

APPROVED MINUTES
BROOKFIELD INLAND WETLANDS COMMISSION
Monday, October 17, 2011– 7:00 p.m.
TOWN HALL MEETING ROOM # 133

1. Convene Meeting

Chairman J. Vulcano convened the meeting at 7:00 p.m. and established a quorum of members.

2. Roll Call and Designation of Alternates

Present: Chairman J. Vulcano, Vice Chairman J. Goletz, Secretary B. Samuel, L. Miller, Alternate and Voting Member S. Fox

Absent: Alternate G. Hunton

Also Present: Wetlands Enforcement Officer K. Daniel, Recording Secretary D. Cioffi

3. Wetlands Enforcement

a. Enforcement Officer's Report – WEO Daniel handed out copies of her Enforcement Report to all Commission members.

595 Federal Road #201100341: Notice of Violation – WEO Daniel advised that this matter relates to erosion that occurred at the site. She added that it is not clear if this is related to the Town's installation of the water line, or the straightening of Elbow Hill Road. The Department of Transportation was sent a Notice of Violation and asked to appear, however, the representative she spoke with did not give the impression he would come to the meeting. The Town's Director of Public Works has discussed this matter with the DOT representative, and they are working on a design correction. This will remain a Notice of Violation as the parties work towards resolution of the erosion issue. The initial complaint came in May of this year, but the problem has existed for a longer time period. **Commissioner Miller moved to continue 595 Federal Road, #201100341, to the next regularly scheduled meeting. Commissioner Fox seconded the motion, and it carried unanimously.**

289 Candlewood Lake Road #201100797: Notice of Violation – WEO Daniel advised that this is also an erosion problem on this steep site. Photographs taken today were reviewed. *B. Usati, 289 Candlewood Lake Road, was present.* The history of prior problems at this site (fire, loss of foundation, mud slide) was reviewed. Mr. Usati advised he cannot backfill at the site at this time. He has talked with his engineer, R. Gallagher, about possible resolution. Mr. Usati indicated that the silt fences are up. WEO Daniel advised that there is likely sediment build up in the catch basin that should be cleaned. The plans call for installing top soil and grass on top of the rip rap. Mats have been unsuccessful. WEO Daniel stated that there are no wetlands and watercourses on the back of the property. Mr. Usati discussed how the work will start from the back and work forward, and stated that the house has to be framed and stabilized before he is able to backfill. Commissioner Miller inquired if top soil and seeding is done on top of the rip rap if there is any possibility of water that would run underneath and compromise the stability. Mr. Usati acknowledged that a wall may have to be installed. WEO Daniel indicated that this item could be cleared and removed from the Enforcement Report. **Commissioner Fox moved , that in the matter of 289 Candlewood Lake Road #201100797, because the property owner has taken all reasonable steps to resolve and stabilize the area, that the Commission remove and clear the Notice of Violation, with the understanding**

that WEO will follow up with an inspection in the spring. Commissioner Miller seconded the motion, and it carried unanimously.

3 Conrad Road #201100826: Notice of Violation – WEO Daniel indicated that photos were sent with the Notice of Violation, which relates to poor draining along this and neighboring sites. *M. Vacirca, 3 Conrad Rd., was present.* WEO Daniel advised that the channel is acceptable, however, the work was done without a permit. Mr. Vacirca showed the properties that he owns on a map of the area. He advised that after the last storm, he began to see saturation and smell septic. He stated that concrete was put in to make the water run more efficiently. Mr. Vacirca also pointed out a pipe that was there when he bought the property. He stated that there is no curb, and water from the road “dumps” into his property. He further discussed a basin at the top of Elbow Hill Road. WEO Daniel noted that this is a private road. The Commission will inquire of the Director of Public Works if he knows where the basin goes.

C. Brown, 2 South Mountain Road, was present. He described the area of wetlands in the past, noting that there is also an aquifer under the site. Mr. Brown indicated he is concerned about contamination to well water. Chairman Vulcano pointed out the catch basin present between 1 Conrad Road and 3 Conrad Road.

Chairman Vulcano requested that the property owner put a plan together and submit an application to the Land Use Office within the next two weeks. **Commissioner Miller moved to continue 3 Conrad Road #201100826, Notice of Violation, to the next regularly scheduled meeting. Secretary Samuel seconded the motion, and it carried unanimously.**

b. Site Inspection Reports

540 Federal Road

- **Memo from S. Hayden of Northwest Conservation District dated 09/30/11**
- **Memo from S. Hayden of Northwest Conservation District dated 10/03/11**

It was noted that the repairs requested in the October 3, 2011 Memo have been completed.

Vice Chairman Goletz inquired regarding the status of the work at the **trail near the Police Station**. WEO Daniel indicated that the breach was cleaned up upon her inspection this past Thursday. Photographs were shared.

8A Stage Road – The last report from D. Virbickas was reviewed. WEO Daniel indicated that neighbors down the street and on the opposite side of the road complained, however, upon investigation, it was determined that these neighbors’ houses were built on wetlands soil. Commissioner Miller noted Mr. Virbickas’ reference to a sink hole in the middle of the road. WEO Daniel will investigate this.

Discussion/no motions.

Chairman Vulcano moved to go to Agenda Item 4.b. Secretary Samuel seconded the motion, and it carried unanimously.

