

Approved MINUTES
BROOKFIELD INLAND WETLANDS COMMISSION
Monday, October 15, 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, Vice Chairman L. Miller (arrived at 7:08 p.m.), Secretary S. Fox, Alternate and Voting Member G. Hunton

Absent: M. Downey

Also Present: D. Cioffi, Recording Secretary

3. Wetlands Enforcement

a. Enforcement Officer's Report

b. Site Inspection Reports

540 Federal Road

- Memo from S. Hayden of the Northwest Conservation District dated 09/25/12

540 Federal Road (Aquarion Water Storage Tank)

- Memo from S. Hayden of the Northwest Conservation District dated 10/04/12

84-140 Federal Road

- Memo from S. Hayden of the Northwest Conservation District dated 10/04/12

871 Federal Road

- Memo from S. Hayden of the Northwest Conservation District dated 09/28/12
- Letter from S. Hayden of the Northwest Conservation District dated 09/28/12
Re: Construction Changes at the Riverview Development
- Memo from S. Hayden of the Northwest Conservation District dated 10/04/12

The positive comments noted in the above reports for 540 Federal Road, 84-140 Federal Rd., and 871 Federal Road were acknowledged.

No motions.

4. Old Business:

a. 20 Rocky Road #201200827: Above-ground Pool & Decking (dec date 11/28/12) - No one present at this time.

b. 14 Arapaho Road #201200739: Jurisdictional Ruling – Landscaping – Secretary Fox moved, in consideration of applicant's request, to continue 14 Arapaho Road, #201200739 to the next regularly scheduled meeting. Commissioner Hunton seconded the motion, and it carried unanimously.

c. 871 Federal Road #201200837: Modification to Existing Permit #200501322 & #200700243 (dec date 11/28/12) - M. Lillis, P.E., CCA, 40 Old New Milford Rd., was present. He acknowledged receipt of S. Hayden's report and agreed with the comments. At this time, the access location will remain where it is. Mr. Lillis advised that the "common" would be to south and rear of Riverview.

Chairman Vulcano noted that the access manholes (4) are missing on Sheet S4. Mr. Lillis advised that his client is trying to get site paved prior to asphalt plants closing. There was discussion regarding the removal of rock for the detention system.

Vice Chairman Miller arrived at 7:08 p.m.

There was discussion regarding the fence on the building. Chairman Vulcano reviewed tonight's discussion for Vice Chairman Miller.

The Commission reviewed S. Hayden's letter and compared it with the drawing of the system. There was discussion pertaining to Mr. Hayden's comments desiring more access points for maintenance and flushing. The Commission also requested that the applicant provide an updated C diagram for the east side.

Secretary Fox moved to approve the modification to the existing permit for #200501322 and #200700243 which changes a number of things: 1) adds an arched culvert to the emergency access and changes to the location of the storm water detention system, making note that the Commission is approving the plan with the last revision date of 9/18/2012, and 10/18/2010 on S1, 2) the Commission will accept the detail in a document called the "Proposed Retaining Storm Water Management System", Sheets 1 of 3, with a last revision date of 9/13/12, with two stipulations: a) that the applicant will provide an updated detail of the storm water management system to identify the clean-out access ports, and b) on Number 4, the applicant will provide an update on Module C that makes note of the two updated C modules on the east side that will act as the storm water detention system; and 3) provide an updated S4 (landscape) to show the location of the 4 manhole covers on the plan, within sixty (60) days. Commissioner Hunton seconded the motion, and it carried unanimously.

d. 857 & 857A Federal Road #201200839: "Riverview Luxury Apartments" – Proposed Incentive Housing Development (dec date 11/28/12) – M. Lillis, P.E., CCA, and Attorney P. Scalzo, 2 Stony Hill Road, Bethel, CT, were present. Mr. Lillis advised that the buildings have been staked and the test pits will be dug tomorrow. With regard to the storm drains, he indicated that they are of adequate capacity.

