

**Brooklyn Inland Wetlands Commission  
 Regular Meeting Agenda  
 Tuesday, March 8, 2022  
 Zoom and In-Person Meeting  
 Clifford B. Green Memorial Center  
 69 South Main Street  
 6:00 p.m.**

<b>In-Person:</b> <b>Clifford B. Green Meeting Center, Suite 24, 69 South Main Street, Brooklyn, CT</b> <b>For fully vaccinated persons, masks are optional. For persons not fully vaccinated, masks are required.</b>	
<b>Online:</b> <b>Click link below:</b> <a href="https://us06web.zoom.us/j/82435574137">https://us06web.zoom.us/j/82435574137</a>	<b>Go to Zoom.us ,</b> <b>click Sign In</b> <b>On the top right, click Join a Meeting</b> <b>Enter meeting ID: 824 3557 4137</b> <b>Enter meeting password: 038430</b>
<b>OR</b>	
<b>Phone: Dial 1 646 558 8656 US Toll</b> <b>Enter meeting number: 824 3557 4137</b> <b>Enter meeting password: 038430</b> <b>You can bypass attendee number by pressing #</b>	

**Call to Order:**

**Roll Call:**

**Seating of Alternates:**

**Public Commentary:**

**Additions to Agenda:**

**Approval of Minutes:**

1. Regular Meeting Minutes 1/11/2021.

**Public Hearings:**

1. None.

**Old Business:**

1. Order to Remediate– FCR Realty, LLC. Location of Violation: Gravel Pit Westerly of Day Street. Map 41 Lot 6 and Map 35 Lot 7. **SHOW CAUSE HEARING FOR VIOLATION.**

**New Business:**

1. Christa & Spiro Haveles – 159 Day Street. Map 42 Lot 43. Two complaints regarding FCR work on the dam.
2. DR22-001 – Map 34 Lot 32 Brown Road - Jared Chviek. Application for a Declaratory Ruling. Work includes removing dead oak trees killed by gypsy moths, creating pasture for cows, installing electric fence with solar powered generators, cutting fard stockpiling firewood, and mitigation in the form of invasive species removal.

3. 071321A A. Kausch & Sons, Pomfret Landing Road/Church Street, Map 37, Lot 17 and Map 37 Lot 20 and 21; Wetlands crossing for driveway, 2 residential homes, septic system, well, minor grading. **SHOW CAUSE HEARING FOR VIOLATION.**
4. 100421A Heather & Matt Allen (applicant) and David & Gail Allen (Owner), 0 Christian Hill Rd., Map 31, Lot 19, Excavation and construction of an agricultural pond and dry hydrant. Ms. Allen wishes to discuss whether a permit is required for constructing the pond partially in wetlands.
5. 177 Windham Road – Matt & Ashley Kamfonik. Map 8 Lot 11-1. Violation for clearing trees, pulling stumps and stockpiling the debris 6 feet from wetlands flags in the upland review area without a permit. **CEASE AND DESIST ORDER.**

**Communications:**

1. Wetlands Agent Monthly Report.
2. Budget Update.

**Public Commentary:**

**Adjourn:**

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Richard Oliverson, Chairman

**Brooklyn Inland Wetlands Commission  
Regular Meeting Minutes  
Tuesday, January 11, 2022  
Web Ex and In-Person Meeting  
Clifford B. Green Memorial Center  
69 South Main Street  
6:00 p.m.**

**Call to Order:** 6:00 pm

Lisa M. Lindia ran the ZOOM meeting.

**Roll Call:** Richard Oliverson, Demian Sorrentino, Jim Paquin and Adam Brindamour in person; Jason Burgess absent with notice.

**Staff Present:** Lisa Lindia, Recording Secretary, Margaret Washburn, Wetlands Enforcement Officer.

**Seating of Alternates:** None

**Public Commentary:** None

**Additions to Agenda:** Jared Chviek dropped off a sketch for Brown Rd Map 34 Lot 31 showing the driveway and the agricultural work he intends to do. Mr. Chviek also is also willing to allow a site walk.

**Approval of Minutes:**

1. Regular Meeting Minutes 11/9/2021. Approved as written.

**Public Hearings:**

1. None.

**Old Business:**

1. None.

**New Business: Opened at 6:06 pm**

1. Cease and Desist Order – FCR Realty, LLC. Location of Violation: Gravel Pit Westerly of Day Street (Assessor’s Map 41 Lot 6 and Map 35 Lot 7). Show Cause Hearing.

A motion was made by Damien Sorrentino to open the show cause hearing. Adam Brindamour seconds the motion. No discussion. All in favor. The motion passes unanimously.

IWWC 1/11/22

David Held is present along with Keith Green. FCR was approved to excavate a specific footprint. They went beyond the approved footprint. David apologizes that he did not understand the commission wants a new application.

Margaret Washburn requests an application for work after the fact.

Damien Sorrentino also suggested to the applicant to apply for a permit for work that has been done in the upland review area.

Margaret Washburn states from her site walk dated 11/30/21 she saw piles of woody debris 30 feet from the pond. As where the plan clearly shows the disturbance of work is limit to 100 feet from the pond.

Spiro Haveles wants to speak; he is denied at this time. He will have time at the Public Commentary.

A motion was made by Damien Sorrentino to uphold the Cease-and-Desist Order. Adam Brindamour seconds the motion. No discussion. All in favor. The motion passes unanimously.

In order to be heard at the next meeting the deadline for all documents to be submitted is 1/31/22.

There was discussion about work done at the FCR Realty LLC gravel pit in violation of the approved plan. Damien Sorrentino feels the noncompliance issues should be identified in a Notice of Violation:

1. Visual barriers
2. Reporting
3. No Reclamation
4. Phasing plan not followed

Issue a Notice of Violation identifying the deficiencies; require a plan showing how the issues will be rectified in order to get FCR back into compliance.

The Notice of Violation is to be given to FCR in order for them to create a plan an submit by Monday, February 28<sup>th</sup> to be presented at the March 8 meeting.

Christa Haveles states the access road license agreement says the FCR is supposed to maintain to road over the dam. Ms. Washburn states that FCR keeps dumping material on the road and it continues to wash into the pond and wetlands.

For the record, the reason the IWWC does not want to do a site walk or address the wash-outs on the road over the dam is because it is on someone else's property.

Damien Sorrentino would like to see Town Counsel present at the next meeting. He feels that it would be beneficial due to the complexity of the noncompliance issues.

Damien Sorrentino and Richard Oliverson both voted for Town Counsel to be present at the March 8 meeting.

Neither Adam Brindamour nor Jim Paquin feel that Town Counsel needs to be present at our next meeting

For the record, the reason this commission upheld the Cease and Desist Order for the one-acre gravel pit FCR created without any permits was that they found they did work outside the scope of the approved permit. No permit application was submitted. Work that has the potential to affect the wetlands and watercourses has been done with no permit.

2. Set 2022 meeting dates. A motion was made by Adam Brindamour to accept the 2022 proposed meeting dates Jim Paquin seconds the motion. No discussion. All in favor. The motion passed unanimously.

**Communications:**

1. Wetlands Agent Monthly Report.

- a. Brown Rd – The Commission reviewed the sketch that was dropped off by Mr. Chviek earlier today. Mr. Chviek attended the meeting via Zoom. Chairman Richard Oliverson asks if a site walk is possible on Monday, January 17 around 4:15 pm. by. Mr. Chviek said it might be difficult to meet them at that time. Richard Oliverson asked if it be okay to go with out Mr. Chviek being present. Mr. Chviek stated that would be fine.

2. Budget Update.

**Public Commentary:**

Spiro Haveles of 159 Day St states that on 1/22/22 there will be no access for FCR to get to gravel pit property via the access road over the dam. There have been disturbances close to the pond. Fish were killed. Mr. Haveles explains that he is going to put up a barrier. Christa and Spiro Haveles interpret the license agreement to mean that the FCR Realty LLC access to the gravel pit expires on 1/22/22.

Dan Litke of 24 & 30 Brickyard Road explains that FCR has exceeded the limit of work.

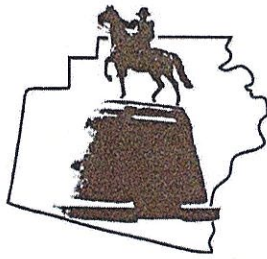
Margaret Washburn asks Christa and Spiro Haveles if they would let FCR fix the sedimentation problem on the dam and side slopes. Their response: “Why would they?”

No other public comments.

**Adjourn:** A motion was made by Jim Paquin to adjourn at 7:35 p.m. Adam Brindamour seconds the motion. No discussion. All in favor. The motion passed unanimously.

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Richard Oliverson, Chairman



# Brooklyn Land Use Department

69 South Main Street  
Brooklyn CT 06234  
(860) 779-3411 x 31

Inland Wetlands  Zoning Enforcement  Blight Enforcement

### SITE INSPECTION NUMBER

West of Day Street  
FCR Gravel Pit

1 2 3 4 5

2/22/2022

Address

Date

Inspected and took photos with David Held and Keith Green.

All parties agreed that when regrading starts, the first area to be regraded will be the upland review area, with work beginning closest to wetlands and proceeding back from there. I told Keith Green not to pull the overhanging vegetated banks down that exist between the pit and the undisturbed upland review area on the edge closest to wetlands.

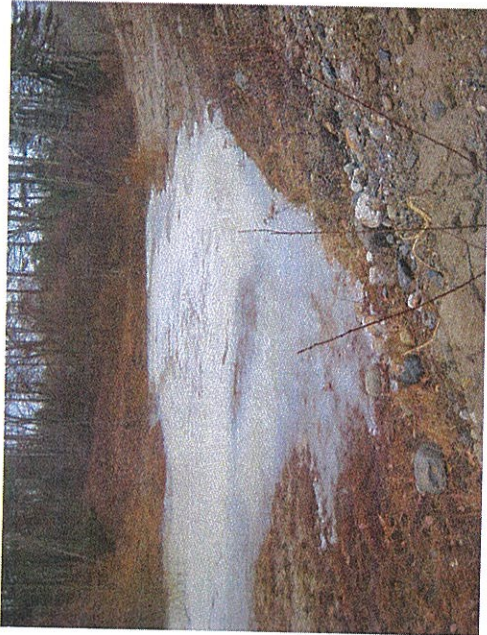
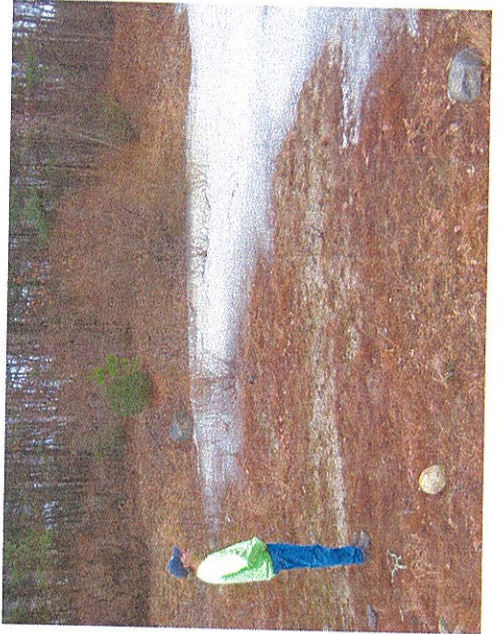
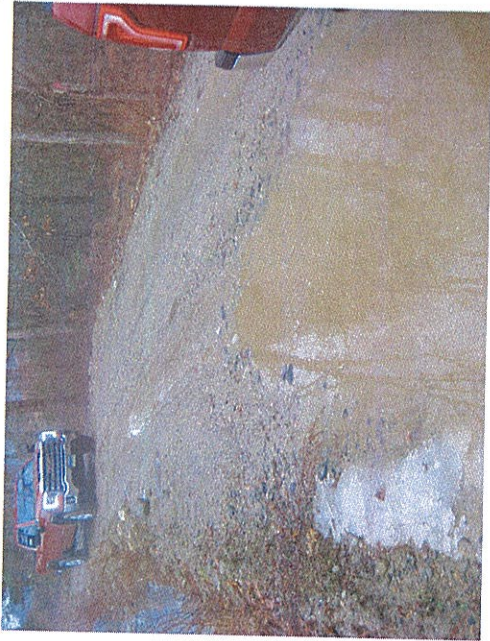
- 1) push fill in hole starting near wetlands
- 2) pull down steep banks near road
- 3) bring in/smooth out fill
- 4) spread topsoil
- 5) seed all disturbed areas.

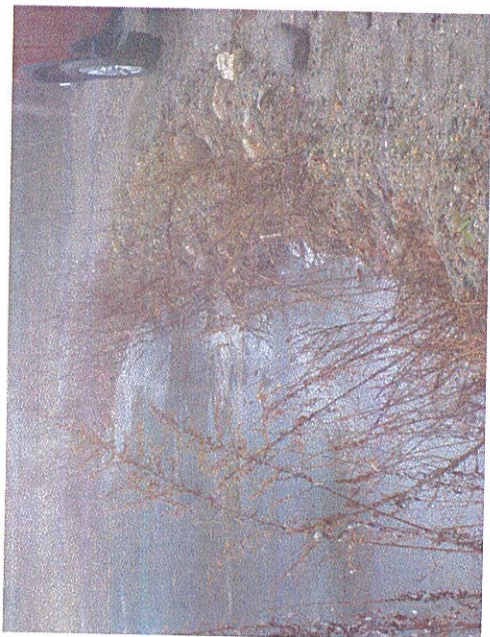
No slopes > 30%.

Commission Representative M. Washburn

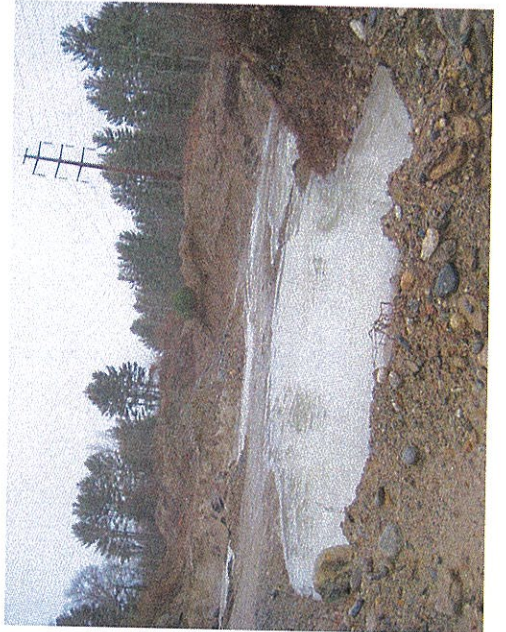
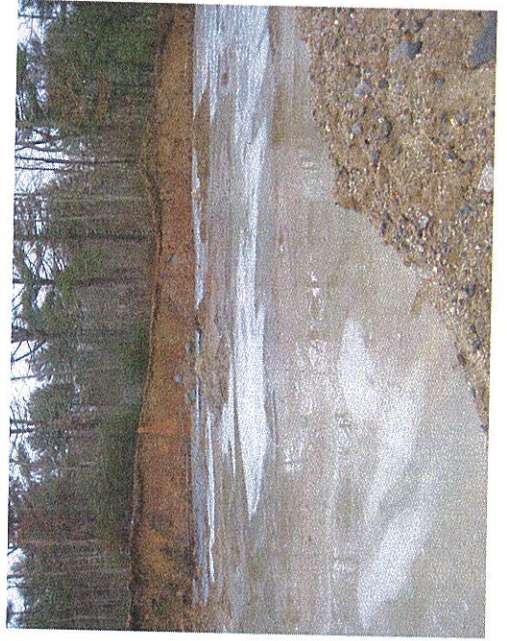
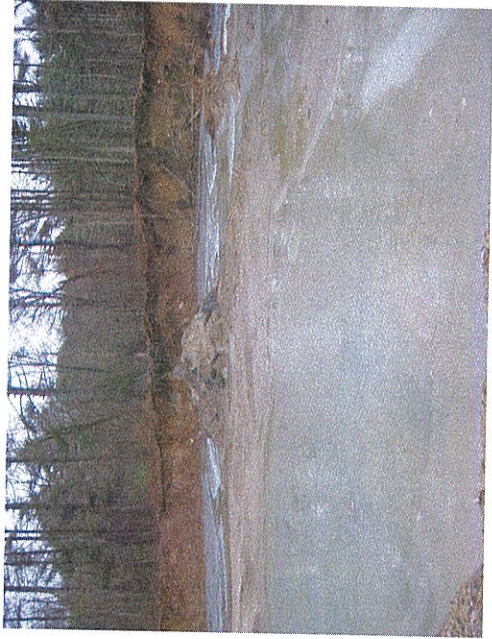
Owner or Authorized Signature \_\_\_\_\_

Reclamation sequence agreed upon for Enforcement order.



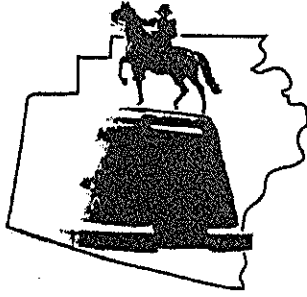






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TOWN OF BROOKLYN  
Land Use Department  
69 South Main Street • Suite 22  
BROOKLYN, CONNECTICUT 06234  
860-779-3411 Ext. 12

**ORDER TO REMEDIATE**  
**Inland Wetlands and Watercourses Violations**

**CERTIFIED**      7021 2720 0001 3206 2160

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To: FCR Realty, LLC  
10 Day Street  
Brooklyn, CT 06234

March 3, 2022

Location of Violation: Westerly of Day Street  
Brooklyn, CT 06234  
Assessor's Map 41 Lot 6 and Map 35 Lot 7

**Facts**

On 11/30/21, Provost & Rovero, Inc. submitted to the Brooklyn Land Use Office a Topographic Survey as of 11/25/2021 prepared for FCR Realty LLC.

Refer to the attached copy of this plan, which shows approximately one acre of earth removal has been conducted beyond the project limits approved by the Inland Wetlands Commission in their Notice of Decision dated June 20, 2018.

On 12/1/21, Margaret Washburn, Wetlands Enforcement Officer, inspected the site to conduct a compliance inspection with Keith Green.

That inspection resulted in the issuance of a Cease and Desist Order on 1/3/22.

The following activities have been observed to have occurred on your property in violation of your Inland Wetlands and Watercourses Permit # 041018A: Vegetation has been removed and material has been excavated in the Upland Review Area, beyond the approved limit of work shown on the approved plan titled Proposed Gravel Removal Plan Prepared for FCR Realty LLC Westerly of Day Street, Brooklyn, Connecticut, ("the approved plan") prepared by KWP Associates, revised October 2, 2018.

Your activities, conducted in violation of your Inland Wetlands and Watercourses Permit, are in violation of the Brooklyn Inland Wetlands and Watercourses Regulations.

On 2/2/22, at a meeting at the Clifford B. Green Memorial Center, attended by Austin Tanner, Jana Roberson, Margaret Washburn, David Held and Keith Green, Keith Green informed Town staff that FCR did not intend to renew its Gravel Special Permit with the Planning and Zoning Commission (PZC).

On 2/15/22, the PZC accepted the withdrawal of the Gravel Bank Renewal Application (GBR 21-005) by FCR Realty, LLC.

On 2/22/22, at a site inspection attended by Margaret Washburn, David Held and Keith Green, all parties agreed that when gravel bank restoration begins, the first area to be regraded will be near the undercut, overhanging vegetated banks between the gravel pit and the closest wetlands.

### Applicable Laws and Regulations

The Brooklyn Inland Wetlands and Watercourses Regulations define, in part, a “regulated activity” as “any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution, of such wetlands or watercourses...”. “Material” is defined to include “means any substance, solid or liquid, organic or inorganic, including but not limited to soil, sediment, aggregate, land, gravel, clay, bog, mud, debris, sand, refuse or waste”. The term “pollution” is defined to include “harmful thermal effect or the contamination or rendering unclean or impure of any waters of the state by reason of any waste or other materials discharged or deposited therein by any public or private sewer or otherwise so as directly or indirectly to come in contact with any waters. This includes, but is not limited to, erosion and sedimentation resulting from any filling, land clearing or excavation activity”.

The phrase “rendering unclean or impure” is further defined as “any alteration of the physical, chemical or biological properties of any waters of the state, including, but not limited to, change in odor, color, turbidity or taste”.

Furthermore, a “significant impact” is defined as “any activity, including, but not limited to, the following activities which may have a major effect:

1. Any activity involving deposition or removal of material which will or may have a substantial effect on the wetland or watercourse or on wetlands or watercourses outside the area for which the activity is proposed.
2. Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system.
3. Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to: support aquatic, plant or animal life and habitats; prevent flooding; supply water; assimilate waste; facilitate drainage; provide recreation or open space; or perform other functions.
4. Any activity which is likely to cause or has the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse.
5. Any activity which causes substantial diminution of flow of a natural watercourse or groundwater levels of the wetland or watercourse.
6. Any activity which is likely to cause or has the potential to cause pollution of a wetland or watercourse.
7. Any activity which damages or destroys unique wetland or watercourse areas or such areas having demonstrable scientific or educational value.”

“Upland Review Area” means “non-wetland or non-watercourse areas where activities are likely to impact or affect wetlands or continuous watercourses”.

Section 4 of the Regulations addresses exemptions, and Section 6.1 provides that any regulated activity requires a permit.

Section 6.2 states “Any person found to be conducting or maintaining a regulated activity without the prior authorization of the Commission, or violating any other provision of these regulations, shall be subject to the enforcement proceedings and penalties prescribed in section 14 of these regulations and any other remedies as provided by law”.

The deposition of material within the upland review area and wetlands without a permit constitutes both a “regulated activity” and a “significant impact” under the Regulations and fall within no allowable exception. Therefore, said activities constitute a violation of the Brooklyn Inland Wetlands and Watercourses Regulations because of, at a minimum, the following condition:

- a. The “deposition or removal of material which will or may have a substantial effect on the wetland or watercourse”.

### Order

You are hereby ordered to do the following: Submit to the Brooklyn Inland Wetlands and Watercourses Commission a Site Restoration Plan showing the restoration of the disturbed areas within one hundred and seventy-five (175) feet of regulated areas on or before 3/8/2022.

The Site Restoration Plan must be approved by the Commission prior to starting any work.

No grades steeper than 3:1 shall remain after restoration is complete.

Leave the undercut, overhanging vegetated banks on the edge of the gravel pit intact. This refers to the undercut, overhanging vegetated banks between the gravel pit and the closest wetlands. Do not pull the undercut, overhanging vegetated banks down.

Phase 1: Push fill in the existing gravel pit, toward the overhanging vegetated banks between the gravel pit and the closest wetlands. Do not pull the undercut, overhanging vegetated banks down. Smooth out the material so no slopes are steeper than 3:1.  
TARGET DATE FOR COMPLETION: Thursday 4/7/22

Phase 2: Pull down the steep slopes near the existing road into the gravel pit. Smooth out the slopes so that no slopes are steeper than 3:1.  
TARGET DATE FOR COMPLETION: Thursday, 6/9/22

Phase 3: Push the material from the slopes near the existing road, and the material from the unprocessed material stockpile, into the gravel pit and smooth out the fill.  
TARGET DATE FOR COMPLETION: Thursday, 7/28/22

Phase 4: Spread dark brown topsoil over the material.  
TARGET DATE FOR COMPLETION: Thursday, 8/18/22

Phase 5: Seed all disturbed areas in accordance with the Site Restoration Plan.  
TARGET DATE FOR COMPLETION: Thursday, 9/1/22

Inspections are scheduled for 9:00 am on-site meetings with Keith Green and David Held in attendance on the target dates listed above. The Commission or its duly authorized agent may make regular inspections of the required remediation work during any other reasonable hours.

All restoration work must be done under the timeline established by the Commission.

Failure to meet any of the deadlines in this Order may result in the issuance of citations.

The Brooklyn Inland Wetlands and Watercourses Duly Authorized Agent is to be notified if any phase is completed prior to its target date at 860-779-3411 ext. 31.

For each day during which to violation continues beyond the deadline in this Order, the Town may commence an enforcement action and the seek a civil penalty of up to \$1,000.00 per day for such violation, plus its attorney's fees and costs. The civil penalties are assessed by the Superior Court when an action is brought before the court by the municipality. Refer to the attached Chapter 20-2: Citation Procedures and Fines for Zoning and Wetlands Violations.

#### Show Cause Hearing

In accordance with Section 15.7 of the Regulations, a Show Cause Hearing will be held on this Order on Tuesday, March 8, 2022 at 6:00 p.m. via Zoom as well as in person. At this hearing, you will be given an opportunity to be heard and to show cause why this Order to Remediate should not remain in effect. Depending on the decision of the Agency, a copy of this Order, or a modified version of it, may be filed on the Brooklyn Land Records. To attend this hearing follow the instructions on the attached draft meeting agenda.

Dated at Brooklyn, this 3rd day of March 2022.

  
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Margaret Washburn, Enforcement Officer of the Brooklyn  
Inland Wetlands and Watercourses Commission

CC: Austin Tanner, Jana Roberson, Peter Alter

<b>INLAND WETLANDS APPLICATION FEES</b>	
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.	\$1,200.00
> 50,000 sq. ft.	\$800.00
Additional Fee for Significant Activity Requiring Public Hearing	\$250.00

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.

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

### § 20-2.1. Issuance of Citations; Schedule of Fines.

[Ord. 8/1/13]

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:

<b>ZONING REGULATIONS</b>	
<b>Nature of Violation</b>	<b>Amount of Fine</b>
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

## ZONING REGULATIONS

Nature of Violation	Amount of Fine
Any other violation of the Zoning Regulations	\$100.00

## INLAND WETLAND REGULATIONS

Nature of Violation	Amount of Fine
For each violation	\$1,000.00

\* In the case of a continuing violation, each day's continuation of the violation shall be deemed a separate and distinct violation.

### § 20-2.2. Citation Hearing Officers.

[Ord. No. 06-3 § 3]

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.

### § 20-2.3. Notice.

[Ord. No. 06-3 § 4]

At any time within 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 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.

### § 20-2.4. Liability; Payment of Fines; Costs.

[Ord. No. 06-3 § 5]

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 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**.

### § 20-2.5. Hearing.

[Ord. No. 06-3 § 6]



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 15 days not more than 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.

## § 20-2.6. Notice of Assessment Which is Unpaid.

[Ord. No. 06-3 § 7]

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 30 days nor more than 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 \$8.00. 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 \$8.00, 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.

## § 20-2.7. Appeal.

[Ord. No. 06-3 § 8]

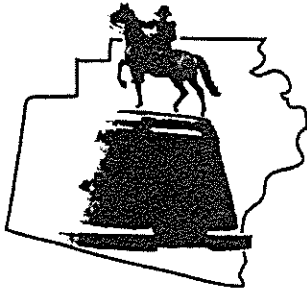
A person against whom an assessment has been made pursuant to this section is entitled to judicial review by way of appeal. An appeal shall be instituted within 30 days of the mailing of the notice of such assessment by filing a petition to reopen assessment, together with an entry fee in an amount equal 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.

## § 20-3. PUBLIC IMPROVEMENT SPECIFICATIONS.

[Ord. 6/28/89 § 1]

- 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.





# TOWN OF BROOKLYN

Land Use Department  
69 South Main Street • Suite 22  
BROOKLYN, CONNECTICUT 06234  
860-779-3411 Ext. 12

## **REVISED CEASE AND DESIST ORDER** **Inland Wetlands and Watercourses Violations**

**CERTIFIED #** 9489 0090 0027 6215 8990 22

To: FCR Realty, LLC  
110 Day Street  
Brooklyn, CT 06234

January 13, 2022

Location of Violation: Westerly of Day Street (Assessor's Map 35 Lot 7)

### Facts

On 11/30/21, Provost & Rovero, Inc. submitted to the Brooklyn Land Use Office a Topographic Survey as of 11/25/2021 prepared for FCR Realty LLC.

Refer to the attached copy of this plan, which shows approximately an acre of earth removal has been conducted beyond the project limits approved by the Inland Wetlands Commission in their Notice of Decision dated June 20, 2018.

On 12/1/21, Margaret Washburn, Wetlands Enforcement Officer, inspected the site to conduct a compliance inspection with IWWC Chairman Richard Oliverson and Keith Green. During the 12/1/21 inspection, a Cease and Desist Order was hand delivered to Keith Green, along with a copy of the Topographic Survey as of 11/25/2021 prepared for FCR Realty LLC.

During the 12/1/2021 inspection, the following activities were observed to have occurred on your property in violation of your Inland Wetlands and Watercourses Permit # 041018A: Vegetation has been removed and material has been excavated in the Upland Review Area, beyond the approved limit of work shown on the approved plan titled Proposed Gravel Removal Plan Prepared for FCR Realty LLC Westerly of Day Street, Brooklyn, Connecticut, ("the approved plan") prepared by KWP Associates, revised October 2, 2018.

Your activities, conducted in violation of your Inland Wetlands and Watercourses Permit, are in violation of the Brooklyn Inland Wetlands and Watercourses Regulations.

On 12/6/21, in accordance with Section 22a-42e of the Connecticut State Statute, a certified copy of the Cease & Desist Order was mailed certified to FCR at 110 Day Street within 10 days of the Show Cause Hearing scheduled for the regularly scheduled December 14, 2021 IWWC meeting.

Cancellation of the regularly scheduled December 14, 2021 IWWC meeting resulted in the issuance of a Revised Cease and Desist Order. On 1/3/2021, in accordance with Section 22a-42e of the Connecticut State Statute, a certified copy of the Cease & Desist Order was mailed certified to FCR at 110 Day Street within 10 days of the Show Cause Hearing scheduled for the regularly scheduled 1/11/2021 IWWC meeting.

At the regularly scheduled 1/11/2021 IWWC meeting, the Show Cause Hearing was held. David Held, P.E., P.L.S. and Keith Green attended to represent FCR. FCR Realty LLC failed to submit what was required in the original Order: an application for a wetlands permit for the work outside the scope of the approved plan.

After the Show Cause Hearing closed, the Commission voted that the original Order remains in effect; 1/31/22 is the deadline to submit an application for a permit for the unpermitted work.

### Applicable Laws and Regulations

The Brooklyn Inland Wetlands and Watercourses Regulations define, in part, a “regulated activity” as “any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution, of such wetlands or watercourses...”. “Material” is defined to include “means any substance, solid or liquid, organic or inorganic, including but not limited to soil, sediment, aggregate, land, gravel, clay, bog, mud, debris, sand, refuse or waste”. The term “pollution” is defined to include “harmful thermal effect or the contamination or rendering unclean or impure of any waters of the state by reason of any waste or other materials discharged or deposited therein by any public or private sewer or otherwise so as directly or indirectly to come in contact with any waters. This includes, but is not limited to, erosion and sedimentation resulting from any filling, land clearing or excavation activity”.

The phrase “rendering unclean or impure” is further defined as “any alteration of the physical, chemical or biological properties of any waters of the state, including, but not limited to, change in odor, color, turbidity or taste”.

Furthermore, a “significant impact” is defined as “any activity, including, but not limited to, the following activities which may have a major effect:

1. Any activity involving deposition or removal of material which will or may have a substantial effect on the wetland or watercourse or on wetlands or watercourses outside the area for which the activity is proposed.
2. Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system.
3. Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to: support aquatic, plant or animal life and habitats; prevent flooding; supply water; assimilate waste; facilitate drainage; provide recreation or open space; or perform other functions.
4. Any activity which is likely to cause or has the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse.
5. Any activity which causes substantial diminution of flow of a natural watercourse or groundwater levels of the wetland or watercourse.
6. Any activity which is likely to cause or has the potential to cause pollution of a wetland or watercourse.

7. Any activity which damages or destroys unique wetland or watercourse areas or such areas having demonstrable scientific or educational value.”

“Upland Review Area” means “non-wetland or non-watercourse areas where activities are likely to impact or affect wetlands or continuous watercourses”.

Section 4 of the Regulations addresses exemptions, and Section 6.1 provides that any regulated activity requires a permit.

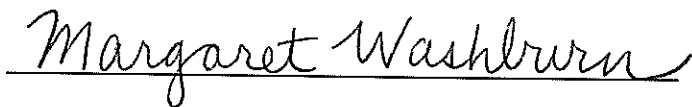
Section 6.2 states “Any person found to be conducting or maintaining a regulated activity without the prior authorization of the Commission, or violating any other provision of these regulations, shall be subject to the enforcement proceedings and penalties prescribed in section 14 of these regulations and any other remedies as provided by law”.

### Order

You are hereby ordered Cease and Desist from all work on the subject property until an application for a wetlands permit, including a site plan, for the work outside the scope of the 2018 approved plan has been submitted, and a permit has been issued for the work. The deadline set by the Brooklyn IWWC to submit an application for a permit, including a site plan, is 1/31/22. You are hereby required to attend the 2/8/22 regularly scheduled meeting of the Brooklyn IWWC to present the permit application, including a site plan, to the Commission. The site plan shall include a restoration plan adhering to the Erosion and Sedimentation Notes # 7 - #12 on Sheet 3 of the approved plan.

For each day during which to violation continues beyond the deadline in this Order, the Town may commence an enforcement action and the seek a civil penalty of up to \$1,000.00 per day for such violation, plus its attorney’s fees and costs. The civil penalties are assessed by the Superior Court when an action is brought before the court by the municipality. The Commission members or its duly authorized agent may make regular inspections of the subject property work during reasonable hours.

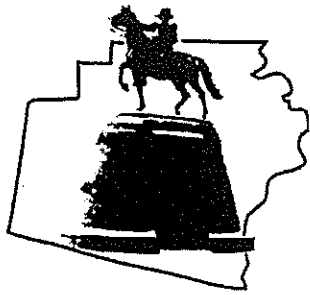
Dated at Brooklyn, this 13th day of January 2022.



Margaret Washburn, Enforcement Officer of the Brooklyn  
Inland Wetlands and Watercourses Commission

CC: Austin Tanner, Jana Roberson, Peter Alter





TOWN OF BROOKLYN  
Land Use Department  
69 South Main Street • Suite 22  
BROOKLYN, CONNECTICUT 06234  
860-779-3411 Ext. 12

**NOTICE OF VIOLATION OF  
INLAND WETLANDS AND WATERCOURSES REGULATIONS**

**CERTIFIED #** 9489 0090 0027 6215 8789 33

To: FCR Realty, LLC  
110 Day Street  
Brooklyn, CT 06234

January 18, 2022

Location of Violation: Westerly of Day Street (Assessor's Map 35 Lot 7 and Map 41 Lot 6);  
Gravel pit approved under Inland Wetlands and Watercourses Permit # 041018A

Facts

On 11/30/21, Provost & Rovero, Inc. submitted to the Brooklyn Land Use Office a Topographic Survey as of 11/25/2021 prepared for FCR Realty LLC. Refer to the attached copy of this plan.

On 12/1/21, Margaret Washburn, Wetlands Enforcement Officer, inspected the site to conduct a compliance inspection with IWWC Chairman Richard Oliverson and Keith Green.

During the 12/1/2021 inspection, the following non-compliance issues appeared to have occurred on your property in violation of your Inland Wetlands and Watercourses Permit # 041018A:

- 1. It appears as though the removal of vegetation and soils may have extended into the 50-ft limit of disturbance line that parallels wetlands in the vicinity of WF58.**
- 2. Failure to maintain the orange construction fence and operation limits signs at the 50-ft limit of disturbance line that parallels wetlands to prevent any further intrusion into the upland review area.** This was part of Condition of Approval #2 in the 6/20/2018 approval letter issued by the IWWC. Refer to the attached approval letter. Refer to the attached photographs taken on 12/1/21. Keith Green stated at the 12/1/21 inspection, and at the 1/11/22 IWWC meeting, that he is unable to maintain the fence and signs.
- 3. Failure to report compliance with the installation and maintenance of the orange construction fence and operation of limits signs at the 50-ft limit of disturbance line that parallels wetlands to prevent any further intrusion into the upland review area.** This was part of Condition of Approval #2 in the 6/20/2018 approval letter issued by the IWWC. The approval letter states, in part: "The permit holder, FCR Realty shall report

compliance with this requirement in writing to the Wetlands Enforcement Officer on a quarterly basis beginning at the commencement of operation and thereafter every 3 months.” No reports from the permittee have been received.

4. **Failure to follow the Phasing Plan.** Keith Green stated at the 1/11/22 IWWC meeting that he was still excavating in Phase I when the Cease and Desist order was issued on 12/2/22. The Phasing Plan called to excavate Phase I first, and to commence restoration of Phase I prior to the initiation of excavation in Phase II. Excavation appears to have taken place in Phase II with no restoration of Phase I to date.
5. **Failure to Restore, Reclaim or Stabilize.** The approved plan shows “Immediate Restoration Area (Phase 1) – New England Restoration Mix for Dry Sites – seed mix 1# per 2,000 sf”. This area has apparently never been restored. The Planning and Zoning Commission approved the removal of 97,650 cubic yards of material from the site. The Volume Report submitted by Provost & Rovero on 11/29/21 stated that approximately 65,000 cubic yards of material had been removed from the site. Approximately two-thirds of the material allowed to be removed has been removed to date with no restoration, reclamation or stabilization having been completed as required in the Phasing Plan.

