

**APPROVED/AMENDED MINUTES
BROOKFIELD INLAND WETLANDS COMMISSION
Monday, June 24, 2013 – 7:00 p.m.
TOWN HALL MEETING ROOM # 133**

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 J. Vulcano, Vice Chairman L. Miller (arrived at 7:07 p.m.), Secretary S. Fox, A. Finelli, Alternate and Voting Member G. Hunton

Absent: M. Downey

Also Present: Recording Secretary D. Cioffi

Wetlands Enforcement Officer K. Daniel was not able to attend tonight's meeting, but discussed Enforcement via telephone conference.

3. Wetlands Enforcement

a. Enforcement Officer's Report

1 High Ridge Road – WEO Daniel reported that Dr. Zaky was convicted on 28 counts of insurance fraud. Sentencing is scheduled for September. After violating the conditions of his bond, Dr. Zaky is currently incarcerated. There may be future discussion in Executive Session. Chairman Vulcano noted a letter from Special Town Counsel re: a lawsuit from Affiliated Realty.

62 Old Bridge Rd., 18 North Lakeshore Dr. – WEO Daniel will follow up with First Light Power Company regarding these matters.

b. Site Inspection Reports

84-140 Federal Road

- Letter from S. Hayden of the Northwest Conservation District dated 06/08/13

540 Federal Road (Oak Meadows)

- Letter from S. Hayden of the Northwest Conservation District dated 06/08/13

871 Federal Road

- Letter from S. Hayden of the Northwest Conservation District dated 06/08/13

101 Obtuse Hill Road

- Letter from S. Hayden of the Northwest Conservation District to K. Daniel dated 06/17/13

There was brief discussion regarding the receipt of a letter/response from P. Young to Mr. Hayden's report re: 101 Obtuse Hill Road. WEO Daniel will follow up with Mr. Young regarding the timeframe and required action.

The telephone conference ended at 7:06 p.m.

4. Old Business:

a. 28 Maple Tree Road #201300430: Clear invasive plants & move driveway

(dec date 07/24/13)

1. **Sheet 1 – Driveway Modification Plan prepared by CCA, LLC dated 05/16/13; revised through 06/19/13**

Vice Chairman L. Miller arrived at 7:07 pm.

Chairman Vulcano and Vice Chairman Miller were able to inspect the site. *G. Meade, Property Owner, was present.* There was discussion regarding Sheet 1, and activity to the lot line. *N. Levesque, CCA, 40 Old New Milford Rd., was present.* There was brief discussion regarding the geotechnical silt fencing. Chairman Vulcano reviewed photographs he took at the site. The 32-inch catch basin was noted. Mr. Meade indicated that the plantings have been on the site since last fall. Upon inquiry from Chairman Vulcano, Mr. Meade advised he will not be paving this year. Chairman Vulcano noted his concern regarding the velocity of any runoff. When the paving occurs, Mr. Meade will return to the Commission for a modification. His current plan is to install the plantings and put the berm up. A large amount of stone/fractured ledge will be utilized.

Secretary Fox moved to approve the modification plan at 28 Maple Tree Rd., #201300430, per a plan originally dated 5-16-13 and revised 6-19-13, making note that the approval is with all of the usual stipulations, including that after Step 2 (install the silt fence as shown), the property owner will call the Land Use Office to confirm it is in place before working on the next step. Commissioner Finelli seconded the motion, and it carried unanimously.

b. 62 Old Bridge Road #201300522: Modification to Existing Permit #200800011 for 320 square feet level sitting area (dec date 08/14/13)

It was noted that no new information was received regarding this application, nor was anything received from First Light Power Company.

Secretary Fox moved to continue 62 Old Bridge Road, #201300522, to the next regularly scheduled meeting. Commissioner Hunton seconded the motion, and it carried unanimously.

5. New Business:

a. 62 Arrowhead Road #200700847: Bond Release Request - \$1,700 – Chairman Vulcano noted that the release has been recommended. **Secretary Fox moved to recommend to the Board of Selectmen the release of the planting bond at 62 Arrowhead Rd., #200700847, in the approximate amount of \$1,700.00. Commissioner Hunton seconded the motion, and it carried unanimously.**

b. 4-10 Pocono Road #201300579: Two Proposed Warehouse Buildings

- 1. List of Adjoining Neighbors prepared by CCA, LLC dated 06/14/13**
- 2. Wetland Delineation Property at 14 Pocono Road prepared by Roy Shook Associates dated 02/02/13**
- 3. Plans prepared by CCA, LLC:**
 - **Cover Sheet dated 06/20/13**
 - **Sheet N1 – General Legend, Notes and Abbreviations dated June 2012**
 - **Sheet 1 of 1 – Property & Topographic Survey dated 02/01/13**
 - **Sheet 1 of 1 – Existing Conditions Plan dated 02/15/13**
 - **Sheet C1 – Site Layout and Materials Plan dated 06/20/13**
 - **Sheet C2 – Grading and Drainage Plan dated 06/20/13**
 - **Sheet C3 – Utilities Plan dated 06/20/13**
 - **Sheet C4 – Landscaping Plan dated 06/20/13**
 - **Sheet C5 – Erosion Control Plan dated 06/20/13**
 - **Sheet C6 – Notes and Details dated 06/20/13**
 - **Sheet C7 – Notes and Details dated 06/20/13**
 - **Sheet C8 – Notes and Details dated 06/20/13**
 - **Sheet C9 – Notes and Details dated 06/20/13**

