APPROVED MINUTES BROOKFIELD INLAND WETLANDS COMMISSION

Monday, September 24, 2012 – 7:00 p.m. TOWN HALL MEETING ROOM # 133

1. Convene Meeting

Chairman 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, Secretary S. Fox, M. Downey (arrived at 7:06 p.m.), Alternate and Voting Member G. Hunton

Absent: Vice Chairman L. Miller

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

3. Wetlands Enforcement

a. **Enforcement Officer's Report** – WEO Daniel reported that there has been no new activity on any of the items on the Enforcement Report. With regard to <u>1 High Ridge Road</u>, a court date has been scheduled for November. WEO Daniel continues to observe the site.

b. Site Inspection Reports

• 540 Federal Road (Water Storage Tank)

Letter from S. Hayden of Northwest Conservation District dated 09/18/12 – Report is satisfactory.

• <u>84-140 Federal Road</u>

Letter from S. Hayden of Northwest Conservation District dated 09/18/12 – Report is satisfactory. Secretary Fox indicated that she observed the site today and there were no issues. WEO Daniel spoke with S. Hayden, who had been present on a day where there was rain, and did witness some water leaving the site. Mr. Hayden did note, however, that the water was not heavily polluted with sediment. It was noted that this was a different observation than that of Chairman Vulcano during an earlier rain event.

<u>Miscellaneous</u>- WEO Daniel advised that she will be preparing a regulation change proposal and will have it for the Commission's review at the next meeting.

Commissioner Downey arrived at 7:06 p.m.

WEO Daniel also indicated that she is still working on a summary of activity for the <u>1 High Ridge Road</u> matter. Lastly, she shared copies of the Four Corners/Town Center District proposal with the Commissioners.

4. Old Business:

- a. 40, 57 & 64 Laurel Hill Road #201200552: Incentive Housing Development (dec date 09/24/12)
 - 1. Letter from A. Adams to J. Vulcano dated 09/12/12 Re: Application #201200552
 - 2. Plan List prepared by CCA, LLC dated 09/12/12 (in file/on cart)
 - 3. Drainage Report prepared by CCA, LLC dated 06/20/12; revised through 09/10/12 (in file/on cart)
 - 4. Plans prepared by CCA, LLC received in the Land Use Office on 09/12/12 (in file/on cart):
 - Cover Sheet Laurel Hill Townhomes Proposed Incentive Housing Development dated 06/20/12; revised through 09/10/12
 - Sheet N1 General Legend, Notes and Abbreviations dated June 2012
 - Sheet 1 of 1 Boundary Survey dated 05/10/12; revised 06/06/12
 - Sheet 1 of 1 Existing Conditions Plan dated 06/06/12

