

**APPROVED MINUTES  
BROOKFIELD INLAND WETLANDS COMMISSION  
Monday, January 9, 2012– 7:00 p.m.  
TOWN HALL MEETING ROOM # 133**

1. **Convene Meeting: James Vulcano began the meeting at 7:00 PM.**

2. **Roll Call and Designation of Alternates:**

Present: James Vulcano, Chairman  
Sharon Fox, Alternate Member\*  
Geoffrey Hunton, Alternate Member\*  
Belinda Samuel, Secretary  
James Goletz, Vice Chairman

Absent: Lawrence Miller, Regular Member

Also Present: Katherine Daniel, Wetlands Enforcement Officer  
Emily Cole, Recording Secretary

\*James Vulcano noted that every member will be a voting member for this evening.

3. **Executive Session: 1 High Ridge Road Pending Litigation:**

**J. Vulcano made a motion to go into executive session at 7:10 PM. S. Fox seconded the motion, and it carried unanimously, 5-0.**

**G. Hunton made a motion to come out of executive session at 7:39 PM. J. Goletz seconded the motion, and it carried unanimously, 5-0. J. Vulcano noted that there were no motions made during executive session.**

4. **Wetlands Enforcement:**

a. **Enforcement Officer's Report**

**35 Sunset Hill Road:**

K. Daniel stated that a portion of the trench has been stabilized and the berm is in place. K. Daniel passed photos out of the property for the Commission. K. Daniel suggested that the Commission re-visit this matter in the first meeting of April.

K. Daniel stated that the neighbor at 37 Sunset Hill Road had done the drainage work on the lower portion of her driveway; K. Daniel noted that the site now looks manageable. K. Daniel also showed pictures of 37 Sunset Hill Road to the Commission.

### **89 Stony Hill Road:**

K. Daniel noted that there is deposition of material in the upland review area. K. Daniel stated that she will contact the property owners about the deposition of materials in the upland review area. K. Daniel stated that the clippings have been piling up for a while.

### **Stony Hill Village:**

K. Daniel noted that there are wood chips deposited in the upland review area from trees from the storm. K. Daniel reported that she had called the property manager and the issue has been resolved.

### **1. 6 Autumn's Way #201101093:**

*Allen Isabelle of 6 Autumn's Way was present.*

K. Daniel showed pictures of the property to the Commissioners. K. Daniel stated that Mr. Isabelle lives at the end of a common driveway and residents of the Brookfield Hills Condominiums had complained about his property. K. Daniel stated that through these complaints she learned of the wood chip pile near the wetlands.

K. Daniel showed the Commission an as-built of the property. K. Daniel stated that the exact location of the deposit is not completely clear, but there is a pile of logs in the back of the property near the wetlands area. K. Daniel also stated that the Zoning Commission was concerned that there may be a wetlands violation on the site.

J. Vulcano asked for clarification about the logs. Mr. Isabelle stated that the pile of wood was his fire wood. Mr. Isabelle stated that he had brought the logs onto his property. He stated that he used a machine to pile the logs that he will split for next year's wood. Mr. Isabelle described to the Commission where the location of the wood is located on his property. K. Daniel clarified that the pictures were taken from the Brookfield Hills Condominiums.

Mr. Isabelle stated that he put wood chips down on the area because it was easier to cut wood on wood chips. J. Vulcano asked if Mr. Isabelle had put the wood chips and wood pile within 75' from the regulated area, and Mr. Isabelle confirmed that the wood and the wood chips are in the regulated area. The Commission reviewed the subdivision map for the wetlands approval approximately four years ago.

K. Daniel stated that Mr. Isabelle would either need to keep material out of the upland review area, or would need a permit to store wood in the regulated area. Mr. Isabelle stated that the wood will not remain in that location, and that he had a tree business. K. Daniel asked Mr. Isabelle if he runs a business out of his home, and he stated that he uses the telephone but does

not park his trucks on the property. J. Vulcano asked Mr. Isabelle if the wood on the property was for his fire wood, and Mr. Isabelle confirmed that it was.

J. Vulcano suggested that Mr. Isabelle locate the distance from the regulated area. Mr. Isabelle stated that he will not bring any more wood chips into the property. S. Fox noted that the wood chips may be brought onto the property, just not onto the regulated area.

K. Daniel stated that she would like to have a picture of the existing situation to quickly resolve any complaints in the future. K. Daniel stated that she will be in contact with Mr. Isabelle to take some photos of the property.

**J. Vulcano made a motion to remove 6 Autumn's Way from enforcement. B. Samuel seconded the motion, and it carried unanimously, 5-0.**

**2. 105 Gray's Bridge Road #201101078: Notice of Violation –**

K. Daniel stated that this violation was for a drainage trench on the property. K. Daniel stated that B. Fisher was doing work on the property to alleviate the flooding into the property. K. Daniel stated that there was no permit pulled for the work. K. Daniel noted that the area of drainage has since been stabilized and seeded into a swale.

