

**APPROVED MINUTES  
BROOKFIELD INLAND WETLANDS COMMISSION  
Monday, February 25, 2013 – 7:00 p.m.  
TOWN HALL MEETING ROOM # 135**

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**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, A. Finelli, Alternate and Voting Member G. Hunton

**Absent:** Vice Chairman L. Miller, M. Downey

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

**3. Wetlands Enforcement**

**a. Enforcement Officer's Report**

**1 High Ridge Road** – WEO Daniel inspected the site and attempted to take photographs, but there was a technical problem processing the photos. She was able to determine that the pipe is still blocked, and the water is high enough that it is flowing in the other direction. No septic odor has been reported by the neighboring property owner. Additionally, WEO Daniel advised that there has been no activity with regard to the court appeal.

**533 Federal Road** – The site is frozen, so the property owner has been unable to remove the debris.

**Candlewood Birches** – Photographs were reviewed. It was noted that unpermitted work has been performed. The permit included a gravel turnaround; however, what is present is cement or blacktop. WEO Daniel recommended that the next step would be to contact First Light, as the unpermitted work is below the 440 line. Chairman Vulcano also noted that the silt fence has been down for quite some time.

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

**4. Old Business:**

**a. 101 Obtuse Hill Road #201200680: Approval Stipulation #10** – WEO Daniel advised that the resubdivision was approved. The Mylar has been found, and she is working with the property owner on the language for the conservation easement.

**Chairman Vulcano moved to continue 101 Obtuse Hill Road, #201200680: Approval Stipulation #10, to the next regularly scheduled meeting. Secretary Fox seconded the motion, and it carried unanimously.**

WEO Daniel inquired if this item should fall under the Enforcement Report, but the Commission indicated it would follow up with the stipulation via Old Business.

**Chairman Vulcano moved to go to Agenda Item 4.b. Commissioner Hunton seconded the motion, and it carried unanimously.**

**b. 506 Candlewood Lake Road #201300062: Jurisdictional Ruling – Replace Dock**  
*(dec date 04/16/13) - J. Royce, 74 Drum Hill Rd., Wilton, CT, was present.* This matter was tabled at the last meeting because the applicant was not present and because it awaiting approval from First Light. Mr. Royce advised that First Light initially indicated that the proposal “looked okay”, but he recently received a phone call from First Light stating that a federal agency would need to review

the proposal. WEO Daniel noted that the matter before the Commission is a request for jurisdictional ruling.

Mr. Royce advised that when the property was purchased, it had an existing dock made up of concrete and rocks. The proposed new structure will be smaller and constructed by sonatubes.

Upon inquiry from Secretary Fox, Mr. Royce explained the drilling process that will be done by the contractor.

Chairman Vulcano indicated he feels this matter should require a long-form application because of the work that will be done in the regulated area, including the construction of a retaining wall and the number of sonatubes. He added that a long-form application would require the Commission's oversight, and similar activities require a permit and a letter of consent from First Light (the landowner). WEO Daniel advised that she attempted to explain the need for a permit to another representative of the applicant without success. She further noted that the fees for jurisdictional ruling can be applied to the application fees. After additional discussion, Secretary Fox agreed that a long-form would be necessary.

Mr. Royce was requested to advise CCA that the Commission would like more details regarding the construction of sea wall and the installation of the sonatubes.

**No motion.**

**Chairman Vulcano moved to go to Agenda Item 5.a. Commissioner Hunton seconded the motion, and it carried unanimously.**

**5. New Business:**

**a. 227 Candlewood Lake Road #201300105: Modification to Existing Permit #201100678 – Remove Trees (dec date 05/01/13)**

**1. Map prepared for Echo Bay Marina by C. James Osborne dated 09/10/95; revised through 08/15/11**

*No one present.* The plans were reviewed. The request relates to a proposed modification of the permit to cut down trees on the lake side. **Secretary Fox moved to continue 227 Candlewood Lake Road, until the next regularly scheduled meeting, and ask the Land Use Office to contact the property owner and clarify how many locations are being considered for tree cutting, including the work that has already been done. Commissioner Hunton seconded the motion, and it carried unanimously.**

**8. Review Minutes of Previous Meetings: 02/11/13**

Secretary Fox noted the following correction, on Page 6, in the first paragraph, to add to the last sentence for clarification, so that it reads, "Commissioners Miller and Fox expressed the importance of having a public hearing in light of the significant amount of disturbance."

