading on this site is such that an elevation higher than the excavated surface will remain around the perimeter of the excavated area, thus eliminating any transport of sedimentation toward the wetlands and its associated buffers. An existing berm along the east side of the access driveway will be maintained to alleviate direct runoff toward the brook & perimeter wetlands.

During the course of operations on the site the wetlands and buffers shall be protected from erosion and sedimentation by methods shown on the plans. These barriers shall be inspected and approved by a representative of the Town of Brooklyn, prior to any clearing, excavation or other activity.

Clear and grub the area of proposed rock removal. Trees and stumps removed shall be disposed of off the property.

Silt socks shall be installed as shown on the plans and in accordance with the detail shown.

Clearing and restoration shall proceed in the following sequence:

Stock and strip topsoil in convenient locations on site for use as cover material for restoration of portions of the site once rock removal is complete. Temporarily or permanently stabilize disturbed areas as excavation progresses. Permanent vegetation shall occur as soon as final grades are achieved.

Stockpiled topsoil shall be protected from erosion with a temporary vegetative cover. Stockpiles shall also be surrounded by silt socks at their bases.

Selected areas of rock removal shall be permanently restored by placement of topsoil and loam and establishment of grass cover in accordance with the recommended seed mixtures.

For these disturbed areas to be permanently restored topsoil and subsoil which has been stockpiled on site shall be spread on the finished subgrade to a depth of a minimum of 12" of subsoil and 6" of topsoil. ALL topsoil and subsoil shall remain on site and utilized for restorative purposes.

SILT SOCK INSTALLATION AND MAINTENANCE:

CONDITIONS

- Deformation due to drive-over or dragging
Action required: Re-contour by hand if applicable. If not, see applicable repair methods below.
- Sock rolling due to hydraulic force
Action required: Reposition and add additional stakes.
- Loss of ground contact
Action required: Fill in depressions and back-grout with chips from damaged section.
- Sediment accumulation of 1/2 sock height
Action required: Remove accumulated sediment or install a second row of sock positioned on top of or up slope of the original sock.
- Holes, rips or tears of the sock
Action required: Small holes or narrow rips shorter than 12 inches may be stitched closed using plastic zip-ties. Tears longer than 12 inches require the sock be replaced.
- Pinch or localized diameter reduction of more than 1/2 the original diameter
Action required: Install new section of sock up slope of the damaged section.

THE PERMITTEE SHALL CONTACT THE WEO/ZEO BEFORE COMMENCING FINAL SITE RESTORATION TO REVIEW REQUIREMENTS

SEEDING

Apply seed uniformly by hand cyclone seeder, drill, cultipacker type seeder or hydroseeder at a minimum rate for the selected species. Increase seeding rates by 10% when hydroseeding.

MULCHING

Temporary seedings made during optimum seeding dates shall be mulched according to the recommendations in the 2002 Guidelines. When seeding outside of the recommended dates, increase the application of mulch to provide 95%-100% coverage.

MAINTENANCE

Inspect seeded area at least once a week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inch or greater for seed and mulch movement and rill erosion.

Where seed has moved or where soil erosion has occurred, determine the cause of the failure. Repair eroded areas and install additional controls if required to prevent recurrence of erosion.

Continue inspections until the grasses are firmly established. Grasses shall not be considered established until a ground cover is achieved which is mature enough to control soil erosion and to survive severe weather conditions (approximately 80% vegetative cover).

TEMPORARY VEGETATIVE COVER:

SEED SELECTION

Grass species shall be appropriate for the season and site conditions. Temporary seed for topsoil stockpiles shall consist of one of the following:

- Annual ryegrass (*Lolium multiflorum*) applied at 1 pound per 1,000 square feet
- Millet (*Echinochloa crusgalli*) applied at a rate of 0.5 pounds per 1,000 square feet
- Sudangrass (*Sorghum sudanese*) applied at a rate of 0.7 pounds per 1,000 square feet.

Combinations of the above may be also be utilized at the recommended rates.

TIMING CONSIDERATIONS

Seed with a temporary seed mixture within 7 days after the suspension of grading work in disturbed areas where the suspension of work is expected to be more than 30 days but less than 1 year.

SITE PREPARATION

Install needed erosion control measures such as diversions, grade stabilization structures, sediment basins and grassed waterways.

Grade according to plans and allow for the use of appropriate equipment for seedbed preparation, seeding, mulch application, and mulch anchoring.

PERMANENT VEGETATIVE COVER:

Refer to Permanent Seeding Measure in the 2002 Guidelines for specific applications and details related to the installation and maintenance of a permanent vegetative cover. In general, the following sequence of operations shall apply:

- Subsoil and topsoil will be replaced once the excavation and grading has been completed. subsoil shall be placed first and topped with topsoil.
- Once the topsoil has been spread, all stones 2" or larger in any dimension will be removed as well as debris.
- Inspect seedbed before seeding. If traffic has compacted the soil, re-till compacted areas.
- Apply the appropriate warm season grass seed mix as listed on this sheet. The recommended seeding dates are as specified.
- Following seeding, firm seedbed with a roller. Mulch immediately following seeding. If a permanent vegetative stand cannot be established by September 30, apply a temporary cover on the topsoil such as netting, mat or organic mulch.

RECOMMENDED SEED MIXTURE (PERMANENT SEEDING):

No.	Seed Mixture (Variety)	Lbs/acre	Lbs/Sq. Ft
**26	Switchgrass (Blackwell, Shelter, Cave-in rock)	4.0	0.10
	Big Bluestem (Niagra, Kaw)	4.0	0.10
	Little Bluestem (Blaze, Aldous, Camper)	2.0	0.05
	Sand Lovegrass (NE-27, Bend)	1.5	0.30
	Birds-foot Trefal (Empire, Viking)	2.0	0.05
	Total	13.5	0.33

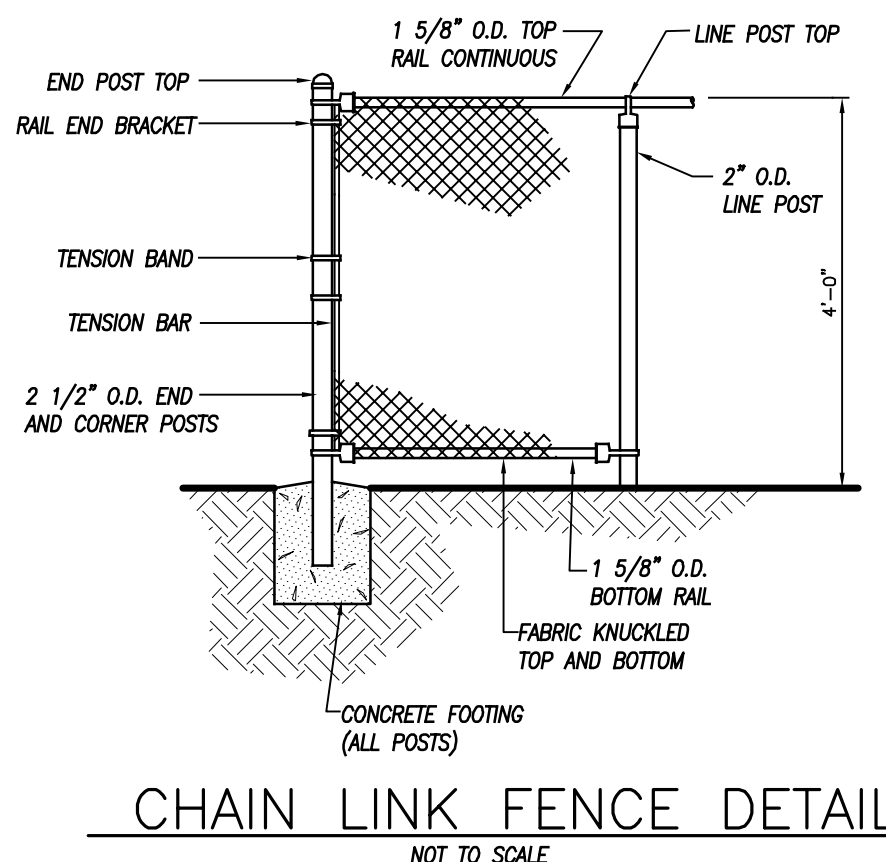
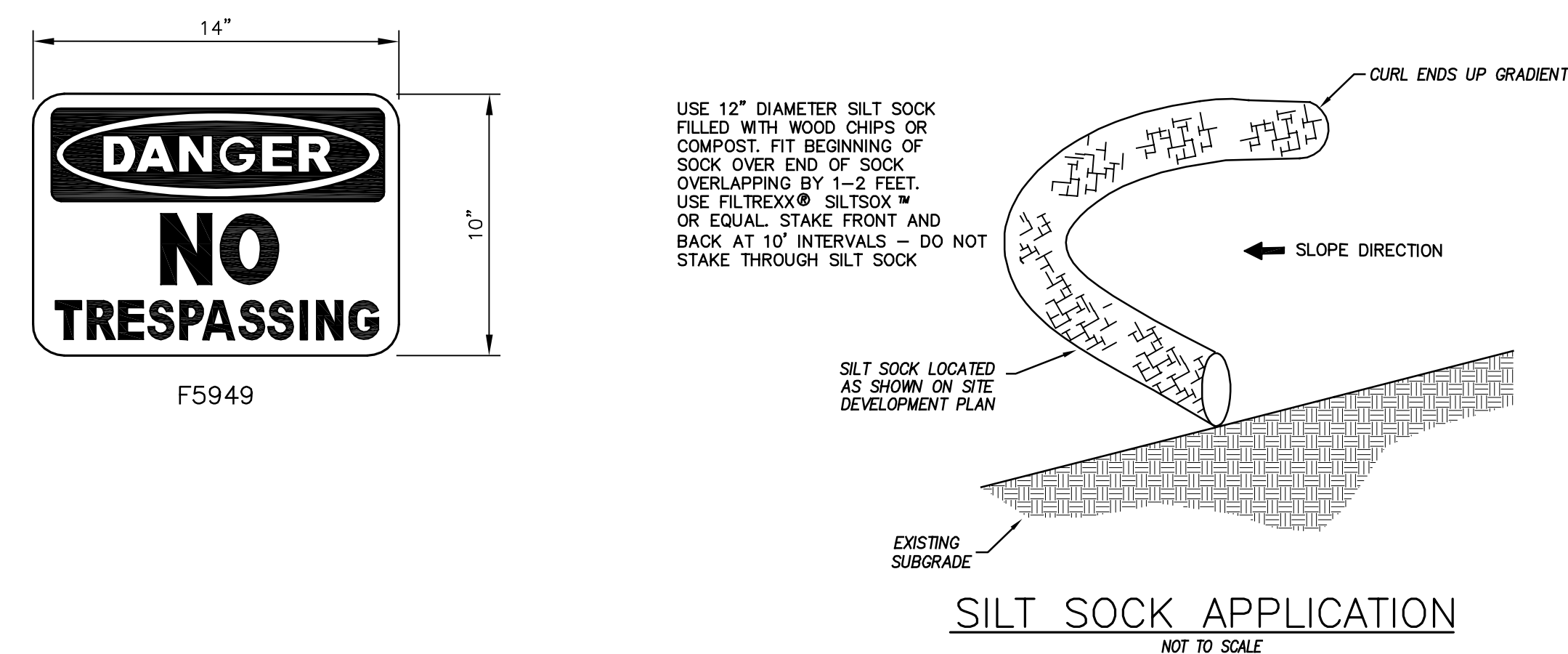
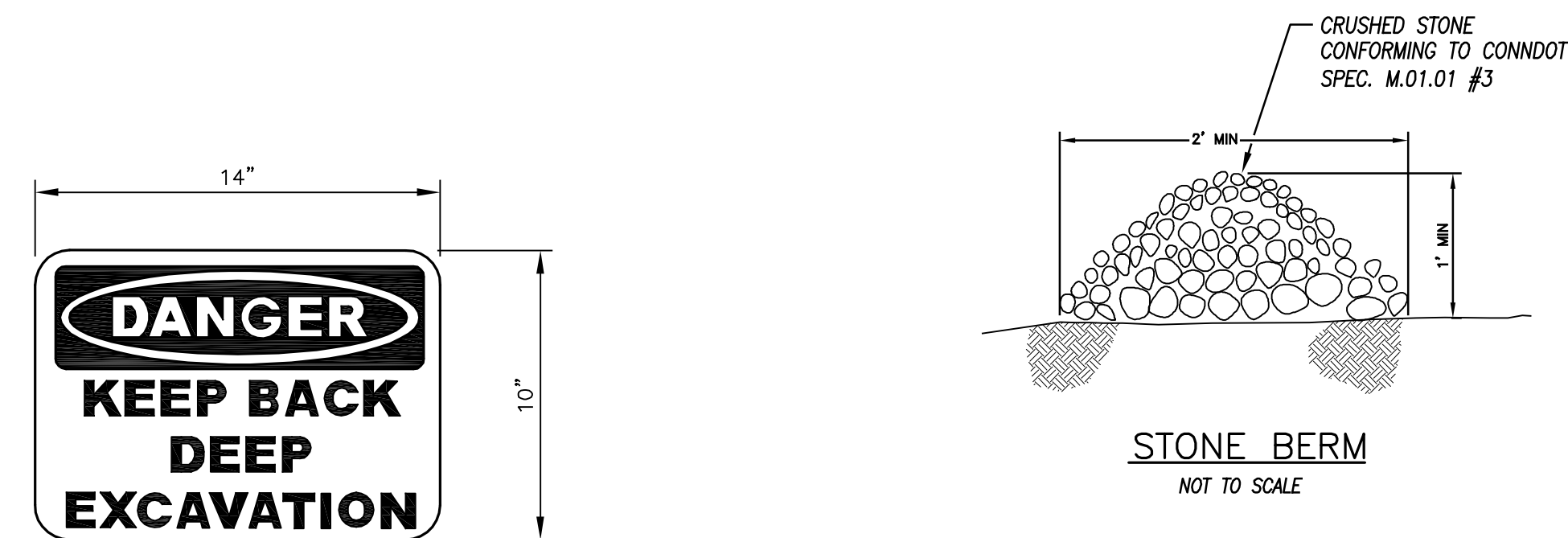
** Considered to be a warm season mix. Reference Publication www.soiltest.uconn.edu/factsheets/Warmseasongrasses.pdf

The recommended seeding dates are from early May to early June only

Note: The permittee shall provide invoices for the seed to be used on site to the Brooklyn WEO/ZEO for approval prior to seeding.

CONSTRUCTION NOTES/GENERAL PROVISIONS

- It is the responsibility of the contractor to verify the location and elevation of all utilities. Contact "CALL BEFORE YOU DIG" at 1-800-922-4455, and obtain all applicable permits, prior to any excavation.
- The Contractor shall obtain all required regulatory agency permits prior to any site disturbance.
- Unless otherwise noted on the plans, the contractor shall use the geometry provided on the construction plans. Benchmark information shall be provided to the contractor by the Owner or the Owner's surveyor. Any discrepancies between field measurements and construction plan information shall be brought to the attention of the Engineer or Surveyor immediately.
- The Contractor shall not revise elevations or locations of items shown on the plans without written consent of the project Engineer or Surveyor.
- The Contractor shall protect benchmarks, property corners, and other survey monuments from damage or displacement. If a marker needs to be removed, it shall be referenced by a licensed land surveyor and replaced as necessary by the same.
- Excavation and regrading taking place as the work progresses shall be done in a manner to allow drainage to flow toward the excavated area and/or erosion and sediment control barriers. Concentrated runoff shall not be permitted to overflow newly graded areas or sedimentation barriers.
- An individual shall be designated by the owner and/or contractor to be personally responsible for implementing this erosion and sedimentation control plan. This responsibility includes the installation and maintenance of control measures throughout the work period.
- All erosion and sediment control devices shall be inspected at least weekly or immediately after a rainstorm with a rainfall total of more than 1/2" accumulated deposits of sedimentation and silt shall be periodically removed from the uphill side of the barrier. Erosion and sedimentation control barriers shall be replaced as necessary throughout the duration of the work on site in order to maintain complete erosion and sedimentation protection.
- The access drive for the excavation areas shall be properly maintained for the duration of the trucking operations. Locations of access drives shall be as shown on the plans or as approved by the engineer prior to the commencement of excavation activities.



DATE	DESCRIPTION

DETAIL SHEET

PREPARED FOR

H M & E CO., LLC

291 CANTERBURY ROAD (ROUTE 169)
BROOKLYN, CONNECTICUT

Killingly Engineering Associates
Civil Engineering & Surveying

114 Westcott Road
P.O. Box 421
Killingly, Connecticut 06241
(860) 779-7299
www.killinglyengineering.com

DATE: 3/10/2021	DRAWN: AMR
SCALE: NOT TO SCALE	DESIGN: NET
SHEET: 4 OF 4	CHK BY: GG
DWG. No: CLIENT FILE	JOB No: 18145

APPROVED BY THE BROOKLYN
PLANNING AND ZONING COMMISSION

CHAIRMAN	DATE

Expiration date per Sec. 8-3(i)
Connecticut General Statutes: _____

NORMAND E. THIBEAULT, JR., P.E. DATE _____









TOWN OF BROOKLYN

P.O. Box 356 - Route 6 and 169
BROOKLYN, CONNECTICUT 06234

OFFICE OF SELECTMEN
TELEPHONE: 779-3411

TOWN CLERK
TELEPHONE: 774-9543

ASSESSOR
TELEPHONE: 774-5611

TAX COLLECTOR
TELEPHONE: 774-4072

JUDGE OF PROBATE
TELEPHONE: 774-5973

Received Date _____
Fee ~~\$250~~ State Fee (~~\$30.00~~) _____

Application #SPG _____
Check # _____

RENEWAL FEE - \$100 + \$60 **APPLICATION FOR GRAVEL BANK / RENEWAL SPECIAL PERMIT**

Name of Applicant Strategic Commercial Realty, Inc. dba Rawson Materials Phone 860-963-6584
Mailing Address 6 Kennedy Drive, Putnam, CT 06260
Relation _____

Property Owner Strategic Commercial Realty, Inc. dba Rawson Materials Phone 860-963-6584
Mailing Address 6 Kennedy Drive, Putnam, CT 06260

Name of Engineer/Surveyor Provost & Rovero, Inc.
Address PO Box 191, Plainfield, CT 06374
Contact Person David Held, P.E., L.S. Phone 860-230-0856 Fax _____

Name of Attorney Harry Heller, Heller, Heller & McCoy
Address 736 Norwich-New London Turnpike, Uncasville, CT 06382
Phone 860-848-1248 Fax _____

Property address Maynard Road
Property Location Southeast side of Maynard Road
Map # 29 Lot # 5 Zone RA Total Acres 29.990

Maximum Area :
Acres of Gravel Removal 20.3 Cubic Yards of Gravel Removal 1.05 million CY

Is Application for Renewal? Yes No _____ If Yes, Amount Removed Last Year 0
Original Date of Issuance of Permit June 3, 2020 Issued To: Strategic Commercial Realty, Inc. dba Rawson Materials

Compliance with Article 13, Gravel Banks
Compliance with Article 5, Special Permit Requirements

The owner and applicant hereby grant the Brooklyn Planning and Zoning Commission, the Board of Selectman, Authorized Agents of the Planning and Zoning Commission or Board of Selectman, permission to enter the property to which the application is requested for the purpose of inspection and enforcement of the Zoning regulations and the Subdivision regulations of the Town of Brooklyn

Applicant: [Signature] Date 4/19/2021

Owner: [Signature] Date 4/19/2021

*Note : All consulting fees shall be paid by the applicant

EARTH EXCAVATION AND REMOVAL CHECK LIST

The following items are required as a part of the excavation plan. Note these are minimum requirements. Other information may be required based on your application

Contours at 2' intervals

For renewals:

_____ Contours as of original permit approval

----- Contours as of date of survey(updated to present) stamped by a licensed land surveyor

Amount of material to be removed

For Renewals:

_____ Amount of material originally approved to be removed

----- Amount of material removed to date, by an annual accounting for each 12 month period of the permit

_____ Amount of material to be removed during the next year

_____ Date the permit will next expire if not renewed.

Maximum depth of excavation

Depths to water table

Note measures to be used to protect the water table

Location of any stock piles

Areas to be restored

Restoration Plan

Erosion and Sediment Control Plan

Erosion and Sediment Control Narrative

Erosion and Sediment Control Bond

For renewals:

_____ Amount of bond that has been filed

_____ Verification of Erosion and Sedimentation control measures

Traffic pattern within the site

_____ Will any trucks be repaired on site if so, where

Location of fueling pad

Will any equipment or trucks be stored on site

If so, locate on site

Average number of trips per day

Maximum number of trips per day

Note trucks will be covered when leaving the site

Processing equipment if any and usage
 Amount of processing too be done
 Per year
 Per month

How will noise issues be addressed
 How will dust issues be address
 Calcium chloride water at what frequency
 Description of the project, trucks/day, days and hours of operation, completion date etc
 Phasing plan
 Time frame for project

Site inspection by staff
 Compliance with Article 5 Special Permit
 Compliance with Article13 Gravel Banks
 For Renewals:
 Inland Wetlands Permit if required
 Archeological review
 DEP Permit if required

Other items to review

Bond amount may need to be updated regarding the following:

Erosion and Sediment Control
 Restoration Plan

Inspections will be done through out the year on a Quarterly basis to insure compliance with the original plan and any conditions of renewal

Provost & Rovero, Inc.

Civil Engineering • Surveying • Site Planning • Structural • Mechanical • Architectural Engineering

P.O. Box 191
57 East Main Street
Plainfield, CT 06374

Telephone (860) 230-0856
Fax (860) 230-0860
www.prorovinc.com

April 19, 2021

Jana Butts Roberson, AICP
Director of Community Development/Town Planner
Town of Brooklyn
P.O. Box 356
69 South Main Street
Brooklyn, CT 06234

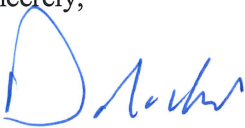
**RE: Rawson Materials – Maynard Road – Brooklyn, CT – SPG 19-003
P&R Job No. 173081**

Dear Ms. Roberson:

I completed an inspection of the above referenced property on April 19, 2021. This inspection was completed to support a renewal application for the excavation of sand and gravel from the property. To date, no work has taken place pursuant to the excavation special permit approval which was granted at the June 3, 2020 meeting of the Planning and Zoning Commission.

If you have any questions or need additional information, please do not hesitate to contact us at your convenience.

Sincerely,



David J. Held, P.E., L.S.
Provost & Rovero, Inc.

CC: Madilyn Smith (Rawson Materials, via email)
Margaret Washburn (ZEO, WEO, via email)



April 20, 2021

SENT BY ELECTRONIC MAIL ONLY:

Town of Brooklyn
ATTN: Jana Butts Roberson, AICP
69 South Main Street
PO Box 356
Brooklyn, CT 06234

RE: Potvin SPG 19-003

Dear Ms. Roberson,

Please be advised that Strategic Commercial Realty, Inc. DBA Rawson Materials (“Rawson”) purchased the property located on the southeast side of Maynard Road (Map 29 Lot 5) on September 18, 2020. This property was previously owned by the Potvin Family Trust, as shown on maps dated October 2, 2019 associated with special permit 19-003 granted on June 3, 2020. Please don’t hesitate to reach out should have any questions regarding this transfer.

Sincerely,

Madilyn C. Smith
Corporate Counsel & Executive Administrator
(860-317-7572 | madilyn.smith@rawsonmaterials.com)

PROPOSED GRAVEL EXCAVATION

MAYNARD ROAD
BROOKLYN, CONNECTICUT

APPLICANT:
STRATEGIC COMMERCIAL REALTY, INC., D/B/A RAWSON MATERIALS
6 KENNEDY DRIVE
PUTNAM, CT 06260

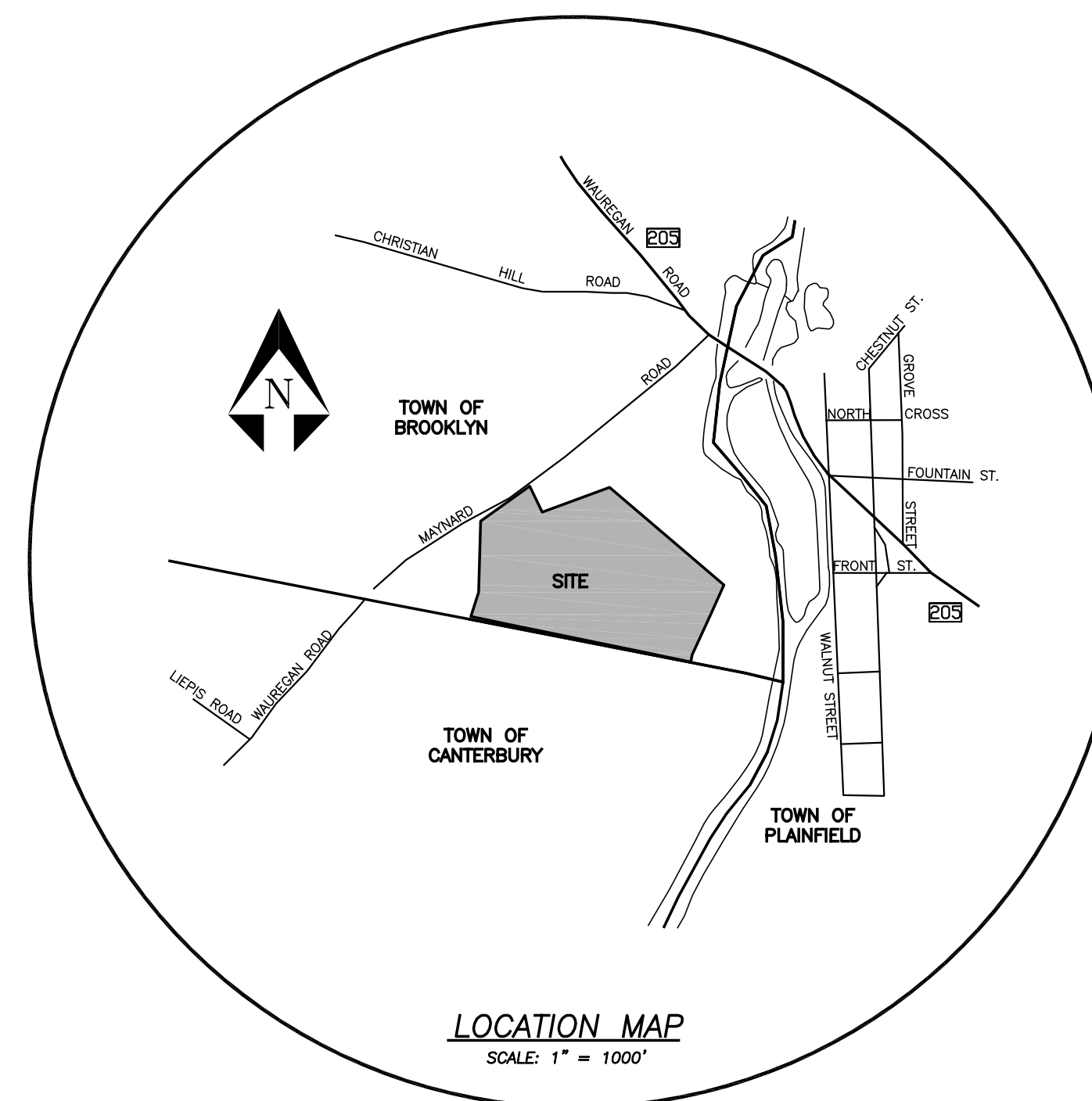
OWNER:
THE POTVIN FAMILY TRUST
457 PUTNAM ROAD
DANIELSON, CT 06239

INDEX TO DRAWINGS

TITLE	SHEET No.
COVER SHEET	1 OF 17
PROPERTY SURVEY	2 OF 17
KEY MAP AND PHASING PLAN	3 OF 17
SITE PLAN No. 1-4	4-7 OF 17
EXCAVATION CROSS SECTIONS	8-9 OF 17
DETAIL SHEETS 1-3	10-12 OF 17
RESTORATION PLAN	13 OF 17
SIGHTLINE DEMONSTRATION PLAN No. 1-2	14-15 OF 17
PLANNING & ZONING COMMISSION APPROVAL	16 OF 17
INLAND WETLANDS COMMISSION APPROVAL	17 OF 17