- Sheet C1 Layout and Materials Plan dated 06/06/12; revised through 08/31/12
- Sheet C2 Grading and Drainage Plan dated 06/06/12; revised through 09/10/12
- Sheet C3 Utilities Plan dated 06/06/12; revised through 08/31/12
- Sheet C4 Erosion Control Plan dated 06/06/12; revised through 08/31/12
- Sheet C5 Notes and Details dated 06/06/12; revised through 07/19/12
- Sheet C6 Notes and Details dated 06/06/12; revised through 07/19/12
- Sheet C7 Notes and Details dated 06/06/12; revised through 07/19/12
- Sheet C8 Notes and Details dated 06/06/12; revised through 07/19/12
- Sheet E1 Sedimentation and Erosion Control Plan dated 12/07/05
- 5. Plans prepared by CCA, LLC received in the Land Use Office on 09/12/12 (in file/on cart):
 - Cover Sheet The Residences at Laurel Hill Proposed Incentive Housing Development dated 06/20/12; revised through 09/10/12
 - Sheet N1 General Legend, Notes and Abbreviations dated June 2012; revised 07/02/12
 - Sheet 1 of 1 Boundary Survey dated 05/10/12; revised 06/06/12
 - Sheet 1 of 1 Existing Conditions Plan dated 06/06/12
 - Sheet C1 Layout and Materials Plan dated 06/06/12; revised through 09/10/12
 - Sheet C2 Grading and Drainage Plan dated 06/06/12; revised through 09/10/12
 - Sheet C3 Utilities Plan dated 06/06/12; revised through 09/10/12
 - Sheet C4 Landscape Plan dated 06/06/12; revised through 08/02/12
 - Sheet C4a Landscape Plan Enlargement dated 06/06/12; revised through 08/02/12
 - Sheet C4b Landscape Plan Enlargement dated 06/06/12; revised through 08/02/12
 - Sheet C5 Erosion Control Plan dated 06/06/12; revised through 09/10/12
 - Sheet C6 Notes and Details dated 06/06/12; revised through 07/02/12
 - Sheet C7 Notes and Details dated 06/06/12; revised through 09/10/12
 - Sheet C8 Notes and Details dated 06/06/12; revised through 07/02/12
 - Sheet C9 Notes and Details dated 06/06/12; revised through 07/02/12
 - Sheet C10 Notes and Details dated 06/06/12; revised through 07/02/12
 - Sheet C11 Notes and Details dated 06/06/12; revised through 07/02/12
 - Sheet E1 Sedimentation and Erosion Control Plan dated 12/07/05
- 6. Letter from D. Virbickas dated 09/17/12 Re: Proposed Incentive Housing Development 40 and 64 Laurel Hill Road
- 7. Letter from D. Virbickas dated 09/17/12 Re: Proposed Incentive Housing Development 57 Laurel Hill Road
- 8. Drainage Report for The Residences of Laurel Hill dated 06/20/12; revised through 09/19/12 (in file/on cart)
- 9. Letter from N. Levesque to J. Vulcano dated 09/19/12 Re: Proposed Incentive Housing Development 40 and 64 Laurel Hill Road (in file/on cart)
- 10. Plan List prepared by CCA, LLC for Laurel Hill Townhomes and The Residences at Laurel Hill dated 09/12/12; revised through 09/19/12 (in file/on cart)
- 11. Plans received in the Land Use Office on 09/20/12 prepared by CCA, LLC (in file/on cart):
 - Cover Sheet The Residences at Laurel Hill Proposed Incentive Housing Development dated 06/20/12; revised through 09/19/12
 - Sheet N1 General Legend, Notes and Abbreviations dated June 2012; revised through 07/02/12

- Sheet 1 of 1 Boundary Survey dated 05/10/12; revised through 06/06/12
- Sheet 1 of 1 Existing Conditions Plan dated 06/06/12
- Sheet C1 Layout and Materials Plan dated 06/06/12; revised through 09/10/12
- Sheet C2 Grading and Drainage Plan dated 06/06/12; revised through 09/19/12
- Sheet C3 Utilities Plan dated 06/06/12; revised through 09/10/12
- Sheet C4 Landscape Plan dated 06/06/12; revised through 08/02/12
- Sheet C4a Landscape Plan Enlargement dated 06/06/12; revised through 08/02/12
- Sheet C4b Landscape Plan Enlargement dated 06/06/12; revised through 08/02/12
- Sheet C5 Erosion Control Plan dated 06/06/12; revised through 09/19/12
- Sheet C6 Notes and Details dated 06/06/12; revised through 07/02/12
- Sheet C7 Notes and Details dated 06/06/12; revised through 09/19/12
- Sheet C8 Notes and Details dated 06/06/12; revised through 07/02/12
- Sheet C9 Notes and Details dated 06/06/12; revised through 07/02/12
- Sheet C10 Notes and Details dated 06/06/12; revised through 07/02/12
- Sheet C11 Notes and Details dated 06/06/12; revised through 07/02/12
- Sheet E1 Sedimentation and Erosion Control Plan dated 12/07/05

A. Adams and N. Levesque of CCA, 40 Old New Milford Rd., were present on behalf of the applicant. Chairman Vulcano noted receipt of the letter from Artel Engineering dated September 21, 2012, that the applicant's representatives also had a copy of.

Ms. Adams advised that on September 12, 2012, a drainage report and cover letter, with an attached plan list was submitted to the file. She indicated that Ms. Levesque faxed additional revisions and a plan sheet on September 19, 2012. Ms. Levesque noted that the erosion control plan includes additional protection, and these items were pointed out by Ms. Adams and Ms. Levesque for the Commission. The revised calculations, boundary surveys, existing conditions, layout and materials plans of September 19, 2012 are for 40 & 64 Laurel Hill Road; and those of September 10, 2012 are for 57 Laurel Hill Road, were reviewed. It was noted that the September 17, 2012 letter from Artel relates to 57 Laurel Hill Road.

