

APPROVED MINUTES
BROOKFIELD INLAND WETLANDS COMMISSION
Monday, June 11, 2012 – 7:00 p.m.
TOWN HALL MEETING ROOM # 133

1. Convene Meeting

Vice and Acting Chairman L. Miller convened the meeting and established a quorum of members.

2. Roll Call and Designation of Alternates

Present: Chairman J. Vulcano (arrived at 7:55 p.m.); Vice and Acting Chairman (until Mr. Vulcano's arrival) L. Miller; Secretary S. Fox; Alternate and Voting Member G. Hunton

Absent: M. Downey

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

3. Wetlands Enforcement

a. Enforcement Officer's Report

533 Federal Road – WEO Daniel advised that Attorney Buchsbaum sent a letter requesting compliance by June 1, 2012. WEO Daniel has not heard from Attorney Buchsbaum regarding any action on the property. This item will remain on the report.

b. Site Inspection Reports

540 Federal Road

- **Memo from S. Hayden of the Northwest Conservation District dated 05/30/12**

84-140 Federal Road

- **Memo from S. Hayden of the Northwest Conservation District dated 05/30/12**

Receipt of the above inspection reports was noted. Both properties are in satisfactory condition.

WEO Daniel noted the discussion of **1 High Ridge Road** and **22 Beechtree Road** in the Minutes of May 24, 2012 Zoning Commission meeting. She read and reviewed the complaint by Mr. Harrison to the Zoning Commission, which was referred to the IWC. The IWC has previously resolved this issue with permitting and a Show Cause Hearing. The complaint of new concrete in the pool was handled via the retroactive permit. WEO Daniel did note that the elevation of the block wall was somewhat higher, but it remains part of the conditions of the permit.

WEO Daniel called to the Commission's attention the need to make an administrative correction on an approval of a modification for **10 Huckleberry Hill Rd., the YMCA**. She indicated that the map did not get stamped at the March 2012 meeting, when it was approved.

Miscellaneous

Secretary Fox moved to add **10 Huckleberry Hill Road, YMCA, #201200165** to the agenda as **Old Business, Item 4.b.** Commissioner Hunton seconded the motion, and it carried unanimously.

Secretary Fox moved to go to **Agenda Item 4.b., 10 Huckleberry Hill Road.** Commissioner Hunton seconded the motion, and it carried unanimously.

4. Old Business

b. 10 Huckleberry Hill Road, (YMCA), #201200165 - Secretary Fox moved to make an administrative correction to the existing permit, simply to stamp the plan which was missed on March 26, 2012. Commissioner Hunton seconded the motion, and it carried unanimously.

a. 1 High Ridge Road #201200069: Long Form Application

The Commission noted that it did not get an as-built plan as requested. Commission members reviewed what was submitted by the applicant on May 24, 2012.

Dr. S. Zaky, 1 High Ridge Rd., was present. At the Commission’s request, he pointed out items on the plan that are “new” and those that were “existing”. The plans were reviewed in conjunction with photographs in the file.

WEO Daniel inquired of Dr. Zaky how the water in the coy pond circulated; and he advised it is self-contained. Additionally, Vice and Acting Chairman Miller inquired of Dr. Zaky if he was renovating the pool, and Dr. Zaky advised that he is. Secretary Fox noted that what is before the Commission is the last portion of the approval of the permit. WEO Daniel advised that the Commission did not request that the as-built be prepared by an engineer. It was noted that the map matches the piping and what goes across the property, and the Commission has no reason to dispute that. Dr. Zaky signed the plans to confirm that he generated them.

Secretary Fox moved, in the matter of 1 High Ridge Road, #201200069: Long Form Application, to accept the map that was received in the Land Use Office on May 24, 2012, signed by Dr. Zaky, that this satisfies the as-built stipulation from the plan, which was approved on the 26th of March, 2012. Commissioner Hunton seconded the motion, and it carried unanimously.

Acting and Vice Chairman Miller signed the map (and noted, “Accepted as compliant with the as-built stipulation for approval dated 3/26/12”) and dated this signature as 6/11/12.

5. New Business:

- a. 136 North Lake Shore Drive #201200499: Septic Repair and New Deck**
 - 1. Letter from W. Eaton and P. Eaton to the Town of Brookfield dated 05/29/12 Re: 136 North Lake Shore Drive**
 - 2. Deck Plan received in the Land Use Office on 06/07/12**
 - 3. Property Survey dated 05/16/12 prepared by PAH, Inc. Land Surveyors**

P. Russo, 429 Northrup St., Bridgewater, CT, was present. Mr. Russo intends to purchase the property. When inspecting the site to determine the feasibility of a deck, he found out that the septic had failed. The Town Sanitarian, Paul Avery, has been to the site. A septic installer has designed a system which was approved by Mr. Avery.