Chairman Vulcano inquired regarding what appears to be a drainage swale in the southwest corner. Mr. Lillis advised he is aware of it but it is not of significance. Chairman Vulcano noted his concern regarding the drop off on the southeast corner. He suggested that something more than a silt fence be installed.

The Commission shared with the applicant's representatives a letter dated October 12, 2012, from R. Tedesco regarding drainage.

Chairman Vulcano requested that Wetlands Enforcement Officer Daniel contact the Director of Public Works, R. Tedesco, and request clarification on his letter dated October 12, 2012, specifically, what he calls, the "E sector". Mr. Lillis may also contact Mr. Tedesco. He will report back at the next meeting regarding the test pit results and his discussion with Mr. Tedesco.

Secretary Fox moved to continue 857 & 857A Federal Road, #201200839, for the purposes of taking a look at the test pit results, further exploration of soil and erosion controls at the southeast corner, and R. Tedesco's letter of October 12, 2012. Commissioner Hunton seconded the motion, and it carried unanimously.

Secretary Fox moved to go to Agenda Item 4.a., 20 Rocky Road. Commissioner Hunton seconded the motion, and it carried unanimously.

4. Old Business: (continued)

a. 20 Rocky Road #201200827: Above-ground Pool & Decking (dec date 11/28/12) – K. Suarino, 20 Rocky Rd., was present. Secretary Fox advised that she inspected the site. Photographs of

the yard were reviewed. The pool contractor sent information requested at the last meeting, and this was shared with the Commission and submitted for the file. Mr. Suarino described the deck in relation to the pool, utilizing the photographs of the yard.

Secretary Fox moved to approve the application at 20 Rocky Rd., #201200827, for an above ground pool and decking, making note that the pool does not backwash, and the foundation consists of blocks. Commissioner Hunton seconded the motion, and it carried unanimously.

Chairman Vulcano moved to go to Agenda Item 4.e, 40, 57 & 64 Laurel Hill Road. He noted that this item is a modification to an approved permit. No second, no vote.

- e. **40, 57 & 64 Laurel Hill Road #201200552: The Residences at Laurel Hill** (*Original Project Application approved on 09/24/12*)
 - 1. **Plan List dated September 12, 2012 revised through 10/09/12**
 - 2. **Cover Sheet – The Residences at Laurel Hill Proposed Incentive Housing Development prepared by CCA, LLC dated 06/20/12; revised through 10/09/12**
 - 3. **Sheet N1 – General Legend Notes, and Abbreviations prepared by CCA, LLC dated 06/2012; revised through 07/02/12**
 - 4. **Sheet 1 of 1 – Boundary Survey prepared by CCA, LLC dated 05/10/12; revised through 06/06/12**
 - 5. **Sheet 1 of 1 – Existing Conditions Plan prepared by CCA, LLC dated 06/06/12**
 - 6. **Sheet C1 – Layout and Materials Plan prepared by CCA, LLC dated 06/06/12; revised through 10/09/12**
 - 7. **Sheet C2 – Grading and Drainage Plan prepared by CCA, LLC dated 06/06/12; revised through 10/09/12**
 - 8. **Sheet C3 – Utilities Plan prepared by CCA, LLC dated 06/06/12; revised through 10/09/12**
 - 9. **Sheet C4 – Landscape Plan prepared by CCA, LLC dated 06/06/12; revised through 10/09/12**
 - 10. **Sheet C4a – Landscape Plan Enlargement prepared by CCA, LLC dated 06/06/12; revised through 10/09/12**
 - 11. **Sheet C4b – Landscape Plan Enlargement prepared by CCA, LLC dated 06/06/12; revised through 10/09/12**
 - 12. **Sheet C5 – Erosion Control Plan prepared by CCA, LLC dated 06/06/12; revised through 10/09/12**
 - 13. **Sheet C6 – Notes and Details prepared by CCA, LLC dated 06/06/12; revised through 07/02/12**
 - 14. **Sheet C7 – Notes and Details prepared by CCA, LLC dated 06/06/12; revised through 09/19/12**
 - 15. **Sheet C8 – Notes and Details prepared by CCA, LLC dated 06/06/12; revised through 07/02/12**
 - 16. **Sheet C9 – Notes and Details prepared by CCA, LLC dated 06/06/12; revised through 07/02/12**
 - 17. **Sheet C10 – Notes and Details prepared by CCA, LLC dated 06/06/12; revised through 07/02/12**
 - 18. **Sheet C11 – Notes and Details prepared by CCA, LLC dated 06/06/12; revised through 07/02/12**
 - 19. **Sheet E1 – Sedimentation and Erosion Control Plan prepared by CCA, LLC dated 12/07/05**