Your activities, conducted in violation of your Inland Wetlands and Watercourses Permit, are in violation of the Brooklyn Inland Wetlands and Watercourses Regulations.

At the 1/11/22 regularly scheduled meeting of the IWWC, the non-compliance issues were discussed. The Commission issued a directive to issue this Notice of Violation listing the noncompliance issues. The Commission set a deadline of 2/28/22 for you to submit a remediation plan to show how the noncompliance issues will be rectified.

#### Applicable Laws and Regulations

The Brooklyn Inland Wetlands and Watercourses Regulations define, in part, a “regulated activity” as “any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution, of such wetlands or watercourses...”. “Material” is defined to include “means any substance, solid or liquid, organic or inorganic, including but not limited to soil, sediment, aggregate, land, gravel, clay, bog, mud, debris, sand, refuse or waste”. The term “pollution” is defined to include “harmful thermal effect or the contamination or rendering unclean or impure of any waters of the state by reason of any waste or other materials discharged or deposited therein by any public or private sewer or otherwise so as directly or indirectly to come in contact with any waters. This includes, but is not limited to, erosion and sedimentation resulting from any filling, land clearing or excavation activity”.

The phrase “rendering unclean or impure” is further defined as “any alteration of the physical, chemical or biological properties of any waters of the state, including, but not limited to, change in odor, color, turbidity or taste”.

Furthermore, a “significant impact” is defined as “any activity, including, but not limited to, the following activities which may have a major effect:

1. Any activity involving deposition or removal of material which will or may have a substantial effect on the wetland or watercourse or on wetlands or watercourses outside the area for which the activity is proposed.



2. Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system.
3. Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to: support aquatic, plant or animal life and habitats; prevent flooding; supply water; assimilate waste; facilitate drainage; provide recreation or open space; or perform other functions.
4. Any activity which is likely to cause or has the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse.
5. Any activity which causes substantial diminution of flow of a natural watercourse or groundwater levels of the wetland or watercourse.
6. Any activity which is likely to cause or has the potential to cause pollution of a wetland or watercourse.
7. Any activity which damages or destroys unique wetland or watercourse areas or such areas having demonstrable scientific or educational value.”

“Upland Review Area” means “non-wetland or non-watercourse areas where activities are likely to impact or affect wetlands or continuous watercourses”.

Section 4 of the Regulations addresses exemptions, and Section 6.1 provides that any regulated activity requires a permit.

Section 6.2 states “Any person found to be conducting or maintaining a regulated activity without the prior authorization of the Commission, or violating any other provision of these regulations, shall be subject to the enforcement proceedings and penalties prescribed in section 14 of these regulations and any other remedies as provided by law”.

You are hereby required to:

Submit a remediation plan by 2/28/22 showing how the noncompliance issues listed above will be rectified. The remediation plan shall show the extent of work, if any, within the 50-ft limit of disturbance line that parallels wetlands.

Attend the 3/8/22 regularly scheduled meeting of the Brooklyn IWWC to present the remediation plan to the Commission. The remediation plan shall include a restoration plan adhering to the Erosion and Sedimentation Notes # 7 - #12 on Sheet 3 of the approved plan.

For each day during which to violation continues beyond the deadline in this Order, the Town may commence an enforcement action and the seek a civil penalty of up to \$1,000.00 per day for such violation, plus its attorney's fees and costs. The civil penalties are assessed by the Superior Court when an action is brought before the court by the municipality. The Commission members or its duly authorized agent may make regular inspections of the subject property work during reasonable hours.


Dated at Brooklyn, this 18th day of January 2022.

Margaret Washburn

Margaret Washburn, Enforcement Officer of the Brooklyn  
Inland Wetlands and Watercourses Commission

CC: Austin Tanner, First Selectman; Peter Alter, Town Counsel; Jana Roberson, Town Planner





Brooklyn Inland Wetlands

Commission

P.O. Box 356

Brooklyn, Connecticut 06234

June 20, 2018

FCR Realty  
P.O. Box 873  
Danielson, CT 06239

RE: Notice of Decision – 041018A FCR Realty; North of Brickyard Road/West of Day Street, Map 41, Lot 6, RA Zone; Gravel removal permit; project is in upland review area, no wetlands disturbance proposed.

Dear FCR Realty:

At a meeting of the Brooklyn Inland Wetlands and Watercourses Commission on June 12, 2018, your application was approved as follows:

A motion was made by Demian Sorrentino to approve the application of FCR Realty for a sand and gravel operation west of Day Street known as Assessor's Map 41 Lot 6 and Map 35 Lot 7 on 20 acres of 200 acres total, based on the submitted application and plans prepared by KWP Associates titled "Gravel Removal Plan Prepared for FCR Realty LLC Westerly of Day Street and Northerly of Brickyard Road, Brooklyn, Connecticut, 3 sheets, dated 1/24/17 and revised to 5/31/18 with the following conditions:

Conditions of Approval:

1. **Permit Duration:** The permit duration is controlled by Inland Wetlands and Watercourses Regulations Section 11.6. Pursuant to this Section, this permit will expire on the same date as the expiration date of the forthcoming sand and gravel permit (specific expiration date is to be determined), or 5 years, whichever is less.
2. **Demarcation of disturbance.** The permittee shall install orange construction fence and operation limits signs at the (50 ft) limit of disturbance line that parallels wetlands to prevent any further intrusion into the upland review area. The permit holder FCR Realty shall report compliance with this requirement in writing to the Wetlands Enforcement Officer on a quarterly basis beginning at the commencement of operation and thereafter every 3 months.
3. **Modification to notes on sheet 3.** The notes shall be modified as follows:
  - #2. Note states there is no activity within 50 feet of wetlands.

#3. Amend note to state that the soil shall not be disturbed, including stump removal, until erosion controls have been installed and approved by IWWC staff.

#6. Revise to state "All erosion and sedimentation MEASURES shall be checked by the owner NOT LESS THAN ONCE PER WEEK.

#8. Seed mixtures shall be approved by IWWC staff prior to use and shall be appropriate for the site as determined by IWWC staff following evaluation of site conditions. For permanent seeding, warm season grasses are required.

#9. Delete the second sentence regarding lime and fertilizer application.

#13. Any refueling shall occur no less than 100 feet from any watercourse or wetlands.

4. Final Plans.

- The final plans shall (1) depict the orange construction fence and (2) note that signs shall be placed as required in #2 above.
- One set of final plans shall be submitted with the live signatures and seals of all design professionals including soils scientist with a signature block on each sheet for signature by the IWWC Chair.

5. Standard IWWC Conditions (enclosed) shall apply.

A legal notice of this approval will be published in the Villager Newspaper on Friday June 22, 2018. Please note that this action of the Brooklyn Inland Wetlands and Watercourses Commission may be appealed for a fifteen-day period following the publication of the legal notice.

If you have any questions, please call me at 860-779-3411 Extension 31.

Signed,



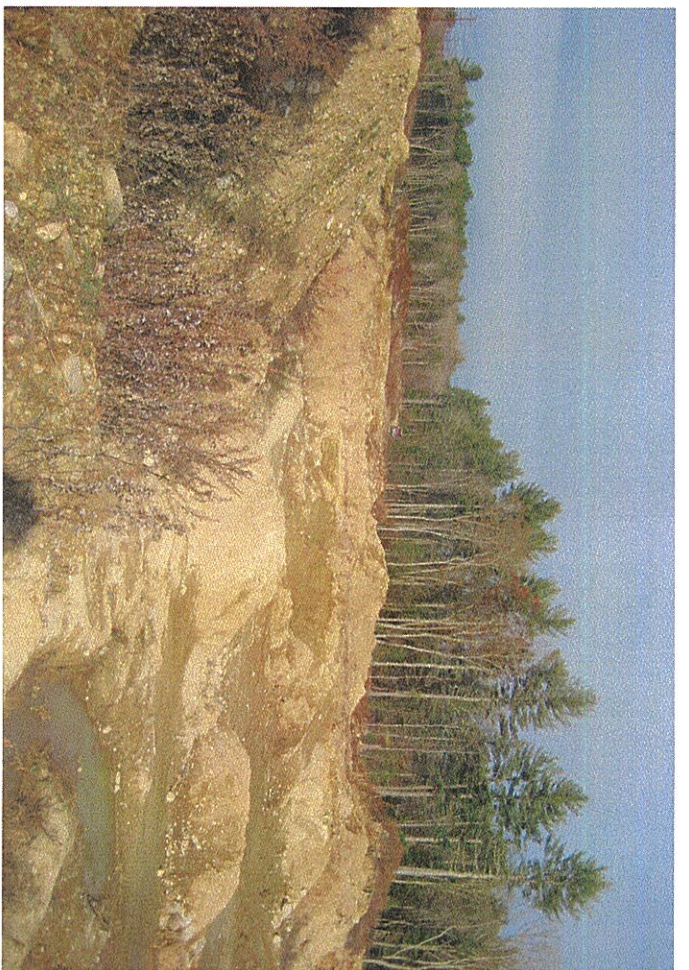
Martha Fraenkel  
Wetlands Agent

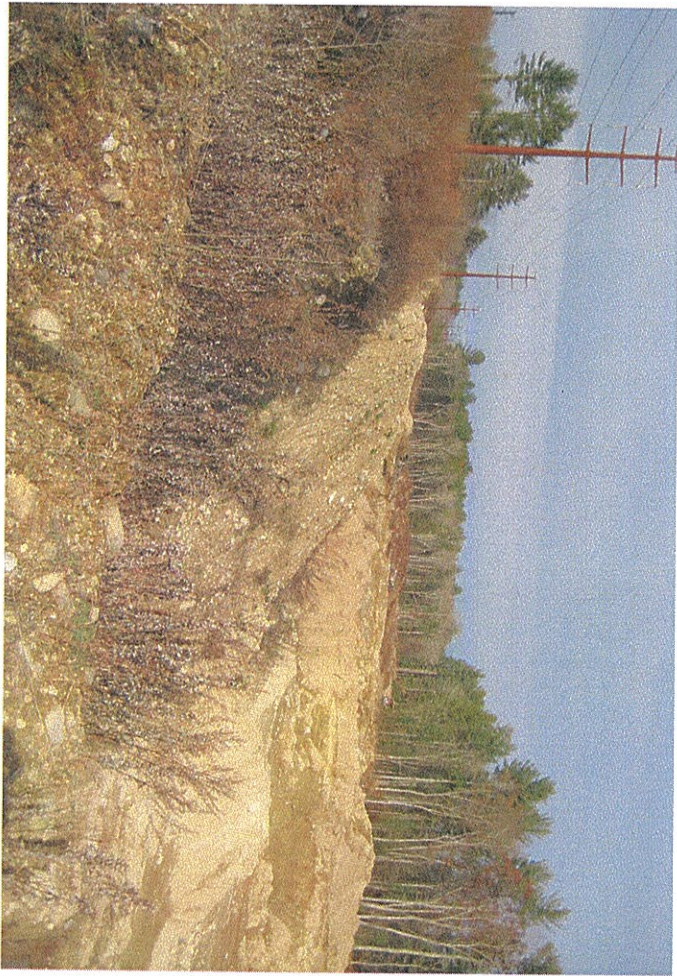
MF/acl

CC: File, KWP Associates

encl: standard conditions









# TOWN OF BROOKLYN

## ZONING/WETLANDS COMPLAINT FORM

Date of Complaint: 1/19/2022

Wetlands:  Zoning: \_\_\_\_\_

Complaint: FCR / Clifford B. Green + Sons have not properly maintained the haul road (dam) that they use to access their gravel pit operation. (see attached)

Complainant: Spiro + Christa Haveles Phone # (860) 428-7328 Anonymous: \_\_\_\_\_

Received By: Margaret Washburn

Phone: \_\_\_\_\_ Letter:  Appeared:

Location/Address of Complaint: 159 Day Street Brooklyn CT

Property Owner: Spiro + Christa Haveles

Site Inspection Date: \_\_\_\_\_ Inspector: \_\_\_\_\_

Site Inspection Report:

Violation: Yes \_\_\_\_\_ No \_\_\_\_\_

Action Taken:

None Required: \_\_\_\_\_ Reason: \_\_\_\_\_

Verbal Notice: \_\_\_\_\_ Warning Letter: \_\_\_\_\_ Cease & Desist Order: \_\_\_\_\_

Appeared before: PZC \_\_\_\_\_ Date \_\_\_\_\_ IWWC \_\_\_\_\_ Date \_\_\_\_\_

Additional Actions:

Date Complaint Resolved: \_\_\_\_\_

Resolution: \_\_\_\_\_

Land Use Administrator: \_\_\_\_\_

The haul road (dam) that runs through 159 Day Street is deteriorating. FCR/Clifford B Green + Sons continue to scrape down the road surface and apply a gravel type mixture that spills over into the water (pond + stream). As the dam over tops with water, FCR/Clifford B Green + Sons cover the road with a gravel type mixture so that they can continue to drive machinery and large dump trucks loaded with material over the dam. The road (dam) has considerably changed in appearance over the last few years and we are concerned about the safety of the dam as well as the impact on the waterway (environment).

May 27, 2021 we observed dead fish along the dam side of the pond. We need the Town of Brooklyn to assure us that this dam (haul road) is adequate to continue to be FCR/Clifford B Green + Sons access road to their gravel operation.

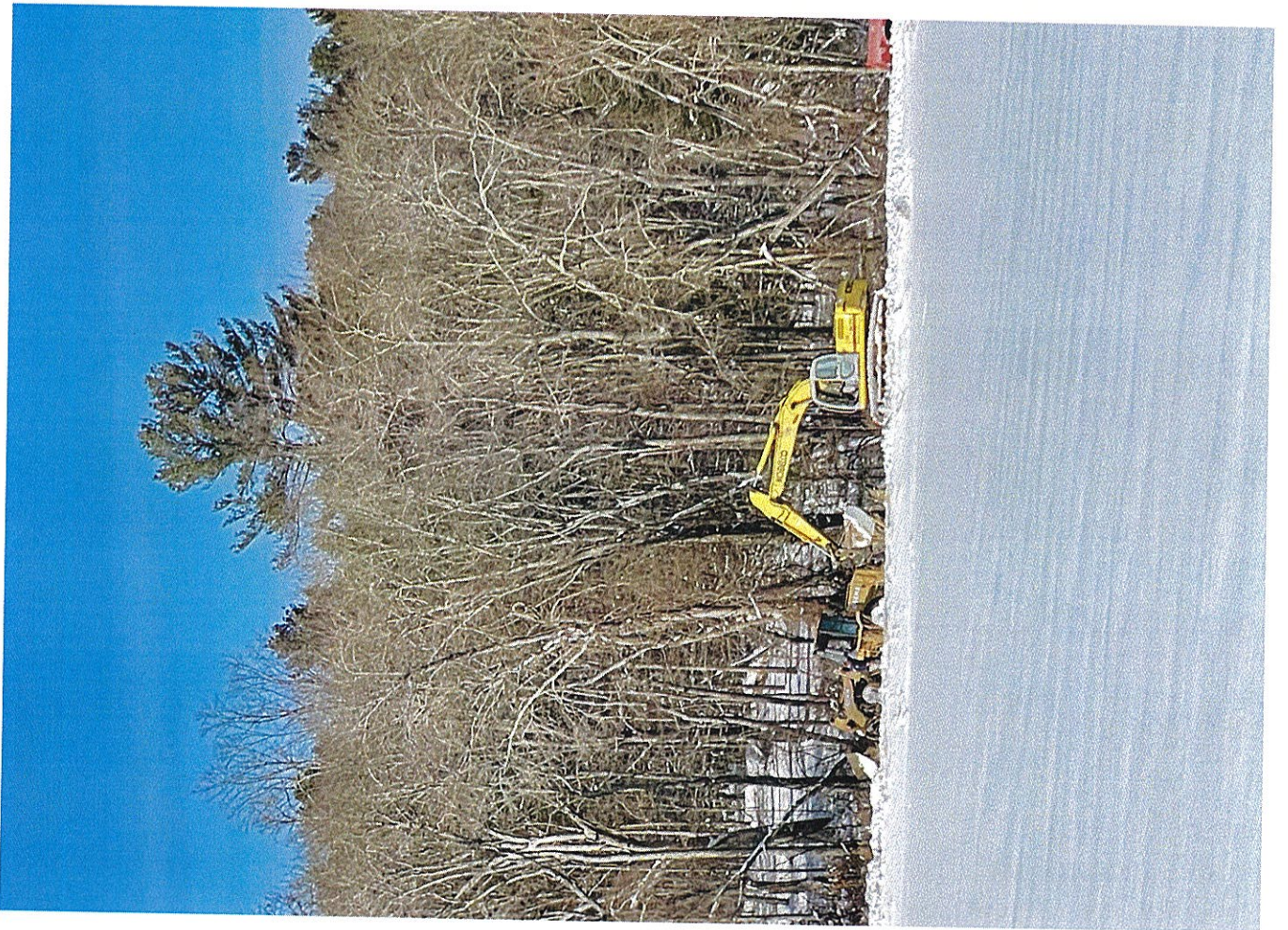
**Town of Brooklyn Land Use Department  
69 South Main Street, Suite 22  
Brooklyn, CT 06234  
(860) 779-3411 x 31**

**MEMO**

**1/31/22**

**Today Christa Haveles called to say that FCR was clearing snow off the dam. I bucket loader slid off the icy dam over the bank on the downstream side of the dam. FCR brought an excavator to help get the bucket loader out. She emailed photographs.**

Margaret Washburn  
ZEO/WEO/Blight Enforcement Officer  
69 South Main Street  
Brooklyn, CT 06234  
(860) 779-3411 ext. 31  
m.washburn@brooklynct.org



INLAND WETLANDS & WATERCOURSES COMMISSION  
TOWN OF BROOKLYN, CONECTICUT

Date 2-28-22

Application # DR22-001

APPLICATION -- INLAND WETLANDS & WATERCOURSES

APPLICANT Jared Chviek MAILING ADDRESS 95 Wauregan Rd Brooklyn, CT  
APPLICANT'S INTEREST IN PROPERTY owner PHONE \_\_\_\_\_ EMAIL \_\_\_\_\_

PROPERTY OWNER IF DIFFERENT Same PHONE 860-617-6542  
MAILING ADDRESS Same EMAIL justcalljaredchviek@gmail.com

ENGINEER/SURVEYOR (IF ANY) N/A  
ATTORNEY (IF ANY) N/A

PROPERTY LOCATION/ADDRESS Map 34 Lot 31 Brown Road  
MAP # 34 LOT # 31 ZONE RA TOTAL ACRES 27.35 ACRES OF WETLANDS ON PROPERTY \_\_\_\_\_

PURPOSE AND DESCRIPTION OF THE ACTIVITY Create pasture for grazing cows, Timber harvest to remove trees killed by gypsy moths, Firewood for personal use and for sale, Cutting and chipping brush for pasture, Electric fence and solar charger, Water will be hauled in for cows to drink from a tank.

WETLANDS EXCAVATION AND FILL:

FILL PROPOSED 0 CUBIC YDS 0 SQ FT 0  
EXCAVATION PROPOSED 0 CUBIC YDS 0 SQ FT 0  
LOCATION WHERE MATERIAL WILL BE PLACED: ON SITE N/A OFF SITE N/A  
TOTAL REGULATED AREA ALTERED: SQ FT \_\_\_\_\_ ACRES 1.0

EXPLAIN ALTERNATIVES CONSIDERED (REQUIRED): put pigs here

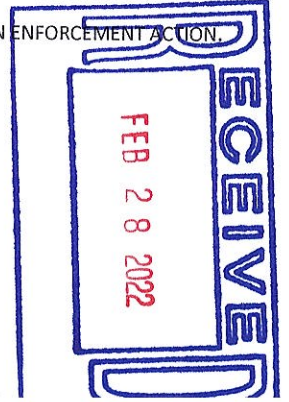
MITIGATION MEASURES (IF REQUIRED): WETLANDS/WATERCOURSES CREATED: CY \_\_\_\_\_ SQFT \_\_\_\_\_ ACRES 1.0  
INVASIVE SPECIES REMOVAL IS PLANNED - Barberry, Bittersweet, etc.  
IS PARCEL LOCATED WITHIN 500FT OF AN ADJOINING TOWN? NO IF YES, WHICH TOWN(S) N/A  
IS THE ACTIVITY LOCATED WITHIN THE WATERSHED OF A WATER COMPANY AS DEFINED IN CT GENERAL STATUTES 25-32A? \_\_\_\_\_

THE OWNER AND APPLICANT HEREBY GRANT THE BROOKLYN IWWC, THE BOARD OF SELECTMAN AND THEIR AUTHORIZED AGENTS PERMISSION TO ENTER THE SUBJECT PROPERTY FOR THE PURPOSE OF INSPECTION AND ENFORCEMENT OF THE IWWC REGULATIONS OF THE TOWN OF BROOKLYN. IF THE COMMISSION DETERMINES THAT OUTSIDE REVIEW IS REQUIRED, APPLICANT WILL PAY CONSULTING FEE.

NOTE: DETERMINATION THAT THE INFORMATION PROVIDED IS INACCURATE MAY INVALIDATE THE IWWC DECISION AND RESULT IN ENFORCEMENT ACTION.

APPLICANT: [Signature] DATE 2-28-22

OWNER: [Signature] DATE 2-28-22



**REQUIREMENTS**

APPLICATION FEE \$ 0 STATE FEE (\$60.00) 0

COMPLETION OF CT DEEP REPORTING FORM

ORIGINAL PLUS COPIES OF ALL MATERIALS REQUIRED - NUMBER TO BE DETERMINED BY STAFF

PRE-APPLICATION MEETING WITH THE WETLANDS AGENT IS RECOMMENDED TO EXAMINE THE SCOPE OF THE ACTIVITY

SITE PLAN SHOWING LOCATION OF THE WETLANDS WITH EXISTING AND PROPOSED CONDITIONS. APPLICANT MAY BE REQUIRED TO HAVE A CERTIFIED SOIL SCIENTIST IDENTIFY THE WETLANDS.

COMPLIANCE WITH THE CONNECTICUT EROSION & SEDIMENTATION CONTROL MANUAL

\_\_\_\_\_ IF THE PROPOSED ACTIVITY IS DEEMED TO BE A "SIGNIFICANT IMPACT ACTIVITY" A PUBLIC HEARING IS REQUIRED ALONG WITH THE FOLLOWING INFORMATION:

- NAMES AND ADDRESSES OF ABUTTING PROPERTY OWNERS
- ADDITIONAL INFORMATION AS CONTAINED IN IWWC REGULATIONS ARTICLE 7.6

**ADDITIONAL INFORMATION/ACTION NEEDED:**

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OTHER APPLICATIONS MAY BE REQUIRED. CONTACT THESE AGENCIES FOR FURTHER INFORMATION:

APPLICATION TO STATE OF CONNECTICUT DEEP  
 INLAND WATER RESOURCES DIVISION  
 79 ELM ST.  
 HARTFORD, CT. 06106  
 1-860-424-3019

DEPARTMENT OF THE ARMY CORPS OF ENGINEERS  
 696 VIRGINIA ROAD  
 CONCORD, MA. 01742  
 1-860-343-4789

**STAFF USE ONLY:**

DECLARATORY RULING: AS OF RIGHT & NON-REGULATED USES (SEE IWWC REGULATIONS SECTION 4)

\_\_\_\_\_ PERMIT REQUIRED:

\_\_\_\_\_ AUTHORIZED BY STAFF/CHAIR (NO ACTIVITY IN WETLANDS/WATERCOURSE AND MINIMAL IMPACT)

\_\_\_\_\_ CHAIR, BROOKLYN IWWC

\_\_\_\_\_ WETLANDS OFFICER

\_\_\_\_\_ AUTHORIZED BY IWWC  
 \_\_\_\_\_ SIGNIFICANT ACTIVITY/PUBLIC HEARING

\_\_\_\_\_ NO PERMIT REQUIRED

\_\_\_\_\_ OUTSIDE OF UPLAND REVIEW AREA

\_\_\_\_\_ NO IMPACT

\_\_\_\_\_ CHAIR, BROOKLYN IWWC

\_\_\_\_\_ WETLANDS OFFICER

\_\_\_\_\_ TIMBER HARVEST



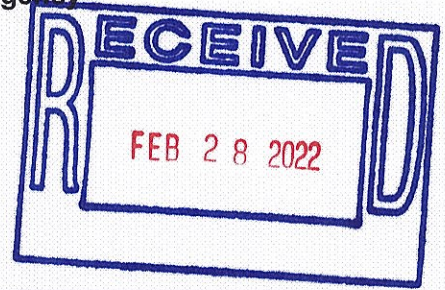
## Statewide Inland Wetlands & Watercourses Activity Reporting Form

Please complete this form in accordance with the instructions on pages 2 and 3 and mail to:

DEEP Land & Water Resources Division, Inland Wetlands Management Program, 79 Elm Street, 3<sup>rd</sup> Floor, Hartford, CT 06106

Incomplete or incomprehensible forms will be mailed back to the inland wetlands agency.

### PART I: Must Be Completed By The Inland Wetlands Agency



- DATE ACTION WAS TAKEN: year: \_\_\_\_\_ month: \_\_\_\_\_
- ACTION TAKEN (see instructions - one code only): \_\_\_\_\_
- WAS A PUBLIC HEARING HELD (check one)? yes  no
- NAME OF AGENCY OFFICIAL VERIFYING AND COMPLETING THIS FORM:  
(print name) \_\_\_\_\_ (signature) \_\_\_\_\_

### PART II: To Be Completed By The Inland Wetlands Agency Or The Applicant

- TOWN IN WHICH THE ACTIVITY IS OCCURRING (print name): Brooklyn  
does this project cross municipal boundaries (check one)? yes  no   
if yes, list the other town(s) in which the activity is occurring (print name(s)): N/A, N/A
- LOCATION (see instructions for information): USGS quad name: Danielson or number: \_\_\_\_\_  
subregional drainage basin number: 3711
- NAME OF APPLICANT, VIOLATOR OR PETITIONER (print name): Jared Chviek
- NAME & ADDRESS OF ACTIVITY / PROJECT SITE (print information): Map 34 Lot 31 Brown Rd. Brooklyn CT  
briefly describe the action/project/activity (check and print information): temporary  permanent  description: Clear dead oaks and brush, install electric fence to graze cows, cut firewood
- ACTIVITY PURPOSE CODE (see instructions - one code only): G No stumps to be removed.
- ACTIVITY TYPE CODE(S) (see instructions for codes): 3
- WETLAND / WATERCOURSE AREA ALTERED (see instructions for explanation, must provide acres or linear feet):  
wetlands: 1.0 acres open water body: 0 acres stream: 0 linear feet
- UPLAND AREA ALTERED (must provide acres): 3.9 acres
- AREA OF WETLANDS / WATERCOURSES RESTORED, ENHANCED OR CREATED (must provide acres): 1.0 acres

DATE RECEIVED:

### PART III: To Be Completed By The DEEP

DATE RETURNED TO DEEP:

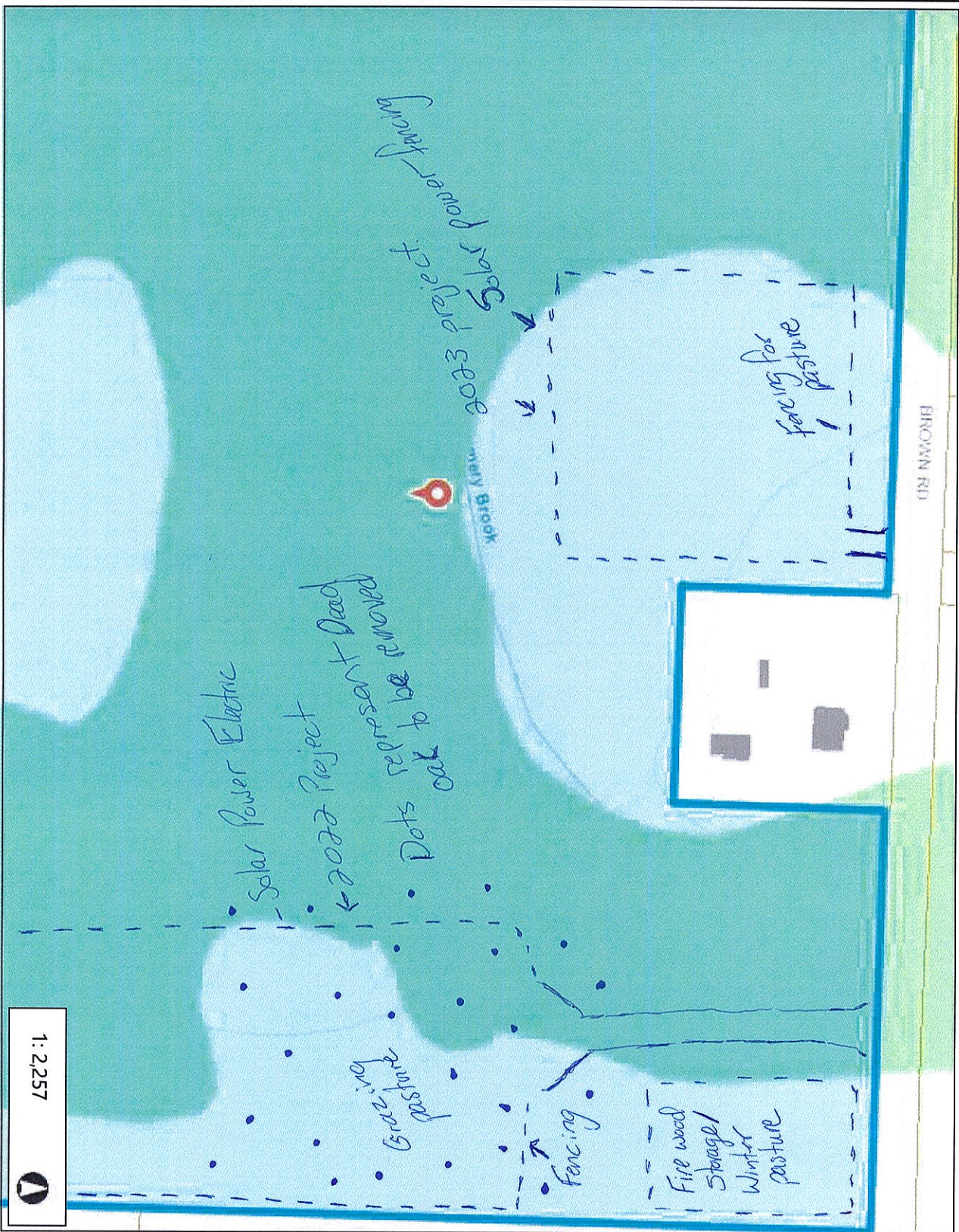
FORM COMPLETED: YES NO

FORM CORRECTED / COMPLETED: YES NO



neccoog

Neccoog GIS Site



1: 2,257




Legend

-  Town
-  Buildings 2012
-  Parcels
-  Wetlands
-  Alluvial and Floodplain Soils
-  Poorly Drained and Very Poorly Dre

Notes

Enter Map Description

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WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Latitude Geographics Group Ltd.

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**





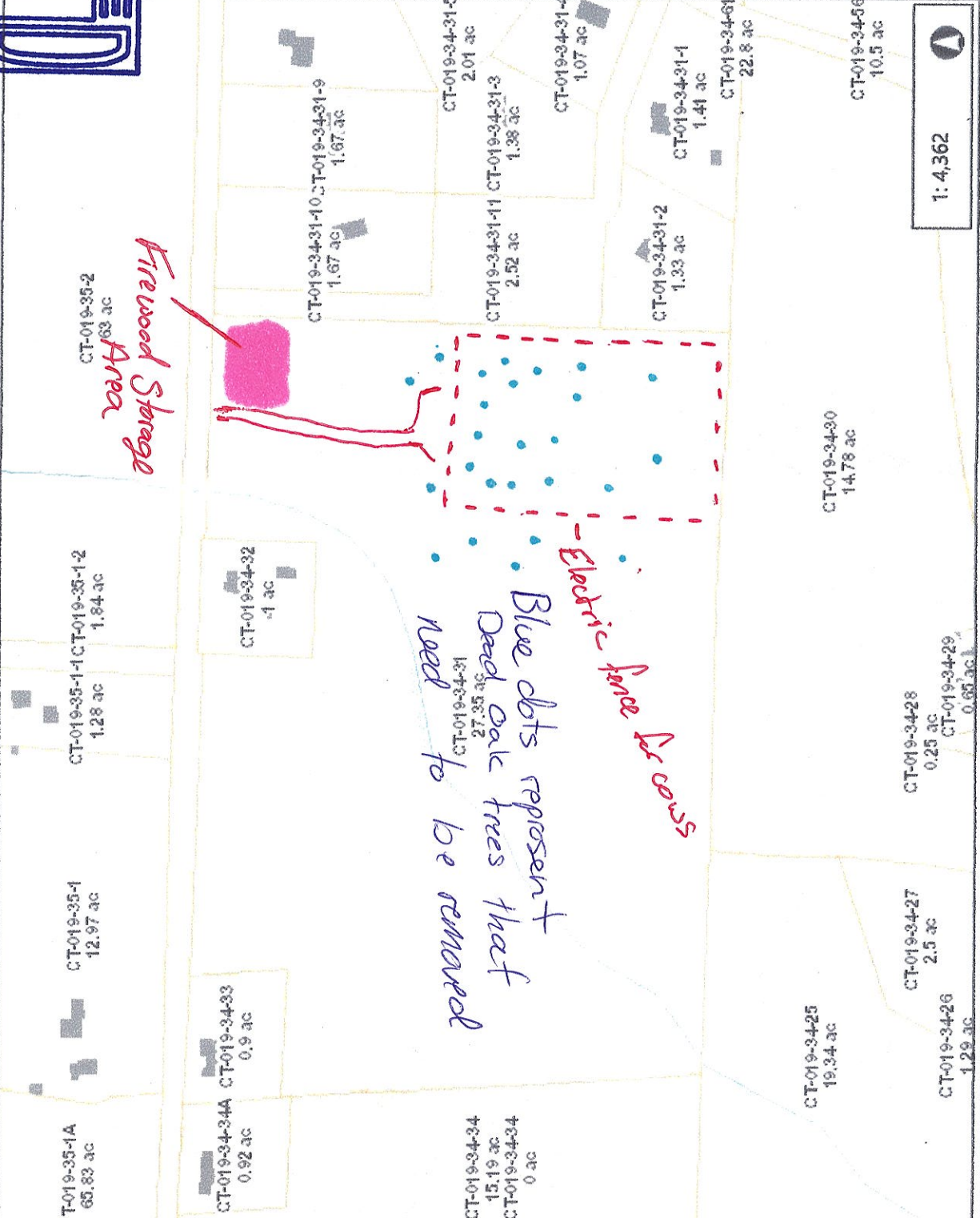
RECEIVED  
JAN 11 2022

Legend

- Town
- Buildings 2012
- Parcels
- Rivers and Streams
- Lakes and Ponds
- 5 ft Contours 5k
- 50 ft
- 20 ft
- 10 ft
- 5 ft
- 5 ft Contours 5k
- 50 ft
- 20 ft
- 10 ft
- 5 ft
- 5 ft Contours 5k
- 50 ft
- 20 ft
- 10 ft
- 5 ft
- 5 ft Contours 5k
- 50 ft
- 20 ft
- 10 ft
- 5 ft
- 5 ft Contours 5k

Notes

Enter Map Description



1:4,362

0.1 Miles



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**



necog

Necog GIS Site



Legend

- Town
- Buildings 2012
- Rivers and Streams
- Lakes and Ponds



1: 4,514



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.

