

**APPROVED MINUTES
BROOKFIELD INLAND WETLANDS COMMISSION
Monday, February 10, 2014 – 7:00 p.m.
TOWN HALL MEETING ROOM # 133**

1. Convene Meeting

Secretary S. Fox convened the meeting at 7:00 p.m. and established a quorum of members.

2. Roll Call and Designation of Alternates

Present: Secretary S. Fox, M. Forlenza, M. Kukk, M. Mulvaney

Absent: None.

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

Commissioner Mulvaney moved to go to Agenda Item 5.a. Commissioner Kukk seconded the motion, and it carried unanimously.

5. New Business:

a. 3 High Ridge Grove #201400084: Jurisdictional Ruling to remove three (3) trees as indicated on the GIS map.

Secretary Fox explained to the fellow Commission members that there are four different kinds of applications for wetlands permits, and reviewed what the jurisdictional ruling process is, as it handles applications involving modest impacts.

WEO Daniel further discussed that certain uses are permitted that are incidental to the enjoyment and maintenance of residential property. The application before the Commission is for maintenance in a regulated area which requires review by the Commission.

Mrs. Talian, the property owner, was present. The GIS map was reviewed. Mrs. Talian pointed out the trees that need to be removed before the driveway can be paved. She indicated that an arborist visited the site, and determined that three trees in total must be removed.

WEO Daniel advised that the GIS map is from April 2011 and utilized stereoscopic vision. She also pointed out where the stream and wetland line are. Upon inquiry from Secretary Fox, Mrs. Talian advised that the stumps will be leveled to grade. The property owner would like to have the piles of chips stacked away from the wetlands, to be used around the site. There was discussion regarding the size and type of the trees. Mrs. Talian will advise the arborist to stack any chips away from the wetlands. Upon inquiry from Commissioner Kukk, Mrs. Talian indicated that there is a slight slope on the property.

Commissioner Forlenza moved, in the jurisdictional matter re: 3 High Ridge Grove #201400084, that the Inland Wetlands Commission will not take it up as a regulated activity, with the condition that the trees, when they are taken down, that the mulch generated from the trees, will not be placed in the wetlands. Commissioner Kukk seconded the motion, and it carried unanimously.

3. Wetlands Enforcement

a. Enforcement Officer's Report

20 Deerfield Road #201301082 – WEO Daniel reviewed with the Commissioners that this matter relates to the discovery of the placement of a barrier during a lake draw-down. The barrier was put there by the property owner to prevent the growth of milfoil. She explained that First Light Power owns up to 210' line, and discussed the working relationship with First Light. Upon inquiry from Commissioner Kukk, WEO Daniel and Secretary Fox explained that the material was like landscape fabric, covered with 4-5 inches of stone dust. WEO Daniel added that First Light had stopped treating the lake for the milfoil. A Notice of Violation was issued because the placement of material is considered regulated activity. WEO Daniel is waiting to see what action First Light intends on taking.

64 North Lake Shore Drive #201300317 – WEO Daniel explained that this violation relates to the building of an outdoor kitchen and patio without a permit from the Commission or First Light. The violation dates back to March 2013. She added that the property owner was working with an engineer to obtain First Light approval, but a plan has not yet been submitted. The plan will include wheel chair access, which First Light indicated it would allow. The violation was issued to First Light because of the 440 line. The Cease and Correct was upheld, and Citations are pending, totaling \$12,400. First Light has also issued a Notice of Violation, as well as fines. The outdoor kitchen has been disassembled, but the patio is still there. WEO Daniel welcomed the Commissioners to review the photographs in the file.

18 North Lakeshore Drive – WEO Daniel advised that both Notice of Violations were issued on the same day. This matter was brought to her attention via the Candlewood Lake Authority. WEO Daniel indicated that the property owner has been cooperative. An application is being completed, and a letter of filing consent from First Light has also been obtained. The property owner should be at the next meeting.

1 High Ridge Road – WEO Daniel briefly reviewed the history of this matter for the new Commissioners, specifically that the most recent owner, Dr. Zaky, had blocked the flow of water at the site. She further explained that he is incarcerated in federal prison, and that ownership has been changed to a limited liability corporation. WEO Daniel noted that the matter has not been removed from Enforcement so that any future owner has knowledge of the issues at the site. It was noted that Special Town Counsel Olson is still handling this matter. WEO Daniel indicated that a motion for default judgment can be placed on the land records. There was discussion regarding putting a lien on the property records in an effort to recover funds expended by the Town. WEO Daniel offered to have Attorney Olson attend a meeting if necessary.

Miscellaneous – WEO Daniel encouraged the Commission members to take advantage of available education materials. She reviewed her background. She advised that a standard practice for complicated applications is to call in outside consultants. WEO Daniel suggested that the Commissioners review the regulations, and participate in Department of Energy and Environmental Protection training programs.

9. Informal Discussion:

a. Inland Wetlands Commissioner Login Information - WEO Daniel explained how to log in and receive application information that is available from the Commission’s website, which is also available to the public via the Land Use Office.

3. Wetlands Enforcement

b. Site Inspection Reports

Secretary Fox noted that while there are no reports tonight, there are three current projects that are being monitored by professionals who provide the Commission with inspection reports as needed.

4. Old Business:

a. Election of Officers for the 2014 Calendar Year

Secretary Fox explained that the by-laws require election of officers. The Commission extended her term as Secretary through tonight due to the change in Commission members. Secretary Fox advised that elections could be held tonight, or she could continue her term through the next meeting, to allow time for the new Commissioners to consider the options. All Commission members advised that they would be willing to help in any capacity. At the next meeting, officers will be selected for Chairman, Vice Chairman and Secretary, and Secretary Fox explained the responsibilities affiliated with those roles.

Commissioner Mulvaney moved to table the Election of Officers for the 2014 Calendar year, and extend the role of Secretary Fox for two weeks. Commissioner Forlenza seconded the motion.

WEO Daniel advised that previous Town Counsel has offered an evening of training on meeting procedure, and current Town Counsel will do so if there is an interest. Motion carried unanimously.

6. Tabled Items: None.

7. Correspondence:

a. Minutes of Other Boards & Commissions: 01/23/14 Zoning;

WEO Daniel advised that Commission members can sign up to automatically receive copies of the Minutes of other Commissions.

8. Review Minutes of Previous Meetings: 01/27/14

WEO Daniel will put the .wav file on the website so that the Commissioners may listen to the meeting and approve the meeting.

10. Adjourn:

Commissioner Mulvaney moved to adjourn the meeting at 7:54 p.m. Commissioner Forlenza seconded the motion, and it carried unanimously.

*****Next regular meeting scheduled for February 24, 2014*****