

**APPROVED/AMENDED MINUTES  
BROOKFIELD INLAND WETLANDS COMMISSION  
Monday, September 10, 2012 – 7:00 p.m.  
TOWN HALL MEETING ROOM # 133**

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**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 Vulcano, Vice Chair L. Miller, Secretary S. Fox, Commissioner Hunton, Commissioner Downey

**Absent:** No one was absent.

**Also Present:** WEO K. Daniel, Recording Secretary E. Cole Prescott

Chairman Vulcano noted that every member is a voting member for this meeting.

**3. Wetlands Enforcement:**

**a. Enforcement Officer's Report**

**265 Candlewood Lake Road** – WEO Daniel noted that this item is on the enforcement report, but that there is an application on tonight's agenda for this work.

**1 High Ridge Road** – WEO Daniel stated that there is no new report for this address, but the Commissioners noted that there is a new suit filed with the Court. Chairman Vulcano noted that the property owner is contesting the Inland Wetlands Commission's revocation of the permit. WEO Daniel stated that there is an injunction hearing set for early November.

**533 Federal Road** – WEO Daniel reported that there is an injunction hearing set for October 15, 2012 for this address.

**b. Site Inspection Reports**

Chairman Vulcano noted that there was significant erosion on Candlewood Lake Road. He noted that the erosion discharges behind the Old Shell Station into the Still River. Neil Costa was present, and he stated that he had also seen the erosion in the road, and when he went by again there was some trap rock on the area.

Chairman Vulcano also noted that there are still some erosion issues during a heavy rain event on Candlewood Lake Road across from Down the Hatch.

**Chairman Vulcano made a motion to move to item 4a under old business, 40, 57 & 64 Laurel Hill Road. Vice Chair Miller seconded the motion, and it carried unanimously, 5-0.**

**4. Old Business**

**a. 40, 57 & 64 Laurel Hill Road #201200552: Incentive Housing Development (dec date 09/10/12)**

*Abigail Adams of CCA, LLC was present. Nancy Levesque of CCA, LLC was also present.*

Chairman Vulcano noted that a letter for the project for an extension through tonight's meeting was granted from A. Adams. A. Adams distributed revised drainage reports and revised plans for the Commission. A. Adams stated that this packet supersedes the former drainage report and review letter. A. Adams noted that only the plans that were revised were re-submitted. N. Levesque reviewed some of these revisions with the Commission.

N. Levesque responded in order to the comments from the review letter written by Artel Engineering on 09/07/12 regarding 57 Laurel Hill Road. 1.) N. Levesque mentioned that there have been revisions made to provide soil cover over the proposed roof drain. 2.) Drainage calculations have been revised to reflect run-off curve numbers listed for the hydrologic soil groups, and N. Levesque responded that the pre-existing drainage calculations for 57 Laurel Hill

Road do not impact the outcome of the drainage calculations for the detention system, which is located at 40 & 64 Laurel Hill Road. N. Levesque noted that the numbers for drainage for 57 Laurel Hill Road will not implement the current drainage numbers already present on the property. N. Levesque stated that this run-off does not merit re-submitting drainage calculations for the proposal for 57 Laurel Hill Road. N. Levesque noted that the Zoning Commission had asked that the driveway be widened from 16 to 20 feet to allow for emergency vehicle access, but that this surface does not implement the drainage calculations. 3.) N. Levesque noted that on sheet C2, there is a note that states that the stormwater to be discharged into the stormwater management system proposed at 40&64 Laurel Hill Road is to be installed prior to the start of construction at 57 Laurel Hill Road. N. Levesque stated that she believes that D. Virbickas would possibly like this noted as a stipulation of approval, along with noting it on the plan.