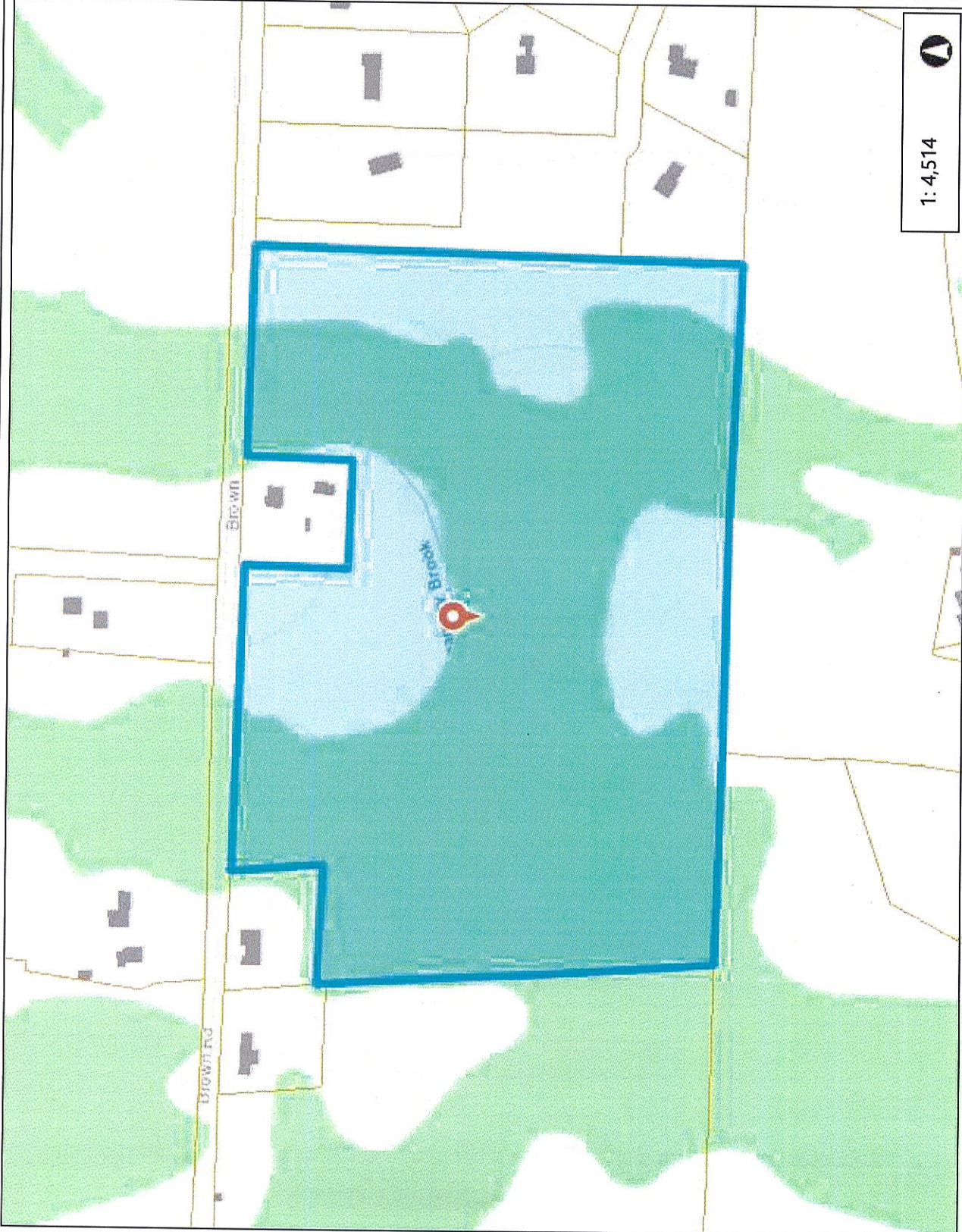
**THIS MAP IS NOT TO BE USED FOR NAVIGATION**

Notes

Brown Road Map 34 Lot 31 Contours and Creamery Brook



# Necog GIS Site



1: 4,514



0.1 Miles

0.07

0

0.1

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
© Latitude Geographics Group Ltd.



### Legend

-  Town
-  Buildings 2012
-  Parcels
-  Wetlands
-  Alluvial and Floodplain Soils
-  Poorly Drained and Very Poorly Drained

### Notes

Brown Road Map 34 Lot 31 wetlands

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**

Brooklyn IWWC

January 17, 2022 Sitewalk Notes

Site walk conducted at: Brown Road, Map 34, Lot 31, Brooklyn, CT

Members present: Richard Oliverson, Chairman and James Paquin

Others present: Sharon Hawes; Jared Chviek, property owner (arrived at 4:35 PM)

Sitewalk started: 4:17 PM PM

No quorum was present for this site walk. Those present entered the property. The members viewed the areas of activity.

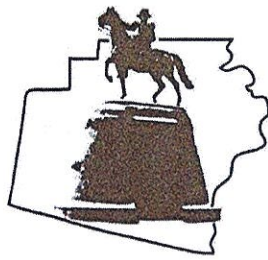
Some trees have been cut but no stumps have been pulled. There are no signs of any regrading or fill being deposited. There is no visible erosion towards the wetlands or watercourse. The immediate areas around and towards the wetlands are leaf-covered and have some short vegetation growing and appear to have not been disturbed for quite some time.

Mr. Chviek, property owner arrived at 4:35 PM and showed the members where he intends to erect an electric fence to provide an area to graze livestock. He also pointed out a few more dead trees that he intends to cut down.

Site walk ended: 4:43 PM

Respectfully submitted,

James Paquin, Member Brooklyn IWWC



P. 1/2

# Brooklyn Land Use Department

69 South Main Street  
Brooklyn CT 06234  
(860) 779-3411 x 31

Inland Wetlands

Zoning Enforcement

Blight Enforcement

## SITE INSPECTION NUMBER

1 2 3 4 5

Church St, Kausch

2/22/22

Address

Date

I inspected and took photos with Chairman Richard Oliverson, Andrew Kausch, Jake Kausch and Billy the Site Guy. Andrew was installing a temporary pipe at the third crossing to alleviate 2 ft of standing water that Al Carpenter complained about.

Andrew has placed sandy gravel from the road to about 250-300 ft on the driveway. Beyond that point he has used some very silty unsuitable material. Andrew has not followed the approved construction sequence prepared by Bob DeLuca. Andrew did not have a copy of the plan with the construction sequence on it. I will email it to him on 2/23. Richie and I required Andrew to repair the compromised silt fence (see p. 2)

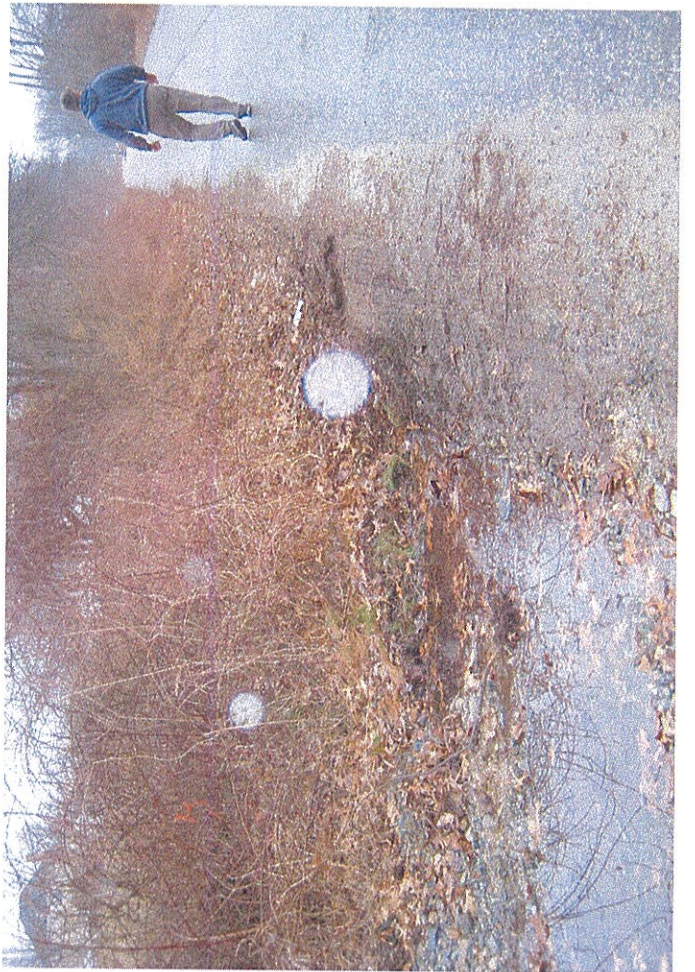
Commission Representative M Washburn

Owner or Authorized Signature \_\_\_\_\_

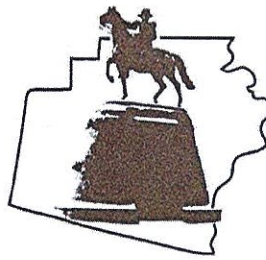
Andrew told us that he will install conduit under the pipes for the crossings and cap the conduit on both ends. Then the utility cable can be pulled through under the pipes.











# Brooklyn Land Use Department

69 South Main Street  
Brooklyn CT 06234  
(860) 779-3411 x 31

P 1 of 2

Inland Wetlands

Zoning Enforcement

Blight Enforcement

## SITE INSPECTION NUMBER

1 2 3 4 5

411 Church St.

2/24/22

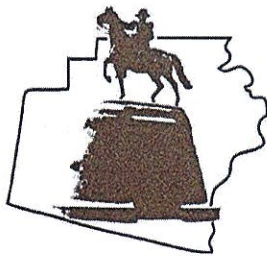
Address I inspected + took photos. Date

I met + Andrew + Jake Kausch. Snow is predicted for tomorrow. Logs + soil has been stockpiled s. of the driveway w/ no sediment controls in place. Those sed. controls will be installed today. The sediment controls on the north side of the driveway near WF # 1-1 and # 2-1 need to be installed today. Sed. controls on the north side of the driveway at the second + third wetland crossings also need to be installed today. I told Andrew to call me when the survey crew is there to shoot the grades for installing the pipes at the wetlands crossings. I told Andrew to bring in a revised construction sequence and any other changes he wants approved to the 3/8/22 meeting at 6pm.  Issue NOV requiring Andrew to attend the 3/8/ meeting.

Commission Representative M Washburn

Owner or Authorized Signature \_\_\_\_\_

Andrew + Jake now have the plan with the approved construction sequence.



# Brooklyn Land Use Department

69 South Main Street  
Brooklyn CT 06234  
(860) 779-3411 x 31

P 2 of 2

Inland Wetlands

Zoning Enforcement

Blight Enforcement

SITE INSPECTION NUMBER

1 2 3 4 5

411 Church St

2-24-22

Address

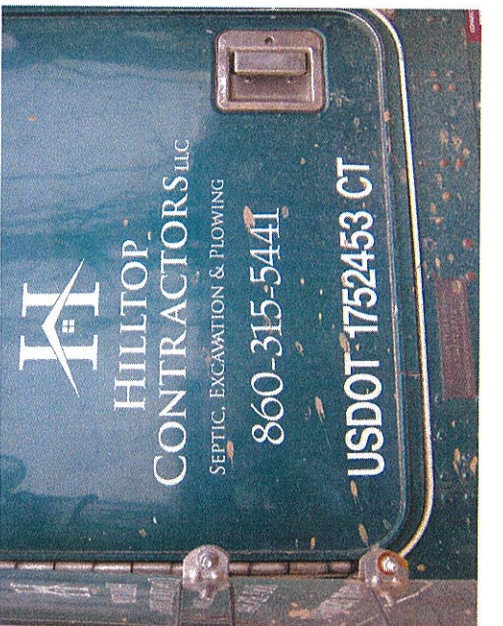
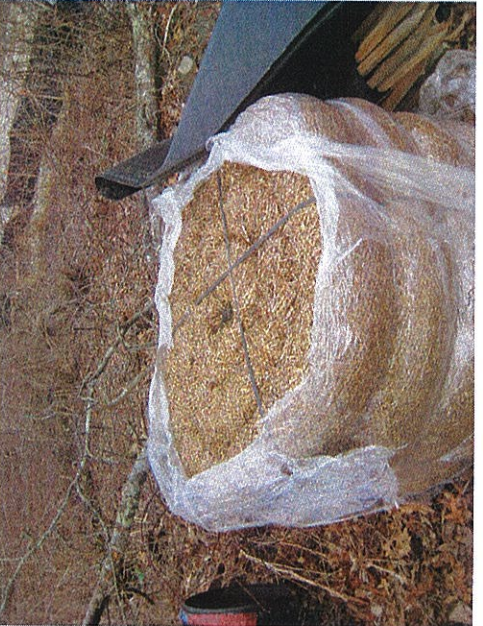
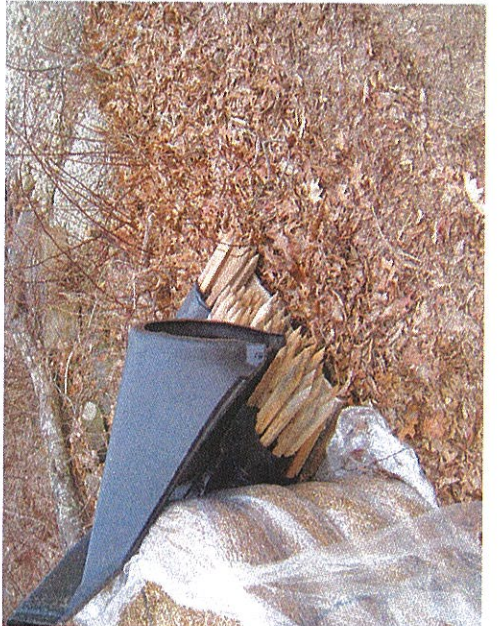
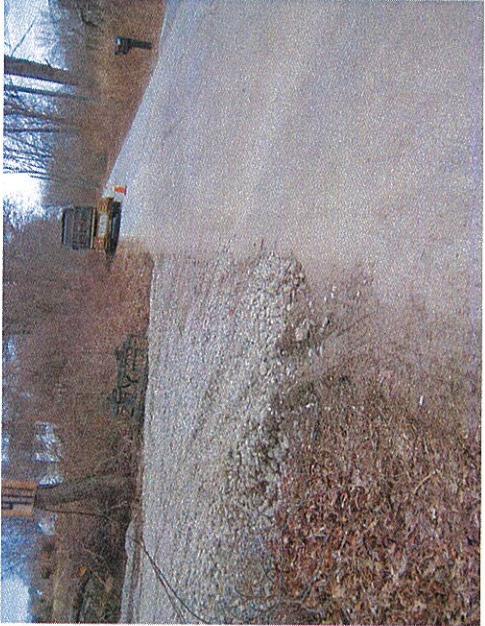
Date

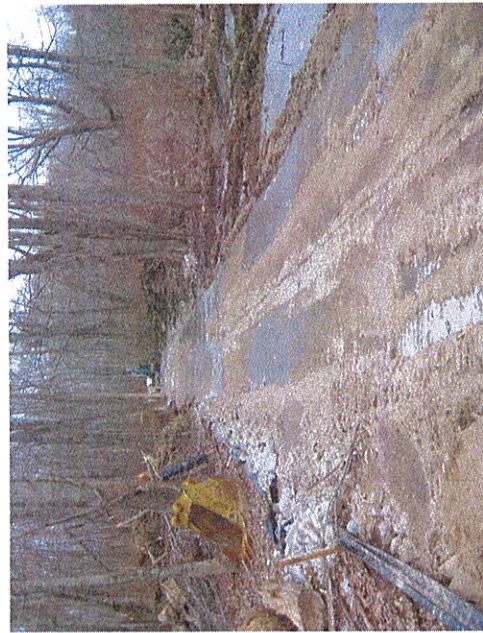
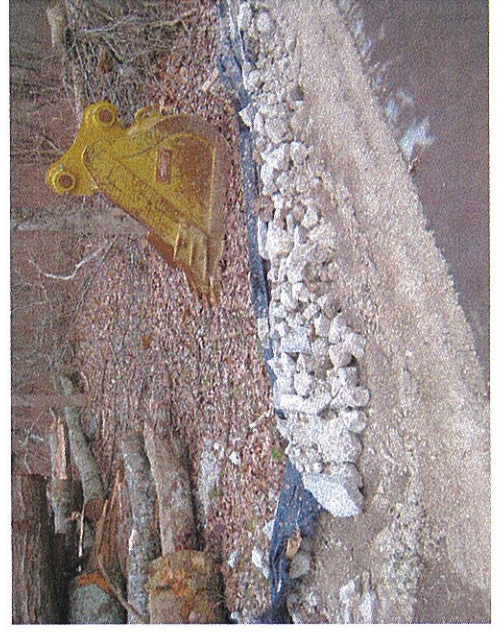
I told Andrew that the fill that includes silt and crushed concrete must be removed off the driveway. It is ok to stockpile this in the uplands on the site outside the upland review area. Or it can be hauled off site. Chairman Oliverson and I both want it removed from the driveway. It is the wrong material. The construction sequence calls for gravel on the driveway. Crushed stone was being delivered onto the driveway today. Andrew insists that he has to put fill on the driveway before the conduit for the utilities can be installed. I told Andrew not to stockpile any more woody debris south of the driveway except in designated areas.

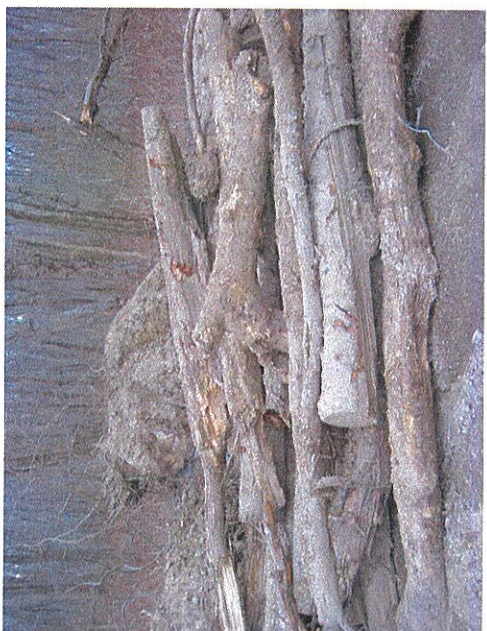
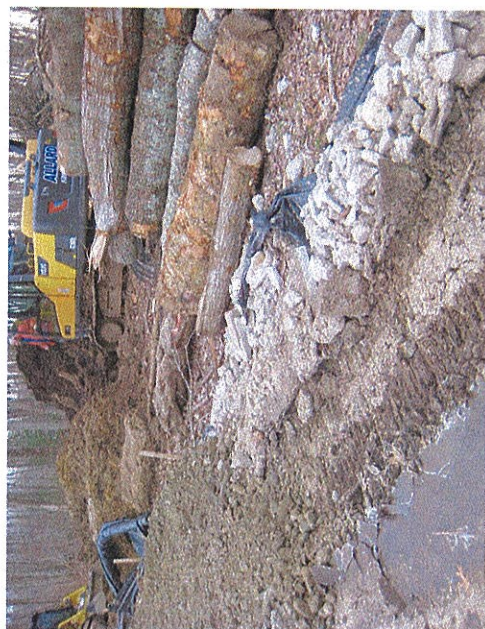
Commission Representative

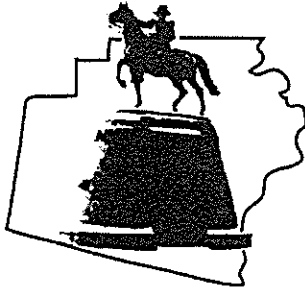
M Washburn

Owner or Authorized Signature









TOWN OF BROOKLYN  
Land Use Department  
69 South Main Street • Suite 22  
BROOKLYN, CONNECTICUT 06234  
860-779-3411 Ext. 12

**ORDER TO CORRECT VIOLATIONS OF THE BROOKLYN, CT  
INLAND WETLANDS AND WATERCOURSES REGULATIONS**

**CERTIFIED #** 7021 2720 0001 3206 2108

To: A. Kausch & Sons  
15 Beach View Road Extension  
Voluntown, CT 06384

February 24, 2022

Location of Violation: Church Street, Map 37, Lot 17 and Map 37 Lot 20 and 21

Violation of Wetlands Permit #071321A A. Kausch & Sons, Pomfret Landing Road/Church Street, Map 37, Lot 17 and Map 37 Lot 20 and 21; Wetlands crossing for driveway, 2 residential homes, septic system, well, minor grading.

**Facts**

On 9/28/21, CLA Engineers, Inc. submitted to the Brooklyn Land Use Office a Plan dated 9/16/21 prepared for A. Kausch & Sons LLC titled "Lots 019-37-17, 019-37-20 & 019-37-21 Church St. Site Development Brooklyn, CT Grading & Site Design" ("the approved plan"). This plan includes a Driveway Construction Sequence as was required as a condition of approval. Refer to the enclosed copy of this plan, and refer to the enclosed copy of the approval letter dated 9/15/21.

On 2/22/22, Margaret Washburn, Wetlands Enforcement Officer, conducted a compliance inspection with IWWC Chairman Richard Oliverson.

During the 2/22/22 inspection, the following non-compliance issues appeared to have occurred on your property in violation of your Inland Wetlands and Watercourses Permit #071321A:

The driveway work does not appear to have been done in accordance with the approved Driveway Construction Sequence on the approved plan. The utility conduit and pipes for wetlands crossings had not been installed prior to installing driveway gravel.

Material other than the approved driveway gravel had been installed on a large portion of the driveway.

The sediment controls have not been maintained properly. Large sections of silt fence were covered with material or had been crushed by heavy equipment.

Sections of the sediment controls had not been installed while work upslope in the upland review area was ongoing.

Woody debris and soil had been stockpiled in portions of the wetlands and upland review area, beyond the approved limits of disturbance shown on the approved plan.

A temporary pipe was being installed at Wetland Crossing 1 to alleviate standing water in the wetlands on abutting property.

Your activities, conducted in violation of your Inland Wetlands and Watercourses Permit, are in violation of the Brooklyn Inland Wetlands and Watercourses Regulations.

### **Applicable Laws and Regulations**

The Brooklyn Inland Wetlands and Watercourses Regulations define, in part, a “regulated activity” as “any operation within or use of a wetland or watercourse involving removal or deposition of material, or any obstruction, construction, alteration or pollution, of such wetlands or watercourses...”. “Material” is defined to include “means any substance, solid or liquid, organic or inorganic, including but not limited to soil, sediment, aggregate, land, gravel, clay, bog, mud, debris, sand, refuse or waste”. The term “pollution” is defined to include “harmful thermal effect or the contamination or rendering unclean or impure of any waters of the state by reason of any waste or other materials discharged or deposited therein by any public or private sewer or otherwise so as directly or indirectly to come in contact with any waters. This includes, but is not limited to, erosion and sedimentation resulting from any filling, land clearing or excavation activity”.

The phrase “rendering unclean or impure” is further defined as “any alteration of the physical, chemical or biological properties of any waters of the state, including, but not limited to, change in odor, color, turbidity or taste”.

Furthermore, a “significant impact” is defined as “any activity, including, but not limited to, the following activities which may have a major effect:

1. Any activity involving deposition or removal of material which will or may have a substantial effect on the wetland or watercourse or on wetlands or watercourses outside the area for which the activity is proposed.
2. Any activity which substantially changes the natural channel or may inhibit the natural dynamics of a watercourse system.
3. Any activity which substantially diminishes the natural capacity of an inland wetland or watercourse to: support aquatic, plant or animal life and habitats; prevent flooding; supply water; assimilate waste; facilitate drainage; provide recreation or open space; or perform other functions.
4. Any activity which is likely to cause or has the potential to cause substantial turbidity, siltation or sedimentation in a wetland or watercourse.
5. Any activity which causes substantial diminution of flow of a natural watercourse or groundwater levels of the wetland or watercourse.
6. Any activity which is likely to cause or has the potential to cause pollution of a wetland or watercourse.

7. Any activity which damages or destroys unique wetland or watercourse areas or such areas having demonstrable scientific or educational value.”

“Upland Review Area” means “non-wetland or non-watercourse areas where activities are likely to impact or affect wetlands or continuous watercourses”.

Section 4 of the Regulations addresses exemptions, and Section 6.1 provides that any regulated activity requires a permit.

Section 6.2 states “Any person found to be conducting or maintaining a regulated activity without the prior authorization of the Commission, or violating any other provision of these regulations, shall be subject to the enforcement proceedings and penalties prescribed in section 14 of these regulations and any other remedies as provided by law”.

**You are hereby required to:**

Submit a revised driveway construction sequence by 3/8/22 showing how the noncompliance issues listed above will be rectified.

Install and maintain all sediment controls show on the approved plan.

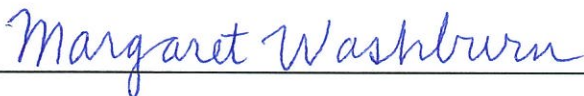
Remove all woody debris and soils stockpiled in areas not shown on the approved plan.

Install 4 ten-foot sections of staked 10-inch straw wattles, spaced ten feet apart, downstream of Wetlands Crossing 1.

Attend the Show Cause Hearing at the 3/8/22 regularly scheduled meeting of the Brooklyn IWWC at 6:00 PM to be heard and show cause why this order should not remain in effect, and to present the revised driveway construction sequence to the Commission.

For each day during which to violation continues beyond the deadline in this Order, the Town may commence an enforcement action and the seek a civil penalty of up to \$1,000.00 per day for such violation, plus its attorney’s fees and costs. The civil penalties are assessed by the Superior Court when an action is brought before the court by the municipality. The Commission members or its duly authorized agent may make regular inspections of the subject property work during reasonable hours.

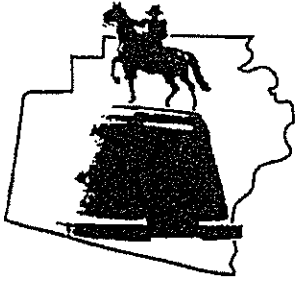
Dated at Brooklyn, this 24th day of February 2022.

  
\_\_\_\_\_

Margaret Washburn, Enforcement Officer of the Brooklyn  
Inland Wetlands and Watercourses Commission

CC: Austin Tanner, First Selectman; Peter Alter, Town Counsel; Jana Roberson, Town Planner





## TOWN OF BROOKLYN

69 South Main Street • Suite 22  
BROOKLYN, CONNECTICUT 06234  
860-779-3411 Ext. 12

### WETLANDS PERMIT #071321A

9489 0090 0027 6215 8991 76

CERTIFIED# \_\_\_\_\_

A. Kausch and Sons  
15 Beach View Rd Ext  
Voluntown, CT 06384

September 15, 2021

RE: 071321A A. Kausch & Sons, Pomfret Landing Road/Church Street, Map 37, Lot 17 and Map 37 Lot 20/21, Wetlands crossings for driveway, 2 residential homes, septic systems, wells, minor grading.

Dear A. Kausch and Sons:

At the September 14, 2021 meeting of the Inland Wetland and Watercourse Commission your application 071321A A. Kausch & Sons, Pomfret Landing Road/Church Street, Map 37, Lot 17 and Map 37 Lot 20/21, Wetlands crossings for driveway, 2 residential homes, septic systems, wells, minor grading was approved with the following conditions:

- At least ten days prior to start of construction, call the Brooklyn Wetlands Agent at (860)779-3411 ext. 31 to schedule a pre-construction meeting to be attended by Town staff, the property owner, the project engineer and the site contractor.
- Submit revised site plans showing two additional 15-inch pipes, one at wetland crossing 2 and one at wetland crossing 3.
- Submit revised plans showing a detailed construction sequence.
- After the driveway and wetland crossings have been constructed, submit an as-built plan stamped and signed by the project engineer to verify the square feet of wetlands alteration.
- Call the Brooklyn Wetlands Agent for an inspection at (860) 779-3411 ext. 31 when the sediment controls have been installed, prior to commencing any other work.
- Standard Conditions.

A legal notice of this approval was published on the Town of Brooklyn's Website, brooklynct.org, Inland Wetlands page, under minutes/notice of action on 9/16/21 and published in the Villager Newspaper on 9/24/21. Please note that this action of the Inland Wetlands and Watercourses Commission may be appealed for a fifteen-day period following the publication of the legal notice.

If you have any questions, please feel free to call me at 860-779-3411 Extension 31.

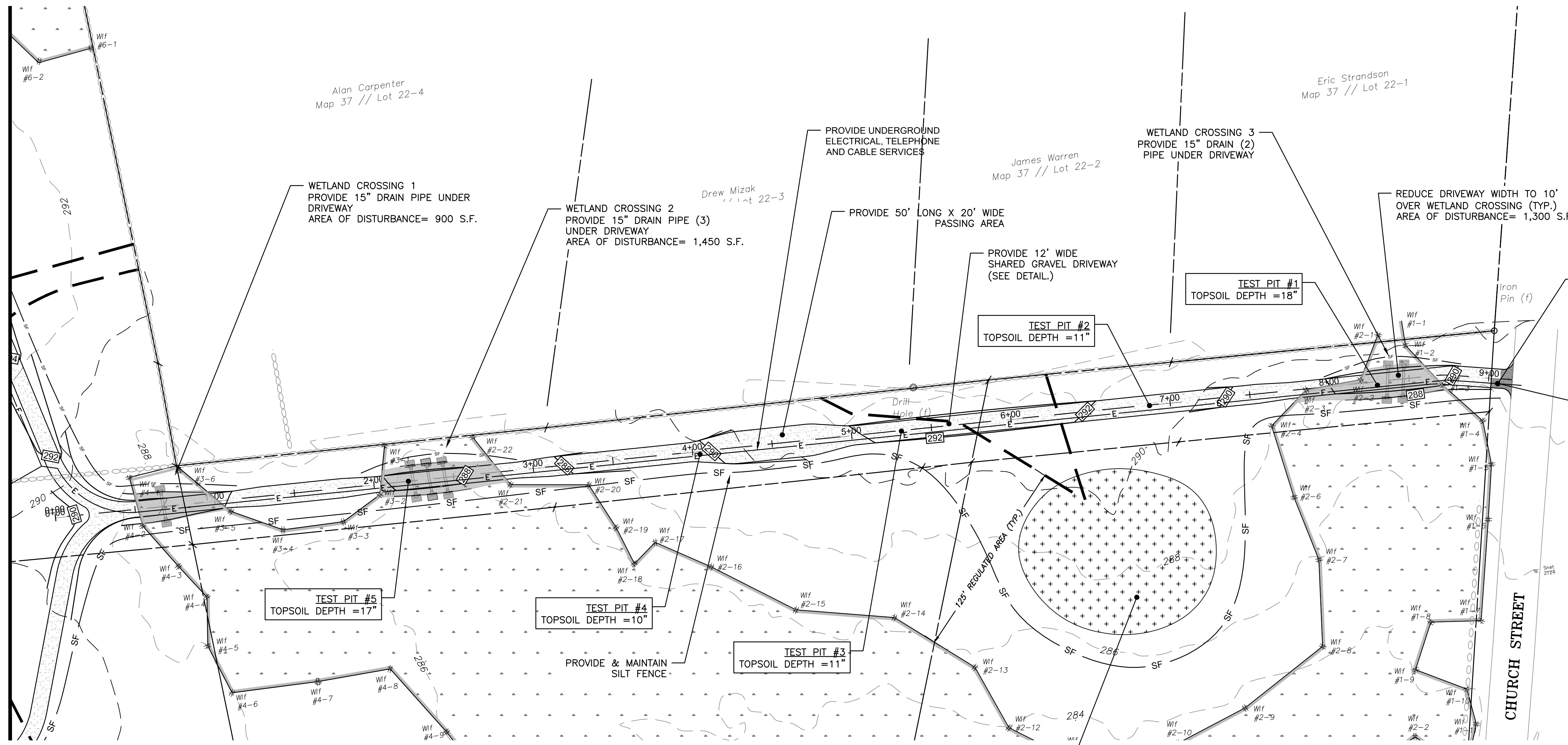
Sincerely,

*Margaret Washburn*

Margaret Washburn, M.S., R.P.S.S  
Enforcement Officer for the Brooklyn Inland Wetlands and Watercourses Commission

CC: File, CLA Engineers, Archer Surveying

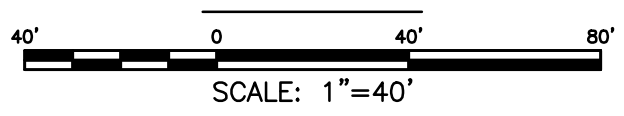
CONTINUE - SEE SHEET 3



**DRIVEWAY CONSTRUCTION SEQUENCE**

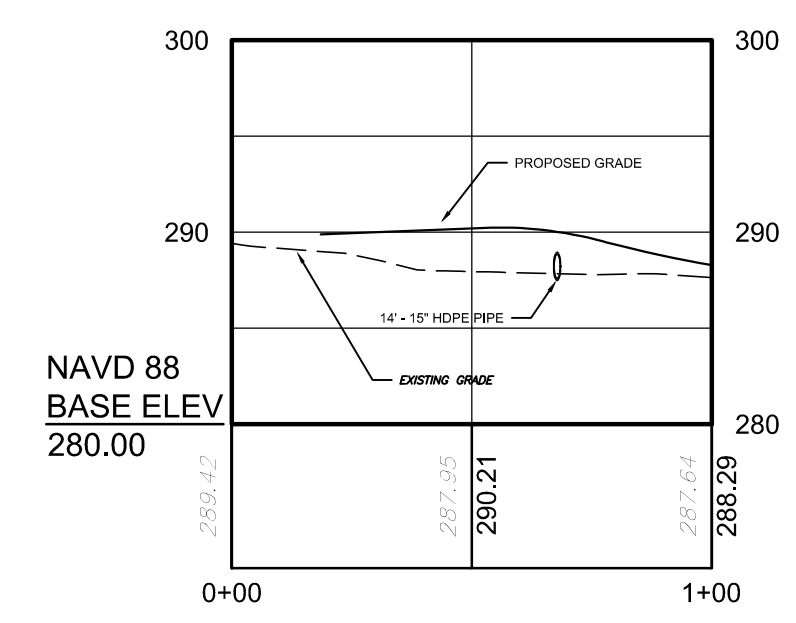
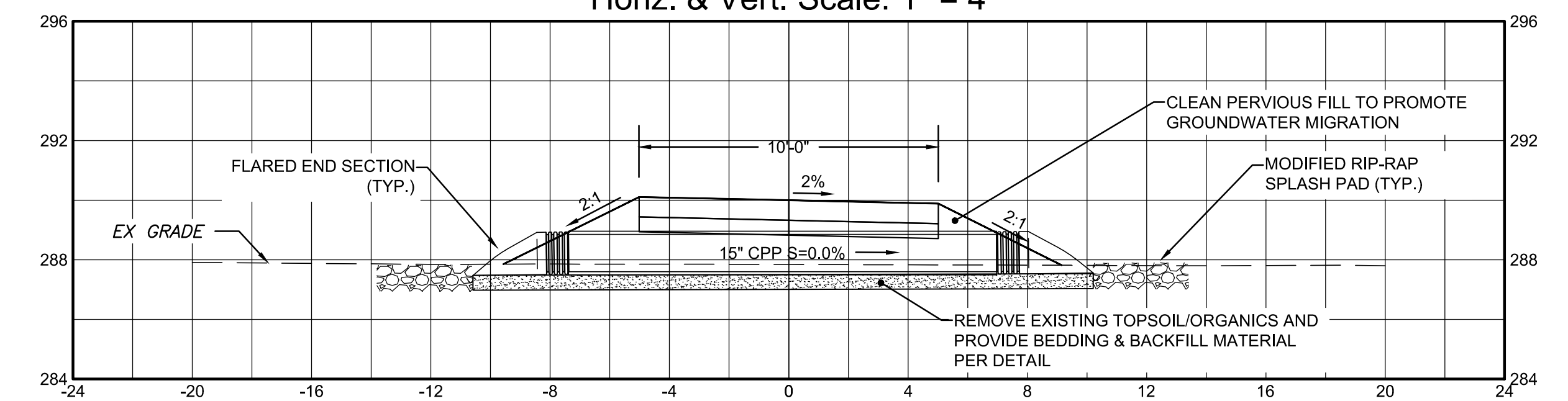
1. NOTIFY BROOKLYN WETLAND AGENT (860-779-3411 x 31) TO SCHEDULE A PRE-CONSTRUCTION MEETING 10 DAYS PRIOR TO STARTING WORK
2. INSTALL SILT FENCE AND ANTI-TRACKING PAD
3. CLEAR & GRUB WITHIN SILT FENCE AND WETLAND DISTURBANCE LIMITS SHOWN ON PLAN.
4. REMOVE & TEMPORARILY STOCKPILE TOP SOIL.
5. INSTALL UNDERGROUND UTILITIES.
6. INSTALL DRAINAGE PIPES.
7. INSTALL DRIVEWAY GRAVEL.
8. PROVIDE TOPSOIL FERTILIZER & SEED ON ALL REMAINING DISTURBED AREA.
9. PREPARE AS-BUILT PLAN.
10. REMOVE E&S CONTROLS ONCE VEGETATION IS ESTABLISHED.

**PLAN**

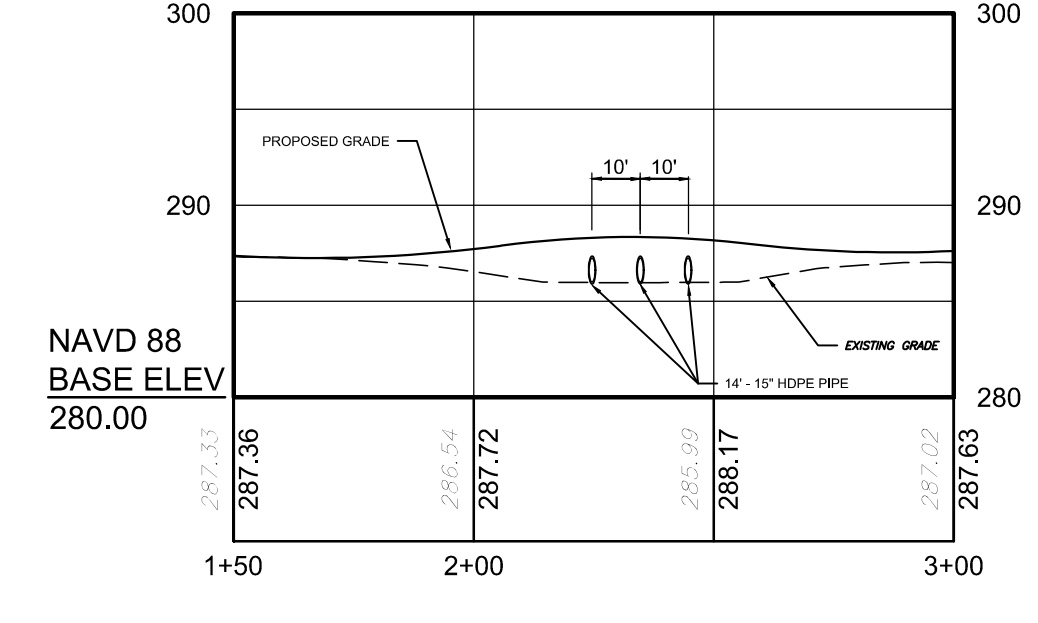


**NOTE:**  
TEST HOLES IN PROPOSED DRIVEWAY WERE OBSERVED ON 5-18-21 AT THE APPROXIMATE LOCATIONS SHOWN ABOVE. INDICATIONS OF SEASONAL HIGH GROUNDWATER DEPTH WAS OBSERVED BETWEEN 0-16" IN WETLAND AREAS, AND 16" AND GREATER IN UPLAND AREAS.