**Secretary Fox moved to approve the Minutes of the Monday, February 11, 2013 meeting, with the above change on Page 6, paragraph one. Commissioner Finelli seconded the motion. Motion carried 3-0-1, with Commissioner Hunton abstaining.**

**Secretary Fox moved to recess the meeting for nine minutes at 7:21 p.m. Commissioner Hunton seconded the motion, and it carried unanimously.**

*The meeting resumed at 7:30 p.m.*

**PUBLIC HEARING – 7:30 PM**

- a. **High Meadow/Carriage Homes, Ledgewood & Newbury Crossing Condominiums #201300037: Sanitary Sewer Extension System to service existing condominium complexes & pump station (PH close date 04/01/13)**

Secretary Fox opened the Public Hearing and introduced the Commissioner members. She then read the legal notice that was published in the News Times on February 14, and 22, 2013. Secretary Fox advised that the application was received on February 11, 2013. She then reviewed the policies and procedures that govern public hearings.

Secretary Fox noted the following correspondence: a letter dated February 25, 2013, from Environmental Planning Services, LLC, to WEO Daniel. The applicant confirmed that it was in receipt of a copy of this letter. Additionally, the agreement regarding the technical expert was noted.

*M. Finan, Birdsall Services, C. Utschig, BSG Services, J. Chase, Ecologist, and R. Prinz, WPCA, were present on behalf of the applicant.*

Mr. Finan reviewed the locations of the condominium projects. He advised that the plans show the proposed new sewer service sites as well as the existing. Mr. Finan stated that the site is served by onsite septic systems, and some are failing. He explained the features of the best alternative, as well as other factors considered, such as steep slopes and trees, and current paved areas.

Commissioner Hunton inquired of the applicant which plan would result in the most impact. Mr. Finan responded that all of the alternatives bring the sewage to one location, and the variations exist in how that happens, with varying amounts of disturbance at various costs. Chairman Vulcano noted that the best alternative is not the least expensive plan. Upon inquiry from Commissioner Hunton, Mr. Finan indicated that the proposed alternative is the best alternative, with the exception of a gravity system.

*J. Chase, Wetlands Ecologist, Essex, CT, was present, and discussed her January 14, 2013, wetland report. She referenced the numerous photographs of the well-developed wetlands system in that report. Ms. Chase advised that there are a large amount of invasive species and sedimentation from the runoff. She explained that the canopy will be eliminated, and after the sewer is installed, the area will be vegetated. Ms. Chase acknowledged that while there would be a loss of trees, she does not believe there will be a change in wetland function. The planting plan was noted. Ms. Chase advised that the applicant does not have an issue with what the Commission's consultant, M. Klein, has recommended.*

*There were no questions from the audience.*

*M. Klein, biologist/soil scientist, West Hartford, was present for the Commission. He indicated that he reviewed the erosion/sediment controls, and the restoration plan associated with sewer construction. Mr. Klein summarized that most of his recommendations request the applicant to provide detailed plans with respect to erosion and sedimentation control, wetlands restoration, and planting.*

Mr. Klein reviewed the list of species identified in the wetlands, noting that peak activity periods must be considered. He further indicated that he identified vernal pool and ponded areas that would be affected by construction, and reiterated the importance of timing the activity. Mr. Klein advised that mitigation recommendations would also be affected by the timing.

Mr. Klein pointed out that three of the activities that are proposed are located in areas that have already been developed, and any sediment and erosion control issues are the same as in other locations. He noted a wetland system near a bedrock controlled hillside where there is a high water table, and he recommends continuous dewatering and that the plans for that procedure be well-defined. He also discussed the “mucky” soil at the site. Mr. Klein also called attention to the importance of matching grades, and recommended that a soil scientist should be present for the stripping process. Additionally, he is unclear of the sequence of that stripping. Upon inquiry from Commissioner Hunton, Mr. Klein advised that the excavation is approximately four feet.