WEO Daniel inquired if a monitor would be assigned for the construction, and if the applicant would be bonding the detention plantings. A. Adams advised that she would provide an estimate on the approximately 30-40 plants for the next meeting. There was discussion regarding utilizing S. Hayden as a monitor.

There was additional discussion regarding a conservation easement. *Attorney Scalzo*, 2 *Stony Hill Rd.*, *Bethel, CT, was present*. He will draft the conservation easement language and send it to Town Counsel. The conservation easement will state that the property will be left in its natural state, and if the applicant desires to change this, it will reappear before the Commission.

Secretary Fox moved to approve the activity at 40, 57 & 64 Laurel Hill Road, #201200552, with the following stipulations: 1) the standard set of stipulations related to development on the site; 2) to set a landscape planting bond at \$3,000.00; if the applicant determines it to be less, it will return to the Commission for review; 3) as related to the two conservation easements at 40 and 64 Laurel Hill Road, at this time, there will be no disturbance to those areas, and there will be no planned activity such as sidewalks or trails at this time; and 4) the Town will select a monitor to act as the Commission's agent in this matter, and the cost of the monitor's review activities will be paid for by the applicant. The monitor will be responsible for inspecting the site, and reporting to the Commission on a regular basis. The Commission would like to direct the Land Use Office to

contract with Northwest Conservation. Commissioner Hunton seconded the motion, and it carried unanimously.

Secretary Fox moved to amend the motion for the above approval based on a set of plans with various revision dates that are documented in letter to the Commission dated September 19, 2012; and on the second page, it lists all of the specific sheets and their latest revision dates for 40 and 64 Laurel Hill Road; and in a letter dated September 10, 2012 for 57 Laurel Hill Road. Commissioner Hunton seconded the motion, and it carried unanimously.

b. <u>265 Candlewood Lake Road</u> #201200801: Remove stump and fill stump hole, clean debris & remove from wetland line, seed and hay (dec date 11/14/12)

Secretary Fox and Commissioner Hunton advised that they inspected the site today.

N. Costa, 15 Candlewood Acres, Brookfield, CT, was present. He pointed out where the 100' mark is, and where the silt fence is located. The Commission requested that the applicant remove miscellaneous debris and get the site stabilized. The parking area will be grass for now.

Secretary Fox moved to approve the short form application for 265 Candlewood Lake Rd., #201200801, which will allow the applicant to remove the remaining stump, fill hole with dirt; along wetlands area, to pick up trash, i.e., insulation, plastic bags; but not tree limbs or tree stumps; and to place large rocks (approximately one dozen) to act as bollards, along the border, as shown on the plans; and to grass, seed, and hay the area. Commissioner Hunton seconded the motion, and it carried unanimously.

c. <u>14 Arapaho Road</u> #201200739: Jurisdictional Ruling – Landscaping WEO Daniel advised that she spoke with the applicant, who advised that he will not be going forward with the application this year, but will look to act on it prior to next spring.

Secretary Fox moved, at the property owner's request, to continue 14 Arapaho Road, #201200739. Commissioner Hunton seconded the motion, and it carried unanimously.

Secretary Fox moved to go to Agenda Item 5.b, 20 Rocky Road. Commissioner Hunton seconded the motion, and it carried unanimously.

- 5. New Business
- **b.** 20 Rocky Road #201200827: Above-ground Pool & Decking (dec date 11/28/12)
 - 1. Town of Brookfield, CT GIS Map showing proposed pool and deck at 20 Rocky Road received in the Land Use Office on 09/18/12
 - 2. Assessor's Map showing proposed pool and deck at 20 Rocky Road received in the Land Use Office on 09/18/12

Mr. K. Suarino, 20 Rocky Road, was present. He indicated that he proposes to replace an existing pool, and add above ground decking. The soil mapping and color coding from an aerial photograph of the site were reviewed by WEO Daniel. Mr. Suarino advised that the property has been staked. The driveway configuration was reviewed.

Upon inquiry from Chairman Vulcano, Mr. Suarino showed photographs of the construction sequence that he obtained from the contractor. There was discussion regarding the cleaning of the filter/pump system. The Commission requested that Mr. Suarino inquire of the contractor regarding the amount of the cuts to the property, the method of stabilization of cuts done at the site, and if footings are proposed for brackets. Mr. Suarino will submit the photos for the file at the next meeting.

