

**APPROVED MINUTES  
BROOKFIELD INLAND WETLANDS COMMISSION  
Monday, December 10, 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, Secretary S. Fox, Alternate and Voting Member G. Hunton, Commissioner M. Downey (arrived at 7:01 p.m.)

**Absent:** None.

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

**3. Wetlands Enforcement**

**a. Enforcement Officer's Report**

**1. 19 Tower Road #201201039: Notice of Violation** - *No one present.* The property owners were to be here this evening. WEO Daniel advised that she did receive a call from the property owner who told her that he had removed all the brush. She has not yet inspected the site to verify this. WEO Daniel also indicated that S. Hayden did visit the site and provide some information regarding buffer plantings, however, his inspection occurred during the evening hours, and it was difficult to see the brush pile. WEO Daniel will inspect the site between now and the meeting next Monday, and Mr. Hayden may be requested to visit the site again.

**Chairman Vulcano moved to continue 19 Tower Road, #201201039, with the understanding that WEO Daniel will inspect the property, with a possible inspection by S. Hayden, also; to see if material has been removed. Vice Chairman Miller seconded the motion, and it carried unanimously.**

533 Federal Road – WEO Daniel indicated that the material accumulated on the site is predominantly a zoning violation (illegal transfer station). The wetlands violation relates to vehicles in the upland review area.

1 High Ridge Road - WEO Daniel indicated that she has not heard from Town Counsel regarding any court ruling on the injunction. The property owner was recently arrested on federal charges, and may not be available.

Candlewood Lake Road and Main Drive – Boat storage is occurring on this site now, which sits in a regulated area. There was discussion regarding the potential for contamination (i.e., winterizing boats). The previous discussion with the property owner related to parking for cars. The size of the lot has been expanded, so the site is now closer to the watercourse. WEO Daniel will speak with the Zoning Enforcement Officer regarding the parking use to determine if it is a legal use for the property.

**Vice Chairman Miller moved to go back to Agenda Item 3.a.1., 19 Tower Road. Commissioner Downey seconded the motion, and it carried unanimously.**

**3. Wetlands Enforcement**

**a. Enforcement Officer's Report**

**1. 19 Tower Road #201201039: Notice of Violation** - *J. Buzzeo, and W. Tate, 19 Tower Rd., were present.* WEO Daniel expressed her apologies to them for not being able to inspect the site. Mr. Buzzeo advised that most of the material was removed with a crane-type machine. He indicated that a small amount remains at the bottom, but that was there before. Mr. Buzzeo also stated that S. Hayden will make a recommendation for plantings in the spring. Mr. Buzzeo indicated he is willing to do the plantings that are recommended. He further advised that the logs on the site will be used for firewood. WEO Daniel will report back to the Commission after her inspection.

**b. Site Inspection Reports:  
84-140 Federal Road**

- **Memo from S. Hayden of the Northwest Conservation District dated 11/28/12**
- **Letter from J. Cowen of the Environmental Planning Services dated 11/29/12**
- **540 Federal Road**
- **Memo from S. Hayden of the Northwest Conservation District dated 11/28/12**
- **540 Federal Road – Aquarion Water Storage Tank**
- **Memo from S. Hayden of the Northwest Conservation District dated 11/28/12**
- **871 Federal Road**
- **Memo from S. Hayden of the Northwest Conservation District dated 11/28/12**

The Commission noted that all of the above reports looked satisfactory.

Vice Chairman Miller discussed J. Cowen's report re: 84-140 Federal Road. WEO Daniel indicated that Mr. Cowen will be performing one more pre-winter inspection in the next few days. There was discussion regarding Item #8, and WEO Daniel advised that the pipe outlet and swale have been located. The report was also sent to the site manager of BJ's, as well as D. and M. Gustafson.

WEO Daniel pointed out that the 84-140 Federal Road site will be monitored for five years, with the requirement of invasive control. There was discussion regarding the lack of invasive control south of the BJ's site.

Chairman Vulcano inquired regarding the sewer pump station at the corner of Federal and Candlewood Lake Roads. WEO Daniel indicated that the work was permitted as part of the southern water line project. Secretary Fox recalled her concern regarding the stream crossing during the permitting process. WEO Daniel will share photographs of that site, and advise the Commission when the approval was given.