N. Levesque discussed 40 & 64 Laurel Hill Road to respond to D. Virbickas's review letter dated 09/07/12 Re: 40 & 64 Laurel Hill Road. N. Levesque responded to D. Virbickas's comments in order: 1.) N. Levesque stated that there is an old well believed to be abandoned in the front of the property, and the current well in use for the house right now is in the right-of-way. N. Levesque stated that there is a detention system, but there is a greater than 25 foot distance to the detention system, which is the closest point. This measurement is taken from the high point of the detention pond to the well. D. Virbickas also noted that this is an existing condition, and there will be flow in that vicinity during larger storms. A. Adams mentioned that the current property is being assessed for a water line, and the option to tie into the water line is available. Commissioner Hunton asked how easy it would be to tie to the water line, and N. Levesque noted that water line can be hooked up at the end of the driveway. 2.) N. Levesque stated that there was a note on sheet C10 regarding the Hydrodynamic separators about the internal bypass capacity. The internal bypass capacity is ten cubic feet per second so should there be additional water coming through, it will bypass and go directly to the detention system. N. Levesque stated that inverts are indicated on the Grading and Drainage Plan. N. Levesque stated that these details are for the CBS2015-4, which is the model of the four hydrodynamic separators being used. These notes are stated within the detail, and there is a maintenance schedule for one time per year according to N. Levesque. 3.) N. Levesque noted that the detention soil tests have not yet been conducted, but it is clear that there is ledge on the property. The system actually consists of solid piping and is not intended for recharge. N. Levesque noted that the detention pond was raised to about seven feet deep with about a foot of fill over it. D. Virbickas noted that there is about 17 inches of existing grade, and a foot of fill brought on top. N. Levesque noted that the foot can actually contain bituminous material, because it is on the slope. Secretary Fox noted the location of the splash pad, and N. Levesque noted that in the outlet structure the water is being metered out only through an eight-inch pipe that has been sized large enough to hold the runoff of up to a one-hundred year storm event, which is approximately seven inches. N. Levesque noted that this is there to hold the water and is there to discharge it at the same pace it would be discharged normally. N. Levesque noted that this is essentially a double catch basin structure, and the water will start to go out through a four-inch pipe, then a twenty-degree weir, and lastly an eight-inch pipe. N. Levesque noted that the plunge pool splash pad is designed for up to fourteen cubic feet per second, and there is a hundred feet between the actual discharge pipe and the wetland. N. Levesque noted that this area is a wooded area that will not be disturbed. D. Virbickas noted that the only future concern for this area is the fact that a large amount of water is being introduced to a concentrated point that may be prone to erosion. D. Virbickas mentioned that the Commission may want to consider the possibility of having this project monitored during

the construction process. Chairman Vulcano mentioned that this may be a stipulation of approval when the time occurs. 4.) N. Levesque responded that the drainage report has been modified and the times of concentrations have been modified. The times were considered at six minutes previously, and are now at 15.7 for the existing, 6 minutes for the proposed, and 16.6 for the bypass area in the northern drainage detention area. For the southern detention area the existing condition was modified to 11.6 minutes and the proposed to 5.2 minutes, so this should satisfy the fourth comment. N. Levesque stated that CCA concurred with the comment, and there was a number that was mistakenly used. 5.) N. Levesque noted that at one time, the pipe was listed as a twenty-four inch pipe, but now it has been changed to a fifteen-inch pipe. 6.) N. Levesque stated that CCA does realize that the existing pond may not always overflow, and the area itself appears to act as a groundwater recharge area, and there will not be water directed away from it. In the event that the pond does overflow, that south detention area is designed to accommodate the additional flow for all storm events, and the applicant did not want this area to be under-sized.

The Commission asked that CCA, LLC produce one complete set of revised maps and drainage calculations for the record. WEO Daniel noted that only one copy of the entire set for the file would need to be submitted. D. Virbickas will review the revised maps, drainage report and letter for the next meeting.

Vice Chair Miller mentioned that the Commission should review their thoughts about the possible motion and stipulations. WEO Daniel offered to compile any notes sent to her. A. Adams revised the current extension letter for the record.