- **Sheet E1 – Sedimentation and Erosion Control Plan dated 12/07/05**

N. Levesque, CCA, 40 Old New Milford Rd., was present on behalf of the applicant, Yu, LLC. She reviewed the location of site. There is an existing building with office space on the property. The applicant desires additional warehouse space. It is proposing a 9,200 square foot building in the front with associated parking, and a 9,000 square foot warehouse at the same elevation as the existing building.

The proposal is in the regulated area, but will be “jogged” to avoid direct wetlands impact. Upon inquiry from Chairman Vulcano, Ms. Levesque advised that the building would house electronic lighting, as well as the leasing of office, garage and storage space. She will verify that it will be warehouse use, as opposed to manufacturing. She added that the applicant wishes to combine the three lots. Ms. Levesque stated that the applicant has enough parking for the proposed use. Access to the loading dock will remain as it is now, and the driveway will be widened.

With regard to water and sewer, Ms. Levesque advised that the existing building is on septic. She noted that the two proposed buildings would go to a pump chamber for the existing sewer on Pocono Road. Water storage for fire will be via a 30,000 gallon tank, and a new well will be drilled. The applicant does propose to eventually tie the existing building into the sewer.

Secretary Fox denoted the wetlands flagging. Ms. Levesque noted that much of the water from the wetlands has its source in Town and State drainage. She added that the new well will be about five feet from the wetlands flagging. The roof drains will provide water for the fire tank, and overflow will go into a catch basin that will discharge west towards the Still River. Ms. Levesque noted a bio-detention basin. She has performed calculations and will verify that there is sufficient volume for the grading. Vice Chairman Miller inquired regarding a landscaping plan. Ms. Levesque pointed to Sheet C-4 in the application materials, which was reviewed by the Commission members.

There was brief discussion regarding the foundation. Ms. Levesque indicated that there would be sanitary sewer going into a manhole. She discussed the sumps and the possible addition of snouts.

Wetland flagging was done in February 2013 by R. Shook. Secretary Fox indicated that she was interested in determining the calculations of the detention basin. Chairman Vulcano suggested that a consultant be utilized and a site walk be scheduled. He requested that the applicant ensure that the flags are visible in key spots.

Secretary Fox inquired why the applicant is proposing two warehouses. Ms. Levesque advised that here client desires 20,000 square feet and two buildings with the existing grades was a more favorable option.

Vice Chairman Miller moved to continue 4-10 Pocono Road, #201300579, with the understanding that WEO Daniel will contact J. Cowen to inquire regarding his availability, and that a site walk be scheduled. Commissioner Hunton seconded the motion, and it carried unanimously.

6. Tabled Items: None.

7. Correspondence:

- a. Minutes of Other Boards & Commissions: 06/06/13 special, 06/13/13 Zoning; 06/06/13, 06/20/13 Planning**
- b. The Habitat Volume 25 Number 1 Spring 2013**

c. Notice of Tentative Decision Intent to Modify A National Pollutant Discharge Elimination System Permit for the Following Discharge into the Waters of the State of Connecticut dated 06/07/13

d. Memo from R. Tedesco to J. Vulcano dated 06/19/13 Re: Road and Drainage Work – Chairman Vulcano advised he would like to clarify the definition of a regulated area, specifically with regard to an area that has already been altered. He requested that WEO Daniel clarify this with Mr. Tedesco and provide any necessary additional information.

8. Review Minutes of Previous Meetings: 06/10/13

It was noted that Commissioner Finelli is a *Regular* member, not an alternate. Additionally, on Page 2, re: 28 Maple Tree Road, in the second paragraph, to correct the typographical error, “s ome” to “some”. **Vice Chairman Miller moved to accept the meeting Minutes of June 10, 2013, with the two corrections mentioned. Secretary Fox seconded the motion, and it carried, 4-0-1, with Commissioner Hunton abstaining.**

9. Informal Discussion: None.

10. Adjourn:

Commissioner Hunton moved to adjourn the meeting at 7:45 p.m. Secretary Fox seconded the motion, and it carried unanimously.

*****Next regular meeting scheduled for July 8, 2013*****