LEGEND

○	IRON PIN OR PIPE RECOVERED
□	MONUMENT RECOVERED
*	WIRE FENCE REMAINS
⋈	UTILITY POLE
⊕	BORING
⊕	MONITOR WELL/PIEZOMETER
#	INLAND WETLAND FLAG
~~~~~	EXISTING TREE LINE
---	EXISTING INDEX CONTOUR
---	EXISTING CONTOUR
-----	EXCAVATION PHASE LINE
-----	PROPOSED FINAL RESTORATION CONTOUR
-----	PROPOSED GRAVEL REMOVAL CONTOUR
-----	PROPOSED CLEARING LIMIT
-----	PROPOSED SILT FENCE
-----	PROPOSED SILT FENCE BACKED WITH HAYBALES
-----	TEMPORARY DIVERSION SWALE



PREPARED BY:

## Provost & Rovero, Inc.

Civil Engineering • Surveying • Site Planning  
Structural • Mechanical • Architectural Engineering

57 East Main Street, P.O. Box 191  
Plainfield, Connecticut 06374  
(860) 230-0856 - FAX: (860) 230-0860  
info@prorovinc.com  
www.prorovinc.com

DATE	REVISIONS DESCRIPTION
11/14/2019	SIGHTLINE PLANS
2/10/2020	I.W. & ENGINEERING REVIEW
2/14/2020	HYDROGEOLOGIC REVIEW
3/12/2020	I.W. APPROVAL CONDITIONS
7/27/2020	APPROVAL SHEETS

OCTOBER 2, 2019

APPROVED BY THE BROOKLYN INLAND  
WETLANDS COMMISSION

CHAIRMAN _____ DATE _____

APPROVED BY THE BROOKLYN PLANNING  
& ZONING COMMISSION  
SPECIAL PERMIT EXPIRATION DATE: _____

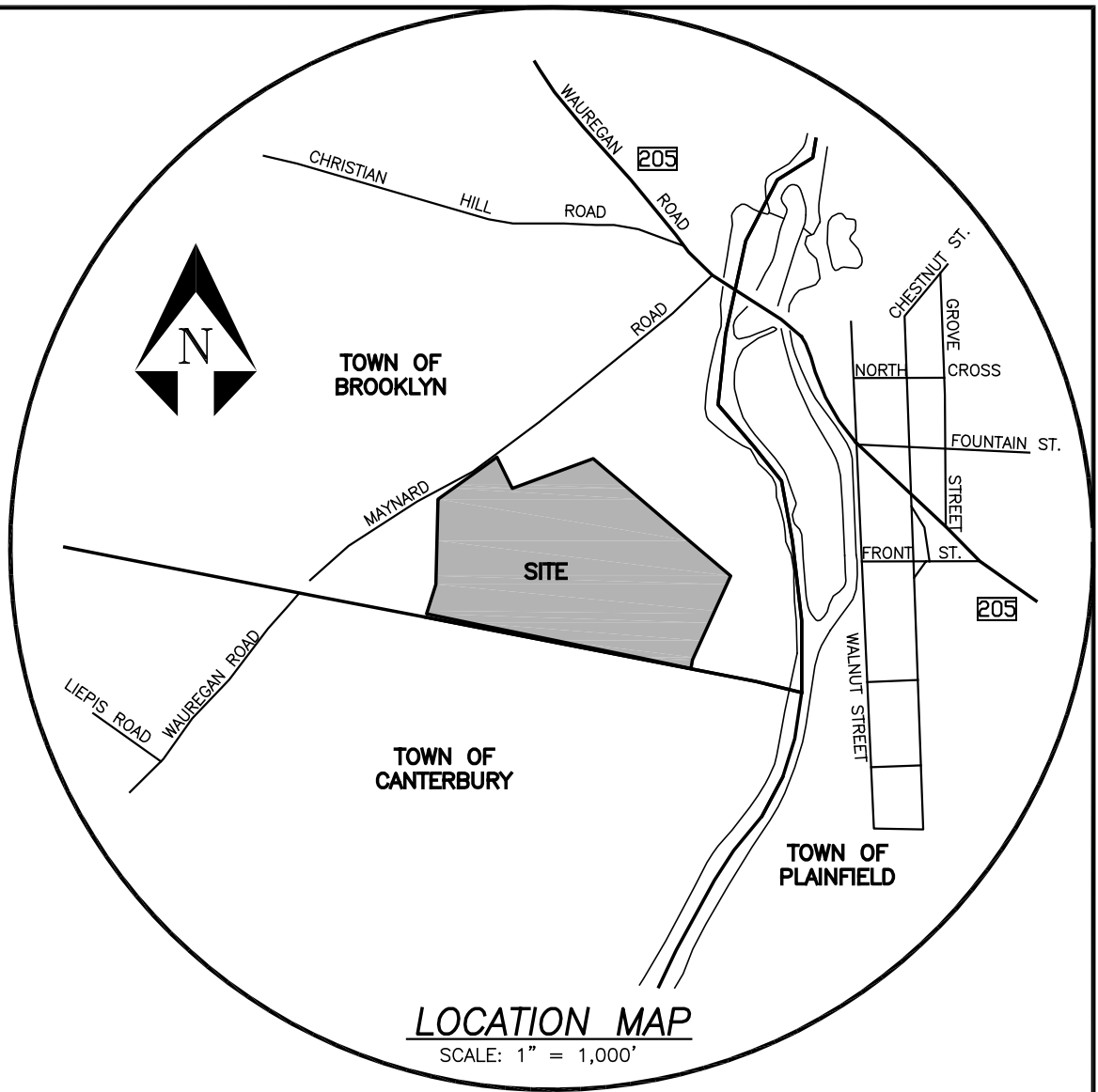
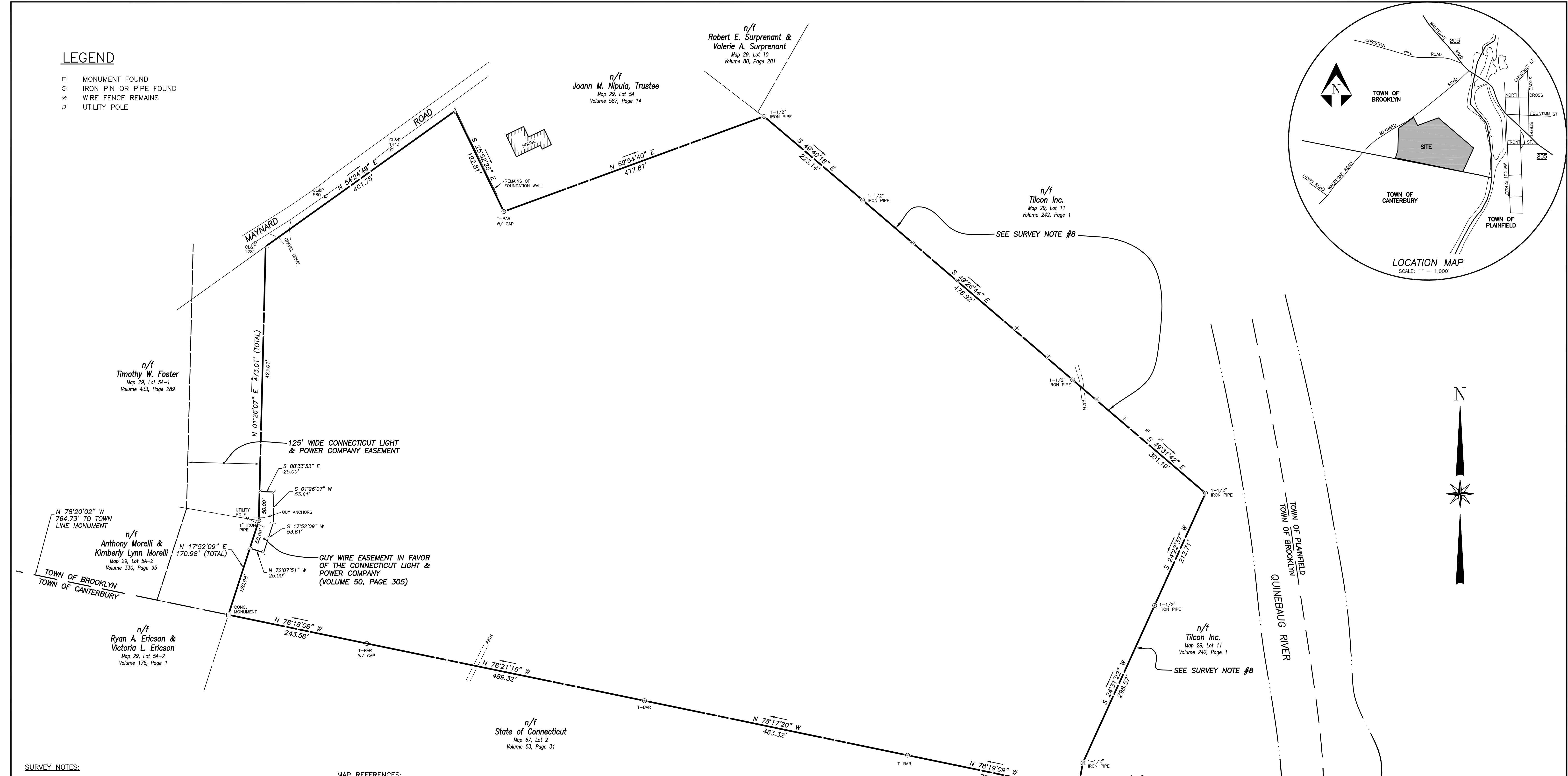
CHAIRMAN _____ DATE _____

ENGINEER _____ DATE _____

SHEET 1 OF 17  
JOB NO: 173081  
DWG NO: HF 321

**LEGEND**

- MONUMENT FOUND
- IRON PIN OR PIPE FOUND
- × WIRE FENCE REMAINS
- ≡ UTILITY POLE



- SURVEY NOTES:**
- This survey has been prepared pursuant to the Regulations of Connecticut State Agencies Section 20-300b-1 through 20-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996, amended October 26, 2018;
    - This survey conforms to a Class "A-2" horizontal accuracy.
    - Boundary Determination Category: Resurvey.
    - Survey Type: Property Survey.
  - Zone: RA.
  - Parcel is shown as Lot 5 on Assessors Map 29.
  - Bearings are referenced to Connecticut State Plane Coordinates, NAD-83(2011), Epoch 2010.0000.
  - Total area of parcel = 29.990 acres (1,306,378 S.F.).
  - Reference is made to a quit claim deed in Volume 357, Page 402 of the Brooklyn land records for the subject parcel.
  - Owner of record: Edward H. & Anne K. Potvin  
457 Putnam Road  
Danielson, CT 06239
  - Reference is made to a mutual agreement for excavation to the common boundary line between the subject property and land now or formerly of Tilcon Inc. to be filed in the Brooklyn land records.

- MAP REFERENCES:**
- "Survey Plan of Parcel "A" - Prepared for - Gertrude M. Marszalek - Maynard Road - Brooklyn, Connecticut - Scale: 1" = 80' - Dated: May 23, 1994 - KWP Associates"
  - "Plan of Land - of - John M. Marszalek & Gertrude M. Marszalek - Maynard Road - Brooklyn, Connecticut - Scale: 1" = 80' - Dated: September 9, 1981 - Kieltyka, Woodis & Pike"
  - "Subdivision of Land - Owned by - Richard E. Bussiere - Maynard Road, Brooklyn, Connecticut - Wauregan Road, Canterbury, Connecticut - Scale: 1" = 50' - Dated: November 15, 1977 - Albert L. Fitzback R.L.S."
  - "Location of Guying Area of - The Connecticut Light & Power Company - Across the Property of - John M. Marszalek et al. - Town of Brooklyn - County of Windham - State of Connecticut - Scale: 1" = 200' - Dated: January 1971"
  - "Property of - John M. & Gertrude M. Marszalek - to be Conveyed to - State of Connecticut - Wauregan Road - Canterbury, Connecticut - Scale: 1" = 100' - Dated: December 1968 - Harold R. Sanderson"

APPROVED BY THE BROOKLYN INLAND WETLANDS COMMISSION

CHAIRMAN _____ DATE _____

APPROVED BY THE BROOKLYN PLANNING & ZONING COMMISSION

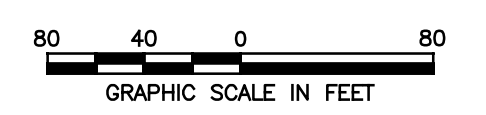
SPECIAL PERMIT EXPIRATION DATE: _____

CHAIRMAN _____ DATE _____

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON,

DAVID J. HELD, L.S. LIC. NO. 24267 DATE _____

NO CERTIFICATION IS EXPRESSED OR IMPLIED UNLESS THIS MAP BEARS THE ORIGINAL SEAL AND SIGNATURE OF THE LAND SURVEYOR.



REVISIONS	
DATE	DESCRIPTION
11/14/2019	SIGHTLINE PLANS
2/10/2020	I.W. & ENGINEERING REVIEW
2/14/2020	HYDROGEOLOGIC REVIEW
3/12/2020	I.W. APPROVAL CONDITIONS
7/27/2020	APPROVAL SHEETS

DATE: 10/2/2019 DRAWN: DJH  
SCALE: 1" = 80' DESIGN: DJH  
SHEET: 2 OF 17 CHK BY: ---  
DWG. No: HF 321 JOB No: 173081

PROPERTY SURVEY  
PREPARED FOR  
**STRATEGIC COMMERCIAL REALTY, INC.**  
D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION  
LAND N/F THE POTVIN FAMILY TRUST**  
MAYNARD ROAD  
BROOKLYN, CONNECTICUT

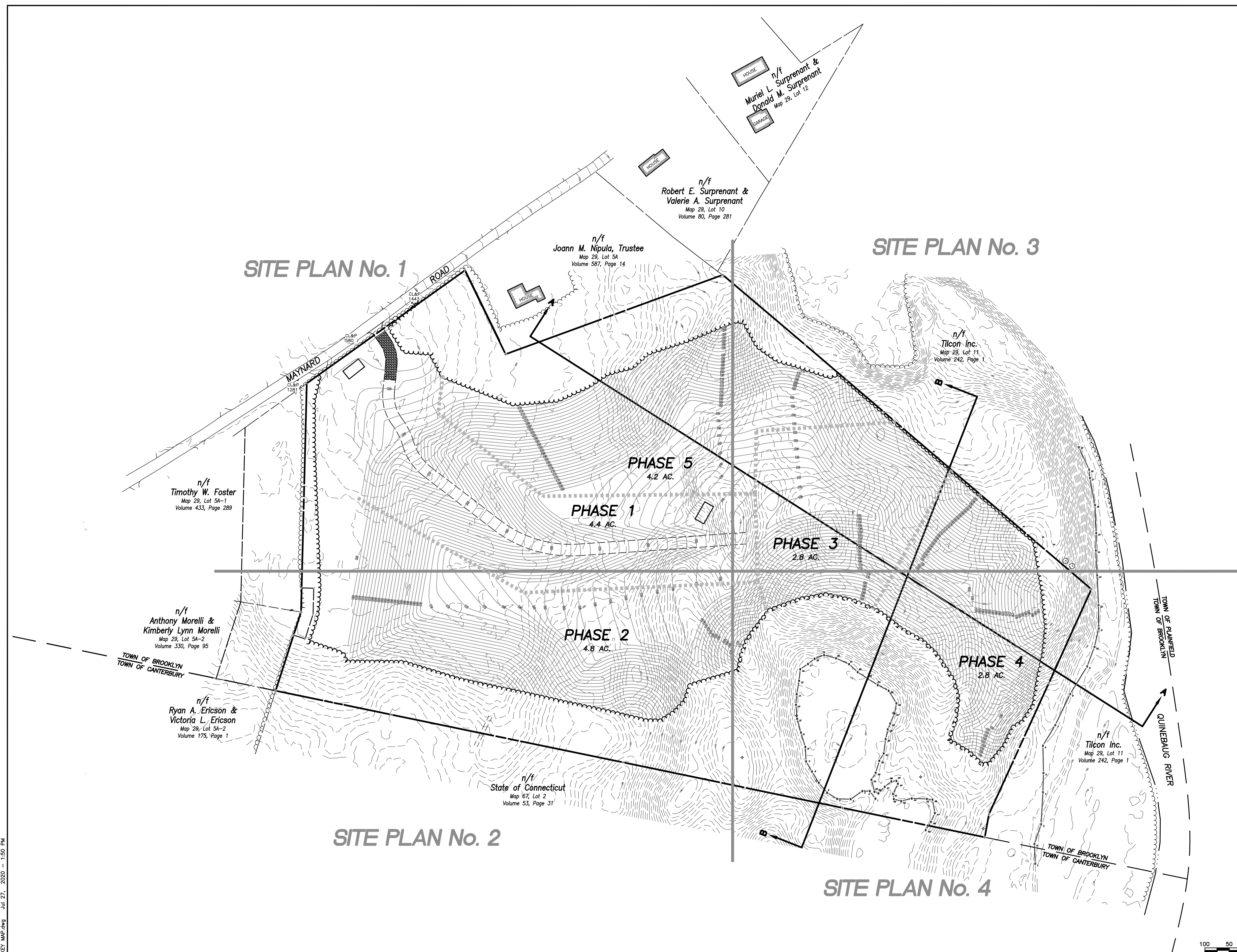
**Provost & Rovero, Inc.**  
Civil Engineering • Surveying • Site Planning  
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www.provinc.com

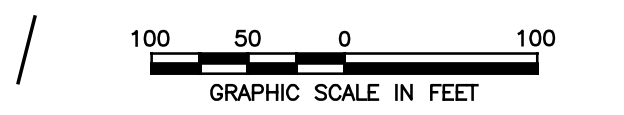
C:\Users\Dave\Desktop\06239\173081\Drawings\02_PROPERTY_SURVEY.dwg Jul 27, 2020 - 1:49 PM

**SURVEY NOTES:**

- This survey has been prepared pursuant to the Regulations of Connecticut State Agencies Section 20-300b-1 through 20-300b-20 and the "Standards for Surveys and Maps in the State of Connecticut" as adopted by the Connecticut Association of Land Surveyors, Inc. on September 26, 1996, amended October 26, 2018;  
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KEY MAP & PHASING PLAN  
 PREPARED FOR  
 STRATEGIC COMMERCIAL REALTY, INC.  
 D/B/A RAWSON MATERIALS  
 PROPOSED GRAVEL EXCAVATION  
 LAND N/F THE POTVIN FAMILY TRUST  
 MAYNARD ROAD  
 BROOKLYN, CONNECTICUT



REVISIONS	
DATE	DESCRIPTION
11/14/2019	SIGHTLINE PLANS
2/10/2020	I.W. & ENGINEERING REVIEW
2/14/2020	HYDROGEOLOGIC REVIEW
3/12/2020	I.W. APPROVAL CONDITIONS
7/27/2020	APPROVAL SHEETS

DATE: 10/2/2019 DRAWN: DJH  
 SCALE: 1" = 100' DESIGN: DJH  
 SHEET: 3 OF 17 CHK BY: ---  
 DWG. No: HF 321 JOB No: 173081

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 www.provostinc.com

APPROVED BY THE BROOKLYN INLAND WETLANDS COMMISSION  
 CHAIRMAN _____ DATE _____

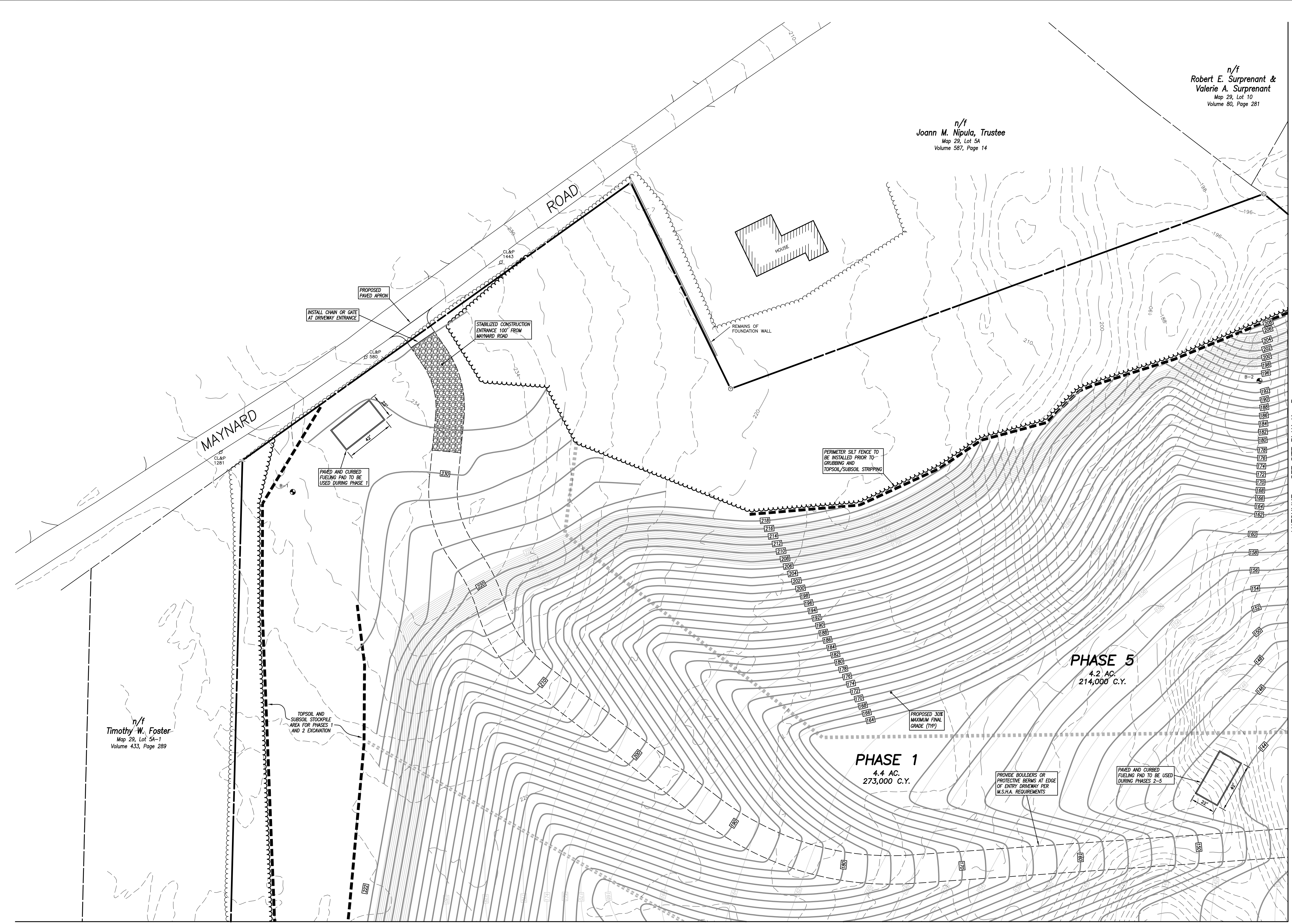
APPROVED BY THE BROOKLYN PLANNING & ZONING COMMISSION  
 SPECIAL PERMIT EXPIRATION DATE: _____  
 CHAIRMAN _____ DATE _____

I HAVE REVIEWED THE FLAGGED INLAND WETLANDS LOCATION SHOWN ON THIS PLAN AND THEY APPEAR TO BE SUBSTANTIALLY CORRECT.  
 Certified Soil Scientist _____ Date _____

ENGINEER _____ DATE _____

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON,  
 DAVID J. HELD, L.S. LIC. NO. 24267 DATE _____  
 NO CERTIFICATION IS EXPRESSED OR IMPLIED UNLESS THIS MAP BEARS THE ORIGINAL SEAL AND SIGNATURE OF THE LAND SURVEYOR.

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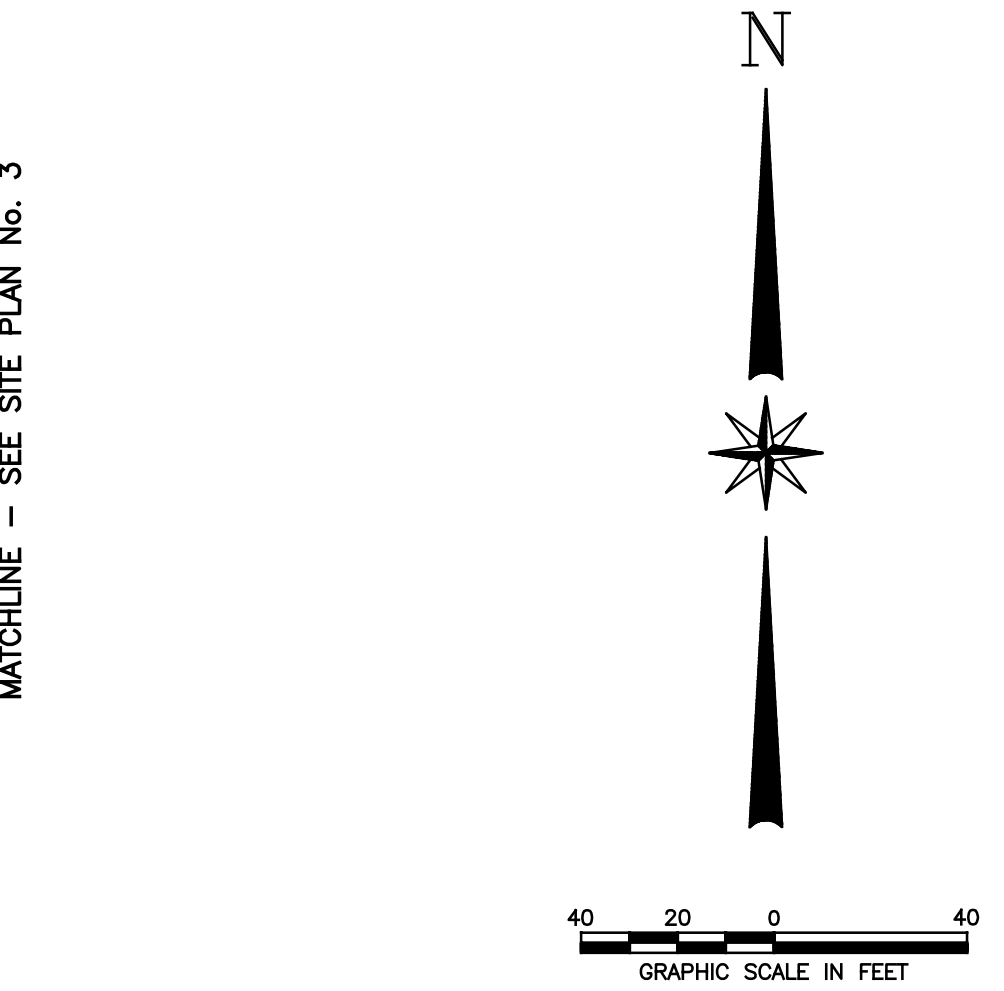


n/f  
Robert E. Surprenant &  
Valerie A. Surprenant  
Map 29, Lot 10  
Volume 80, Page 281

n/f  
Joann M. Nipula, Trustee  
Map 29, Lot 5A  
Volume 587, Page 14

n/f  
Timothy W. Foster  
Map 29, Lot 5A-1  
Volume 433, Page 289

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**LEGEND**

- IRON PIN OR PIPE RECOVERED
- MONUMENT RECOVERED
- ⊗ WIRE FENCE REMAINS
- ⊕ UTILITY POLE
- ⊙ BORING
- ⊕ MONITOR WELL/PIEZOMETER
- ⊕ INLAND WETLAND FLAG
- EXISTING TREE LINE
- - - EXISTING INDEX CONTOUR
- - - EXISTING CONTOUR
- - - EXCAVATION PHASE LINE
- - - PROPOSED FINAL RESTORATION CONTOUR
- - - PROPOSED GRAVEL REMOVAL CONTOUR
- - - PROPOSED CLEARING LIMIT
- - - PROPOSED SILT FENCE
- - - PROPOSED SILT FENCE BACKED WITH HAYBALES
- - - TEMPORARY DIVERSION SWALE

SITE PLAN No. 1  
PREPARED FOR  
**STRATEGIC COMMERCIAL REALTY, INC.**  
D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
**LAND N/F THE POTVIN FAMILY TRUST**  
MAYNARD ROAD  
BROOKLYN, CONNECTICUT

APPROVED BY THE BROOKLYN INLAND WETLANDS COMMISSION  
CHAIRMAN _____ DATE _____

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SPECIAL PERMIT EXPIRATION DATE: _____  
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ENGINEER _____ DATE _____

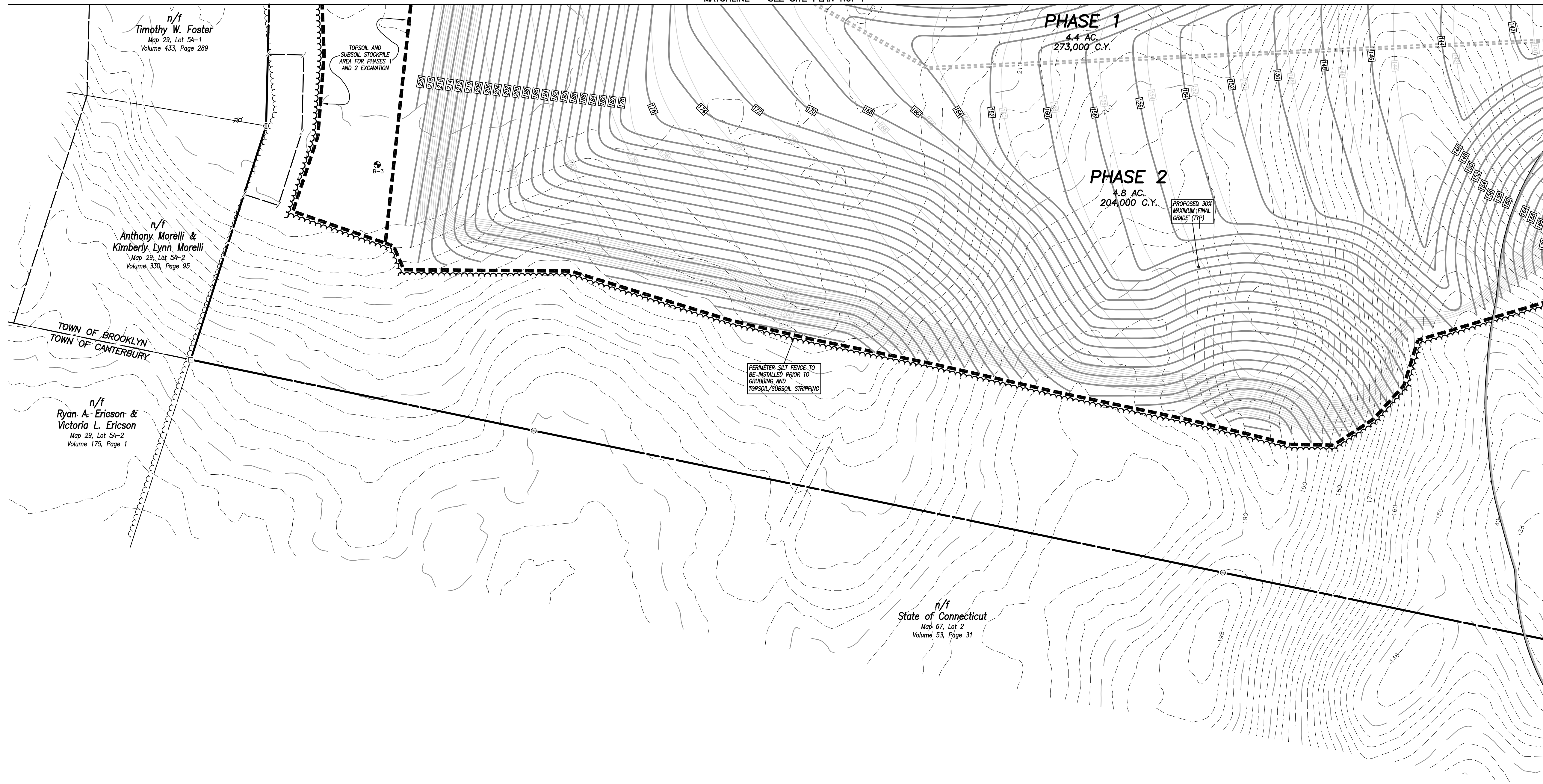
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7/27/2020	APPROVAL SHEETS

DATE: 10/2/2019 DRAWN: DJH  
SCALE: 1" = 40' DESIGN: DJH  
SHEET: 4 OF 17 CHK BY: ---  
DWG. No: HF 321 JOB No: 173081

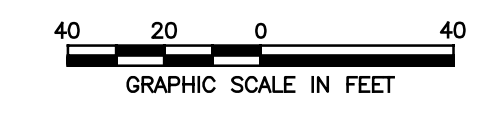
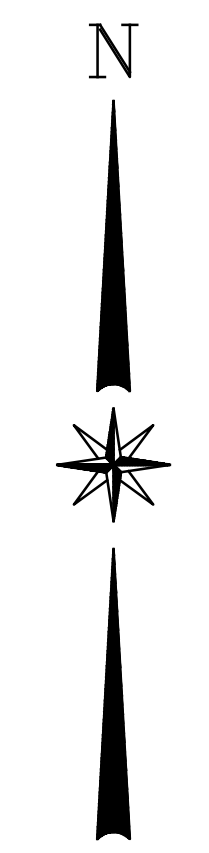
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MATCHLINE — SEE SITE PLAN No. 1



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- PROPOSED CLEARING LIMIT
- PROPOSED SILT FENCE
- PROPOSED SILT FENCE BACKED WITH HAYBALES
- TEMPORARY DIVERSION SWALE

MATCHLINE — SEE SITE PLAN No. 4

**SITE PLAN No. 2**  
 PREPARED FOR  
**STRATEGIC COMMERCIAL REALTY, INC.**  
 D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
**LAND N/F THE POTVIN FAMILY TRUST**  
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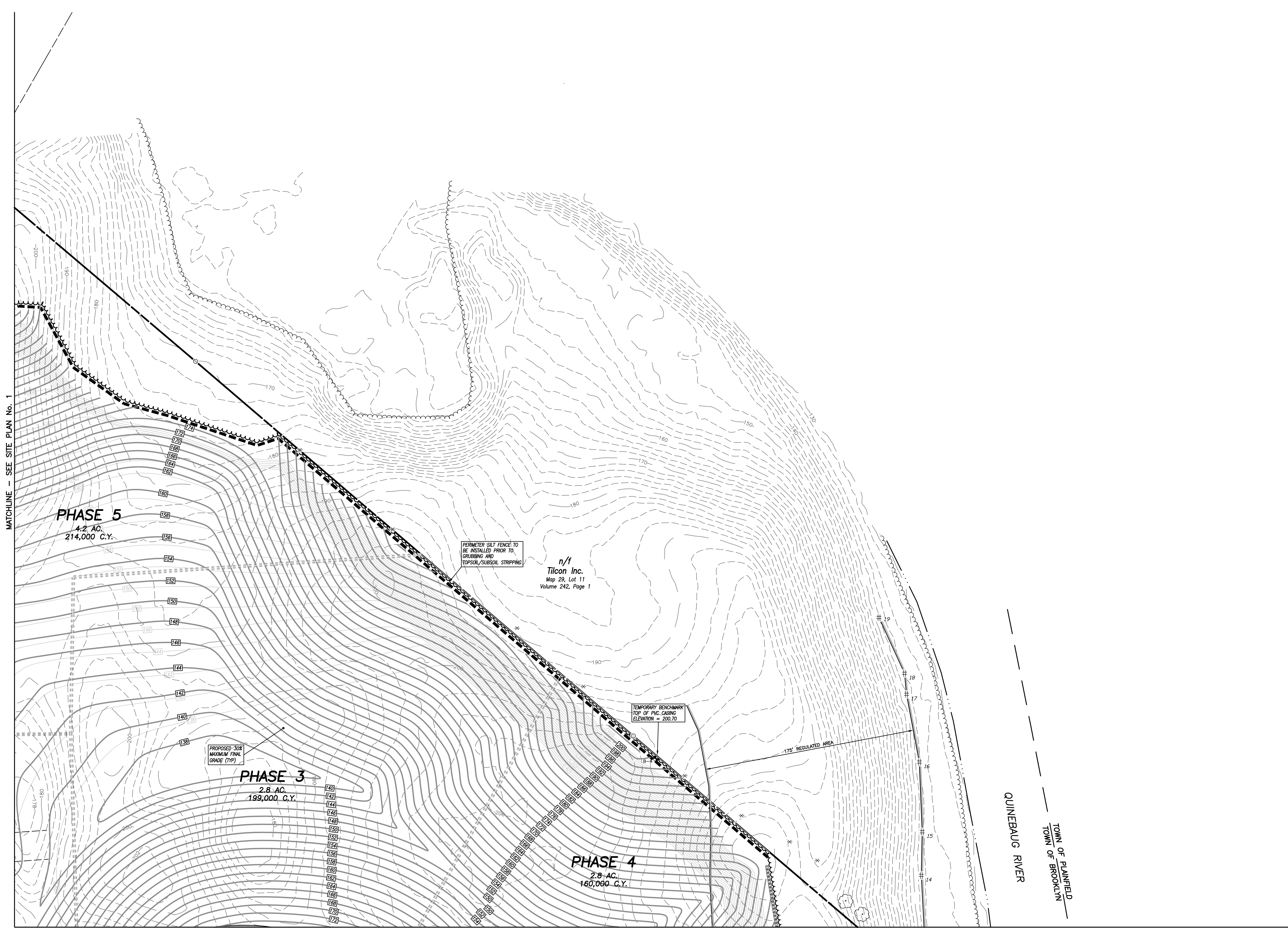
APPROVED BY THE BROOKLYN INLAND WETLANDS COMMISSION  
 CHAIRMAN _____ DATE _____

APPROVED BY THE BROOKLYN PLANNING & ZONING COMMISSION  
 SPECIAL PERMIT EXPIRATION DATE: _____  
 CHAIRMAN _____ DATE _____

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SITE PLAN No. 3  
PREPARED FOR  
**STRATEGIC COMMERCIAL REALTY, INC.**  
D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
**LAND N/F THE POTVIN FAMILY TRUST**  
MAYNARD ROAD  
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7/27/2020	APPROVAL SHEETS

DATE: 10/2/2019    DRAWN: DJH  
SCALE: 1" = 40'    DESIGN: DJH  
SHEET: 6 OF 17    CHK BY: ---  
DWG. No: HF 321    JOB No: 173081

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ENGINEER _____ DATE _____

APPROVED BY THE BROOKLYN INLAND WETLANDS COMMISSION

CHAIRMAN _____ DATE _____

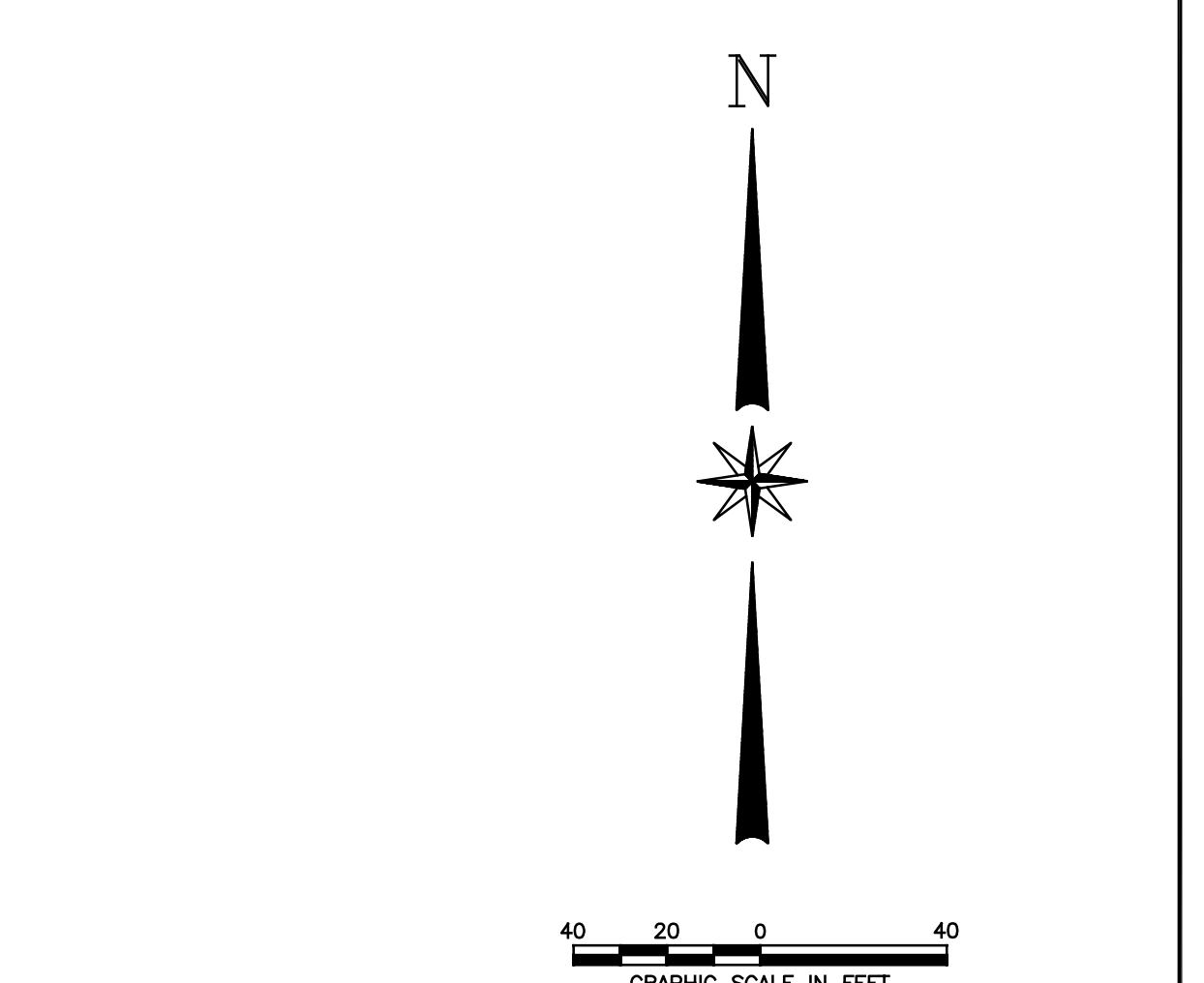
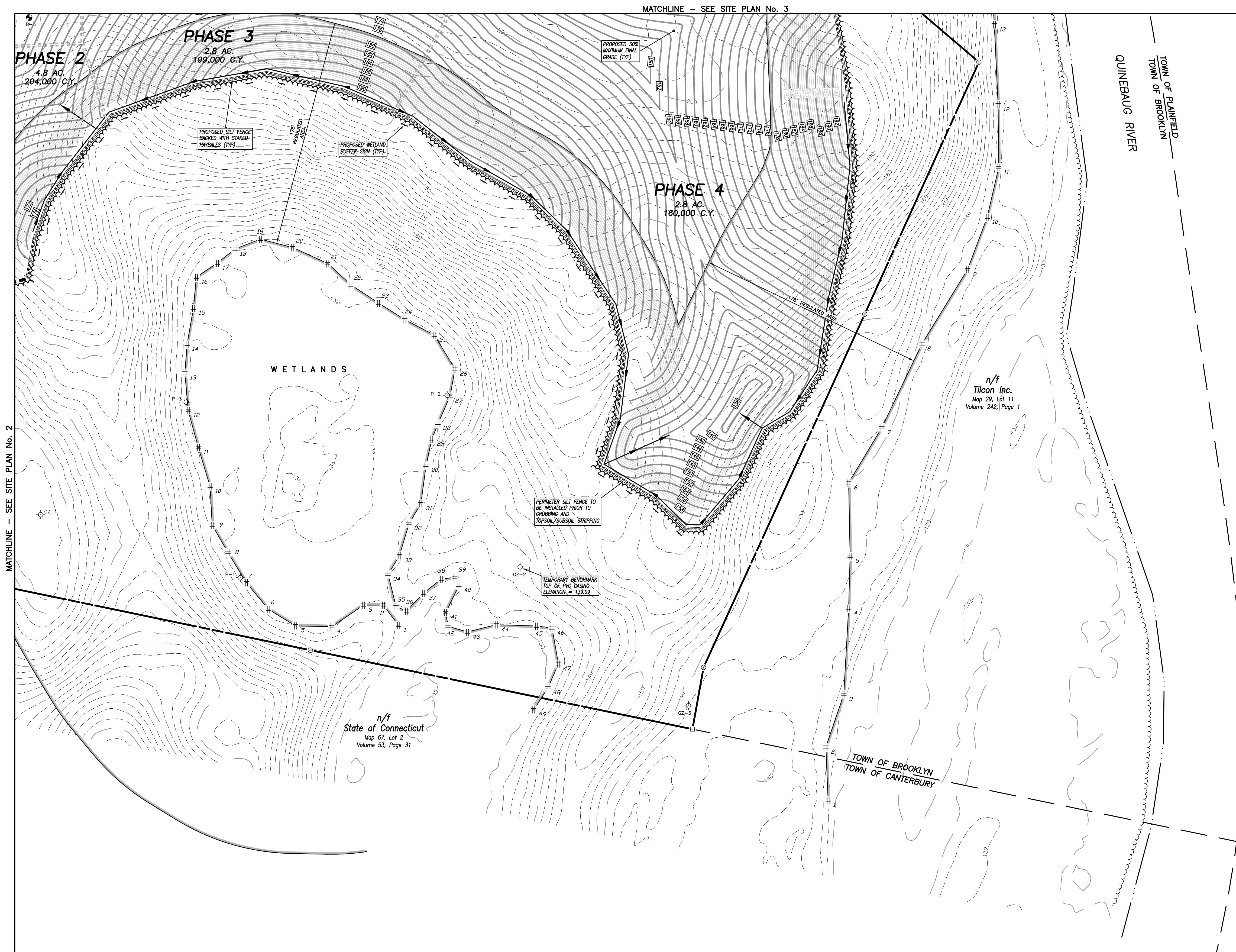
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SITE PLAN No. 4  
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D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
**LAND N/F THE POTVIN FAMILY TRUST**  
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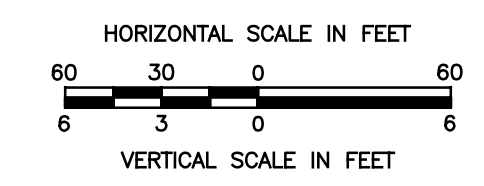
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7/27/2020	APPROVAL SHEETS

DATE: 10/2/2019 DRAWN: DJH  
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SHEET: 7 OF 17 CHK BY: ---  
DWG. No: HF 321 JOB No: 173081

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON,  
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ENGINEER _____ DATE _____		

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**CROSS SECTION A-A**  
 HORIZONTAL SCALE: 1" = 60'  
 VERTICAL SCALE: 1" = 6'

EXCAVATION CROSS SECTION A-A  
 PREPARED FOR  
**STRATEGIC COMMERCIAL REALTY, INC.**  
 D/B/A RAWSON MATERIALS  
*PROPOSED GRAVEL EXCAVATION*  
 LAND N/F THE POTVIN FAMILY TRUST  
 MAYNARD ROAD  
 BROOKLYN, CONNECTICUT

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CHAIRMAN _____ DATE _____

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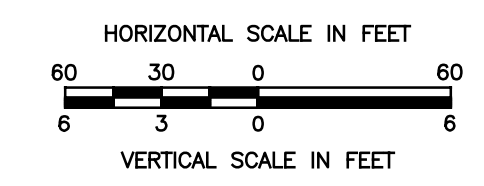
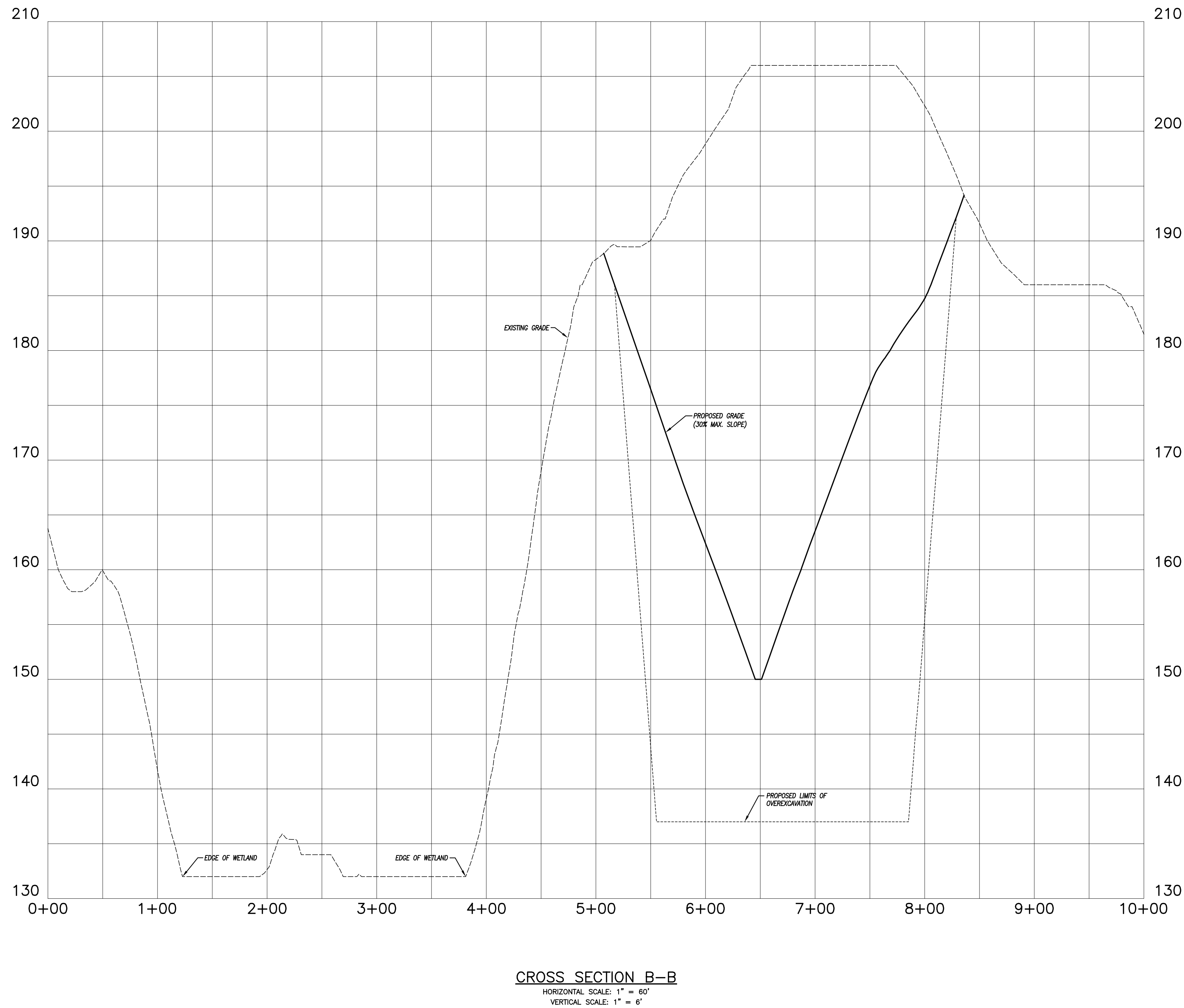
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EXCAVATION CROSS SECTION B-B  
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**PROPOSED GRAVEL EXCAVATION**  
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ENGINEER _____ DATE _____

**EROSION AND SEDIMENT CONTROL PLAN:**

**REFERENCE IS MADE TO:**

- 1. Connecticut Guidelines for Soil Erosion and Sediment Control 2002 (2002 Guidelines).
- 2. Soil Survey of Connecticut, N.R.C.S.

**SILT FENCE INSTALLATION AND MAINTENANCE:**

- 1. Dig a 6" deep trench on the uphill side of the barrier location.
- 2. Position the posts on the downhill side of the barrier and drive the posts 1.5 feet into the ground.
- 3. Lay the bottom 6" of the fabric in the trench to prevent undermining and backfill.
- 4. Inspect and repair barrier after heavy rainfall.
- 5. Inspections will be made at least once per week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inch or greater to determine maintenance needs.
- 6. Sediment deposits are to be removed when they reach a height of 1 foot behind the barrier or half the height of the barrier and are to be deposited in an area which is not regulated by the Inland Wetlands Commission.
- 7. Replace or repair the fence within 24 hours of observed failure. Failure of the fence has occurred when sediment fails to be retained by the fence because:
  - the fence has been overtopped, undercut or bypassed by runoff water,
  - the fence has been moved out of position (knocked over), or
  - the geotextile has decomposed or been damaged.

**HAY BALE INSTALLATION AND MAINTENANCE:**

- 1. Bales shall be placed as shown on the plans with the ends of the bales tightly abutting each other.
- 2. Each bale shall be securely anchored with at least 2 stakes and gaps between bales shall be wedged with straw to prevent water from passing between the bales.
- 3. Inspect bales at least once per week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inches or greater to determine maintenance needs.
- 4. Remove sediment behind the bales when it reaches half the height of the bale and deposit in an area which is not regulated by the Inland Wetlands Commission.
- 5. Replace or repair the barrier within 24 hours of observed failure. Failure of the barrier has occurred when sediment fails to be retained by the barrier because:
  - the barrier has been overtopped, undercut or bypassed by runoff water,
  - the barrier has been moved out of position, or
  - the hay bales have deteriorated or been damaged.

**TEMPORARY VEGETATIVE COVER:**

**SEED SELECTION**

Grass species shall be appropriate for the season and site conditions. Appropriate species are outlined in Figure TS-2 in the 2002 Guidelines.

**TIMING CONSIDERATIONS**

Seed with a temporary seed mixture within 7 days after the suspension of grading work in disturbed areas where the suspension of work is expected to be more than 30 days but less than 1 year.

**SITE PREPARATION**

Install needed erosion control measures such as diversions, grade stabilization structures, sediment basins and grassed waterways.

Grade according to plans and allow for the use of appropriate equipment for seedbed preparation, seeding, mulch application, and mulch anchoring.

**SEEDBED PREPARATION**

Loosen the soil to a depth of 3-4 inches with a slightly roughened surface. If the area has been recently loosened or disturbed, no further roughening is required. Soil preparation can be accomplished by tracking with a bulldozer, discing, harrowing, raking or dragging with a section of chain link fence. Avoid excessive compaction of the surface by equipment traveling back and forth over the surface. If the slope is tracked, the cleat marks shall be perpendicular to the anticipated direction of the flow of surface water.

If soil testing is not practical or feasible on small or variable sites, or where timing is critical, fertilizer may be applied at the rate of 300 pounds per acre or 7.5 pounds per 1,000 square feet of 10-10-10 or equivalent. Additionally, lime may be applied using rates given in Figure TS-1 in the 2002 Guidelines.

**SEEDING**

Apply seed uniformly by hand cyclone seeder, drill, cultipacker type seeder or hydroseeder at a minimum rate for the selected species. Increase seeding rates by 10% when hydroseeding.

**MULCHING**

Temporary seedings made during optimum seeding dates shall be mulched according to the recommendations in the 2002 Guidelines. When seeding outside of the recommended dates, increase the application of mulch to provide 95%-100% coverage.

**MAINTENANCE**

Inspect seeded area at least once a week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inch or greater for seed and mulch movement and soil erosion.

Where seed has moved or where soil erosion has occurred, determine the cause of the failure. Repair eroded areas and install additional controls if required to prevent recurrence of erosion.

Continue inspections until the grasses are firmly established. Grasses shall not be considered established until a ground cover is achieved which is mature enough to control soil erosion and to survive severe weather conditions (approximately 80% vegetative cover).

**PERMANENT VEGETATIVE COVER:**

Refer to Permanent Seeding Measure in the 2002 Guidelines for specific applications and details related to the installation and maintenance of a permanent vegetative cover. In general, the following sequence of operations shall apply:

- 1. Topsoil will be replaced once the excavation and grading has been completed. Topsoil will be spread at a minimum compacted depth of 4".
- 2. Once the topsoil has been spread, all stones 24" or larger in any dimension will be removed or buried.
- 3. Apply agricultural ground limestone at a rate of 2 tons per acre or 100 lbs. per 1000 s.f. Apply 10-10-10 fertilizer or equivalent at a rate of 300 lbs. per acre or 7.5 lbs. per 1000 s.f. Work lime and fertilizer into the soil to a depth of 4".