Commissioner Downey inquired regarding the distance from the pool, and it was noted that it is 55' from the property line. The distance from the wetlands was also cited on the map.

Chairman Vulcano moved to continue 20 Rocky Road, #201200827, to the next regularly scheduled meeting, with the understanding that the Commissioners will inspect the area that has been previously staked. Commissioner Hunton seconded the motion, and it carried unanimously.

Secretary Fox moved to go back to the Continued Public Hearing re: 101 Obtuse Hill Road. Commissioner Hunton seconded the motion, and it carried unanimously.

CONTINUED PUBLIC HEARING - 8 P.M.

a. <u>101 Obtuse Hill Road</u> #201200680: 6-lot subdivision – "Whispering Glen Section II" (PH close date 10/01/12)

P. Young, Finmark Custom Homes, LLC, was present. He advised that the calculations and methodology of Mr. DiVesta and Mr. Virbickas are now in alignment. Mr. Young shared an updated version of the new weir, and the need for an increase in the volume of detention. He reviewed the options, and requested that the Commissioners visit the site to view the options, taking the trees into consideration. The Commission requested that Mr. DiVesta attend the meeting as well. Additionally, WEO Daniel and P. Young will look at the site.

Mr. Young submitted a letter of extension to the next regular meeting on October 15, 2012.

Chairman Vulcano moved to set a Special Meeting for October 9, 2012 (Tuesday) at 5:00 p.m., at the site, 101 Obtuse Hill Road, #201200680, and to accept the extension of the Public Hearing to the next regularly scheduled meeting on October 15, 2012. Commissioner Downey seconded the motion, and it carried unanimously.

5. New Business: (continued)

- a. <u>20 Deerfield Road</u> #200900847: Request for Bond Release \$3,500.00 Secretary Fox moved to recommend to the Board of Selectmen to release the entire amount of the wetlands bond for 20 Deerfield Road, #209000847, in the amount of \$3,500.00. Commissioner Hunton seconded the motion, and it carried unanimously.
 - c. <u>871 Federal Road</u> #201200837: Modification to Existing Permit #200501322 & #200700243 (dec date 11/28/12)
 - 1. Letter from M. Lillis, P.E. dated 09/19/12 Re: "Riverview" at 871 Federal Road, #200700243, Previously-Approved Incentive Condominium Development
 - 2. Plans received in the Land Use Office on 09/20/12 prepared by CCA, LLC:
 - Cover Sheet "Riverview" Incentive Housing Condominium Community dated 03/07; revised through 09/19/12
 - Sheet N1 General Legend, Notes and Abbreviations dated 01/06
 - Sheet 1 Property & Topographic Survey dated 06/05; revised through 04/12/08
 - Sheet S-1 Grading & Drainage Site Plan dated 03/20/07; revised through 10/18/10
 - Sheet S-2 Site Utilities Plan dated 03/05/07; revised through 09/18/12
 - Sheet S-3 Erosion Control Plan dated 03/20/07; revised through 10/18/10
 - Sheet S-4 Landscaping Plan/Schematic Lighting & Layout dated 07/05/07; revised through 10/18/10
 - Sheet W-1 Road Widening Plan dated 04/24/09; revised through 10/01/10
 - Sheet W-2 Sight Distance Profile dated 04/24/09; revised through 08/13/10

- Sheet P-1 Sanitary Sewer Station Plan dated 02/06/08; revised through 09/11/12
- Sheet P-2 Sanitary Sewer Plan Profile-Sheet 1 dated 02/06/08; revised through 09/11/12
- Sheet P-3 Sanitary Sewer Plan Profile-Sheet 2 dated 02/06/08; revised through 09/11/12
- Sheet D-1 Notes & Details Sheet D-1 dated 03/20/07; revised through 05/23/08
- Sheet D-2 Notes & Details Sheet D-2 dated 03/20/07; revised through 09/18/12
- Sheet D-3 Sanitary Sewer Notes & Details-Sheet D-3 dated 05/18/07; revised through 05/23/08
- Sheet E1 Sedimentation and Erosion Control Plan Standard Construction Notes and Details dated 09/02

M. Lillis, PE, CCA, 40 Old New Milford Rd., was present. He reviewed the changes being requested on the approved plan: 1) the relocation of the stormwater detention system to avoid blasting (information on "Retain-it" material submitted and sediment removal and piping reviewed); 2) to change the project from a Planned Age-Restricted Community, to Affordable Housing; 3) shortening of sewage collection system in the upland review area; 4) to change the stream crossing from a bridge to a large pipe (this will involve slightly more disturbance, but will be a quicker and simpler option.) There was discussion regarding the size and diameter of the pipe. The Commission requested that WEO Daniel have S. Hayden review this change, and interested Commissioners will visit the site.