871 Federal Road – No activity has occurred on this site. WEO Daniel would like to advise the new property owner of the mitigation plan. She indicated that no remediation work has been done, and noted that the planting plan was not extensive, but more related to bank stabilization. WEO Daniel stated that she and S. Hayden are concerned regarding phragmites on the site. She would like resolution of that issue to be incorporated that into the remediation plan, and hopes to bring the new property owner before the Commission so that he understands the timing of the plan.

**Secretary Fox moved to go to Agenda Item 5.a. Vice Chairman Miller seconded the motion, and it carried unanimously.**

**5. New Business:**

**a. 2 Arrowhead Road #201201073: Addition & Septic System (dec date 02/13/13)**

**1. Sheet S1 – B-100 Septic System Design prepared by CCA, LLC dated 12/06/12**

*D. Adams, Design Builders and Remodeling, was present on behalf of the property owners.* Chairman Vulcano inquired regarding the notations on the plan related to the septic, and Mr. Adams advised that they relate to the reserve only.

Mr. Adams then reviewed the proposed additional crawl space, and the extension of a stone/paver patio with retaining wall. In response to Secretary Fox's concern regarding runoff of dirt and stone dust, Mr. Adams pointed out the proposed silt fence, and the proposed location of stockpiles. He further indicated that most of the top soil will be spread over the site, and there will be grading around the stumps of two trees that will come down.

The third part of the plan relates to a pole barn garage.

There was discussion regarding the proposed rain garden. The underground leader pipes that will feed the rain garden are not on the plan.

There was additional discussion regarding the septic reserve tank, which has to be installed prior to the addition. Mr. Adams advised that the application was submitted last week to the Sanitarian. Chairman Vulcano noted that the plans appear to call for the installation of a new septic system, and that it needs to be clarified that the B100 and test work and holes were done in case the existing system fails.

The Commission requested that the applicant ask CCA to provide information on how the leaders will be connected, and more detail on the rain garden before the next meeting, including that the soil can support the garden in the proposed location.

There was discussion regarding the timing of the approval, and the information that will be provided for next week's meeting. Mr. Adams was advised that the packets for the meeting on December 17, 2012, will be assembled by the end of the business day on December 13, 2012.

**Vice Chairman Miller moved to continue 2 Arrowhead Road #201201073 to the next regularly scheduled meeting. Secretary Fox seconded the motion, and it carried unanimously.**

**Secretary Fox moved to go back to Agenda Item 4.a. Vice Chairman Miller seconded the motion, and it carried unanimously.**

**4. Old Business:**

**a. 14 Arapaho Road #201200739: Jurisdictional Ruling – Landscaping – Secretary Fox moved to continue 14 Arapaho Road, #201200739, to the next regularly scheduled meeting. Vice Chairman Miller seconded the motion, and it carried unanimously.**

**b. 59 West Whisconier Road #201201037: Septic System Replacement (*dec date 01/30/13*)**  
The plans and map were reviewed at the last meeting, and noted to be adequate. **Secretary Fox moved to approve the application for 59 West Whisconier Road, #201201037, for the installation of septic, per the maps (set of 6 sheets) and application, which has receipt date of November 21, 2012. Vice Chairman Miller seconded the motion, and it carried unanimously.**

**6. Tabled Items:           None.**

**7. Correspondence:**

**a. Minutes of Other Boards & Commissions: 11/23/12 Planning; 11/29/12 Zoning – Chairman Vulcano noted the discussion in the Zoning Commission Minutes from the Water Pollution Control Authority's Chair regarding the "lack of communication" between various land use commissions. WEO Daniel and the Commission agreed that sewer requirements should be considered for long range planning.**

There was brief discussion regarding the status of the WPCA's application for the Ledgewood/Silvermine Road condominium hook-up to the sewer line. WEO Daniel advised that the application should be forthcoming.

