

**INLAND WETLANDS COMMISSION
REGULAR MEETING
MINUTES**

November 8, 2023 @ 7:30 p.m.
Council Chambers, Newtown Municipal Center
3 Primrose Street, Newtown CT

These Minutes are subject to approval by the Inland Wetlands Commission

Present: Sharon Salling, Scott Jackson, Mike McCabe, Kendall Horch, Craig Ferris

Staff Present: Steve Maguire, Deputy Director of Land Use, Kiana Maisonet, Land Use Enforcement Officer, Dawn Fried, Clerk

Ms. Salling opened the meeting at 7:30 p.m.

PENDING APPLICATION

IW Application #23-28 by Residential and Commercial Builders, LLC, property located at 4 Southbrook Lane, for the removal of fill.

Vasyl Ivoniuk, Residential and Commercial Builders, LLC gave a brief description of the project. Mr. Ivoniuk stated he has removed the fill in the wetlands.

Ms. Salling asked the following questions:

- How will the fill be disposed of?
- How much fill will be removed?
- Where will the fill be moved?

Mr. Ivoniuk stated there is approximately 5 to 6 truckloads of fill which equates to approximately 10 yards. The fill will be dumped by the neighbor's fence and then graded.

Ms. Salling asked if there was a plan to remove the natural debris consisting of brush and tree cuttings. Ms. Salling has concerns with the future hydrology.

Ms. Maisonet gave a brief history of the property starting from 2021. Mr. Maguire stated drainage issues originated from an adjacent subdivision. The Town and contractor installed a pipe to act as a curtain drain in the upland area which created some of the incidental fill. The fill expanded further on the lawn side. A machine went in to extract the top soil to use in the upland area. At which time the wetlands lost its organic layer. Mr. Maguire stated if a thin layer of top soil is added back to the wetlands it will reestablish plant growth. At this time the fill line is being proposed right outside the wetland. Mr. Maguire asked if the slope should be pulled back further and if the slope should be demarcated better.

Mr. Jackson had concerns with the debris in the wetlands. Mr. Ferris asked if the debris could be removed. Mr. Ivoniuk stated the machines are too heavy to be taken into the wetland area. It would destroy the property.

Mr. Maguire pointed out that in some cases natural debris can be helpful in reestablishing new wetland vegetation and wetland habitats.

Mr. Ferris asked if there were contours or a slope. Mr. Ferris recommended not chopping the earth but instead making a slope and stabilizing it.

Ms. Horch requested a plan with more details. She would like to see a remediation plan, a planting plan and slope calculations.

Mr. Maguire stated he will find the original topography map.

Mr. Salling stated she didn't feel ready to make a decision. She would like to look at the original plans and have more detailed information.

Mr. Maguire requested more information on the removal of the brush, a vegetation plan, reseeding the top soil and defining the new lawn line and where it will vegetate naturally.

Mr. Ferris asked about a wetland seed mix.

Ms. Salling stated a letter with the requested information would suffice.

IW Application #23-28 will be continued to the next IWC meeting on December 13, 2023.

APPROVAL OF MINUTES

Regular Meeting of September 27, 2023

The Commission found no substantive errors. Ms. Horch moved to accept the minutes from September 27, 2023. Mr. Jackson seconded. All in favor. Mr. Ferris abstained. The minutes from September 27, 2023 were approved.

Special Meeting of November 1, 2023

The Commission found no substantive errors. Ms. Horch moved to accept the minutes from November 1, 2023. Mr. McCabe seconded. All in favor. Ms. Salling and Mr. Ferris abstained. The minutes from November 1, 2023 were approved.

ACCEPTANCE OF APPLICATIONS

The Commission accepted IW Application #23-31 by Castle Hill Real Estate Holdings, LLC, property located at 20 & 60 Castle Hill Road, to construct a cluster-home community consisting of 117 single family units, community center and associated site improvements.

The Commission had a discussion regarding holding a public hearing. The Commission concurred it would be in the public's interest.