Mr. Russo advised that the dotted line on the plans is where the proposed deck will be. Secretary Fox noted the need for a construction sequence and soil and erosion controls. Mr. Russo has discussed this with Mr. Avery.

There was discussion regarding the grading on the property.

The Commissioners would like to inspect the site. Secretary Fox encouraged the applicant to submit the construction sequence, with the type of equipment and the timing of the project, along with the soil and erosion control plan, as soon as possible.

Mr. Russo advised that he is unable to move forward with the purchase of the property until the approval is in place. Upon inquiry from Vice and Acting Chairman Miller, he indicated that the old tank will remain, and the fill for the new tank will be used at the old tank’s location. A mini-excavator will be used for this work. Mr. Russo advised that the current property owners live in New Jersey, and Mr. Russo would like to keep the negotiations progressing. The Commission discussed its concerns (soil and erosion controls; and construction sequencing) with WEO Daniel. There was additional discussion regarding the grading on the property. WEO Daniel pointed out the need to correct the failing septic. She indicated that the erosion controls could be drawn on the map, and that the sequence could be handled via a stipulation of approval. Mr. Russo drew locations on the plans for silt fence and hay bales

and initialed these on the plans. WEO Daniel will inspect the site after their installation. The Commission outlined the following actions for a construction sequence: installation of soil and erosion controls; inspection by WEO Daniel; removal of patio by hand; small excavator to install the trench; replace the patio; construct the deck.

Secretary Fox moved, to approve an application for 136 North Lake Shore Drive, #201200499, for the septic repair and installation of a new deck, all noted on a plan dated May the 16th, 2012, and making note that there are several notations on the plan regarding sedimentation control, and also the construction sequence. Commissioner Hunton seconded the motion. Motion carried unanimously.

Secretary Fox moved to add Agenda Item 5.b., 5 Berkshire Drive, #201200511. Commissioner Hunton seconded the motion, and it carried unanimously.

5. New Business

b. 5 Berkshire Drive, #201200511 – WEO Daniel indicated that the applicant is responding to a letter from her regarding unprotected activity in the Candlewood Shores Tax District. A representative of the CSTD was unable to attend tonight’s meeting. The activity at the site is leaf and yard waste recycling. There was discussion regarding the removal of invasives at the site. WEO Daniel suggested that the Commission members inspect the site.

Chairman Miller moved to continue 5 Berkshire Drive, #201200511, to the next regularly scheduled meeting, with the understanding that Commission members will inspect the site. Secretary Fox seconded the motion, and it carried unanimously.

7. Correspondence:

a. Minutes of Other Boards & Commissions: 05/17/12 Zoning; 05/17/12 Planning; 05/24/12 Zoning – Discussion re: May 24, 2012 Zoning Commission Minutes above.

Commissioner Hunton noted the discussion in the May 17, 2012 Zoning Commission Meeting Minutes regarding a request from A. Boyd of the Brookfield Patch for Commission members to “tweet” during meetings. It was noted that the IWC was not contacted regarding this request, nor is it interested in “tweeting” during meetings.

8. Review Minutes of Previous Meetings: 05/21/12; 05/23/12 Special

5/21/12 - Secretary Fox moved to approve the Minutes of the May 21, 2012 meeting. Commissioner Hunton seconded the motion, and it carried unanimously.

5/23/12 – As Commissioner Hunton was not in attendance at this meeting, there is not a sufficient quorum to approve these Minutes at this time. Secretary Fox did note that she felt the Minutes accurately reflected the content of the meeting.

Secretary Fox moved to recess the meeting until 8:00 p.m. for the Public Hearing re: 101 Obtuse Hill Road. Commissioner Hunton seconded the motion, and it carried unanimously.

The meeting was recessed at 7:50 p.m.

Chairman Vulcano arrived at 7:55 p.m., and the meeting was called back to order at 7:56 p.m.

5/23/12 – Secretary Fox moved to approve the Minutes of the Special Meeting on May 23, 2012. Chairman Miller seconded the motion, and it carried 3-0-1, with Commissioner Hunton abstaining.