Chairman Vulcano clarified that this application is a permit modification.

Attorney P. Scalzo and A. Adams, Landscape Architect, CCA, were present.

Attorney Scalzo briefly reviewed the history of the project since the original approval. He indicated there have been several planning meetings with Land Use Office staff. The permit modification will involve moving a historic home, and making the site of mixed use due to the commercial component.

A. Adams advised that the historic building will be relocated to northern end of property. Additionally, parking will be shifted and roof drains will be piped into a proposed rain garden. Ms. Adams reviewed the landscaping for the back side of the building and the elevations. The building will have a walk out basement following the natural contours.

Ms. Adams reviewed the detention features and a splash pad that will handle the overflow. There will be no additional runoff to the detention system that has already been approved.

The location and size of the conservation easement will also be changed.

The plantings in the rain garden were briefly discussed.

Secretary Fox moved to approve the modification at 40, 57 & 64 Laurel Hill Road, which generally relocates the existing house to the north of the property, and shrinks the size of the conservation area on the south side. Vice Chairman Miller seconded the motion, and it carried unanimously.

5. New Business:

a. 46 Arrowhead Road #201200864: Foundation Under Existing Structure

(dec date 12/19/12)

1. Map of Lots 32 and ½ of 31 Arrowhead Point on Lake Candlewood showing proposed work dated 04/14/1960; received in the Land Use Office on 10/01/12 –

T. and S. Pilla present. Mr. T. Pilla expressed his satisfaction with working with the Land Use Office staff. He reviewed the proposal and advised it would involve some excavation, and that indicated that the foundation would be poured via a pump truck on the road. S. Pilla advised that the job will take approximately four weeks to complete. Mr. T. Pilla advised he would excavate a wide enough area to keep the site stabilized with no change in the existing grade.

The proposed silt fence was drawn in on the plans and initialed by Mr. T. Pilla. As this item is New Business, the applicants were advised that it will be discussed and decided at the next meeting on October 29, 2012.

No motions.

CONTINUED PUBLIC HEARING: 8:00 PM –

a. 101 Obtuse Hill Road #201200680: 6-lot subdivision – “Whispering Glen Section II”

(PH Close Date 10/15/12)

Vice Chairman Miller recused himself from this matter.

P. Young for Fenmark Custom Homes, LLC, Builders, D. Virbickas, P.E., Artel Engineering, and Mr. Fishbein, Fenmark Custom Homes, LLC, were present. Mr. Young advised that the day after the site walk, he returned there with Jim Osborne. Mr. Young reviewed the depths and size of the basin. He has also talked with the Wetlands Enforcement Officer regarding plantings that will keep the area a viable wetland. He reviewed the rip rap and spillway. Mr. Young also advised that the tree line will remain.

An extension letter was submitted, with the date change from 10/22/12 to 10/29/12 initialed by Mr. Young.

There was discussion regarding the protection of the vernal pool on Lot 7, the proposed conservation easement, and protected activities, including keeping all-terrain vehicles off of the site.