**Secretary Fox made a motion to continue the application, 40, 57, 64 Laurel Hill Road to the September 24, 2012 meeting. Vice Chair Miller seconded the motion, and it carried unanimously, 5-0.**

**Chairman Vulcano made a motion to move to item 4.b., 14 Arapaho Road under old business. Vice Chair Miller seconded the motion, and it carried unanimously, 5-0.**

**b. 14 Arapaho Road #201200739: Jurisdictional Ruling – Landscaping**  
*No one was present.* It was noted that the Land Use Office had sent a letter to the applicant after the last meeting, indicating that the Inland Wetlands Commission had asked the applicant to attend the meeting to provide more detail about the application. WEO Daniel stated that she will contact the applicant. **Secretary Fox made a motion that because the Commission does not have any additional information for 14 Arapaho Road and they were advised of the Commission's request, the Commission continue the application to September 24, 2012. Vice Chair Miller seconded the motion, and it carried unanimously, 5-0.**

**Chairman Vulcano made a motion to move to item 5.b. under old business. Vice Chair Miller seconded the motion, and it carried unanimously, 5-0.**

**5. New Business:**

**b. 265 Candlewood Lake Road #201200801: Remove stump and fill stump hole, clean debris & remove from wetland line, seed and hay (dec date 11/14/12)**  
*Neil Costa was present to discuss the application.* Secretary Fox noted the location of the work on the property in relation to the wetland areas. N. Costa noted that grass will be put down in the

driveway area, and WEO Daniel stated that a designated parking area is required per the Zoning regulations, so stone may be a good possibility for the future. N. Costa noted the location of the silt fencing on the property on the map for the Commission. N. Costa stated that the one stump will be removed; the area will be seeded and hayed. WEO Daniel noted that the Commission may want to consider invasive removal when reviewing this application. The Commission reviewed the location of the stones in relation to the proposed silt fencing. Chairman Vulcano noted that the Commissioners should keep this detail in mind when walking the site individually. Chairman Vulcano noted that this item is under new business, so the Commission cannot make a decision on this application at this meeting. **Vice Chair Miller moved to continue 265 Candlewood Lake Road to the next regularly scheduled meeting. Commissioner Hunton seconded the motion, and it carried unanimously, 5-0.**

**Chairman Vulcano made a motion to move to item 5a, 871 Federal Road, Request for Permit Transfer. Vice Chair Miller seconded the motion, and it carried unanimously, 5-0.**

**a. 871 Federal Road #200501322: Request for Permit Transfer**

The Commission reviewed that the new owner of the property is Riverview at Brookfield, LLC. **Secretary Fox made a motion to approve the permit transfer at 871 Federal Road. The permit was issued to Riverview LLC and can now be transferred to Riverview at Brookfield LLC under the condition that all of the stipulations of the original permit remain the same. Vice Chair Miller seconded the motion, and it carried unanimously, 5-0.**

**Chairman Vulcano made a motion to move to agenda item 8, review of the previous minutes. Commissioner Hunton seconded the motion, and it carried unanimously, 5-0.**

**8. Review Minutes of Previous Meetings: 08/27/12**

**Commissioner Hunton motioned to accept the minutes. Secretary Fox seconded the motion, and it carried unanimously, 5-0.**

**9. Informal Discussion**

**a. Memo from K. Daniel to Zoning Commission, Zoning Board of Appeals, Planning Commission, Inland Wetlands Commission dated 09/07/12 Re: Electronic Filing of Applications**

WEO Daniel noted that this type of electronic filing of applications came out of discussion at an APA seminar which would be more for the legal discussion to collect submissions via electronic and paper means. WEO Daniel stated that she will send the powerpoint information to Chairman Vulcano. D. Virbickas noted that the Towns that he works with often ask for pdf electronic filing of maps when approved along with the hard copy of the maps for the file. WEO Daniel noted that the ability to show the plan to the public is also helpful to allow the public to more easily view the maps. WEO Daniel stated that she will try to find more information about how Towns are implementing electronic systems.

**7. Correspondence**

**c. Memo from B. Wingfield to Connecticut’s Municipal Inland Wetlands Agencies dated 08/12/12 Re: 2012 Legislation and Regulatory Advisory**

Chairman Vulcano noted receipt of item 7.c: Memo from B. Wingfield to Connecticut’s Municipal Inland Wetlands Agencies dated 08/29/12 Re: 2012 Legislation and Regulation Advisory.