There was discussion regarding the stream crossing areas. Mr. Klein indicated that hay bales are not appropriate protection for the water crossing areas. He also pointed out a manhole two feet off the edge of a stream and the need to address an erosion problem in that area. Mr. Klein suggested that more detail be provided as to how discharge from the pipes would be controlled.

With regard to the restoration plan for the proposed crossing, Mr. Klein reiterated that soil removal and replacement should be overseen by a soil scientist and that the grades should match. He also went over his report’s comments regarding maintenance, seed mix and planting species.

Chairman Vulcano inquired if the wetland would be “dissected” upon completion of the work. Ms. Chase responded that the applicant’s intention is to replicate what is present, without the trees. She agreed that maintenance of the elevations is important, as well as re-vegetation. She indicated that mature shrubs would be used in place of the current canopy.

*R. Prinz, Chief of Maintenance, WPCA, was present*, and discussed the canopy and the piping process, indicating that the crossing should not be an issue. Upon inquiry from Chairman Vulcano, he explained that the pipes are tested 75 pounds of pressure before any sewage goes through them. Mr. Finan further discussed that any loss of pressure would result in notification to Mr. Prinz so that the location of any leak could be discovered. Secretary Fox inquired if this type of flexible line pipe has been utilized elsewhere in Brookfield, and Mr. Prinz reviewed several locations where the plastic PVC pipe is used. There was discussion regarding the curvatures, angle points, and shifting in the line.

Secretary Fox inquired regarding the marking of the wetlands. Mr. Klein indicated that it was possible that some locations were missed, and reviewed Drawing C10. Secretary Fox also asked how many trees would be taken down, and the plans were referenced. Mr. Klein indicated he was more concerned regarding construction methods and sensitive areas, as the trees are “relatively small”. Mr. Finan advised that Mr. Klein was missing approximately six sheets of plan.

Upon inquiry from Secretary Fox, regarding the construction sequence, Mr. Klein advised he would prefer to see the excavation proceed as prescribed by the engineers. There was discussion regarding sediment control bags, detail sheets that were labeled “NW Conservation” and seeding rates and mixes that are not appropriate for the site.

Mr. Klein further recommended that the applicant address: 1) invasive control; and 2) deer browse. He recommended a strong herbivore control plan. He suggested this be assured via bonding for restoration work, long-term monitoring, and watching the survivability percentages.

Chairman Vulcano expressed his concern regarding Water Crossing D. Mr. Finan advised that if the applicant went elsewhere, there would be more disturbance.

Secretary Fox inquired regarding the stability of the cattle crossing, and Mr. Finan advised that the Housatonic Valley Railroad does not have concerns. Mr. Utschig discussed the history of the bridge and described the wing walls.

The applicant was requested to provide a revised set of drawings based on the comments of the Commissioners and Mr. Klein. WEO Daniel pointed out the above-referenced six sheets are in the application file.

*There were no questions of clarification from the audience.*

*P. Citrone, 16 Ledgewood Dr., was present, and spoke in favor of the application. No one was present to speak in opposition to the application.*

**Secretary Fox moved to continue the Public Hearing until the next regularly scheduled meeting on March 11, 2013, at 7:30 p.m. Commissioner Hunton seconded the motion, and it carried unanimously.**

Ms. Chase inquired if she could speak directly with Mr. Klein and was advised it was permissible as long as WEO Daniel is part of the conference.

6. **Tabled Items:** None.

7. **Correspondence:**

a. **Minutes of Other Boards & Commissions: 02/07/13 Planning; 02/14/13 Zoning**  
No discussion/no motions.

9. **Informal Discussion:** None.

10. **Adjourn:**

**Secretary Fox moved to adjourn the meeting at 8:31 p.m. Commissioner Hunton seconded the motion, and it carried unanimously.**

**\*\*\*Next regular meeting scheduled for March 11, 2013\*\*\***