Secretary Fox moved to continue 871 Federal Road, #201200837 until the next regularly scheduled meeting with the understanding that the interested Commissioners will visit the site and the Land Use Office will contact S. Hayden with the request to provide an opinion on the change of the stream crossing from a bridge to a large pipe. Commissioner Hunton seconded the motion, and it carried unanimously.

- d. <u>857 & 857A Federal Road</u> #201200839: "Riverview Luxury Apartments" Proposed Incentive Housing Development (dec date 11/28/12)
 - 1. Letter from M. Lillis, P.E. to Brookfield Inland Wetlands Commission dated 09/19/12 Re: Riverview Luxury Apartments at 857 Federal Road, proposed incentive housing apartment development
 - 2. Letter from R. A. Shook, Jr. to M. Lillis dated 05/31/12 Re: Wetland/Watercourse Delineation Coreplus Properties, 857-857A Federal Road
 - 3. Sheet S-2 Feasibility Study prepared by CCA, LLC dated 11/13/08
 - 4. Drainage Report for Riverview Luxury Apartments prepared by CCA, LLC dated 09/19/12
 - 5. Sheet DA1 Pre-Development Drainage Area Map prepared by CCA, LLC dated 09/19/12
 - 6. Sheet DA2 Post Development Drainage Area Map prepared by CCA, LLC dated 09/19/12
 - 7. Sheet DA3 Catch Basin Drainage Area Map prepared by CCA, LLC dated 09/19/12
 - 8. Plans received in the Land Use Office on 09/20/12 prepared by CCA, LLC:
 - Cover Sheet Riverview Luxury Apartments Proposed Incentive Housing Development dated 09/19/12
 - Sheet N1 General Legend, Notes and Abbreviations dated 09/19/12
 - Sheet 1 of 1 Boundary & Topographic Survey dated 06/14/12
 - Sheet C1 Site Layout Plan dated 09/19/12

- Sheet C2 Grading and Drainage Plan dated 09/19/12
- Sheet C3 Utilities Plan dated 09/19/12
- Sheet C4 Landscaping Plan dated 09/19/12
- Sheet C5 Erosion Sediment Control Plan dated 09/19/12
- Sheet C6 Notes and Details dated 09/19/12
- Sheet C7 Notes and Details dated 09/19/12
- Sheet C8 Notes and Details dated 09/19/12
- Sheet E1 Sedimentation and Erosion Control Plan dated 12/07/05

M. Lillis, PE, CCA, Attorney P. Scalzo, and N. Levesque, CCA, were present. Mr. Lillis reviewed the zoning for the site, along with the proposal for three buildings with a total of 92 units and 166 parking spaces. Because this project is a multi-family development, there will be two entrances. Secretary Fox noted an upland review area in the northwest corner. Mr. Lillis indicated there is no direct wetlands impact, only work in the upland review area. He advised that Ms. Levesque has prepared the drainage proposal, and Ms. Adams of CCA has prepared a landscaping plan.

WEO Daniel discussed the relationship between this property and the abutting development, and the plan to establish connectivity of sites in the Town Center District with sidewalks, etc.

It was noted that the easterly boundary of this site is the Still River. The steepness of that area was noted. Mr. Lillis discussed a foundation wall, and the elevations of various spots on the site were reviewed.

Ms. Levesque showed the routes of drainage of portions of the property. She indicated that the drainage system will reduce, or keep equal, the rate of flow for all storm events. Additionally, there will be perforated pipe with stone to mimic what is occurring at the site now. The existing conditions map is part of the drainage report.

There was discussion regarding having S. Hayden to review this area when he looks at the pipe proposal to replace the bridge structure on the abutting site. WEO Daniel discussed the possibility of third party review of the drainage calculations. Mr. Lillis will pull the drainage area map from the abutting site.