CONTINUED PUBLIC HEARING: 8:00 PM –

a. 101 Obtuse Hill Road #201101098: 6-lot subdivision – “Whispering Glen Section II”
(PH Close Date 06/11/12)

- 1. Watershed Map revised 06/01/12 by RJ Gallagher. P.E. (original map: Sheet SA1, Site Plan prepared by CCA, LLC dated 04/12/02; revised through 09/27/02)**
- 2. Pre and Post Runoff Calculations prepared by R.J. Gallagher Jr. & Associates dated June 2012**
- 3. Stormwater Quality Calculations prepared by R.J. Gallagher Jr. & Associates dated June 2012**

Vice Chairman Miller recused himself from this matter and left the table at 8:00 p.m.

Chairman Vulcano shared the above correspondence that has been submitted since the last meeting, including the watershed map.

D. DiVesta, DiVesta Civil Engineering Associates, Inc., 51 Painter Ridge Rd., Roxbury, was present. He reviewed his findings related to the calculations performed by R. Gallagher and CCA over the history of the development site, providing details related to the detention basin and the drainage calculations. Mr. DiVesta opined it was “hard to say if there was an increase or not”.

Mr. DiVesta went over his letter of June 11, 2012, and the applicant’s responses to his May 17, 2012 letter, noting that all items except 10 and 17 were addressed. He did point out that the watershed map does not correspond with the supplemental maps.

P. Young was present, on behalf of the applicant. There was discussion regarding the July 2002 calculations of Mr. Gallagher. Mr. DiVesta noted that the weighted average increased by .06, which he found to be low for the size of the property. He also discussed the “time of concentration”, pre and post-development, the cfs runoff and the inaccuracies of the Manning’s number. Mr. DiVesta explained that he inputted the calculations with the more recent TR-20 Hydro CAD program. He reviewed the calculations outlined on page 3 of his June 11, 2012 report. He noted that the calculations did not consider the detention basins. Upon inquiry from Chairman Vulcano, Mr. DiVesta stated that the April 1, 2002 calculations were based on one detention basin, and the July 2002 calculations were based on three basins.

Mr. Young pointed out that the calculations do not take into consideration the detention basins or the storm water management system for the increased weirs on the site. He indicated that the applicant did consider those things in its calculations, through a hydrograph program in 2008, and more recently. Mr. Young contends that the applicant’s data is correct. He pointed out that all of the lots have storm water management plans, and they impact the calculations.

Mr. Young inquired if it was possible for Mr. Gallagher and Mr. DiVesta to consult with one another regarding the post-development calculations and recommend corrective actions as needed. All parties agreed that this should happen during a meeting. WEO Daniel added that the exchange of information should continue as it has been done, with letters to one another through her, or emails where WEO Daniel is copied. Mr. Young advised that this matter will be before the Planning Commission on July 5, 2012. After the June 23, 2012 meeting, the IWC will not meet until July 9, 2012.

Mr. DiVesta verified that the subdivision road is now a Town road, and Mr. Young discussed the possible development of a neighboring approved, single building lot, and if it would affect the calculations for Whispering Glen.

There was discussion regarding setting a special meeting to resolve the outstanding issues after the experts consult via WEO Daniel. The special meeting will be set for Tuesday, July 3, 2012 at 6:00 p.m. Mr. Young indicated he would ensure that Mr. Gallagher will be there. Mr. Young submitted a letter extending the close date of the public hearing.

Secretary Fox moved to set a special meeting for Tuesday, July 3 at 6:00 p.m. in Room 133 for a continued Public Hearing for Whispering Glen, #201101098, with the understanding that all the information exchanged between the applicant and its representatives, and Mr. DiVesta, will go through WEO Daniel. Commissioner Hunton seconded the motion, and it carried unanimously.

Secretary Fox moved to recess the Public Hearing for Whispering Glen, #201101098, until July 3, 2012, at 6:00 p.m. Commissioner Hunton seconded the motion, and it carried unanimously.

Vice Chairman Miller rejoined the meeting at 8:39 p.m.

6. **Tabled Items:** None.

7. **Correspondence:**

a. **Minutes of Other Boards & Commissions: 05/17/12 Zoning; 05/17/12 Planning; 05/24/12 Zoning – Discussion re: May 17, 2012 Zoning Commission Minutes above.**

9. **Informal Discussion:** None.

10. **Adjourn**

Vice Chairman Miller moved to adjourn the meeting at 8:40 p.m. Commissioner Hunton seconded the motion, and it carried unanimously.

*****Next regular meeting scheduled for June 25, 2012*****