- 4. Inspect seedbed before seeding. If traffic has compacted the soil, retil compacted areas.
- 5. Apply the chosen grass seed mix (see Note 5 under Restoration Notes). The recommended seeding dates are: April 1 to June 15 & August 15 - October 1.
- 6. Following seeding, firm seedbed with a roller. Mulch immediately following seeding. If a permanent vegetative stand cannot be established by September 30, apply a temporary cover on the topsoil such as netting, mat or organic mulch.

**EROSION AND SEDIMENT CONTROL NARRATIVE:**

**PRINCIPLES OF EROSION AND SEDIMENT CONTROL**

The primary function of erosion and sediment controls is to absorb erosional energies and reduce runoff velocities that force the detachment and transport of soil and/or encourage the deposition of eroded soil particles before they reach any sensitive area.

**KEEP LAND DISTURBANCE TO A MINIMUM**

The more land that is in vegetative cover, the more surface water will infiltrate into the soil, thus minimizing stormwater runoff and potential erosion. Keeping land disturbance to a minimum not only involves minimizing the extent of exposure at any one time, but also the duration of exposure. Phasing, sequencing and construction scheduling are interrelated. Phasing divides a large project into distinct sections where construction work over a specific area occurs over distinct periods of time and each phase is not dependent upon a subsequent phase in order to be functional. A sequence is the order in which construction activities are to occur during any particular phase. A sequence should be developed on the premise of "first things first" and "last things last" with proper attention given to the inclusion of adequate erosion and sediment control measures. A construction schedule is a sequence with time lines applied to it and should address the potential overlap of actions in a sequence which may be in conflict with each other.

- Limit areas of clearing and grading. Protect natural vegetation from construction equipment with fencing, tree armoring, and retaining walls or tree wells.
- Route traffic patterns within the site to avoid existing or newly planted vegetation.
- Phase construction so that areas which are actively being developed at any one time are minimized and only that area under construction is exposed. Clear only those areas essential for construction.
- Sequence the construction of storm drainage systems so that they are operational as soon as possible during construction. Ensure all outlets are stable before outletting storm drainage flow into them.
- Schedule construction so that final grading and stabilization is completed as soon as possible.

**SLOW THE FLOW**

Detachment and transport of eroded soil must be kept to a minimum by absorbing and reducing the erosive energy of water. The erosive energy of water increases as the volume and velocity of runoff increases. The volume and velocity of runoff increases during development as a result of reduced infiltration rates caused by the removal of existing vegetation, removal of topsoil, compaction of soil and the construction of impervious surfaces.

- Use diversions, stone dikes, silt fences and similar measures to break flow lines and dissipate storm water energy.
- Avoid diverting one drainage system into another without calculating the potential for downstream flooding or erosion.

**KEEP CLEAN RUNOFF SEPARATED**

Clean runoff should be kept separated from sediment laden water and should not be directed over disturbed areas without additional controls. Additionally, prevent the mixing of clean off-site generated runoff with sediment laden runoff generated on-site until after adequate filtration of on-site waters has occurred.

- Segregate construction waters from clean water.

- Divert site runoff to keep it isolated from wetlands, watercourses and drainage ways that flow through or near the development until the sediment in that runoff is trapped or detained.

**REDUCE ON SITE POTENTIAL INTERNALLY AND INSTALL PERIMETER CONTROLS**

While it may seem less complicated to collect all waters to one point of discharge for treatment and just install a perimeter control, it can be more effective to apply internal controls to many small sub-drainage basins within the site. By reducing sediment loading from within the site, the chance of perimeter control failure and the potential off-site damage that it can cause is reduced. It is generally more expensive to correct off-site damage than it is to install proper internal controls.

- Control erosion and sedimentation in the smallest drainage area possible. It is easier to control erosion than to contend with sediment after it has been carried downstream and deposited in unwanted areas.
- Direct runoff from small disturbed areas to adjoining undisturbed vegetated areas to reduce the potential for concentrated flows and increase settlement and filtering of sediments.
- Concentrated runoff from development should be safely conveyed to stable outlets using rip rapped channels, waterways, diversions, storm drains or similar measures.

- Determine the need for sediment basins. Sediment basins are required on larger developments where major grading is planned and where it is impossible or impractical to control erosion at the source. Sediment basins are needed on large and small sites when sensitive areas such as wetlands, watercourses, and streets would be impacted by off-site sediment deposition. Do not locate sediment basins in wetlands or permanent or intermittent watercourses. Sediment basins should be located to intercept runoff prior to its entry into the wetland or watercourse.

- Grade and landscape around buildings and septic systems to divert water away from them.

**EXCAVATION NOTES:**

- 1. No blasting or on-site processing is anticipated for completion of the work shown. If blasting is required, the owner is responsible for obtaining all necessary permits.
- 2. The emergency contact for operations at this site is Jeffrey Rawson (860) 963-6584.
- 3. The allowable hours of operation shall be 7:00 AM to 4:30 PM, Monday through Friday and 7:00 AM to 12:00 noon on Saturday. No operations shall be allowed on Sundays, Christmas, New Year's Day, Memorial Day, Fourth of July, Labor Day and Thanksgiving except by special permission of the Brooklyn Planning & Zoning Commission.
- 4. The owner and/or site operator shall provide adequate dust control to prevent any off-site nuisance. The preferred dust control measure is the application of water to vehicular travel areas.
- 5. The owner/operator shall install any necessary barricades or barriers to provide protection around the perimeter of open excavation faces and steep slopes.
- 6. Excavation operations shall be completed in accordance with all appropriate Mine Safety & Health Administration (MSHA) rules and regulations.
- 7. The proposed excavation shown hereon is anticipated to be completed over the course of several years. The total amount of material to be excavated per the proposed grades shown hereon is approximately 1.05 million CY. All useable material excavated will be transported off-site for processing and/or consumer sales. Over excavation of suitable material within the limits of disturbance and limits of overexcavation shown hereon is allowable. Over excavation shall not include the blasting or removal of ledge rock. Silt from off site aggregate washing and processing shall be imported as necessary to establish final subgrade elevations. Such fill material shall only be imported from processing facilities operated by or under the control of Rawson Materials. No other materials may be imported to the site for use as fill.
- 8. The site operator is responsible for determining the most appropriate means and methods for excavating material in the applicable phase. In general, excavation shall begin with stripping and stockpiling of topsoil and subsoil which will be utilized for site restoration. Removal of material should begin with a downcutting technique to ensure complete internal drainage with the disturbed area (bowl effect).
- 9. The entire site, including the active excavation area shall be maintained in a self-contained condition to prevent the discharge of sediment laden stormwater to undisturbed areas, the Quinebaug River, adjacent properties or wetlands.
- 10. All trucks leaving the site shall have the loads covered.
- 11. No stumps, trimmings, brush or other deleterious materials shall be buried on site. All such materials shall be chipped for use in site restoration or shall be properly disposed of at an off site facility.
- 12. All equipment fueling shall take place on the paved fueling pad. A fuel spill kit shall be maintained at the fueling pad throughout the duration of the project.

**RESTORATION NOTES:**

The restoration requirements described below will be applicable to disturbed areas of the

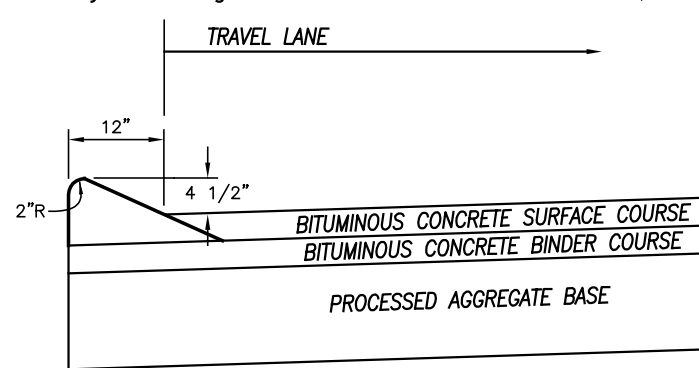
site which are no longer required for excavation, stockpiles, or other uses. When excavation of the site has been completed, all excavation equipment, stockpiles and other equipment shall be removed within 6 months from the termination of operations.

Restoration work shall begin within 12 months of the termination of operation in the respective phase and be completed within 18 months from the termination of operations or the termination of the excavation permit.

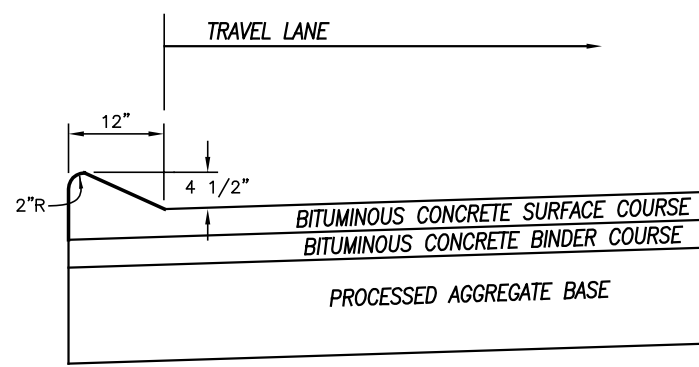
- 1. Restoration of disturbed areas shall take place following the completion of excavation or other work. Sufficient restoration bonding should be maintained as required by the Town to cover the restoration cost for disturbed/open site areas.
- 2. Final restoration shall begin with establishing the required subgrade elevations. Proposed grades shown are approximate and may be adjusted to match field conditions at the time of restoration. In general, all disturbed slopes shall be graded to a 30% maximum gradient.
- 3. Prepare the restoration area by spreading a 12" min. thickness (compacted) layer of silt or washing fines.
- 4. Complete restoration by spreading on-site stockpiled topsoil to an approximate minimum thickness of 4" (compacted) and seeding for a permanent vegetative cover. On-site topsoil stockpiles may be supplemented with composted organic matter, wood chips and imported topsoil as necessary to provide a suitable planting medium.
- 5. Spread seed for a permanent vegetative cover over the prepared restoration area. The permanent vegetative cover may be a suitable wildlife habitat mix or the following mixture which is suitable for use in all locations:

Variety	Lbs./Acres
Switchgrass (Blackwell, Shelter, Cave-in--rock)	4.0
Big Bluestem (Niagra, Kaw)	4.0
Little Bluestem (Blaze, Aldous, Camper)	2.0
Sand Lovegrass (NE-27, Bend)	1.5
Bird's-foot Trefoil (Empire, Viking)	2.0
<b>TOTAL</b>	<b>13.5</b>

- 6. Hay or straw mulch shall be utilized on 30% slopes to provide temporary stabilization during establishment of permanent vegetative cover. In general, no slopes greater than 30% will be allowable. In the event that steeper slopes are necessary in isolated locations to transition to existing natural grades, no slopes should be steeper than 2:1.
- 7. Fertilizer and lime shall be provided as required to establish a permanent vegetative cover based on laboratory soil testing results.
- 8. In lieu of the manual application of mulch and fertilizer, the restoration area may be planted with hydroseeding methods with a suitable tackifier, mulch and fertilizer mix.



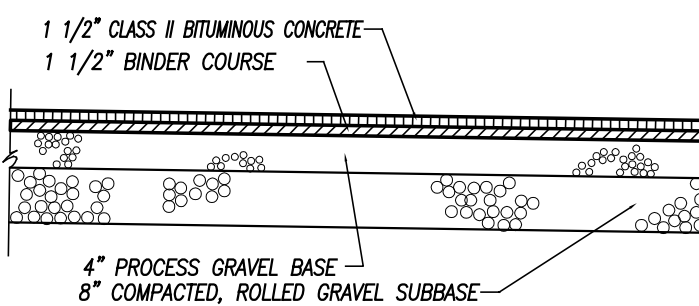
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**ALTERNATE 2 - MONOLITHIC CONSTRUCTION**

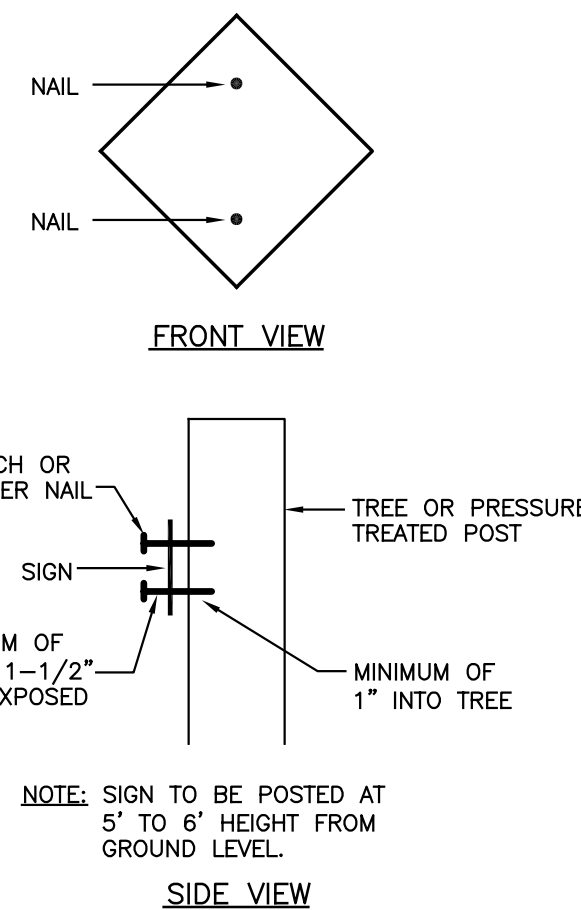
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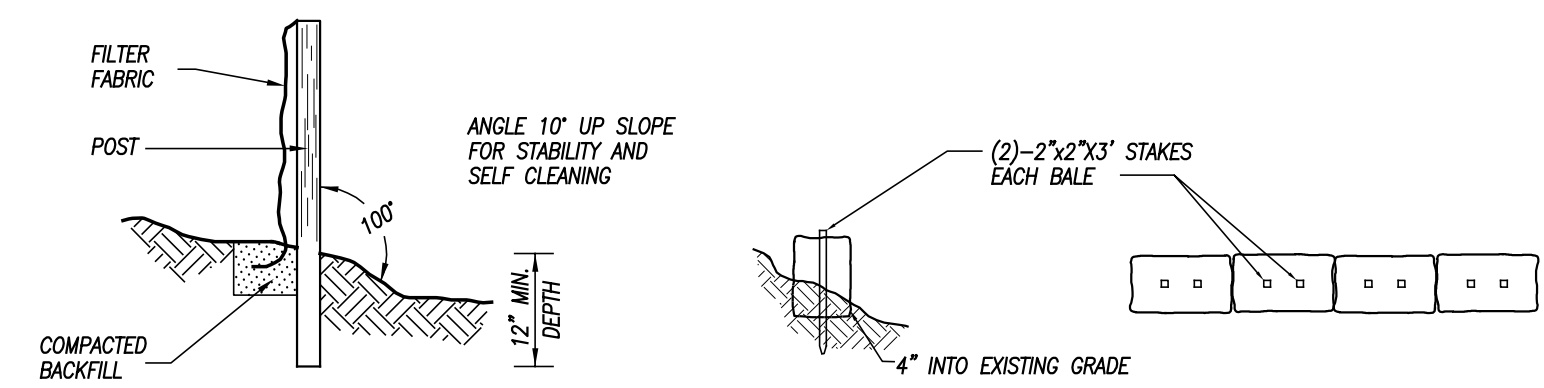
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**WETLANDS BUFFER SIGN INSTALLATION DETAIL**

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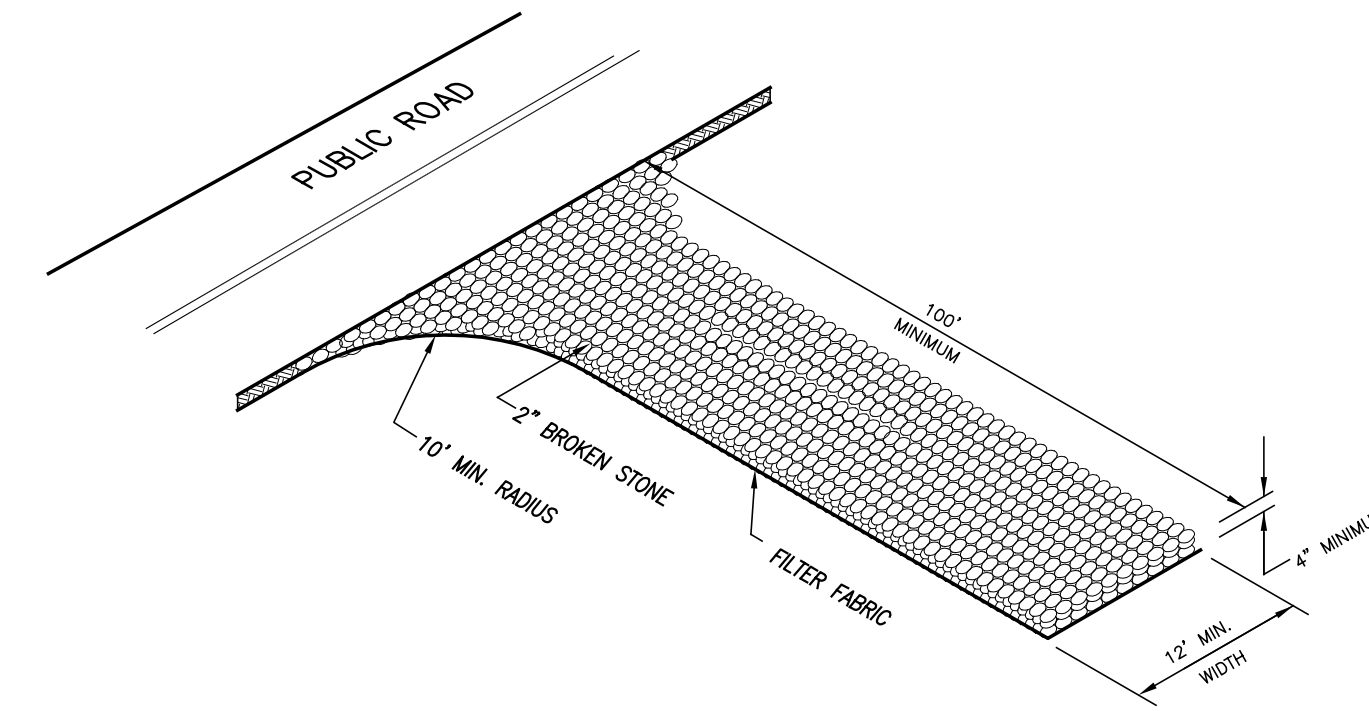


**SILT FENCE**

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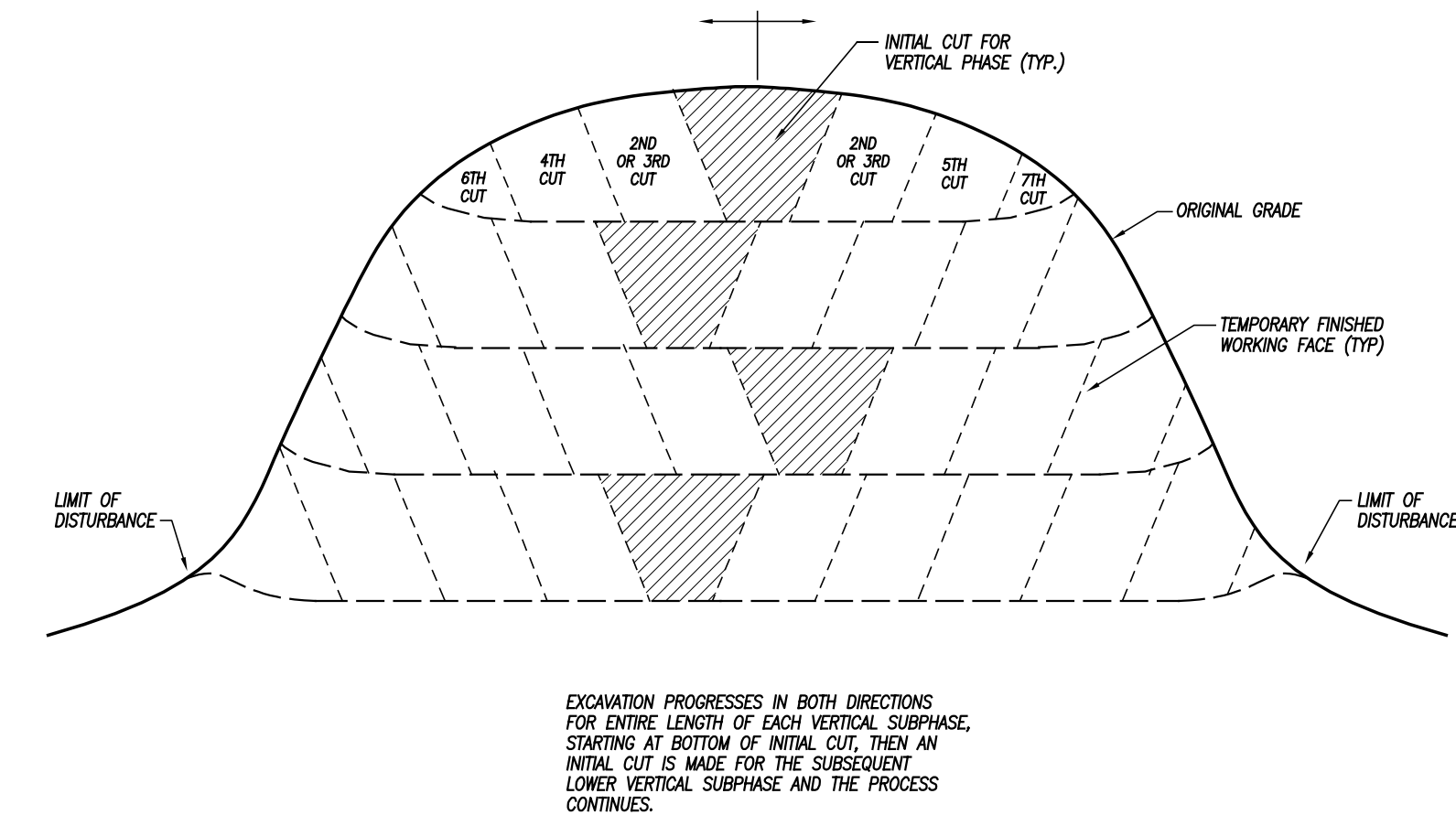
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**STABILIZED CONSTRUCTION ENTRANCE**

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**DETAIL SHOWING "DOWNCUTTING" EXCAVATION METHOD**

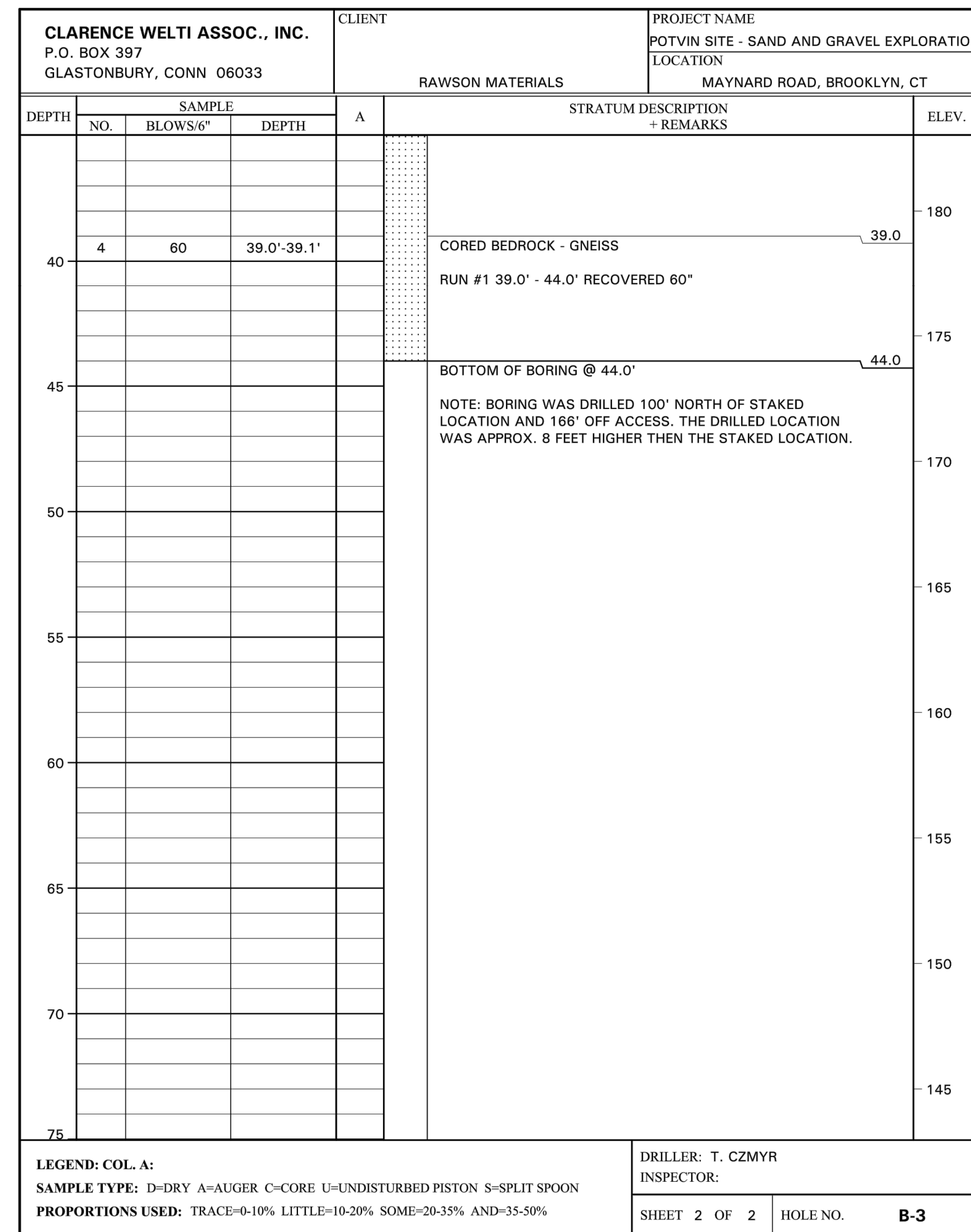
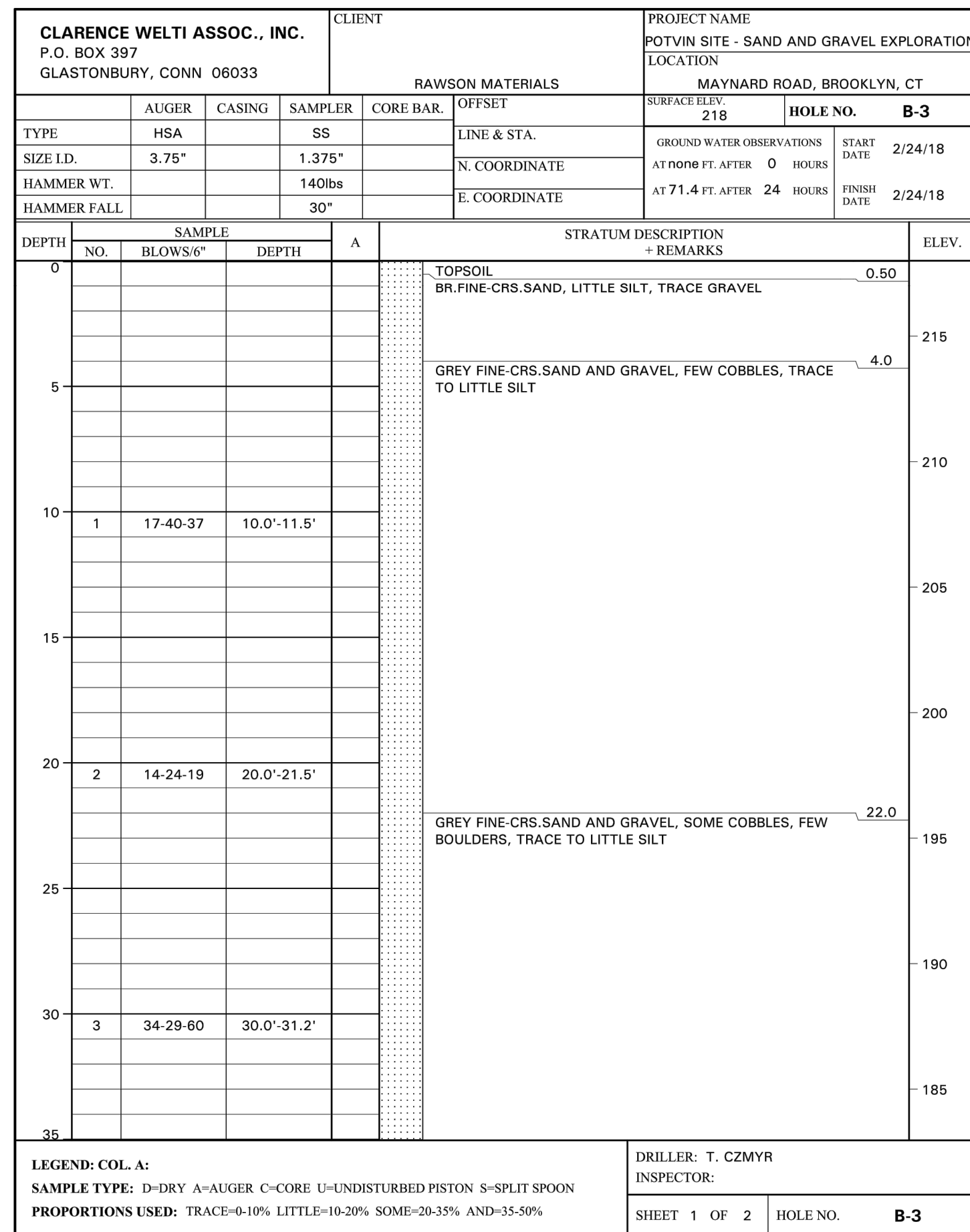
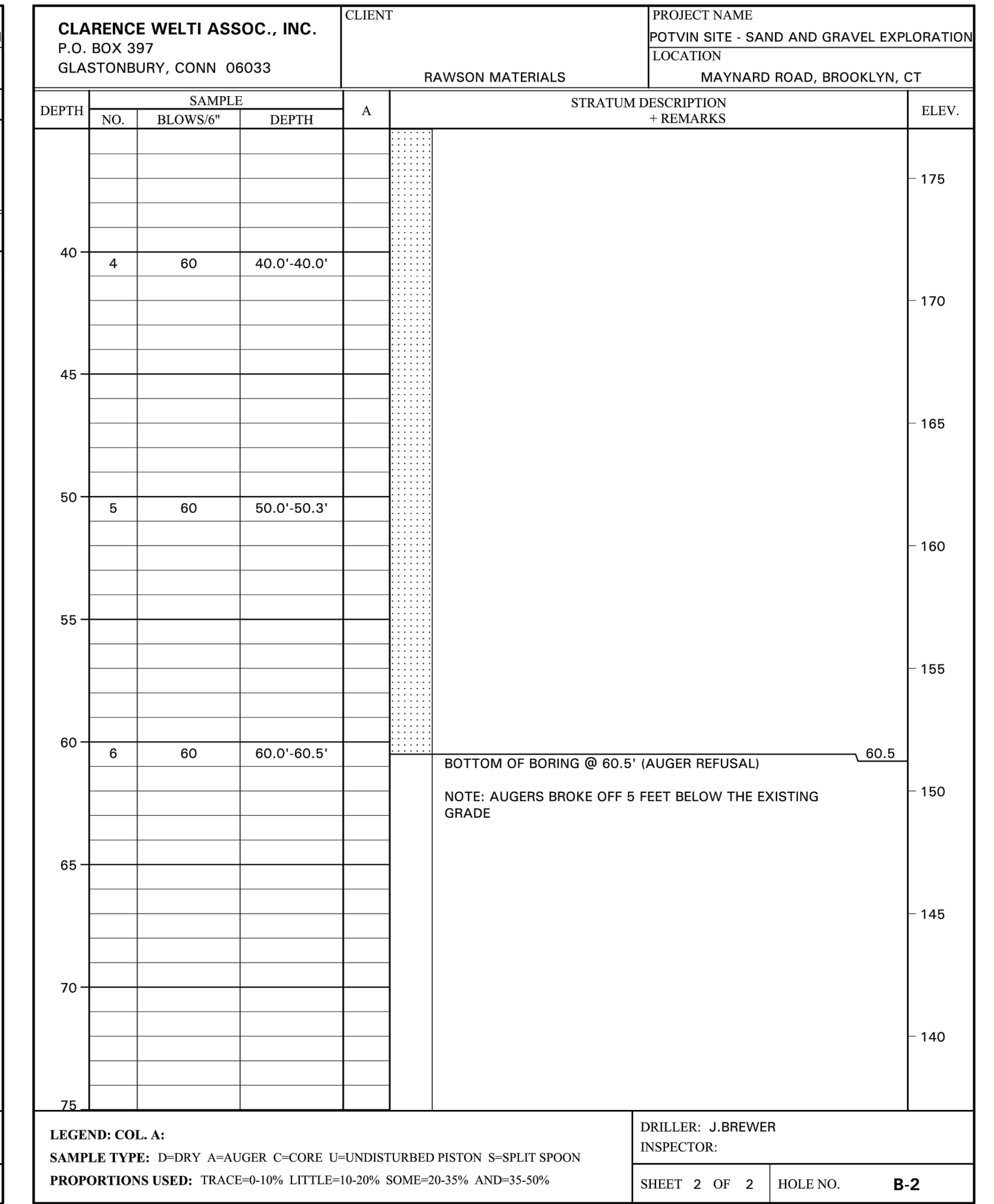
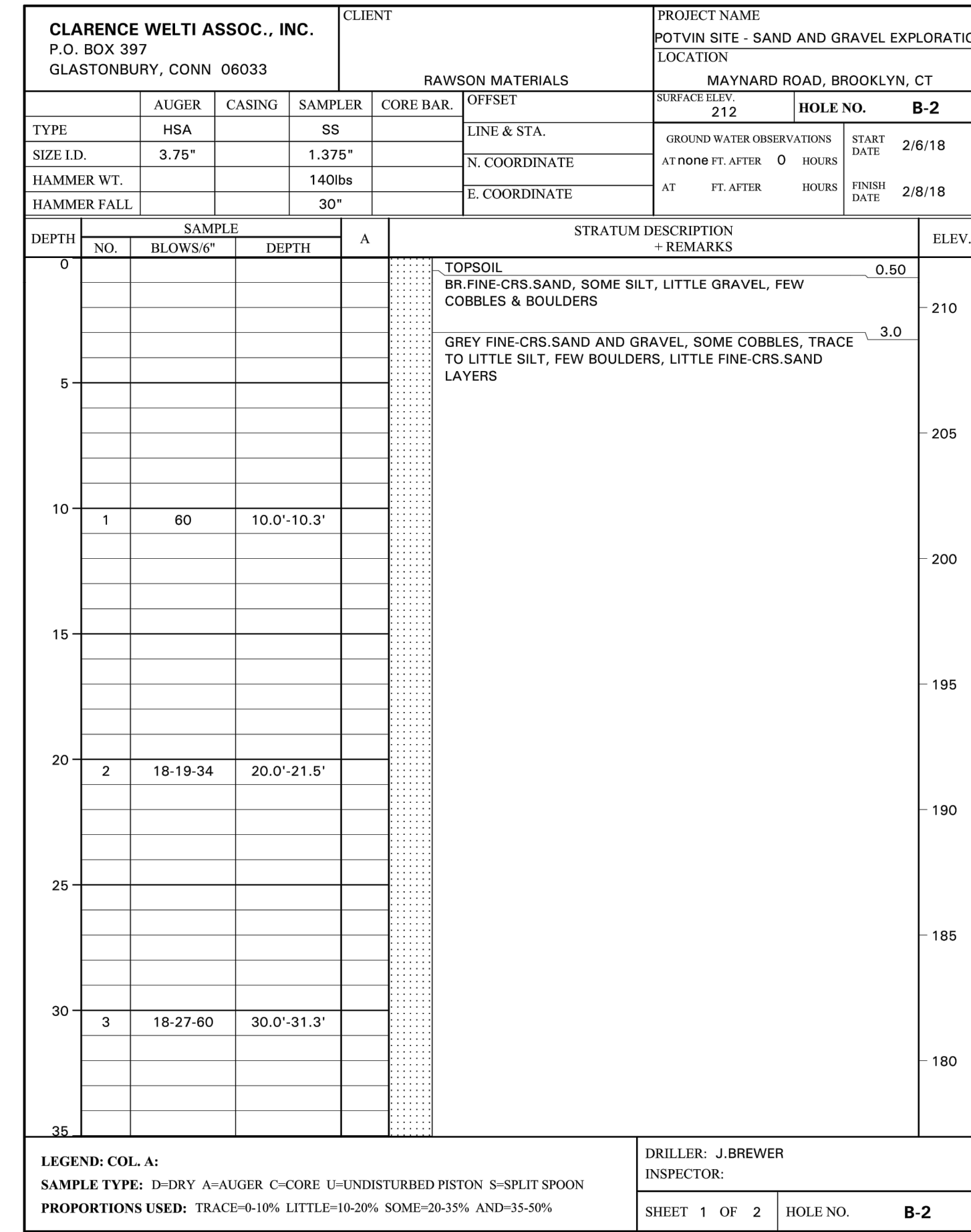
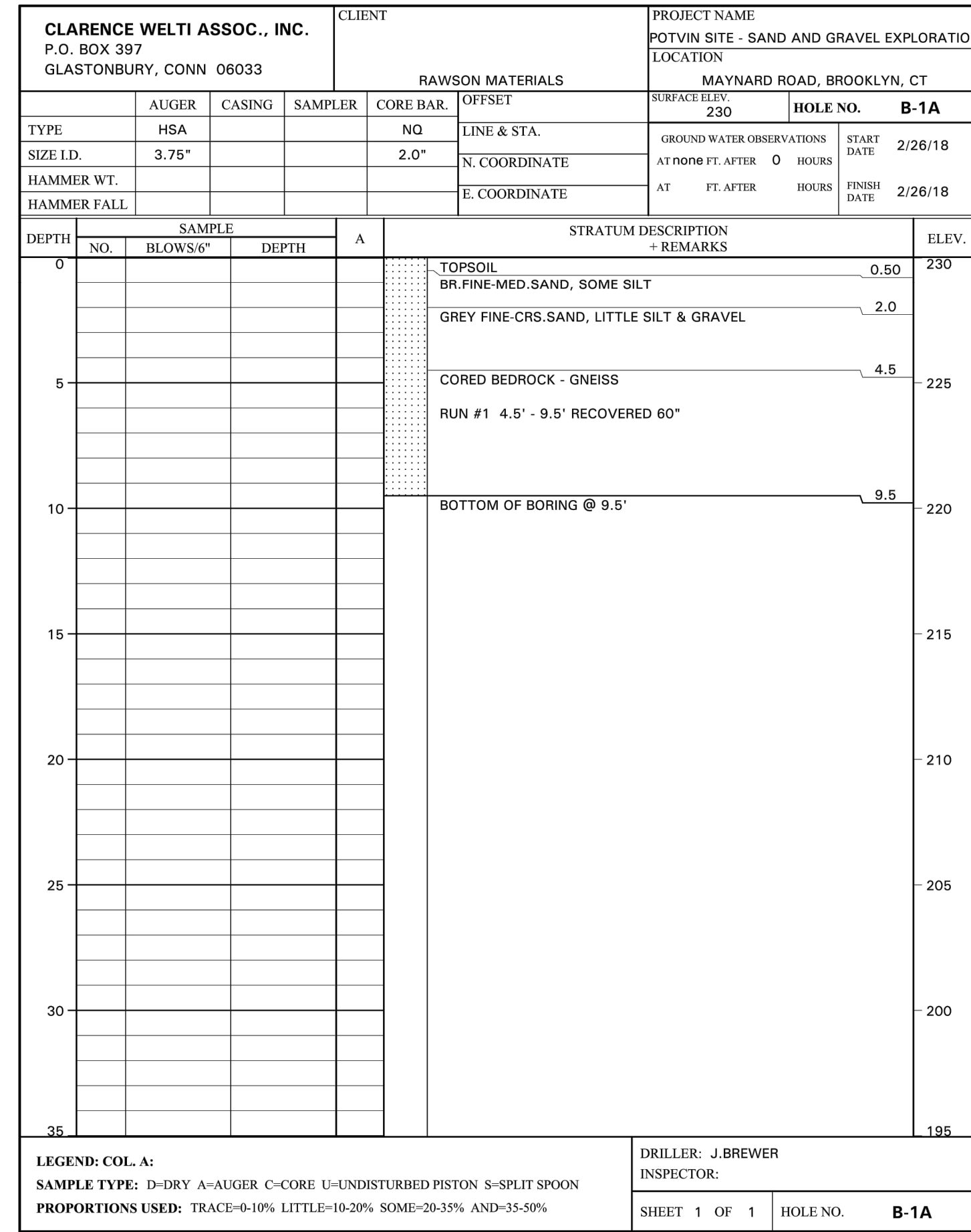
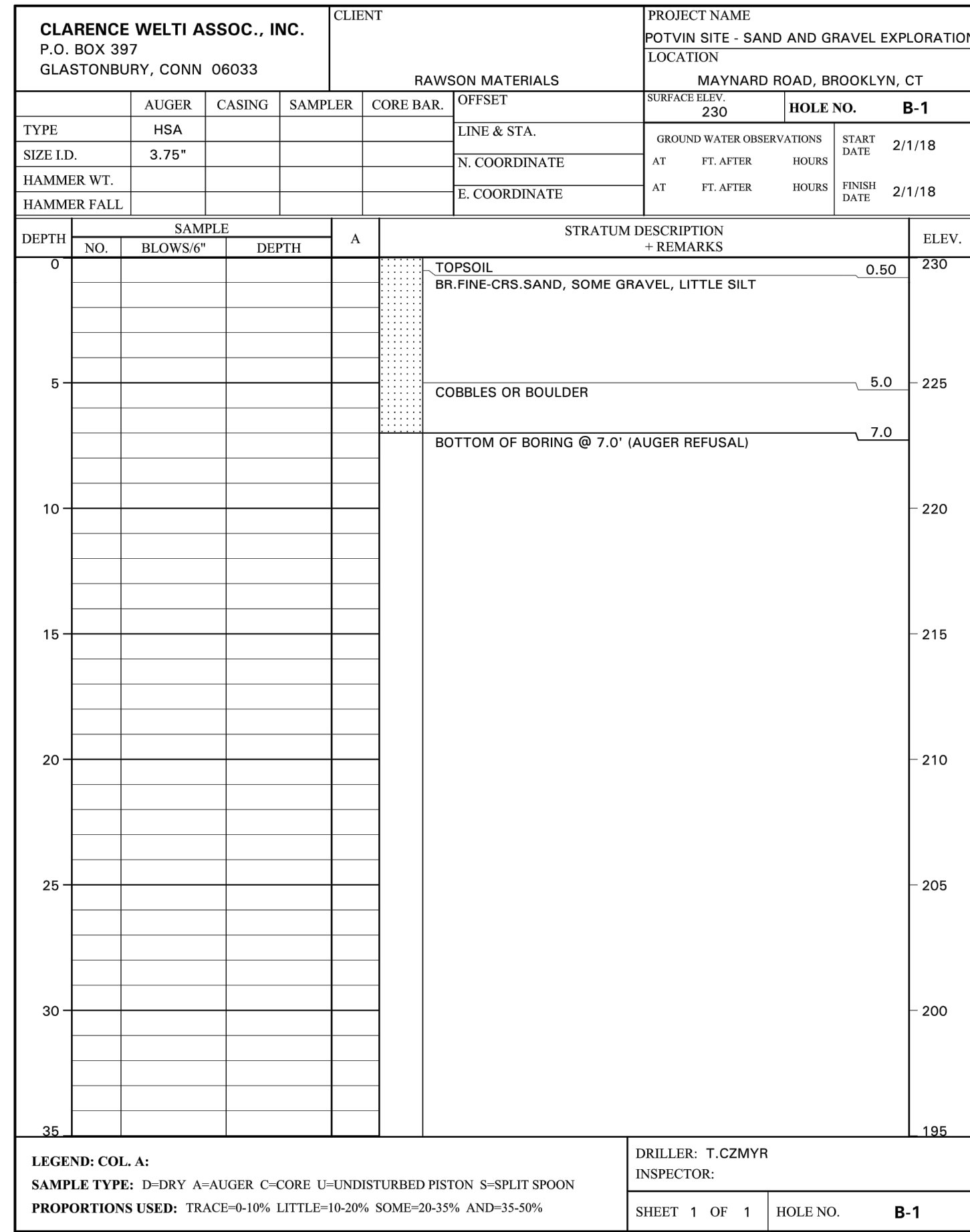
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3/12/2020	I.W. APPROVAL CONDITIONS
7/27/2020	APPROVAL SHEETS

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DWG. No: HF 321	JOB No: 173081

DETAIL SHEET No. 1  
PREPARED FOR  
**STRATEGIC COMMERCIAL REALTY, INC.**  
D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
**LAND N/F THE POTVIN FAMILY TRUST**  
MAYNARD ROAD  
BROOKLYN, CONNECTICUT

**Provost & Rovero, Inc.**  
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DETAIL SHEET No. 2  
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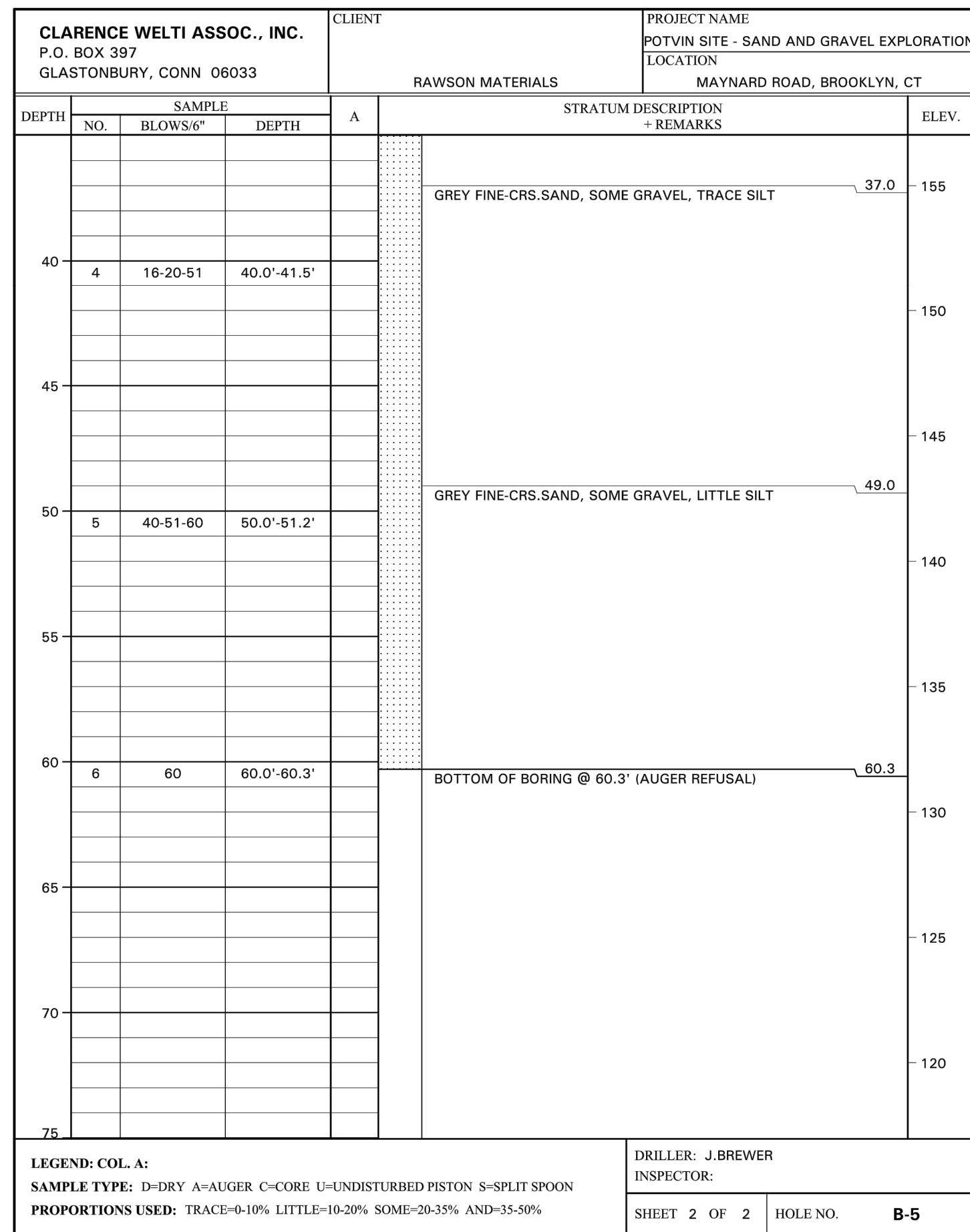
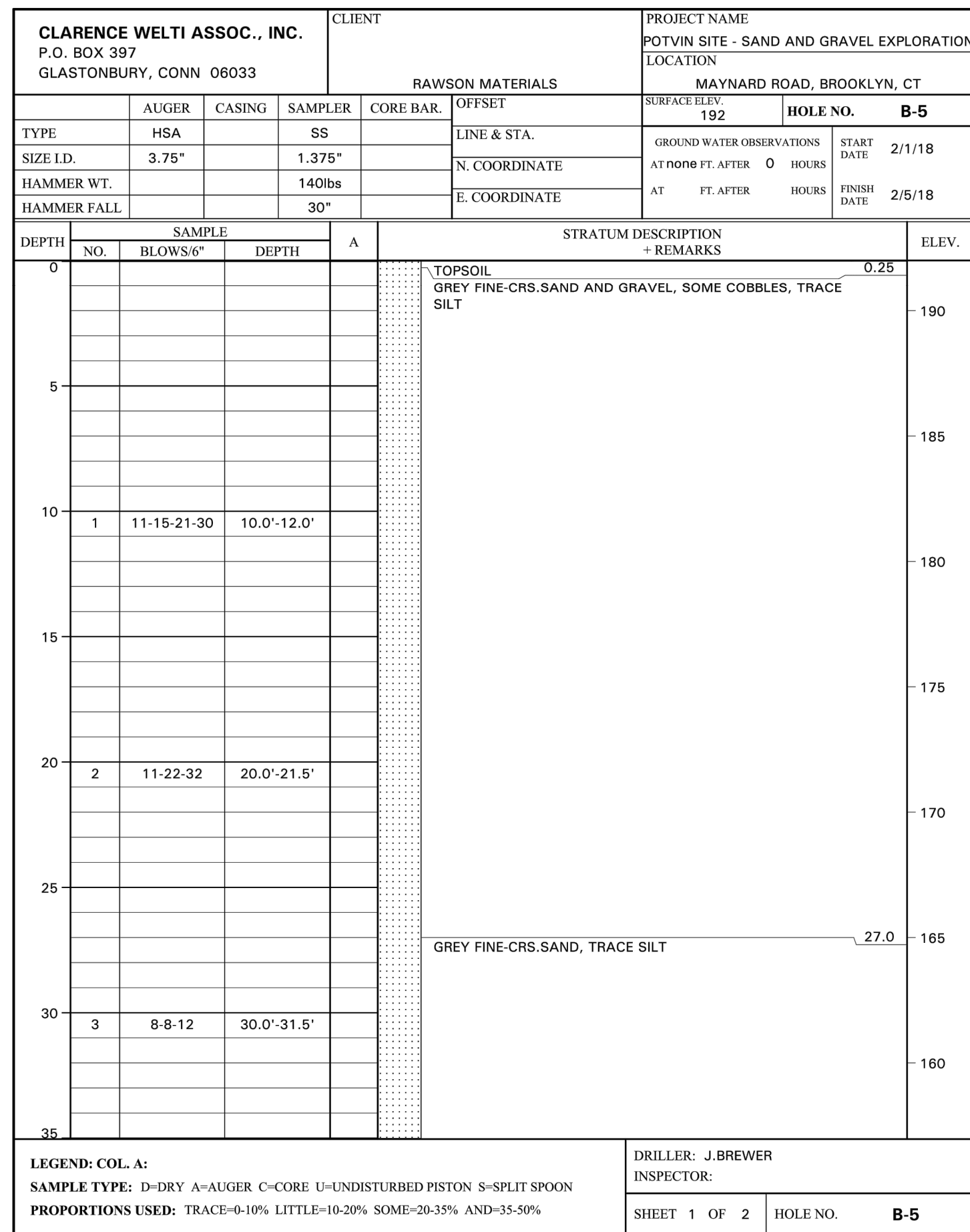
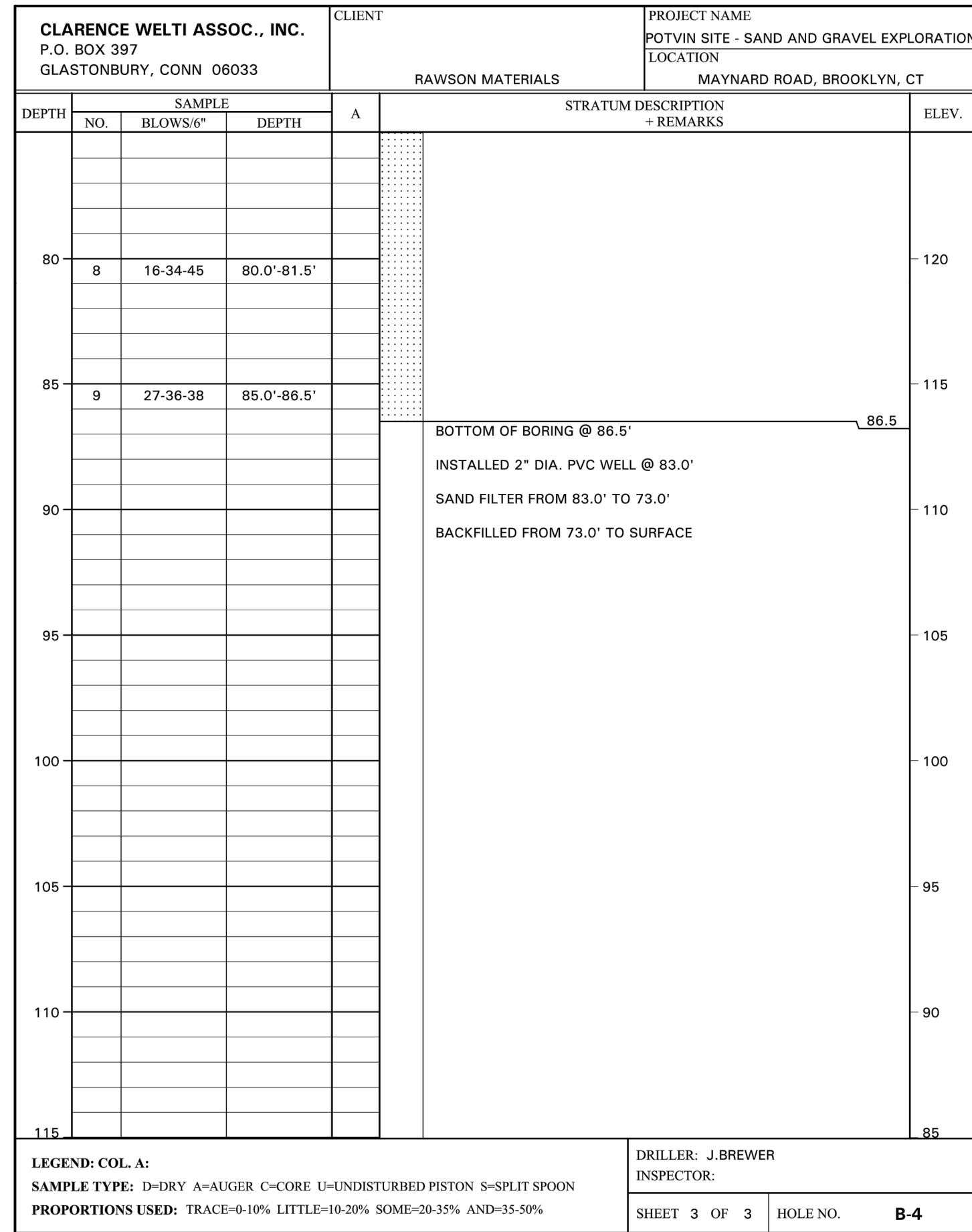
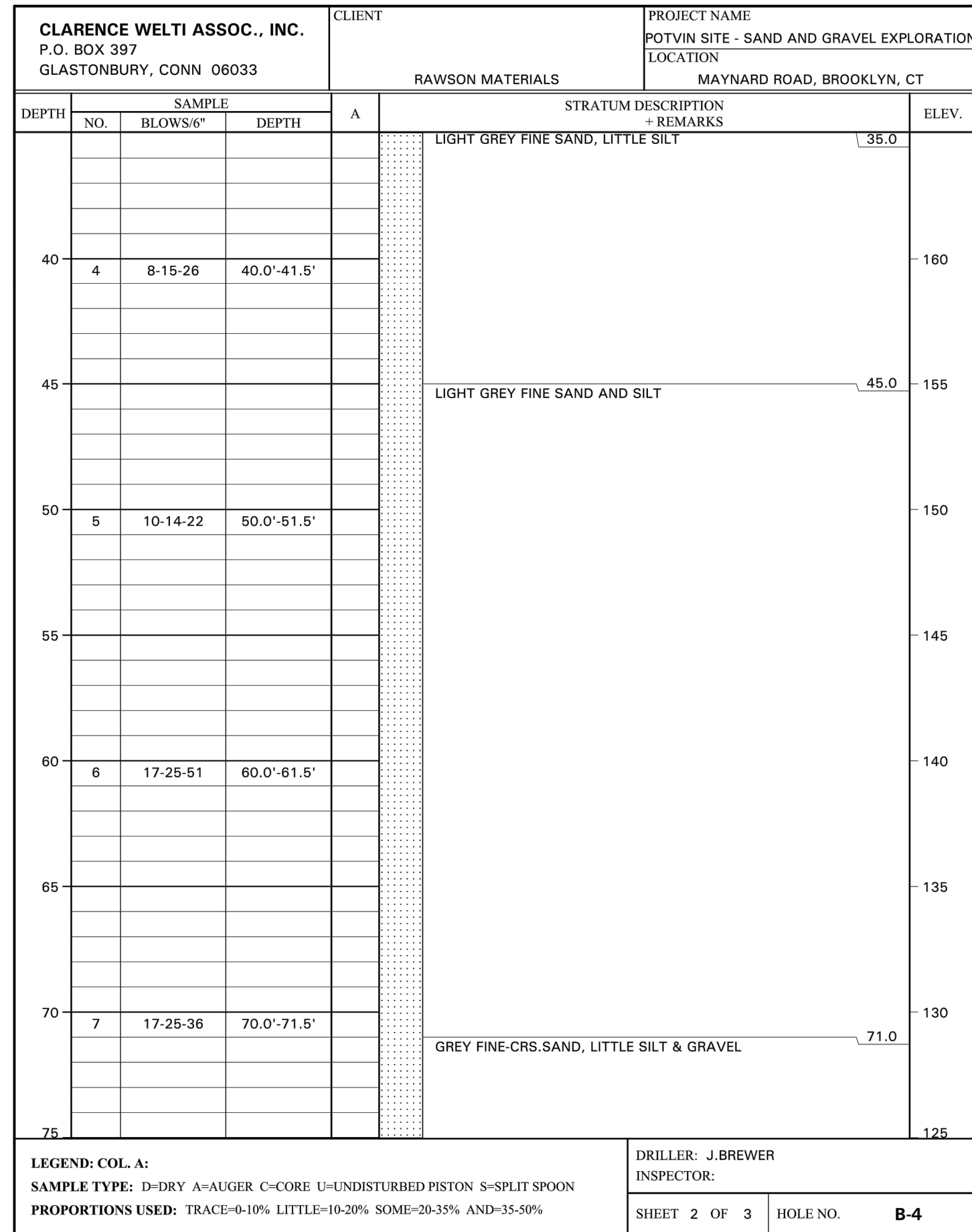
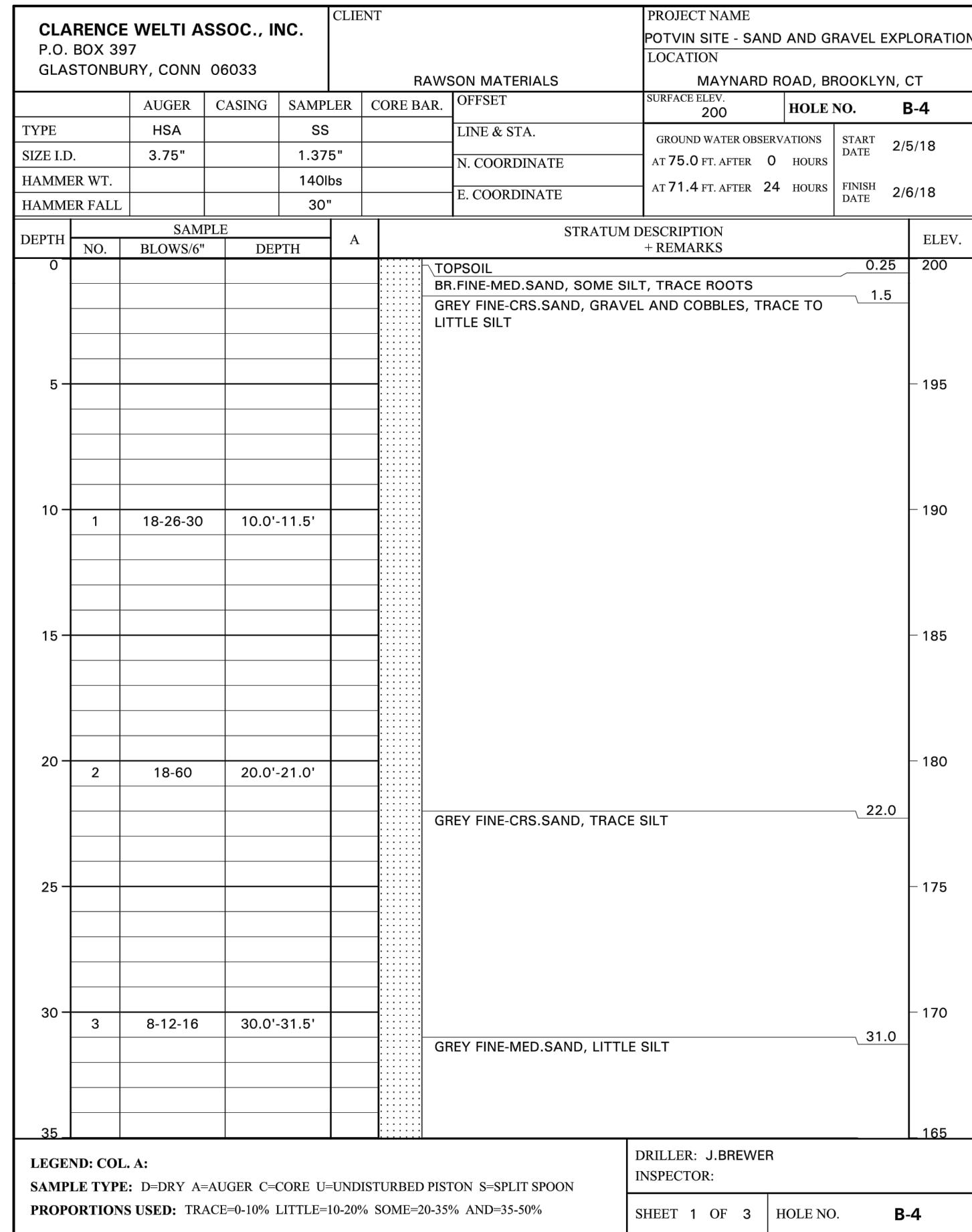
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WETLANDS COMMISSION

CHAIRMAN _____ DATE _____

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DETAIL SHEET No. 3  
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D/B/A RAWSON MATERIALS  
PROPOSED GRAVEL EXCAVATION  
LAND N/F THE POTVIN FAMILY TRUST  
MAYNARD ROAD  
BROOKLYN, CONNECTICUT

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7/27/2020	APPROVAL SHEETS

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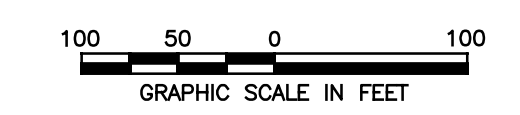
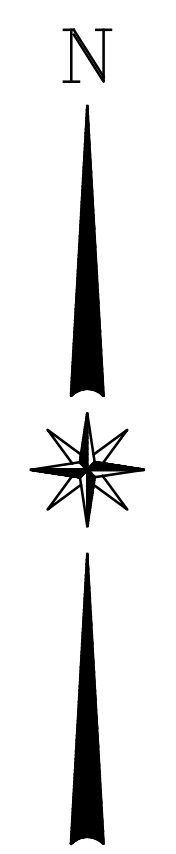
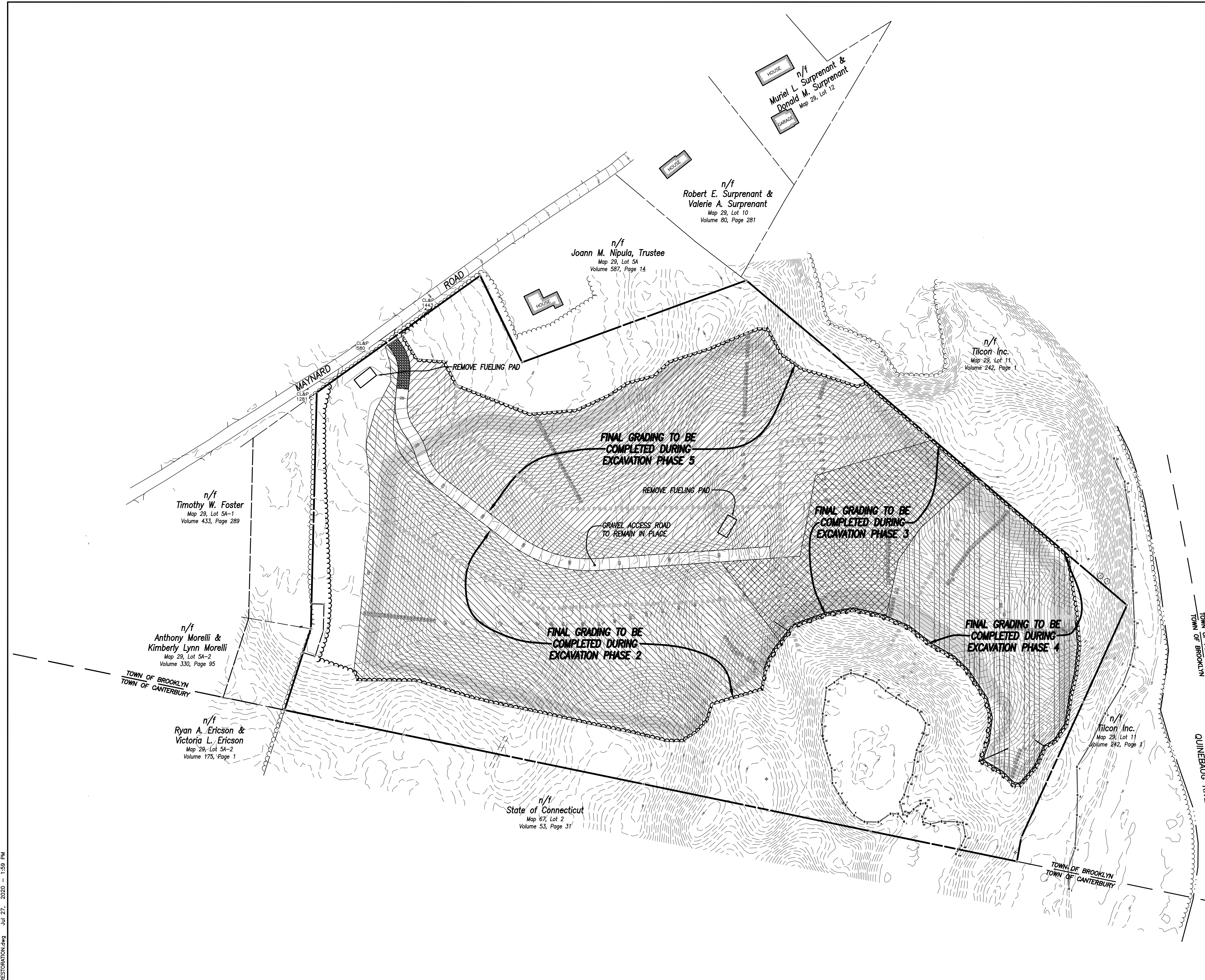
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& ZONING COMMISSION

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**NOTES:**

1. The intent of this restoration plan is to show the general progression of site restoration as it relates to planned excavation phases. Minor variations in the limits of restoration may be necessary to accommodate sloping and the transition of working faces between excavation phases.
2. Adequate restoration bonding shall remain in place to accommodate the actual undisturbed site area at any particular time.
3. It is recommended that final restoration grading be coordinated with spring and fall planting seasons to permit rapid establishment of vegetative cover on restored slopes.
4. See sheet 10 for restoration planting details.



RESTORATION PLAN  
 PREPARED FOR  
**STRATEGIC COMMERCIAL REALTY, INC.**  
 D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
**LAND N/F THE POTVIN FAMILY TRUST**  
 MAYNARD ROAD  
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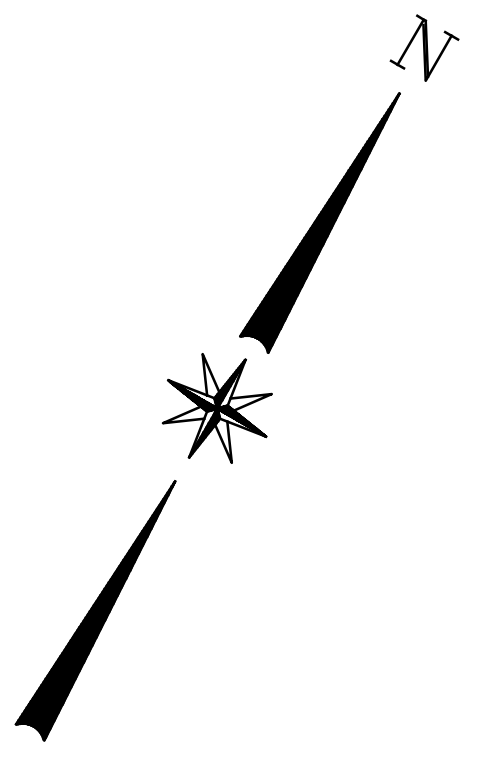
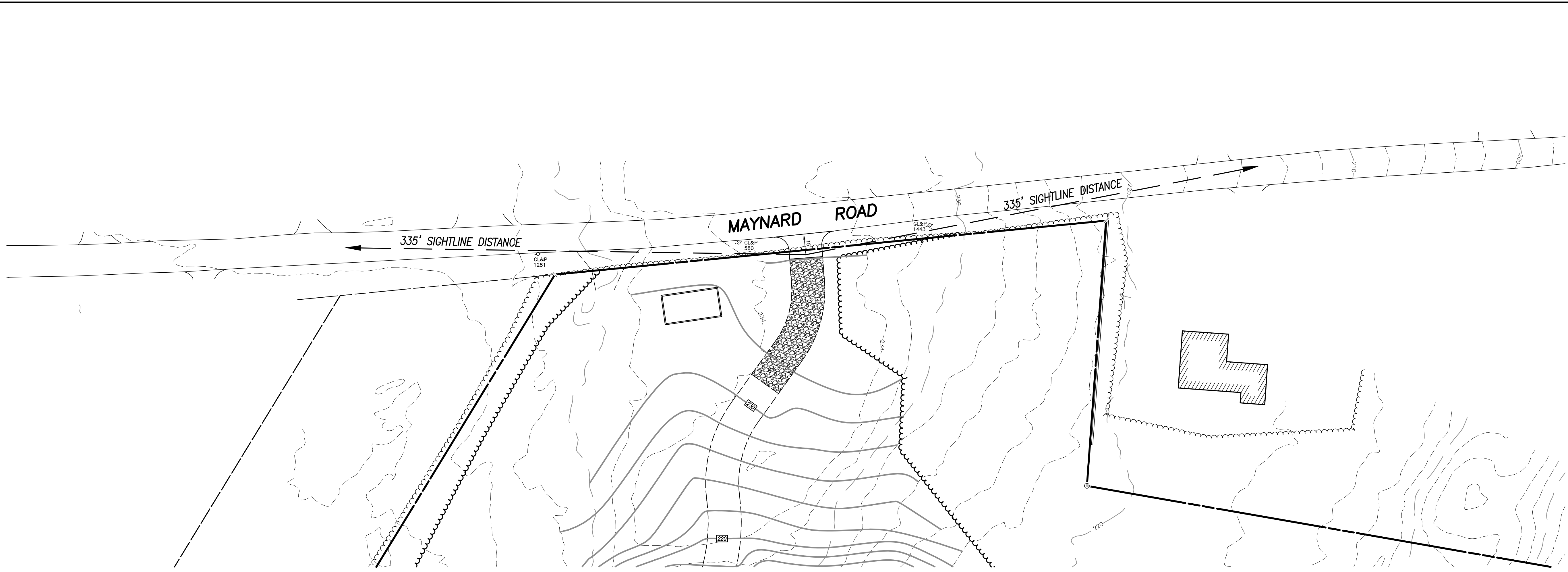
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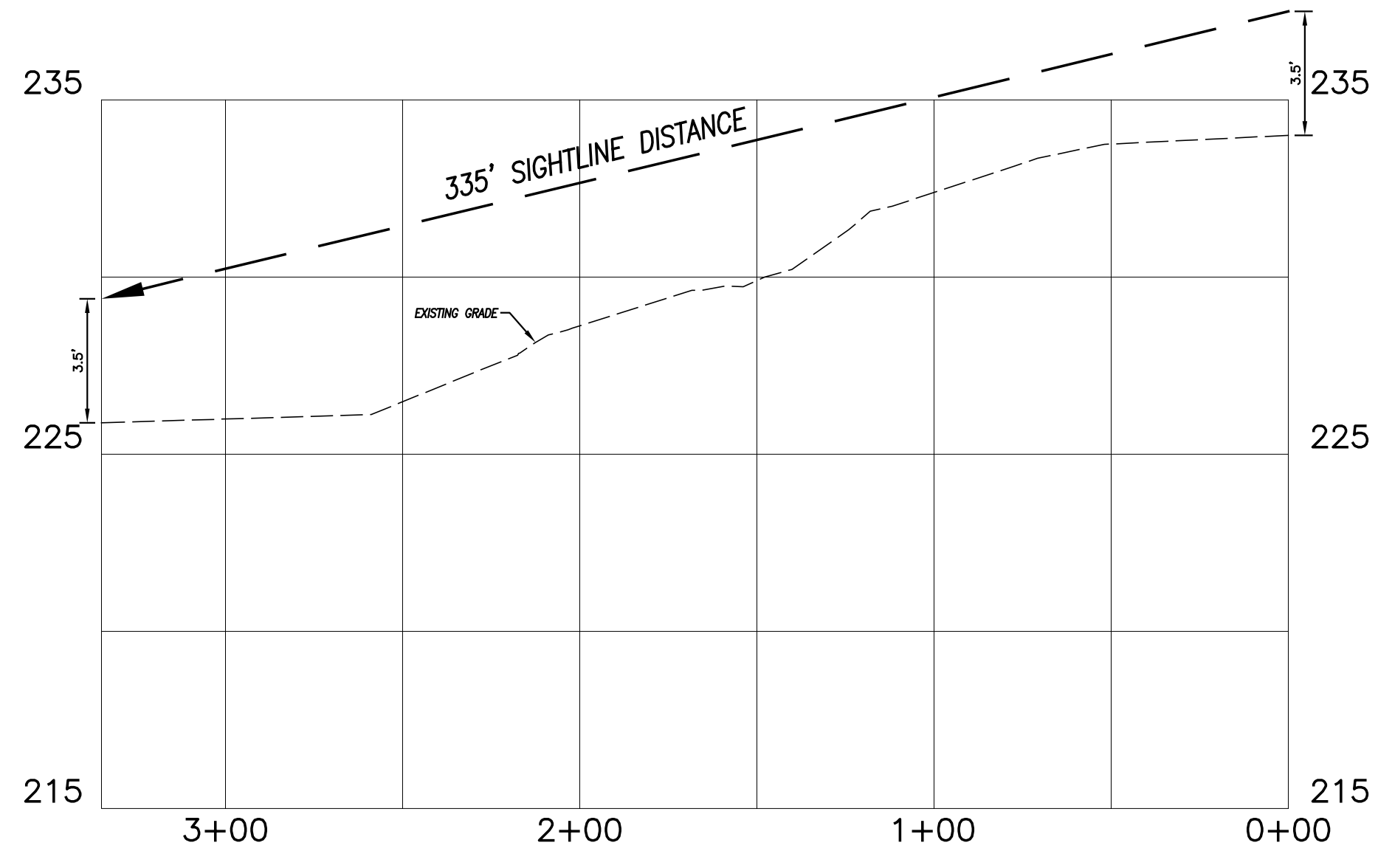
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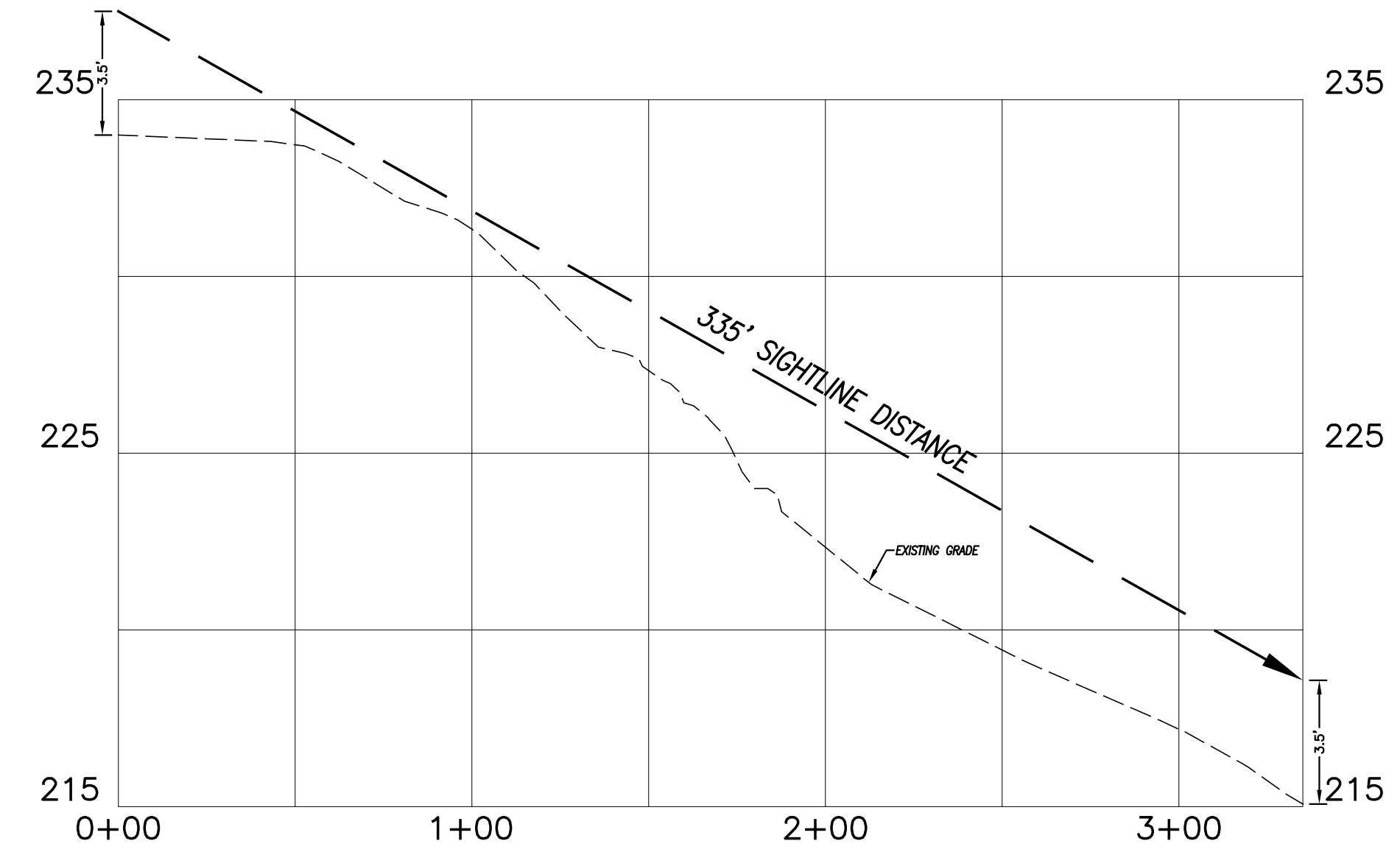
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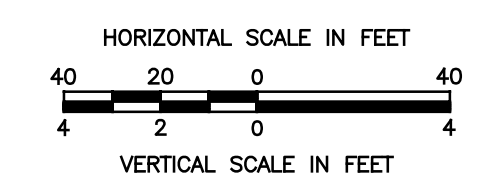
PLAN VIEW  
SCALE: 1" = 40'



WESTERLY SIGHTLINE PROFILE  
HORIZONTAL SCALE: 1" = 40'  
VERTICAL SCALE: 1" = 4'



EASTERLY SIGHTLINE PROFILE  
HORIZONTAL SCALE: 1" = 40'  
VERTICAL SCALE: 1" = 4'



SIGHTLINE DEMONSTRATION PLAN No. 1  
FOR PASSENGER VEHICLES  
PREPARED FOR  
STRATEGIC COMMERCIAL REALTY, INC.  
D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION  
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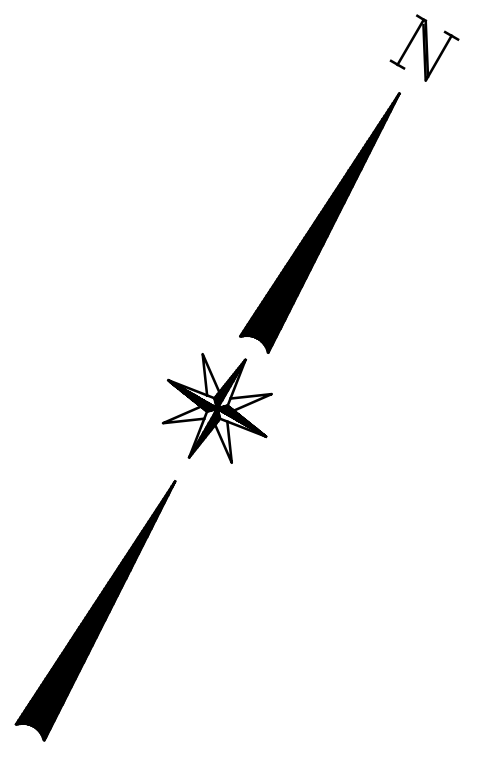
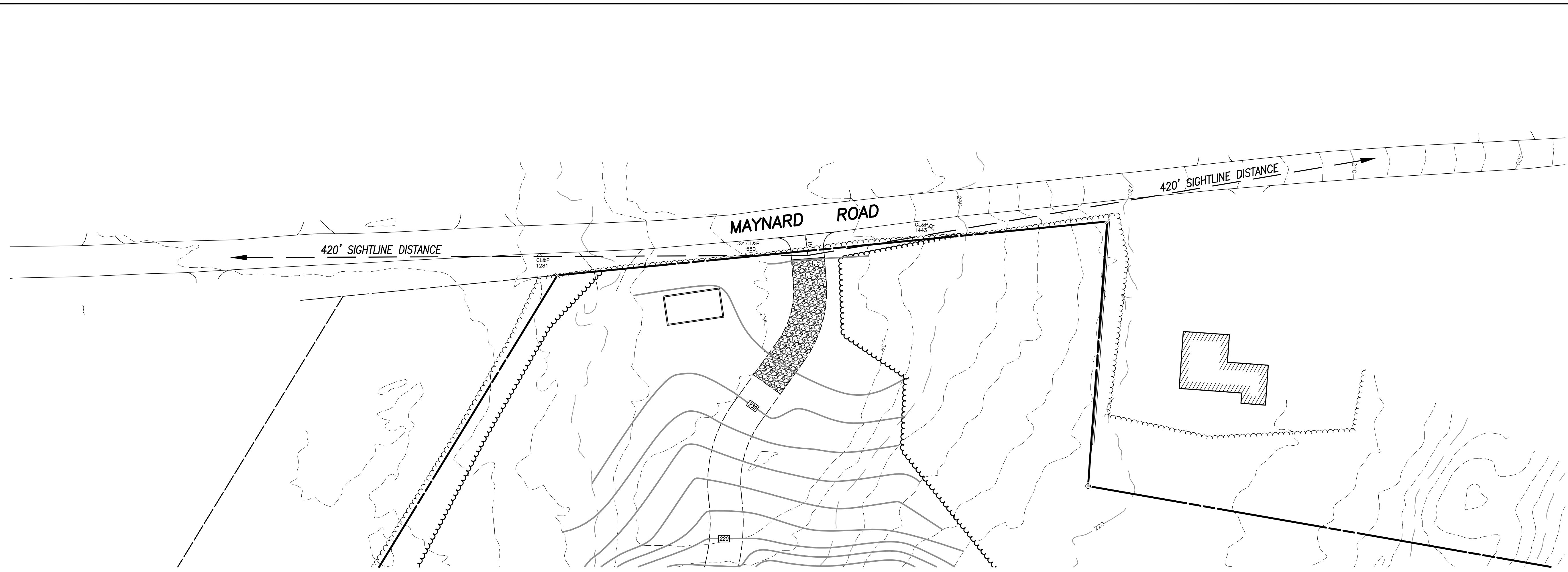
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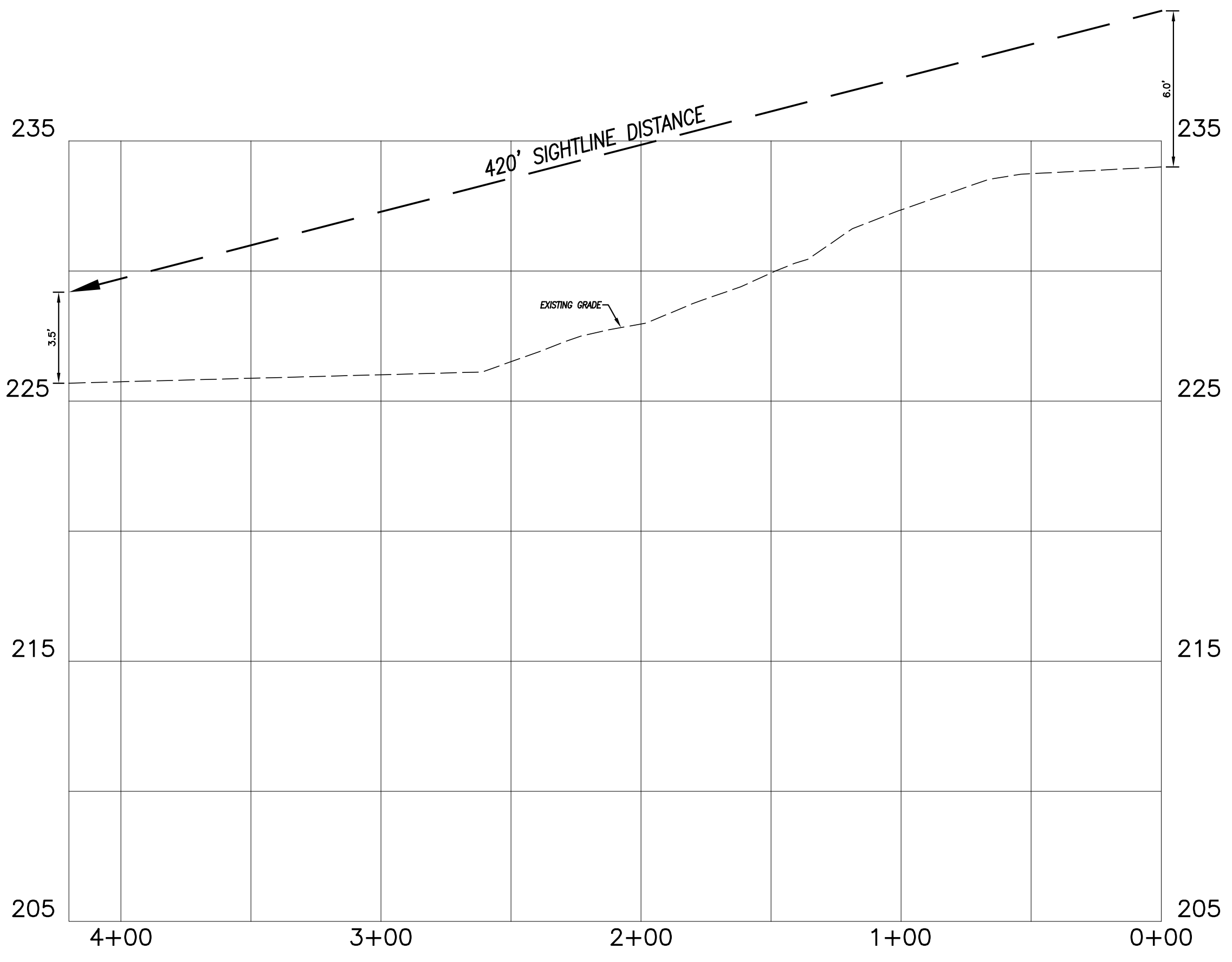
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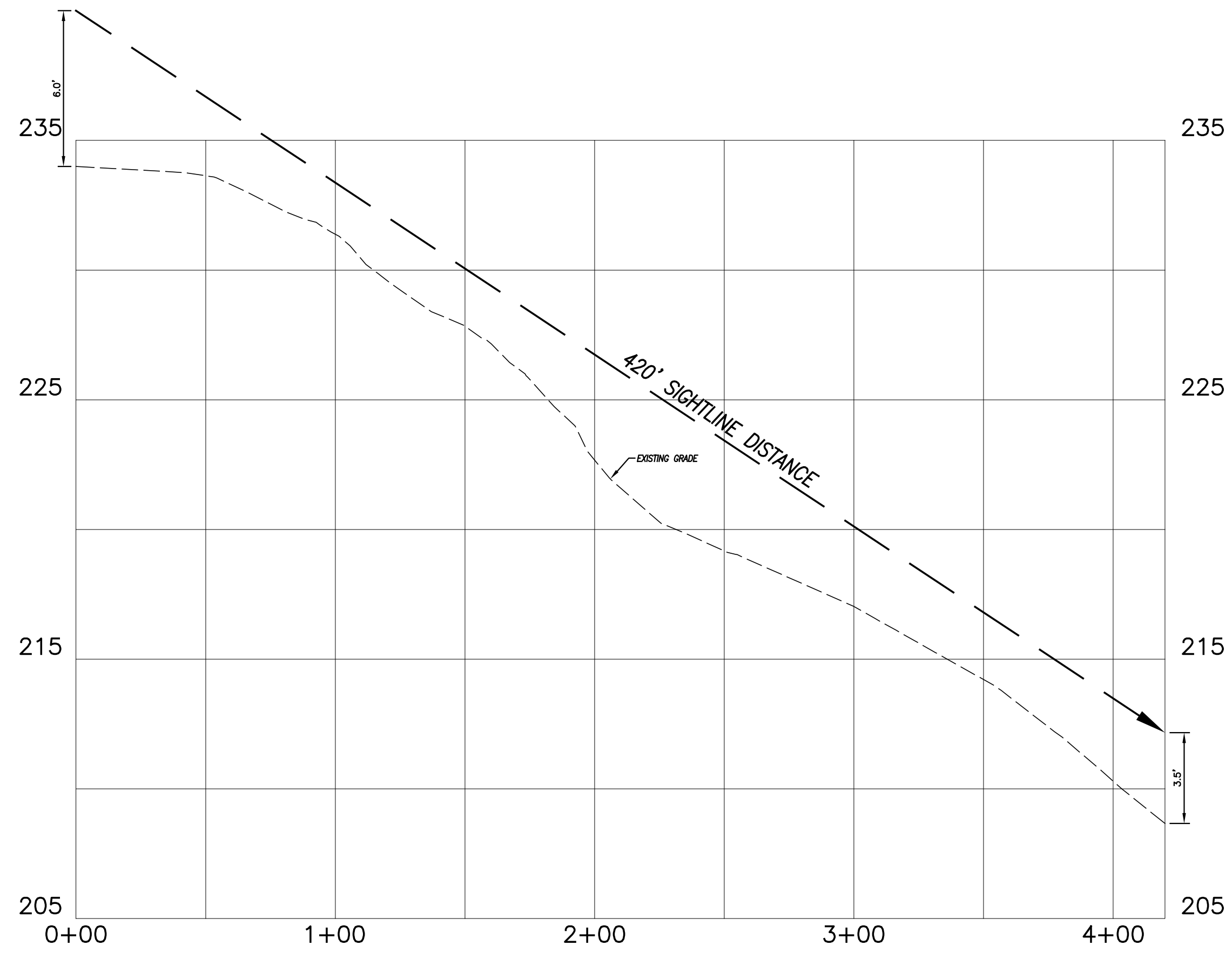
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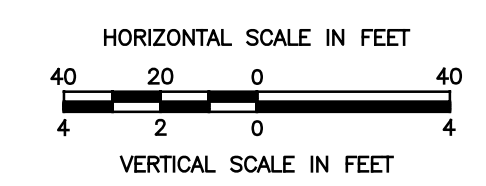
PLAN VIEW  
SCALE: 1" = 40'



WESTERLY SIGHTLINE PROFILE  
HORIZONTAL SCALE: 1" = 40'  
VERTICAL SCALE: 1" = 4'



EASTERLY SIGHTLINE PROFILE  
HORIZONTAL SCALE: 1" = 40'  
VERTICAL SCALE: 1" = 4'



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3/12/2020	I.W. APPROVAL CONDITIONS
7/27/2020	APPROVAL SHEETS

DATE: 10/2/2019	DRAWN: DJH
SCALE: AS SHOWN	DESIGN: DJH
SHEET: 15 OF 17	CHK BY: ---
DWG. No: HF 321	JOB No: 173081

ENGINEER _____ DATE _____

SIGHTLINE DEMONSTRATION PLAN No. 2  
FOR TRUCKS  
PREPARED FOR  