Due to public interest, Mr. McCabe moved to hold a Public Hearing for IW Application #23-31 at the next regularly scheduled meeting of the Inland Wetland Commission on December 13, 2023 at 7:30 p.m. in the Council Chambers at the Municipal Center, 3 Primrose Street, Newtown, CT. Mr. Ferris seconded. All in favor

OTHER BUSINESS

Review of Administrative Policies and Procedures

Mr. Maguire gave an overview of the proposed "Schedule of Fees". He stated "docks" were added to "decks and all other minor activities" (see attached).

Mr. Maguire passed out the Town of Brookfield's fee schedule and noted the chart associated with the disturbed upland review areas (see attached). The Commission had a discussion regarding the pros and cons of the chart. Ms. Horch was in support of adding fees to wetland areas that were directly impacted. Ms. Salling suggested implementing flat fees rather than varying fees based on square footage.

The Commission would like to continue discussions at a future time on quantifying a wetland "disturbance", simplifying Brookfield's "Schedule A" and "Schedule B", and modifying the short form application.

Educational Opportunities for Commission

Ms. Salling and Mr. McCabe will be attending the CACIWC Conference on Saturday. Ms. Salling stated this conference is a great way for the Commissioners to become more knowledgeable in different areas regarding inland wetlands. Ms. Salling recommended the Commissioners attend next year.

ADJOURNMENT

With no additional business, Mr. Ferris moved to adjourn. Ms. Horch seconded. All in favor. The IWC Meeting of November 8, 2023 was adjourned at 8:23 p.m.

Respectfully Submitted, Dawn Fried

APPENDIX B**Schedule of Fees**

Type of Activity	Fee
Single family residence	\$ 1,060
Residential additions with greater than 50% footprint expansion	\$ 560
Residential additions with less than 50% footprint expansion, pool, tennis court, site grading	\$ 410
Pond dredging, Stream bank stabilization	\$ 260
Decks, docks and all other minor activities	\$ 310
Subdivision, site plan, five (5) lots or greater in size	\$ 3,560
Subdivision, site plan, less than five (5) lots	\$ 1,560
Condominium or attached unit development, five (5) units or greater	\$ 3,560
Condominium or attached unit development, less than five (5) units	\$ 1,560
All other Commercial, Institutional or Non-residential Activities	\$ 1,560
Regulated Farming Activity	\$ 310
Modifications of existing permits	50% of original application fee
Inland Wetlands Agent Permit Application (Short Form)	\$ 175
Violation Removal	Two times the applicable fee
Wetlands Regulations (Hard Copy)	\$ 20

All application fees include a DEEP State Filing Fee of \$60.00

Revised September 27, 2023

Town of Brookfield Inland Wetlands Commission Regulations

The Commission may charge additional fees at any time during the review process, to retain outside consultants to review applications for regulated activities, and to monitor construction to insure compliance with approved plans. Said fees shall be determined by the Commission and/or the Wetland Enforcement Officer from written estimates prepared by the consultants on the basis of the anticipated cost of the review. The additional fees shall pertain to projects whose size, complexity and/or potential impact requires specialized assistance and expertise. The Commission may require that the applicant deposit an amount equal to 150% of the estimated consultant fees. The applicant shall be reimbursed for any unused funds.

Schedule A	
Disturbed upland review area	Upland review Impact Fee
0-1,000 sq ft	\$100
1,001-3,000	\$200 + \$20/1,000 sq ft
3,001-10,000	\$300 + \$20/1,000 sq ft
10,001-20,000	\$500 + \$20/1,000 sq ft
20,001-40,000	\$800 + \$20/1,000 sq ft
Over 40,001	\$1,000 + \$20/1,000 sq ft
Schedule B	
Disturbed Wetland area	Wetland Impact Fee
0-1,000 sq ft	\$200
1,001-3,000	\$300 + \$30/1,000 sq ft
3,001-10,000	\$600 + \$60/1,000 sq ft
10,001-20,000	\$1200 + \$120/1,000 sq ft
Over 20,001	\$3600 + \$360/1,000 sq ft