*Wayne Gravius was present on behalf of the property owner.*

J. Vulcano asked W. Gravius for further clarification of the work on the map submitted. W. Gravius stated that there were never any problems until the sewer line had been dug, and after that time there was flooding in the parking lot. W. Gravius and K. Daniel clarified for the Commission the location of the drainage work on the property.

W. Gravius stated that the drainage starts about fifteen feet from the building and swales out.

**J. Goletz made a motion to remove 105 Gray's Bridge Road from enforcement. S. Fox seconded the motion, and it carried unanimously, 5-0.**

**J. Vulcano made a motion to move to item 6b, 105 Gray's Bridge Road under new business. J. Goletz seconded the motion, and it carried unanimously, 5-0.**

**b. 105 Gray's Bridge Road #201200017: Drainage (dec date 03/14/12)**

**J. Vulcano made a motion to approve the aerial photograph indicating the drainage swale**

that has been installed per the mark-up on the Town of Brookfield, CT GIS map and is dated 1/9/12 initialed by Wayne Gravius and stamped in for the record. S. Fox seconded the motion, and it carried unanimously, 5-0.

**J. Vulcano made a motion to return to item 4a3 under enforcement. S. Fox seconded the motion and it carried unanimously, 5-0.**

**3. 152 Candlewood Lake Road #201101094: Notice of Violation–**

K. Daniel stated that the elevation of the property is significantly increasing. K. Daniel stated that Mr. Inzero was asked to be here tonight. K. Daniel stated that she will be in touch with Mr. Inzero, and she suggested that Mr. Inzero is asked again to appear.

**J. Vulcano made a motion to continue 152 Candlewood Lake Road. S. Fox seconded the motion, and it carried unanimously, 5-0.**

**b. Site Inspection Report:**

**540 Federal Road** J. Vulcano noted that the inspection report for 540 Federal Road looks good.

**5. Old Business:**

**540 Federal Road #201101026: Water Storage Tank Water Main** (dec date 02/15/12)

*Steve Sullivan of CCA, LLC present on behalf of the applicant.*

*Marty Handshy, Consultant to the Board of Selectmen also present.*

Mr. Sullivan stated that a new revised site plan for the water storage tank was submitted along with supplemental information from soil scientist Roy Shook. The channels have now been officially delineated with channels of the watercourses observed during the site walk. Mr. Sullivan also stated that there is a new layout with very little cut. There is more fill with retaining walls to decrease the disturbance to the wetland area. Mr. Sullivan stated that that there is also a retaining wall on the property to minimize encroachment onto proposed buildings and is one foot high to eight feet high. Mr. Sullivan stated that he was not sure about what type of wall the retaining walls will be.

Mr. Sullivan stated that the driveway will be crowned so that the water will be able to drain on both sides. Mr. Sullivan stated that there will be a fill one between 4+0 on the map and 7+0 and 8-10 so that the surface water will go through the crushed stone and continue down as to not divert the waterway from the wetland.

Mr. Sullivan stated that at Station 9+0 the clearing limit will be 50 feet wide, at Station 8+0 forty feet wide. Mr. Sullivan clarified that these are the two widest spots. This footage amount pertains to clearing limit on the uphill side to the silt fence.

S. Fox noted that there is no stream crossing on the revised plan.

Mr. Sullivan stated that the landscaping remained primarily the same between the two plans.

S. Fox stated that the revised plans look good to her. J. Vulcano stated that the elevation and many of the cuts were removed. J. Vulcano stated that there was a big difference between this and the other plan. J. Vulcano stated that this plan looks good.

K. Daniel stated that she was not able to get the Town Attorney's opinion, and Jeff Sienkiewicz has been assigned to the project. K. Daniel stated that she should have the Attorney's opinion by the next meeting.

J. Vulcano stated that the Commission needs to wait for the paperwork from the Town Attorney. K. Daniel suggested that monitoring the site and certain materials might want to be considered as conditions of the approval.

**J. Vulcano made a motion to continue 540 Federal Road to the next regularly scheduled meeting. S. Fox seconded the motion, and it carried unanimously, 5-0.**

**6. New Business:**

**101 Obtuse Hill Road #201101098: 8-lot subdivision – “Whispering Glen Section II”**  
*(dec date 03/14/12)*

*Peter Young was present on behalf of the property owner to present the project.*

Mr. Young explained that Citizens Bank foreclosed on the property and Finmark Custom Homes LLC is managing the property.

Mr. Young stated that there are eight undeveloped lots, and one of the current lots has an unfinished house on it.

Mr. Young stated that the Planning Commission has accepted this application and has set a public hearing for February 2, 2012. Mr. Young stated that the neighbors were notified of the

subdivision application for the Planning Commission and the Inland Wetlands Commission.