STRATEGIC COMMERCIAL REALTY, INC.  
D/B/A RAWSON MATERIALS  
PROPOSED GRAVEL EXCAVATION  
LAND N/F THE POTVIN FAMILY TRUST  
MAYNARD ROAD  
BROOKLYN, CONNECTICUT

**Provost & Rovero, Inc.**  
Civil Engineering • Surveying • Site Planning  
Structural • Mechanical • Architectural Engineering  
57 East Main Street, P.O. Box 191  
Plainfield, Connecticut 06374  
(860) 230-0856 - FAX: (860) 230-0860  
info@prorovinc.com  
www.prorovinc.com

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PLANNING AND ZONING COMMISSION  
TOWN OF BROOKLYN  
P.O. BOX 356  
CONNECTICUT 06234

If you have any questions, please contact Jana Roberson, Director of Community Development/Town Planner at 860-779-3411 Extension 14.

Signed,  
*Jana Roberson*  
Jana Roberson, AICP  
Dir. of Comm. Development/  
Town Planner

Town of Brooklyn  
Record of Special Permit

In accordance with Section 8-3d of the Connecticut General Statutes, a record of Special Permit shall be filed in the Office of the Town Clerk of Brooklyn before the Special Permit shall be considered valid. It shall be filed under the name of the record owner, who shall be responsible for all fees.

Name of Record Owner(s): Potvin Family Trust

Address: 457 Putnam Road, Danielson, CT 06239

Property Location: 30 acres on south side of Maynard Road

Assessors Map-Lot Number: 29-5 Zone: RA

Section(s) of Regulations the Special Permit was Granted: Article 13 and Article 5

Conditions of Special Permit:

- 1) The Inland Wetlands and Watercourses Commission approval with conditions and the Planning and Zoning Commission approval with conditions must be included on the final recorded special permit plans. Draft final approved plans shall be printed on paper and submitted to town staff for review prior to printing on archival material. The final approved plans bearing the seal and signature of the appropriate professionals, signed by the Commission Chairs, shall be recorded along with the Special Permit in the office of the Town Clerk.
- 2) Prior to the commencement of any activity undertaken in accordance with this approval, a performance bond in favor of the Town of Brooklyn in the amount of \$180,500 will be submitted to the Brooklyn Land Use Department. The form and content of the bond shall be reviewed and approved by Town staff. No activity shall occur on the site until the bond has been provided in final form to the Town and approved. The bond shall remain in place for the life of the operation including restoration of the property to the satisfaction of the Town unless this requirement is modified by the Planning and Zoning Commission.
- 3) Excavation activity and volumes of material shall be as shown on the plans titled "Proposed Gravel Excavation Maynard Road Brooklyn, Connecticut" prepared by Provost & Rovero dated October 2, 2019, last revised March 12, 2020 (and as further revised by these conditions).
- 4) Restoration shall commence upon completion of each phase of excavation as provided in the Zoning Regulations and as noted in the Restoration Notes on page 10 of the

CERTIFIED#

July 13, 2020

Strategic Commercial Realty, Inc.  
d/b/a Rawson Materials  
6 Kennedy Drive  
Putnam, CT 06260

RE: Notice of Decision *CORRECTED* – SPG 19-003 Gravel Special Permit, Strategic Commercial Realty, Inc, d/b/a Rawson Materials, 30 acres on south side of Maynard Road (Map 29, Lot 5) in the RA Zone; Excavation of approximately 1.05 million cubic yards of sand and gravel.

Dear Strategic Commercial Realty, Inc:

At the June 3, 2020 meeting of the Brooklyn Planning and Zoning Commission, your application - SPG19-003 Gravel Special Permit, Strategic Commercial Realty, Inc, d/b/a Rawson Materials, 30 acres on south side of Maynard Road (Map 29, Lot 5) in the RA Zone; Excavation of approximately 1.05 million cubic yards of sand and gravel, as the standards of Article 13 and Article 5 are satisfied in accordance with all final documents and testimony submitted with the application and subject to the and including the following conditions:

- 1) The Inland Wetlands and Watercourses Commission approval with conditions and the Planning and Zoning Commission approval with conditions must be included on the final recorded special permit plans. Draft final approved plans shall be printed on paper and submitted to town staff for review prior to printing on archival material. The final approved plans bearing the seal and signature of the appropriate professionals, signed by the Commission Chairs, shall be recorded along with the Special Permit in the office of the Town Clerk.
- 2) Prior to the commencement of any activity undertaken in accordance with this approval, a performance bond in favor of the Town of Brooklyn in the amount of \$180,500 will be submitted to the Brooklyn Land Use Department. The form and content of the bond shall be reviewed and approved by Town staff. No activity shall occur on the site until the bond has been provided in final form to the Town and approved. The bond shall remain in place for the life of the operation including restoration of the property to the satisfaction of the Town unless this requirement is modified by the Planning and Zoning Commission.
- 3) Excavation activity and volumes of material shall be as shown on the plans titled "Proposed Gravel Excavation Maynard Road Brooklyn, Connecticut" prepared by Provost & Rovero

Page 1 of 4

JR/acl

CC: File, Provost and Rovero, Attorney Harry Heller

Appendix:

- Brooklyn Zoning Regulations effective 7-1-2018
- Brooklyn Zoning Map effective 7-27-17
- Brooklyn Plan of Conservation and Development 2011
- Brooklyn Sand and Gravel ERT 2007 (Environmental Review Team Report)
- Gravel Special Permit Application Form dated 10-9-19
- Application Cover letter dated 10-9-19
- Plans (15 sheets) titled "Proposed Gravel Excavation on Maynard Road Brooklyn, Connecticut" dated 10-2-19, revised 11-14-19, rev 2-10-20, rev 2-24-20, rev 3-12-20.
- Amended and Restated Stipulation and Settlement Agreement between Rawson/LaFramboise/Canterbury
- Mutual Agreement between Rawson/Potvin/Tilcon dated April 2018
- Abutters List and public hearing notifications dated 11-20-19
- Abutters List and public hearing notifications dated 12-18-19
- Public Hearing Legal Notice published in the Villager 12-6-19 and 12-13-19
- Intermunicipal Notice to Canterbury and Plainfield sent certified 10-22-19
- NDDB Response -Letter from Dawn M. McKay of CT DEEP to Jana Roberson re: state endangered species and state species of special concern, dated 11-12-19
- Letter from Town Engineer Syl Pauly to PZC with review comments, dated 12-9-19
- Letter from Atty. Harry Heller to Jana Roberson re: jurisdiction over wildlife, dated 12-13-19
- Environmental Impact Statement for Proposed Sand and Gravel Excavation on Maynard Road, December 2019
- NDDB Additional Response – Letter from Dawn McKay of CT DEEP to Jana Roberson re: state endangered species and state species of special concern, dated 1-8-2020
- Letter from Conservation Commission to Planning and Zoning Commission, dated 1-8-2020
- Letter from Marion Kervin, 48 Maynard Road, to PZC, received 1-7-2020
- Letter from Tim Foster, 77 Maynard Rd., to PZC, Received 1-8-2020

Page 3 of 4

dated October 2, 2019, last revised March 12, 2020 (and as further revised by these conditions).

- 4) Restoration shall commence upon completion of each phase of excavation as provided in the Zoning Regulations and as noted in the Restoration Notes on page 10 of the approved plans. At no time shall more than five acres be left in an unrestored condition in accordance with Sec. 13.5.10 of the Brooklyn Zoning Regulations.
- 5) Erosion and sedimentation control measures shall be installed to minimize the risk of sedimentation impacting water quality. The Land Use Office shall have the authority to direct that additional erosion and sedimentation control measures be installed if deemed necessary to maintain adequate protection from erosion and sedimentation.
- 6) In accordance with the recommendation of the consulting traffic engineer to reduce conflicts between residential and gravel-related traffic, heavy truck traffic (vehicles used to transport material) shall not enter or exit the site except between the hours of 7:00 a.m. - 4:30 p.m. on weekdays and from 7 a.m. - 12 p.m. on Saturdays to avoid conflict with local vehicles during normal commuting hours.
- 7) In accordance with the recommendation of the consulting traffic engineer to reduce and control vehicle speeds to a more safe speed on the principal roadway access, the applicant shall enhance two existing 25 mph speed limit signs near the two ends of Maynard Road—one facing southwest near the Canterbury town line, and the other facing northeast across from 3 Maynard Road—with solar-powered radar feedback signs showing the speeds of approaching vehicles to be installed below normal speed limit signs and install entrance warning signage.
- 8) Dust shall be controlled throughout the year using water or calcium chloride treatment on surfaces as appropriate for conditions. All trucks exiting or entering the site must have their tarp covers closed. Sweeping of the entrance area shall occur regularly and as needed. The Land Use Office shall have the authority to direct that additional dust control measures be installed and employed if deemed necessary to maintain adequate protection from ambient dust within or beyond the site.
- 9) Written reports of the volume of excavated materials shall be submitted monthly by the permittee to the Brooklyn Zoning Enforcement Officer.
- 10) The permit renewal date is May 3, 2021. The renewal procedure shall be as specified in Section 6.0.7 of the Brooklyn Zoning Regulations (effective 10-15-2019).

At the July 8, 2020 Special Meeting of the Brooklyn Planning and Zoning Commission, action was taken to revise condition 10) to correct the permit renewal date from May 3, 2021 to June 3, 2021.

Enclosed is a copy of the record of special permit. It is your duty to file the record of special permit with the Brooklyn Town Clerk. The special permit is not valid until it is filed.

A legal notice of the approval was published in the Villager Newspaper, Friday June 12, 2020. Please note that the action of the Brooklyn Planning and Zoning Commission may be appealed for a fifteen-day period following the publication of the legal notice.

Page 2 of 4

- CT Superior Court Ruling CV135005787, Steven Sadlowski v. LaFramboise Sand and Stone, decided 8-28-2013
- Archaeological Survey – Phase I, PAL Report No. 3870, dated Jan. 2020
- Letter from State Archaeologist to PZC, dated 1-21-2020
- Letter from Land Use Atty. Peter Alter to the PZC re: jurisdiction over wildlife, dated 1-21-2020
- Extension request form dated 1-21-2020
- Inlands Wetlands and Watercourses approval and conditions notice of action, dated
- Email correspondence between Jeff Rawson and Linda Trahan, dated 2-5-19
- Letter from Atty. Harry Heller to Jana Roberson re: jurisdiction to hire additional consultants, dated 1-29-2020
- Letter from Atty. Peter Alter to Jana Roberson re: jurisdiction to hire additional consultants, dated 1-30-2020
- Letter from Atty. Brouillard to Jana Roberson re: Intervention of Troy Sposato, dated 2-18-2020
- Hydrogeology Report from One Earth Environmental, dated 2-13-20
- Traffic Engineering Report from KWH, dated 3-1-20
- Letter from Atty. Brouillard to Jana Roberson re: Intervention of Troy Sposato, dated 3-2-2020
- Letter from Town Engineer Syl Pauly to PZC with additional review comments, dated 3-3-20
- IWWC approval letter with conditions, dated 3-12-2020

approved plans. At no time shall more than five acres be left in an unrestored condition in accordance with Sec. 13.5.10 of the Brooklyn Zoning Regulations.

- 5) Erosion and sedimentation control measures shall be installed to minimize the risk of sedimentation impacting water quality. The Land Use Office shall have the authority to direct that additional erosion and sedimentation control measures be installed if deemed necessary to maintain adequate protection from erosion and sedimentation.
- 6) In accordance with the recommendation of the consulting traffic engineer to reduce conflicts between residential and gravel-related traffic, heavy truck traffic (vehicles used to transport material) shall not enter or exit the site except between the hours of 7:00 a.m. - 4:30 p.m. on weekdays and from 7 a.m. - 12 p.m. on Saturdays to avoid conflict with local vehicles during normal commuting hours.
- 7) In accordance with the recommendation of the consulting traffic engineer to reduce and control vehicle speeds to a more safe speed on the principal roadway access, the applicant shall enhance two existing 25 mph speed limit signs near the two ends of Maynard Road—one facing southwest near the Canterbury town line, and the other facing northeast across from 3 Maynard Road—with solar-powered radar feedback signs showing the speeds of approaching vehicles to be installed below normal speed limit signs and install entrance warning signage.
- 8) Dust shall be controlled throughout the year using water or calcium chloride treatment on surfaces as appropriate for conditions. All trucks exiting or entering the site must have their tarp covers closed. Sweeping of the entrance area shall occur regularly and as needed. The Land Use Office shall have the authority to direct that additional dust control measures be installed and employed if deemed necessary to maintain adequate protection from ambient dust within or beyond the site.
- 9) Written reports of the volume of excavated materials shall be submitted monthly by the permittee to the Brooklyn Zoning Enforcement Officer.
- 10) The permit renewal date is June 3, 2021. The renewal procedure shall be as specified in Section 6.0.7 of the Brooklyn Zoning Regulations (effective 10-15-2019).

Reason for Granting the Special Permit: In conformance with the zoning regulations as modified by the Planning and Zoning Commission.

Date of Issuance of Special Permit by the P & Z Commission: June 3, 2020

I certify that the above is a true record of the Special Permit granted for the subject property by the Brooklyn Planning and Zoning Commission.

*Jana Roberson*  
Town Planner  
Date: 7/13/20

APPROVED BY THE BROOKLYN INLAND  
WETLANDS COMMISSION

APPROVED BY THE BROOKLYN PLANNING  
& ZONING COMMISSION

CHAIRMAN DATE

CHAIRMAN DATE

REVISIONS	
DATE	DESCRIPTION
11/14/2019	SIGHTLINE PLANS
2/10/2020	I.W. & ENGINEERING REVIEW
2/14/2020	HYDROGEOLOGIC REVIEW
3/12/2020	I.W. APPROVAL CONDITIONS
7/27/2020	APPROVAL SHEETS
DATE: 10/2/2019	DRAWN: DJH
SCALE: AS SHOWN	DESIGN: DJH
SHEET: 16 OF 17	CHK BY: ---
DWG. No: HF 321	JOB No: 173081

PLANNING & ZONING COMMISSION APPROVAL  
PREPARED FOR  
STRATEGIC COMMERCIAL REALTY, INC.  
D/B/A RAWSON MATERIALS  
PROPOSED GRAVEL EXCAVATION  
LAND N/F THE POTVIN FAMILY TRUST  
MAYNARD ROAD  
BROOKLYN, CONNECTICUT

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info@prorovinc.com  
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Brooklyn Inland Wetlands  
Commission  
P.O. Box 356  
Brooklyn, Connecticut 06234



March 12, 2020

**CERTIFIED#**

Strategic Commercial Realty, Inc  
d/b/a Rawson Materials  
6 Kennedy Drive  
Putnam, CT 06260

RE: Notice of Decision - 102219B Strategic Commercial Realty, Inc., d/b/a Rawson Materials, Maynard Road, Map 29, Lot 5, RA Zone: Excavation of approximately 1.2 million cubic yards of sand and gravel.

Dear Strategic Commercial Realty, Inc:

At the March 10, 2020 meeting of the Inland Wetlands and Watercourses Commission your application, 102219B Strategic Commercial Realty, Inc., d/b/a Rawson Materials, Maynard Road, Map 29, Lot 5, RA Zone: Excavation of approximately 1.2 million cubic yards of sand and gravel, based on the plan stamped received on 2/11/2020, was approved with the following conditions:

1. Standard Conditions of the IWWC (attached) shall apply. **THE OPERATOR SHALL MEET WITH THE WETLANDS ENFORCEMENT OFFICER PRIOR TO DISTURBANCE OF THE SOIL TO REVIEW THESE CONDITIONS.**
2. After clearing limits have been flagged by a licensed land surveyor, the applicant shall contact the Wetlands Enforcement Officer to inspect the limits of work prior to starting any clearing of vegetation.
3. **WETLANDS FLAGGING SHALL BE MAINTAINED THROUGHOUT THE DURATION OF THE PERMIT.**
4. Permit Duration: The permit duration is controlled by Inland Wetlands and Watercourses Regulations Section 11.6. Pursuant to this Section, this permit shall be valid for 5 years.