Chairman Vulcano noted that the information for the Commission webpage may need to be updated. M. Downey asked if the purpose of the site is to email the Commissioners. Vice Chair Miller stated that what could be done is all the Commission members could be emailed at once as a general group contact.

Chairman Vulcano made a motion to move to the 8 p.m. public hearing, 101 Obtuse Hill Road. No second/no vote.

**CONTINUED PUBLIC HEARING: 8 p.m.**

**a. 101 Obtuse Hill Road #201200680: 6-lot subdivision – “Whispering Glen Section II”** (PH Close date 10/01/12) Peter Young of Finmark Custom Homes, LLC was present to discuss the application. Chairman Vulcano opened the continued public hearing for 101 Obtuse Hill Road. Vice Chair Miller recused himself in this matter.

Peter Young stated that he is hoping to have the revised information for the Commission by the end of the week. P. Young stated that he did not receive the information from D. DiVesta for the review until this morning. **Chairman Vulcano made a motion to continue 101 Obtuse Hill Road to the next regularly scheduled meeting. Commissioner Hunton seconded the motion, and it carried unanimously, 4-0.**

**Chairman Vulcano made a motion to move to item 4.c, 115 Obtuse Hill Road. Secretary Fox seconded the motion, and it carried unanimously, 4-0.**

**4. Old Business**

Vice Chair Miller recused himself for discussion of the application for 115 Obtuse Hill Road #201200766.

**c. 115 Obtuse Hill Road #201200766: Stone Work, Fountain, Drain/Clean Pond**

*L. Miller, 115 Obtuse Hill Road, was present. Elizabeth Merrihew, landscape architect, Candide Contractor LLC. Candide Valadares, owner of Candide Contractor, LLC were present. D. Virbickas of Artel Engineering was present.* The Commission noted that this application is now considered a long form application because of the work proposed in the pond. L. Miller stated that he, E. Merrihew and D. Virbickas walked the property to add clarification to the plan for the proposed work. E. Merrihew stated that Candide Contractor LLC tries to improve the wetland quality of the ponds by way of detention basins, pond dredging, or whatever the specific site requires. Chairman Vulcano noted that one of the questions that came up in the dredging of the pond was how to contain control and handle the material in the dredging of the pond. D. Virbickas stated that a general sequence was added to the plan. D. Virbickas noted that first water would be stopped from outside sources into the pond. D. Virbickas noted that for erosion controls a temporary diversion will be installed, run a row of silt fence backed with haybales to guide the water to the brook to bypass the pond to pump out what is actually in the pond to keep as much overland water away from the pond as possible. D. Virbickas noted that next the pumps would be put in place depending on how much water needs to be pumped, and to have a pump that is floating. D. Virbickas noted that there will be a mudhole left at this point. D. Virbickas