**b. Letter from M. Washburn of the Society of Soil Scientists of Southern New England dated Fall 2012 Re: Registry**

- **The Society of Soil Scientists of Southern New England Registry of Soil Scientists 2012 (on cart)**

**c. Inland Wetlands Commission Approved Cut-Off Dates for 2013 Calendar Year**

**d. Notice of Tentative Determination Intent to Renew a State Permit for the following discharge into the waters of the State of Connecticut: Letter from O. Inglese, Jr. of the Connecticut Department of Energy & Environmental Protection dated 11/30/12**

No discussion/no motions.

**PUBLIC HEARING – 8:00 PM:**

**Proposed Inland Wetlands Commission Regulation #201200896: Section 220-12 - Decision Process and Permit**

Secretary Fox opened the public hearing and introduced the Commission members. She then read the legal notice of the public hearing, which was published in the News Times on November 27, and December 7, 2012. Secretary Fox noted that the application was accepted by the Commission on October 15, 2012. She then reviewed the policies and procedures that govern public hearings.

The following correspondence was noted: a letter from the Department of Energy and Environmental Protection to the Commission dated November 13, 2012.

WEO Daniel reviewed the proposed changes to the regulation: 1) an addition to Section 220-12, Decision Process and Permits; 2) deletions and additions to Section F, which substitutes language in Section 8-3, 8-25, or 8-6, Chapters 124, 124b, 126 or 126a of the Connecticut General Statutes. It was noted that there is a Page 2 to the October 9, 2012 Memo from WEO Daniel to the Commission. The public hearing will remain open to allow for additional discussion.

*No one was present to speak in favor of the application, nor was anyone presents to speak in opposition.*

**Secretary Fox moved to continue the Public Hearing re: Proposed Inland Wetlands Commission Regulation #201200896: Section 220-12 - Decision Process and Permit until next regularly scheduled meeting and set the continuation for 7:30 p.m. Vice Chairman Miller seconded the motion, and it carried unanimously.**

**9. Informal Discussion:**

WEO Daniel presented slides of photographs of various sites, taken on various dates, including: the rear of the BJ's site (84-140 Federal Road) on 10/18/12; 12/6/12 (silt fence) and the area between Federal Road and stream; East Brook, looking north; the outlet from the Federal Road catch basins, and main stream channel; the rear of 132 Federal Road site (shows clearing of invasives and some tires that need to be removed); the channel in the woods close to the former Burger King site, where the lot abuts Beverly Drive; the stream bank to the right of the mitigation area; the upland area of the site; along the access road that was used during construction; and the drainage swale from the wall heading east.

Photographs of work done at the pond at 115 Obtuse Hill Road; a septic repair at 136 North Lakeshore Drive; a pond dredging at 27A Elbow Hill Road; failed erosion control at 3 Cobblestone Court, phragmites on a non-wetland hillside at 371 Candlewood Lake Road; the violation at 533 Federal Road; tree trimming at Candlewood Birches; and phragmites at Whispering Glen were also reviewed.

**8. Review Minutes of Previous Meetings: 11/26/12**

Secretary Fox pointed out the following corrections: On Page 1, Item 4.c., 101 Obtuse Hill Road, to change the fourth sentence in the paragraph so that it reads: "Secretary Fox did note that the conservation easement language defines the conservation area as 50%; whereas the applicant has marked a line on the lots. These are in conflict, although resolvable." Also, on Page 2, in the second new paragraph, to change the fourth sentence so that it reads, "The Commission discussed the need for each lot to return for approval, and at that time, the line for the 50% clearing could be demarcated for that particular lot." Additionally, in the fourth full paragraph, to add to the end of the first sentence, "... with the conservation easement lines on the map." Further, on Page 3, Stipulation #9, to correct it so that it reads, "Since the plan includes footprints and locations for homes on all the lots, any deviation from the plan will require modification to this permit." Lastly, in Stipulation #10, to add the word, "line", so that the last line in that stipulation reads, "the 50% clearing *line* language in Item #2."

Vice Chairman Miller moved to approve the Meeting Minutes of the November 26, 2012, as amended above. Secretary Fox seconded the motion, and it carried unanimously.

10. Adjourn

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

\*\*\*Next regular meeting scheduled for December 17, 2012\*\*\*