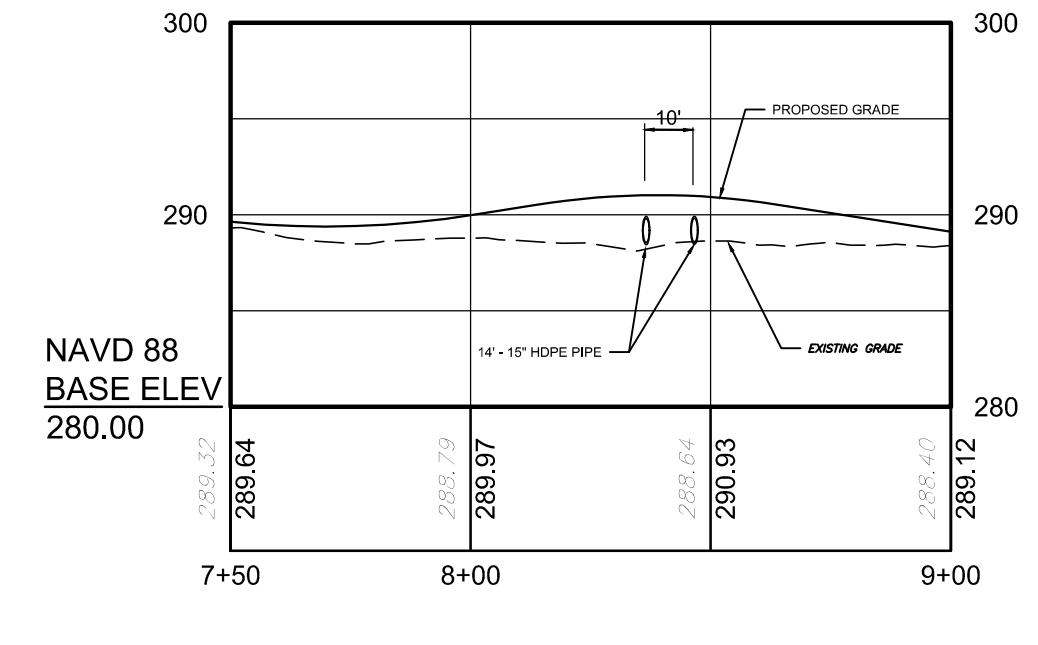
**Wetland Crossing (Typical)  
Shared Driveway  
Horiz. & Vert. Scale: 1" = 4'**



**SHARED DRIVEWAY Wetland Crossing 1  
STA 0+00 TO STA 1+00  
Horiz. Scale= 1"= 40'  
Vert. Scale= 1"= 10'**



**SHARED DRIVEWAY Wetland Crossing 2  
STA 1+50 TO STA 3+00  
Horiz. Scale= 1"= 40'  
Vert. Scale= 1"= 10'**



**SHARED DRIVEWAY Wetland Crossing 3  
STA 7+50 TO STA 9+00  
Horiz. Scale= 1"= 40'  
Vert. Scale= 1"= 10'**

**ARCHER Surveying LLC**  
18 Providence Road, Brooklyn, CT  
(860) 779-2240

5	09/16/21	MISCELLANEOUS REVISIONS
4	07/28/21	REGULATED AREA MODIFIED
3	07/06/21	MISCELLANEOUS REVISIONS
2	06/30/21	VARIOUS MODIFICATIONS
1	05/10/21	VARIOUS MODIFICATIONS
No.	DATE	REVISION

**CLA Engineers, Inc.**  
CIVIL • STRUCTURAL • SURVEYING  
317 Main Street Norwich, CT 06360  
(860) 886-1966 Fax (860) 886-9165

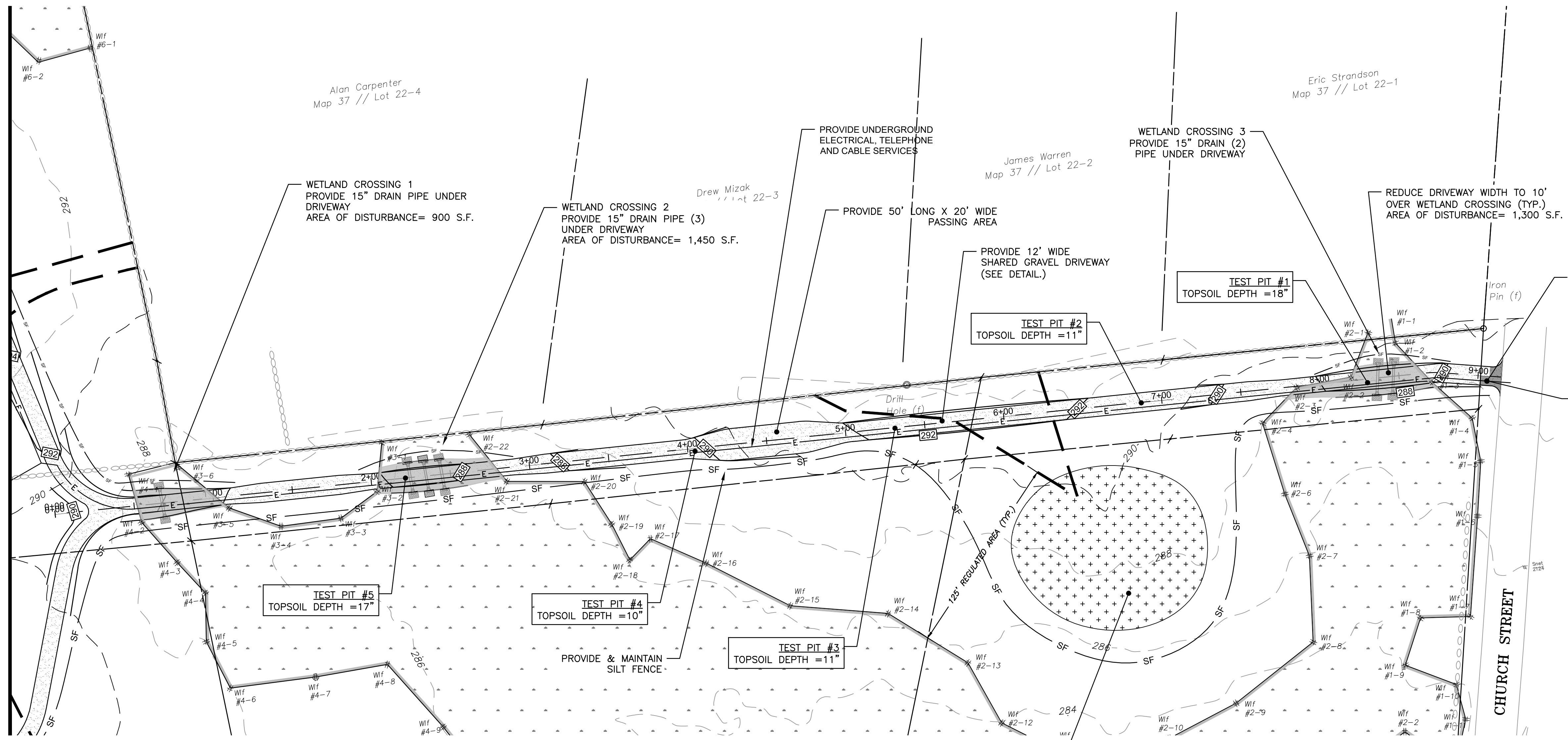
**A. KAUSCH & SONS, LLC**

**LOTS 019-37-17, 019-37-20 & 019-37-21  
CHURCH ST. SITE DEVELOPMENT  
BROOKLYN, CT**

**GRADING & SITE DESIGN**

Project No. CLA-6639  
Proj. Engineer R.A.D.  
Date: 04/30/21  
Sheet No. 2 of 4

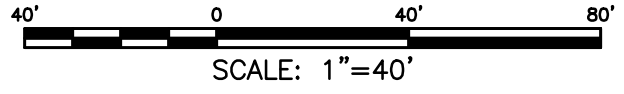
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**DRIVEWAY CONSTRUCTION SEQUENCE**

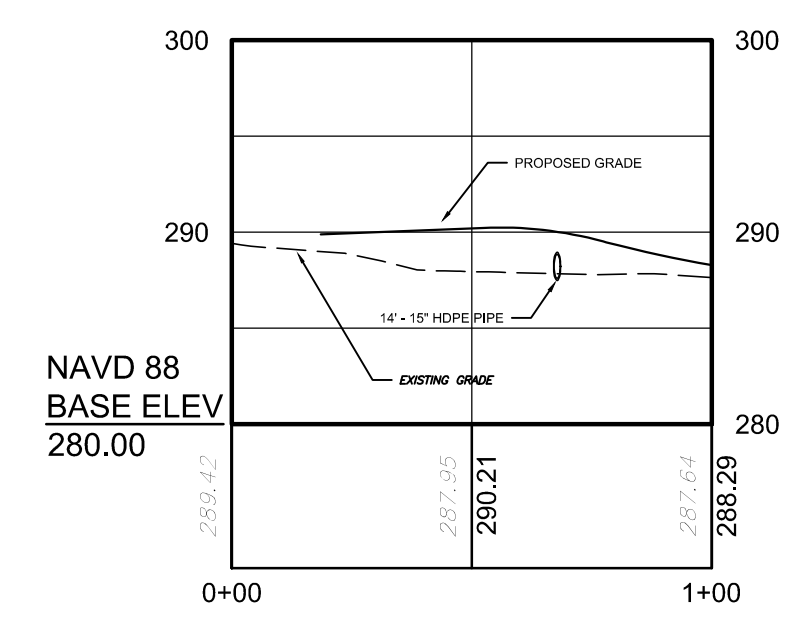
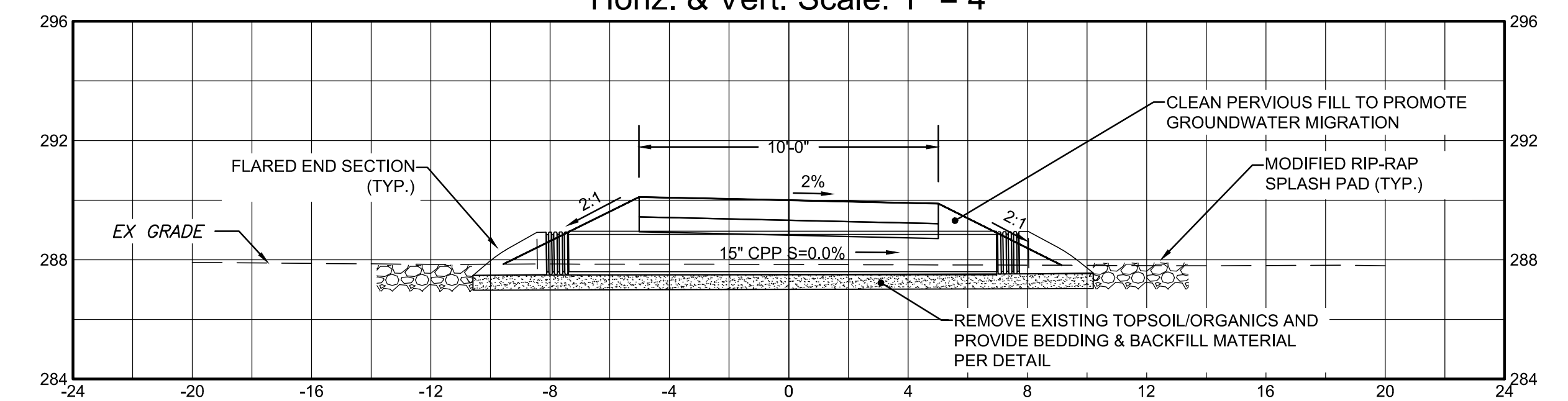
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**PLAN**

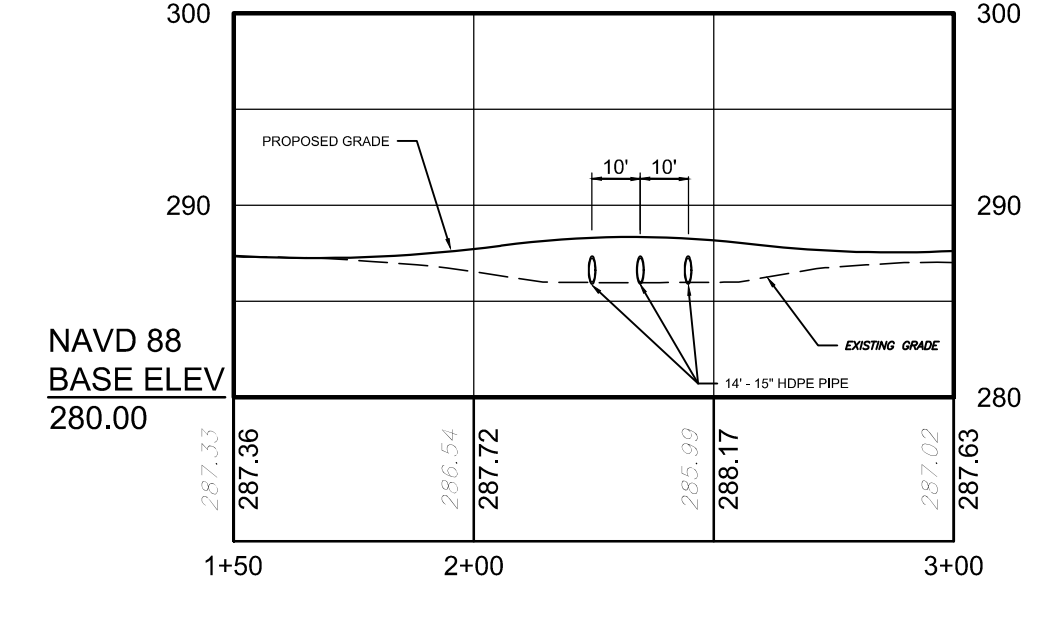


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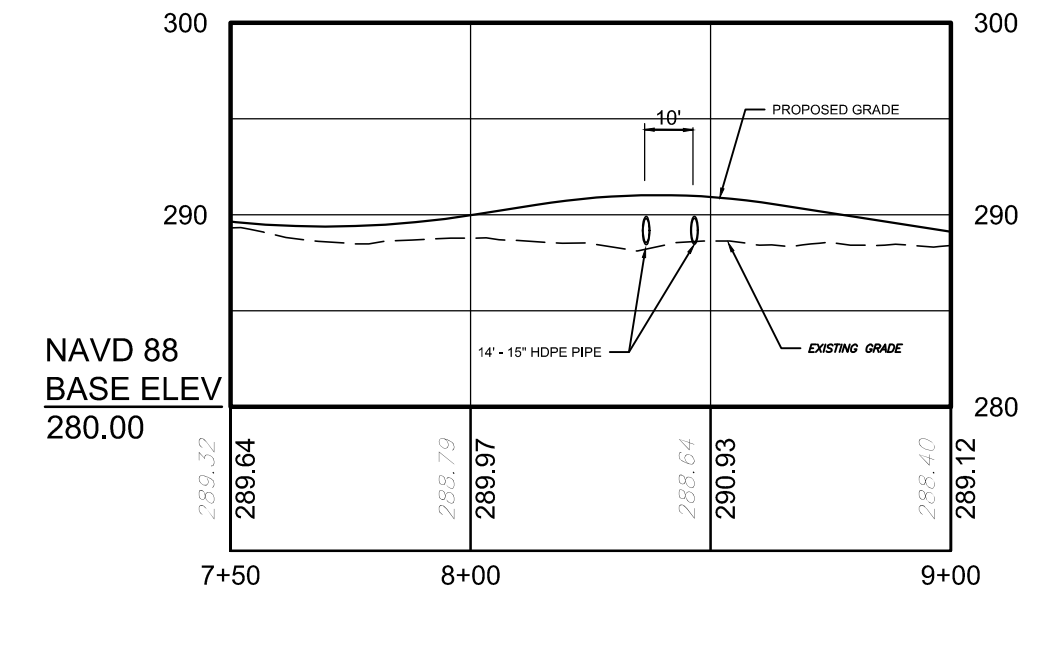
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Shared Driveway  
Horiz. & Vert. Scale: 1" = 4'**



**SHARED DRIVEWAY Wetland Crossing 1**  
STA 0+00 TO STA 1+00  
Horiz. Scale= 1"= 40'  
Vert. Scale= 1"= 10'



**SHARED DRIVEWAY Wetland Crossing 2**  
STA 1+50 TO STA 3+00  
Horiz. Scale= 1"= 40'  
Vert. Scale= 1"= 10'



**SHARED DRIVEWAY Wetland Crossing 3**  
STA 7+50 TO STA 9+00  
Horiz. Scale= 1"= 40'  
Vert. Scale= 1"= 10'

**ARCHER Surveying LLC**  
18 Providence Road, Brooklyn, CT  
(860) 779-2240

No.	DATE	REVISION
5	09/16/21	MISCELLANEOUS REVISIONS
4	07/28/21	REGULATED AREA MODIFIED
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2	06/30/21	VARIOUS MODIFICATIONS
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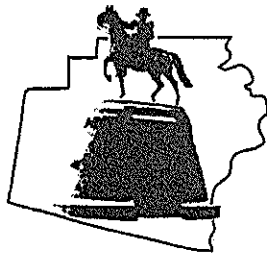
**CLA Engineers, Inc.**  
CIVIL • STRUCTURAL • SURVEYING  
317 Main Street Norwich, CT 06360  
(860) 886-1966 Fax (860) 886-9165

**A. KAUSCH & SONS, LLC**  
Project No. CLA-6639  
Proj. Engineer R.A.D.  
Date: 04/30/21  
Sheet No. 2 of 4

**LOTS 019-37-17, 019-37-20 & 019-37-21  
CHURCH ST. SITE DEVELOPMENT  
BROOKLYN, CT**  
GRADING & SITE DESIGN

**REVISED DRIVEWAY SEQUENCE:**

1. NOTIFY BROOKLYN WETLAND AGENT TO SCHEDULE A PRE-CONSTRUCTION MEETING 10 DAYS PRIOR TO STARTING WORK
2. CLEAR & GRUB WITHIN SILT FENCE AND WETLAND DISTURBANCE LIMITS SHOWN ON PLAN
3. INSTALL SILT FENCE & WATTLES (MAINTAIN CONTROLS AS NEEDED)
4. ROUGH INSTALL DRIVEWAY GRAVEL/GRADE IN ORDER TO ACCESS PROPERTY EASILY
5. TEMPORARILY STOCKPILE TOPSOIL/OTHER MATERIALS (PIPES, ADDITIONAL SILT FENCE, GRAVEL IF NEEDED, ETC.) & REMOVE AS NECESSARY
6. INSTALL DRAINAGE PIPES WITH ELEVATIONS CONFIRMED BY SURVEYOR
7. INSTALL DRIVEWAY GRAVEL/FINISH GRADE
8. PROVIDE WOODCHIPS/TOPSOIL WITH FERTILIZER & SEED ON ALL REMAINING DISTURBED AREA
9. PREPARE AS-BUILT PLAN
10. INSTALL OVERHEAD UTILITIES, STABILIZE DISTURBED AREAS, REMOVE E&S CONTROLS ONCE VEGETATION IS ESTABLISHED



1/2

# Brooklyn Land Use Department

69 South Main Street  
Brooklyn CT 06234  
(860) 779-3411 x 31

Inland Wetlands  Zoning Enforcement \_\_\_\_\_ Blight Enforcement \_\_\_\_\_

SITE INSPECTION NUMBER

1 2 3 4 5

409+411 Church St driveway

3-3-22

Address

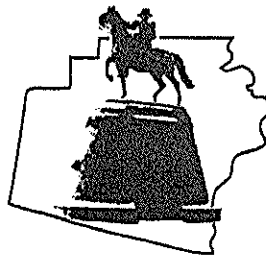
I inspected

Date

The driveway has gravel on top.  
 There is still some woody debris  
 stockpiled on the south side of the  
 silt fence just west of the designated  
 stockpile area. This is a violation.  
 The silt fence represents the limit  
 of disturbance. The silt fence needs  
 to be tightened up just before the designated  
 stockpile area and west of it.  
 Photos were taken. The fill that had  
 been stockpiled on the North side of the  
 driveway has been removed. Peter Thurlow  
 said that 15" pipe is not rated for a firetruck - H2O  
 rating should have 18" of fill over it.

Commission Representative \_\_\_\_\_

Owner or Authorized Signature M Washburn



# Brooklyn Land Use Department

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2/2

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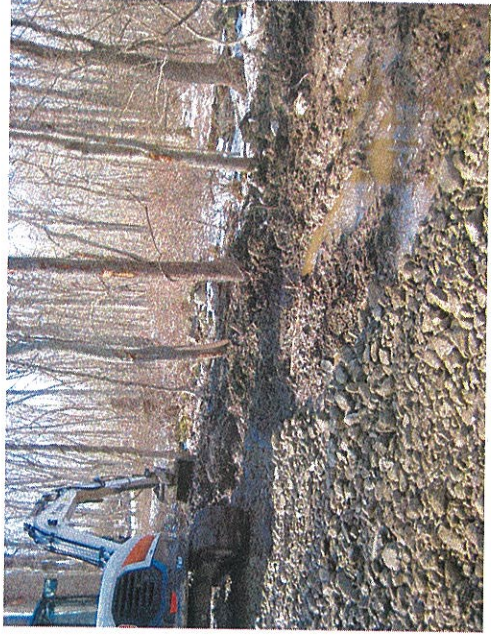
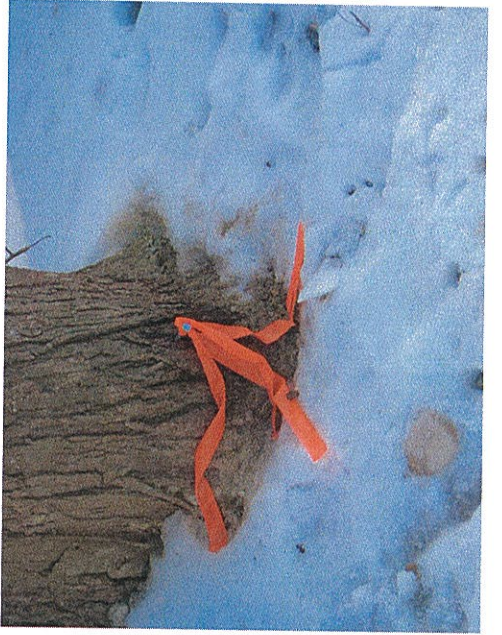
Date

The middle wetland crossing is 17 (3 pipes). @ Two small crushed stone check dams and 3 rows of wattles are in place downstream. I asked for a 4th row of wattles across the stream because some sediment is moving in the water.

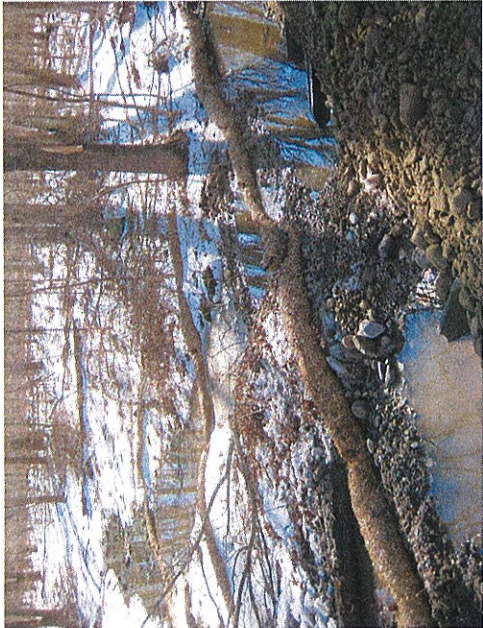
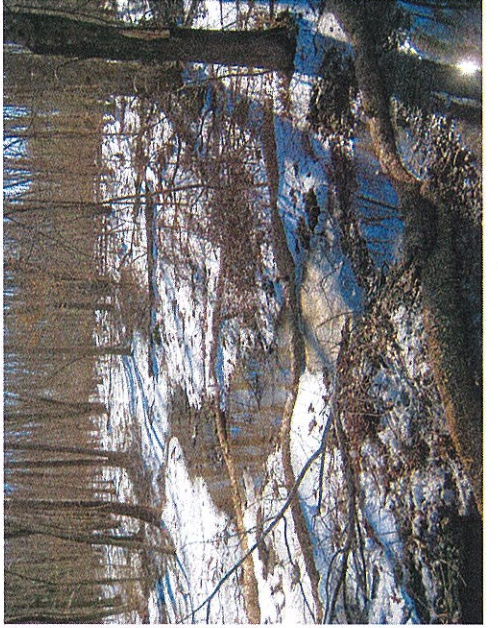
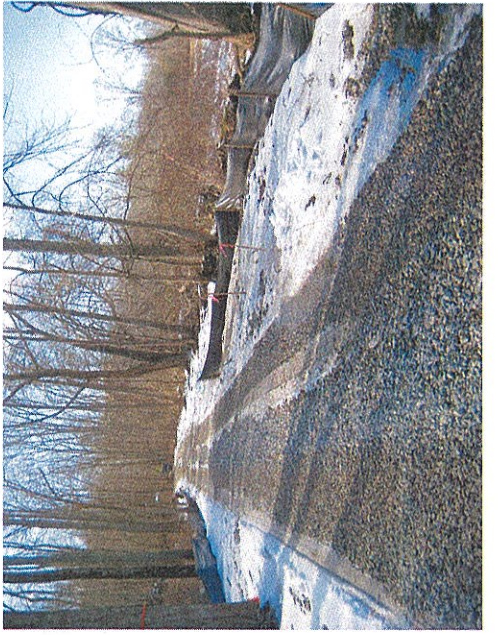
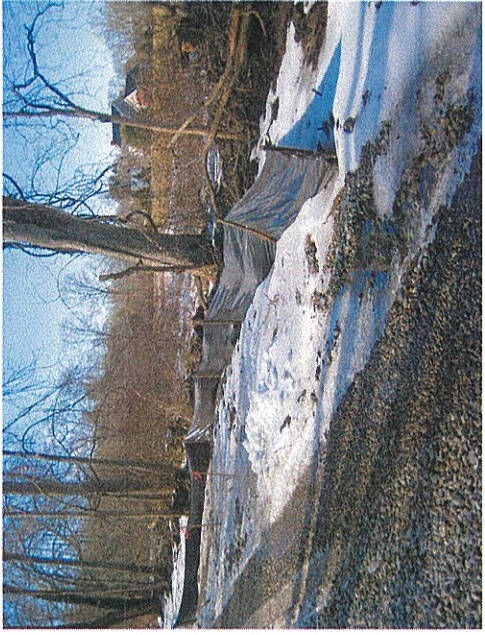
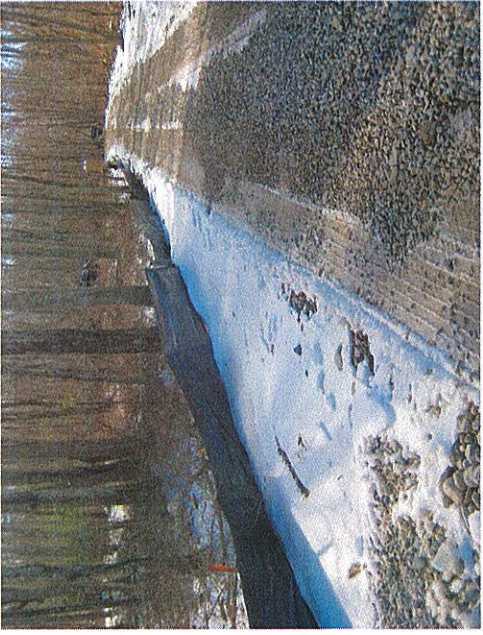
There is no silt fence  the new wetland crossing. I met Peter Thurlow. He said silt fence is the wrong sediment control for this situation. I think the wattles and check dams work better. One more row of wattles is to be installed 10ft south (downstream of) the third row from the driveway.  
M. Washburn

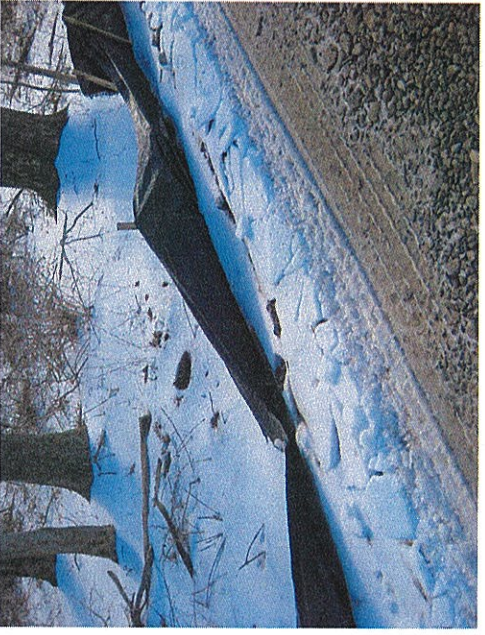
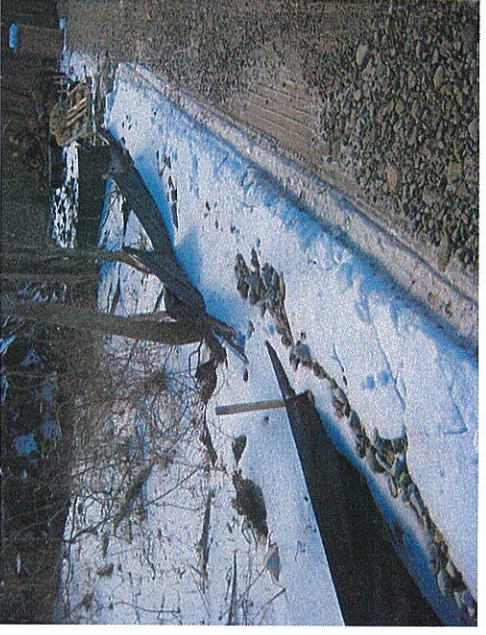
Commission Representative \_\_\_\_\_

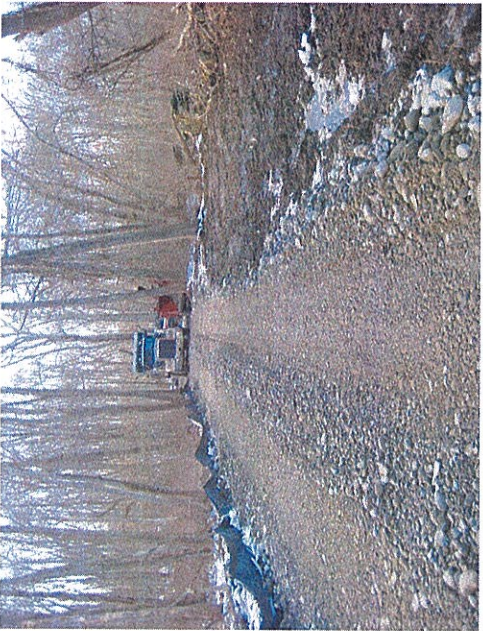
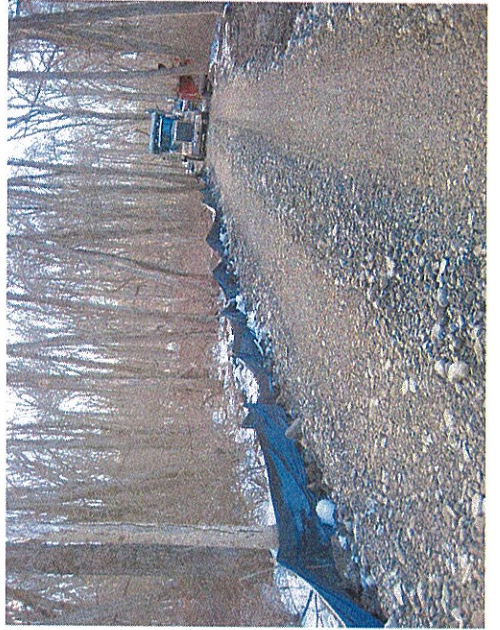
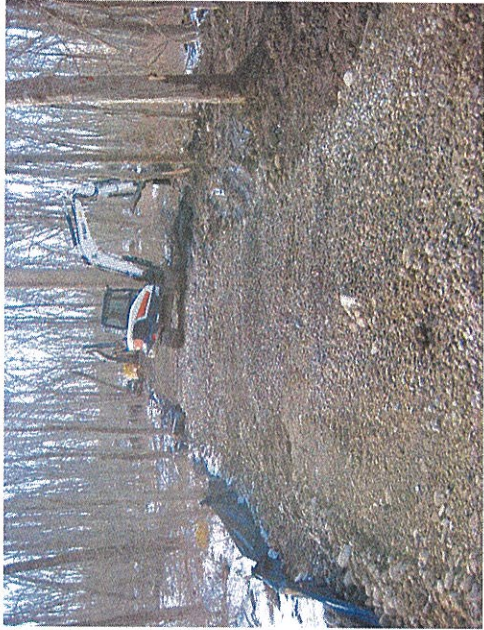
Owner or Authorized Signature \_\_\_\_\_











## Margaret Washburn

---

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**Sent:** Monday, February 21, 2022 12:52 PM  
**To:** Margaret Washburn  
**Cc:** Carpenter, Alan (P.E.)  
**Subject:** RE: NOA 071321A Kausch - Project E and S install ? Crossing Pipe Install?

Margaret,

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Thank you.

**Alan R. Carpenter, PE**  
**Vice President / Associate**  
o 508.659.7020 (Ext. 6401)  
c 860.208.3394  
ACarpenter@cphcorp.com



*Full Service A&E Firm*  
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---

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**Sent:** Monday, December 20, 2021 3:31 PM  
**To:** Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>  
**Subject:** RE: NOA 071321A Kausch - Project E and S install.

Hi Al,

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All is under control.

Thanks,

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69 South Main Street, Suite 23  
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Mon. – Thurs. 8:00 am – 3:30 pm  
[m.washburn@brooklynct.org](mailto:m.washburn@brooklynct.org)

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**Cc:** Carpenter, Alan (P.E.) <[acarpenter@cphcorp.com](mailto:acarpenter@cphcorp.com)>; Eric Strandson <[estrandson@teknorapex.com](mailto:estrandson@teknorapex.com)>; [mizakd@gmail.com](mailto:mizakd@gmail.com); Michael Podzaline <[President@local892.org](mailto:President@local892.org)>; [ebfdcar292@yahoo.com](mailto:ebfdcar292@yahoo.com)  
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**Sent:** Thursday, September 16, 2021 9:20 AM  
**To:** andrewkausch <[andrewkausch@yahoo.com](mailto:andrewkausch@yahoo.com)>; PAUL ARCHER <[paul@archersurveying.com](mailto:paul@archersurveying.com)>; Bob Deluca <[bdeluca@claengineers.com](mailto:bdeluca@claengineers.com)>; Carpenter, Alan (P.E.) <[acarpenter@cphcorp.com](mailto:acarpenter@cphcorp.com)>  
**Subject:** FW: NOA 071321A Kausch

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**From:** Lisa Lindia <[L.Lindia@Brooklynct.org](mailto:L.Lindia@Brooklynct.org)>  
**Sent:** Thursday, September 16, 2021 8:51 AM  
**To:** Mikaela Victor <[mikaela@stonebridgepress.news](mailto:mikaela@stonebridgepress.news)>  
**Cc:** Margaret Washburn <[M.Washburn@Brooklynct.org](mailto:M.Washburn@Brooklynct.org)>  
**Subject:** NOA 071321A Kausch

Hi Mikaela,

Please run the attached notice of action on Friday September 17, 2021 in the Villager Newspaper.

Thank you,  
Lisa M Lindia 😊  
Building/Land Use Office  
Administrative Assistant  
860-779-3411 Ext 12

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**Sent:** Tuesday, February 22, 2022 9:56 AM  
**To:** Margaret Washburn  
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**Attachments:** image001.png; image001.png; image001.png

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**Attachments:** image001.png; image001.png; image001.png

Lastly, sorry, you should be very concerned that the large excavator they are using is going to impact much more wetlands than they represented on the plans. Hard to maneuver that equipment in the tight Silt Fence envelope. It can not physically happen.