5. Final Plans. The final plans shall place the approval motion on sheet one. One set of final plans shall be submitted with the live signatures and seals of all design professionals with a signature block on each sheet for signature by the IWWC Chair.

6. When the excavation is approximately 20 feet above the proposed bottom elevation, contact the Land Use Department to schedule witnessing deep test pits in order to evaluate the depth to seasonal high ground water. If no seasonal high groundwater indicators are observed, when the excavation is approximately 10 feet above the proposed bottom elevation, contact the Land Use Department to schedule witnessing deep test pits in order to evaluate the depth to seasonal high ground water." to review the limits of work prior to starting any clearing of vegetation.

7. Within 12 months after clearing the site, the applicant shall contact the Wetlands Enforcement Officer to inspect the wetland buffer signs.

8. Revise the grading plan to show a no disturbance setback 125-feet from the kettle wetlands and to show a no disturbance setback 175-feet from the Quinebaug River.

A legal notice of this approval will be published in the Villager Newspaper on Friday March 20, 2020. Please note that this action of the Brooklyn Inland Wetlands and Watercourses Commission may be appealed for fifteen-day period following the publication of the legal notice.

If you have any questions, please call Margaret Washburn, Wetlands Agent at 860-779-3411 Extension 31.

Signed

Margaret Washburn  
Wetlands Enforcement Agent

MW/acl  
CC: File, H. Heller,  
D. Held, J. Roberson

BROOKLYN INLAND WETLANDS AND WATERCOURSES COMMISSION  
STANDARD CONDITIONS FOR IWWC PERMITS 12/13/16

**APPLICANT: READ CAREFULLY**

**IWWC Permit Document.** A copy of the IWWC approval motion and the conditions stated herein shall constitute the IWWC permit for the approved activity when the permit document is signed and dated by the IWWC Agent.

**Notice of Start and Finish.** Permittee shall notify the IWWC agent at least 48 hours before the approved activity commences and within 72 hours after completion of the activity.

**Permit Duration.** This permit is valid for a period in accordance with Section 11.6 of the Brooklyn Inland Wetlands and Watercourses Regulations and the Connecticut General Statutes. Any request to renew or extend the expiration date of a permit can be granted only as authorized by the IWWC Regulations. Expired permits may not be renewed.

**Erosion and Sedimentation Controls.** Permittee is responsible for implementing the approved erosion and sediment control plan. This responsibility includes the installation and maintenance of control measures, informing all parties engaged on the construction site of the requirements and objectives of the plan. The permittee shall inspect the erosion controls weekly and after rains and repair deficiencies within twenty-four hours. The IWWC and its staff may require additional erosion if needed to prevent erosion and sedimentation. Restabilization of the site shall take place as soon as possible.

**Stockpile locations.** During construction, piles of fill, erodible material and debris shall not be created within regulated areas. The locations of debris and other stockpiled materials shall be shown on the submitted plans. Any material excavated at the site shall be disposed of at upland or off-site locations reviewed and approved by staff.

**Permit Transfer.** The permittee shall not transfer this permit without the written permission of the IWWC.

**Work in Watercourse to Occur During Low Flow.** Work within a watercourse is limited to periods of low flow. Low flow periods normally occur between August and October. Upon request of permittee, wetlands staff can determine if the activity can occur at other times following an on-site field investigation.

**Scope of Permit.** This permit is for the approved activity ONLY. Additional activity may require an additional permit. Note that if an approval or permit is granted by another agency and  
(1) the approved activity will affect wetlands and/or watercourses; and/or  
(2) the activity occurs within 125 feet of flagged boundaries and 175 feet from watercourses; and such activities have not been addressed by this permit, then the applicant shall resubmit the application for further consideration by the Inland Wetlands and Watercourses Commission before any work begins.

**Ongoing Compliance with Permit.** The permittee shall comply at all times with the permit.

**Other Approvals May be Required.** Other permits may be required from Town, state or federal agencies. An Army Corps of Engineers permit may be required: U.S. Army Corps of Engineers, 424 Trapelo Rd., Waltham, MA 02254 1-800-362-4367.

INLAND WETLANDS COMMISSION APPROVAL  
PREPARED FOR  
STRATEGIC COMMERCIAL REALTY, INC.  
D/B/A RAWSON MATERIALS  
PROPOSED GRAVEL EXCAVATION  
LAND N/F THE POTVIN FAMILY TRUST  
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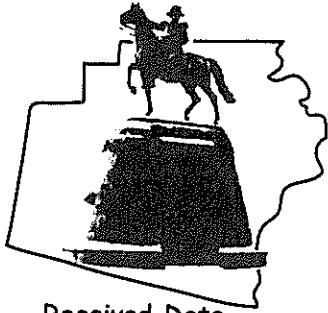
REVISIONS	
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DATE: 10/2/2019	DRAWN: DJH
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SHEET: 17 OF 17	CHK BY: ---
DWG. No: HF 321	JOB No: 173081

APPROVED BY THE BROOKLYN INLAND  
WETLANDS COMMISSION

APPROVED BY THE BROOKLYN PLANNING  
& ZONING COMMISSION

CHAIRMAN DATE

CHAIRMAN DATE



# TOWN OF BROOKLYN

P.O. Box 356 - Route 6 and 169  
BROOKLYN, CONNECTICUT 06234

OFFICE OF SELECTMEN  
TELEPHONE: 779-3411  
TOWN CLERK  
TELEPHONE: 774-9543  
ASSESSOR  
TELEPHONE: 774-5611  
TAX COLLECTOR  
TELEPHONE: 774-4072  
JUDGE OF PROBATE  
TELEPHONE: 774-5973

Received Date _____  
Fee \$ 250 State Fee ( ~~\$80~~.00) _____

Application #SPG _____  
Check # _____

Renewal Fee  
\$100 + \$60

## APPLICATION FOR GRAVEL BANK /Renewal SPECIAL PERMIT

Name of Applicant Strategic Commercial Realty, Inc., d/b/a Rawson Materials Phone 860-963-6584  
Mailing Address 6 Kennedy Drive, Putnam, CT 06260  
Relation owner of mineral/mining rights on subject properties

Property Owner River Junction Estates LLC Phone 860-919-6413  
Mailing Address 204 Munyan Road, Putnam, CT 06260

Name of Engineer/Surveyor Provost & Rovero, Inc.  
Address P.O. Box 191, Plainfield, CT 06374  
Contact Person David J. Held, P.E., L.S. Phone 860-230-0856 Fax 860-230-0860

Name of Attorney Harry Heller, Heller, Heller & McCoy  
Address 736 Norwich-New London Turnpike, Uncasville, CT 06382  
Phone 860-848-1248 Fax _____

Property address Rukstela Road  
Property Location Southerly of Rukstela Road  
Map #  $\frac{21}{30}$  Lot #  $\frac{7}{16}$  Zone RA Total Acres 206+/-

Maximum Area :  
Acres of Gravel Removal 30 Cubic Yards of Gravel Removal 1,945,000 CY

Is Application for Renewal? Yes  No _____ If Yes, Amount Removed Last Year 0  
Original Date of Issuance of Permit 6/3/2020 Issued To: _____  
Strategic Commercial Realty, Inc. DBA Rawson Materials

Compliance with Article 13, Gravel Banks  
Compliance with Article 5, Special Permit Requirements

The owner and applicant hereby grant the Brooklyn Planning and Zoning Commission, the Board of Selectman, Authorized Agents of the Planning and Zoning Commission or Board of Selectman, permission to enter the property to which the application is requested for the purpose of inspection and enforcement of the Zoning regulations and the Subdivision regulations of the Town of Brooklyn

Applicant:  Date 4/19/2021  
Owner: _____ Date _____

*Note : All consulting fees shall be paid by the applicant

## EARTH EXCAVATION AND REMOVAL CHECK LIST

The following items are required as a part of the excavation plan. Note these are minimum requirements. Other information may be required based on your application

  X   Contours at 2 ' intervals

For renewals:

_____ Contours as of original permit approval

----- Contours as of date of survey( updated to present) stamped by a licensed land surveyor

  X   Amount of material to be removed

For Renewals:

_____ Amount of material originally approved to be removed

----- Amount of material removed to date, by an annual accounting for each 12 month period of the permit

_____ Amount of material to be removed during the next year

_____ Date the permit will next expire if not renewed.

  X   Maximum depth of excavation

  X   Depths to water table

  X   Note measures to be used to protect the water table

  X   Location of any stock piles

  X   Areas to be restored

  X   Restoration Plan

  X   Erosion and Sediment Control Plan

  X   Erosion and Sediment Control Narrative

  X   Erosion and Sediment Control Bond

For renewals:

_____ Amount of bond that has been filed

_____ Verification of Erosion and Sedimentation control measures

  X   Traffic pattern within the site

_____ Will any trucks be repaired on site if so, where

  X   Location of fueling pad

_____ Will any equipment or trucks be stored on site

_____ If so , locate on site

  X   Average number of trips per day

  X   Maximum number of trips per day

  X   Note trucks will be covered when leaving the site

Processing equipment if any and usage  
 Amount of processing too be done  
     Per year  
     Per month

How will noise issues be addressed  
 How will dust issues be address  
     Calcium chloride    water    at what frequency  
 Description of the project, trucks/day, days and hours of operation, completion date etc  
 Phasing plan  
 Time frame for project

Site inspection by staff  
 Compliance with Article 5 Special Permit  
 Compliance with Article13 Gravel Banks  
    For Renewals:  
 Inland Wetlands Permit if required  
 Archeological review  
 DEP Permit if required

**Other items to review**

Bond amount may need to be updated regarding the following:

Erosion and Sediment Control  
 Restoration Plan

Inspections will be done through out the year on a Quarterly basis to insure compliance with the original plan and any conditions of renewal

# Provost & Rovero, Inc.

Civil Engineering • Surveying • Site Planning • Structural • Mechanical • Architectural Engineering

P.O. Box 191  
57 East Main Street  
Plainfield, CT 06374

Telephone (860) 230-0856  
Fax (860) 230-0860  
www.prorovinc.com

April 19, 2021

Jana Butts Roberson, AICP  
Director of Community Development/Town Planner  
Town of Brooklyn  
P.O. Box 356  
69 South Main Street  
Brooklyn, CT 06234

**RE: Rawson Materials – Rukstella Road – Brooklyn, CT – SPG 19-004**  
**P&R Job No. 183028**

Dear Ms. Roberson:

I completed an inspection of the above referenced property on April 19, 2021. This inspection was completed to support a renewal application for the excavation of sand and gravel from the property. To date, no work has been completed by Rawson Materials pursuant to the excavation special permit approval which was granted at the June 3, 2020 meeting of the Planning and Zoning Commission. During the site inspection, work was ongoing related to the construction of the Quinebaug Solar project. This work included minor regrading of the existing floor of the easterly excavation area to prepare the area for construction laydown use during the solar project installation.

If you have any questions or need additional information, please do not hesitate to contact us at your convenience.

Sincerely,



David J. Held, P.E., L.S.  
Provost & Rovero, Inc.

CC: Madilyn Smith (Rawson Materials, via email)  
Margaret Washburn (ZEO, WEO, via email)

# PROPOSED GRAVEL EXCAVATION

SOUTHERLY OF RUKSTELLA ROAD  
BROOKLYN, CONNECTICUT

APPLICANT:  
STRATEGIC COMMERCIAL REALTY, INC., D/B/A RAWSON MATERIALS  
6 KENNEDY DRIVE  
PUTNAM, CT 06260

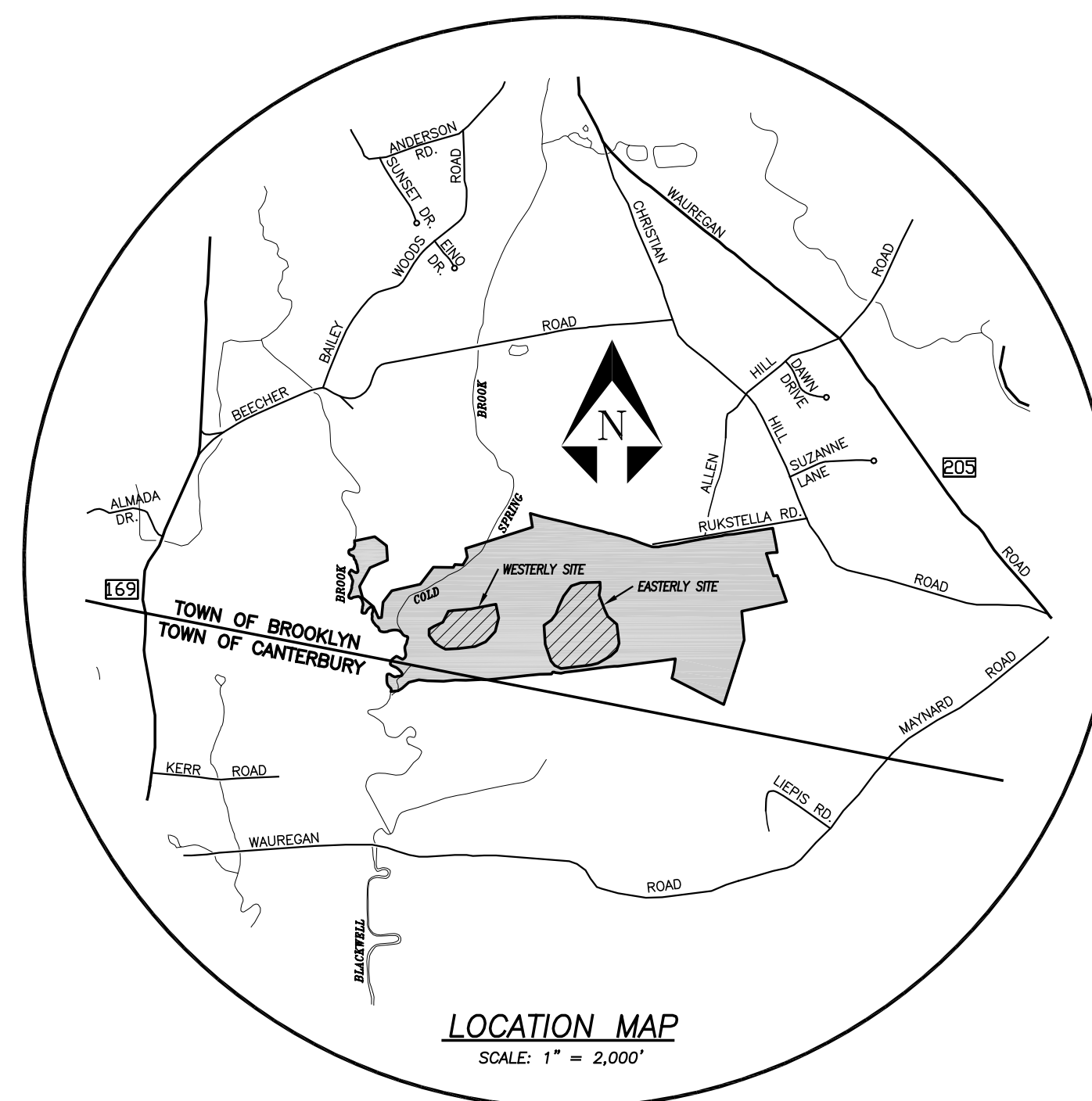
OWNER:  
RIVER JUNCTION ESTATES, LLC  
204 MUNYAN ROAD  
PUTNAM, CT 06260

## INDEX TO DRAWINGS

TITLE	SHEET No.
COVER SHEET	1 OF 17
EXISTING CONDITIONS PLAN	2 OF 17
KEY MAP AND PHASING PLAN	3 OF 17
SITE PLAN No. 1-6	4-9 OF 17
EXCAVATION CROSS SECTIONS	10-13 OF 17
NOTES & DETAILS	14 OF 17
RESTORATION PLAN	15 OF 17
PLANNING & ZONING COMMISSION APPROVAL	16 OF 17
INLAND WETLANDS COMMISSION APPROVAL	17 OF 17

## LEGEND

	BORING
	INLAND WETLAND FLAG
	EXISTING TREE LINE
	EXISTING INDEX CONTOUR
	EXISTING CONTOUR
	EXCAVATION PHASE LINE
	PROPOSED CONTOUR
	PROPOSED POND CONTOUR
	PROPOSED CLEARING LIMIT
	PROPOSED SILT FENCE



PREPARED BY:

## Provost & Rovero, Inc.

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REVISIONS	
DATE	DESCRIPTION
11/12/2019	I.W. AGENT COMMENTS
12/10/2019	REGULATED AREA
1/15/2020	WESTERLY EXCAVATION AREA
2/14/2020	HYDROGEOLOGIC REVIEW
7/27/2020	TOWN APPROVALS ADDED

SEPTEMBER 27, 2019

APPROVED BY THE BROOKLYN INLAND  
WETLANDS COMMISSION

CHAIRMAN _____ DATE _____

APPROVED BY THE BROOKLYN PLANNING  
& ZONING COMMISSION  
SPECIAL PERMIT EXPIRATION DATE: _____

CHAIRMAN _____ DATE _____

ENGINEER _____ DATE _____

SHEET 1 OF 17  
JOB NO: 183028  
DWG NO: HF 332



- SURVEY NOTES:**
- This survey has been prepared pursuant to the Regulations of Connecticut State Agencies Section 20-300b-1 through 20-300b-20 as amended on October 26, 2018;
  - This map was prepared from record research, other maps, limited field measurements and other sources. It is not to be construed as a Property/Boundary or Limited Property/Boundary Survey and is subject to such facts as said surveys may disclose.
    - This survey conforms to a Class "C" horizontal accuracy.
    - Topographic features conform to a Class "T-3" accuracy.
    - Survey Type: General Location Survey.
  - The subject parcels are shown as Map 21, Lot 7 and Map 30, Lot 16 per the town of Brooklyn assessor records.
  - Zone: RA.
  - Owner of record: River Junction Estates, LLC  
204 Munyan Road  
Putnam, CT 06260
  - The intent of this survey is to show existing conditions to support an excavation permit application.
  - Elevations based on NAVD 1988. Contours taken from aerial photogrammetry by WSP USA Inc. Contour interval = 2'.
  - Bearings shown hereon are referenced to CT State Plane Coordinates, NAD-83 (Epoch 2011).
  - Before any construction is to commence contact "CALL BEFORE YOU DIG" at 1-800-922-4455.
  - Wetlands shown hereon were field delineated by Joseph Theroux in October and November, 2019.

- MAP REFERENCES:**
- Land of - River Junction Estates, LLC, Strategic Commercial Realty Inc. - and Canterbury Sand and Gravel - Wauregon Road and Rukstela Roads - Canterbury and Brooklyn, Connecticut - Scale: 1" = 100' - Dated: March 22, 2019 - Sheets 1-8 of 8 - WSP USA Inc.



GENERAL LOCATION SURVEY  
EXISTING CONDITIONS PLAN  
PREPARED FOR  
**STRATEGIC COMMERCIAL REALTY, INC.  
D/B/A RAWSON MATERIALS**  
**PROPOSED GRAVEL EXCAVATION  
LAND N/F RIVER JUNCTION ESTATES, LLC**  
SOUTHERLY OF RUKSTELA ROAD  
BROOKLYN, CONNECTICUT

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DATE: 9/27/2019 DRAWN: DJH  
SCALE: 1" = 100' DESIGN: DJH  
SHEET: 2 OF 17 CHK BY: ---  
DWG. No: HF 332 JOB No: 183028

TO MY KNOWLEDGE AND BELIEF, THIS MAP IS SUBSTANTIALLY CORRECT AS NOTED HEREON,

DAVID J. HELD, L.S. LIC. NO. 24267 DATE

NO CERTIFICATION IS EXPRESSED OR IMPLIED UNLESS THIS MAP BEARS THE ORIGINAL SEAL AND SIGNATURE OF THE LAND SURVEYOR.

APPROVED BY THE BROOKLYN INLAND WETLANDS COMMISSION

CHAIRMAN _____ DATE _____

APPROVED BY THE BROOKLYN PLANNING & ZONING COMMISSION

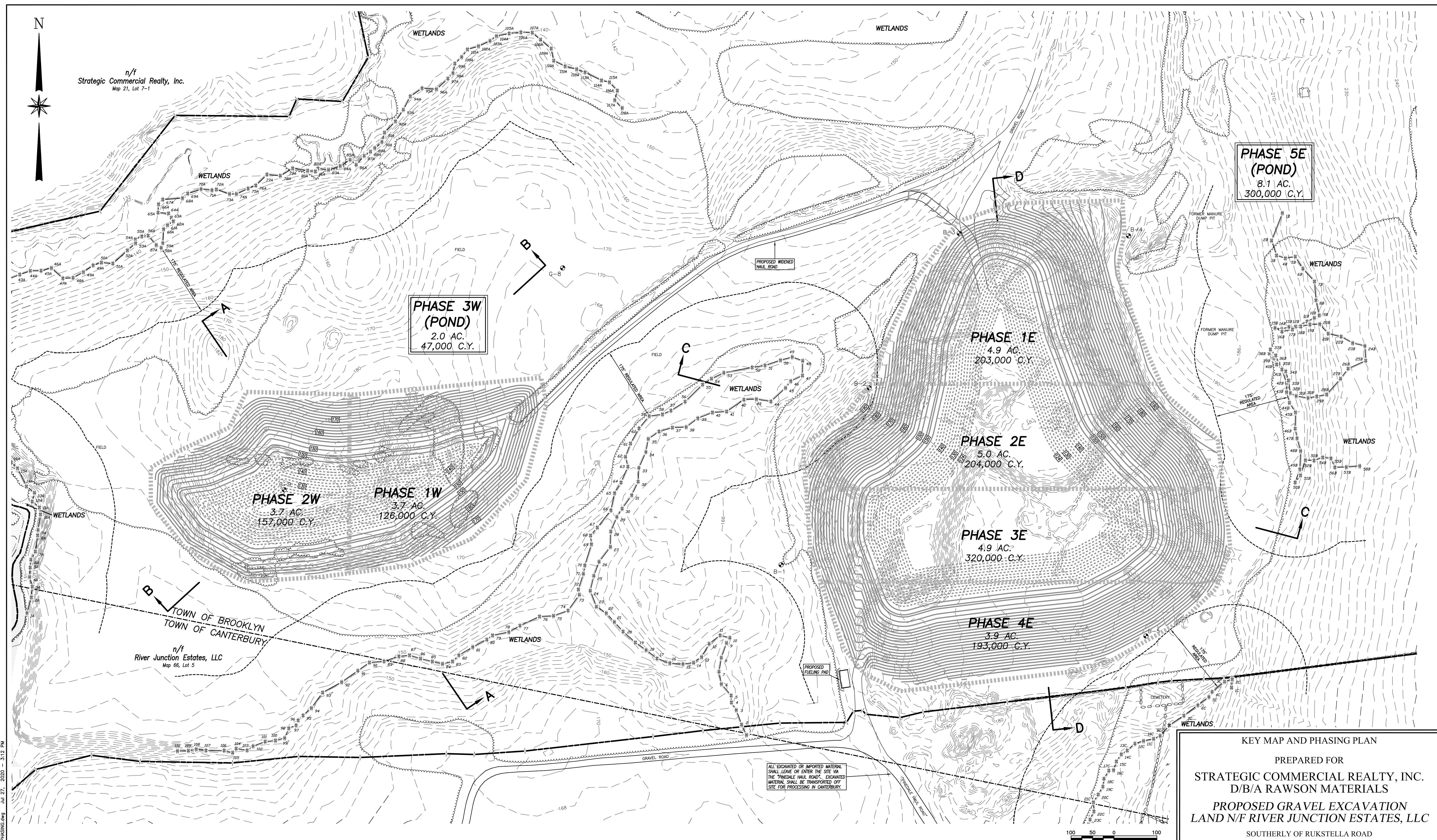
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CHAIRMAN _____ DATE _____

I HAVE REVIEWED THE FLAGGED INLAND WETLANDS LOCATION SHOWN ON THIS PLAN AND THEY APPEAR TO BE SUBSTANTIALLY CORRECT.

Certified Soil Scientist _____ Date _____

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**KEY MAP AND PHASING PLAN**

PREPARED FOR

**STRATEGIC COMMERCIAL REALTY, INC.**  
D/B/A RAWSON MATERIALS

**PROPOSED GRAVEL EXCAVATION**  
**LAND N/F RIVER JUNCTION ESTATES, LLC**

SOUTHERLY OF RUKSTELLA ROAD  
BROOKLYN, CONNECTICUT

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SCALE: 1" = 100' DESIGN: DJH  
SHEET: 3 OF 17 CHK BY: ---  
DWG. No: HF 332 JOB No: 183028

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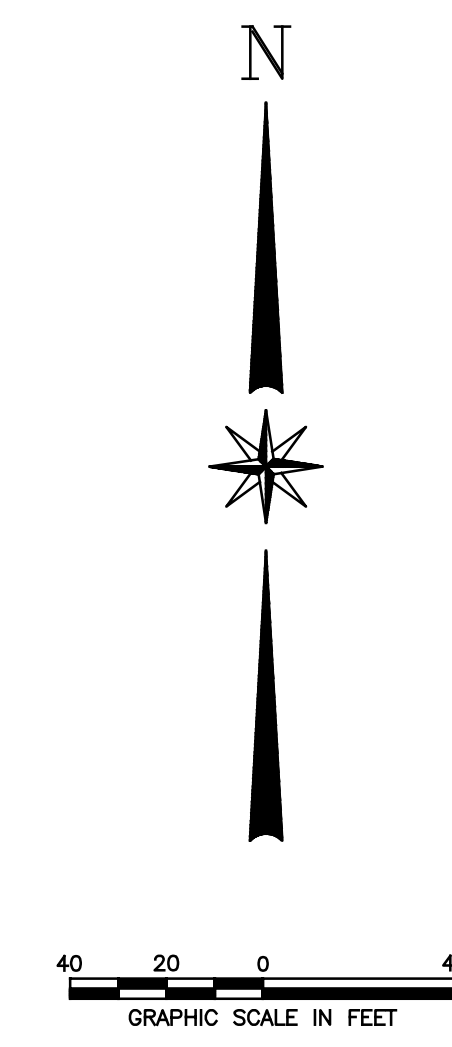
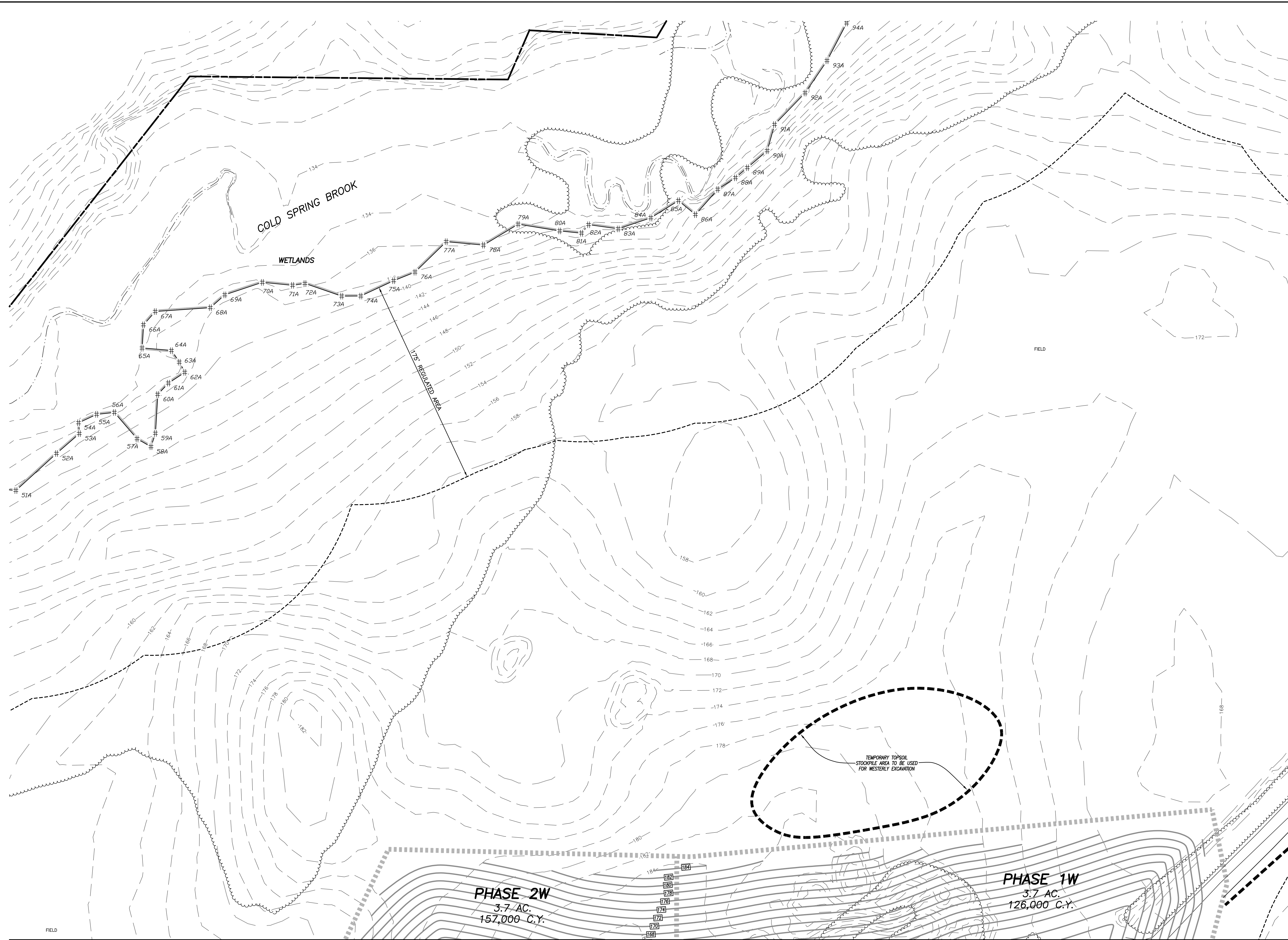
Certified Soil Scientist _____ Date _____

ENGINEER _____ DATE _____

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**LEGEND**

- BORING
- INLAND WETLAND FLAG
- EXISTING TREE LINE
- EXISTING INDEX CONTOUR
- EXISTING CONTOUR
- EXCAVATION PHASE LINE
- PROPOSED CONTOUR
- PROPOSED POND CONTOUR
- PROPOSED CLEARING LIMIT
- PROPOSED SILT FENCE

SEE SITE PLAN No. 3

SITE PLAN No. 1  
 PREPARED FOR  
 STRATEGIC COMMERCIAL REALTY, INC.  
 D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
 LAND N/F RIVER JUNCTION ESTATES, LLC  
 SOUTHERLY OF RUKSTELLA ROAD  
 BROOKLYN, CONNECTICUT

**PHASE 2W**  
 3.7 AC.  
 157,000 C.Y.