noted that there is a pipe that the water from the pond can be sent to as well. D. Virbickas noted that the pump will be set away from the bulk of the work, and the dredges will be piled in the north end of the pond to start drying itself in that area to have a machine on top to deposit the soils in the northern portion of the site. D. Virbickas stated that he believes there will be 300 to 400 cubic yards dredged. C. Valadares stated that the general intention is to bring the pond back to the eight foot or nine foot depth in the center, so when that depth is obtained excavation can be done to remove the accumulated sediments. Chairman Vulcano asked what indicates that enough work has been done, and E. Merrihew stated that a boring will be taken to it, and L. Miller stated that the pond is about nine feet deep. L. Miller noted that there will most likely be a foot of sediment removed from the pond. D. Virbickas stated that the applicant is looking to get the pond to the original natural state. WEO Daniel asked when the liner will come out of the pond, and L. Miller responded that he believes that when the pond was originally constructed there was a thin layer of plastic with sand on top. L. Miller stated that E. Merrihew is under the impression that a liner is not necessary at this point. L. Miller stated that by putting a liner in the pond it may create more of a problem than is being resolved. L. Miller noted that once the sediment is removed there will most likely be a layer of clay. L. Miller stated that all he is planning to do for this year is to put some kind of a conduit through the wall and leave it for now for the aerator installation. Secretary Fox suggested that a description of the aerator be included in the application so the applicant does not need to return. M. Downey asked what the material will be used for once dried, and L. Miller stated that he will use the material as fill. L. Miller stated that once the pond is drained down it will be below the discharge drain pipe, so there will be nothing coming out of the pond until it is refilled. Secretary Fox confirmed that whatever the current liner is will be removed. L. Miller noted that a butterfly valve could be put on the outlet to keep the water contained. Secretary Fox asked L. Miller what type of fitting he is planning to have on the pond drain, and L. Miller stated that the butterfly valve is metal and high-density plastic construction that fits over the outlet. L. Miller noted the location of the valve on the inside of the pond with the Commission. L. Miller noted that every few years maintenance may need to be done to clean the leaves and other materials from the pond. D. Virbickas noted that there will be a wall constructed on the perimeter of the pond which will keep leaves and other materials out of the pond. L. Miller stated that a base that is primarily concrete and trap rock, rebar and steel mesh to create the perimeter wall. L. Miller mentioned that this wall will be a fieldstone wall. Secretary Fox noted that birds and other animals can get into the pond area and become stuck, and she shared some of her research with the Commission. Secretary Fox noted that the birds and other animals do not go to the middle of the pond, but that they go to the sides and suggested that if some rocks that just touch the edge could be installed so that the animals have a place to perch to be able to exit the pond. L. Miller noted that a small stone structure could be built at the same level as the spillway. L. Miller asked D. Virbickas to design a small stone structure for the spillway. Chairman Vulcano noted the other potential erosion areas on the plan with L. Miller. L. Miller stated that there is a watercourse that comes through off of the catch basin, and right now the way that this stands, the western side of the stream is almost vertical. L. Miller stated that the plan suggests that some of the grade should be taken back so it is not vertical, put some boulders and seed in the area. L. Miller noted that they will taper that area back to put some boulders through so the area will probably not erode any further at this point.

Chairman Vulcano noted the grade of the property. D. Virbickas stated that originally the pond got its feed from this area via a pipe that went through a weir structure. D. Virbickas noted that the original pipe has been relocated and is at such an elevation that it will now be a challenge to

make it function the same way that it had. D. Virbickas reported that if the weir were moved slightly downstream, it would create a pooling effect to make it fill; D. Virbickas noted that it would not be more than a foot in depth. L. Miller stated that ultimately as it stands currently there is a low flow and something that would help the flow of water for the pond would be helpful. L. Miller noted the possibility of the use of certain polymers to bind themselves and settle to use for flowing water that are 100% biodegradable. L. Miller stated that when he bought the house twenty years ago the water was clear, and the problems started about ten years ago. D. Virbickas stated that the applicant does not want to impede the water of the brook, and he wants to keep it off the main flow. L. Miller stated that the surface aerator will not have an impact on the wetlands. Secretary Fox noted that the sequence of the installation of the aerator is not significant, and Chairman Vulcano noted that the soil and erosion control is indicated on the map. **Secretary Fox moved to approve the application for 115 Obtuse Hill Road activity #201200766 as described on a plan dated 06/30/10 with a last revision date of 09/10/12 making note of the following additions: 1.) in the general pond and dredging sequence add the fact that the excavation at this moment is planned to be eight to ten feet in depth; 2.) the existing liner will be removed; 3.) approve a surface aerator to be installed in the pond and 4.) make note that two areas of rocks were added in the north and south side generally speaking which will allow for egress for animals, reptiles, or birds that get trapped in the pond or the rock wall. The normal stipulations apply which include when it's time to dredge the pond, the silt fence has to be installed and the Land Use Office must be advised at that time. Secretary Fox also noted that there is a possible field modification to the existing wall and weir on the southern side and should the location change the applicant will advise the Land Use Office. Commissioner Hunton seconded the motion, and it carried unanimously, 4-0.**

**10. Adjourn**

**Vice Chair Miller made a motion to adjourn at 8:52 PM. Commissioner Hunton seconded the motion, and it carried unanimously, 4-0.**

**\*\* Next regular meeting scheduled for September 24, 2012. \*\***