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Thank you. Then they are going to be inundated. Should be a pretty messy scene. It happens. Proactivity, Forethought, preparation and follow through will save the resource.

Reactive measures are too late. They have a sequence of construction i don't think they are following it.

Thanks for helping them with their commitments.

Sent from my iPhone, Make it a Great Day!!

> On Feb 22, 2022, at 11:42 AM, Margaret Washburn <M.Washburn@brooklynct.org> wrote:

>

> Hi Al,

>

> Due to the heavy rain predicted tomorrow I will be there Thursday morning. Andrew told me that they are installing silt fence today in the area of your concern.

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> Margaret Washburn

> ZEO/WEO/Blight Enforcement Officer

> 69 South Main Street, Suite 23

> Brooklyn, CT 06234

> (860) 779-3411 ext. 31

> Mon. – Thurs. 8:00 am – 3:30 pm

> m.washburn@brooklynct.org

>

>

> -----Original Message-----

> From: Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>

> Sent: Tuesday, February 22, 2022 9:56 AM

> To: Margaret Washburn <M.Washburn@Brooklynct.org>

> Subject: Re: NOA 071321A Kausch - Project E and S install ? Crossing Pipe Install?

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> Thank you. Just want to make sure they have great follow through on their commitments to you/us so we are not 'damaged' by their lack of performance.

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>

>

> From: Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>

> Sent: Monday, February 21, 2022 12:52 PM

> To: Margaret Washburn <M.Washburn@Brooklynct.org>

> Cc: Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>

> Subject: RE: NOA 071321A Kausch - Project E and S install ? Crossing Pipe Install?

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>

> Alan R. Carpenter, PE

> Vice President / Associate

> o 508.659.7020 (Ext. 6401)

> c 860.208.3394

> ACarpenter@cphcorp.com<mailto:ACarpenter@cphcorp.com>

>

> [CPH Logo - email signature.] <<http://www.cphcorp.com/>>

>

> Full Service A&E Firm

> Facebook<<https://www.facebook.com/CPHCorp/>> | LinkedIn<<https://www.linkedin.com/company/cph-engineers>>

>



>  
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> From: Margaret Washburn <M.Washburn@Brooklynct.org<mailto:M.Washburn@Brooklynct.org>>  
> Sent: Monday, December 20, 2021 3:31 PM  
> To: Carpenter, Alan (P.E.) <acarpenter@cphcorp.com<mailto:acarpenter@cphcorp.com>>  
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> To: Margaret Washburn <M.Washburn@Brooklynct.org<mailto:M.Washburn@Brooklynct.org>>  
> Cc: Carpenter, Alan (P.E.) <acarpenter@cphcorp.com<mailto:acarpenter@cphcorp.com>>; Eric Strandson  
<estrandson@teknorapex.com<mailto:estrandson@teknorapex.com>>;  
mizakd@gmail.com<mailto:mizakd@gmail.com>; Michael Podzaline  
<President@local892.org<mailto:President@local892.org>>;  
ebfdcar292@yahoo.com<mailto:ebfdcar292@yahoo.com>  
> Subject: FW: NOA 071321A Kausch - Project E and S install.

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> Let me know if you need anything from me.

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> Sent: Thursday, September 16, 2021 9:20 AM  
> To: andrewkausch <andrewkausch@yahoo.com<mailto:andrewkausch@yahoo.com>>; PAUL ARCHER  
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<bdeluca@claengineers.com<mailto:bdeluca@claengineers.com>>; Carpenter, Alan (P.E.)  
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>  
>  
> From: Lisa Lindia <L.Lindia@Brooklynct.org<mailto:L.Lindia@Brooklynct.org>>  
> Sent: Thursday, September 16, 2021 8:51 AM  
> To: Mikaela Victor <mikaela@stonebridgepress.news<mailto:mikaela@stonebridgepress.news>>  
> Cc: Margaret Washburn <M.Washburn@Brooklynct.org<mailto:M.Washburn@Brooklynct.org>>  
> Subject: NOA 071321A Kausch  
>  
> Hi Mikaela,  
>  
> Please run the attached notice of action on Friday September 17, 2021 in the Villager Newspaper.  
>  
> Thank you,  
> Lisa M Lindia 😊  
> Building/Land Use Office  
> Administrative Assistant  
> 860-779-3411 Ext 12  
>

## Margaret Washburn

---

**From:** Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>  
**Sent:** Tuesday, February 22, 2022 1:17 PM  
**To:** Margaret Washburn  
**Subject:** RE: NOA 071321A Kausch - Project E and S install ? Crossing Pipe Install?

Sorry - just want to respond to the 'late' silt fence install, silt fence is supposed to be 'in-place' and inspected before the ground is disturbed above it.

Again nothing I did not expect, but is an indication that the wetland resource, potential impacts to my property and quality follow through to their plan commitments is not the priority for them.

Sorry again - that is all for now.

Alan R. Carpenter, PE  
Vice President / Associate  
o 508.659.7020 (Ext. 6401)  
c 860.208.3394  
ACarpenter@cphcorp.com

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Facebook | LinkedIn

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Sent: Thursday, September 16, 2021 8:51 AM

To: Mikaela Victor <mikaela@stonebridgepress.news<mailto:mikaela@stonebridgepress.news>>  
Cc: Margaret Washburn <M.Washburn@Brooklynct.org<mailto:M.Washburn@Brooklynct.org>>  
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Building/Land Use Office  
Administrative Assistant  
860-779-3411 Ext 12

## Margaret Washburn

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**From:** Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>  
**Sent:** Thursday, February 24, 2022 2:47 PM  
**To:** Margaret Washburn  
**Cc:** Carpenter, Alan (P.E.)  
**Subject:** RE: Church Street

Thank you Margaret.

It says a lot that the Kauschs and their contractor are conducting the work without a copy of the approved plan and construction sequence at the site. It says to me that the compliance with their commitments to you and the protection of the wetland resource are not a priority for them.

I appreciate your efforts to bring the back into compliance and focus on their commitments to you and us.

I have always been concerned that the limited impacts shown by the Permittee's professionals were understated and that the Permittee had a very slim chance to practically comply with them. I was also sure there would be a disconnect between the Design Professionals and the construction professionals and that the Construction team would do little to insure compliance and that appears to be exactly what happened.

If you are really concerned about the wetland resource and the contractor's compliance with the approved plan – the Permittee and his professionals should re-establish the plan documented wetland limits and show how they are constructing in compliance with those plan limits.

To motivate the Permittee to complete the work per the plan, is it possible to delay issuance of any other permitting (building, well, septic, utility installations) until the Permittee has demonstrated full compliance with the approved wetland plans and permit?

Thank you. I may attend the 3-8-21 wetland meeting to convey my input and concerns.

**Alan R. Carpenter, PE**  
**Vice President / Associate**  
o 508.659.7020 (Ext. 6401)  
c 860.208.3394  
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**To:** Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>  
**Subject:** Church Street

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**From:** Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>  
**Sent:** Monday, February 28, 2022 11:21 AM  
**To:** Margaret Washburn  
**Cc:** Carpenter, Alan (P.E.)  
**Subject:** RE: Church Street

Thank you Margaret. Just want to have the do what they said they would and most times it takes withholding something important to them to get them to understand the importance of 'compliance'.

See you on the 8<sup>th</sup>.

**Alan R. Carpenter, PE**  
**Vice President / Associate**  
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**From:** Margaret Washburn <M.Washburn@Brooklynct.org>  
**Sent:** Monday, February 28, 2022 11:13 AM  
**To:** Carpenter, Alan (P.E.) <acarpenter@cphcorp.com>  
**Subject:** RE: Church Street

Yes, Al, we can issue a cease & desist order with a specific stop work order on any construction other than the driveway. We have done this in the past. I have already told Andrew we would likely have a vote to do this on 3/8. You are welcome to attend.

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RECEIVED

OCT 04 2021

INLAND WETLANDS & WATERCOURSES COMMISSION  
TOWN OF BROOKLYN, CONECTICUT

Date \_\_\_\_\_

Application # 10041 A

APPLICATION -- INLAND WETLANDS & WATERCOURSES

APPLICANT Heather & Matt Allen MAILING ADDRESS 115 Christian Hill Rd  
APPLICANT'S INTEREST IN PROPERTY son PHONE 860-705-4396 EMAIL \_\_\_\_\_

PROPERTY OWNER IF DIFFERENT David & Gail Allen PHON# 860-576-6867  
MAILING ADDRESS 129 Christian Hill Rd EMAIL rockin-rollin2@yahoo.com

ENGINEER/SURVEYOR (IF ANY) Archer Surveying LLC (Paul Archer)  
ATTORNEY (IF ANY) ~~none~~

PROPERTY LOCATION/ADDRESS 0 Christian Hill Rd  
MAP # 31 LUI # 19 ZONE RA TOTAL ACRES 4.64 ACRES OF WETLANDS ON PROPERTY 0.89

PURPOSE AND DESCRIPTION OF THE ACTIVITY Excavation and construction of an agricultural pond and dry well

WETLANDS EXCAVATION AND FILL:  
FILL PROPOSED N/A CUBIC YDS \_\_\_\_\_ SQ.FT \_\_\_\_\_  
EXCAVATION PROPOSED N/A CUBIC YDS \_\_\_\_\_ SQ.FT \_\_\_\_\_  
LOCATION WHERE MATERIAL WILL BE PLACED: ON SITE Yes OFF SITE \_\_\_\_\_  
TOTAL REGULATED AREA ALTERED: SQ.FT 10,452 ACRES 0.24

EXPLAIN ALTERNATIVES CONSIDERED (REQUIRED):  
Silt Fence (see plan)

MITIGATION MEASURES (IF REQUIRED): WETLANDS/WATERCOURSES CREATED: CY \_\_\_\_\_ SQFT 10,452 ACRES 0.24

IS PARCEL LOCATED WITHIN 500FT OF AN ADJOINING TOWN? No IF YES, WHICH TOWN(S) \_\_\_\_\_  
IS THE ACTIVITY LOCATED WITHIN THE WATERSHED OF A WATER COMPANY AS DEFINED IN CT GENERAL STATUTES 25-32A? \_\_\_\_\_

THE OWNER AND APPLICANT HEREBY GRANT THE BROOKLYN IWWC, THE BOARD OF SELECTMAN AND THEIR AUTHORIZED AGENTS PERMISSION TO ENTER THE SUBJECT PROPERTY FOR THE PURPOSE OF INSPECTION AND ENFORCEMENT OF THE IWWC REGULATIONS OF THE TOWN OF BROOKLYN. IF THE COMMISSION DETERMINES THAT OUTSIDE REVIEW IS REQUIRED, APPLICANT WILL PAY CONSULTING FEE.

NOTE: DETERMINATION THAT THE INFORMATION PROVIDED IS INACCURATE MAY INVALIDATE THE IWWC DECISION AND RESULT IN ENFORCEMENT ACTION.

APPLICANT: Heather A. Allen DATE 10/4/21

OWNEP: David H. Allen DATE 10/4/21

**REQUIREMENTS**

\_\_\_\_\_ APPLICATION FEE \$ \_\_\_\_\_ STATE FEE (\$60.00) \_\_\_\_\_

\_\_\_\_\_ COMPLETION OF CT DEEP REPORTING FORM

\_\_\_\_\_ ORIGINAL PLUS COPIES OF ALL MATERIALS REQUIRED - NUMBER TO BE DETERMINED BY STAFF

\_\_\_\_\_ PRE-APPLICATION MEETING WITH THE WETLANDS AGENT IS RECOMMENDED TO EXAMINE THE SCOPE OF THE ACTIVITY

\_\_\_\_\_ SITE PLAN SHOWING LOCATION OF THE WETLANDS WITH EXISTING AND PROPOSED CONDITIONS. APPLICANT MAY BE REQUIRED TO HAVE A CERTIFIED SOIL SCIENTIST IDENTIFY THE WETLANDS.

\_\_\_\_\_ COMPLIANCE WITH THE CONNECTICUT EROSION & SEDIMENTATION CONTROL MANUAL

\_\_\_\_\_ IF THE PROPOSED ACTIVITY IS DEEMED TO BE A "SIGNIFICANT IMPACT ACTIVITY" A PUBLIC HEARING IS REQUIRED ALONG WITH THE FOLLOWING INFORMATION:

- NAMES AND ADDRESSES OF ABUTTING PROPERTY OWNERS
- ADDITIONAL INFORMATION AS CONTAINED IN IWWC REGULATIONS ARTICLE 7.6

**ADDITIONAL INFORMATION/ACTION NEEDED:**

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**OTHER APPLICATIONS MAY BE REQUIRED. CONTACT THESE AGENCIES FOR FURTHER INFORMATION:**

APPLICATION TO STATE OF CONNECTICUT DEEP  
 INLAND WATER RESOURCES DIVISION  
 79 ELM ST.  
 HARTFORD, CT. 06106  
 1-860-424-3019

DEPARTMENT OF THE ARMY CORPS OF ENGINEERS  
 696 VIRGINIA ROAD  
 CONCORD, MA. 01742  
 1-860-343-4789

**STAFF USE ONLY:**

\_\_\_\_\_ DECLARATORY RULING: AS OF RIGHT & NON-REGULATED USES (SEE IWWC REGULATIONS SECTION 4)

\_\_\_\_\_ PERMIT REQUIRED:

\_\_\_\_\_ AUTHORIZED BY STAFF/CHAIR (NO ACTIVITY IN WETLANDS/WATERCOURSE AND MINIMAL IMPACT)

\_\_\_\_\_ CHAIR, BROOKLYN IWWC  
 \_\_\_\_\_ AUTHORIZED BY IWWC

\_\_\_\_\_ WETLANDS OFFICER

\_\_\_\_\_ SIGNIFICANT ACTIVITY/PUBLIC HEARING

\_\_\_\_\_ NO PERMIT REQUIRED

\_\_\_\_\_ OUTSIDE OF UPLAND REVIEW AREA

\_\_\_\_\_ NO IMPACT

\_\_\_\_\_ CHAIR, BROOKLYN IWWC

\_\_\_\_\_ WETLANDS OFFICER

\_\_\_\_\_ TIMBER HARVEST



## Statewide Inland Wetlands & Watercourses Activity Reporting Form

Please complete and mail this form in accordance with the instructions on pages 2 and 3 to:  
DEEP Land & Water Resources Division, Inland Wetlands Management Program, 79 Elm Street, 3<sup>rd</sup> Floor, Hartford, CT 06106  
Incomplete or incomprehensible forms will be mailed back to the inland wetlands agency.

### PART I: Must Be Completed By The Inland Wetlands Agency

- DATE ACTION WAS TAKEN: year: \_\_\_\_\_ month: \_\_\_\_\_
- ACTION TAKEN (see instructions, only use one code): \_\_\_\_\_
- WAS A PUBLIC HEARING HELD (check one)? yes  no
- NAME OF AGENCY OFFICIAL VERIFYING AND COMPLETING THIS FORM:  
(print name) \_\_\_\_\_ (signature) \_\_\_\_\_

### PART II: To Be Completed By The Inland Wetlands Agency Or The Applicant

- TOWN IN WHICH THE ACTION IS OCCURRING (print name): Brooklyn  
does this project cross municipal boundaries (check one)? yes  no   
if yes, list the other town(s) in which the action is occurring (print name(s)): \_\_\_\_\_
- LOCATION (see instructions for information): USGS quad name: Danielson or number: 43  
subregional drainage basin number: \_\_\_\_\_
- NAME OF APPLICANT, VIOLATOR OR PETITIONER (print name): Heather & Matt Allen
- NAME & ADDRESS / LOCATION OF PROJECT SITE (print information): Christian Hill Rd  
briefly describe the action/project/activity (check and print information): temporary  permanent  description: agricultural pond
- ACTIVITY PURPOSE CODE (see instructions, only use one code): G
- ACTIVITY TYPE CODE(S) (see instructions for codes): 11, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_
- WETLAND / WATERCOURSE AREA ALTERED (must provide acres or linear feet):  
wetlands: \_\_\_\_\_ acres open water body: \_\_\_\_\_ acres stream: \_\_\_\_\_ linear feet
- UPLAND AREA ALTERED (must provide acres): 0.24 acres
- AREA OF WETLANDS / WATERCOURSES RESTORED, ENHANCED OR CREATED (must provide acres): \_\_\_\_\_ acres

DATE RECEIVED:

### PART III: To Be Completed By The DEEP

DATE RETURNED TO DEEP:

FORM COMPLETED: YES NO

FORM CORRECTED / COMPLETED: YES NO



## **STATEWIDE INLAND WETLANDS & WATERCOURSES ACTIVITY REPORTING FORM**

Pursuant to section 22a-39(m) of the General Statutes of Connecticut and section 22a-39-14 of the Regulations of Connecticut State Agencies, inland wetlands agencies must complete the Statewide Inland Wetlands & Watercourses Activity Reporting Form for **each** action taken by such agency.

This form may be made part of a municipality's inland wetlands application package. If the municipality chooses to do this, it is recommended that a copy of the Town and Quadrangle Index of Connecticut and a copy of the municipality's subregional drainage basin map be included in the package.

Please remember, the inland wetlands agency is responsible for ensuring that the information provided is **accurate** and that it reflects the **final** action of the agency. Incomplete or incomprehensible forms will be mailed back to the agency. Instructions for completing the form are located on the following pages.

The inland wetlands agency shall mail completed forms for actions taken during a calendar month no later than the 15<sup>th</sup> day of the following month to the Department of Energy and Environmental Protection (DEEP). Do **not** mail this cover page or the instruction pages. Please mail **only the completed** reporting form to:

DEEP Land & Water Resources Division  
Inland Wetlands Management Program  
79 Elm Street, 3<sup>rd</sup> Floor  
Hartford, CT 06106

Questions may be directed to the DEEP's Inland Wetlands Management Program at (860) 424-3019.



# INSTRUCTIONS FOR COMPLETING THE STATEWIDE INLAND WETLANDS & WATERCOURSES ACTIVITY REPORTING FORM

*Use a separate form to report EACH action taken by the Agency. Complete the form as described below.  
Do NOT submit a reporting form for withdrawn actions.*

## **PART I: Must Be Completed By The Inland Wetlands Agency**

1. Choose the year and month the Inland Wetlands Agency took the action being reported. If multiple actions were taken regarding the same project or activity then multiple forms need to be completed.
2. Choose ONE code letter to describe the final action or decision taken by the Inland Wetlands Agency. Do NOT submit a reporting form for withdrawn actions. Do NOT enter multiple code letters (for example: if an enforcement notice was given and subsequent permit issued - two forms for the two separate actions are to be completed).
  - A = A Permit Granted by the Inland Wetlands Agency (not including map amendments, see code D below)
  - B = Any Permit Denied by the Inland Wetlands Agency
  - C = A Permit Renewed or Amended by the Inland Wetlands Agency
  - D = A Map Amendment to the Official Town Wetlands Map - or -  
An Approved/Permitted Wetland or Watercourse Boundary Amendment to a Project Site Map
  - E = An Enforcement Action: Permit Revocation, Citation, Notice of Violation, Order, Court Injunction, or Court Fines
  - F = A Jurisdictional Ruling by the Inland Wetlands Agency (i.e.: activities "permitted as of right" or activities considered non-regulated)
  - G = An Agent Approval pursuant to CGS 22a-42a(c)(2)
  - H = An Appeal of Agent Approval Pursuant to 22a-42a(c)(2)
3. Check "yes" if a public hearing was held in regards to the action taken; otherwise check "no".
4. Enter the name of the Inland Wetlands Agency official verifying that the information provided on this form is accurate and that it reflects the FINAL action of the agency.

**PART II: To Be Completed By The Inland Wetlands Agency Or The Applicant** - If Part II is completed by the applicant, the applicant MUST return the form to the Inland Wetlands Agency. The Inland Wetlands Agency MUST ensure that the information provided is accurate and that it reflects the FINAL action of the Agency.

5. Enter the name of the municipality for which the Inland Wetlands Agency has jurisdiction and in which the action/project/activity is occurring.

Check "yes" if the action/project/activity crosses municipal boundaries and enter the name(s) of the other municipality(ies) where indicated. Check "no" if it does not cross municipal boundaries.
6. Enter the USGS Quad Map name or number (1 through 115) as found on the Connecticut Town and Quadrangle Index Map (the directory to all USGS Quad Maps) that contains the location of the action/project/activity. Click on the following website for USGS Quad Map information: [http://ct.gov/deep/lib/deep/gis/resources/Index\\_NamedQuadTown.pdf](http://ct.gov/deep/lib/deep/gis/resources/Index_NamedQuadTown.pdf)

ALSO enter the four-digit identification number of the corresponding Subregional Drainage Basin in which the action/project/activity is located. If the action/project/activity is located in more than one subregional drainage basin, enter the number of the basin in which the majority of the action/project/activity is located. Town subregional drainage basin maps can be found at UConn CLEAR's website: [http://clear.uconn.edu/data/map\\_set/index.htm](http://clear.uconn.edu/data/map_set/index.htm) (no roads depicted) or at CTECO: [http://www.cteco.uconn.edu/map\\_catalog.asp](http://www.cteco.uconn.edu/map_catalog.asp) (depicts roads, choose town and a natural drainage basin map).
7. Enter the name of the individual applying for, petitioning, or receiving the action.
8. Enter the name and address or location of the action/project/activity. Check if the action/project/activity is TEMPORARY or PERMANENT in nature. Also provide a brief DESCRIPTION of the action/project/activity. It is always best to provide as much information as possible (i.e., don't just state "forestry", provide details such as "20 acre forestry harvest, permit required for stream crossing".)

9. Carefully review the list below and enter ONLY ONE code letter which best characterizes the action/project/activity. All state agency projects must code "N".

- |   |  |
|---|--|
| A = Residential Improvement by Homeowner                  | I = Storm Water / Flood Control  |
| B = New Residential Development for Single Family Units   | J = Erosion / Sedimentation Control  |
| C = New Residential Development for Multi-Family / Condos | K = Recreation / Boating / Navigation  |
| D = Commercial / Industrial Uses                          | L = Routine Maintenance  |
| E = Municipal Project                                     | M = Map Amendment  |
| F = Utility Company Project                               | N = State Agency Project   |
| G = Agriculture, Forestry or Conservation                 | P = Other (this code includes the approval of<br>concept plans with no-on-the-ground work) |
| H = Wetland Restoration, Enhancement, Creation            |  |

10. Enter between one and four code numbers to best characterize the project or activity being reported. Enter "NA" if this form is being completed for the action of map amendment. You MUST provide code 12 if the activity is located in an established upland review area. You MUST provide code 14 if the activity is located beyond the established upland review area or no established upland review area exists.

- |   |   |
|---|---|
| 1 = Filling   | 8 = Underground Utilities Only (no other activities)  |
| 2 = Excavation  | 9 = Roadway / Driveway Construction                   |
| 3 = Land Clearing / Grubbing (no other activity)            | 10 = Drainage Improvements                            |
| 4 = Stream Channelization                                   | 11 = Pond, Lake Dredging / Dam Construction           |
| 5 = Stream Stabilization (includes lakeshore stabilization) | 12 = Activity in an Established Upland Review<br>Area |
| 6 = Stream Clearance (removal of debris only)               | 14 = Activity in Upland                               |
| 7 = Culverting (not for roadways)                           |   |

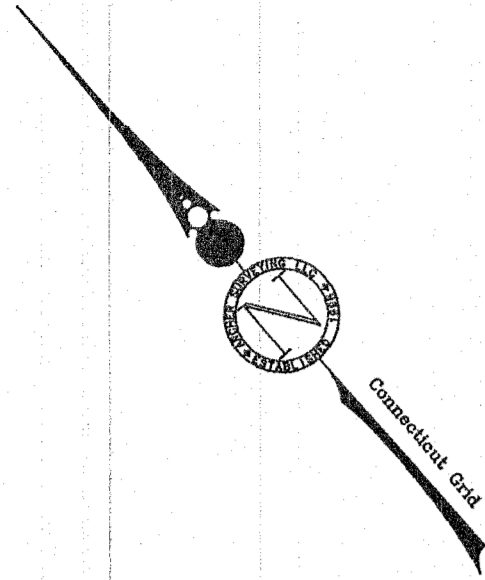
**Examples:** Jurisdictional ruling allowing construction of a parking lot in an upland where the municipality does not have an established upland review area must use code 14, other possible codes are 2 and 10. Permitted construction of a free standing garage (residential improvement by homeowner) partially in an established upland review area with the remainder in the upland must use code 12 and 14, other possible codes are 1 and 2.

11. Leave blank for TEMPORARY alterations but please indicate action/project/activity is temporary under question #8 on the form. For PERMANENT alterations, enter in acres the area of wetland soils or watercourses altered. Include areas that are permanently altered, or are proposed to be, for all agency permits, denials, amendments, renewals, jurisdictional rulings, and enforcement actions. For those activities that involve filling or dredging of lakes, ponds or similar open water bodies enter the acres filled or dredged under "open water body". For those activities that involve directly altering a linear reach of a brook, river, lakeshore or similar linear watercourse, enter the total linear feet altered under "stream". Remember that these figures represent only the acreage altered not the total acreage of wetlands or watercourses on the site. You MUST provide all information in ACRES (or linear feet as indicated) including those areas less than one acre. To convert from square feet to acres, divide square feet by the number 43,560. If this report is being completed for an agency jurisdictional ruling and detailed information is not available, provide an estimate. Enter zero if there is no alteration.

12. Enter in acres the area of upland altered as a result of an ACTIVITY REGULATED BY the inland wetlands agency, or as a result of an AGENT APPROVAL pursuant to CGS section 22a-42a(c)(2). Leave blank for TEMPORARY alterations but please indicate action/project/activity is temporary under question #8 on the form. Include areas that are permanently altered, or proposed to be permanently altered, for all agent approvals, agency permits, denials, amendments, renewals, jurisdictional rulings, and enforcement actions. You MUST provide all information in ACRES including those areas less than one acre. See directions above (#11) for conversion factor. If this report is being completed for an agent approval or an agency jurisdictional ruling and detailed information is not available, provide an estimate. Enter zero if there is no alteration.

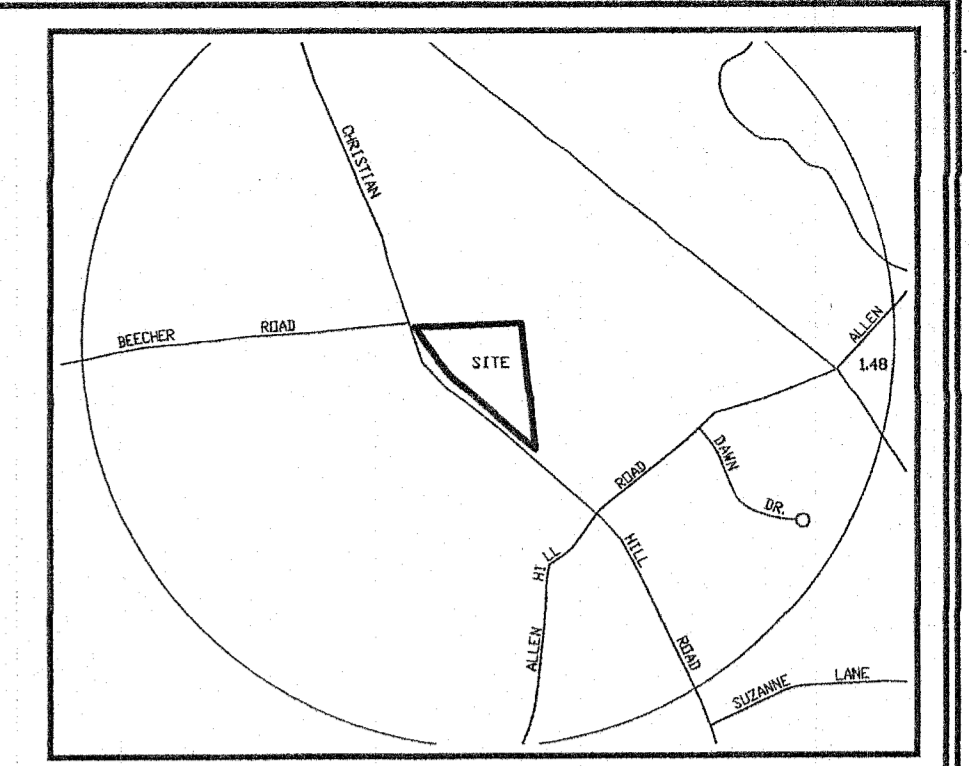
13. Enter the acres that are, or are proposed to be, restored, enhanced or created for all agency permits, denials, amendments, renewals, jurisdictional rulings and enforcement actions. NOTE restored or enhanced applies to previously existing wetlands or watercourses. Created applies to a non-wetland or non-watercourse area which is converted into wetlands or watercourses (question #10 must provide 12 and/or 14 as an answer, and question #12 must also be answered). You MUST provide all information in ACRES including those areas less than one acre. See directions above (#11) for conversion factor. Enter zero if there is no restoration, enhancement or creation.

**PART III: To Be Completed By The DEEP** - Please leave this area blank. Incomplete or incomprehensible forms will be mailed back to the inland wetlands agency.



**Notes**

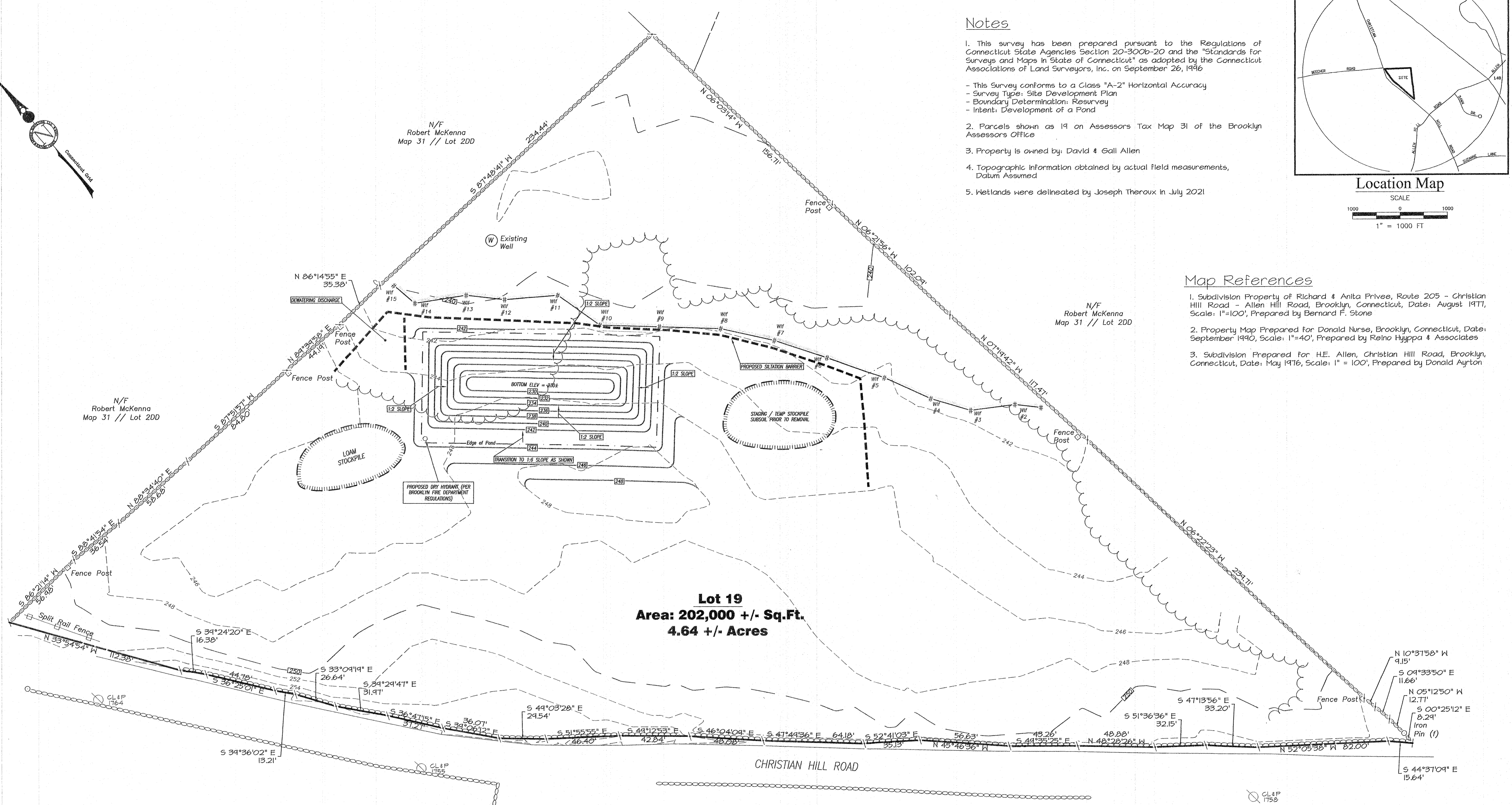
- This survey has been prepared pursuant to the Regulations of Connecticut State Agencies Section 20-300b-20 and the "Standards for Surveys and Maps in State of Connecticut" as adopted by the Connecticut Associations of Land Surveyors, Inc. on September 26, 1996
  - This Survey conforms to a Class "A-2" Horizontal Accuracy
  - Survey Type: Site Development Plan
  - Boundary Determination: Resurvey
  - Intent: Development of a Pond
- Parcels shown as 19 on Assessors Tax Map 31 of the Brooklyn Assessors Office
- Property is owned by: David & Gail Allen
- Topographic information obtained by actual field measurements, Datum Assumed
- Wetlands were delineated by Joseph Theroux in July 2021



**Location Map**  
SCALE  
1000 0 1000  
1" = 1000 FT

**Map References**

- Subdivision Property of Richard & Anita Privee, Route 205 - Christian Hill Road - Allen Hill Road, Brooklyn, Connecticut, Date: August 1977, Scale: 1"=100', Prepared by Bernard F. Stone
- Property Map Prepared for Donald Nurse, Brooklyn, Connecticut, Date: September 1990, Scale: 1"=40', Prepared by Reino Hyyppa & Associates
- Subdivision Prepared for H.E. Allen, Christian Hill Road, Brooklyn, Connecticut, Date: May 1976, Scale: 1" = 100', Prepared by Donald Ayrton



**LEGEND**

	PROPERTY LINE
	EASEMENT
	STONEWALL
	EXISTING TREELINE
	WETLANDS FLAG
	BUILDING SETBACK
	EXISTING INDEX CONTOUR
	EXISTING CONTOUR
	PROPOSED CONTOUR
	IRON PIN
	DRILL HOLE
	MONUMENT
	PROPERTY POINT
	UTILITY POLE

- CONSTRUCTION SEQUENCE OF OPERATIONS:**
1. Install siltation barrier
  2. Strip and stockpile topsoil from area to be excavated
  3. Remove subsoil as needed to shape pond bottom
  4. Provide discharge area for dewatering pumps
  5. Loam and re-seed disturbed areas at the completion of excavation
  6. Pond spoils to be removed from this area and deposited elsewhere on the farm in a approved location
  7. Proposed contours are suggested but may be modified to accommodate field conditions as needed

*David A. Smith*  
K W P associates  
DAVID A. SMITH, P.E. #14173 DATE 9/13/2021  
NOT VALID UNLESS SEAL IS AFFIXED HERETO

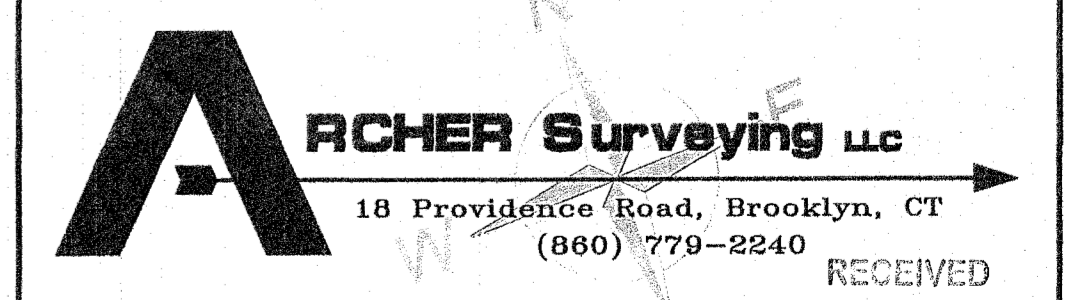
To My Knowledge and Belief this Map is substantially Correct as noted hereon  
*Paul M. Archer*  
Paul M. Archer L.L.S. #14173 DATE 10-3-21

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

**Site Development Plan**

Prepared For:  
**Matt & Heather Allen**  
Christian Hill Road  
Brooklyn, Connecticut