**PHASE 1W**  
 3.7 AC.  
 126,000 C.Y.

SEE SITE PLAN No. 2

APPROVED BY THE BROOKLYN INLAND WETLANDS COMMISSION  
 CHAIRMAN _____ DATE _____

APPROVED BY THE BROOKLYN PLANNING & ZONING COMMISSION  
 SPECIAL PERMIT EXPIRATION DATE: _____  
 CHAIRMAN _____ DATE _____

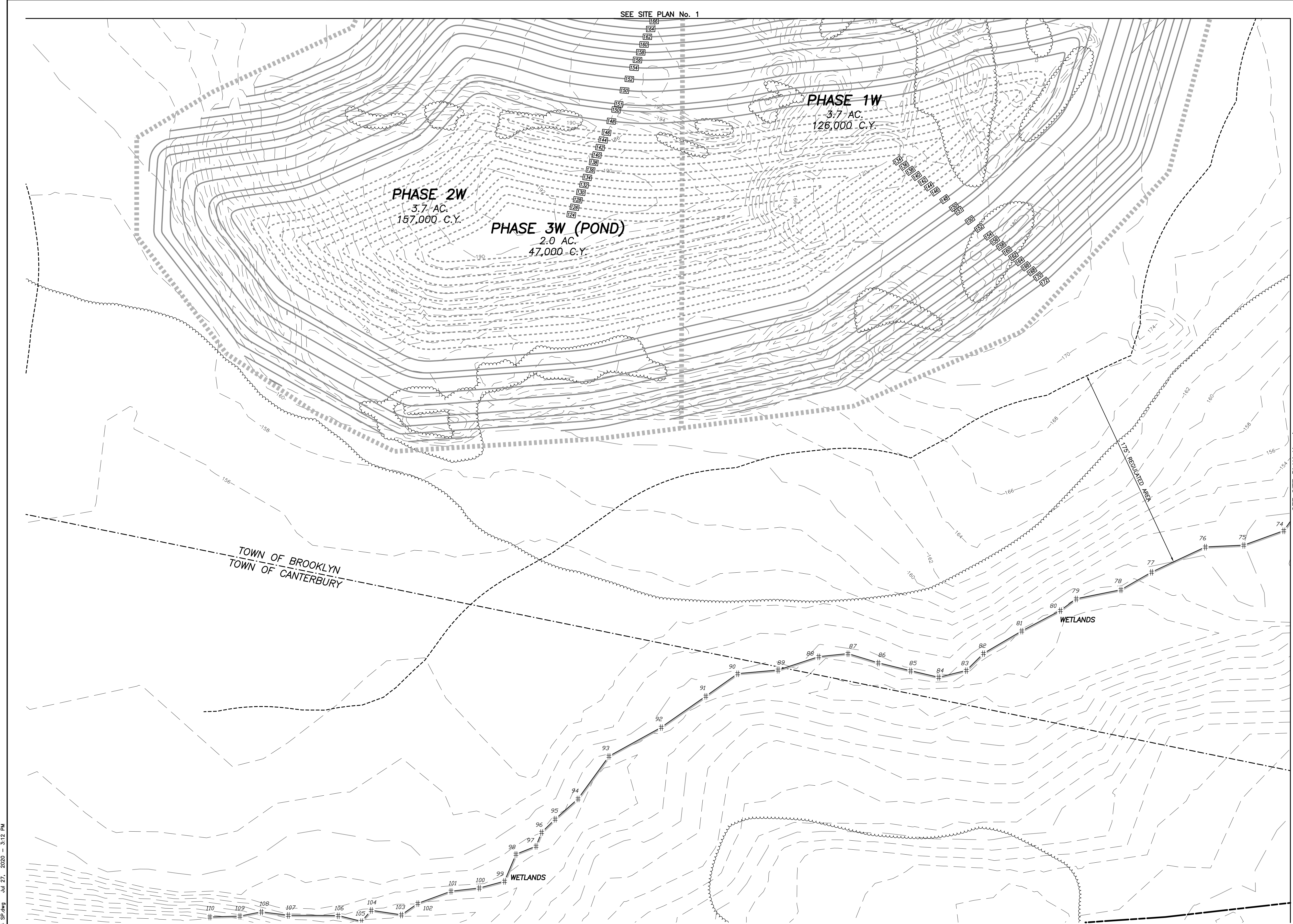
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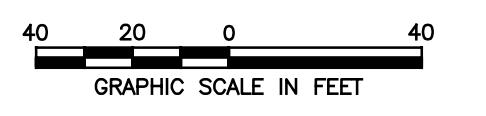
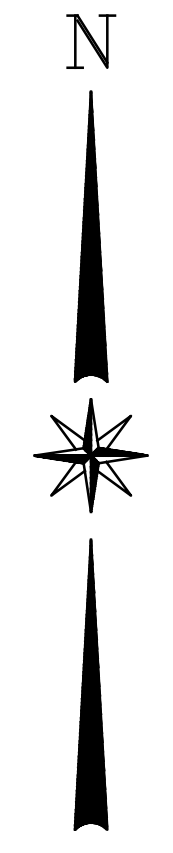
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SEE SITE PLAN No. 1

SEE SITE PLAN No. 4



**LEGEND**

- BORING
- INLAND WETLAND FLAG
- EXISTING TREE LINE
- EXISTING INDEX CONTOUR
- EXISTING CONTOUR
- EXCAVATION PHASE LINE
- PROPOSED CONTOUR
- PROPOSED POND CONTOUR
- PROPOSED CLEARING LIMIT
- PROPOSED SILT FENCE

TOWN OF BROOKLYN  
TOWN OF CANTERBURY

WETLANDS

WETLANDS

SITE PLAN No. 2  
PREPARED FOR  
STRATEGIC COMMERCIAL REALTY, INC.  
D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
LAND N/F RIVER JUNCTION ESTATES, LLC  
SOUTHERLY OF RUKSTELLA ROAD  
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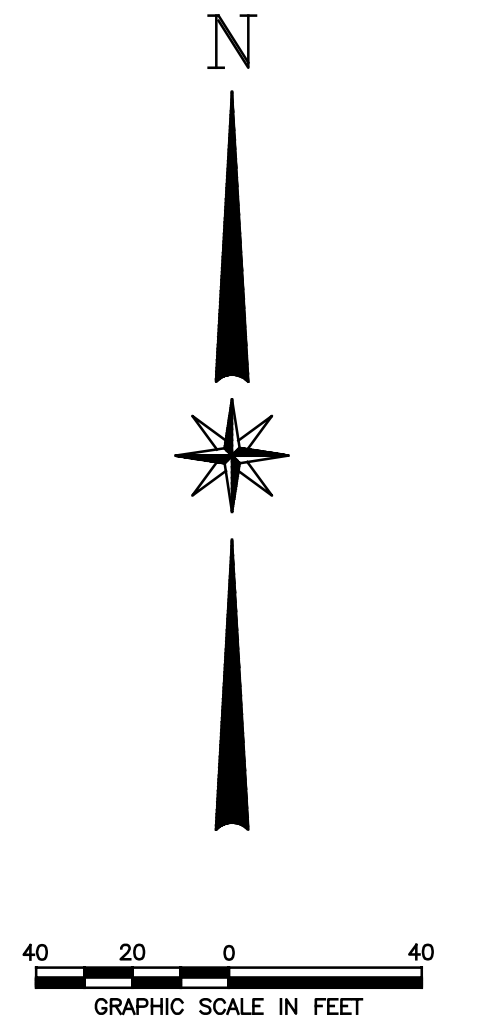
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ENGINEER _____ DATE _____

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SCALE: 1" = 40' DESIGN: DJH  
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**LEGEND**

- BORING
- INLAND WETLAND FLAG
- EXISTING TREE LINE
- EXISTING INDEX CONTOUR
- EXISTING CONTOUR
- EXCAVATION PHASE LINE
- PROPOSED CONTOUR
- PROPOSED POND CONTOUR
- PROPOSED CLEARING LIMIT
- PROPOSED SILT FENCE

**PHASE 1E**  
4.9 AC.  
203,000 C.Y.

**PHASE 2E**  
5.0 AC.  
204,000 C.Y.

SEE SITE PLAN No. 1

SEE SITE PLAN No. 5

SEE SITE PLAN No. 4

SITE PLAN No. 3  
PREPARED FOR  
STRATEGIC COMMERCIAL REALTY, INC.  
D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
LAND N/F RIVER JUNCTION ESTATES, LLC  
SOUTHERLY OF RUKSTELLA ROAD  
BROOKLYN, CONNECTICUT

APPROVED BY THE BROOKLYN INLAND WETLANDS COMMISSION  
CHAIRMAN _____ DATE _____

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SEE SITE PLAN No. 3



**PHASE 2E**  
5.0 AC.  
204,000 C.Y.

**PHASE 5E (POND)**  
8.1 AC.  
300,000 C.Y.

**PHASE 3E**  
4.9 AC.  
320,000 C.Y.

**PHASE 4E**  
3.9 AC.  
193,000 C.Y.



**LEGEND**

- BORING
- INLAND WETLAND FLAG
- EXISTING TREE LINE
- EXISTING INDEX CONTOUR
- EXISTING CONTOUR
- EXCAVATION PHASE LINE
- PROPOSED CONTOUR
- PROPOSED POND CONTOUR
- PROPOSED CLEARING LIMIT
- PROPOSED SILT FENCE

SEE SITE PLAN No. 2

SEE SITE PLAN No. 6

SITE PLAN No. 4  
PREPARED FOR  
**STRATEGIC COMMERCIAL REALTY, INC.**  
D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
**LAND N/F RIVER JUNCTION ESTATES, LLC**  
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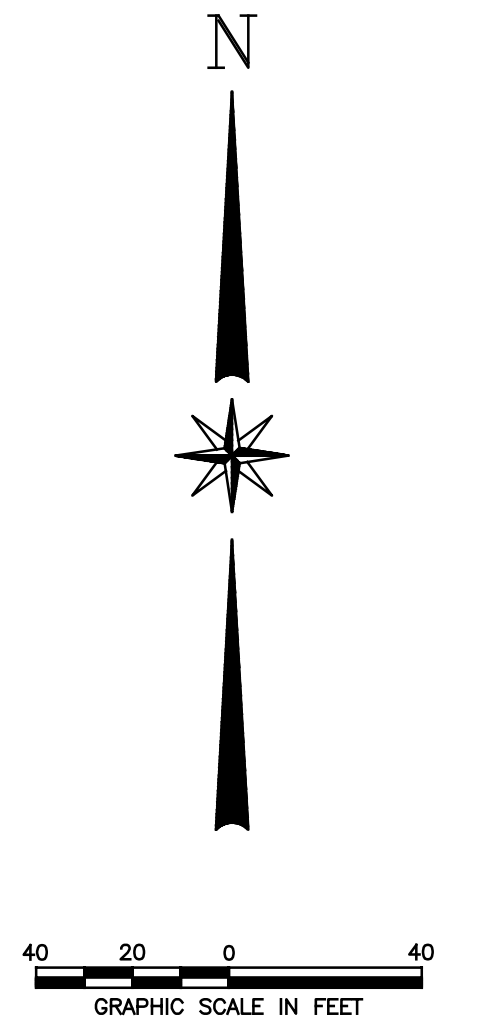
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DWG. No: HF 332 JOB No: 183028



**LEGEND**

- BORING
- INLAND WETLAND FLAG
- EXISTING TREE LINE
- EXISTING INDEX CONTOUR
- EXISTING CONTOUR
- EXCAVATION PHASE LINE
- PROPOSED CONTOUR
- PROPOSED POND CONTOUR
- PROPOSED CLEARING LIMIT
- PROPOSED SILT FENCE



SEE SITE PLAN No. 3

SEE SITE PLAN No. 6

SITE PLAN No. 5  
 PREPARED FOR  
 STRATEGIC COMMERCIAL REALTY, INC.  
 D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
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 Certified Soil Scientist _____ Date _____

ENGINEER _____ DATE _____

SEE SITE PLAN No. 5

**PHASE 2E**  
5.0 AC.  
204,000 C.Y.

**PHASE 5E (POND)**  
8.1 AC.  
300,000 C.Y.

**PHASE 3E**  
4.9 AC.  
320,000 C.Y.

**PHASE 4E**  
3.9 AC.  
193,000 C.Y.

175' REGULATED AREA

WETLANDS



40 20 0 40  
GRAPHIC SCALE IN FEET

**LEGEND**

- BORING
- INLAND WETLAND FLAG
- EXISTING TREE LINE
- EXISTING INDEX CONTOUR
- EXISTING CONTOUR
- EXCAVATION PHASE LINE
- PROPOSED CONTOUR
- PROPOSED POND CONTOUR
- PROPOSED CLEARING LIMIT
- PROPOSED SILT FENCE

SEE SITE PLAN No. 4

175' REGULATED AREA

CEMETERY

WETLANDS

SITE PLAN No. 6  
 PREPARED FOR  
**STRATEGIC COMMERCIAL REALTY, INC.**  
 D/B/A RAWSON MATERIALS  
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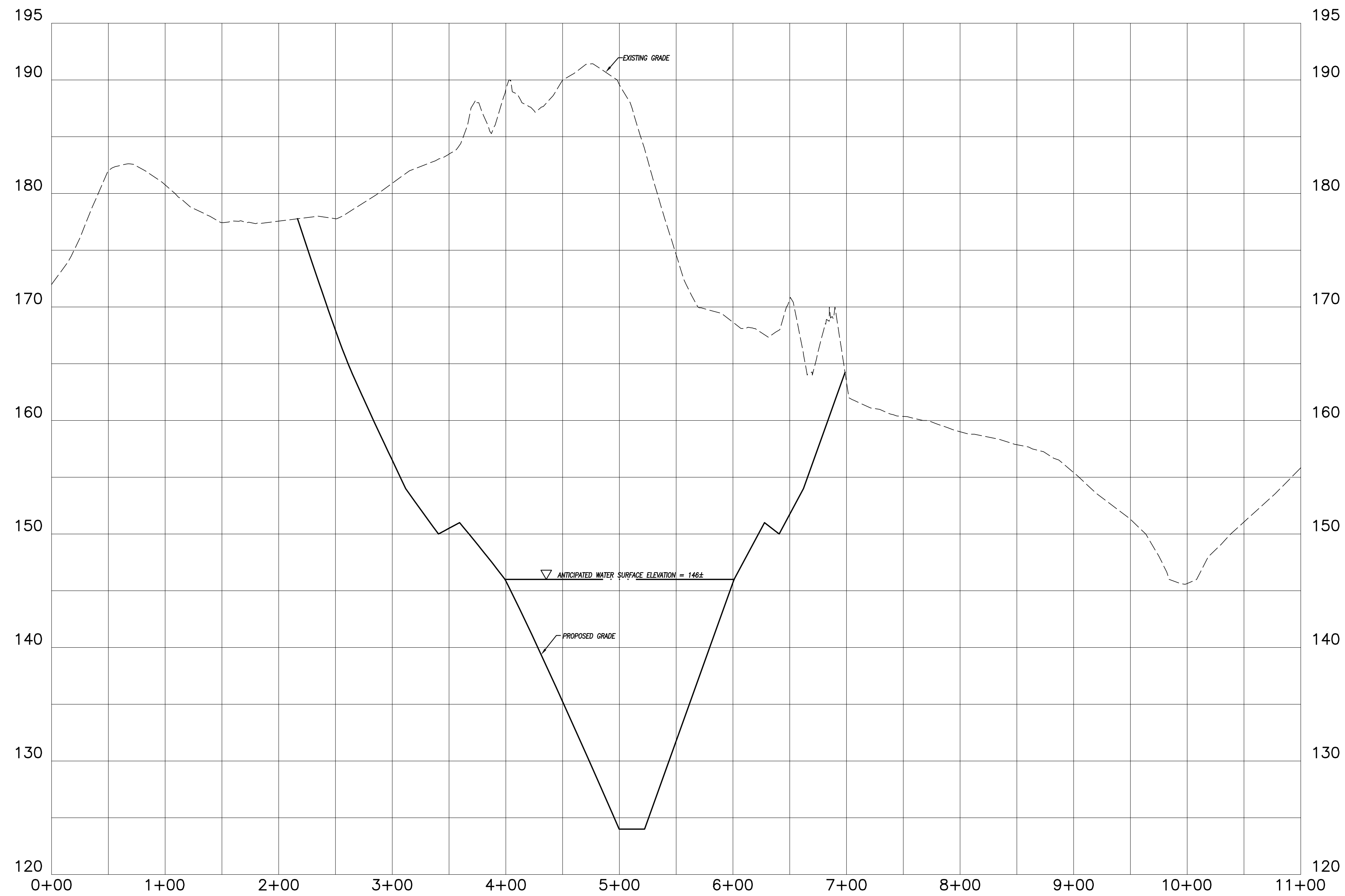
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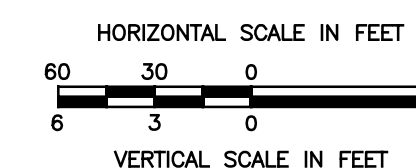
Certified Soil Scientist _____ Date _____

ENGINEER _____ DATE _____

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EXCAVATION CROSS SECTION A-A  
 HORIZONTAL SCALE: 1" = 60'  
 VERTICAL SCALE: 1" = 6'



EXCAVATION CROSS SECTION A-A  
 PREPARED FOR  
 STRATEGIC COMMERCIAL REALTY, INC.  
 D/B/A RAWSON MATERIALS  
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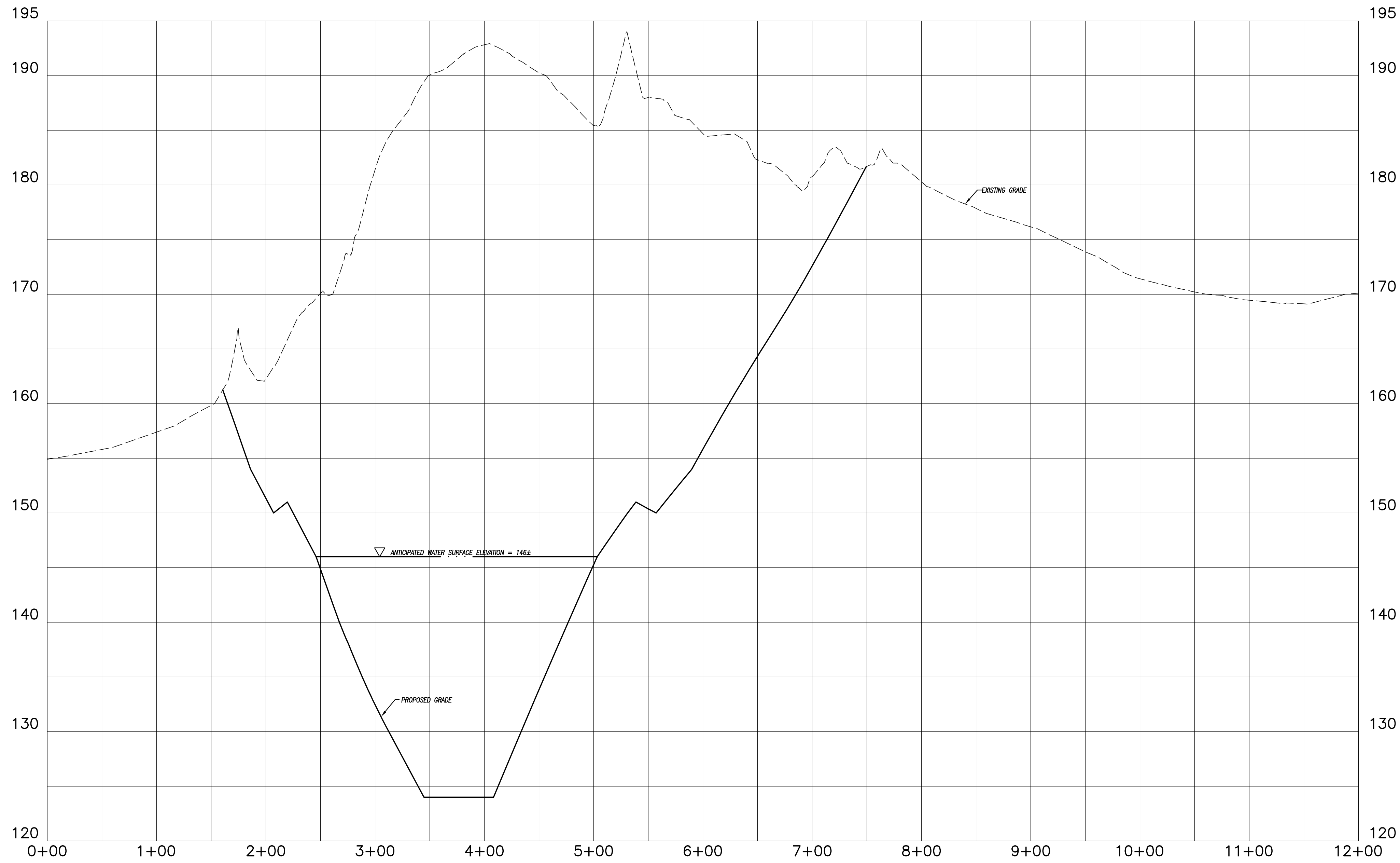
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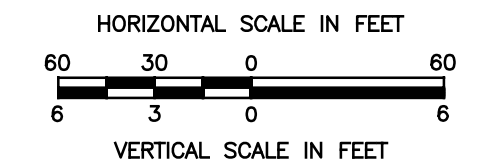
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ENGINEER _____ DATE _____

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**EXCAVATION CROSS SECTION B-B**  
 HORIZONTAL SCALE: 1" = 60'  
 VERTICAL SCALE: 1" = 6'



EXCAVATION CROSS SECTION B-B  
 PREPARED FOR  
 STRATEGIC COMMERCIAL REALTY, INC.  
 D/B/A RAWSON MATERIALS  
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DATE: 9/27/2019	DRAWN: DJH
SCALE: AS SHOWN	DESIGN: DJH
SHEET: 11 OF 17	CHK BY: ---
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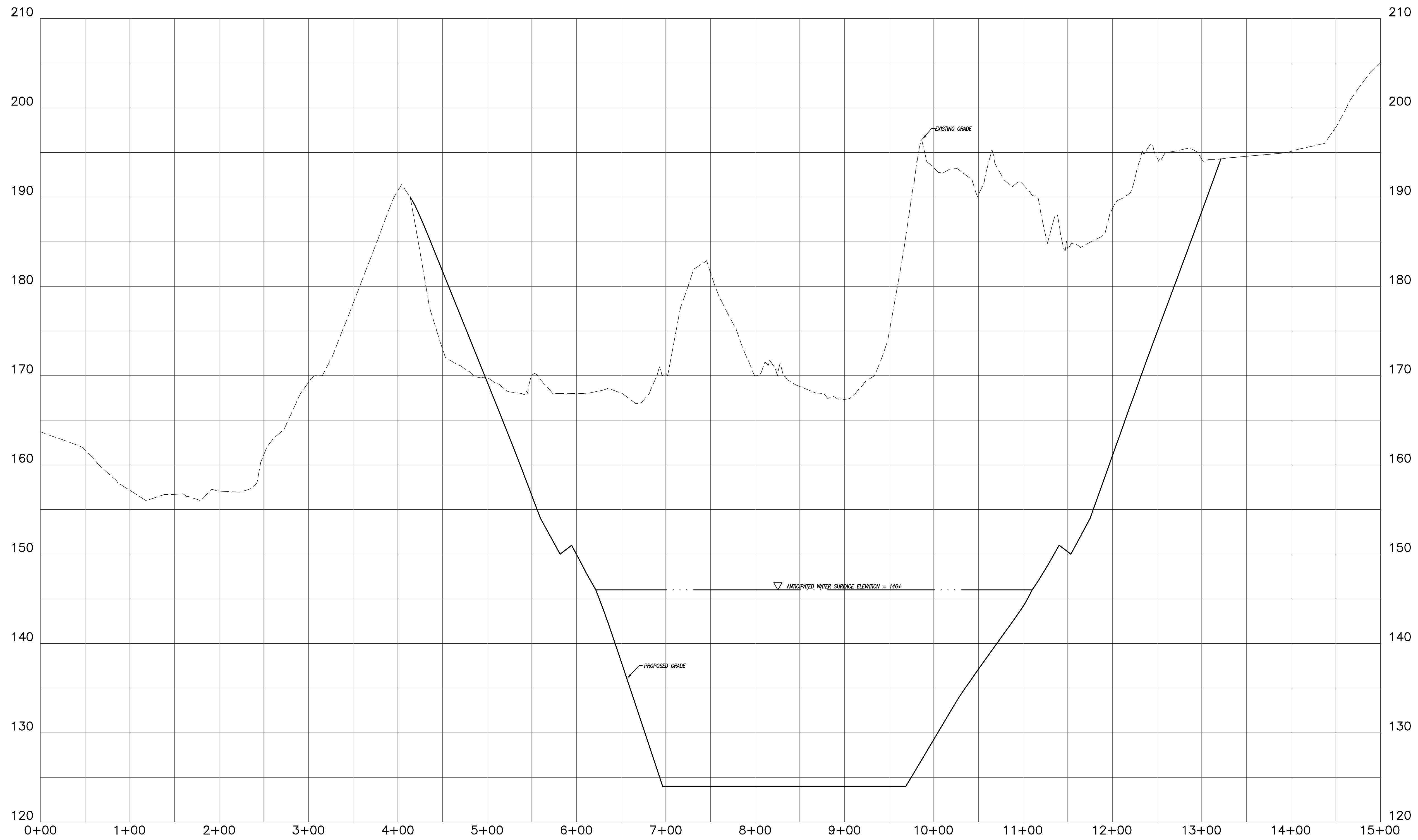
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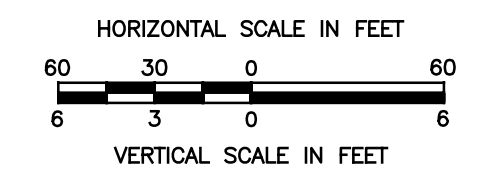
ENGINEER _____ DATE _____



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EXCAVATION CROSS SECTION C-C  
 HORIZONTAL SCALE: 1" = 60'  
 VERTICAL SCALE: 1" = 6'



EXCAVATION CROSS SECTION C-C  
 PREPARED FOR  
 STRATEGIC COMMERCIAL REALTY, INC.  
 D/B/A RAWSON MATERIALS  
 PROPOSED GRAVEL EXCAVATION  
 LAND N/F RIVER JUNCTION ESTATES, LLC  
 SOUTHERLY OF RUKSTELLA ROAD  
 BROOKLYN, CONNECTICUT

**Provost & Rovero, Inc.**  
 Civil Engineering • Surveying • Site Planning  
 Structural • Mechanical • Architectural Engineering  
 57 East Main Street, P.O. Box 191  
 Plainfield, Connecticut 06374  
 (860) 230-0856 - FAX: (860) 230-0860  
 info@prorovinc.com  
 www.prorovinc.com

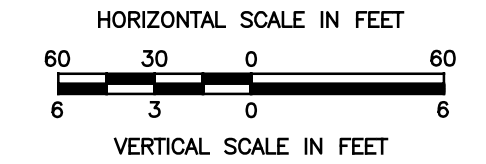
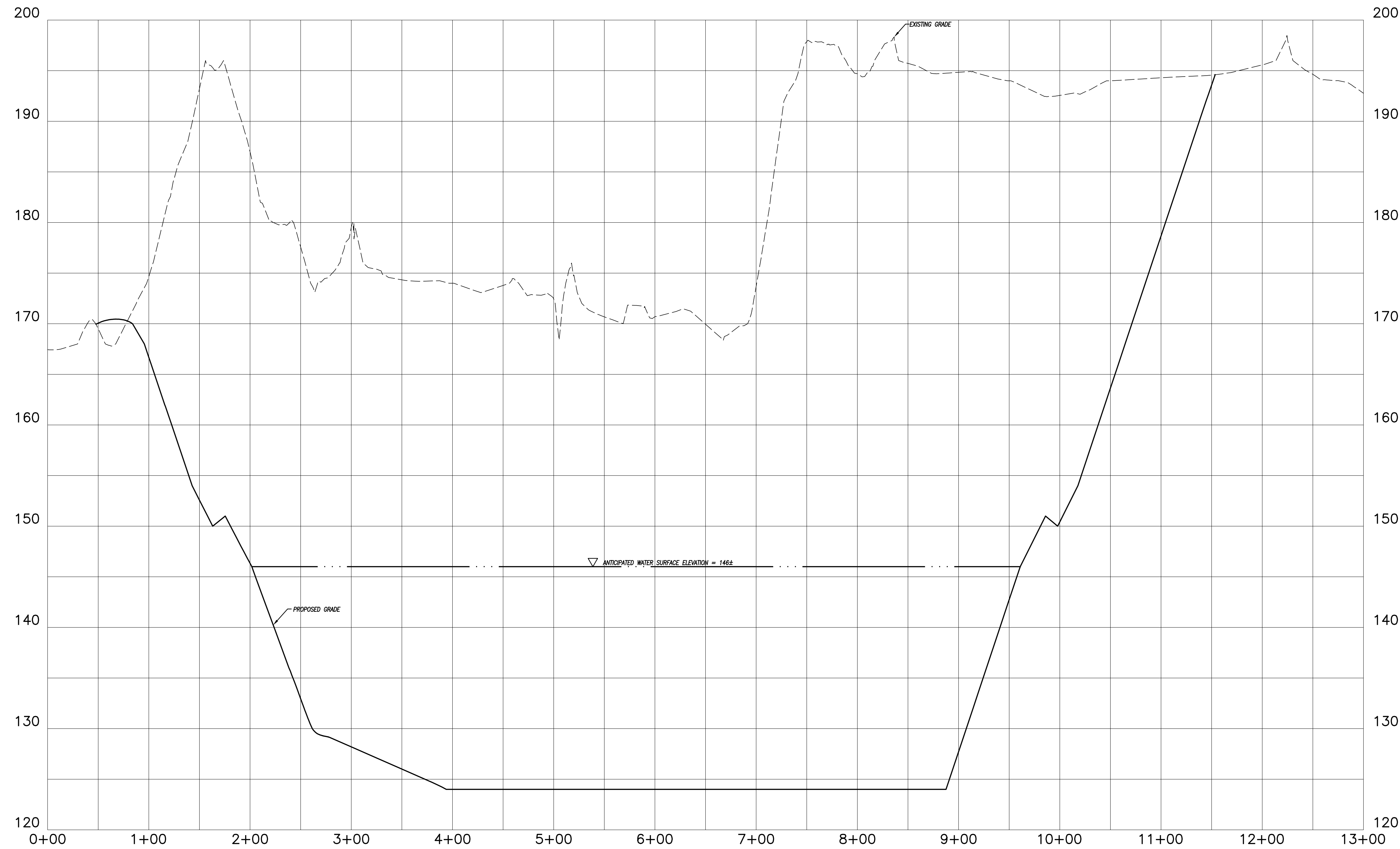
REVISIONS	
DATE	DESCRIPTION
11/12/2019	I.W. AGENT COMMENTS
12/10/2019	REGULATED AREA
1/15/2020	WESTERLY EXCAVATION AREA
2/14/2020	HYDROGEOLOGIC REVIEW
7/27/2020	TOWN APPROVALS ADDED

ENGINEER _____ DATE _____

APPROVED BY THE BROOKLYN INLAND  
 WETLANDS COMMISSION  
 CHAIRMAN _____ DATE _____

APPROVED BY THE BROOKLYN PLANNING  
 & ZONING COMMISSION  
 SPECIAL PERMIT EXPIRATION DATE: _____  
 CHAIRMAN _____ DATE _____

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**EXCAVATION CROSS SECTION D-D**  
 HORIZONTAL SCALE: 1" = 60'  
 VERTICAL SCALE: 1" = 6'

EXCAVATION CROSS SECTION D-D  
 PREPARED FOR  
 STRATEGIC COMMERCIAL REALTY, INC.  
 D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
 LAND N/F RIVER JUNCTION ESTATES, LLC  
 SOUTHERLY OF RUKSTELLA ROAD  
 BROOKLYN, CONNECTICUT

APPROVED BY THE BROOKLYN INLAND  
 WETLANDS COMMISSION  
 _____  
 CHAIRMAN DATE

APPROVED BY THE BROOKLYN PLANNING  
 & ZONING COMMISSION  
 SPECIAL PERMIT EXPIRATION DATE: _____  
 _____  
 CHAIRMAN DATE

_____  
 ENGINEER DATE

REVISIONS	
DATE	DESCRIPTION
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2/14/2020	HYDROGEOLOGIC REVIEW
7/27/2020	TOWN APPROVALS ADDED

DATE: 9/27/2019	DRAWN: DJH
SCALE: AS SHOWN	DESIGN: DJH
SHEET: 13 OF 17	CHK BY: ---
DWG. No: HF 332	JOB No: 183028

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**EROSION AND SEDIMENT CONTROL PLAN:**

**REFERENCE IS MADE TO:**

1. Connecticut Guidelines for Soil Erosion and Sediment Control 2002 (2002 Guidelines).
2. Soil Survey of Connecticut, N.R.C.S.

**SILT FENCE INSTALLATION AND MAINTENANCE:**

1. Dig a 6" deep trench on the uphill side of the barrier location.
2. Position the posts on the downhill side of the barrier and drive the posts 1.5 feet into the ground.
3. Lay the bottom 6" of the fabric in the trench to prevent undermining and backfill.
4. Inspect and repair barrier after heavy rainfall.
5. Inspections will be made at least once per week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inch or greater to determine maintenance needs.
6. Sediment deposits are to be removed when they reach a height of 1 foot behind the barrier or half the height of the barrier and are to be deposited in an area which is not regulated by the Inland Wetlands Commission.
7. Replace or repair the fence within 24 hours of observed failure. Failure of the fence has occurred when sediment fails to be retained by the fence because:
  - the fence has been overtopped, undercut or bypassed by runoff water,
  - the fence has been moved out of position (knocked over), or
  - the geotextile has decomposed or been damaged.

**HAY BALE INSTALLATION AND MAINTENANCE:**

1. Bales shall be placed as shown on the plans with the ends of the bales tightly abutting each other.
2. Each bale shall be securely anchored with at least 2 stakes and gaps between bales shall be wedged with straw to prevent water from passing between the bales.
3. Inspect bales at least once per week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inches or greater to determine maintenance needs.
4. Remove sediment behind the bales when it reaches half the height of the bale and deposit in an area which is not regulated by the Inland Wetlands Commission.
5. Replace or repair the barrier within 24 hours of observed failure. Failure of the barrier has occurred when sediment fails to be retained by the barrier because:
  - the barrier has been overtopped, undercut or bypassed by runoff water,
  - the barrier has been moved out of position, or
  - the hay bales have deteriorated or been damaged.

**TEMPORARY VEGETATIVE COVER:**

**SEED SELECTION**

Grass species shall be appropriate for the season and site conditions. Appropriate species are outlined in Figure TS-2 in the 2002 Guidelines.

**TIMING CONSIDERATIONS**

Seed with a temporary seed mixture within 7 days after the suspension of grading work in disturbed areas where the suspension of work is expected to be more than 30 days but less than 1 year.

**SITE PREPARATION**

Install needed erosion control measures such as diversions, grade stabilization structures, sediment basins and grassed waterways.

Grade according to plans and allow for the use of appropriate equipment for seedbed preparation, seeding, mulch application, and mulch anchoring.

**SEEDBED PREPARATION**

Loosen the soil to a depth of 3-4 inches with a slightly roughened surface. If the area has been recently loosened or disturbed, no further roughening is required. Soil preparation can be accomplished by tracking with a bulldozer, discing, harrowing, raking or dragging with a section of chain link fence. Avoid excessive compaction of the surface by equipment traveling back and forth over the surface. If the slope is tracked, the cleat marks shall be perpendicular to the anticipated direction of the flow of surface water.

If soil testing is not practical or feasible on small or variable sites, or where timing is critical, fertilizer may be applied at the rate of 300 pounds per acre or 7.5 pounds per 1,000 square feet of 10-10-10 or equivalent. Additionally, lime may be applied using rates given in Figure TS-1 in the 2002 Guidelines.

**SEEDING**

Apply seed uniformly by hand cyclone seeder, drill, cultipacker type seeder or hydroseeder at a minimum rate for the selected species. Increase seeding rates by 10% when hydroseeding.

**MULCHING**

Temporary seedings made during optimum seeding dates shall be mulched according to the recommendations in the 2002 Guidelines. When seeding outside of the recommended dates, increase the application of mulch to provide 95%-100% coverage.

**MAINTENANCE**

Inspect seeded area at least once a week and within 24 hours of the end of a storm with a rainfall amount of 0.5 inch or greater for seed and mulch movement and soil erosion.

Where seed has moved or where soil erosion has occurred, determine the cause of the failure. Repair eroded areas and install additional controls if required to prevent recurrence of erosion.

Continue inspections until the grasses are firmly established. Grasses shall not be considered established until a ground cover is achieved which is mature enough to control soil erosion and to survive severe weather conditions (approximately 80% vegetative cover).

**PERMANENT VEGETATIVE COVER:**

Refer to Permanent Seeding Measure in the 2002 Guidelines for specific applications and details related to the installation and maintenance of a permanent vegetative cover. In general, the following sequence of operations shall apply:

1. Topsoil will be replaced once the excavation and grading has been completed. Topsoil will be spread at a minimum compacted depth of 4".
2. Once the topsoil has been spread, all stones 24" or larger in any dimension will be removed or buried.
3. Apply agricultural ground limestone at a rate of 2 tons per acre or 100 lbs. per 1000 s.f. Apply 10-10-10 fertilizer or equivalent at a rate of 300 lbs. per acre or 7.5 lbs. per 1000 s.f. Work lime and fertilizer into the soil to a depth of 4".
4. Inspect seedbed before seeding. If traffic has compacted the soil, retil compacted areas.
5. Apply the chosen grass seed mix. The recommended seeding dates are: April 1 to June 15 & August 15 - October 1. See note #9 under General Restoration Notes for seed mix requirements.
6. Following seeding, firm seedbed with a roller. Mulch immediately following seeding. If a permanent vegetative stand cannot be established by September 30, apply a temporary cover on the topsoil such as netting, mat or organic mulch.

**EROSION AND SEDIMENT CONTROL NARRATIVE:**

**PRINCIPLES OF EROSION AND SEDIMENT CONTROL**

The primary function of erosion and sediment controls is to absorb erosional energies and reduce runoff velocities that force the detachment and transport of soil and/or encourage the deposition of eroded soil particles before they reach any sensitive area.

**KEEP LAND DISTURBANCE TO A MINIMUM**

The more land that is in vegetative cover, the more surface water will infiltrate into the soil, thus minimizing stormwater runoff and potential erosion. Keeping land disturbance to a minimum not only involves minimizing the extent of exposure at any one time, but also the duration of exposure. Phasing, sequencing and construction scheduling are interrelated.

Phasing divides a large project into distinct sections where construction work over a specific area occurs over distinct periods of time and each phase is not dependent upon a subsequent phase in order to be functional. A sequence is the order in which construction activities are to occur during any particular phase. A sequence should be developed on the premise of "first things first" and "last things last" with proper attention given to the inclusion of adequate erosion and sediment control measures. A construction schedule is a sequence with time lines applied to it and should address the potential overlap of actions in a sequence which may be in conflict with each other.

- Limit areas of clearing and grading. Protect natural vegetation from construction equipment with fencing, tree armoring, and retaining walls or tree wells.
- Route traffic patterns within the site to avoid existing or newly planted vegetation.
- Phase construction so that areas which are actively being developed at any one time are minimized and only that area under construction is exposed. Clear only those areas essential for construction.
- Sequence the construction of storm drainage systems so that they are operational as soon as possible during construction. Ensure all outlets are stable before outletting storm drainage flow into them.
- Schedule construction so that final grading and stabilization is completed as soon as possible.

**SLOW THE FLOW**

Detachment and transport of eroded soil must be kept to a minimum by absorbing and reducing the erosive energy of water. The erosive energy of water increases as the volume and velocity of runoff increases. The volume and velocity of runoff increases during development as a result of reduced infiltration rates caused by the removal of existing vegetation, removal of topsoil, compaction of soil and the construction of impervious surfaces.

- Use diversions, stone dikes, silt fences and similar measures to break flow lines and dissipate storm water energy.
- Avoid diverting one drainage system into another without calculating the potential for downstream flooding or erosion.