4. Old Business:

b. 35 Sunset Hill Road #201100761: Corrective Action (dec date 11/30/11) – G. Cyr, 35 Sunset Hill Road, was present. WEO Daniel noted that Mr. Tedesco's comments are now in the file and they were shared with Mr. Cyr. There was brief discussion regarding the total for the fines, which were put in abeyance after the last September meeting. The proposed location for the work was pointed out on the plans. WEO Daniel reviewed Mr. Cyr's plans for a two-foot dry well, berm, and trench with soil and existing rock. Mr. Cyr discussed how this matter was resolved once before with work by the Town underneath his driveway and the road, which was noted in the last meeting's Minutes. Mr. Cyr inquired if he had to repeat the work, or if the Town would do it as it is a catch basin on a Town road, tying into Town drainage. Chairman Vulcano advised that he believes the Commission should speak with the Director of Public Works and/or the Board of Selectmen about resolving this issue, and recommended doing the work as soon as possible before the winter weather comes. WEO Daniel will facilitate the communication with the Town so that the work on the Town road is accomplished. Mr. Cyr will commence the work that will take place on his property to resolve the issue on the neighbor's site.

Commissioner Miller moved to approve 35 Sunset Hill Road #201100761, to approve the corrective action on the plan, with the following stipulations: 1) the property owner will begin the work on his property to excavate a trench, 18" wide, and 15" deep, with a pitch, and the dry well and the berm as indicated on the plan; 2) the property owner will install a 15" corrugated plastic pipe from the edge of his property to the Town road (Sunset Hill Road); 3) that the driveway at 37 Sunset Hill Road be repaired, re-graded, and filled, no later than November 15, 2011, as per the map approved and dated 10/17/11. It was noted that WEO Daniel will work with the Public Works Department and/or the Board of Selectmen to bring to conclusion the culmination of the catch basin installation on the Town's property. Commissioner Fox seconded the motion, and it carried unanimously.

WEO Daniel and the Commission advised Mr. Cyr that when the work is completed, resolution of the fines will be discussed.

Commissioner Miller moved to go to Agenda Item 4.a. Secretary Samuel seconded the motion, and it carried unanimously.

4. Old Business:

a. 22 Deerfield Road #201100739: Kayak Landing (dec date 11/16/11)
J. Carpenter, A to Z Landscaping, 612 Federal Road, Brookfield, was present.
Commissioner Miller indicated he inspected the site. The plan involves removing large rocks from the lake when the lake is drawn down. The property owner would like to make the sea

wall out of natural boulders, approximately two feet above the water, and it will not line the whole length of the property. Mr. Carpenter indicated that a Bobcat-type excavator will be utilized, down an existing path. Commissioner Miller reviewed the elevations at the site from the shore up to the house. He indicated there is not a large potential for erosion. There was discussion regarding what could be done to retain the sand. Mr. Carpenter demonstrated where the silt fence would be put. He advised that there would be little disturbance, as the property owner prefers a natural look. The sequence of construction was discussed, and the silt fence delineation was drawn in on the plans by Chairman Vulcano, and initialed by Mr. Carpenter.

Commissioner Miller moved to approve 22 Deerfield Road, #201100739, the kayak landing, according to the most recent plan that was received on October 12, 2011, with the modifications on the plan as indicated by the applicant, and that the work will be performed in accordance to follow sequence:

1) use a small excavator and/or Bobcat, once the lake is drawn down, to remove the large rocks; 2) install a silt fence as indicated on the plan; 3) construct a boulder sea wall with the understanding that it will be would be large boulders, no concrete, no base; 4) working back toward the house, to install grave walkway as indicated on the plan, that will be dug by hand; 5) install the sand as indicated on the plan; and 6) install low voltage lighting on the pathway. The applicant will send a letter to the Land Use Office confirming the above sequence, and contact the Land Use Office when the silt fence is installed.

5. New Business:

a. 901 Federal Road #200200697: Request for Permit Extension - D. Stone, 901 Federal Rd., was present. He advised that the Zoning Commission recently approved an extension of its permit for this site, and he is seeking approximately five years on the wetlands permit, for full the amount of time. **Commissioner Miller moved to approve the permit extension for 901 Federal Road, #200200697; the original expiration date was 10/15/12; and extend that to 10/15/16. Secretary Samuel seconded the motion, and it carried unanimously.**

b. 2012 Land Use Commission Regular Meeting Schedule Draft

• Calendar for 2012 year – Commissioner Fox moved to approve the 2012 Land Use Commission schedule for the Inland Wetlands Commission. Secretary Samuel seconded the motion, and it carried unanimously.

6. Tabled Items: None.

7. Correspondence & Bills:

a. Correspondence:

1. Minutes of Other Boards & Commissions: 09/22/11 Zoning; 10/03/11 Zoning Board of Appeals 10/06/11 Planning – No discussion/no motions.

2. Connecticut Association of Conservation and Inland Wetlands

Commissioners, Inc. Dated October 1, 2011 – WEO Daniel called to the Commissioner’s attention the workshop schedule. **No motions.**

8. Review Minutes of Previous Meetings: 09/26/11 – Commissioner Miller moved to approve the Minutes of the September 26, 2011 Meeting. Secretary Samuel seconded the motion, and it carried, 3-0-2, with Chairman Vulcano and Secretary Samuel abstaining.

9. Informal Discussion: None.

10. Adjourn Secretary Samuel moved to adjourn the meeting at 8:18 p.m. Vice Chairman Goletz seconded the motion, and it carried unanimously.

*****Next regular meeting scheduled for October 31, 2011*****