DRAWING SCALE: 1"=30'  
0 15 30 60

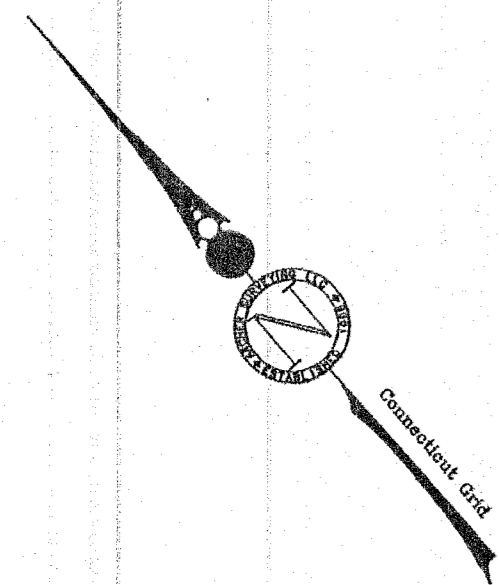


**Matt and Heather Allen – Christian Hill Road (Map 31 // Lot 19)**

Andrew & Janet Puszczynski  
108 Christian Hill Road  
Brooklyn, CT 06234  
Map 31 // Lot 15A & 15

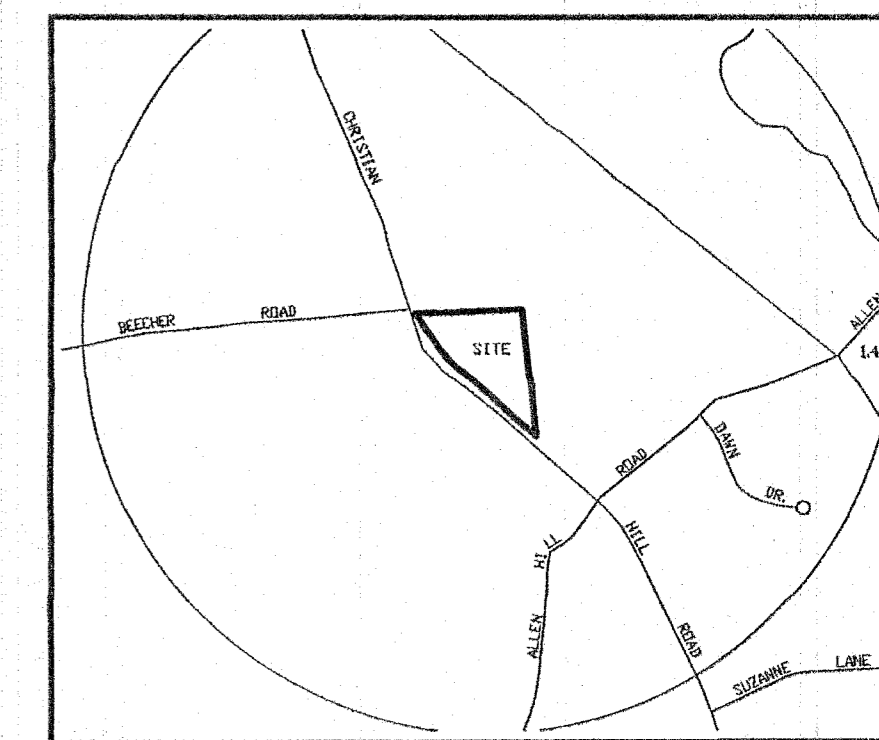
Timothy & Christine Clark  
443 Wauregan Road  
Brooklyn, CT 06234  
Map 31 // Lot 2HH

Robert & Naoni McKenna  
152 Christian Hill Road  
Brooklyn CT 06234  
Map 31 // Lot 2DD

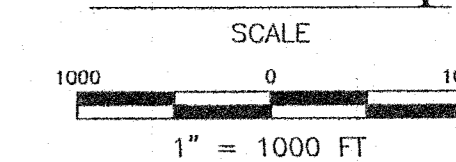


**Notes**

- 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
  - Survey Type: Site Development Plan
  - Boundary Determination: Resurvey
  - Intent: Development of a Pond
- Parcels shown as 19 on Assessors Tax Map 31 of the Brooklyn Assessors Office
- Property is owned by: David & Gail Allen
- Topographic information obtained by actual field measurements, Datum Assumed
- Wetlands were delineated by Joseph Theroux in July 2021

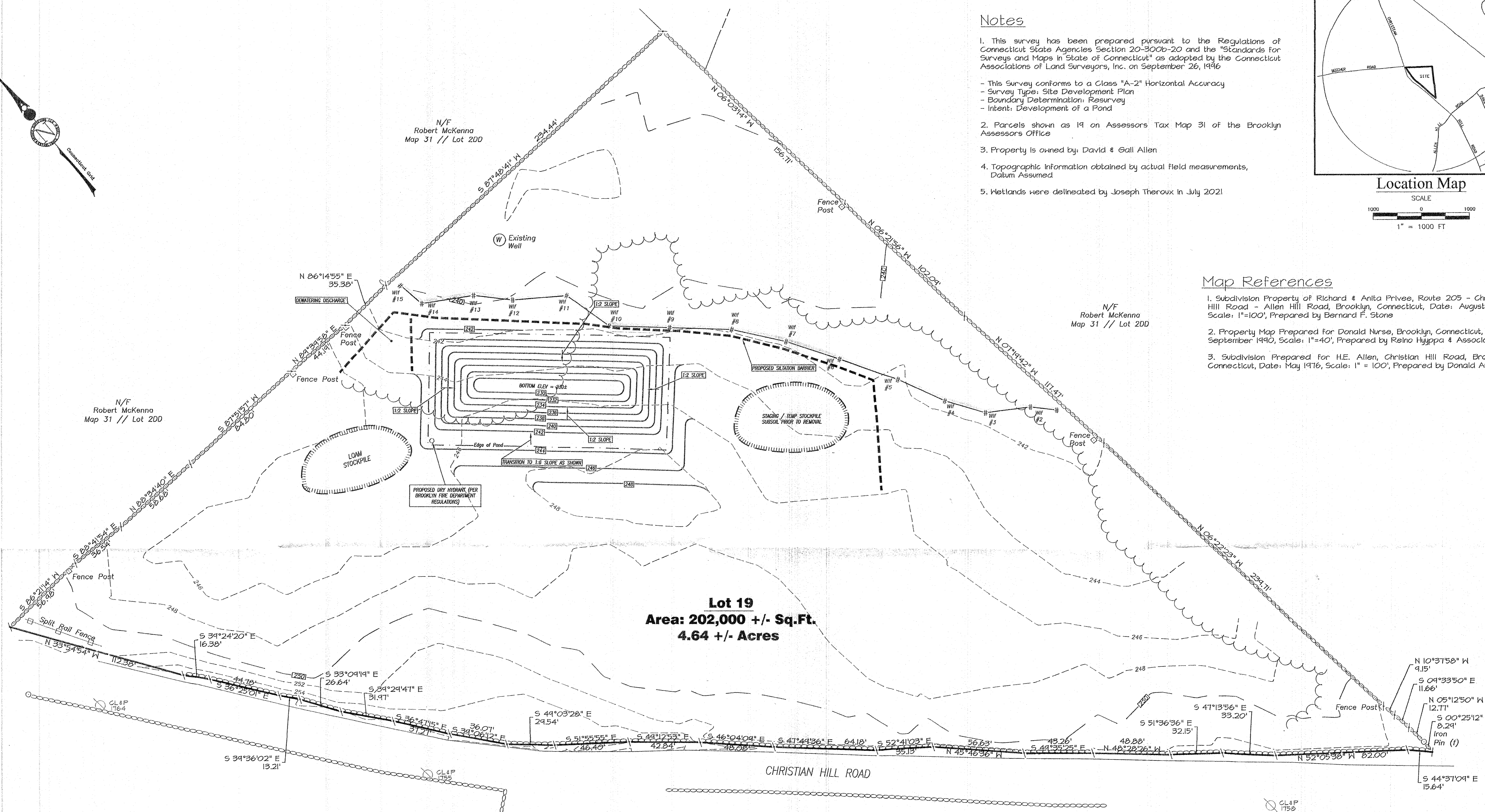


**Location Map**



**Map References**

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- Property Map Prepared for Donald Nurse, Brooklyn, Connecticut, Date: September 1990, Scale: 1"=40', Prepared by Reino Hyyppa & Associates
- Subdivision Prepared for H.E. Allen, Christian Hill Road, Brooklyn, Connecticut, Date: May 1976, Scale: 1" = 100', Prepared by Donald Ayrton



**LEGEND**

	PROPERTY LINE
	EASEMENT
	STONEWALL
	EXISTING TREELINE
	WETLANDS FLAG
	BUILDING SETBACK
	EXISTING INDEX CONTOUR
	EXISTING CONTOUR
	PROPOSED CONTOUR
	IRON PIN
	DRILL HOLE
	MONUMENT
	PROPERTY POINT
	UTILITY POLE

**CONSTRUCTION SEQUENCE OF OPERATIONS:**

- Install siltation barrier
- Strip and stockpile topsoil from area to be excavated
- Remove subsoil as needed to shape pond bottom
- Provide discharge area for dewatering pumps
- Loam and re-seed disturbed areas at the completion of excavation
- Pond spoils to be removed from this area and deposited elsewhere on the Farm in a approved location
- Proposed contours are suggested but may be modified to accommodate field conditions as needed

*David A. Smith*  
K W P associates  
DAVID A. SMITH, P.E. #14173 DATE 9/13/2021  
NOT VALID UNLESS SEAL IS AFFIXED HERETO

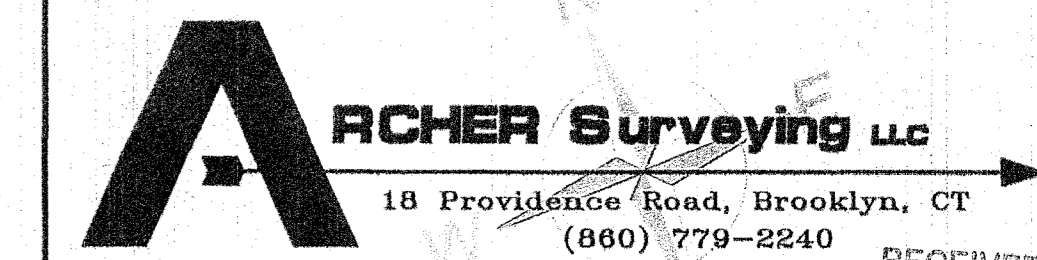
To My Knowledge and Belief this Map is substantially Correct as noted hereon  
*Paul M. Archer*  
Paul M. Archer L.L.S. #1000  
10-3-21 Date

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

**Site Development Plan**

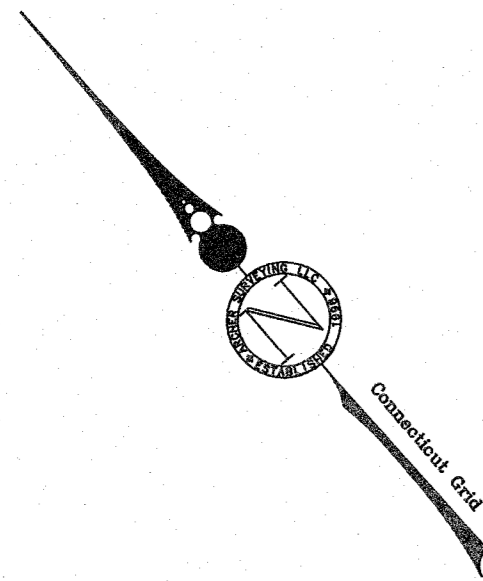
Prepared For:  
**Matt & Heather Allen**  
Christian Hill Road  
Brooklyn, Connecticut

DRAWING SCALE: 1"=30'



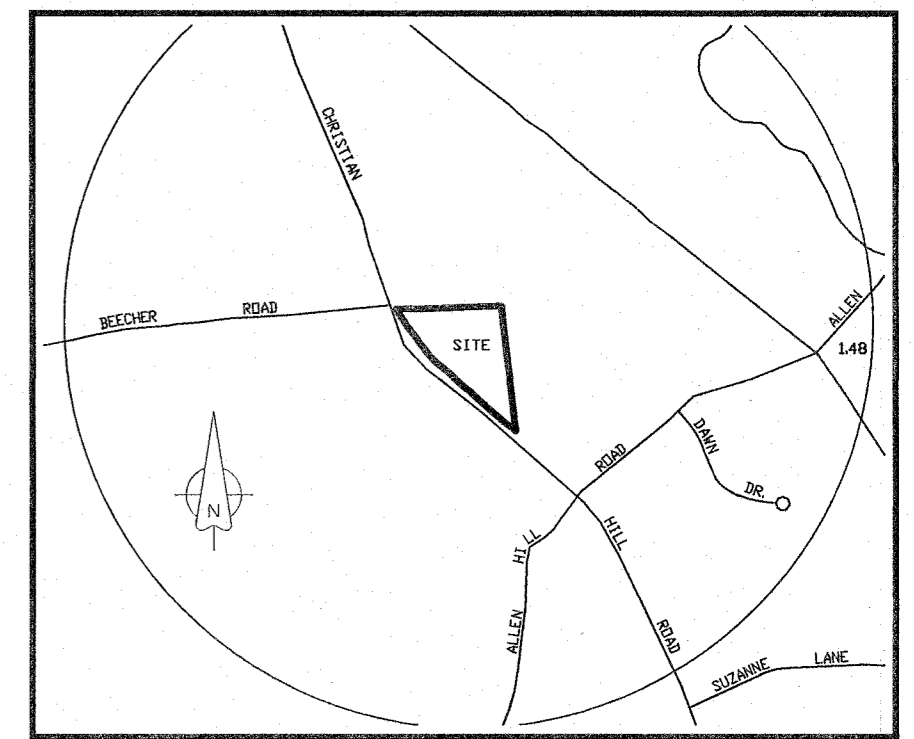
Sheet No. 1 OF 1 Project No. AS 1935 Date: September 8, 2021

RECEIVED  
OCT 04 2021

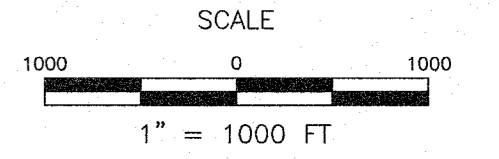


**Notes**

- 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, 1996
  - This Survey conforms to a Class "A-2" Horizontal Accuracy Class "T-2" Vertical Accuracy
  - Survey Type: Site Development Plan
  - Boundary Determination: Resurvey
  - Intent: Development of a Pond
- Parcels shown as 19 on Assessors Tax Map 31 of the Brooklyn Assessors Office
- Property is owned by: David & Gail Allen
- Topographic information obtained by actual field measurements, Datum Assumed
- Wetlands were delineated by Joseph Theroux in July 2021
- Dewater Basin
  - Strip Topsoil/Loam Min 18" Deep
  - Level Pad
  - Provide Geotextile Fabric over entire base and wrap up onto existing grade

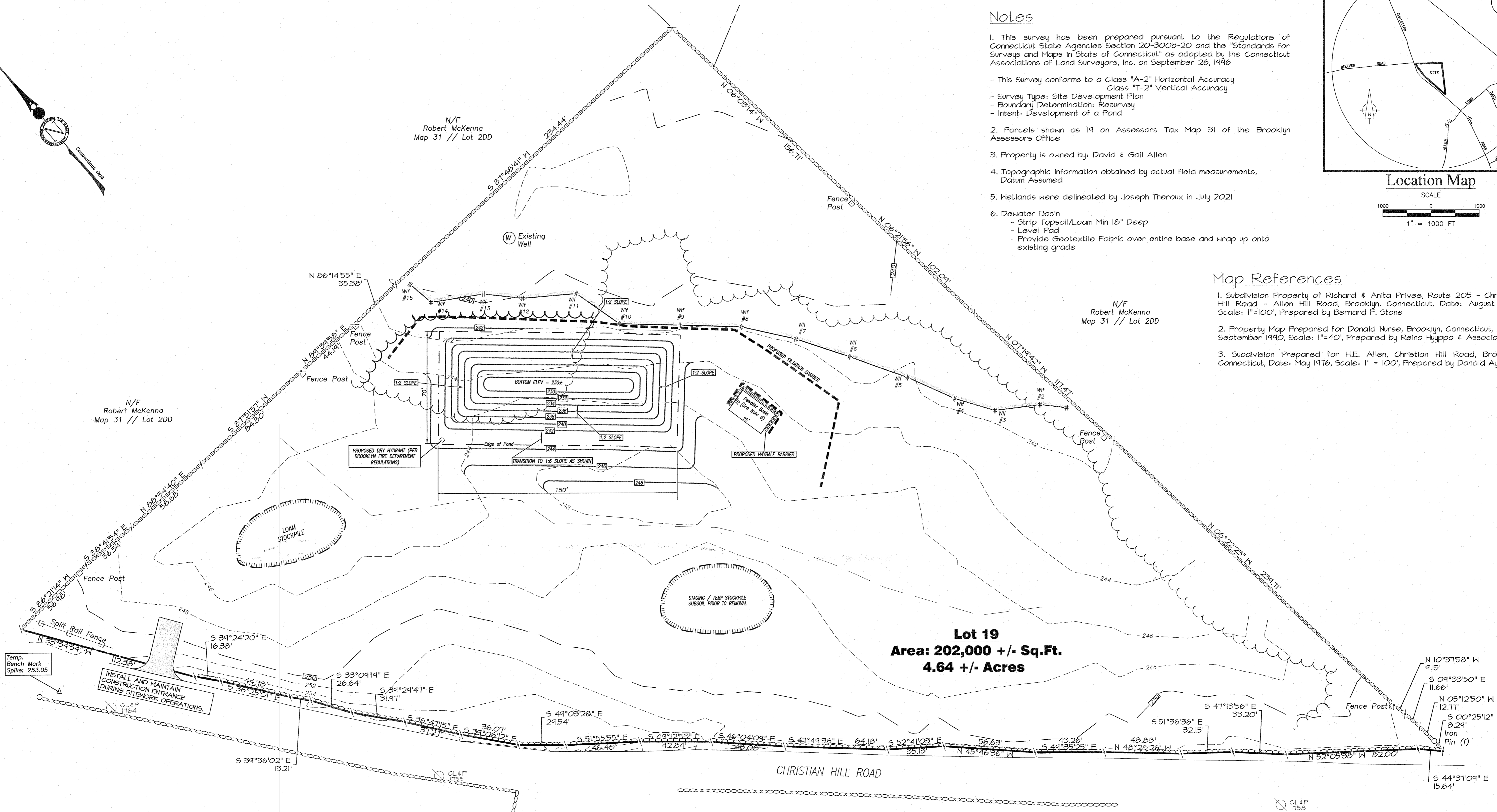


**Location Map**



**Map References**

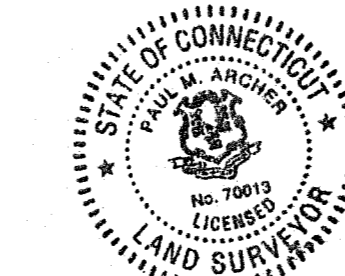
- Subdivision Property of Richard & Anita Prives, Route 205 - Christian Hill Road - Allen Hill Road, Brooklyn, Connecticut, Date: August 1977, Scale: 1"=100', Prepared by Bernard F. Stone
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- Subdivision Prepared for H.E. Allen, Christian Hill Road, Brooklyn, Connecticut, Date: May 1976, Scale: 1" = 100', Prepared by Donald Ayrton



**LEGEND**

- PROPERTY LINE
- 125' UPLAND REVIEW LINE
- STONEWALL
- EXISTING TREELINE
- WETLANDS FLAG
- SILT FENCE
- STAKED HAYBALES
- PROPOSED TREELINE
- EXISTING INDEX CONTOUR
- EXISTING CONTOUR
- PROPOSED CONTOUR
- IRON PIN
- DRILL HOLE
- PROPERTY POINT
- UTILITY POLE

- CONSTRUCTION SEQUENCE OF OPERATIONS:**
- Install siltation barrier
  - Strip and stockpile topsoil from area to be excavated
  - Remove subsoil as needed to shape pond bottom
  - Provide discharge area for dewatering pumps
  - Loam and re-seed disturbed areas at the completion of excavation
  - Pond spoils to be removed from this area and deposited elsewhere on the farm outside the upland review area



**K W P associates**  
 10/29/2021  
 DAVID A. SMITH, P.E. #14173 DATE  
 NOT VALID UNLESS SEAL IS AFFIXED HERETO

**KWP associates**  
 SURVEYING ~ ENGINEERING ~ SITE PLANNING  
 18 Providence Road  
 Brooklyn, CT 06234

REVISIONS	
DATE	DESCRIPTION
11/01/21	Engineers Comments

**Site Development Plan**  
 Prepared For:  
 Matt & Heather Allen  
 Christian Hill Road  
 Brooklyn, Connecticut  
 NOV 01 2021

DRAWING SCALE: 1"=30'

**ARCHER Surveying LLC**  
 18 Providence Road, Brooklyn, CT  
 (860) 779-2240

**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 Windham County Connecticut, U.S.D.A. Soil Conservation Service 1983.

**DEVELOPMENT SCHEDULE:** (Individual Lots):

1. Prior to any work on site, the limits of disturbance shall be clearly flagged in the field by a Land Surveyor, licensed in the State of Connecticut. Once the limits of clearing are flagged, they shall be reviewed and approved by an agent of the Town.
2. Install and maintain erosion and sedimentation control devices as shown on these plans. All erosion control devices shall be inspected by an agent of the Town. Any additional erosion control devices required by the Town's Agent shall be installed and inspected prior to any construction on site. (See silt fence installation notes.)
3. Install construction entrance.
4. Construction will begin with clearing, grubbing and rough grading of the proposed site. The work will be confined to areas adjacent to the proposed building, septic system and driveway. Topsoil will be stockpiled on site and utilized during final grading.
5. Begin construction of Pond.
6. Disturbed areas shall be seeded and stabilized as soon as possible to prevent erosion.
7. The site will be graded so that all possible trees on site will be saved to provide buffers to adjoining lots.

**DEVELOPMENT CONTROL PLAN:**

1. Development of the site will be performed by the individual lot owner, who will be responsible for the installation and maintenance of erosion and sediment control measures required throughout construction.
2. The sedimentation control mechanisms shall remain in place from start of construction until permanent vegetation has been established. The representative for the Town 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 representative shall again be notified to inspect the site. The control measures will not be removed until this inspection is complete.
3. All striping is to be confined to the immediate construction area. Topsoil shall be stockpiled so that slopes do not exceed 2 to 1. A hay bale sediment barrier is to surround each stockpile and a temporary vegetative cover shall be provided.
4. Dust control will be accomplished by spraying with water and if necessary, the application of calcium chloride.
5. The proposed planting schedule is to be adhered to during the planting of disturbed areas throughout the proposed construction site.
6. 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.

**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 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 time 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**

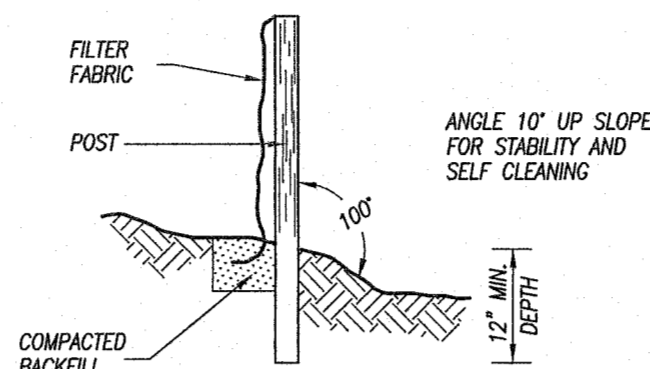
Clean runoff should be kept separated from sediment laden water and should not be directed over disturbed areas without additional controls. Additionally, prevent the mixing of clean off-site generated runoff with sediment laden runoff generated on-site until after adequate filtration of on-site waters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

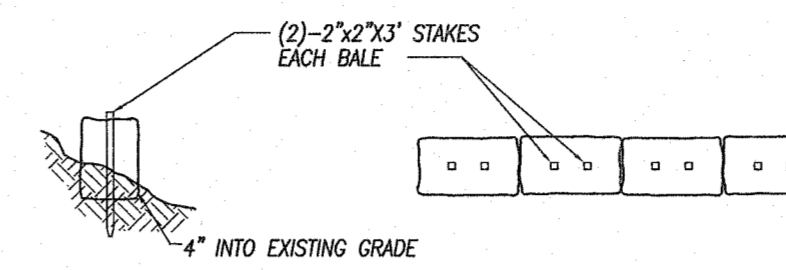
**REDUCE ON SITE POTENTIAL INTERNALLY AND INSTALL PERIMETER CONTROLS**

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.

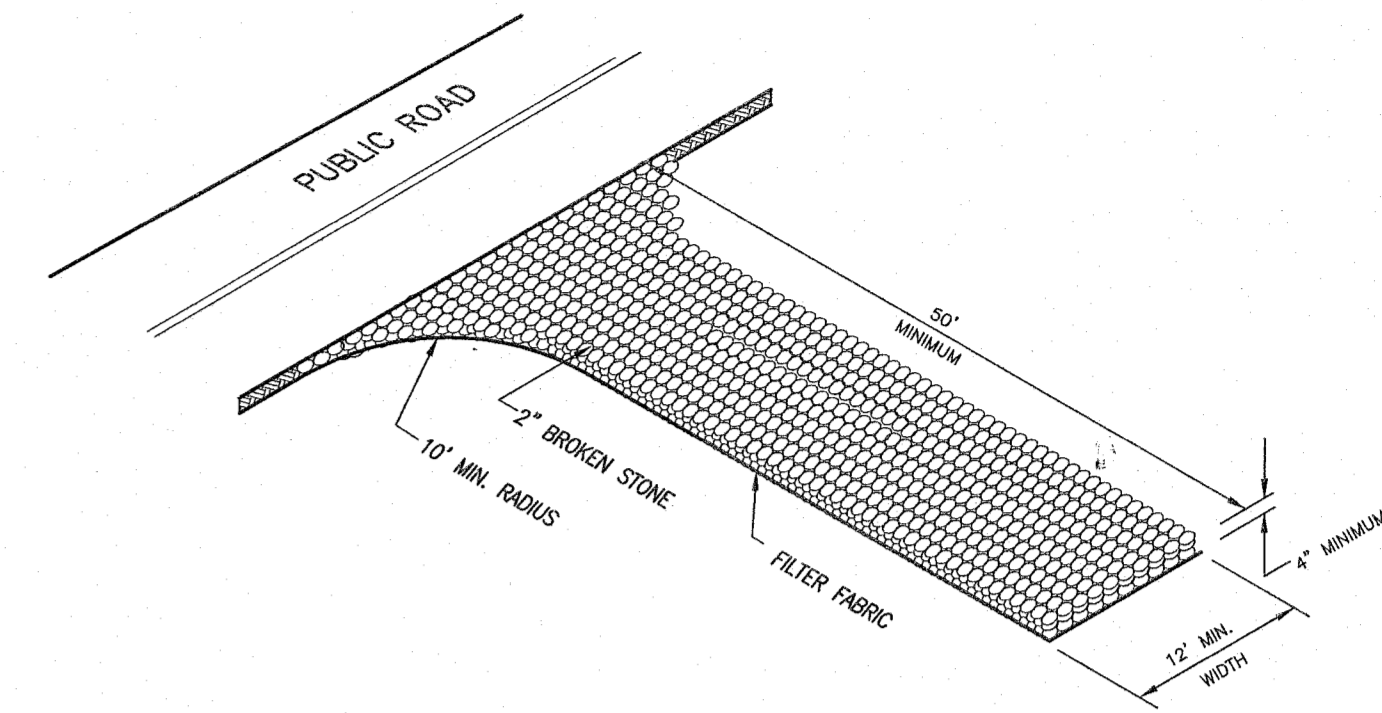
- Control erosion and sedimentation in the smallest drainage area possible. It is easier to control erosion than to contend with sediment after it has been carried downstream and deposited in unwanted areas.
- Direct runoff from small disturbed areas to adjoining undisturbed vegetated areas to reduce 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.



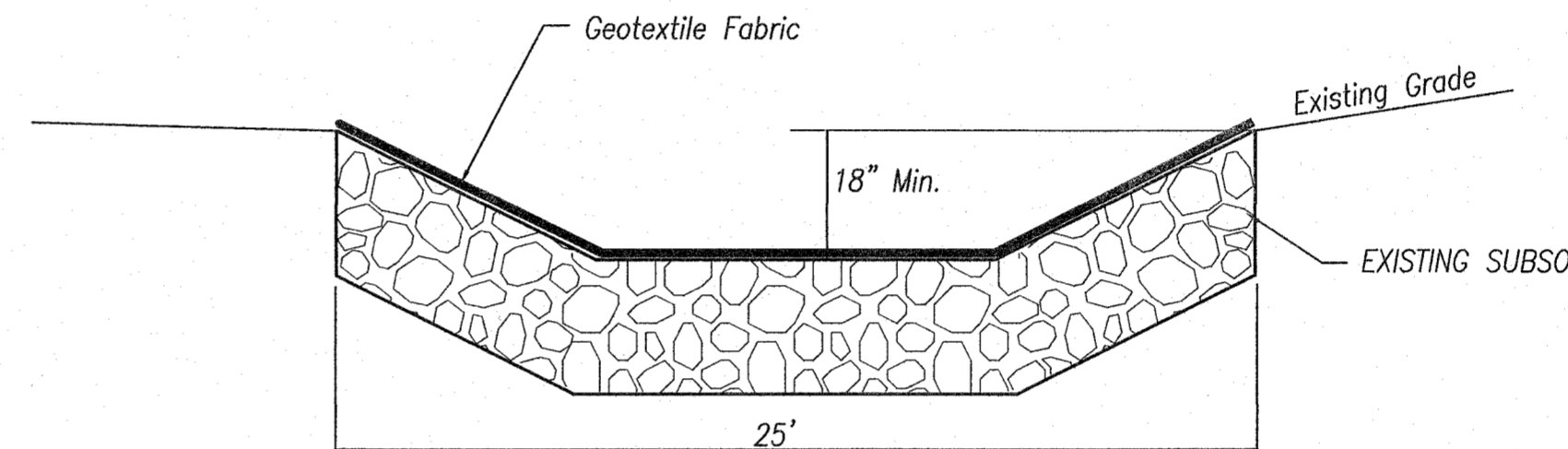
**SILT FENCE**  
NOT TO SCALE



**HAYBALE BARRIER**  
NOT TO SCALE



**CONSTRUCTION ENTRANCE**  
NOT TO SCALE



**MODIFIED DEWATERING BASIN**  
NOT TO SCALE

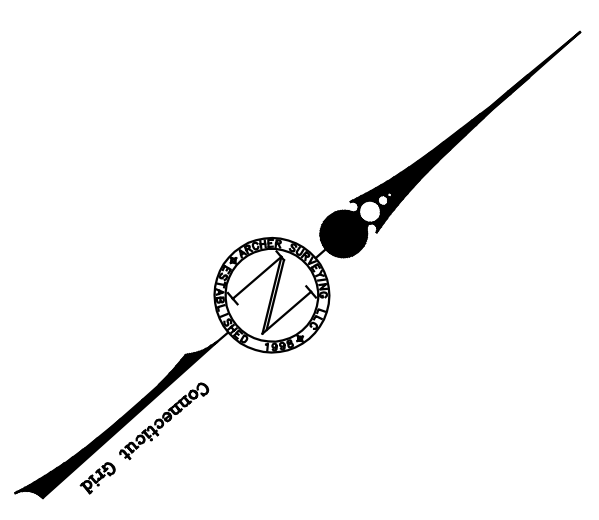
**Site Development Plan**  
"Detail Sheet"  
Prepared For:  
**Matt & Heather Allen**  
Christian Hill Road  
Brooklyn, Connecticut

**KWP associates**  
SURVEYING ~ ENGINEERING ~ SITE PLANNING  
18 Providence Road  
Brooklyn, CT 06234

REVISIONS	
DATE	DESCRIPTION
11/01/21	Engineers Comments

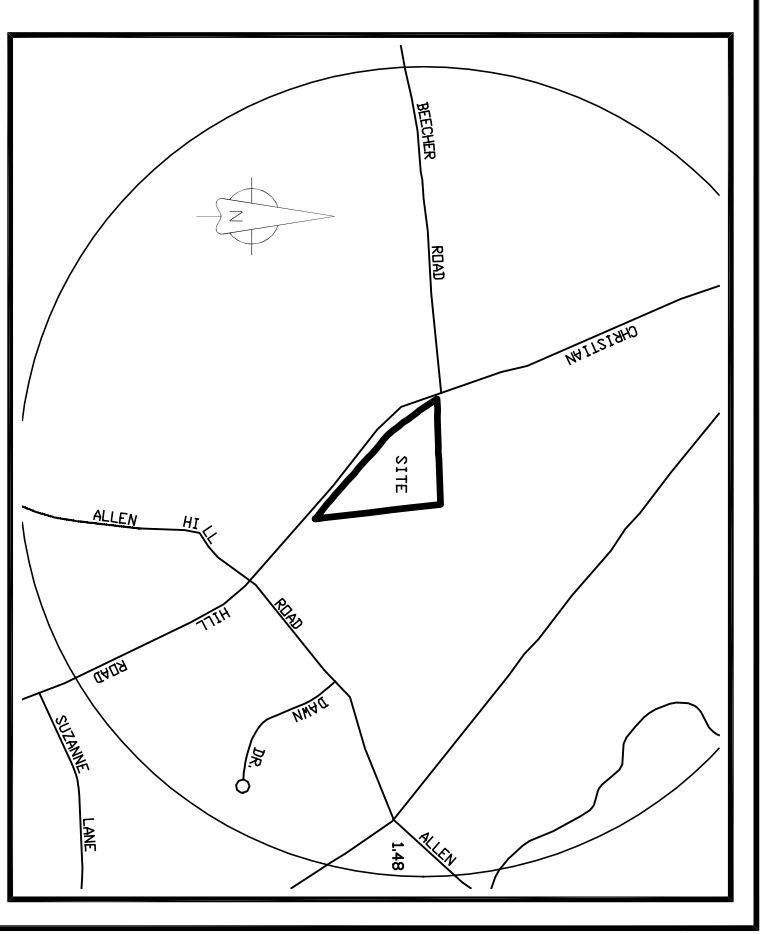
**ARCHER Surveying LLC**  
18 Providence Road, Brooklyn, CT  
(860) 779-2240

Sheet No. 2 OF 2    Project No. AS 1935    Date: September 8, 2021

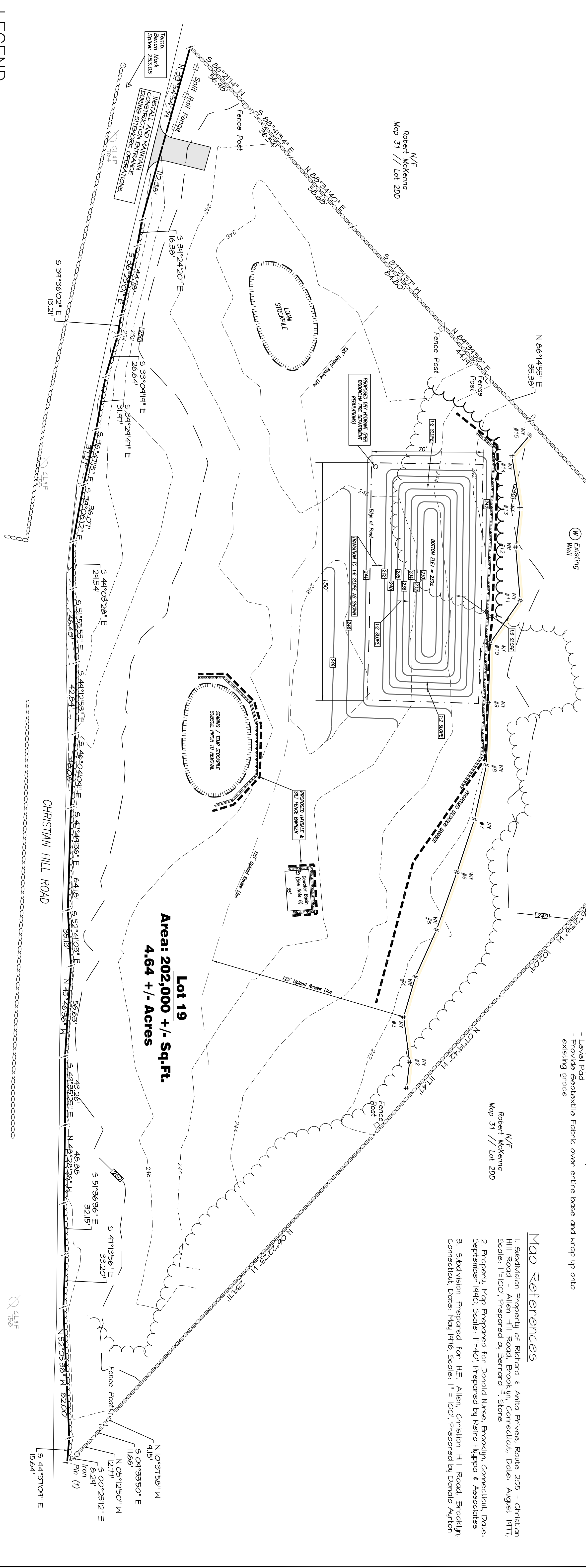


N/E  
Robert McKenna  
Map 31 // Lot 200

- Notes**
- This survey has been prepared pursuant to the Regulations of Connecticut State Practice No. 20-300 and the Standards for Surveys and Maps in "State of Connecticut" as adopted by the Connecticut Associations of Land Surveyors, Inc. on September 26, 1916.
    - This Survey conforms to a Class "A-2" Horizontal Accuracy Class "T-2" Vertical Accuracy
    - Survey Type: Site Development Plan
    - Boundary Determination: Resurvey
    - Intent: Development of a Pond
  - Parcels shown as 14 on Assessors Tax Map 31 of the Brooklyn Assessors Office
  - Property is owned by: David & Gail Allen
  - Topographic information obtained by actual field measurements, Datum Assumed
  - Metlands were delineated by Joseph Theroux in July 2021
  - De-water Basin
    - Strip Topsoil/Loom Min 12" Deep
    - Level Pad
    - Provide Geotextile Fabric over entire base and wrap up onto existing grade



- Map References**
- Subdivision Property of Richard & Anita Prysee, Route 205 - Christian Hill Road - Allen Hill Road, Brooklyn, Connecticut, Date: August 1977, Scale: 1"=100', Prepared by Bernard F. Stone
  - Property Map Prepared for Donald Nurse, Brooklyn, Connecticut, Date: September 1940, Scale: 1"=40', Prepared by Reimo Hippa & Associates
  - Subdivision, Prepared for HE. Allen, Christian Hill Road, Brooklyn, Connecticut, Date: July 1916, Scale: 1" = 100', Prepared by Donald Ayton



**Lot 19**  
**Area: 202,000 +/- Sq.Ft.**  
**4.64 +/- Acres**

**LEGEND**

- PROPERTY LINE
- 125' UPLAND REVIEW LINE
- STONEWALL
- EXISTING TREELINE
- METLANDS FLAG
- SILT FENCE
- STAKED HAYBALES
- PROPOSED TREELINE
- EXISTING INDEX CONTOUR
- EXISTING CONTOUR
- PROPOSED CONTOUR
- IRON PIN
- DRILL HOLE
- PROPERTY POINT
- UTILITY POLE

- CONSTRUCTION SEQUENCE OF OPERATIONS:**
1. Install siltation barrier
  2. Strip and stockpile topsoil from area to be excavated
  3. Remove subsoil as needed to shape pond bottom
  4. Provide discharge area for de-watering pumps
  5. Loom and re-seed disturbed areas at the completion of excavation
  6. Pond spoils to be removed from this area and deposited elsewhere on the farm outside the upland review area

W.P. GSS  
David A. Smith, P.E. #4173  
11/02/21  
DATE

**KWP** **associates**  
SURVEYING ~ ENGINEERING ~ SITE PLANNING  
18 Providence Road  
Brooklyn, CT 06254

DATE	DESCRIPTION	REVISIONS
11/01/21	Engineers Comments	
11/02/21	Misc.	