**KEEP CLEAN RUNOFF SEPARATED**

Clean runoff should be kept separated from sediment laden water and should not be directed over disturbed areas without additional controls. Additionally, prevent the mixing of clean off-site generated runoff with sediment laden runoff generated on-site until after adequate filtration of on-site waters has occurred.

- Segregate construction waters from clean water.

Divert site runoff to keep it isolated from wetlands, watercourses and drainage ways that flow through or near the development until the sediment in that runoff is trapped or detained.

**REDUCE ON SITE POTENTIAL INTERNALLY AND INSTALL PERIMETER CONTROLS**

While it may seem less complicated to collect all waters to one point of discharge for treatment and just install a perimeter control, it can be more effective to apply internal controls to many small sub-drainage basins within the site. By reducing sediment loading from within the site, the chance of perimeter control failure and the potential off-site damage that it can cause is reduced. It is generally more expensive to correct off-site damage than it is to install proper internal controls.

Control erosion and sedimentation in the smallest drainage area possible. It is easier to control erosion than to contend with sediment after it has been carried downstream and deposited in unwanted areas.

Direct runoff from small disturbed areas to adjoining undisturbed vegetated areas to reduce the potential for concentrated flows and increase settlement and filtering of sediments.

Concentrated runoff from development should be safely conveyed to stable outlets using rip rapped channels, waterways, diversions, storm drains or similar measures.

Determine the need for sediment basins. Sediment basins are required on larger developments where major grading is planned and where it is impossible or impractical to control erosion at the source. Sediment basins are needed on large and small sites when sensitive areas such as wetlands, watercourses, and streets would be impacted by off-site sediment deposition. Do not locate sediment basins in wetlands or permanent or intermittent watercourses. Sediment basins should be located to intercept runoff prior to its entry into the wetland or watercourse.

- Grade and landscape around buildings and septic systems to divert water away from them.

**EXCAVATION NOTES:**

1. No blasting or on-site processing is anticipated for completion of the work shown. If blasting is required, the owner is responsible for obtaining all necessary permits.
2. The emergency contact for operations at this site is Jeffrey Rawson (860) 963-6584.
3. The allowable hours of operation shall be 7:00 AM to 6:00 PM, Monday through Friday and 7:00 AM to 12:00 noon on Saturday. No operations shall be allowed on Sundays, Christmas, New Year's Day, Memorial Day, Fourth of July, Labor Day and Thanksgiving except by special permission of the Brooklyn Planning & Zoning Commission.
4. The owner and/or site operator shall provide adequate dust control to prevent any off-site nuisance. The preferred dust control measure is the application of water to vehicular travel areas.
5. The owner/operator shall install any necessary barricades or barriers to provide protection around the perimeter of open excavation faces and steep slopes.
6. Excavation operations shall be completed in accordance with all appropriate Mine Safety & Health Administration (MSHA) rules and regulations.
7. The proposed excavation shown hereon is anticipated to be completed over the course of several years. The time for completion of the project is dependent on market conditions and the capacity to process excavated materials at an off site location. The total amount of material to be excavated per the proposed grades shown hereon is approximately 330,000 CY in the westerly area and 1,221,000 CY in the easterly area. All useable material excavated will be transported off-site via the "Pinedale" haul road for processing and/or consumer sales. Over excavation of suitable sand and gravel material within the limits of disturbance shown hereon is allowable. Over excavation shall not include the blasting or removal of ledge rock. Silt from off site aggregate washing and processing shall be imported as necessary to establish final subgrade elevations. Such fill material shall only be imported from processing facilities operated by or under the control of Rawson Materials. No other materials may be imported to the site for use as fill.
8. The site operator is responsible for determining the most appropriate means and methods for excavating material in the applicable phase. In general, excavation shall begin with stripping and stockpiling of topsoil and subsoil (in undisturbed areas) which will be utilized for site restoration. Removal of material should begin with a downcutting technique to ensure complete internal drainage with the disturbed area (bowl effect). Excavation shall proceed until the entire excavation area has been brought to a floor elevation approximately 4 feet above the water table. Excavation of ponds shall then commence.
9. Final grading of permanent slopes (above pond water level) should be completed at the conclusion of excavation in the respective phase. A permanent vegetative cover should be established on permanent slopes during the first available spring or fall planting season following the completion of final slope grading.
10. All material excavated below the water table shall be sufficiently dewatered within the active excavation area to prevent the release of sediment laden stormwater during transport of excavated material.
11. The entire site, including the active excavation area shall be maintained in a self-contained condition to prevent the discharge of sediment laden stormwater to undisturbed areas, adjacent properties or wetlands.
12. All trucks leaving the site and entering public roads shall have the loads covered.
13. Allowable truck trips onto public roads shall be governed by the Amended and Restated Stipulation and Settlement Agreement between the applicant and the Town of Canterbury. No material may be removed from or imported to the site over public roads in the Town of Brooklyn.

**GENERAL RESTORATION NOTES:**

The restoration requirements described below will be applicable to disturbed areas of the site which are no longer required for excavation, stockpiles, or ponds

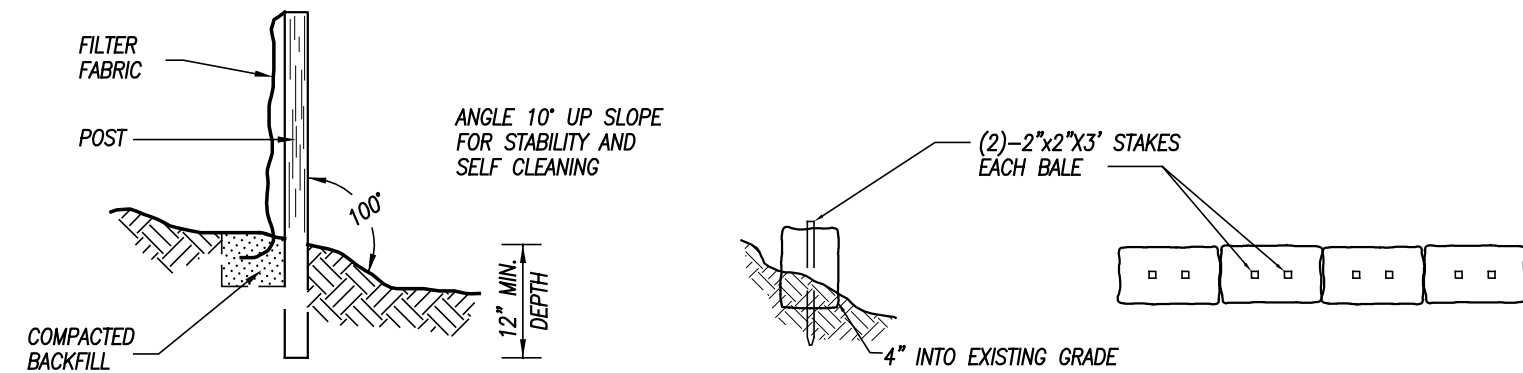
1. Restoration of disturbed areas shall take place following the completion of excavation or

other work. Sufficient restoration bonding should be maintained as required by the Town to cover the restoration cost for disturbed/open site areas.

2. Final restoration shall begin with establishing the required subgrade elevations. Proposed grades shown are approximate and may be adjusted to match field conditions at the time of restoration. In general, all disturbed slopes shall be graded to a 30% maximum gradient.
3. Prepare the restoration area by spreading a 12" min. thickness (compacted) layer of silt or washing fines which shall be imported to the site. All imported silt/washing fines shall be stockpiled within the excavation area to prevent any erosion or sedimentation beyond the permitted excavation area.
4. Complete restoration by spreading on-site stockpiled topsoil to an approximate minimum thickness of 4" (compacted) and seeding for a permanent vegetative cover. On-site topsoil stockpiles may be supplemented with composted organic matter, wood chips and imported topsoil as necessary to provide a suitable planting medium.
5. Spread seed for a permanent vegetative cover over the prepared restoration area. The permanent vegetative cover may be a suitable wildlife habitat mix or the following mixture which is suitable for use in all locations:

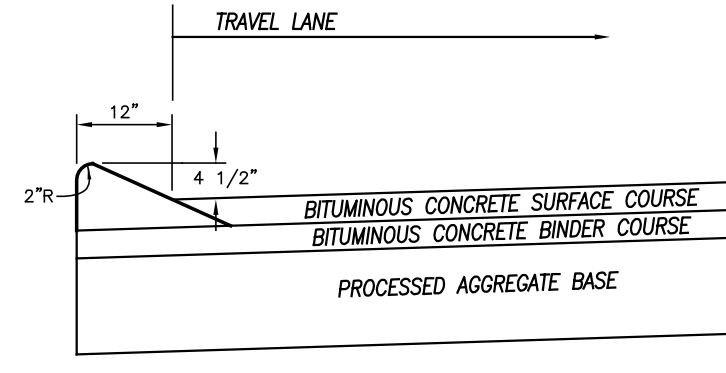
Variety	Lbs./Acre
Switchgrass (Blackwell, Shelter, Cave-in-rock)	4.0
Big Bluestem (Niagra, Kaw)	4.0
Little Bluestem (Blaze, Aldous, Camper)	2.0
Sand Lovegrass (NE-27, Bend)	1.5
Bird's-foot Trefoil (Empire, Viking)	2.0
<b>TOTAL</b>	<b>13.5</b>

6. Hay or straw mulch shall be utilized on 30% slopes to provide temporary stabilization during establishment of permanent vegetative cover. In general, no slopes greater than 30% will be allowable. In the event that steeper slopes are necessary in isolated locations to transition to existing natural grades, no slopes should be steeper than 2:1.
7. Fertilizer and lime shall be provided as required to establish a permanent vegetative cover based on laboratory soil testing results.
8. In lieu of the manual application of mulch and fertilizer, the restoration area may be planted with hydroseeding methods with a suitable tackifier, mulch and fertilizer mix.

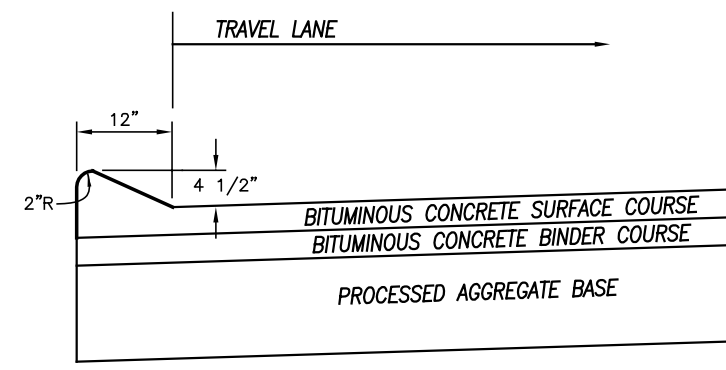


**SILT FENCE**  
NOT TO SCALE

**HAYBALE BARRIER**  
NOT TO SCALE

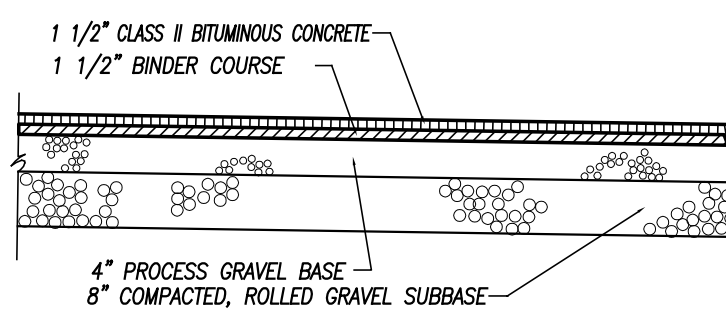


**ALTERNATE 1 - CURB ON BINDER**

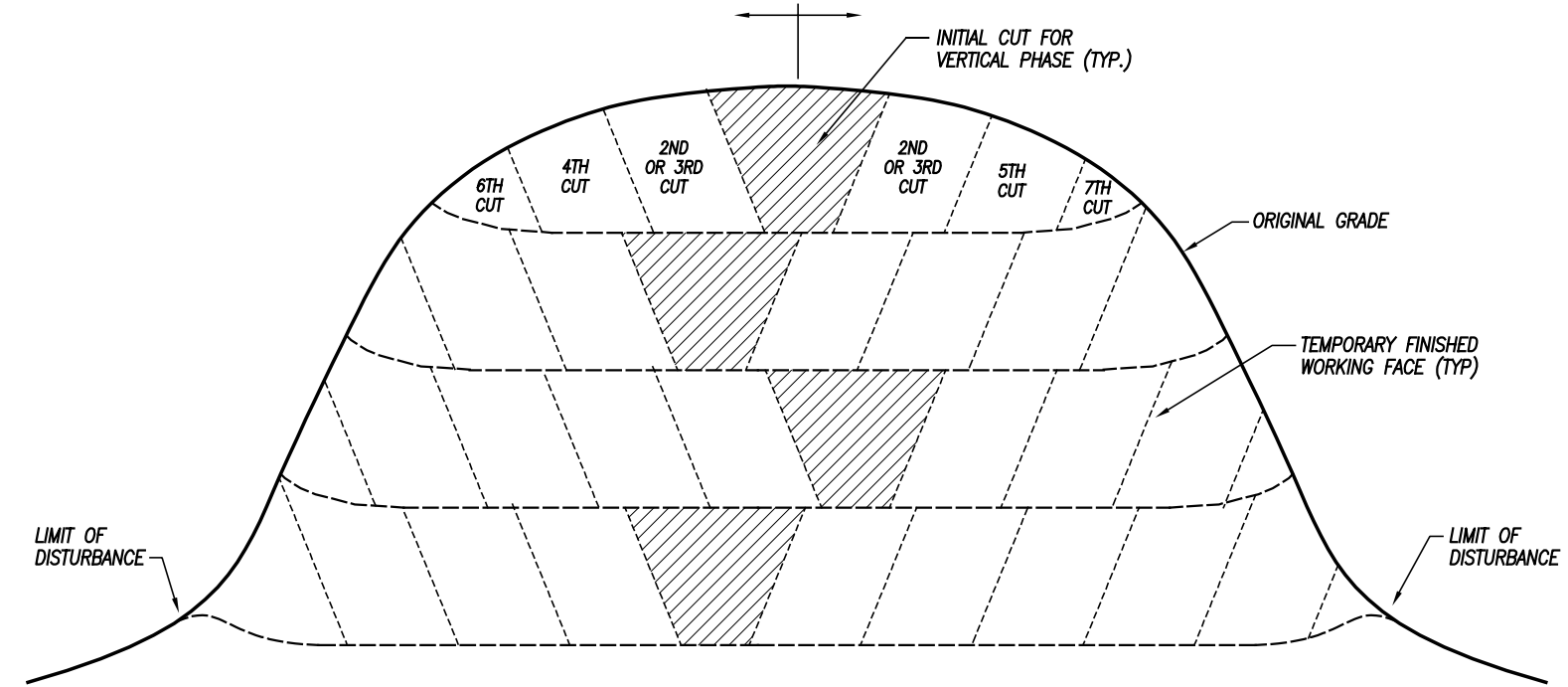


**ALTERNATE 2 - MONOLITHIC CONSTRUCTION**

**CAPE COD CURBING**  
NOT TO SCALE



**BITUMINOUS CONCRETE PAVEMENT**  
NOT TO SCALE



**DETAIL SHOWING "DOWNCUTTING" EXCAVATION METHOD**  
NOT TO SCALE

APPROVED BY THE BROOKLYN PLANNING & ZONING COMMISSION  
SPECIAL PERMIT EXPIRATION DATE: _____

CHAIRMAN _____ DATE _____

APPROVED BY THE BROOKLYN INLAND WETLANDS COMMISSION

CHAIRMAN _____ DATE _____

**NOTES & DETAILS**

PREPARED FOR  
**STRATEGIC COMMERCIAL REALTY, INC.**  
**D/B/A RAWSON MATERIALS**  
**PROPOSED GRAVEL EXCAVATION**  
**LAND N/F RIVER JUNCTION ESTATES, LLC**  
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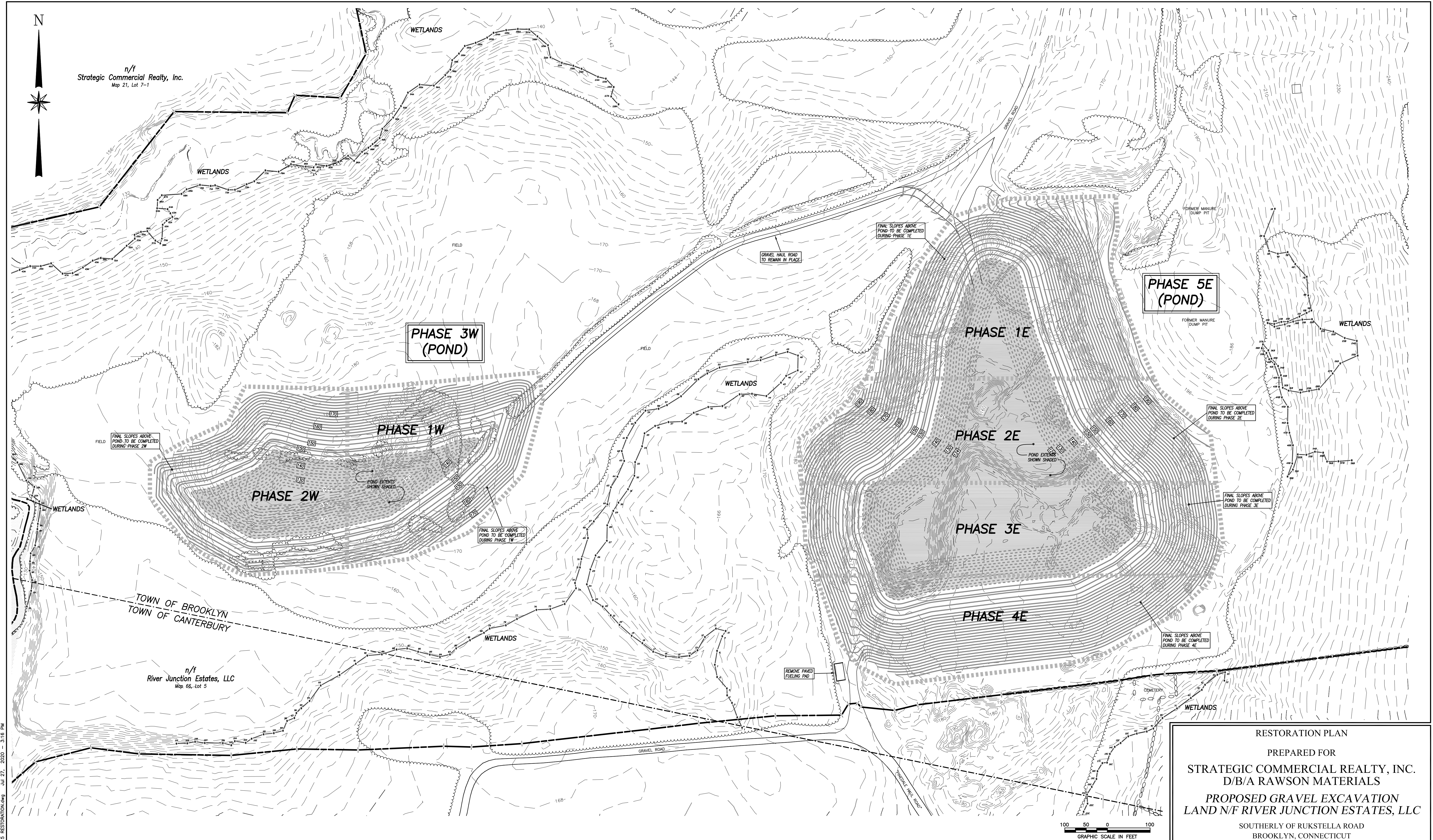
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SCALE: AS SHOWN	DESIGN: DJH
SHEET: 14 OF 17	CHK BY: ---
DWG. No: HF 332	JOB No: 183028

ENGINEER _____ DATE _____



RESTORATION PLAN  
 PREPARED FOR  
**STRATEGIC COMMERCIAL REALTY, INC.**  
 D/B/A RAWSON MATERIALS  
**PROPOSED GRAVEL EXCAVATION**  
**LAND N/F RIVER JUNCTION ESTATES, LLC**  
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 SCALE: 1" = 100'      DESIGN: DJH  
 SHEET: 15 OF 17      CHK BY: ---  
 DWG. No: HF 332      JOB No: 183028

APPROVED BY THE BROOKLYN INLAND  
 WETLANDS COMMISSION

CHAIRMAN _____ DATE _____

APPROVED BY THE BROOKLYN PLANNING  
 & ZONING COMMISSION

SPECIAL PERMIT EXPIRATION DATE: _____

CHAIRMAN _____ DATE _____

I HAVE REVIEWED THE FLAGGED INLAND WETLANDS  
 LOCATION SHOWN ON THIS PLAN AND THEY APPEAR  
 TO BE SUBSTANTIALLY CORRECT.

Certified Soil Scientist _____ Date _____

ENGINEER _____ DATE _____

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PLANNING AND ZONING COMMISSION  
TOWN OF BROOKLYN  
P.O. BOX 356  
CONNECTICUT 06234

If you have any questions, please contact Jana Roberson, Director of Community Development/Town Planner at 860-779-3411 Extension 14.

Signed,  
*Jana Roberson*  
Jana Roberson, AICP  
Dir. of Comm Development/ Town Planner

Town of Brooklyn  
Record of Special Permit

In accordance with Section 8-3d of the Connecticut General Statutes, a record of Special Permit shall be filed in the Office of the Town Clerk of Brooklyn before the Special Permit shall be considered valid. It shall be filed under the name of the record owner, who shall be responsible for all fees.

CERTIFIED# July 13, 2020

Strategic Commercial Realty, Inc.  
d/b/a Rawson Materials  
6 Kennedy Drive  
Putnam, CT 06260

JR/acl  
CC: File, Provost and Rovero, Attorney Harry Heller

Appendix:

- Brooklyn Zoning Regulations effective 7-1-2018
- Brooklyn Zoning Map effective 7-27-17
- Brooklyn Plan of Conservation and Development 2011
- Gravel Special Permit Application Form dated 10-9-19
- Application Cover letter dated 10-9-19
- Letter from C.P.S.S. Joseph Theroux to Provost and Rovero re: wetland delineation for Strategic Commercial Realty property, dated 11-5-19
- Plans (15 sheets) titled "Proposed Gravel Excavation southerly of Rukstella Road Brooklyn, Connecticut" dated 9-27-19, revised 11-5-19, 11-12-19, 12-10-19, 1-15-20, 2-14-20.
- Amended and Restated Stipulation and Settlement Agreement between Rawson/LaFramboise/Canterbury - dated
- Abutters List and public hearing notifications dated 11-20-19
- Abutters List and public hearing notifications dated 12-18-19
- Public Hearing Legal Notice published in the Villager 12-6-19 and 12-13-19
- Intermunicipal Notice to Canterbury sent certified 10-22-19
- NDDB Response -Letter from Dawn M. McKay of CT DEEP to Jana Roberson re: state endangered species and state species of special concern, dated 11-12-19
- Quinebaug Solar Petitions No. 1310 and 1310A to the CT Siting Council
- Letter from Town Engineer Syl Pauly to PZC with review comments, dated 12-10-19
- Response letter from David Held to PZC with responses to review comments, dated 12-10-19
- Letter from Atty. Harry Heller to Jana Roberson re: jurisdiction over wildlife, dated 12-13-19
- Environmental Impact Statement for Proposed Sand and Gravel Excavation on Rukstella Road, December 2019
- Letter from David Held to Jana Roberson re: Cultural Resources Reconnaissance Surveys conducted for Quinebaug Solar Project, dated 12-16-19
- Management Summary for Phase 1B Cultural Reconnaissance Survey for the Proposed Quinebaug Solar Project dated 1-22-19
- Phase 1B Cultural Reconnaissance Survey for the Proposed Quinebaug Solar Facility and Phase II National Register of Historic Places Testing and Evaluation of Sites 19-35 and 22-38 dated November 2019
- NDDB Additional Response - Letter from Dawn McKay of CT DEEP to Jana Roberson re: state endangered species and state species of special concern, dated 1-8-2020

Name of Record Owner(s): River Junction Estates LLC

Address: 204 Munyon Road, Putnam, CT 06260

Property Location: 200 acres on south side of Rukstella Road

Assessors Map-Lot Number: 21-7_30-16 Zone: RA

Section(s) of Regulations the Special Permit was Granted: Article 13 and Article 5

Conditions of Special Permit:

- 1) The Inland Wetlands and Watercourses Commission approval with conditions and the Planning and Zoning Commission approval with conditions must be included on the final recorded special permit plans. Draft final approved plans shall be printed on paper and submitted to Town staff for review prior to printing on archival material. The final approved plans bearing the seal and signature of the appropriate professionals, signed by Commission Chairs, and shall be recorded along with the Special Permit in the office of the Town Clerk.
- 2) Prior to the commencement of any activity undertaken in accordance with this approval, a performance bond in favor of the Town of Brooklyn in the amount of \$247,950 will be submitted to the Brooklyn Land Use Department. The form and content of the bond shall be reviewed and approved by Town staff. No activity shall occur on the site until the bond has been approved and provided in final form to the Town. The bond shall remain in place for the life of the operation including restoration of the property to the satisfaction of the Town unless this requirement is modified by the Planning and Zoning Commission.
- 3) Excavation activity and volumes shall be as shown on the plans titled "Proposed Gravel Excavation southerly of Rukstella Road Brooklyn, Connecticut" prepared by Provost & Rovero dated September 27, 2019, last revised February 14, 2020 (and as further revised by these conditions).
- 4) Restoration shall commence upon completion of each phase of excavation as provided in the Zoning Regulations and as noted in the Restoration Notes on page 14 of the approved plans. At no time shall more than five acres be left in an unrestored condition in accordance with Sec. 13.5.10 of the Brooklyn Zoning Regulations except for the pond areas (Phase 3W and 5E). If the final Phases 3W and 5E are delayed for more than one year, restoration shall commence immediately with permanent vegetative cover being established during the first available Spring or Fall growing season.

RE: Notice of Decision *CORRECTED* - SPG 19-004 Gravel Special Permit, Strategic Commercial Realty, Inc, d/b/a Rawson Materials, 200 acres+ on the south side of Rukstella Road (Map 21, Lot 7; Map 30, Lot 16) in the RA Zone; Excavation of approximately 1.55 million cubic yards of sand and gravel.

Dear Strategic Commercial Realty, Inc:

At the June 3, 2020 meeting of the Brooklyn Planning and Zoning Commission, your application SPG 19-004 Gravel Special Permit, Strategic Commercial Realty, Inc, d/b/a Rawson Materials, on the 200 acres+ on the south side of Rukstella Road, (Map 21, Lot 7; Map 30, Lot 16), to remove up to 1,551,000 cubic yards of sand and gravel, as the standards of Article 13 and Article 5 are satisfied in accordance with all final documents and testimony submitted with the application and subject to and including the following conditions:

- 1) The Inland Wetlands and Watercourses Commission approval with conditions and the Planning and Zoning Commission approval with conditions must be included on the final recorded special permit plans. Draft final approved plans shall be printed on paper and submitted to Town staff for review prior to printing on archival material. The final approved plans bearing the seal and signature of the appropriate professionals, signed by Commission Chairs, and shall be recorded along with the Special Permit in the office of the Town Clerk.
- 2) Prior to the commencement of any activity undertaken in accordance with this approval, a performance bond in favor of the Town of Brooklyn in the amount of \$247,950 will be submitted to the Brooklyn Land Use Department. The form and content of the bond shall be reviewed and approved by Town staff. No activity shall occur on the site until the bond has been approved and provided in final form to the Town. The bond shall remain in place for the life of the operation including restoration of the property to the satisfaction of the Town unless this requirement is modified by the Planning and Zoning Commission.
- 3) Excavation activity and volumes shall be as shown on the plans titled "Proposed Gravel Excavation southerly of Rukstella Road Brooklyn, Connecticut" prepared by Provost &

Rovero dated September 27, 2019, last revised February 14, 2020 (and as further revised by these conditions).

- 4) Restoration shall commence upon completion of each phase of excavation as provided in the Zoning Regulations and as noted in the Restoration Notes on page 14 of the approved plans. At no time shall more than five acres be left in an unrestored condition in accordance with Sec. 13.5.10 of the Brooklyn Zoning Regulations except for the pond areas (Phase 3W and 5E). If the final Phases 3W and 5E are delayed for more than one year, restoration shall commence immediately with permanent vegetative cover being established during the first available Spring or Fall growing season.
- 5) Erosion and sedimentation control measures shall be installed around the ponds to minimize the risk of sedimentation to the water quality. The Land Use Office shall have the authority to direct that additional erosion and sedimentation control measures by installed if deemed necessary to maintain adequate protection from erosion and sedimentation.
- 6) An oil absorbent boom must be in place at the water line of the pond(s) whenever hydraulic equipment is within 40 feet of the water in the pond(s). In freezing conditions, the boom shall be at the landward edge of the ice. An oil absorbent boom must be in place in the water, surrounding hydraulic equipment, whenever hydraulic equipment is operating in the water in the pond(s).
- 7) Dust shall be controlled throughout the year using water or calcium chloride as appropriate for conditions. All trucks exiting or entering the site must have their tarp covers closed. Sweeping of the entrance area shall occur regularly and as needed. The Land Use Office shall have the authority to direct that additional dust control measures be installed and employed if deemed necessary to maintain adequate protection from ambient dust within or beyond the site.
- 8) Reporting of the volume of excavated materials shall be submitted by the permittee to the Brooklyn Zoning Enforcement Officer quarterly in March, June, September, and December.
- 9) The permit renewal date is May 3, 2021. The renewal procedure shall be as specified in Section 6.O.7 of the Brooklyn Zoning Regulations (effective 10-15-2019).

At the July 8, 2020 Special Meeting of the Brooklyn Planning and Zoning Commission, action was taken to revise condition 9) to correct the permit renewal date from May 3, 2021 to June 3, 2021.

Enclosed is a copy of the record of special permit. It is your duty to file the record of special permit with the Brooklyn Town Clerk. The special permit is not valid until it is filed.

A legal notice of the approval was published in the Villager Newspaper, Friday June 12, 2020. Please note that the action of the Brooklyn Planning and Zoning Commission may be appealed for a fifteen-day period following the publication of the legal notice.

- Letter from Conservation Commission to Planning and Zoning Commission, dated 1-8-2020
- Letter from State Archaeologist to PZC, dated 1-21-2020
- Letter from Land Use Atty. Peter Alter to the PZC re: jurisdiction over wildlife, dated 1-21-2020
- IWWC approval letter with conditions, dated 1-23-2020
- Letter from Atty. Brouillard to Jana Roberson re: Intervention of Troy Sposato, dated 2-18-2020
- Hydrogeology report from One Earth Environmental, dated 2-13-2020
- Letter from Atty. Brouillard to Jana Roberson re: Intervention of Troy Sposato, dated 3-2-2020
- Letter from Town Engineer Syl Pauly to PZC with review comments, dated 3-4-2020

Additional items added by Atty. Harry Heller:

1. If it is a separate document from the Application, the Earth Excavation and Removal Checklist.
2. The Request for Natural Diversity Data Base(NDDB) State Listed Species Review submitted by you and dated October 30, 2019.
3. Letter from David Held dated December 16, 2019 concerning cultural resources evaluation.
4. E-Mail notification and transmittal from David Held dated December 16, 2019.
5. E-Mail of David Held dated December 24, 2019 with updated public hearing notification sign on the property.
6. E-Mail from David Held to One Earth Environmental dated February 14, 2020.
7. E-Mail response from Wayne Bugden to David Held dated February 14, 2020.

condition in accordance with Sec. 13.5.10 of the Brooklyn Zoning Regulations except for the pond areas (Phase 3W and 5E). If the final Phases 3W and 5E are delayed for more than one year, restoration shall commence immediately with permanent vegetative cover being established during the first available Spring or Fall growing season.

- 5) Erosion and sedimentation control measures shall be installed around the ponds to minimize the risk of sedimentation to the water quality. The Land Use Office shall have the authority to direct that additional erosion and sedimentation control measures by installed if deemed necessary to maintain adequate protection from erosion and sedimentation.
- 6) An oil absorbent boom must be in place at the water line of the pond(s) whenever hydraulic equipment is within 40 feet of the water in the pond(s). In freezing conditions, the boom shall be at the landward edge of the ice. An oil absorbent boom must be in place in the water, surrounding hydraulic equipment, whenever hydraulic equipment is operating in the water in the pond(s).
- 7) Dust shall be controlled throughout the year using water or calcium chloride as appropriate for conditions. All trucks exiting or entering the site must have their tarp covers closed. Sweeping of the entrance area shall occur regularly and as needed. The Land Use Office shall have the authority to direct that additional dust control measures be installed and employed if deemed necessary to maintain adequate protection from ambient dust within or beyond the site.
- 8) Reporting of the volume of excavated materials shall be submitted by the permittee to the Brooklyn Zoning Enforcement Officer quarterly in March, June, September, and December.
- 9) The permit renewal date is June 3, 2021. The renewal procedure shall be as specified in Section 6.O.7 of the Brooklyn Zoning Regulations (effective 10-15-2019).

Reason for Granting the Special Permit: In conformance with the zoning regulations as modified by the Planning and Zoning Commission.

Date of Issuance of Special Permit by the P & Z Commission: June 3, 2020

I certify that the above is a true record of the Special Permit granted for the subject property by the Brooklyn Planning and Zoning Commission.

*Jana Roberson*  
Town Planner

7/13/2020  
Date

APPROVED BY THE BROOKLYN PLANNING & ZONING COMMISSION  
SPECIAL PERMIT EXPIRATION DATE: _____  
CHAIRMAN DATE

APPROVED BY THE BROOKLYN INLAND WETLANDS COMMISSION  
CHAIRMAN DATE

PLANNING & ZONING COMMISSION APPROVAL  
PREPARED FOR  
STRATEGIC COMMERCIAL REALTY, INC.  
D/B/A RAWSON MATERIALS  
PROPOSED GRAVEL EXCAVATION  
LAND N/F RIVER JUNCTION ESTATES, LLC  
SOUTHERLY OF RUKSTELLA ROAD  
BROOKLYN, CONNECTICUT

REVISIONS	
DATE	DESCRIPTION
11/12/2019	I.W. AGENT COMMENTS
12/10/2019	REGULATED AREA
1/15/2020	WESTERLY EXCAVATION AREA
2/14/2020	HYDROGEOLOGIC REVIEW
7/27/2020	TOWN APPROVALS ADDED
DATE: 9/27/2019	DRAWN: DJH
SCALE: AS SHOWN	DESIGN: DJH
SHEET: 16 OF 17	CHK BY: ---
DWG. No: HF 332	JOB No: 183028

**Provost & Rovero, Inc.**  
Civil Engineering • Surveying • Site Planning  
Structural • Mechanical • Architectural Engineering  
57 East Main Street, P.O. Box 191  
Plainfield, Connecticut 06374  
(860) 230-0856 - FAX: (860) 230-0860  
info@prorovinc.com  
www.prorovinc.com

Brooklyn Inland Wetlands  
Commission  
P.O. Box 356  
Brooklyn, Connecticut 06234



9489 0090 0027 6366 5939 18

CERTIFIED#

January 23, 2020

Strategic Commercial Realty, Inc.  
d/b/a Rawson Materials  
6 Kennedy Drive  
Putnam, CT 06260

RE: Notice of Decision - 102219A Strategic Commercial Realty, Inc., d/b/a Rawson Materials 200 acres +/- on the south side of Rukstela Road (Map 21, Lot 7, and Map 30, Lot 16) in the RA Zone; Excavation of approximately 1.9 million cubic yards of sand and gravel. All excavated material will be transported off site to a processing facility in Canterbury.

Dear Strategic Commercial Realty, Inc:

At the January 14, 2020 Inland Wetlands and Watercourses Commission meeting application 102219A Strategic Commercial Realty, Inc., d/b/a Rawson Materials 200 acres +/- on the south side of Rukstela Road (Map 21, Lot 7, and Map 30, Lot 16) in the RA Zone; Excavation of approximately 1.9 million cubic yards of sand and gravel. All excavated material will be transported off site to a processing facility in Canterbury was approved based on the plans dated December 6, 2019 with the following condition:

1. The Wetlands Agent upon 24-hour notice, unless an emergency, may request an inspection.

A legal notice of this approval will be published in the Villager Newspaper Friday, January 24, 2020. Please note that this application of the Brooklyn Inland Wetlands and Watercourses Commission may be appealed for fifteen-day period following the publication of the legal notice.

If you have any questions, please call Margret Washburn, Wetlands Agent at 860-779-3411 Extension 31.

Signed,

Margaret Washburn  
Wetlands Enforcement Officer

MW/acl  
CC: File, Provost & Rovero,  
Attorney Heller

BROOKLYN INLAND WETLANDS AND WATERCOURSES COMMISSION  
STANDARD CONDITIONS FOR IWWC PERMITS 12/13/16

**APPLICANT: READ CAREFULLY**

**IWWC Permit Document.** A copy of the IWWC approval motion and the conditions stated herein shall constitute the IWWC permit for the approved activity when the permit document is signed and dated by the IWWC Agent.

**Notice of Start and Finish.** Permittee shall notify the IWWC agent at least 48 hours before the approved activity commences and within 72 hours after completion of the activity.

**Permit Duration.** This permit is valid for a period in accordance with Section 11.6 of the Brooklyn Inland Wetlands and Watercourses Regulations and the Connecticut General Statutes. Any request to renew or extend the expiration date of a permit can be granted only as authorized by the IWWC Regulations. Expired permits may not be renewed.

**Erosion and Sedimentation Controls.** Permittee is responsible for implementing the approved erosion and sediment control plan. This responsibility includes the installation and maintenance of control measures, informing all parties engaged on the construction site of the requirements and objectives of the plan. The permittee shall inspect the erosion controls weekly and after rains and repair deficiencies within twenty-four hours. The IWWC and its staff may require additional erosion if needed to prevent erosion and sedimentation. Restabilization of the site shall take place as soon as possible.

**Stockpile locations.** During construction, piles of fill, erodible material and debris shall not be created within regulated areas. The locations of debris and other stockpiled materials shall be shown on the submitted plans. Any material excavated at the site shall be disposed of at upland or off-site locations reviewed and approved by staff.

**Permit Transfer.** The permittee shall not transfer this permit without the written permission of the IWWC.

**Work in Watercourse to Occur During Low Flow.** Work within a watercourse is limited to periods of low flow. Low flow periods normally occur between August and October. Upon request of permittee, wetlands staff can determine if the activity can occur at other times following an on-site field investigation.

**Scope of Permit.** This permit is for the approved activity ONLY. Additional activity may require an additional permit. Note that if an approval or permit is granted by another agency and  
(1) the approved activity will affect wetlands and/or watercourses; and/or  
(2) the activity occurs within 125 feet of flagged boundaries and 175 feet from watercourses; and such activities have not been addressed by this permit, then the applicant shall resubmit the application for further consideration by the Inland Wetlands and Watercourses Commission before any work begins.

**Ongoing Compliance with Permit.** The permittee shall comply at all times with the permit.

**Other Approvals May be Required.** Other permits may be required from Town, state or federal agencies. An Army Corps of Engineers permit may be required: U.S. Army Corps of Engineers, 424 Trapelo Rd., Waltham, MA 02254 1-800-362-4367.

APPROVED BY THE BROOKLYN PLANNING  
& ZONING COMMISSION  
SPECIAL PERMIT EXPIRATION DATE: _____  
CHAIRMAN _____ DATE _____

APPROVED BY THE BROOKLYN INLAND  
WETLANDS COMMISSION  
CHAIRMAN _____ DATE _____

INLAND WETLANDS COMMISSION APPROVAL  
PREPARED FOR  
STRATEGIC COMMERCIAL REALTY, INC.  
D/B/A RAWSON MATERIALS  
PROPOSED GRAVEL EXCAVATION  
LAND N/F RIVER JUNCTION ESTATES, LLC  
SOUTHERLY OF RUKSTELLA ROAD  
BROOKLYN, CONNECTICUT

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SHEET: 17 OF 17	CHK BY: ---
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# TOWN OF BROOKLYN

## Expenditure Report

From Date: 7/1/2020

To Date: 4/30/2021

Fiscal Year: 2020 - 2021

Account Number	Description	Adj. Budget	Current	YTD	Balance	Encumbrance	Budget Bal	%Bud
1005.41.4153.51620	Planning & Zoning-Wages PT	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
1005.41.4153.51900	Planning & Zoning-Wages-Rec. Secretary	\$3,600.00	\$2,275.00	\$2,275.00	\$1,325.00	\$1,400.00	(\$75.00)	-2.08%
1005.41.4153.53020	Planning & Zoning-Legal Services	\$12,500.00	\$14,265.52	\$14,265.52	(\$1,765.52)	\$1,501.50	(\$3,267.02)	-26.14%
1005.41.4153.53200	Planning & Zoning-Professional Affiliations	\$0.00	\$110.00	\$110.00	(\$110.00)	\$0.00	(\$110.00)	0.00%
1005.41.4153.53220	Planning & Zoning-In Service Training	\$1,500.00	\$160.00	\$160.00	\$1,340.00	\$0.00	\$1,340.00	89.33%
1005.41.4153.53400	Planning & Zoning-Other Professional Services	\$1,000.00	\$0.00	\$0.00	\$1,000.00	\$0.00	\$1,000.00	100.00%
1005.41.4153.55400	Planning & Zoning-Advertising & Legal Notices	\$2,500.00	\$97.50	\$97.50	\$2,402.50	\$0.00	\$2,402.50	96.10%
1005.41.4153.55500	Planning & Zoning-Printing & Publications	\$1,000.00	\$149.25	\$149.25	\$850.75	\$0.00	\$850.75	85.08%
1005.41.4153.55800	Planning & Zoning-Transportation	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0.00%
1005.41.4153.56900	Planning & Zoning-Other Supplies	\$250.00	\$139.78	\$139.78	\$110.22	\$0.00	\$110.22	44.09%
1005.41.4153.56950	Planning & Zoning-State Marshal Surveyor/Support	\$2,500.00	\$0.00	\$0.00	\$2,500.00	\$0.00	\$2,500.00	100.00%
<b>Grand Total:</b>		<b>\$24,850.00</b>	<b>\$17,197.05</b>	<b>\$17,197.05</b>	<b>\$7,652.95</b>	<b>\$2,901.50</b>	<b>\$4,751.45</b>	<b>19.12%</b>

End of Report

TOWN OF BROOKLYN

Revenue Report

From Date: 7/1/2020

To Date: 4/30/2021

Fiscal Year: 2020 - 2021

Account Number	Description	Adj. Budget	Current	YTD	Balance	Encumbrance	Budget Bal	%Bud
1005.00.0000.42203	Planning & Zoning Fees	(\$9,000.00)	(\$7,670.00)	(\$7,670.00)	(\$1,330.00)	\$0.00	(\$1,330.00)	14.78%
<b>Grand Total:</b>		<b>(\$9,000.00)</b>	<b>(\$7,670.00)</b>	<b>(\$7,670.00)</b>	<b>(\$1,330.00)</b>	<b>\$0.00</b>	<b>(\$1,330.00)</b>	<b>14.78%</b>

End of Report