Attorney Scalzo and Mr. Lillis opined that it would be best to wait on the review by a consultant until after the site walk. Additionally, Attorney Scalzo will speak with the Land Use Office regarding the zoning implications. The Commissioners will review the site on their own after the applicant stakes the corners of the buildings.

Secretary Fox moved to continue 857 & 857A Federal Road, #201200839, to the next regularly scheduled meeting with the understanding that the applicant will stake the corners and the Commissioners will get out to inspect the site; and the applicant will advise of any changes prior to the next meeting. Commissioner Hunton seconded the motion, and it carried unanimously.

6. <u>Tabled Items</u>: None.

7. <u>Correspondence</u>:

- a. Minutes of Other Boards & Commissions: 09/10/12 Zoning Board of Appeals; 09/13/12 Zoning
- b. Memo from K. Destefanis to K. Daniel dated 08/31/12 Re: Request for Authorization Under the General Permit for Diversion of Water of Consumptive Use (on cart)
 - Permit Application Transmittal Form & Packet of Information Brief discussion.

8. <u>Review Minutes of Previous Meetings</u>: 09/10/12 – Secretary Fox noted the following corrections:

On page 2, sixth line up from the bottom, to add, "cubic", so that the line reads, "fourteen *cubic* feet per second";

On page 3, re: Item 4.b., 14 Arapaho Road, at the end of the third line in the paragraph, to correct the spelling of "will";

Chairman Vulcano noted the following correction, on Page 1, re: 3.b., Site Inspection Reports, to clarify that what he said, and change the second sentence to, "He noted that the erosion discharges behind the Old Shell Station into the Still River ..."

Secretary Fox noted the following correction, on Page 6, ninth line from the bottom of the first paragraph, to delete the words, "there are" and change them to "if"; and after the word, "edge" to add "could be installed".

Lastly, on Page 7, in the sentence before the motion, to read, "Secretary Fox noted that the sequence of the installation of the aerator is not significant, ..." and to clarify the motion and the numbering contained therein, so that it reads: "Secretary Fox moved to approve the application for 115 Obtuse Hill Road, Activity #201200766, as described on a plan dated 6/30/10, with a last revision date of 9/10/12, 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 the 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 of the pond plan, generally speaking, which will allow for egress for animals, reptiles, or birds ..." with the remainder of the motion staying as it reads.

Commissioner Hunton moved to approve the Minutes of the September 10, 2012 meeting, with the aforementioned changes. Secretary Fox seconded the motion, and it carried unanimously.

9. Informal Discussion:

a. Letter from M. Lillis of CCA, LLC dated 09/19/12 Re: 731 Federal Road #200800305, Previously-Denied Application – M. Lillis, PE, CCA, and Attorney P. Scalzo were present. Mr. Lillis reviewed a site plan that was before the Commission in 2008 and was denied due to the impact and proximity to the river. Attorney Scalzo recalled that D. Virbickas and J. Cowen were consulted on the site. There was brief discussion regarding the routing of the Still River and actions that the State took in the 1970's.

Mr. Lillis advised that the site is being considered for rental housing. The proposal will be farther from the river than the prior plan. The sloping and erosion concerns on the site were noted, along with the presence of a watercourse.

Mr. Lillis explained the presence of a "non-access" taking line. Attorney Scalzo indicated that he attempted to obtain a break in the line with the State, without an outcome.

Upon inquiry from Secretary Fox, Mr. Lillis advised that the proposal would be approximately 30 feet to the limit of the wetlands, and 50 feet from the river's edge. Chairman Vulcano noted that the buildings are farther away than the prior plan. There was discussion regarding the parking footprint. WEO Daniel discussed the relationship between the use (residential/mixed) and parking patterns.

Attorney Scalzo will contact State Representative Scribner to discuss this proposal and obtaining a break in the non-access line.

The Commissioners were encouraged to visit the site

No motions.

<u>Miscellaneous</u> – Commissioner Downey inquired regarding the waiting period for the <u>20 Rocky Road</u> site, and it was explained that because the item is New Business, there is excavation involved, and there is additional information the Commission needs from the contractor regarding sequence, the 14-day waiting period is appropriate.

10. Adjourn

Secretary Fox moved to adjourn the meeting at 9:53 p.m. Commissioner Hunton seconded the motion, and it carried unanimously.

Next regular meeting scheduled for October 15, 2012