Chairman Vulcano moved to continue 101 Obtuse Hill Road, #201200680, to the next regularly scheduled meeting, making note that the Commission is in possession of an extension through October 29, 2012. Commissioner Hunton seconded the motion, and it carried unanimously.

5. New Business (continued)

b. 32 Hop Brook Road #201200894: Jurisdictional Ruling – Tree Cutting & House Repair (dec date 12/19/12)

- 1. Town of Brookfield GIS Map showing proposed tree cutting at 32 Hop Brook Road submitted to the Land Use Office on 10/09/12 -**

Secretary Fox moved to continue 32 Hop Brook Road, #201200894. Commissioner Hunton seconded the motion, and it carried unanimously.

d. 20 Vale Road #201200905: Extend Sanitary Sewer (dec date 12/19/12)

- 1. Berkshire Corporate Park Map received in the Land Use Office on 10/10/12**
- 2. Letter from M. Klein to R. Steiner dated 08/10/12 Re: Park Ridge Road and Park Ridge Road Extension**
- 3. List of Adjoiners of the Berkshire Corporate Park, Park Ridge Road received in the Land Use Office on 10/10/12**
- 4. Plans prepared by CCA, LLC received in the Land Use Office on 10/10/12:**
 - Cover Sheet – Sanitary Sewer Connection Berkshire Corporate Park dated 10/08/12**
 - Sheet N1 – General Legend, Notes and Abbreviations dated July 2012**
 - Sheet P1 – Sanitary Sewer Plan and Profile dated 10/08/12**
 - Sheet P2 – Sanitary Sewer Plan and Profile dated 10/08/12**
 - Sheet P3 – Sanitary Sewer Plan and Profile dated 10/08/12**
 - Sheet D1 – Sanitary Sewer Plan and Profile dated 10/08/12**
 - Sheet D2 – Sanitary Sewer Notes and Details dated 10/08/12**
 - Sheet E1 – Sedimentation and Erosion Control Plan dated 12/07/05 –**

Vice Chairman Miller rejoined the meeting

S. Sullivan, P.E., CCA, and G. Steiner, Principal, Berkshire, LLC, were present. Mr. Steiner advised that Berkshire wishes to develop the Brookfield portion of the Corporate Park. The size and location of the property were reviewed. The applicant proposes to build a 30,000 square foot office building on the south corner of the Brookfield side.

Mr. Sullivan indicated that the applicant is also applying for a sewer extension along the CL&P right of way. Mr. Steiner reviewed the history of that project. Once completed, it will provide sewer service for the entire 70 acres

The wetlands on the site were denoted. Mr. Sullivan advised that a geotech fence would be utilized, and the pipe installation should be done in one day.

Chairman Vulcano moved to continue 20 Vale Road, #201200905. Extension of sanitary sewer, to the next regularly scheduled meeting. Secretary Fox seconded the motion, and it carried unanimously.

- e. **20 Vale Road #201200906: Proposed 30,000 square feet office building with parking and utilities** (*dec date 12/19/12*)
1. **Development Report for Proposed Office Building prepared by CCA, LLC dated 10/08/12**
 2. **Sheet DRA1 – Catch Basin Drainage Area Map prepared by CCA, LLC dated 10/08/12**
 3. **Sheet DRA2 – Pre-Development Drainage Area Map prepared by CCA, LLC dated 10/08/12**
 4. **Sheet DRA2 – Post-Development Drainage Area Map prepared by CCA, LLC dated 10/08/12**
 5. **Plans prepared by CCA, LLC received in the Land Use Office on 10/10/12:**
 - **Cover Sheet – Site Development Plans Berkshire Corporate Park dated 10/08/12**
 - **Sheet N1 – General Legend, Notes and Abbreviations dated June 2012**
 - **Sheet C1 – Layout & Materials Plan dated 10/08/12**
 - **Sheet C2 – Grading & Drainage Plan dated 10/08/12**
 - **Sheet C3 – Site Utility Plan dated 10/08/12**
 - **Sheet C4 – Landscape Plan dated 10/08/12**
 - **Sheet C5 – Retention Basin Site Plan dated 10/08/12**
 - **Sheet C6 – Notes & Details dated 10/08/12**
 - **Sheet C7 – Notes & Details dated 10/08/12**
 - **Sheet E1 – Sedimentation and Erosion Control Plan dated 12/07/05-**