**Site Development Plan**  
Prepared for:  
**Matt & Heather Allen**  
Christian Hill Road  
Brooklyn, Connecticut

DRAWING SCALE: 1"=30'

**ARCHER** **Surveying LLC**  
18 Providence Road, Brooklyn, CT  
(860) 779-2240

Sheet No. 1 OF 2 Project No. AS 1935 Date: September 8, 2021



**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 Windham County Connecticut, U.S.D.A. Soil Conservation Service 1983.

**DEVELOPMENT SCHEDULE:** (Individual Lots):

1. Prior to any work on site, the limits of disturbance shall be clearly flagged in the field by a Land Surveyor, licensed in the State of Connecticut. Once the limits of clearing are flagged, they shall be reviewed and approved by an agent of the Town.
2. Install and maintain erosion and sedimentation control devices as shown on these plans. All erosion control devices shall be inspected by an agent of the Town. Any additional erosion control devices required by the Town's Agent shall be installed and inspected prior to any construction on site. (See silt fence installation notes.)
3. Install construction entrance.
4. Construction will begin with clearing, grubbing and rough grading of the proposed site. The work will be confined to areas adjacent to the proposed building, septic system and driveway. Topsoil will be stockpiled on site and utilized during final grading.
5. Begin construction of Pond.
6. Disturbed areas shall be seeded and stabilized as soon as possible to prevent erosion.
7. The site will be graded so that all possible trees on site will be saved to provide buffers to adjoining lots.

**DEVELOPMENT CONTROL PLAN:**

1. Development of the site will be performed by the individual lot owner, who will be responsible for the installation and maintenance of erosion and sediment control measures required throughout construction.
2. The sedimentation control mechanisms shall remain in place from start of construction until permanent vegetation has been established. The representative for the Town 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 representative shall again be notified to inspect the site. The control measures will not be removed until this inspection is complete.
3. All stripping is to be confined to the immediate construction area. Topsoil shall be stockpiled so that slopes do not exceed 2 to 1. A hay bale sediment barrier is to surround each stockpile and a temporary vegetative cover shall be provided.
4. Dust control will be accomplished by spraying with water and if necessary, the application of calcium chloride.
5. The proposed planting schedule is to be adhered to during the planting of disturbed areas throughout the proposed construction site.
6. 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.

**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, disking, 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 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.

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**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.

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**KEEP CLEAN RUNOFF SEPARATED**

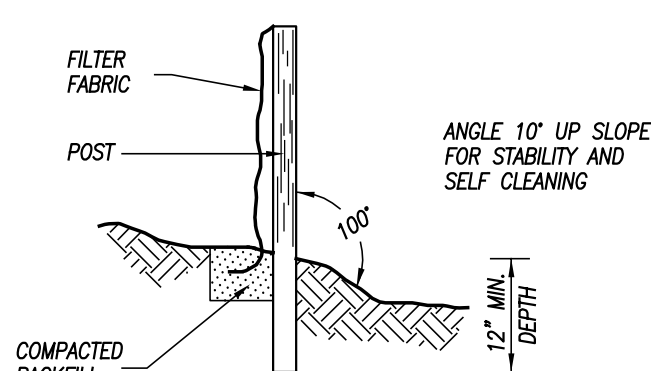
Clean runoff should be kept separated from sediment laden water and should not be directed over disturbed areas without additional controls. Additionally, prevent the mixing of clean off-site generated runoff with sediment laden runoff generated on-site until after adequate filtration of on-site waters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

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- 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**

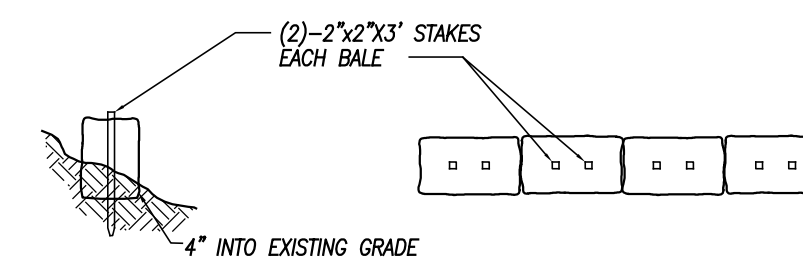
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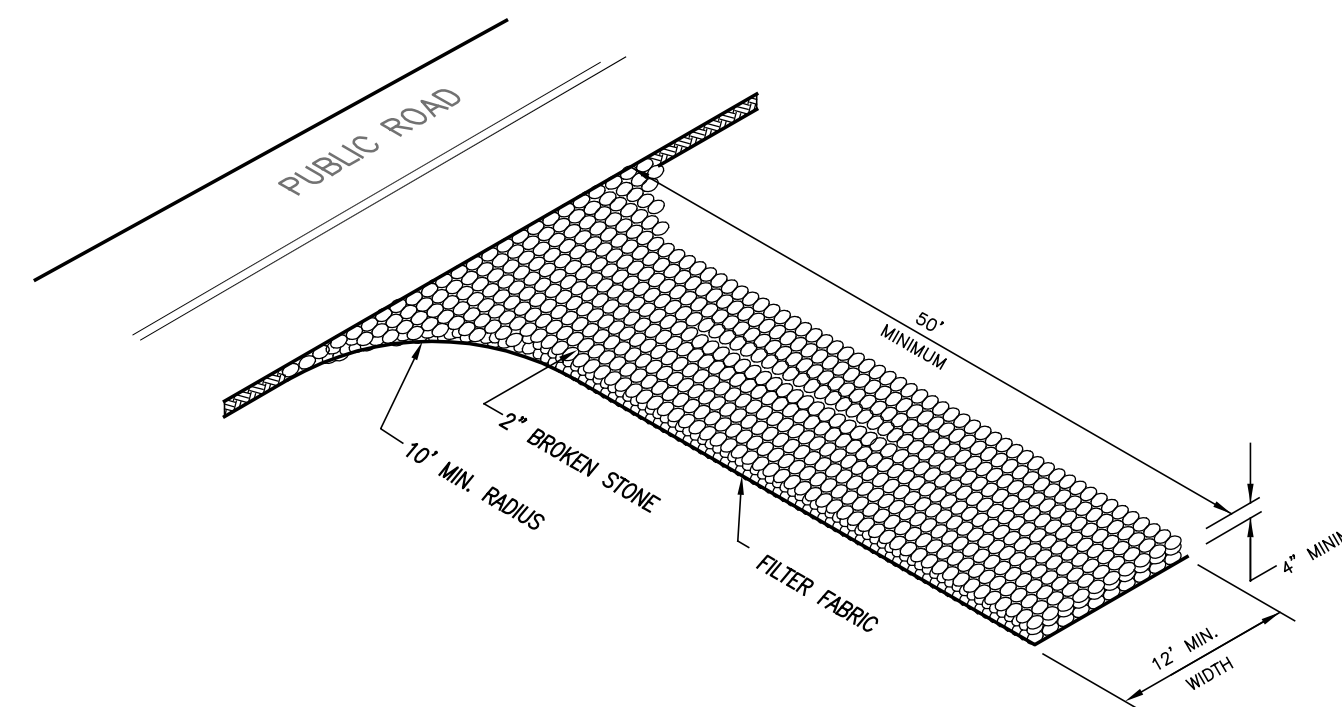
**SILT FENCE**

NOT TO SCALE



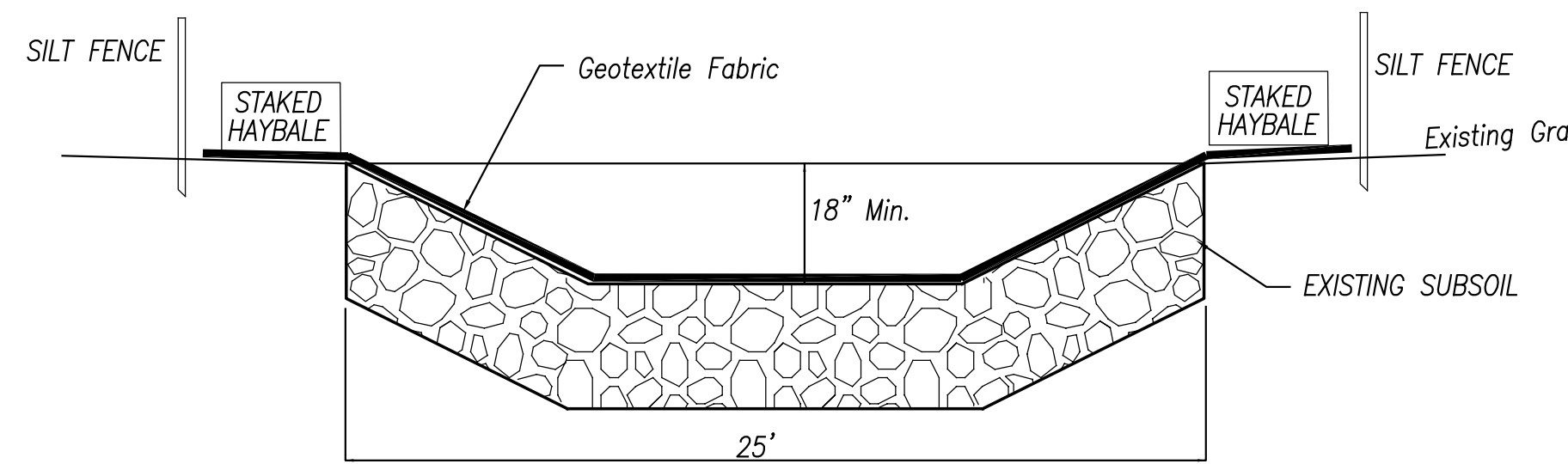
**HAYBALE BARRIER**

NOT TO SCALE



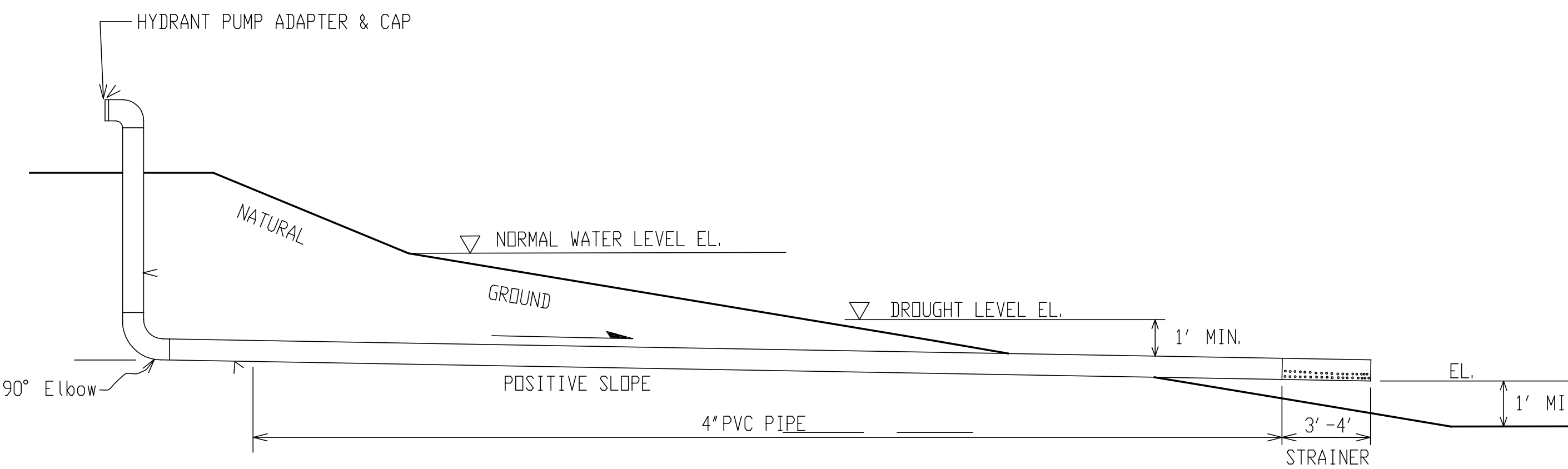
**CONSTRUCTION ENTRANCE**

NOT TO SCALE



**MODIFIED DEWATERING BASIN**

NOT TO SCALE



**DRY HYDRANT PROFILE**

NOT TO SCALE

**Site Development Plan**

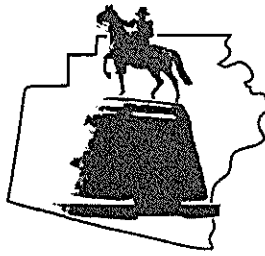
"Detail Sheet"

Prepared For:  
Matt & Heather Allen  
Christian Hill Road  
Brooklyn, Connecticut

**KWP associates**  
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Brooklyn, CT 06234

REVISIONS	
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**ARCHER Surveying LLC**  
18 Providence Road, Brooklyn, CT  
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# Brooklyn Land Use Department

69 South Main Street  
Brooklyn CT 06234  
(860) 779-3411 x 31

Inland Wetlands

Zoning Enforcement

Blight Enforcement

## SITE INSPECTION NUMBER

1 2 3 4 5

0 Christian Hill Rd

10-12-21

Address

Date

Map 31 Lot 19

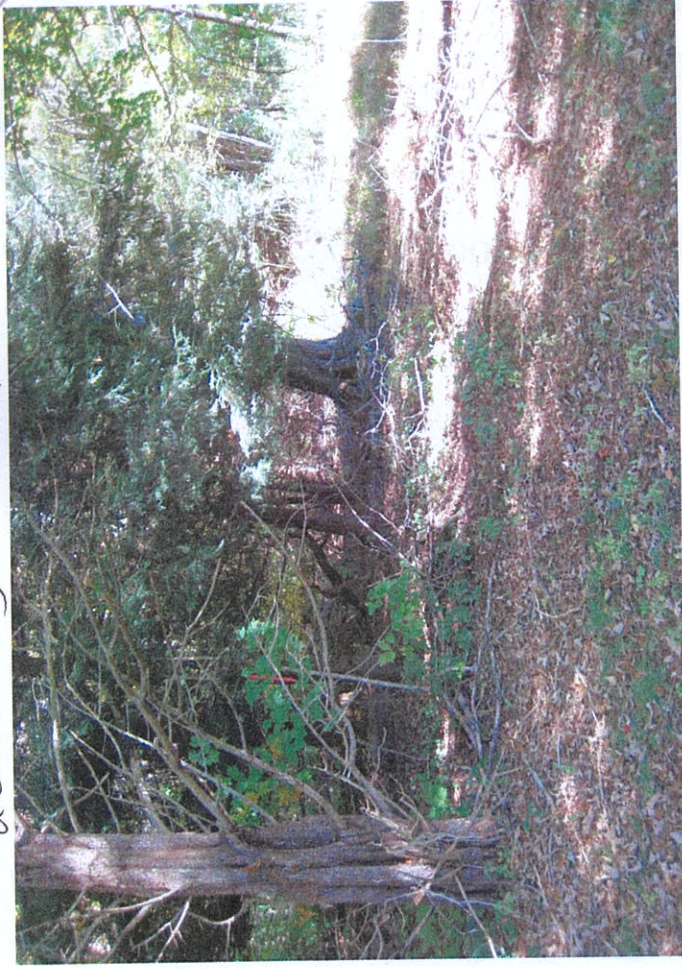
I have a question about 1) why upland review area is not shown and 2) why there is no legend showing what the sediment barrier consists of and 3) why there is no "bathtub" where dewatering discharge is shown, and 4) is excavated material going to be spread in the upland review area and 5) I have concerns about possible dewatering discharge flowing into wetland onto the abutting property to the north. The land slopes towards the property line. There is a stone wall there, I met Paul Archer, took photos and inspected.

Commission Representative

M. Washburn

Owner or Authorized Signature

dewatering area ↓



Dewatering discharge would flow toward abutter's wetlands.



↑ area for proposed pond ↓



# **NORTHEASTERN CONNECTICUT COUNCIL OF GOVERNMENTS**

## **ENGINEERING PLAN REVIEW PERTAINING TO A CONSTRUCTION OF AN AGRICULTURAL POND (ASSESSOR'S MAP 31, LOT 19) ON PROPERTY OWNED BY DAVID AND GAIL ALLEN 0 CHRISTIAN HILL ROAD BROOKLYN, CT (October 26, 2021)**

The comments contained herein pertain to my review of a plan, entitled "Site Development Plan, Prepared for Matt & Heather Allen, Christian Hill Road, Brooklyn, Connecticut," prepared by Archer Surveying, LLC, dated September 8, 2021.

1. A "north arrow" is missing in the Location Map.
2. Wetlands upland review area boundary is not shown.
3. The plan does not indicate any test pit locations. At least two (2) deep test pits are needed within the footprint of the proposed pond in order to estimate the level of high water level in the finished pond and the consistency of the soils to evaluate their ability to maintain a functional pond. Deep test pit data needs to be displayed on the plan.
4. Overall pond dimensions are missing and need to be drawn on the plan.
5. Longitudinal and transverse profiles of the proposed pond and surrounding area 100' from all edges of the proposed top of slope are required including the maximum surface elevation of stored water.
6. The average volume of stored water needs to be stipulated on the plan. Additionally, an engineering analysis should be submitted for review to address whether or not an emergency spillway on the wetland side of the pond needs to be included in the design, considering the heavy rainstorms we have experienced over the past several years. A formal spillway will help mitigate or reduce impacts to the wetland from erosion and sediment transport that can be caused by an undefined and unprotected discharge of water.
7. The pond needs to incorporate a wide submerged shelf with mild slope around its perimeter running to the top of the steep bank with the downward 2:1 slope to provide a safer environment if animals are to drink directly from the pond. Otherwise having a steep 2:1 downward sloped bank around the perimeter of the pond with its top at maximum water level presents a safety hazard to both livestock and people.
8. If livestock are not to drink directly from the pond and/or a pump is used to discharge water from the pond to irrigate the surrounding meadow, a location needs to be stipulated for the pump along with any electric supply if it is not gas or propane operated. In any event, the pump needs to be located on a Portland cement pad of sufficient size for stability and to prevent any fuel or lubricant spills falling directly onto unprotected ground (bare soil) where they can possibly migrate down into groundwater. Any secure structure needed to protect the pump, hoses any other ancillary

equipment from the elements or theft needs to be shown on the plan. A construction detail for the pump pad and any building needs to be included on the plan.

9. The plan indicates a dry hydrant, which is typically used by a fire department, is to be installed at the northwest corner of the pond. The hydrant can also serve to facilitate pumping water from the pond for agricultural purposes. Either way, access to the hydrant will require a driveway with an area large enough to turn a fire truck around, if the pond is to serve that additional function. Therefore, a formal gravel driveway with turnaround, if required, needs to be shown on the plan leading from Christian Hill Road to the hydrant. A cross-section detail of the composition of the driveway needs to be added to the plan.
10. Standing water in the pond may lend itself to eutrophication and/or become a mosquito breeding ground. If this happens, how can either of these conditions be avoided?
11. A temporary sediment basin is not shown on the plan to treat pump discharge during pond construction. A sediment basin is required in order to minimize silt laden water from impacting existing ground with silt and especially to the wetland which is not far from the pump discharge location noted on the plan. The “dewatering discharge” location noted on the plan is unacceptable due to it 1) being too close to the side property line and the wetland boundary, 2) cutting down more trees that serve as a natural visual buffer to the neighbor to create a temporary sediment basin, and 3) removing trees that serve to take up a portion of storm water that percolates into the ground. An alternative area for placing pump discharge with a temporary sedimentation basin is on the opposite end of the proposed pond in the area of the temporary subsoil stockpile where there is existing pasture and thus would not require any tree cutting and there is considerably more distance to the lot’s sidelines. A note should be added to the plan on the frequency of removing accumulated sediment from the basin and disposal of the same. When use of the temporary sediment basin ceases, it shall be filled with compacted layers of suitable native soil and covered with at least 6” of topsoil to match the elevation of surrounding ground along with an application of grass seed, lime and fertilizer. A construction detail for the “temporary sediment basin” needs to be added to the plan with restoration notes.
12. There is no statement on the plans as to the accuracy of the topography, however, Note #4 under “Notes” only states that the “*topographic information obtained by actual field measurements, datum assumed.*” The actual field measurements should be explained more fully. In order for the pond to be constructed as depicted on the plan, a T2 topographic survey will be required and needs to be stated in Note #4. A benchmark with an assumed elevation should also be noted on the plan outside of but not far from the construction area for a contractor to use during construction.
13. A “Siltation Barrier” is noted on the plan but it is unclear of what this consists of. I recommend silt socks or compost socks to be used for the barrier as over the past several years they have 1) been demonstrated to more effective than a silt fence or hay bales, 2) are quicker to install/remove, and 3) installation does not disturb (digging into) more ground. A construction detail for the silt barrier is required to be included on the plan.
14. Under “Construction Sequence of Operations” ...
  - Note 5 – There should be more than enough topsoil to cover disturbed areas outside of the portion of the dug pond that will be flooded. However, a seed mix should be specified on the plan along with application rates for lime and fertilizer.
  - Note 6 – What constitutes “pond spoils,” the volume of such spoils, and a location of where they are to be deposited on the property needs to be identified on the plan to be sure they are not placed in the wetland or within wooded areas.

- Note 7 - Proposed contour lines cannot be “suggested” as stipulated. For this type of construction the contour lines drawn on the plan are what will be expected to be constructed in the field if the plan is approved by the IWWC. Accordingly, Note #7 needs to be removed.
15. If heavy construction vehicles, e.g. dump trucks, will be entering and leaving the construction site, a construction entrance needs to be shown on the plan. If this will occur, a construction detail for a construction entrance will be needed on the plan.

By: *Syl Pauley, Jr., P.E.*  
Syl Pauley, Jr., P.E., NECCOG Regional Engineer

27 CA 590; 28 CA 780; 29 CA 12; Id., 105. Cited. 30 CA 85. Inland Wetlands and Watercourses Act cited. 31 CA 105; Id., 599; judgment reversed, see 229 C. 627. Cited. Id., 643. Inland Wetlands and Watercourses Act cited. 32 CA 799; 34 CA 385; 36 CA 270; 37 CA 166.

Cited. 35 CS 145; 36 CS 1; 41 CS 184; Id., 444; 42 CS 57.

Subdiv. (h):

Cited. 28 CA 262.

Subdiv. (k):

Cited. 231 C. 451.

[\(Return to Chapter Table of Contents\)](#) [\(Return to List of Chapters\)](#) [\(Return to List of Titles\)](#)

**Sec. 22a-40. Permitted operations and uses.**(a) The following operations and uses shall be permitted in wetlands and watercourses, as of right:

(1) Grazing, farming, nurseries, gardening and harvesting of crops and farm ponds of three acres or less essential to the farming operation, and activities conducted by, or under the authority of, the Department of Energy and Environmental Protection for the purposes of wetland or watercourse restoration or enhancement or mosquito control. The provisions of this subdivision shall not be construed to include road construction or the erection of buildings not directly related to the farming operation, relocation of watercourses with continual flow, filling or reclamation of wetlands or watercourses with continual flow, clear cutting of timber except for the expansion of agricultural crop land, the mining of top soil, peat, sand, gravel or similar material from wetlands or watercourses for the purposes of sale;

(2) A residential home (A) for which a building permit has been issued, or (B) on a subdivision lot, provided the permit has been issued or the subdivision has been approved by a municipal planning, zoning or planning and zoning commission as of the effective date of promulgation of the municipal regulations pursuant to subsection (b) of section 22a-42a or as of July 1, 1974, whichever is earlier, and further provided no residential home shall be permitted as of right pursuant to this subdivision unless the permit was obtained on or before July 1, 1987;

(3) Boat anchorage or mooring;

(4) Uses incidental to the enjoyment and maintenance of residential property, such property defined as equal to or smaller than the largest minimum residential lot site permitted anywhere in the municipality, provided in any town, where there are no zoning regulations establishing minimum residential lot sites, the largest minimum lot site shall be two acres. Such incidental uses shall include maintenance of existing structures and landscaping but shall not include removal or deposition of significant amounts of material from or onto a wetland or watercourse or diversion or alteration of a watercourse;

(5) Construction and operation, by water companies as defined in section 16-1 or by municipal water supply systems as provided for in chapter 102, of dams, reservoirs and other facilities necessary to the impounding,

storage and withdrawal of water in connection with public water supplies except as provided in sections 22a-401 and 22a-403;

(6) Maintenance relating to any drainage pipe which existed before the effective date of any municipal regulations adopted pursuant to section 22a-42a or July 1, 1974, whichever is earlier, provided such pipe is on property which is zoned as residential but which does not contain hydrophytic vegetation. For purposes of this subdivision, "maintenance" means the removal of accumulated leaves, soil, and other debris whether by hand or machine, while the pipe remains in place; and

(7) Withdrawals of water for fire emergency purposes.

(b) The following operations and uses shall be permitted, as nonregulated uses in wetlands and watercourses, provided they do not disturb the natural and indigenous character of the wetland or watercourse by removal or deposition of material, alteration or obstruction of water flow or pollution of the wetland or watercourse:

(1) Conservation of soil, vegetation, water, fish, shellfish and wildlife;

(2) Outdoor recreation including play and sporting areas, golf courses, field trials, nature study, hiking, horseback riding, swimming, skin diving, camping, boating, water skiing, trapping, hunting, fishing and shellfishing where otherwise legally permitted and regulated; and

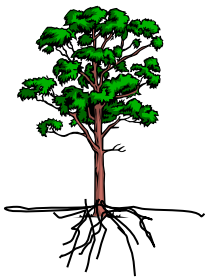
(3) The installation of a dry hydrant by or under the authority of a municipal fire department, provided such dry hydrant is only used for firefighting purposes and there is no alternative access to a public water supply. For purposes of this section, "dry hydrant" means a non-pressurized pipe system that: (A) Is readily accessible to fire department apparatus from a proximate public road, (B) provides for the withdrawal of water by suction to such fire department apparatus, and (C) is permanently installed into an existing lake, pond or stream that is a dependable source of water.

(c) Any dredging or any erection, placement, retention or maintenance of any structure, fill, obstruction or encroachment, or any work incidental to such activities, conducted by a state agency, which activity is regulated under sections 22a-28 to 22a-35, inclusive, or sections 22a-359b to 22a-363f, inclusive, shall not require any permit or approval under sections 22a-36 to 22a-45, inclusive.

(1972, P.A. 155, S. 3; P.A. 73-571, S. 1, 9; P.A. 77-599, S. 2, 7; P.A. 87-533, S. 2, 14; P.A. 88-364, S. 33, 123; P.A. 94-89, S. 15; P.A. 97-289, S. 5, 9; P.A. 98-209, S. 4; P.A. 11-80, S. 1; 11-184, S. 1.)

History: P.A. 73-571 allowed usage of wetlands and watercourses for grazing, farming, etc. purposes, for residential purposes, for boat anchorage or mooring and for water supply purposes "as of right" as was previously the case deleting exception "as they involve regulated activities", but allowed usage "as a nonregulated use ... provided they do not disturb the natural and indigenous character of the land" for conservation of soil, vegetation, etc. and outdoor regulation, where previously these uses too had been "as of right"; P.A. 77-599 amended Subsec. (a)(2) for clarity adding references to approval by municipal planning and zoning commissions and to July 1, 1974, as alternate approval date, amended (a)(4) for clarity by adding words "equal to or smaller than" with reference to lot size, by specifying that incidental uses include "maintenance of existing structures and landscaping" but exclude "removal or deposition of significant amounts of material from or onto a wetland or watercourse or diversion or alteration of a watercourse", amended Subsec. (b) to specifically prohibit removal or deposition of material, alteration or obstruction of water flow or pollution of wetlands or watercourses and to refer to field "trials" rather than field "trails" in Subdiv. (2); P.A. 87-533 amended Subsec. (a)(1) to require permits for farm ponds not essential to the farming operation, and certain road construction, relocation of





## JOSEPH R. THEROUX

~ CERTIFIED FORESTER/ SOIL SCIENTIST ~  
PHONE 860-428-7992~ FAX 860-376-6842  
P.O. BOX 32, VOLUNTOWN, CT. 06384  
FORESTRY SERVICES ~ WETLAND IMPACT ASSESSMENTS  
WETLAND DELINEATIONS AND PERMITTING ~ E&S/SITE MONITORING  
WETLAND FUNCTION/VALUE ASSESSMENTS

8/19/2021

ARCHER SURVEYING  
P.O. BOX 22  
BROOKLYN, CT. 06234

RE: WETLAND DELINEATION, ALLEN PROPERTY, CHRISTIAN HILL RD, BROOKLYN, CT.

DEAR MR. ARCHER,

AT YOUR REQUEST I HAVE DELINEATED THE INLAND WETLANDS ON THE SUBJECT PROPERTY.

THESE WETLANDS HAVE BEEN DELINEATED IN ACCORDANCE WITH THE STANDARDS OF THE NATIONAL COOPERATIVE SOIL SURVEY AND THE DEFINITIONS OF WETLANDS AND WATERCOURSES AS FOUND IN THE CONNECTICUT STATUTES, CHAPTER 440, SECTION 22A-38 (15 & 16).

FLUORESCENT PINK FLAGS WITH A CORRESPONDING LOCATION NUMBER DELINEATE THE BOUNDARIES OF THE INLAND WETLANDS AND THE ADJACENT UPLAND SOILS.

FLAG SERIES WF- 1 THROUGH WF- 15 DELINEATE THE WETLAND SOILS FOUND ALONG THE NORTHEAST PORTION OF THE HAYFIELD AND WOODED PORTION OF THE PARCEL.

THESE WETLAND SOILS EXHIBITED CHARACTERISTICS SUCH AS THICK ORGANIC "A" HORIZONS WITH OXIDIZED RHIZOSPHERES, SHALLOW REDOXIMORPHIC FEATURES AND LOW CHROMA COLORS WITHIN 20 INCHES OF THE SOIL SURFACE.

IN CONCLUSION, IF YOU HAVE ANY QUESTIONS CONCERNING THE DELINEATION OR THIS REPORT, PLEASE FEEL FREE TO CONTACT ME.

THANK YOU,

*Joseph R. Theroux*

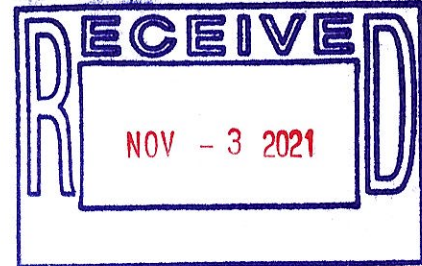
JOSEPH R. THEROUX  
CERTIFIED SOIL SCIENTIST  
MEMBER SSSSNE, NSCSS, SSSA.

Re: Fire Pond

From: joetheroux426@comcast.net

To: paul@archersurveying.com

Date: Tuesday, November 2, 2021, 02:53 PM EDT



Hi Paul,

I reviewed the plan for the proposed farm/fire pond and have the following comments:

- 1). As this property is an existing farm, I see no reason why this would not be deemed a farm pond and fall under sec. 4 as a permitted use as of right. If it is going to be a fire pond then it is also considered as of right.
- 2). I would add staked haybales around the de-watering basin, on which the geotex fabric is wrapped around. This gives the basin a higher volume. Revise detail.
- 3). Locate the de-watering basin further away from the pond so when the basin overflows there is a greater distance for the water to infiltrate as it flows down slope.
- 4). Add a detail for the dry hydrant.
- 5). Upgrade the silt fencing with staked hay bales between the wetlands and proposed pond.

Overall, I see no direct impacts to the adjacent wetlands provided that the E&S measures are correctly installed, maintained and inspected.

Thanks,  
Joe

On 11/02/2021 9:47 AM PAUL ARCHER <paul@archersurveying.com> wrote:

Margaret,

Per your request, below is an explanation as to why this proposed agricultural pond is essential to our farming operation.

Rolling Ridge Farm has been in the Allen Family for over 60 years. From the beginning, we have had livestock on the property. Along with the livestock, we have several pastures and produce hay. Currently, our sole source of water is our residential well. Over the years, we have seen a weather pattern change. We have experienced extremely dry seasons, which strains our water source and we have lost pastureland and hay production due to it. If this pattern continues, we have concerns not having a backup water source.

Our proposed pond has multiple purposes: 1. During an extremely dry season, we could utilize this water as an additional water source for livestock. 2. Irrigation for our hay field and pastures. 3. Water source for our livestock when we practice rotational grazing with our hay field during the off season.

Regarding your question about the dry hydrant, we have spoken with Donahue General Contractors from Hampton, CT. They recently have installed several dry hydrants in the town of Pomfret, CT and are familiar with the process/requirements. We have also been in touch with Steve Breen, the current Chief of Mortlake Fire Department. Please see his attached letter.

We feel this dry hydrant will be an asset to the entire neighborhood for future fire protection. There are currently no live hydrants on this side of town and the nearest water source is the river. The location of this hydrant will provide a safe and easily accessible water source in case of emergency for the fire department. The hydrant will only be used for this purpose.

Thank you for your time and your concern in this matter.

The Allen Family



# MORTLAKE

## FIRE COMPANY

To All Concerned,

In regard to Matt and Heather Allen's proposed pond on Christian Hill Road:

In order to provide an additional viable water source to this area, a dry hydrant was proposed to suit that purpose from this pond. There is funding available through DEEP and other various grants to accomplish this project. It would be a tremendous addition to have a readily available water source in this area of town and the addition of a dry hydrant would be an important piece to accomplish that.

In seeking any type of funding to complete this, the dry hydrant would be installed under our supervision and that of the Fire Marshall as well. All applicable regulations and standards would be followed. A dry hydrant of this type would only have fire department connections on it as to ensure its availability in the event of an emergency and not be occupied with other uses.

Any further questions regarding the dry hydrant should be directed to the Mortlake Fire Company.

Sincerely,



Stephen C. Breen

Chief

Mortlake Fire Company

P. O. BOX 301 • BROOKLYN, CONNECTICUT 06234

"This institution is an equal opportunity provider, and employer."

Brooklyn Inland Wetlands  
Commission

P.O. Box 356

Brooklyn, Connecticut 06234

CERTIFIED# 9489 0090 0027 6215 8988 89

Heather and Matt Allen  
115 Christian Hill Road  
Brooklyn, CT 06234

November 10, 2021

RE: Declaratory Ruling – 0 Christian Hill Road, Map 31, Lot 19.