Mr. Young stated that all the files are previously submitted to the Land Use Office, and asked that the Commissions use the original applications on file when reviewing the current file. Mr. Young presented the plan that was originally approved by the Planning Commission and Wetlands Commission. Mr. Young stated that nothing has changed between the current plan and the original plan. S. Fox asked Mr. Young how long the vacant unfinished house has been under construction, and Mr. Young clarified that the house has been under construction for approximately two years.

Mr. Young and the Commissioners clarified the location of the lots on the proposed map.

Mr. Young stated that the bond was turned over to the Town and the Public Works Department. Mr. Young noted that the Town completed all of the outstanding work with the bond except the pins, monuments, and the as-built. Mr. Young also stated that some of the detention basins had been increased by the Town.

J. Goletz stated that the applicant will return to the Commission with a wetlands applications for each lot and the construction of each house.

Mr. Young stated that some of the lots have separate wetlands permits that are still valid.

J. Vulcano stated that the Commission needs to consider the total impact of the eight lots and their locations on the wetlands.

Mr. Young stated that the catch basins may need to be cleaned in the Spring. Mr. Young stated that he has been in touch with the Public Works Department because that Department has information on the maintenance of the property. Mr. Young stated that the road is now considered a Town road.

K. Daniel stated that the species by the road entrance have grown in well. Mr. Young stated that there have been a lot of plantings done along the road.

K. Daniel stated that the wetland bond was not valid, and could not be used because it referenced a Zoning approval. K. Daniel stated that the mitigation that was planted on the property should be reviewed. K. Daniel suggested that the Commissioners view the site to determine how the quality of the environment is impacted.

K. Daniel will scan pertinent records from the original file in the Land Use Office and send the

information via email to the Commissioners.

K. Daniel stated that the Planning Commission had revoked their approval, and these eight lots needed re-approval because they had not been transferred over to other property owners at the time.

**J. Goletz made a motion to continue 101 Obtuse Hill Road to the next regularly scheduled meeting. S. Fox seconded the motion, and it carried unanimously, 5-0.**

7. **Tabled Items:** None.

8. **Correspondence:**

1. **Minutes of Other Boards & Commissions: 12/22/11 Zoning; 12/22/11 special Planning:** No discussion/no motions.

2. **Letter from D. Burns to the Inland Wetland Commission dated 12/13/11 Re: Scheduled Maintenance Activities by Connecticut Light and Power:** The Commission noted the letter. No motions.

3. **CFL News Volume 16, Issue 2 – December 2011:** No discussion/no motions.

4. **Motion to Withdraw Appearance dated December 20, 2011 –** The Commission mentioned this letter and K. Daniel clarified that it pertained to 1 High Ridge Road. No motions.

5. **Letter from S. Sullivan to the Inland Wetlands Commission dated 01/03/12 Re: Southern Federal Road Phase 2 Water Line**

- **Sheet P7 – Water Main Southern Waterline Phase 2 prepared by CCA, LLC dated 08/16/11; revised 12/23/11**

J. Vulcano noted that this letter and plan show the plantings and the rip-rap on the banks. The Commission reviewed the revised plan and letter.

**S. Fox made a motion in the matter of Activity # 20110028 49, 84 , 360 Federal Road that the Commission accept a revision for Sheet P7 dated 12/23/11 which notes the rip-rap across the stream bed and the addition of four trees. This drawing will now supersede the original P7 drawing that was part of the original drawings dated August 16, 2011. G. Hunton seconded the motion, and it carried unanimously, 5-0.**

**S. Fox made a motion for agenda item 6c that the Commission move it to the next regularly scheduled meeting for the other regular member to be present. J. Goletz seconded the motion, and it carried unanimously, 5-0.**

**9. Review Minutes of Previous Meetings: 12/17/11 special; 12/19/11**

**Minutes of Previous Meeting: 12/17/11 –**

S. Fox noted that in the third paragraph, change M. Sullivan to Mr. Sullivan and change steam in the fourth paragraph to stream.

**J. Vulcano made a motion to approve the December 17<sup>th</sup> special meeting minutes with the changes noted above. J. Goletz seconded the motion, and it carried unanimously, 3-0-2; B. Samuel and G. Hunton abstained.**

**Minutes of Previous Meeting: December 19, 2011 –**

On page 4, in the second paragraph add the word *planned* so it reads “. . . planned to remove four trees, they add three more in its place.”

In the next paragraph, in the last sentence, change tall to wide, so the end of that sentence reads: “. . . it was about ten feet out each side and twenty feet *wide*.”

**S. Fox made a motion to approve the minutes of December 19, 2011 with the above corrections in agenda item 4a. G. Hunton seconded the motion, and it carried unanimously, 4-0-1; B. Samuel abstained.**

**G. Hunton made a motion to adjourn at 9:25 PM. B. Samuel seconded the motion, and it carried unanimously, 5-0.**