S. Sullivan and G. Steiner were present. Mr. Sullivan advised that the activity is for filling a corner in the parking lot that is 75' from the point of wetlands. He reviewed the landscaping plan which includes grass and a steep slope mix. A silt fence will be installed and a four-bay basin will be utilized. Mr. Sullivan indicated that most of the water will infiltrate to the ground prior to discharge. He added that the seed mixes used at various points will be a rain garden mix and an erosion control mix. Upon inquiry from the Commission, the applicant advised that the basin was originally constructed in 1995, and no invasives have grown at the site.

Chairman Vulcano moved to continue 20 Vale Road, #201200906, proposed 30,000 square foot office building, to the next regularly scheduled meeting. Secretary Fox seconded the motion, and it carried unanimously.

- f. **19 Tower Road #201200911: Addition** (*dec date 12/19/12*)
1. **Proposed Additions to Residence at 19 Tower Road revised 10/10/12**
 2. **Plan showing preliminary floor layout and proposed work at 19 Tower Road received in the Land Use Office on 10/11/12**

J. Buzzeo and W. Tait were present on behalf of the property owner, M. Tait. They wish to renovate and add-on to the house at the site. Mr. Buzzeo will do the site work. The wetlands were pointed out for the Commission members. Mr. Buzzeo advised that he will dig for footings and heavy equipment will not be used. He pointed out a 30-40 foot slope.

Chairman Vulcano advised that he recently visited the site, and due to the excavation and the tree removal, and the branches deposited in the regulated area, this property is in violation. Ms. Tait advised that the trees were dead from last year's storm.

The other Commissioners would like to visit the site, and Mr. Buzzeo was advised not to do any additional work. There is a need for additional erosion control on the site. The location of the septic was noted. The Commission expressed its concern regarding stabilization of the site. It was noted that the entire proposal is in the regulated area. Mr. Buzzeo was also requested to stake the area.

Secretary Fox moved to continue 19 Tower Road #201200911 for an Addition. Commissioner Hunton seconded the motion, and it carried unanimously.

c. Proposed Inland Wetlands Commission Regulation Change #201200896: Section 220-12 Decision Process & Permit

The existing regulation, and the proposed additions and deletions were reviewed. A public hearing will be held.

Chairman Vulcano moved to continue Proposed Inland Wetlands Commission Regulation Change, #201200896: Section 220-12, Decision Process and Permit, to the next regularly scheduled meeting, with the understanding that the Commissioners will review the regulation/relevant statutes (124, 124b, 126, or 126a) to understand the proposed change. Vice Chairman Miller seconded the motion, and it carried unanimously.

6. **Tabled Items:** None.

7. **Correspondence:**

- a. **Minutes of Other Boards & Commissions: 09/20/12 Planning; 09/27/12 Zoning; 10/04/12 Planning**
- b. **Connecticut Association of Conservation and Inland Wetlands Commissions, Inc. Letter and Registration Information dated 09/27/12**

No discussion/no motions.

8. **Review Minutes of Previous Meetings:** 09/24/12 – Secretary Fox moved to approve the Minutes of the September 24, 2012 Meeting. Commissioner Hunton seconded the motion, and it carried, 3-0-1, with Vice Chairman Miller abstaining.

9. **Informal Discussion:** None.

10. **Adjourn**

Commissioner Hunton moved to adjourn the meeting at 8:48 p.m. Vice Chairman Miller seconded the motion, and it carried unanimously.

*****Next regular meeting scheduled for October 29, 2012*****