Dear Mr. and Mrs. Allen,

The Inland Wetlands and Watercourses Commission (IWWC) took the following action at its regular meeting on November 9, 2021:

Declaratory Ruling - 100421A Heather & Matt Allen (applicants) and David & Gail Allen (owners), 0 Christian Hill Rd., Map 31, Lot 19, Excavation and construction of an agricultural pond, less than 3 acres, essential to the farming operation, and a dry hydrant for exclusive use by the Fire Department: approved as permitted uses as of right. The dewatering basin should be surrounded by double-staked hay bales and silt fence on all sides. For any future maintenance work, the applicants should come before the Brooklyn IWWC. The work shall be done in accordance with the site plan last revised on 11/2/21.

If you have any questions, please feel free to call me at 860-779-3411 Ext 31.

Sincerely,

*Margaret Washburn, M.S.*

Margaret Washburn, M.S., R.P.S.S  
Enforcement Officer for the Brooklyn Inland Wetlands and Watercourses Commission  
69 South Main Street, Suite 23  
Brooklyn, CT 06234  
(860) 779-3411 ext. 31  
Mon. – Thurs. 8:00 am – 3:30 pm  
[m.washburn@brooklynct.org](mailto:m.washburn@brooklynct.org)

CC: Archer Surveying LLC

## **Inland Wetlands Agent's Report**

**October 12, 2021**

### **New Business**

**100421A Heather & Matt Allen (applicant) and David & Gail Allen (Owner),  
0 Christian Hill Rd., Map 31, Lot 19, Excavation and construction of an  
agricultural pond and dry well.**

I inspected and took photos on 10/12/21. Please refer to the inspection report and site photographs. Work is proposed very close to wetlands.

My concerns:

Why is the upland review area not shown?

What form of sediment barrier is proposed? The plan does not specify this.

Why is there no "bathtub" at the dewatering discharge area? This is an area lined with landscape fabric, surrounded by double-staked hay bales and silt fence. All muddy water discharged must pass through this sediment collector. Also, dewatering tanks are available. There will be large quantities of muddy water discharged near wetlands.

Why does the dewatering area have to be so close to the wetlands?

Where will excavated material be spread? If any will be spread in the upland review area, it should be shown on the plan.

I am concerned that discharged muddy water will flow into wetlands on the abutting property to the north. The dewatering should take place further away from the property line, if possible.

**100421B Gary & Sherry Greene, 215 Stetson Rd., Map 2, Lot 6, Residential  
home with septic and well.**

I inspected and took photos on 10/12/21. Please refer to the inspection report and site photographs.

## **Inland Wetlands Agent's Report**

**November 8, 2021**

### **Public Hearing**

**100421A Heather & Matt Allen (applicant) and David & Gail Allen (Owner),  
0 Christian Hill Rd., Map 31, Lot 19, Excavation and construction of an  
agricultural pond and dry hydrant. (The application form submitted by  
Archer Surveying listed a dry well, not a dry hydrant.)**

Date submitted: 10/4/21.

Date of receipt: 10/12/21.

Date Public Hearing opens: 11/9/21.

From the IWWC Regulations: "The hearing shall be completed within  
thirty-five (35) days of its commencement."

Deadline to close the public hearing if no extensions are granted: 12/14/21 (Date  
hearing opened: 11/9/21 plus 35 days = 12/14/21).

Deadline to close the public hearing if maximum (65 day) extensions are granted:  
2/17/22 (12/14/21 deadline to close public hearing plus 65 days = 2/17/22).

I inspected and took photos on 10/12/21. Please refer to the inspection report and  
site photographs. Work is proposed very close to wetlands.

Concerns from my 10/12/21 report:

Why is the upland review area not shown? On the version 2 plan, this has been  
addressed.

What form of sediment barrier is proposed? The plan does not specify this. On the  
version 2 plan, this has been addressed.

Why is there no "bathtub" at the dewatering discharge area? This is an area lined  
with landscape fabric, surrounded by double-staked hay bales and silt fence. All  
muddy water discharged must pass through this sediment collector. Also,  
dewatering tanks are available. There will be large quantities of muddy water  
discharged near wetlands. On the version 2 plan, this has been addressed.

Why does the dewatering area have to be so close to the wetlands? On the version 2 plan, this has been addressed.

Where will excavated material be spread? If any will be spread in the upland review area, it should be shown on the plan. On the version 2 plan, this has been addressed.

I am concerned that discharged muddy water will flow into wetlands on the abutting property to the north. The dewatering should take place further away from the property line, if possible. On the version 2 plan, this has been addressed.

On 11/1/21, I received the following email from Heather Allen:

“The pond we are proposing in the hay field currently owned by my in-laws, David and Gail Allen, will be a source of water for irrigation on the farm during a drought year. As you know, climate is not improving and we are seeing more extreme weather and we want to be prepared for this as best as possible. The farm has been in the family for over 50 years and we have always had animals and produced hay on the property to feed those animals.

As I also mentioned, we are working with Mortlake Fire Company to install a dry hydrant. This will provide a readily accessible water source in the event of a fire in the neighborhood.

Should you have any other questions, please let me know.

Heather Allen”

Version 2 plans were submitted on 11/3/21. They were given to the Town Review Engineer, who said he would not have time to prepare comments by the 11/9 public hearing.

My comments on version 2 plans:

The Commission may wish to require hay bales and silt fence around both stockpiles.

The Commission may wish to require extending the silt fence between the pond and the wetlands a short distance at both ends, and curling it in a crescent shape away from the wetlands.



I contacted Darcy Winthur at CT DEEP for guidance regarding the permitting of the pond and associated dry hydrant, stockpiling and dewatering. Ms. Winthur recommended that the pond itself might be exempt if it is constructed in upland soils, but if they are dewatering or stockpiling spoils, those should be considered **separate activities that may require a permit**. The separate activities are not necessarily exempt, Ms. Winthur advised. Even if the stockpiles are outside the upland review area, if they erode into a wetland during a storm, that would amount to fill in a wetland, warranting enforcement. The IWWC has a right to say the pond is exempt but also has a right to review the separate activities and issue a permit for them.

Ms. Winthur recommended asking the applicant for more information on 1) why the pond is essential to the farming operation in order to fall into the category of Permitted Uses as of Right and Non-Regulated uses in Section 4 of the Brooklyn IWWC Regulations (attached) and 2) documentation that the hydrant is to be installed by or under the authority of the municipal fire department, provided that the hydrant is only to be used for fire-fighting purposes. (Ms. Winthur mentioned that construction companies sometimes use hydrants for dust control and that landscapers sometimes use hydrants for hydroseeding, or other activities not related to fire-fighting.)

To that effect, I sent Ms. Allen the attached email on 11/1/21.

Ms. Winthur instructed me to obtain this information for the Commission in order to “tease out” which activities, if any, warrant the issuance of a permit. Ms. Winthur reminded me that the Commission must state its reasons for issuing a permit. Ms. Winthur recommended, also, that if the IWWC rules that the construction of the pond essential to farming operations is exempt, only the construction of the pond is the exempt activity. Ms. Winthur further recommended that the IWWC may wish to state for the record that no further (future) activities or alterations to the pond are to be considered exempt, and that further development of the pond property may need a permit.

### **Old Business**

**100421A Heather & Matt Allen (applicant) and David & Gail Allen (Owner),  
0 Christian Hill Rd., Map 31, Lot 19, Excavation and construction of an  
agricultural pond and dry hydrant.**

**Margaret Washburn**

---

**From:** Margaret Washburn  
**Sent:** Monday, November 01, 2021 1:08 PM  
**To:** Heather Allen (Heather.allen@farmcrediteast.com)  
**Subject:** two questions  
**Attachments:** Ct Statute 22a-40(b)(3).pdf

Hi Heather,

There are two issues with your pond application that I need to ask you for more supporting information for the Commission to make decisions. One has to do with how "essential to the farming operation" is defined in the Wetlands and Watercourses Regulations:

**"Essential to the farming operation"** means that the proposed activity is necessary and indispensable to sustain farming activities on the farm.

Would you please submit more information as to why the proposed pond is essential to the farming operation at your family's farm? Do you have another source of water? What are you using now to irrigate the hay field? Are you planning to get the water across Christian Hill Road to the rest of the farm, and, if so, how would you do that?

The second point is from Section 22a-40(b)(3) in the CT Statutes. Please see attached. Can you please submit a letter from the Fire Company to the effect that the dry hydrant is to be installed by or under the authority of the municipal fire department? Can you please provide a statement that the hydrant is only to be used for firefighting purposes?

The requested information would be helpful to the Commission to make decisions regarding your application.

Thank you,

Margaret Washburn  
ZEO/WEO/Blight Enforcement Officer  
69 South Main Street, Suite 23  
Brooklyn, CT 06234  
(860) 779-3411 ext. 31  
Mon. – Thurs. 8:00 am – 3:30 pm  
[m.washburn@brooklynct.org](mailto:m.washburn@brooklynct.org)

Section **4**

## **Permitted Uses as of Right & Non-Regulated Uses**

- 4.1 The following operations and uses shall be permitted in inland wetlands and watercourses, as of right:
- a. Grazing, farming, nurseries, gardening and harvesting of crops and farm ponds of three acres or less essential to the farming operation, and activities conducted by, or under the authority of, the Department of Energy and Environmental Protection for the purposes of wetland or watercourse restoration or enhancement or mosquito control. The provisions of this subdivision shall not be construed to include road construction or the erection of buildings not directly related to the farming operation, relocation of watercourses with continual flow, filling or reclamation of wetlands or watercourses with continual flow, clear cutting of timber except for the expansion of agricultural crop land, the mining of top soil, peat, sand, gravel or similar material from wetlands or watercourses for the purposes of sale;
  - b. A residential home (A) for which a building permit has been issued or (B) on a subdivision lot, provided the permit has been issued or the subdivision has been approved by a municipal planning, zoning or planning and zoning commission as of the effective date of promulgation of the municipal regulations pursuant to subsection (b) of section 22a-42a, or as of July 1, 1974, which ever is earlier, and further provided no residential home shall be permitted as of right pursuant to this subdivision unless the permit was obtained on or before July 1, 1987; boat anchorage or mooring;
  - c. boat anchorage or mooring;
  - d. Uses incidental to the enjoyment and maintenance of residential property, such property defined as equal to or smaller than the largest minimum residential lot site permitted anywhere in the municipality provided that in any town where there are no zoning regulations establishing minimum residential lot sites, the largest minimum lot site shall be two acres. Such incidental uses shall include maintenance of existing structures and landscaping, but shall not include removal or deposition of significant amounts of material from or onto a wetland or watercourse, or diversion or alteration of a watercourse;

storage and withdrawal of water in connection with public water supplies except as provided in sections 22a-401 and 22a-403;

(6) Maintenance relating to any drainage pipe which existed before the effective date of any municipal regulations adopted pursuant to section 22a-42a or July 1, 1974, whichever is earlier, provided such pipe is on property which is zoned as residential but which does not contain hydrophytic vegetation. For purposes of this subdivision, "maintenance" means the removal of accumulated leaves, soil, and other debris whether by hand or machine, while the pipe remains in place; and

(7) Withdrawals of water for fire emergency purposes.

(b) The following operations and uses shall be permitted, as nonregulated uses in wetlands and watercourses, provided they do not disturb the natural and indigenous character of the wetland or watercourse by removal or deposition of material, alteration or obstruction of water flow or pollution of the wetland or watercourse:

(1) Conservation of soil, vegetation, water, fish, shellfish and wildlife;

(2) Outdoor recreation including play and sporting areas, golf courses, field trials, nature study, hiking, horseback riding, swimming, skin diving, camping, boating, water skiing, trapping, hunting, fishing and shellfishing where otherwise legally permitted and regulated; and

(3) The installation of a dry hydrant by or under the authority of a municipal fire department, provided such dry hydrant is only used for firefighting purposes and there is no alternative access to a public water supply. For purposes of this section, "dry hydrant" means a non-pressurized pipe system that: (A) Is readily accessible to fire department apparatus from a proximate public road, (B) provides for the withdrawal of water by suction to such department apparatus, and (C) is permanently installed into an existing lake, pond or stream that is a dependable source of water.

(c) Any dredging or any erection, placement, retention or maintenance of any structure, fill, obstruction or encroachment, or any work incidental to such activities, conducted by a state agency, which activity is regulated under sections 22a-28 to 22a-35, inclusive, or sections 22a-359b to 22a-363f, inclusive, shall not require any permit or approval under sections 22a-36 to 22a-45, inclusive.

(1972, P.A. 155, S. 3; P.A. 73-571, S. 1, 9; P.A. 77-599, S. 2, 7; P.A. 87-533, S. 2, 14; P.A. 88-364, S. 33, 123; P.A. 94-89, S. 15; P.A. 97-289, S. 5, 9; P.A. 98-209, S. 4; P.A. 11-80, S. 1; 11-184, S. 1.)

History: P.A. 73-571 allowed usage of wetlands and watercourses for grazing, farming, etc. purposes, for residential purposes, for boat anchorage or mooring and for water supply purposes "as of right" as was previously the case deleting exception "as they involve regulated activities", but allowed usage "as a nonregulated use ... provided they do not disturb the natural and indigenous character of the land" for conservation of soil, vegetation, etc. and outdoor regulation, where previously these uses too had been "as of right"; P.A. 77-599 amended Subsec. (a)(2) for clarity adding references to approval by municipal planning and zoning commissions and to July 1, 1974, as alternate approval date, amended (a)(4) for clarity by adding words "equal to or smaller than" with reference to lot size, by specifying that incidental uses include "maintenance of existing structures and landscaping" but exclude "removal or deposition of significant amounts of material from or onto a wetland or watercourse or diversion or alteration of a watercourse", amended Subsec. (b) to specifically prohibit removal or deposition of material, alteration or obstruction of water flow or pollution of wetlands or watercourses and to refer to field "trials" rather than field "trails" in Subdiv. (2); P.A. 87-533 amended Subsec. (a)(1) to require permits for farm ponds not essential to the farming operation, and certain road construction, relocation of

**New Business:** Opened at 6:09 p.m.

1. 100421A Heather & Matt Allen (applicant) and David & Gail Allen (Owner), 0 Christian Hill Rd., Map 31, Lot 19, Excavation, and construction of an agricultural pond and dry well.

Paul Archer of Archer Surveying –Tonight we are here to receive the application and to determine if this needs to be a public hearing.

The wetlands have been flagged by Joe Theroux. The flags are visible. The size of the proposed pond which would be located in the hay field 160-ft x 75 ft for a total of 1,200 square feet. If you read your regulations they are able to dig up to a 3-acre pond; we are not even at a quarter of an acre. The depth of the pond will be about ten to twelve feet. The Allens are putting in a dry hydrant in for the fire department to use. It is referenced on the plans and will be accessible from the street. Margaret met Paul at the site and submitted a list of questions and concerns in her report; a discussion transpired. The entire proposed pond is located in the upland review area. The pond will be a resource under the jurisdiction of the commission. It will be considered a waterbody. If Paul is to revise the plan Margaret and the commission feel that the upland review area should be shown on the plan. Margaret feels the way the plan is presented now there is potential for significant impact to the wetlands. When the plan is brought back, and the dewatering location is changed in the revised plans, will a public hearing be needed? Paul suggests instead of postponing until next month and scheduling a public hearing, just schedule one tonight. The Public Hearing was scheduled for 11/9/21 at 6:00pm.

Opened at 6:27pm

2. 100421B Gary & Sherry Greene, 215 Stetson Rd., Map 2, Lot 6, Residential home with septic and well.

Paul Archer of Archer Surveying and Sherry Greene are both in attendance. The Health Department approval letter has been approved and has been issued. Paul has requested if it can be Agent Approval? So that they can move this process along. The Greens have sold their house and are living in a camper on the property. The lot is a large lot a total of 75 acres. Right now, we are looking at the septic system and grading 75 ft – 80 ft from the wetlands. The wetlands were delineated by Rick Zulick.

Jim Paquin doesn't see any problem with Dually Authorized. Margret does not have an issue with this application being Agent Approval.

Margaret explains that the Greens still need to apply for a zoning permit after this is approved.

Jim Paquin moved to have application 100421B Gary & Sherry Greene, 215 Stetson Rd., Map 2, Lot 6, Residential home with septic and well, duly authorized agent approval; Jason Burgess seconded the motion. No discussion. All in favor. The motion passed unanimously at 6:32pm.

**Communications:**

1. Wetlands Agent Monthly Report.
2. Budget Update.

**Public Commentary:** None

**Adjourn:** A motion was made by Adam Brindamour to adjourn at 6:35 p.m. Jason Burgess seconds the motion. No discussion. All in favor. The motion passed unanimously.

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Richard Oliverson, Chairman

Lou Brodeur of 63 Creamery Brook, Selectman, former Mortlake Fire Department Chief, and a current member of the Mortlake Fire Department. Lou stated that the hay field was dry this summer when he mowed it. He is in support of the pond.

Demian Sorrentino asked the Allen family where is the water level in the well in the wetland? Heather Allen stated close to the top.

Confirming static water level of the pond is a valid concern. Demian Sorrentino feels test pits are warranted to determine the water table.

Margaret Washburn inquired about stocking the pond with fish. Heather Allen stated that she has a three- and five-year-old and would like to stock it with fish in the future.

Jim Paquin states that the dewatering basin should have sediment controls on all 4 sides.

Sandy Brodeur inquired about future dredging; would it be necessary to come before IWWC for maintenance?

The commission stated that yes it would be necessary to appear in front of the commission to ask to do maintenance such as dredging.

A motion was made by Demian Sorrentino to close Public Hearing at 6:44 p.m. Jason Burgess seconds the motion. No discussion. All in favor. The motion passed unanimously

**Old Business:** Opened at 6:45 p.m.

- 1. 100421A Heather & Matt Allen (applicant) and David & Gail Allen (Owner), 0 Christian Hill Rd., Map 31, Lot 19, Excavation and construction of an agricultural pond and dry hydrant.**

The following motion was made by Demian Sorrentino, and Jason Burgess seconded the motion. No discussion. All in favor. The motion passed unanimously.

Declaratory Ruling – 100421A Heather & Matt Allen (applicant) and David & Gail Allen (Owner), 0 Christian Hill Rd., Map 31, Lot 19, Excavation and construction of an agricultural pond less than three acres and dry hydrant for exclusive use by the Fire Department: approved as permitted uses as of right. The dewatering basin should be surrounded by double-staked hay bales and silt fence on all sides. For any future maintenance work, the applicants should come before the Brooklyn IWWC. The work shall be done in accordance with the site plan last revised on 11/2/21.

Heather Allen asks why she needed to go through the process. Demian Sorrentino explained it was needed because they deem that the way the plan was designed in such a way that there are no impacts.

The plan cost her \$6,000 she wanted to know why it could not have been easier, quicker, and cheaper.

Jim Paquin states that the Public Hearing is closed, and the applicant received what she wanted and is now complaining.

**Closed at 6:54 p.m.**

**New Business:** Opened at 6:55 p.m.

**1. 110921A Joann & Frank Titus, River Farm Dr., Map 43, Lot 15, Residential Home, septic tank, driveway, shed, & minor grading.**

There was discussion about receiving the application tonight.

Jim Paquin asked to move the approval to a Duly Authorized Agent Approval. Discussion ensued.

A motion was made by Jim Paquin for application 110921A JoAnn and Frank Titus, Lot 15 River Farm Road, Map 43, Lot 15, RA Zone: Construction of new single-family dwelling, septic system, well, driveway, and minor grading with standard conditions, to be approved as a Duly Authorized Agent Approval. Demian Sorrentino seconded this motion. Discussion ensued.

Jim Paquin amended his motion to include:

1. The work shall be done in accordance with the site plan last revised on 11/7/21.
2. The IWWC is aware that a zoning permit has not been issued for the subject property. Until such time as the applicant has secured a zoning permit to move ahead with the development of the lot, no activity pursuant to the wetlands permit is permitted.

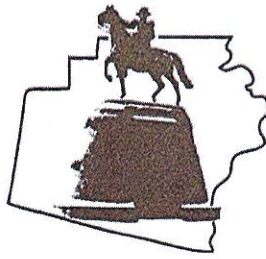
Demian Sorrentino seconded the motion. No discussion. All in favor. The motion passed unanimously.

**Closed at 7:05 p.m.**

**Communications:** Opened at 7:06 p.m.

1. Wetlands Agent Monthly Report.

Stephanie Kosoff, the town assessor, submitted her concerns on town letterhead asking the Commission to investigate Map/Lot 34/31 Brown Rd. Discussion ensued.



email w/  
draft agenda

# Brooklyn Land Use Department

69 South Main Street  
Brooklyn CT 06234  
(860) 779-3411 x 31

Inland Wetlands

Zoning Enforcement \_\_\_\_\_

Blight Enforcement \_\_\_\_\_

## SITE INSPECTION NUMBER

1 2 3 4 5

177 Windham Rd

3-2-22

Address

Date

I inspected and took photos with Ashley due to a complaint. The woods to the west of the house (back of house) have been cleared. Stumps have been pulled.

Wood and stumps are piled up in one area about 6 ft from an existing wetland flag. Two wetland flags were observed.

No digging happened in the wetland. This inspection report serves as a cease and desist order. No more digging or tree removal until further notice. You're required to attend the 3/8/22 Wetlands meeting in person, via Zoom

Commission Representative \_\_\_\_\_

or by phone

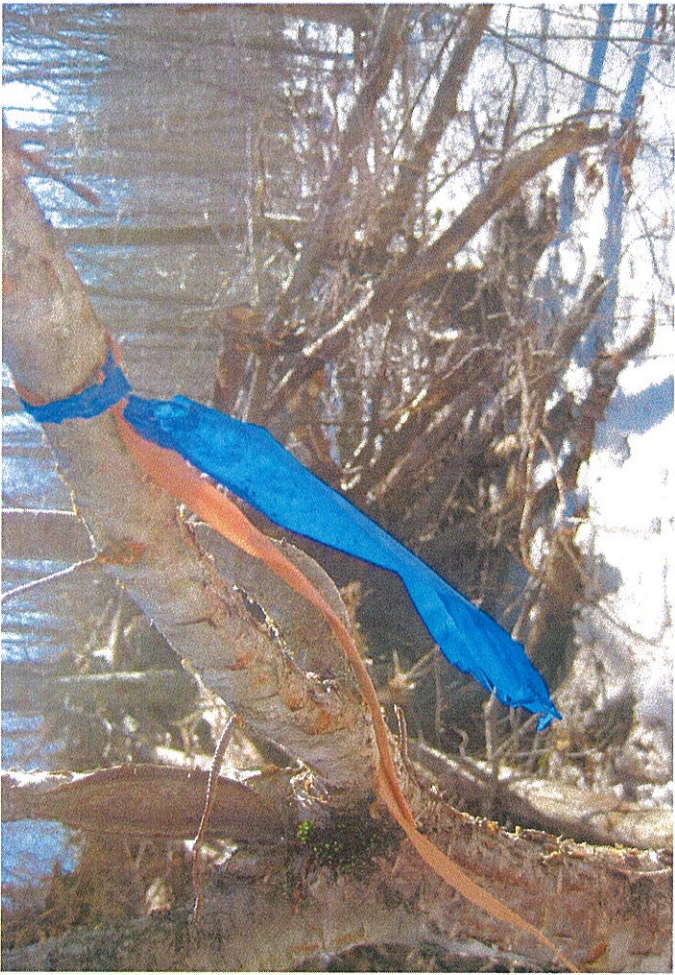
m. Washburn

Owner or Authorized Signature \_\_\_\_\_

at  
6:00  
pm



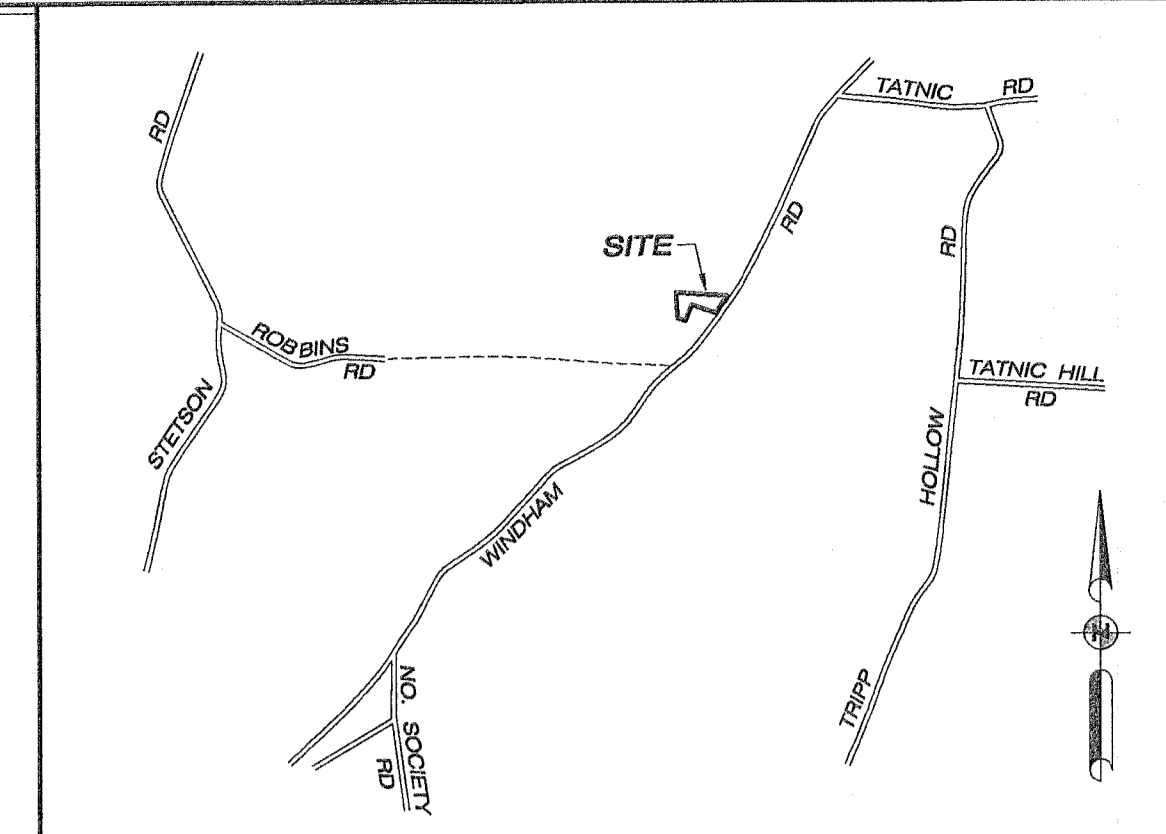
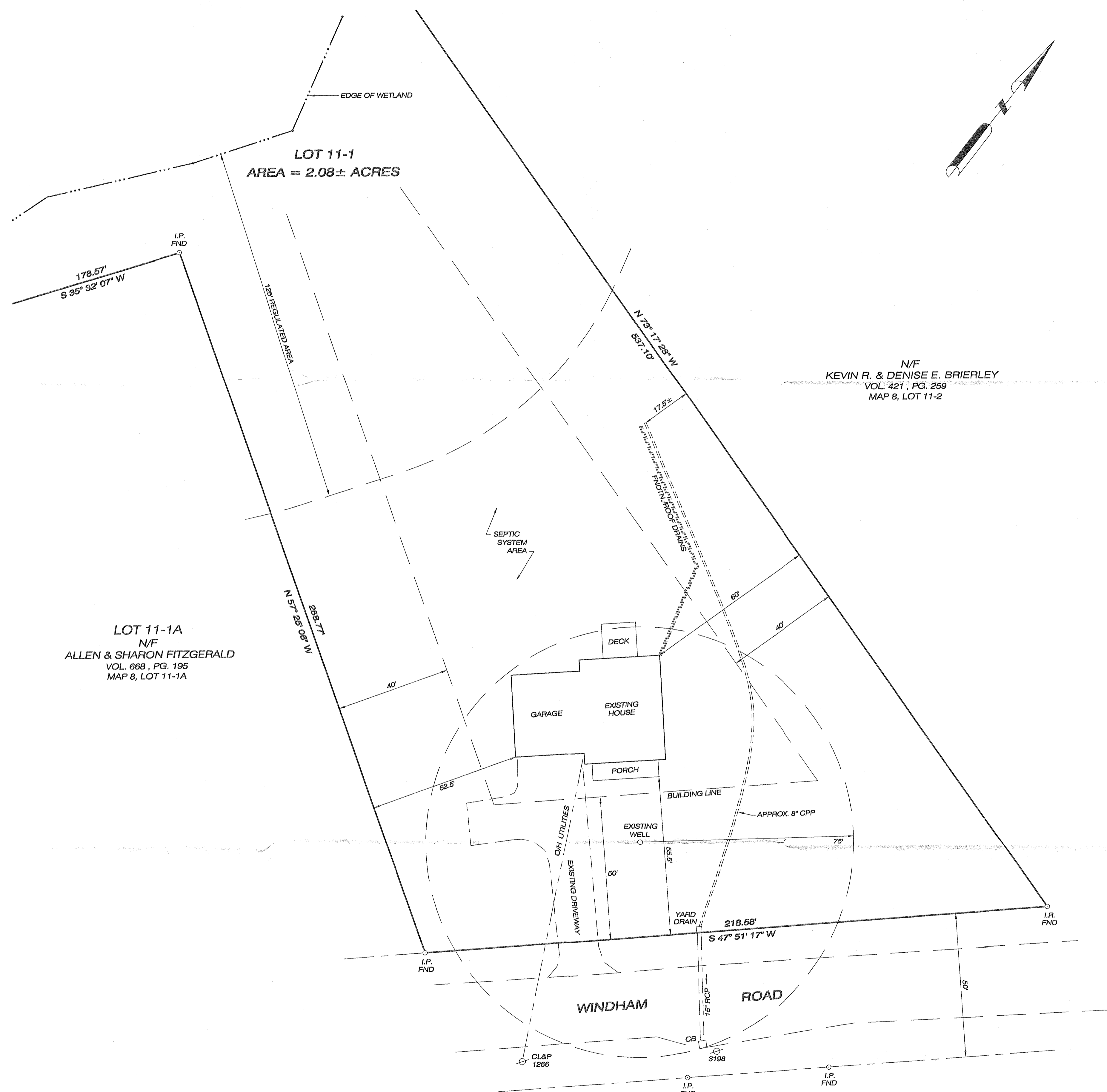










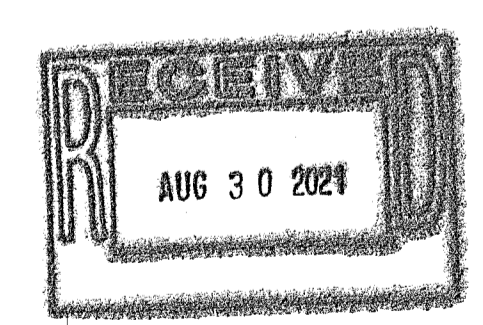


LOCATION MAP 1" = 2000'

- NOTES:
1. THIS MAP AND SURVEY HAVE BEEN PREPARED IN ACCORDANCE WITH SECTIONS 20-300b-1 THRU 20-300b-20 OF THE REGULATIONS OF CONNECTICUT STATE AGENCIES - STANDARDS FOR SURVEYS AND MAPS IN THE STATE OF CONNECTICUT AS ADOPTED BY THE CONNECTICUT ASSOCIATION OF LAND SURVEYORS, INC. IT IS A GENERAL LOCATION SURVEY BASED ON A DEPENDENT RESURVEY CONFORMING TO HORIZONTAL ACCURACY CLASS "C". THE PURPOSE OF THIS MAP AND SURVEY IS TO DEPICT THE LOCATION OF THE IMPROVEMENTS ON THE SUBJECT PROPERTY.
  2. SUBJECT PARCEL IS SHOWN AS MAP 8, LOT 11-1 OF THE BROOKLYN ASSESSOR'S RECORDS.
  3. ZONE: RA
  4. REFERENCE DEED: VOL. 660, PG. 272
  5. REFERENCE MAP: "2 LOT RE-SUBDIVISION - WINDHAM ROAD, BROOKLYN, CONNECTICUT - (OWNERS/APPLICANT) PAQUIN PROPERTIES LLC - 517 POMFRET ROAD, BROOKLYN, CT 06234 - OCTOBER 2008 - REVISED: NOVEMBER 2008 - BY: ARCHER SURVEYING, LLC."
  6. NO RIGHTS TO DRAIN IN FAVOR OF THE TOWN OF BROOKLYN WERE FOUND IN THE BROOKLYN LAND RECORDS.

LOT 11-1A  
N/F  
ALLEN & SHARON FITZGERALD  
VOL. 668, PG. 195  
MAP 8, LOT 11-1A

N/F  
KEVIN R. & DENISE E. BRIERLEY  
VOL. 421, PG. 259  
MAP 8, LOT 11-2



GENERAL LOCATION SURVEY		SURVEYING • MAPPING • PLOT PLANS	
AS-BUILT MAP PREPARED FOR			
<b>PATRICK RILEY</b>			
177 WINDHAM ROAD		63 SNAKE MEADOW RD	
BROOKLYN, CONNECTICUT		KILLINGLY, CT 06239	
DATE: AUGUST 27, 2021		860 774 6230	
SCALE: 1" = 20'		SHEET NO: 1 OF 1	
		REVISED:	
JOB NO: 20081	F.B. NO: 226	DRAWN BY: P.A.T. MAP NO:	

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

*Paul A. Terwilliger*  
PAUL A. TERWILLIGER, L.S. NO. 70165

08/23/2021  
DATE

NO CERTIFICATION IS EXPRESSED OR IMPLIED UNLESS THIS MAP BEARS THE EMBOSSED SEAL OF THE LAND SURVEYOR WHOSE SIGNATURE APPEARS HEREON.

approved for final certification of zoning compliance 8-30-21

# TOWN OF BROOKLYN

## Expenditure Report-Detail

Fiscal Year: 2021 - 2022

From Date: 2/1/2022

To Date: 2/28/2022

Account Number	Description	Adj. Budget	Current	YTD	Balance	Encumbrance	Budget Bal	%Bud				
1005.41.4163.51900	Inland Wetlands-Wages-Recording Secretary	\$1,200.00	\$0.00	\$562.50	\$637.50	\$0.00	\$637.50	53.13%				
1005.41.4163.50200	Inland Wetlands-Legal Fees	\$3,500.00	\$731.25	\$975.00	\$2,525.00	\$0.00	\$2,525.00	72.14%				
<b>Transaction Detail (Maximum)</b>												
Date	Entry	Check No	Deposit No	Invoice No	PO Number	Voucher	Shipment	Memo	Vendor	Journal	Amount	
2/24/2022	1839	63043	0	44628	20221114	1387	1387	0 Inv 44628 1/11/2022 - respond to inquiry from Mar	Alter & Pearson, LLC	Accounts Payable	\$146.25	
2/24/2022	1839	63043	0	44628	20221114	1387	1387	0 Inv 44628 1/13/2022 - Review issues from M. Washb	Alter & Pearson, LLC	Accounts Payable	\$97.50	
2/24/2022	1839	63043	0	44628	20221114	1387	1387	0 Inv 44628 1/13/2022 - Email correspondence with M	Alter & Pearson, LLC	Accounts Payable	\$97.50	
2/24/2022	1839	63043	0	44628	20221114	1387	1387	0 Inv 44628 1/18/2022 - email response to M.Washbur	Alter & Pearson, LLC	Accounts Payable	\$48.75	
2/24/2022	1839	63043	0	44629	20221115	1387	1387	0 Inv 44629 1/17/2022 - telephone conference with H	Alter & Pearson, LLC	Accounts Payable	\$48.75	
2/24/2022	1839	63043	0	44629	20221115	1387	1387	0 Inv 44629 1/27/2022 - Receipt and review of draft	Alter & Pearson, LLC	Accounts Payable	\$243.75	
2/24/2022	1839	63043	0	44629	20221115	1387	1387	0 Inv 44629 1/27/2022 - email correspondence with HH.	Alter & Pearson, LLC	Accounts Payable	\$48.75	
Detail Total:										\$731.25		
1005.41.4163.53200	Inland Wetlands-Professional Affiliations							\$65.00	\$0.00	\$0.00	\$65.00	100.00%
1005.41.4163.53400	Inland Wetlands-Professional Services							\$500.00	\$0.00	\$0.00	\$500.00	100.00%
1005.41.4163.55400	Inland Wetlands-Advertising & Legal Notices							\$500.00	\$0.00	\$0.00	\$264.80	52.96%
1005.41.4163.55500	Inland Wetlands-Printing & Publications							\$100.00	\$0.00	\$0.00	\$100.00	100.00%
<b>Grand Total:</b>										\$4,092.30	\$4,092.30	69.77%

End of Report

# TOWN OF BROOKLYN

## Inland Wetlands Revenue

Fiscal Year: 2021 - 2022

From Date: 2/1/2022

To Date: 2/28/2022

Account Number	Description	Adj. Budget	Current	YTD	Balance	Encumbrance	Budget Bal	%Bud
1005.00.0000.422B4	Inland Wetlands Fees	(\$4,000.00)	\$0.00	(\$600.00)	(\$3,400.00)	\$0.00	(\$3,400.00)	85.00%
<b>Grand Total:</b>		<b>(\$4,000.00)</b>	<b>\$0.00</b>	<b>(\$600.00)</b>	<b>(\$3,400.00)</b>	<b>\$0.00</b>	<b>(\$3,400.00)</b>	<b>85.00%</b>

End of Report